

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

Wednesday, 28 November 2012

(Extract from book 19)

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

By authority of the Victorian Government Printer

The Governor

The Honourable ALEX CHERNOV, AC, QC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

The ministry

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

Legislative Council committees

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

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

Legislative Council standing committees

Economy and Infrastructure Legislation Committee — Mr Barber, Ms Broad, Mrs Coote, #Ms Crozier, Mr Drum, Mr Finn, #Ms Hartland, #Mr Leane, #Mr Lenders, #Mr Ondarchie, Ms Pulford, Mr Ramsay and Mr Somyurek.

Economy and Infrastructure References Committee — Mr Barber, Ms Broad, Mrs Coote, #Ms Crozier, Mr Drum, Mr Finn, #Mr Leane, #Mr Lenders, #Mr Ondarchie, Ms Pulford, Mr Ramsay and Mr Somyurek.

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

Environment and Planning References Committee — Mr Elsbury, #Mr Finn, #Ms Hartland, Mrs Kronberg, #Mr Leane, Mr Ondarchie, Ms Pennicuik, #Mrs Petrovich, Mrs Peulich, Mr Scheffer, #Mr Tarlamis, Mr Tee and Ms Tierney.

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

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

Participating member

Joint committees

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

President: The Hon. B. N. ATKINSON

Deputy President: Mr M. VINEY

Acting Presidents: Ms Crozier, Mr Eideh, Mr Elasmr, Mr Finn, Mr O'Brien, Mr Ondarchie, Ms Pennicuik, Mr Ramsay, Mr Tarlamis

Leader of the Government:

The Hon. D. M. DAVIS

Deputy Leader of the Government:

The Hon. W. A. LOVELL

Leader of the Opposition:

Mr J. LENDERS

Deputy Leader of the Opposition:

Mr G. JENNINGS

Leader of The Nationals:

The Hon. P. R. HALL

Deputy Leader of The Nationals:

Mr D. DRUM

Member	Region	Party	Member	Region	Party
Atkinson, Hon. Bruce Norman	Eastern Metropolitan	LP	Leane, Mr Shaun Leo	Eastern Metropolitan	ALP
Barber, Mr Gregory John	Northern Metropolitan	Greens	Lenders, Mr John	Southern Metropolitan	ALP
Broad, Ms Candy Celeste	Northern Victoria	ALP	Lovell, Hon. Wendy Ann	Northern Victoria	LP
Coote, Mrs Andrea	Southern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	O'Brien, Mr David Roland Joseph	Western Victoria	Nats
Dalla-Riva, Hon. Richard Alex Gordon	Eastern Metropolitan	LP	O'Donohue, Mr Edward John	Eastern Victoria	LP
Darveniza, Ms Kaye Mary	Northern Victoria	ALP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
Davis, Hon. David McLean	Southern Metropolitan	LP	Pakula, Hon. Martin Philip	Western Metropolitan	ALP
Davis, Mr Philip Rivers	Eastern Victoria	LP	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
Drum, Mr Damian Kevin	Northern Victoria	Nats	Petrovich, Mrs Donna-Lee	Northern Victoria	LP
Eideh, Mr Khalil M.	Western Metropolitan	ALP	Peulich, Mrs Inga	South Eastern Metropolitan	LP
Elasmr, Mr Nazih	Northern Metropolitan	ALP	Pulford, Ms Jaala Lee	Western Victoria	ALP
Elsbury, Mr Andrew Warren	Western Metropolitan	LP	Ramsay, Mr Simon	Western Victoria	LP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Rich-Phillips, Hon. Gordon Kenneth	South Eastern Metropolitan	LP
Guy, Hon. Matthew Jason	Northern Metropolitan	LP	Scheffer, Mr Johan Emiel	Eastern Victoria	ALP
Hall, Hon. Peter Ronald	Eastern Victoria	Nats	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Tarlamis, Mr Lee Reginald	South Eastern Metropolitan	ALP
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Tee, Mr Brian Lennox	Eastern Metropolitan	ALP
Koch, Mr David Frank	Western Victoria	LP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Kronberg, Mrs Janice Susan	Eastern Metropolitan	LP	Viney, Mr Matthew Shaw	Eastern Victoria	ALP

CONTENTS

WEDNESDAY, 28 NOVEMBER 2012

ACTING PRESIDENTS	5181	
PETITIONS		
<i>Swinburne University of Technology: Lilydale campus</i>	5181	
<i>National Centre for Farmer Health: funding</i>	5181	
PAPERS	5181	
NOTICES OF MOTION		5182
MEMBERS STATEMENTS		
<i>Government: performance</i>	5182	
<i>Council to Homeless Persons: 40th anniversary</i>	5182	
<i>Asbestos: state management plan</i>	5182	
<i>Education: government performance</i>	5183	
<i>Ballarat: funding announcements</i>	5183	
<i>Manufacturing: industry participation policy</i>	5184	
<i>Government: vehicle procurement</i>	5184	
<i>Manufacturing: government policy</i>	5184	
<i>Boronia K-12 College: stage 2 development</i>	5184	
<i>Bushfires: siren pilot program</i>	5184	
<i>V/Line: rolling stock</i>	5184	
<i>Basketball: Bendigo Bank Community Cup</i>	5184	
<i>Mental Illness Fellowship Victoria: Brainwaves</i>	5185	
<i>Northern Victoria Region: jobs</i>	5185	
<i>Encompass Community Services</i>	5185	
<i>FKA Children's Services: 103rd annual general meeting</i>	5186	
<i>Call Me Emilios</i>	5186	
<i>National Council of Jewish Women of Australia: 85th anniversary</i>	5186	
<i>Skene Street Specialist School: living skills centre</i>	5187	
<i>Jewish Christian Muslim Association of Australia</i>	5187	
<i>Country Fire Authority: Eltham station</i>	5187	
GOVERNMENT: PERFORMANCE	5187, 5215, 5218	
QUESTIONS WITHOUT NOTICE		
<i>Planning: ministerial interventions</i>	5207	
<i>Health: federal funding</i>	5207	
<i>Surf Coast planning scheme: amendment</i>	5209, 5210	
<i>Automotive industry: government support</i>	5210	
<i>Government: advertising</i>	5211	
<i>Werribee employment precinct: development</i>	5211	
<i>WorkSafe Victoria: common-law claims</i>	5212	
<i>Housing: Richmond anti-drug initiative</i>	5213	
<i>Manufacturing: industry participation policy</i>	5213, 5214	
<i>Ballarat: technology park</i>	5214	
DISTINGUISHED VISITORS	5209, 5218, 5238	
QUESTIONS ON NOTICE		
<i>Answers</i>	5214	
TOBACCO AMENDMENT (SMOKING IN OUTDOOR AREAS) BILL 2012		
<i>Statement of compatibility</i>	5230	
<i>Second reading</i>	5231	
LAW REFORM COMMITTEE		
<i>Reference</i>	5234, 5238	
ALCOA (PORTLAND ALUMINIUM SMELTER) (AMENDMENT) ACT AMENDMENT BILL 2012		
<i>Second reading</i>	5240	
PRODUCTION OF DOCUMENTS	5244	
STATEMENTS ON REPORTS AND PAPERS		
<i>Auditor-General: Consumer Participation in the Health System</i>	5247	
<i>Victoria Police: report 2011-12</i>	5248, 5250	
<i>Office of Police Integrity: policing people who appear to be mentally ill</i>	5249, 5256	
<i>Budget sector: financial report 2010-11</i>	5250	
<i>Auditor-General: Public Hospitals — Results of the 2011-12 Audits</i>	5251	
<i>Electoral Matters Committee: conduct of 2010 Victorian state election</i>	5252	
<i>Upper Murray Health and Community Services: report 2011-12</i>	5253	
<i>Office of the Health Services Commissioner: report 2012</i>	5253	
<i>Auditor-General: Investment Attraction</i>	5254	
<i>Ombudsman: investigation into allegations against Mr Geoff Shaw, MP</i>	5255	
ADJOURNMENT		
<i>South Yarra Public Tenants Association: Russian interpreting service</i>	5257	
<i>Tourism: Woodlands Park</i>	5257	
<i>Hospitals: graduate positions</i>	5257	
<i>Wind farms: Woodend</i>	5258	
<i>Gay, lesbian, bisexual, transgender and intersex community: health ministerial advisory committee</i>	5259	
<i>Budget: gaming licences</i>	5259	
<i>Department of Education and Early Childhood Development: Moe regional office</i>	5260	
<i>Planning: Northern Metropolitan Region</i>	5260	
<i>Manufacturing: government policy</i>	5261	
<i>Students: education conveyance allowance</i>	5261	
<i>Pinewood Primary School: redevelopment</i>	5262	
<i>Planning: wind farms</i>	5263	
<i>Taxis: industry inquiry</i>	5263	
<i>Responses</i>	5263	

Wednesday, 28 November 2012

The PRESIDENT (Hon. B. N. Atkinson) took the chair at 9.33 a.m. and read the prayer.

The PRESIDENT — Order! I am advised and wish to inform the house that the Environment and Planning Legislation Committee will be meeting this day following the conclusion of the sitting of Council.

ACTING PRESIDENTS

The PRESIDENT laid on table warrant nominating Mr Ondarchie to act as acting president whenever requested to do so by the President or Deputy President.

The PRESIDENT — Order! I thank the leaders of the respective parties for their agreement to that nomination, and I thank Mr Ondarchie for accepting the nomination as one of the acting presidents.

PETITIONS

Following petitions presented to house:

Swinburne University of Technology: Lilydale campus

To the Legislative Council of Victoria:

This petition of certain citizens of the state of Victoria draws to the attention of the Legislative Council the state government's plans to cut hundreds of millions of dollars from TAFE funding. In particular, we note:

1. since these cuts were announced, Swinburne has announced the closure of its TAFE and university campus at Lilydale;
2. 240 local jobs will be cut, and the future of 2500 students is uncertain as a result of this campus closure; and
3. with 49 000 full-time jobs already lost in this term of government, skills training has never been more important for Victorians.

The petitioners therefore request that the Legislative Council urge the Baillieu state government to abandon the planned funding cuts, guarantee no further cuts will be made and work to secure the future of Swinburne University Lilydale campus.

By Mr LEANE (Eastern Metropolitan) (17 signatures).

Laid on table.

National Centre for Farmer Health: funding

To the Legislative Council of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the house the state government's decision to cease funding for the National Centre for Farmer Health. In particular, we note:

1. the likely closure of the National Centre for Farmer Health due to the Baillieu government's decision to cut its \$1 million annual state government contribution;
2. the detrimental impact this funding cut will have to the health, safety and wellbeing of farm men and women, farm workers, their families and communities across Australia; and
3. that the Baillieu government's decision to cut funding for the National Centre for Farmer Health will mean that the centre will no longer be able to carry out its important work such as research, service delivery and community for farming communities across regional Victoria.

The petitioners therefore request that the Legislative Council urge the Baillieu state government to immediately reinstate funding for the National Centre for Farmer Health and guarantee no further cuts will be made.

By Ms TIERNEY (Western Victoria) (8 signatures).

Laid on table.

PAPERS

Laid on table by Clerk:

Auditor-General Reports on —

Local Government: Results of the 2011–12 Audits, November 2012.

Portfolio Departments and Associated Entities: Results of the 2011–12 Audits, November 2012.

Prison Capacity Planning, November 2012.

Student Completion Rates, November 2012.

Crown Land (Reserves) Act 1978 — Minister's Order of 12 November 2012 giving approval to the granting of a licence at Mornington Public Park Reserve.

Parliamentary Committees Act 2003 — Government Response to the Rural and Regional Committee's Report on the Capacity of the Farming Sector to Attract and Retain Young Farmers and Respond to an Ageing Workforce.

Special Investigations Monitor —

Report 2011–12, pursuant to section 39 of the Crimes (Controlled Operations) Act 2004 in relation to the Office of Police Integrity.

Report 2011–12, pursuant to section 39 of the Crimes (Controlled Operations) Act 2004 in relation to Victoria Police.

Report 2011–12, pursuant to section 131T of the Fisheries Act 1995 in relation to Department of Primary Industries.

Report 2011–12, pursuant to section 74P of the Wildlife Act 1975 in relation to the Department of Sustainability and Environment.

Report for the period 1 January to 30 June 2012, pursuant to section 30Q of the Surveillance Devices Act 1999.

Statutory Rules under the following Acts of Parliament:

Associations Incorporation Reform Act 2012 — No. 128.

Crimes Act 1958 — No. 127.

Subordinate Legislation Act 1994 — Documents under section 15 in respect of Statutory Rule No. 122.

Wrongs Act 1958 — Notice of Scale of Fees and Costs for Referrals of Medical Questions to Medical Panels.

NOTICES OF MOTION

Notices of motion given.

Ms TIERNEY having given notice of motion:

The PRESIDENT — Order! I am prepared to allow this motion to go forward on this occasion, but I am a little concerned about the wording ‘this time it is school focused’. I think that is editorialised terminology, and I would prefer something a little more straightforward in linking that in with the original line about condemnation. It is not really a problem; it is just that I would prefer the drafting of these notices to be a little bit tighter.

MEMBERS STATEMENTS

Government: performance

Ms TIERNEY (Western Victoria) — We are now two years into the Baillieu government’s term of office, and the consensus from the overwhelming majority of Victorians is clearly being voiced: the Baillieu government is a do-nothing government. In Saturday’s *Herald Sun* cartoonist Mark Knight painted a picture that reflects what many Victorians are thinking. The cartoon shows the Premier waking up on what he thinks is the day after the 2010 election. Unfortunately for all Victorians, it is two years later — the year 2012 — and the Premier has slept through the snooze alarm. If the reality of what this cartoon suggests were not so damaging and so evident all around this state, one might have a chuckle at the humour depicted.

Whilst the Premier has slept through the snooze alarm, there have been thousands upon thousands of Victorians who have not slept at night because this government’s inaction has cost them their jobs. Victorians continue to lie awake at night wondering if they will ever be able to find employment while the Baillieu government continues in its comatose fashion, failing to create new jobs and slashing hundreds of millions of dollars of funding from the training sector, thus at the same time diminishing the chances of those people to retrain and find other jobs. The investment in infrastructure projects and job creation Victoria experienced under the Labor government simply does not exist under the do-nothing Baillieu government. Strong leadership is simply not a term any Victorian would use to describe the Premier and his government, and the state is paying a very high price for it.

Council to Homeless Persons: 40th anniversary

Hon. W. A. LOVELL (Minister for Housing) — Last week I was delighted to speak at the annual general meeting of the Council to Homeless Persons (CHP), which also served as its 40th anniversary celebration. Council to Homeless Persons had its beginning in 1972 with the aim of facilitating the sharing of information in the homeless sector, something that remains its focus today. In its early years CHP moved between various offices and had few long-term permanent staff, almost mirroring the sector of society it aimed to help. Now Council to Homeless Persons has a permanent home in Collingwood. It also has a well-recognised profile in communicating the needs of those less fortunate through research, conferences and events. Also vitally important is CHP’s peer education support program for which I presented awards last week. The changes that can happen in people’s lives when they have the chance to become part of this program are amazing.

One of the educators spoke of the challenge of working with support agencies so they can provide client-focused support with real goals. The passion these educators show for their work is infectious. I would like to congratulate Council to Homeless Persons on its exceptional work over 40 years. I hope to see this amazing work continuing for decades to come.

Asbestos: state management plan

Ms PENNICUIK (Southern Metropolitan) — This week, 26 to 30 November, is Asbestos Awareness Week. Asbestos continues to be a massive problem for workers worldwide. In some parts of the world workers are still forced to work with asbestos, such as in Bangladeshi and Indian shipbreaking yards, where

workers work unprotected breaking up disused ships, mainly from the west, which are full of asbestos.

The reason that the union movement and asbestos disease support and advocacy groups allocate a week every year to asbestos awareness is that asbestos is still such a huge problem in Australia as well. Australia has an unenviable record of having one of the world's highest rates of asbestos-related diseases and a legacy of asbestos-containing materials in many workplaces and buildings: public, private, commercial, domestic and industrial.

The use of all forms of asbestos in Australia has been banned since 2003, including its import and export, although it is disturbing to learn that some products containing asbestos are still coming into Australia. In September I wrote to the minister to ask him to adopt actions from the national plan that can be implemented at a state level. He responded to me just last week, saying that he will continue discussions at a national level and will wait until next year to work on the national plan. I urge him to work earlier on the things that can be done at the state level.

Education: government performance

Mr TARLAMIS (South Eastern Metropolitan) — At the two-year anniversary of the Baillieu government's election, I would like to take a moment to reflect on the government's poor performance in education. The teachers industrial dispute rolls on because the government is unwilling to honour its promise to make Victorian teachers the best paid in the country. The successful school modernisation program is gone, the Victorian certificate of applied learning has been nobbled, the School Start bonus has been dumped, the education maintenance allowance has been slashed and the TAFE system is being ripped apart while our most vulnerable and disadvantaged kids are denied access to skills and training.

The community values and wants a well-funded TAFE sector, which is clear from the hundreds of petitions on the TAFE cuts that I have received. It wants a sector that is able to provide its community service obligations to ensure that every member of our community can be their best. The hundreds of millions of dollars ripped out of TAFE means that students who choose not to go to university cannot reach their full potential, something the community understands but members of the Baillieu government just cannot get their heads around.

In the Carrum electorate, Aspendale Primary School waits for its \$1.5 million school renovation — which, by the way, began as a \$2 million commitment prior to

the election. In the Frankston electorate, Mount Erin College is waiting on that good local member, the member for Frankston in the Assembly, Geoff Shaw, to deliver the remaining \$8.1 million of the \$9 million it was promised at the last election. Frankston Primary School is expected to house its students in facilities that were built in the 1940s. In the Mount Waverley electorate, Pinewood Primary School was promised a \$4.5 million rebuild and renovation but has yet to see a dollar. If that was not enough, the school is also waiting on the construction of a covered corridor between buildings to protect students and staff from the rain. This is just a small sample of the lacklustre performance in education after two years of this government.

Ballarat: funding announcements

Mr RAMSAY (Western Victoria) — It was a good news week for Ballarat last week, with six ministers in town making key funding announcements. I accompanied the Minister for Police and Emergency Services, Peter Ryan, to Ballarat Airport, where funding of \$3.43 million was announced as part of the \$5.5 million airport upgrade. The Airport Investment Attraction Project will hopefully be a catalyst for further investment as part of the broader Ballarat West employment zone that is expected to create 9000 jobs and inject \$5 billion a year into the Ballarat economy.

I also accompanied Minister Ryan to the announcement of the new Mount Helen fire station, which is a \$2.5 million election commitment. Land has been purchased at the University of Ballarat Technology Park site and \$700 000 has already been announced for the upgrade of the historic Ballarat East fire station.

I accompanied the Minister for Crime Prevention, Andrew McIntosh, to Ballarat for the announcement of \$40 000 as part of a \$300 000 commitment for two projects to reduce graffiti by providing graffiti removal kits, education programs and public murals.

I accompanied the Minister for Technology, Gordon Rich-Phillips, and the Minister for Regional Cities, Denis Naphthine, for the announcement of 150 new jobs at the Ballarat tech park, which is the expansion of the current IBM facility at the University of Ballarat. This project is the creation of the IBM Asia Pacific Centre of Excellence for Software Testing, and students at the university can earn as they learn by also working at the IBM module.

I accompanied the Minister for Water, Peter Walsh, to the Central Highlands Water celebration of 150 years of water supply. I congratulate chairman Jeremy Johnson,

who is also the CEO of Sovereign Hill, who was the winner of the Qantas award for outstanding contribution by an individual at the RACV Victorian tourism awards celebration in Melbourne on 19 November.

Manufacturing: industry participation policy

Mr SOMYUREK (South Eastern Metropolitan) — I rise to condemn the Baillieu government for leaving Victorian industry in the dark over the future of the Victorian industry participation policy. The VIPP is a very important tool in local job creation, yet the government still has not indicated to industry the future of the VIPP. We are now two years into the Baillieu government's term of office, yet we still face a situation where the government is sitting on proposals to reform VIPP. According to the VIPP 2011–12 annual report, those reforms could be announced any time between now and the middle of next year. That is not good enough considering that the Labor Party has announced VIPP reforms, from opposition, two years out from an election.

Government: vehicle procurement

Mr SOMYUREK — On another matter, I condemn the Baillieu government for ruling out following the opposition's lead and mandating the purchase, where a fit-for-purpose vehicle is available, of locally manufactured vehicles by all Victorian government departments and agencies excluding executives entering into salary sacrifice arrangements and local government authorities. The refusal of the Baillieu government to follow the opposition's lead endorses the continuation of the Federal Chamber of Automotive Industries data for 2011 showing that 41 per cent of state government vehicles and 77 per cent of Victorian local government vehicles purchased were built overseas.

Manufacturing: government policy

Mr SOMYUREK (South Eastern Metropolitan) — On another matter, I condemn the Baillieu government for failing to implement its election commitment to set up a manufacturing council to oversee and give strategic advice in the implementation of the government's manufacturing policy announced last year. The manufacturing council is now 730 days overdue, and I wonder whether its failure to convene is an indication that the government's manufacturing policy is not being implemented.

Boronia K–12 College: stage 2 development

Mr O'DONOHUE (Eastern Victoria) — Last week I was pleased to join the Minister for Education, the Honourable Martin Dixon, for the official turning of the first sod for stage 2 of the Boronia K–12 College project. The coalition committed \$15 million to this project in the 2012–13 state budget to deliver stage 2 design and works and enable the school to complete its master plan, allowing Boronia K–12 College to become a local leader in education.

I commend the staff and students for their patience while stage 1 was completed and congratulate the school communities of both Boronia Primary School and Boronia Heights College, in particular the principals Colin Davies and Kate Harnetty, on their continued advocacy and support for the project. I also congratulate the executive principal of Boronia K–12 College, Ross Bevege.

Bushfires: siren pilot program

Mr O'DONOHUE — On a separate matter, I was very pleased to see the announcement from the Minister for Bushfire Response, Peter Ryan, in relation to the pilot program for fire sirens. As members would be aware, Eastern Victoria Region covers parts of the Yarra Valley, the Dandenong Ranges and other fire-prone areas. This is a welcome announcement for communities in those areas, including Cockatoo, Gembrook, The Basin, Belgrave, Belgrave Heights, Belgrave South, Clematis, Emerald, Kallista, The Patch, Kalorama, Mount Evelyn, Menzies Creek, Macclesfield, Narre Warren East, Silvan and Upwey, which will be among the first 39 localities in Victoria to trial an initial 46 sirens.

V/Line: rolling stock

Mr O'DONOHUE — On a separate matter, I welcome the announcement from the coalition that it has ordered 40 new carriages for V/Line. That is great news for commuters in my electorate on the Traralgon line and great news for commuters in country Victoria. Again it is a case of fixing the legacy of Labor's negligence, waste and mismanagement.

Basketball: Bendigo Bank Community Cup

Mr LEANE (Eastern Metropolitan) — Today I would like to give a big rap to the organisers of the 2012 Bendigo Bank Community Cup, which was held at Knox Basketball Stadium on Monday. The organisers included Knox Basketball, Partnership Brokers, Bendigo Bank and the Outer Eastern Local

Learning and Employment Network (LLEN). In particular Trevor Bailey, who helped organise the event, did a great job.

The community cup is an integrated day of basketball, career planning and networking for young people in the local community. It is an opportunity for young people to connect with services, educators and employers, and to build their networks and social capital. The program is very important. It engages homeless and marginalised youth to promote social inclusion. Some of the organisations involved in this important event were Yarra Ranges Shire Council youth services, Knox City Council youth services, Family Access Network, Salvation Army EastCare, TDT Training Australia, Victoria Police, the workplace learning coordinators program in the Outer Eastern LLEN, Healesville Koori community players, Indigenous Hip Hop Projects and headspace. It was a great event, and I look forward to next year's cup.

Mental Illness Fellowship Victoria: *Brainwaves*

Mr ONDARCHIE (Northern Metropolitan) — I rise today to congratulate Mental Illness Fellowship Victoria, which is headquartered in Fairfield, in my electorate, Northern Metropolitan Region, on its *Brainwaves* radio program. *Brainwaves* is a peer-run program, developed by Mental Illness Fellowship Victoria, that airs on 3CR Community Radio each Wednesday from 5.00 to 5.30 p.m.

The program is coordinated by Mental Illness Fellowship Victoria support worker Ben Rinaudo and is produced and presented by a dedicated and talented group of volunteers who have lived with the experience of mental illness. Each week the team puts together a lively and topical show that covers issues that matter to people with mental illness and their families and friends. The program also features regular interviews with leaders in the mental health field.

The program aims to be a catalyst for reversing the negative stereotypical view the media has portrayed of people with mental illness and reducing stigma in the community by using radio as a form of positive engagement. It provides a platform for the voices of those affected by mental illness, including consumers, carers, family members, friends, sector leaders and community members. The *Brainwaves* team has just won the 2012 national Community Broadcasting Association award for excellence in training. I congratulate the *Brainwaves* team, because the award reflects its dedication, teamwork and energy over a period of two years, and it acknowledges the

development of *Brainwaves* since its humble beginnings in 2009.

Listeners can tune in to *Brainwaves* on 855AM, stream live through the web or download podcasts of each show. I congratulate chief executive Liz Crowther and her team at Mental Illness Fellowship Victoria on their wonderful work in supporting this very important group.

Northern Victoria Region: jobs

Ms DARVENIZA (Northern Victoria) — I wish to congratulate everyone who has been involved in the Shepparton Jobs and Skills Drive, which is being run throughout the region during November. It is a joint initiative of GOTAFE, the City of Greater Shepparton and local job service providers. So far 70 people have found employment through the project, which aims to place 100 people in jobs during the month. Young people from the Greater Shepparton region have had a chance to meet with employers and training services as part of a month-long campaign designed to connect them with vital services.

A similar job drive was held earlier this year in Benalla, where the aim was to place 31 people in jobs. The final result was 56, which was fantastic. Both job drives have been a great opportunity to demonstrate that regional and rural communities can be fantastic places to live, work and raise a family.

As a member for Northern Victoria Region, I fully endorse the recent announcement by the opposition that under a Labor government regional councils would for the first time get access to low-interest lending from the Treasury Corporation of Victoria to fund projects that will generate jobs and encourage growth in rural and regional Victoria. Labor has a vision to grow Victoria's regions, unlike the Liberal-Nationals coalition, which is hitting families hard. During this government's term we have seen an increase in the cost of living, \$555 million cut from education, \$290 million stripped from the TAFE system, huge blow-outs in elective surgery waiting lists and a failure to produce a job plan for the state.

Encompass Community Services

Mrs COOTE (Southern Metropolitan) — At the invitation of Andrew Katos, the member for South Barwon in the other place, I recently visited Encompass Community Services in Leopold. Encompass is a non-profit organisation that encourages and empowers people with a disability and those who are disadvantaged. It has been working in the Geelong

region since 1985 and supports about 2000 people with physical, intellectual, sensory and psychological disabilities. It is also a registered training organisation, and when I visited I was able to see the excellent work it does. It has the most sensational vegetable garden, where people work and do courses — for example, they pot plants in hothouses. It really is a most impressive service.

In July 2007 Encompass purchased the 7-acre property in O'Halloran Road in Leopold. Since that time it has completed modifications to the existing building to increase access for wheelchair users and people with limited mobility. It has developed a sensory garden by building two hothouses, which I mentioned earlier, and planting them with various herbs, vegetables and fruit. Encompass now also has chickens and sheep on the property.

It was a very impressive group, and I met a number of the people attending the program on the day I was there. I would like to congratulate everybody associated with this excellent organisation. I just know it will go from strength to strength and will be providing local residents with some very good nutritious and organic vegetables. I look forward to seeing the results.

FKA Children's Services: 103rd annual general meeting

Ms MIKAKOS (Northern Metropolitan) — On 21 November I was pleased to attend the FKA Children's Services 103rd annual general meeting. FKA Children's Services has a longstanding history in the provision of early childhood services spanning more than 100 years and always responding to the emerging and changing needs of the community. The organisation currently provides support to children and their families from culturally and linguistically diverse backgrounds, including those who have been diagnosed with or are suspected of having a disability.

I take this opportunity to congratulate the CEO, Sandra Prouse, the president, Bruna Pasqua, and the board and members on their dedication and continued commitment to early childhood services in Victoria, particularly those provided to children from migrant and refugee families.

Call Me Emilios

Ms MIKAKOS — I am also looking forward to attending the launch at the Hellenic Museum tonight of a memoir entitled *Call Me Emilios* by Emilios Kyrou, a Justice of the Supreme Court of Victoria. Justice Kyrou's memoir describes his family's experience of

migrating to Australia in 1968 and his parents working in factories. I point out that this year is the 60th anniversary of the assisted passage migration agreement between Greece and Australia.

From humble beginnings growing up in Broadmeadows, Justice Kyrou was the first Greek-born person appointed to Victoria's Supreme Court. In his memoir he also reflects on his childhood experiences of racism, bullying and adversity and how he overcame them. I congratulate Justice Kyrou on sharing his and his family's personal story. I believe it will serve as an inspiration to many young migrant children in this country.

National Council of Jewish Women of Australia: 85th anniversary

Ms CROZIER (Southern Metropolitan) — I had the great pleasure last Tuesday of presenting a certificate from the state government and the Premier to the president of the National Council of Jewish Women of Australia, Victoria, Vivien Brass, recognising 85 years of service by the organisation to the community. Founded in 1923 by Dr Fanny Reading, the NCJWA became affiliated in 1925 with the International Council of Jewish Women. There is no doubt that Dr Reading's vision has motivated various leaders and volunteers in their commitment to making a difference to communities.

The Victorian arm of the organisation has been providing support and programs to countless numbers of women in Victoria, Australia and at times international locations. One local project is the Mum for Mum program, and earlier this year I was present in Parliament House at its launch. It is a home-based, free of charge and confidential program for mothers of newborns or infants and for pregnant women, and it is an example of an initiative conducted by NCJWA Victoria that has already assisted women who come from a range of different ethnic backgrounds.

At Tuesday's luncheon messages congratulating the organisation's 85th year of operation and service were received by both local and national community leaders. They acknowledged the work and support of many women and their association with the NCJWA. Lady Marigold Southey, NCJWA Victoria patron, said in her message:

I congratulate NCJWA (Victoria) on 85 years of its contribution to the whole community of Victoria. The care and dedication to the many and various needs in the Jewish and general community are evidenced by the work the organisation does.

As patron, I am honoured to be associated with such a wonderful group of women.

Congratulations to all those involved in a highly successful anniversary luncheon and also on their ongoing dedication and work for our community.

Skene Street Specialist School: living skills centre

Mr KOCH (Western Victoria) — Last Friday I was delighted to represent the Minister for Education at the opening of the new living skills centre at the Skene Street Specialist School in Stawell. The opening of the centre ushers in a new era for the school, which will now be able to deliver improved outcomes for students and a better environment for staff, who work tirelessly for special education in Stawell.

The living skills centre begins a new chapter in the long history of special education in Stawell that dates back to 1937. A lot has changed over the last 75 years. In 1937 Victoria was coming out of the Depression, which meant there was no funding to furnish the school and students had to sit on a hessian floor. Today they have access to facilities that will enhance their learning in a pleasant and comfortable environment.

The living skills centre was constructed at a cost of \$5.25 million, with \$3.1 million from the Baillieu government. This new facility represents a genuine partnership between the government and the local community — a partnership which will provide for the education needs of current and future students.

The centre aims to give every student, regardless of their particular circumstances, the opportunity to reach their full potential. I congratulate principal Robyn Anyon and her staff on the tremendous work they are doing at Stawell. My thanks to the parents and the extended Stawell community for the patience they have shown during the rebuilding process at this brilliant complex.

Jewish Christian Muslim Association of Australia

Mrs KRONBERG (Eastern Metropolitan) — Last Thursday I had the pleasure of attending the annual general meeting of the Jewish Christian Muslim Association of Australia. While speaking from the chair, Rabbi Shamir Caplan shared with us his relief that a ceasefire had been declared in the Middle East. He also said that the concept of the JCMA, when viewed through the perspectives of the Middle East, was regarded as an amazing initiative for these three religions here in Victoria.

Seeing these three Abrahamic religions working in an organisation such as the JCMA is an achievement that Victorians can be proud of. It is a splendid example of the fact that when one goes out of one's way to seek points of commonality and develop a respect for those who hold differing views we end up with healthy dialogue and a deeper understanding. The fostering of all this is good for everyone concerned.

Country Fire Authority: Eltham station

Mrs KRONBERG — On Sunday last I joined Peter Ryan, the Minister for Police and Emergency Services, in the announcement of a site for the Eltham Country Fire Authority's new \$9.6 million fire station. With us were Mick Bourke, who is the CEO of the CFA; Greg Esnouf, regional director of the CFA; Joe Buffone, deputy chief officer, readiness and response; and Eltham station's Charlie Cleary, operations officer and acting officer in charge. I have to say I commend the work of the 16 career firefighters and 34 volunteers who are the members of the proud Eltham CFA.

GOVERNMENT: PERFORMANCE

Mr LENDERS (Southern Metropolitan) — I move:

That this house notes that the Baillieu-Ryan coalition promised the people of Victoria in 2010 to 'fix the problems' and 'build the future' but has failed to successfully plan, build or deliver on its promise during the past two years, in particular —

- (1) cost of living pressures on families have increased with higher taxes and charges levied by the Baillieu government, which is now the highest taxing and spending government in the history of the state;
- (2) health services have been cut and promises that were made have not been delivered on;
- (3) education services and school construction have been cut and promises that were made have not been delivered on; and
- (4) after two years in office, the Baillieu government has no jobs plan;

and that this house calls on the Baillieu-Ryan government to plan for the future, build both infrastructure and human capital and deliver on its election commitments.

This motion deals on the second anniversary of the election of the Baillieu government with its rhetoric at election time versus the reality of what has happened in the two years since.

When I was reflecting on making my contribution on this motion I was reminded of a book I read 37 years ago — about the same time that Murray Byrne left this house — and that is George Orwell's *Nineteen*

Eighty-Four. The reason I draw that comparison at the very start of my contribution on this fairly detailed motion is that there are some analogies that can be drawn here. Those of us who reflect back on Orwell's book will recall that the world was divided into three parts — Oceania, Eastasia and Eurasia — and there was a party that ruled. The party had a leader called Big Brother, who may or may not have existed, and the job of the main character of the book, Winston Smith, was to rewrite history on a daily basis. Eurasia and Oceania had been at war for a number of years, and when suddenly that war was over and Eurasia went to war with Eastasia, history had to be rewritten to show that Eurasia had always been at war with Eastasia, never with Oceania. The job of this guy was to basically go through every single bit of history and rewrite it to suit the current needs of the government of the day. That was his job.

I use that as an introduction to the statement in my motion that reads:

That this house notes that the Baillieu-Ryan coalition promised the people of Victoria in 2010 to 'fix the problems' and 'build the future' but has failed to successfully plan, build or deliver on its promise during the past two years, in particular ...

Drawing the analogy with Orwell at the start goes to that core phrase: 'fix the problems'. When I sit in this house and listen to question time, when I look at media releases, when I see the heads of ministers on television and when I attend functions I can see that there is very little focus on fixing the problems. There is much focus on analysing and blaming for the problems. If this government had gone to the election and said, 'Our slogan is that we will get to government, analyse the problems and talk about a vision for the future', you would say that that is what it is doing, but there is very little in this government's rhetoric or actions that actually seeks to fix the problems. I will go through four areas I have listed in the motion as examples of that.

Again going back to my *Nineteen Eighty-Four* analogy, there were four departments in the state of Oceania: there was the Ministry of Peace, which dealt with war; there was the Ministry of Plenty, which dealt with covering up poverty; there was the Ministry of Love, which dealt with the police state; and of course there was the Ministry of Truth, which dealt with propaganda. I will draw analogies between two of those departments — the Ministry of Plenty and the Ministry of Truth — and how this government is saying one thing but doing something completely different and seeking to rewrite history in the process.

Going through the record of the government on fixing the problems and building the future and where the promises stand, we see that the first item in the motion relates to cost of living pressures. I remember vividly and still have a copy of the *Mountain Views Mail* ad that four Liberal candidates put out at the last election, saying that under a Baillieu government the cost of living would come down. I am happy to share that with the house, and I am sure that Mr Battin, Mrs Fyffe and Ms McLeish, the members for Gembrook, Evelyn and Seymour in the Assembly, will stand proudly by their statements that under this government the cost of living will come down. I am sure that in some way they will spin it and say that it has happened, but the reality of the last two years and one day is that we must look at what this government has done by its own actions.

We can see things have changed. We have seen this house and the other house put an extra \$200 tax on Commodore cars. You may say that is not much, but it is a hit on jobs; it has been done. We can look at the fees and fines being increased by 15 per cent; it was a policy decision of the government to put up fees and fines across the board by 15 per cent. It is not inflation, which is something that was criticised previously by the government; this was a choice around the cabinet table and around the government party room to say, 'We have priorities we wish to meet that we will partly fund with a 15 per cent increase on speeding fines and on whatever we wish to put it on'. It was a conscious decision of the government.

We have seen a dividend taken out of the WorkCover scheme for the first time in the history of this state, which means extra tax of \$200 a year for the average employer in Victoria. That dividend could have gone to premium reductions or benefit improvements for workers, but instead it is a tax of \$200 a year on every employer in Victoria through their WorkCover premiums.

The special issue for me, which always gets the full-moon, barking werewolf attitude out of many in the chamber, is what has happened with water. What we have seen with water is that costs have gone up because of infrastructure built by the previous government, but we also have the highest dividends in the history of the state. As the Auditor-General reported but two weeks ago in Parliament, Melbourne Water had to borrow money to pay dividends to the state government to prop up the budget.

Again going to my analogy with the Ministry of Truth, we were firstly told by the government that it was part of a pre-election budget update. When the government was sworn in in December 2010 Mr Baillieu, the

Premier, and Mr Wells, the Treasurer, said at a press conference that there would be no surprises in the budget from the pre-election budget update. The first budget came, and the surprise was the cut in GST funding — but the government had said, ‘No surprises’. By the time of the second budget, the Ministry of Truth was fabricating every story about blackholes left by the previous government that it could find or invent.

The point I make is that if Mr Baillieu and Mr Wells had said in December 2010, ‘There are black holes everywhere that we had not foreseen. The Department of Treasury and Finance was wrong in the pre-election budget update’, they may have had some credibility. But no, in December 2010 they were trying to reassure investors and employers that all was well in the state of Victoria. They said one thing, but when it suited their needs they said another. Using my Ministry of Truth analogy, then, with whoever the Winston Smiths behind the scenes are, history is rewritten.

On the cost of living issues, the Premier is not a victim; he is a player. The Premier of this state has presided over a cabinet that has chosen to increase the tax on Commodores, that has chosen to put up the dividends on all the water authorities, that has chosen for the first time in the history of the state to take a dividend out of WorkCover and that has chosen to put up fees and fines across the state by 15 per cent as a revenue-raising effort. Then we see things floated out such as what was in the *Herald Sun* article yesterday about people going around pub car parks and scanning numberplates. Why is this so? Is it for community safety? Maybe. Is it for road safety? Maybe. But maybe there is also an element of knowing which numberplates have been in the pub car park so that their drivers can be herded into a booze bus and perhaps then the government will actually raise a bit more revenue through a fine that has increased by 15 per cent.

What we are seeing now is a government that uses every ruse and every device to raise revenue, and I think they are floated out in the *Herald Sun* to test community reaction. What we see from this government is an amazing Ministry of Truth transformation. Members opposite always described any camera fines introduced by the previous government as a revenue grab. What does this government do? It puts into place procedures to get more revenue. No-one queries the law enforcement and road safety aspects of this, but this government needs to account for why it is doing what it is doing and how that fits in with the choices it has made in all the other areas.

Government members have made a choice to put a tax on cars; they have made a choice to put up fees and fines by 15 per cent; they have made a choice to take a dividend out of WorkCover; and they have made a choice to take the highest dividends in the history of the state out of the water authorities, which means they have to borrow money, according to the Auditor-General. They are making choice after choice as to what they raise money from. If they were doing that and they were open, transparent, accountable and honest, you might give them some marks for it. Members opposite said — and four Liberal candidates put an ad in the paper saying it — that they would do whatever they could and that the cost of living would come down under a Baillieu government. They are not victims; they are making conscious choices to do what they are doing.

The second part of this Ministry of Truth spin is just unbelievable. Winston Smith would be pleased with this. The statement of finances for the state of Victoria, the budget papers, shows that under this government debt is doubling. That is unequivocal; the certified, audited accounts show that debt is doubling.

Mr Drum interjected.

Mr LENDERS — Debt is doubling under this government, Mr Drum. At the Liberal state council meeting Mr Ramsay, a member of this house, in moving the vote of thanks to Premier Baillieu, congratulated him on the fact that debt has come down. I did not find that out; that was tweeted by Brendan Donohoe. One day when I was gardening and minding my own business I checked my iPad and saw a tweet from Brendan Donohoe saying that at the Liberal Party state council meeting Simon Ramsay got up and said that under the Baillieu government debt is coming down. But the budget papers, the annual financial statement, show something completely to the contrary. Again Winston Smith would be proud. History is being rewritten by Simon Ramsay and by this government. Presumably every member of the parliamentary Liberal Party, including every member of the cabinet, at the state council meeting applauded debt coming down, when it is actually going up.

We need to reflect on that and on what this government does. Whenever it has the opportunity to do so, it puts up the cost of living. If its election commitment had been to do that, it would have a mandate to do it. Government members in opposition said their government would do whatever was in its power to bring down the cost of living, but it is acting to the contrary.

I move on to the second item in the motion, which is about health services. Colleagues of mine will speak further on this later in the debate, so I will not dwell on it, but I will make a couple of observations. Part of the motion is that:

... health services have been cut and promises that were made have not been delivered on ...

Mr David Davis would make a fantastic Minister of Truth. As my colleague Mr Jennings has pointed out, the federal government, in GST and direct payments to the states, is paying record amounts of money for health. Adjustments have been made to them and some have come down — let us not pretend to the contrary — but in actual dollar terms the amount is higher. What Mr David Davis does every day when he gets up in this place is dwell on a carbon tax, dwell on a change — dwell on anything that gets him away from the promises he made.

It is not as if the federal legislation was new or surprising at election time. It is not as if any of these things were not picked up for the pre-election budget update. It is not as if the pre-election budget update did not base figures on what was happening with the economy. None of this is new, but what we got from the Baillieu-Ryan coalition was a promise that there would be 100 extra beds in its first full year and 800 during the life of the government. And yet when Mr David Davis is asked in this place by Mr Jennings or anybody else on any occasion to identify a single one of the 100 new beds that were promised in the first year of this government, he weaves, he dodges, he obfuscates and he will not answer the simple request, 'Name a single hospital in Victoria where a new bed has been delivered under the Baillieu government'.

We get this Ministry of Truth-type spin about the biggest spend ever or we get this nonsensical stuff about \$2.61 million over four years — some bureaucratic speak that tries to justify the fact that a promise was made to provide more hospital beds — and this minister, despite dozens of questions, will not identify a single new bed in the hospital system. Yet during the nurses dispute he could identify on a daily basis beds that were closed — or certainly beds that he declared were closed — because of that dispute. But when he is asked to name a single bed that has been created, he cannot; he says the data is not there. The answer is that the will is not there; the action is not there, and the government has not delivered what it promised it would deliver. But with classic Orwellian spin the minister tries to pretend the government is doing more; he claims it is doing more.

It is amazing that when we go to the promises that were made — and I find this quite extraordinary — we see there was a plan to build a hospital in Bendigo. In opposition Mr Davis and the Liberal Party said, 'We'll build you a bigger hospital'. The hospital that was going to be built is not being built. It has been delayed. There are plans for a bigger hospital in the future. Now we have the same mantra over Box Hill Hospital. The government said, 'We will build an extra floor on it; just give us a bit more time'.

What we have is this constant Orwellian narrative, 'We will build a bigger hospital than the other lot', like, 'Oceania is at war with Eastasia; it always has been. Oh, no, it is Eurasia now'. We have this change of language and style where suddenly we are going to build the biggest hospital of all time, but later. The minister says, 'Trust me, the plans are in my man safe' — presumably. We always hear the story that it is going to come in the future. The government says, 'It will be bigger; it will be bigger; it will be bigger', but do we hear any discussion about whether it will actually have nurses? Will it have patients? Will it have doctors? Will it have beds? Will it have the machine that goes ping, heaven forbid — if we are going back to *Yes Minister*. No, all we have from this minister is the Ministry of Truth speak that it will be bigger. He says it is because Liberal is better, trust us, and it will be some time in the future.

This week the Premier has obviously been a bit rattled by some focus group research, so we are getting announcements of all sorts of hospitals that were on the plan to be built under the previous government anyway — but I leave that aside because there was a change of government. Suddenly the hospitals are new — a Monash Children's hospital is new. The only thing new about it is that it is being built several years later than it would have been, and it is going to cost more if it is built because it has been delayed.

What do we see for this two years of inactivity? We see debt going up; we see lots of promises, and in the health system we see no evidence of a single new bed despite the promises. We see no evidence of the 800 new beds that are meant to come during the government's term of office. We see record waiting lists at emergency departments and we see promises of bigger, bigger, bigger — but not yet. We are told to just trust this minister because it is in his man safe. That is what we get when we go through the health system, and it is fairly evident that there is not a lot happening.

We can also go to some other areas where the promises are that bigger is better. I turn to one of my favourite areas and to my favourite minister, the Minister for

Agriculture and Food Security, Mr Walsh. Under the previous Labor government there was a thing called the Future Farming strategy. It was for — and I sound like Mr David Davis here — \$215 million over four years. It was a strategy to deal partly with climate adaptation and with farmers' health, but it was fundamentally a strategy that was trying to deal with making farming more productive to achieve the previous government's targets for \$10 billion of food and fibre production in Victoria. That was fine.

What we see in the budget is that \$215 million over four years has been replaced by \$60 million over four years, and it has a new name — the food and fibre targets; it has been rebadged. The \$215 million has been contracted to \$60 million, yet we are being told by this minister that it is more. I am the first to believe that things can be done more efficiently. Governments have the right to refocus on what is going on, but you cannot spin in Ministry of Truth fashion or Ministry of Plenty fashion that \$60 million is more than \$215 million; it is not.

I accept that this government does not believe in farmers' health, and it is trying to blame that on the federal government — that is fine. That cuts a few million dollars out of it. I accept that government members are climate change sceptics who do not think there should be any climate change remedies; that cuts a few more million dollars out of it. But fundamentally the funding for farming has gone from \$215 million to \$160 million or \$170 million. If you take out the programs the government does not believe in, you have got it back down to \$60 million. So you are cutting by almost two-thirds —

Mr Ramsay interjected.

Mr LENDERS — Through you, Acting President, I say to Mr Ramsay, that as a former union official in this place coming in —

Mr Ramsay interjected.

Mr LENDERS — Yes, a union official, Mr Ramsay. He was the president of the Victorian Farmers Federation union, if he does not remember. What I would say, through you, Acting President, is that what we have seen in the farming community is a Minister for Agriculture and Food Security saying that \$60 million is more than \$215 million. He says, 'I am not making any cuts', yet at every juncture when you look at what has happened in the Department of Primary Industries what you see is this Ministry of Truth and Ministry of Plenty spin. If \$60 million is more than \$215 million, why are we having to cut

200 staff from DPI? Why do we have to get rid of the fruit fly inspectors? The government has reversed its decision, and I congratulate it for reversing its decision, because the horticulture industry in this state was under unbelievable threat because of the minister's budget cuts.

It is interesting — and I will get back to one of my themes — that on the day the \$30 million was being cut out of horticulture, the government, again in classic Ministry of Truth spin, ran a story about the inquiry into the big cat, heaven forbid, hoping that somehow or another it could con the farming community into focusing on the big cat and not on the fact that the Queensland fruit fly is an identifiable and real menace that is threatening the horticultural industry in this state.

The big cat is a manifestation of the Deputy Premier's assignment in secondary school that he never found an answer to. We had the government putting out press release spin saying, 'We're doing a survey on the big cats.'

Mr Ramsay interjected.

Mr LENDERS — Mr Ramsay says it is an election commitment. It was an election commitment, but surely making teachers in this state the highest paid is slightly more relevant. If it is an election commitment, surely the commitment not to cut any public service jobs is more relevant; if it is an election commitment, surely the commitment to prevent the state getting further into debt is a higher priority; if it is an election commitment, certainly the promise to give the Independent Broad-based Anti-corruption Commission some teeth is a higher priority.

I say to Mr Ramsay again that this is classic Ministry of Truth style. If the government wishes to say that the big cat survey is the election commitment that matters, then perhaps we can move on to the next folly of the Liberal Party, which Mr Ramsay would have voted for if he was present at the state council because it was passed unanimously — that is, the motion to give metropolitan possums contraceptives. Next we will be told that was an election commitment as well. I would say this is a sign that this government's priorities are completely lost.

Mr Ramsay — It is thinking outside the square.

Mr LENDERS — I will take up Mr Ramsay's interjection about thinking outside the square. It was the Albert Park and South Melbourne branches of the Liberal Party that moved that motion that was unanimously carried to give possums in Melbourne contraceptives. I would have thought that in my

electorate of Southern Metropolitan Region the issue of making teachers the highest paid, the issue of 4200 jobs being cut from the public sector, the issue of broken promise after broken promise and the issue of integrity commissioners who have had their teeth pulled to protect Mr Shaw, the member for Frankston in the other place, and to protect the Minister for Police and Emergency Services, Mr Ryan, and others were higher priorities for my electors than what Mr Ramsay calls the innovative 'out of the square' thinking about putting possums on contraception. But maybe I am out of touch.

Mr Ramsay — You are out of touch.

Mr LENDERS — I take up that interjection. If Mr Ramsay thinks I am out of touch and that teachers wages, integrity commissioners and the cost of living are less important than putting possums on contraception, I will suggest — so boldly and so arrogantly — that perhaps he is more out of touch than I am. But I stand to be corrected. I will be happy to do that in the court of public opinion.

In concluding on health services, we have had the promise of extra beds not delivered, the promise of waiting lists coming down not delivered and the promise of bigger, better hospitals not delivered. There are no patients mentioned — nothing. It is like something out of *Yes Minister* with a machine that goes ping. But in the end are patients being treated to any of this? No. Is there a lot of rhetoric? Yes. Does the minister put out propaganda in his electorate? Does his deputy put out propaganda in her electorate?

Mr Ramsay interjected.

The ACTING PRESIDENT (Mr Tarlamis) — Order! I ask Mr Ramsay to refrain from running a commentary on everything that is said. He will have an opportunity to speak during the course of this debate.

Mr LENDERS — I will move onto the third item, which is education services and school construction. Again, we had an election, and again I will give credit to the government. The government said it would spend 40 per cent of what Labor promised on school infrastructure — that is, the government came in saying it was going to spend \$200 million a year on school capital works, not the \$500 million promised by Labor. So there is less in that space, and a lot of school communities are very disappointed about the government's priorities. The government said it was going to spend \$200 million a year on building schools while Labor said it would spend

\$500 million; it was a contrast. I am not going to criticise the government — —

Mr Ramsay — You let it run down for nine years.

Mr LENDERS — I am actually trying to be objective. To my knowledge the government says one thing and does another. It said it would spend 40 per cent of educational capital works, so I am not criticising the government for not building the schools it promised, because it was elected and that was part of its costings. I will not make a comment on that particular area of school capital works. However, I will make the comment that Mr Guy and others come in here boasting about the primary schools they are building in Southbank, Fishermans Bend or various places.

Ms Crozier — Hear, hear!

Mr LENDERS — To take up Ms Crozier's interjection, it is a little rich coming from the coalition that closed down 300 schools. In recent history the Kennett Liberal-National government closed down schools in that area and the succeeding Labor government built schools in those areas, including Albert Park College and a range of others. It is a little rich to hear the commentary now that there are no schools there and somehow or other it is Labor's fault. It was not Labor. It was through Baillieu Frank Knight that 300 government schools were actually sold. It was the Kennett Liberal-National government, and Ms Crozier's Premier was the president of the Liberal Party at the time.

Let us put aside school construction because the government said it would do 40 per cent less and that is an election commitment that it has actually met — probably exceeded. But I will touch on the services here. If we talk about educational services in Victoria and we talk about the choices people make, I only need to use the evocative terms of TAFE, VET (vocational education and training) and VCAL (Victorian certificate of applied learning). In Victoria we have a Premier and a government who, when sitting around the cabinet table to work out their priorities, choose to do a range of things, and the choices they make are ones that hack into the aspirations of parents who want their children to have skills, whether it be through TAFE, VET or VCAL. They hack into those services. That is a choice.

The government can whinge and bleat and carry on about economic times being tough. I will use one analogy. During my time as Treasurer of the state we had three budgets: one was handed down during fairly robust economic times and two during pretty grim

economic times. We had a global financial crisis as well as bushfires that required the reprioritisation of \$1 billion of funds to deal with them. Governments make the choice. The choice you make in those circumstances is what is important to you.

I say to the current government that it can try to blame anyone in the world for its cuts to VCAL but the current government made that choice. The cuts to TAFE were a choice, and what is ironic, again going back to my Ministry of Truth critique, is that people like Mr Ramsay and other members in this house move notices of motion which basically say — I will not quote the notices of motion, but I will paraphrase them — ‘Labor was terrible. It left TAFE in a mess. We’re spending more than ever in TAFE.’ They are saying two totally contradictory things. Either the system is gutted and the government has had to cut it to make the cloth fit or it is putting more money into it. For the life of me I am bewildered by this inexact science. The Ministry of Truth will disown them! It is one or the other.

Through the Acting President I say to the government: stick to your story. You either have to make cuts to the TAFE system because it is overrunning or you do not. You cannot suddenly say that you have cut \$290 million from TAFE and then say that you have put \$400 million more into TAFE. Heaven forbid! It is basic arithmetic. No wonder Kim Wells has debt rising. No wonder government members are having to plunder everything for dividends — every single dividend they can get — to keep the budget in balance. You cannot have it both ways, but this Ministry of Truth spin comes from the government. Either you are cutting money or you are putting more money in. It is like Mr Ramsay’s comments on debt coming down in the state and his vote of thanks for Mr Baillieu. If Mr Ramsay actually read the budget papers or read Brendan Donohoe’s tweets, he might learn something. The government needs to be consistent.

Returning to the issue of services, government members have made a choice to cut TAFE and VCAL in order to cut debt. On the subject of the choice they made to cut funding for VCAL, I refer to what could be the largest school in the state: Narre Warren South P–12 College, a school which runs a massive number of VCAL programs. The school employs coordinators who go into the community to help find jobs for students. Kids at these sorts of schools do not find work on their own — work with plumbers and electricians, or work in nurseries. They do not find VCAL placements on their own; it just does not happen. The fact that a school has run a project for three or four years does not mean that

magically matching student X with employer Y is going to happen because it has been done for two or three years. Each year the coordinator needs to match a student with a placement, and the coordinator needs to work to maintain that relationship.

Government members assume that because a program has been running it will continue to run. It is not a matter of setting up a computer program or designing coursework. This process is ongoing, and those placements need to be maintained in any case. This is a matter of relationships being built that enable students to be placed in workplaces. The government has made an assumption and has chosen to cut coordinators, and that choice devalues that process. Hardworking Victorian families are doing it tough, and they are finding that government members are not on their side.

On the subject of cuts to education services, the government has chosen to cut TAFE, VET and VCAL. Choices have also been made to cut the education maintenance allowance. Whose side is the Premier on? Is he on the side of battling families? On the School Start bonus, whose side is this government on? Is it on the side of a family trying to get kids into school, trying to get them books and trying to clothe them? Whose side is this government on? There have been cuts to the education maintenance allowance and to the School Start bonus. Choices have been made to cut TAFE, VET and VCAL funding. These choices moved the minister to write to all TAFE directors reflecting on what he was doing and why he was doing it. Now he has done a backflip on that and retreated from it.

The latest cut has been to the education conveyance allowance, which assists students with costs associated with travelling to school. I would use the word ‘shemozzle’ to describe this cut, and I would like to hear how the Ministry of Truth spin doctors spin this one. I have heard the Minister for Education, Martin Dixon, say how great this cut will be for people. I have also heard that my colleague James Merlino, the member for Monbulk in the Assembly, asked the minister a question about an individual student. Instead of spending half an hour getting to school, that student — an autistic kid — now has to spend, I think, 2½ hours travelling to school because of these changes that are supposed to be for the better. Suddenly the government cannot even administer the system properly. Presumably the government is looking for more budget savings and has not engaged in the process particularly well, so it is now finding the complexity of it all is not that easy.

On the subject of the education conveyance allowance, in community after community, in school after school

people are asking, 'Whose side is this government on?'. Hardworking Victorian families look to the government to be their champion, but the fact is that they now see the government as being quite arrogant. It decides what it knows, it decides what it wants to do and it will not answer criticism. All the government does is blame others.

Mr Leane — Some government members go around calling themselves adjunct professors.

Mr LENDERS — Mr Leane, I do not think that any member of the government, as part of their election commitment, ever promised that people would not falsely call themselves adjunct professors, so I put that down to a misadventure rather than to a broken election promise, although under the integrity policy one could argue that that is definitely a broken election promise.

Mr Ramsay — On a point of order, Acting President, if Mr Leane is going to provide guidance to Mr Lenders during his contribution, would you ask that he do so from his seat?

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

Mr LENDERS — I am always delighted to take guidance from Mr Leane, because Mr Leane is a person who represents his constituents in this place and shares the values of hardworking Victorians. Mr Leane will stand up against TAFE cuts and in favour of the education maintenance allowance. Mr Leane will stand up in favour of the School Start bonus. Mr Leane will stand up for VCAL, for VET and for TAFE, so I am happy to take guidance from him. I hope the Premier calls Mr Leane into his office and takes some guidance from him as well.

The Premier has made choices that show most hardworking Victorians that he is not on their side, and that is what this motion is all about. The Premier said he was on their side, and he said he would fix the problems, but we hear nothing from the Premier and his ministers except an ongoing critique about why they are victims. It is someone else's fault. I am not sure why they even bother to be in government. Perhaps it is because they think there is some prestige about it or they see it as a form of civic duty. I do not see any agenda to change this state for the better. What I see is a Ministry of Truth response to critique everything, to spin everything and not do anything of substance.

Moving on to the fourth point of the motion, it refers to the Baillieu government's lack of a jobs plan.

Honourable members interjecting.

Mr LENDERS — Government members groan. They think this is funny. The only jobs plan this government has had is a plan to cut 4300 jobs from the public sector, a cut government members promised they would not make. During the election campaign Mr Baillieu and Mr Wells said there would be no public sector job cuts and no diminution in services. That is what they said, so what do we suddenly find now?

Mr Ramsay interjected.

Mr LENDERS — That is what they said would happen. In December 2010 they said there were no budget black holes that they did not know about and that there was nothing new. Suddenly they have to retrench 4300 public sector workers, but of course none from the front line.

Let us hit a few things on the head here. We have seen numerous examples of what is and what is not a front-line service. I would like to see Mr Baillieu say to a white-collar worker in the public sector, someone who is doing sound administrative work supporting front-line services, that their work is not valued. But if he thinks it is not valued and he wishes to believe that, that is his prerogative. However, the consequence of cutting non-front-line services, as he describes them, is that if a person doing the police rosters in Mr Ramsay's electorate of Western Victoria Region is not replaced, then a uniformed person does the police rosters. That front-line service is taken away because the support staff are gone. Similarly, in a school where you are paying teachers to engage with children by teaching them but because the teaching support staff have gone and the teacher is struggling with a computer program or photocopying or doing other administrative tasks, you find they are not actually teaching the students. I thought that would be a fairly elementary part of the difference between front line and non-front line.

My favourite minister, the Minister for Agriculture and Food Security, Peter Walsh, and the Minister for Energy and Resources, Michael O'Brien, are the ministers responsible for the Department of Primary Industries. There was a stage when the only front-line staff in DPI were the ministers' drivers. The ministers have changed their positions after that was revealed by the bright light of scrutiny. A few other people are now defined as being employed in front-line services in the Department of Primary Industries.

For Mr Ramsay's benefit I refer to the dog catchers in north-eastern Victoria — the four dog catchers working out of Wodonga. There are only two now because two left and they have not been replaced. Tell the farmers up in the north-east that they are not front-line services.

Go down and see what has happened to the seven doggers in Gippsland. Go to numerous places where front-line service staff are not being replaced.

Mr Ramsay — You have a short memory. For eight years we called for dog catching in those areas. We called for aerial baiting, which you never did.

Mr LENDERS — I will take up Mr Ramsay's helpful interjection. If he looks at the motion, he will see that it says this government said it would 'fix the problems'. Mr Ramsay's interjection absolutely highlights and supports my case. Mr Ramsay's leader said they were going to fix the problems. Did Mr Baillieu and Mr Ryan say what the answer was going to be when their promises were not met? The Victorian people elected this government to deal with its mandate and what it said it would do. It dispatched the previous government and 51.4 per cent of Victorians said, 'We are giving the Baillieu-Ryan government the opportunity to fix the problems and build the future'. That is what the Victorian people did.

What do members of the Baillieu-Ryan government then do when they are invited to fix the problems? Do they fix them? No, they run a commentary on what the previous government did not do. I would have thought 51.4 per cent of the Victorian electorate determined that another government ought to have a go because it was going to fix the problems and build the future. I would have thought that that would be the obligation — not just the prerogative but the obligation — of the government. Mr Ramsay goes into this inane Ministry of Truth defence of just rewriting history.

Let us ignore the fact that Mr Baillieu said he would fix the problems. Let us talk about aerial baiting and dogs. Let us talk about the area that Mr Ramsay suggested we talk about. Why is aerial baiting so slow? It is because the Victorian government will not provide the scientific data to the commonwealth that the commonwealth needs to give approvals. If Mr Walsh actually does something other than go to a public meeting with understandably irate farmers who are wanting action — —

Mr Drum — Let's bring back Joe Helper. Or how about Bob Cameron? He would be a good ag minister.

Mr LENDERS — I completely agree with Mr Drum. They were good ag ministers. But the point I am making is in response to Mr Ramsay's interjection.

Honourable members interjecting.

The ACTING PRESIDENT (Mr Tarlamis) — Order! Mr Lenders to continue, without assistance.

Mr LENDERS — Let us just dwell on dogs and aerial baiting. I give Mr Walsh 100 out of 100 for spin. I give him 100 out of 100 for commentary. I give him good marks for wanting to address the issue. But let us deviate from the debate just for a moment and look at some facts. What is the reason the commonwealth is not giving approval for the baits? It wants scientific data from Victoria before it gives the tick. Is Victoria providing that data? No. Why is it not providing the data? I boldly suggest it is because cutting 200 jobs out of the Department of Primary Industries means it cannot do its core function. If the Department of Primary Industries cannot provide the information to the federal department, the federal department is not going to give the approvals. Mr Walsh should actually do something by getting the data to the federal department to get the approval to do the baiting. It is not rocket science.

I congratulate Mr Walsh on going to a meeting at Tallangatta and actually addressing the issue. I congratulate him on doing that. Good on him. It is a pity more ministers in this government do not have the courage to do that. A good thing about Peter Walsh is that he will actually go out and face people and have the discussion. I will give him credit for that. But let us go to the basis of Mr Ramsay's interjection. Why is the baiting not happening? It is because the commonwealth has not given the approval because the state will not provide it with the data. Again Mr Walsh is not the victim; Mr Walsh is the person who has made the choice not to put the resources into getting the baiting done. That is a classic example of this government not trying to fix the problem but trying to find somebody else to blame.

I repeat: the only jobs plan we have seen from this government was the midyear financial update, or the mini-budget, last year and the cutting of what is now 4300 jobs from the public sector. That is its jobs plan. When we talk about Mr Ramsay's electorate — —

Mr Leane — Two new ministers.

Mr LENDERS — Two new ministers — I forgot, Mr Leane. The very first act of the government was to increase the cabinet by 10 per cent. Mr Leane has been helpful in reminding me of that. The first act of the new government was to increase the cabinet by 10 per cent.

Mr Leane interjected.

Mr LENDERS — And then it cut the public sector by 4300. I ask Mr Ramsay to reflect on what has happened at the DPI office in Ararat, in his own electorate — 11 DPI jobs in Ararat. In his Ministry of

Truth speak, 'No jobs were under threat'. I have not heard a person belittle the 11 DPI officers working in Ararat as cardigan wearers or as being not front-of-house staff. These are front-of-house, front-line service people. Nobody has made any comment to me about the 11 people from the DPI at Ararat.

Mr Ramsay — They are still there.

Mr LENDERS — Yes, but what is their future? They are being told, 'Yes, you can keep your job provided you go to work in Hamilton or Horsham'. Those of us who have any knowledge of the west of Victoria — and I am assuming Mr Ramsay, as the local member, does — know that it is about 100 kilometres from Ararat to Hamilton and it is about 100 kilometres from Ararat to Horsham. If I were a Department of Primary Industries officer in Ararat who was told, 'Yes, you can keep your job, but you've got to go to Hamilton or Horsham', I think I know what I would be doing. I would be looking for alternatives that let me have some work-life balance. I would be looking for alternatives to spending 2½ hours a day driving to work and back. I would presumably apply for the 'voluntary' departure package because my job had become arguably — let us be charitable — untenable.

What we are hearing again from the Ministry of Truth is that it is all voluntary and they are not getting rid of jobs. At Goulburn-Murray Water at the moment suddenly 60 jobs are going, and of course it is a restructure and no-one has got to go involuntarily, but there is only full-time work left, not part-time. You have got to apply for full-time jobs, not part-time ones. Straightaway we are de-skilling and downsizing workforces, so there is no jobs plan.

My colleague Mr Somyurek has asked the Minister for Manufacturing, Exports and Trade, Mr Dalla-Riva, on numerous occasions — Mr Dalla-Riva of course being the minister who used to do the countdown under the previous government on when there was going to be a manufacturing plan — when will his manufacturing council meeting that is such a key part of advising on a manufacturing strategy be held. Two years and one day later the manufacturing council has yet to meet.

Mr Drum — If it was so important, why didn't you do it for two years?

Mr LENDERS — I thank Mr Drum for assisting my argument and seconding my motion, because that is exactly what I was saying. Mr Dalla-Riva, the great critic who was part of the team that was going to fix the problem, went on and on about how long it took the previous government to get a manufacturing statement

in place, which was a legitimate criticism. But what has he done in the first 731 days of the Baillieu government? He has not even got his manufacturing council, which is meant to advise him on a plan, to meet yet.

The first act of the government was to increase the ministry by 10 per cent, and we were blessed with Mr Dalla-Riva. Two years and one day later he still has to get the body together to meet to advise him on the plan to implement to save the jobs. It is little wonder that in Mr Ramsay's electorate the National Farmers Federation has closed down jobs in Simpson. It is little wonder that company after company is cutting out manufacturing jobs in the state when in the last parliamentary sitting week the manufacturing minister's council, which is meant to advise him on a strategy, had still not met. I boldly suggest that Mr Dalla-Riva could perhaps take the strategy that Daniel Andrews launched last week, which was a jobs plan. He might not like it, but at least it is a jobs plan that is seeking to address some — —

Honourable members interjecting.

Mr LENDERS — What we see then is that the only jobs plan from the current government is to cut jobs, even though it promised it would not, and to critique everything else. We get a critique of everything the federal government does, we get a critique of what previous governments have done, we get a critique of what South Australia does, we get a critique of state opposition and we get a critique of the previous Labor government, but again, in relation to the motion, Mr Baillieu promised to fix the problems. I did not think his promise was to refine the critique; I thought his promise was to fix the problems and to build the future. Building the future is a bit dodgy in a sense because it is a bit hard to quantify what is meant by building the future so you can have a plan.

I will talk about the plans and the credibility of the current government on this. I will repeat myself here. I was born on 1 October 1958. The day before I was born Sir Henry Bolte promised a railway station at Monash University, the new university in Clayton. On 30 September 1958 Sir Henry Bolte promised a railway station for Monash University. My colleague Mr Viney could probably correct me, but I think that since that day 54 years ago there have been six reannouncements by the Liberal Party of that pledge for a railway station at Monash University.

Mr Drum interjected.

Mr LENDERS — I did say the Liberal Party; I am not accusing The Nationals of this. This is mainly a Liberal Party sin.

Mr Drum — Any by Labor?

Mr LENDERS — What I can say to Mr Drum is that most recently in 2010 as part of fixing the problems Mr Baillieu, under the heading 'Liberal and National coalition', again made a promise as part of the Rowville feasibility study to have a railway station at Monash University. What we need in the Department of Transport is even more storage than is available in Mr Davis's man safe for new feasibility studies that this government is doing on its many projects. You need a strongroom, not a man safe, to put in all the feasibility studies on Doncaster and on Rowville and all the other feasibility studies that are being done. If this government's jobs plan is to create more feasibility studies and hire consultants for more feasibility studies — —

Mr Leane — The feasibility sector is booming.

Mr LENDERS — The feasibility sector is indeed booming. But the serious point is that the promise for a railway station at Monash University as part of the Rowville rail line is the seventh occasion a promise has been made in 54 years. I stand to be corrected as to whether it is the seventh, but that is my understanding, and certainly the first promise to build a railway station at Monash University was made on 30 September 1958.

Fixing the problem, which is what Mr Baillieu said he would do, comes back to analysing the problem through the Ministry of Truth with a bit of spin. I think Mr Baillieu must be the biggest fan of Prime Minister Gillard. I think he must be championing her and hoping she wins, because his whole strategy at the moment is blaming the federal government. What is he going to do if there is a change of federal government next year? The Ministry of Truth will have to go into overdrive yet again. At this stage Eastasia has been at war with Eurasia forever. Suddenly we will have to change the language somehow or other or we will have to blame the City of — I do not know; something or other — Casey. Someone else will have to be blamed if there is a change of government federally next year, because the whole strategy of fixing the problem will be gone. The strategy in the new era will involve deciding who to blame.

The point I have been trying to make with this motion is that Mr Baillieu, Mr Ryan and the coalition went to the election saying they were going to fix the problems

and build the future. Through Ministry of Truth-style propaganda they are always trying to find someone else to blame and saying the circumstances have changed. What I am trying to say is that Mr Baillieu is not a victim; he is making choices for Victoria.

To reiterate on the issue of cost of living, the Premier has chosen to take, as the Auditor-General said, the biggest dividends ever. He has taken a 272 per cent increase in water authority dividends to pay for his budget. Those opposite will spin and talk about the desalination plant and infrastructure plans. I could get up here and say, 'The Bolte government left us with debt for the Thomson Dam'. It has not been paid off. The government is still in Melbourne Water's debt. That does not in any way take away from the fact that it is valuable infrastructure that is being delivered. Those opposite will try on a classic one with this to try to make the point — —

Mr Ramsay interjected.

Mr LENDERS — I say to Mr Ramsay that if you look at how state debt has doubled under this government, you could build a few dozen desalination plants and have change, so let us just keep a perspective on the government's economic management.

Let us look back at the spin of the desalination plant. What we see is that the government has chosen to increase taxes and charges; \$1.61 million a day is being taken out of the water authorities. This has nothing to do with infrastructure; it is all to do with increased dividends. It is all to do with environmental levies that are not being spent on the environment, and it is all to do with choices to take out record dividends to the point that, according to the Auditor-General, Melbourne Water needs to borrow money to pay the dividends. What we have seen from this government is a choice to put up fees and fines; what we have seen from this government is a choice to increase motor registration; and what we have seen from this government is a choice to cut the education maintenance allowance and a choice to cut first home buyer grants. It is choice after choice that this government has made, and yet it has sought to portray itself as the victim.

As Minister for Health, Mr Davis has chosen not to deliver 100 new hospital beds, and yet he has tried to make himself the victim. He says it is not his responsibility. He has a budget of \$11 billion for health, which is increasing significantly above inflation, and yet he has chosen to sack the ambulance service board. He will find people to blame: he will blame the commonwealth government, he will blame the previous state government and I am sure he will blame the

alignment of the planets if it suits him. He will blame the nurses union, he will blame the doctors union if he has got the courage — I doubt he has that much courage — and he will blame various people, but he will not take responsibility.

Mr Baillieu is not a victim. He is the Premier of the state. He made a promise to fix the problems and build a future. He did not go to the election saying, 'I will spend two years critiquing the problems and creating round tables'.

I urge the house to support the motion. It is a timely reminder on the second anniversary of this government that the coalition has not fixed the problems; in fact it has made them worse. The coalition is not building a future. It is relying on spin. This is Victoria 2012, and not Oceania, 1984.

Mr BARBER (Northern Metropolitan) — When I first read this motion, particularly point 4, which states, 'After two years in office, the Baillieu government has no jobs plan', I presumed Mr Lenders was going to talk about his jobs plan. I prepared accordingly, because after two years in opposition, the Labor Party, apparently, has a jobs plan.

Mr Ondarchie interjected.

Mr BARBER — It is 76 pages, Mr Ondarchie, and I have been reading it. It is a nine-point plan, covering some interesting areas, which I thought I would spend some time examining while we look at not only the record of the Baillieu government, but also at the future government, led by the Leader of the Opposition in the Assembly, Daniel Andrews, which opposition members believe is imminent.

Interestingly that nine-point plan provides a checklist for the extended debate we have had on this subject in this chamber over the last couple of years. I intend to traverse these topics one by one while having a bit of a look at what it is that Mr Lenders has put forward, because he does get very shy about talking about his own policies. As long as I have known him, his role has been to talk about everybody else's policies, or at least how he characterises other people's policies. His own party's policies really seem to become an afterthought.

Like most Victorians, I believe we have waited long enough to hear from either the Baillieu government or the Andrews alternative government what their policies are going to be. It is not like the Greens have been shy in putting forward alternatives in this debate or attempting, through amendments and bills in this chamber and through campaigns we are running out in the community, to achieve the implementation of some

of those policies. We have had some variable success on that.

On the subject of TAFE, which Mr Lenders certainly spent a long time on, I notice that the Andrews opposition indicated in its plan that it will crack down on dodgy registered training organisations. The TAFEs themselves have proven to be a very strong and enduring brand that people trust. There are families whose members over many generations have all been to TAFE. It is quite frightening when we hear the Minister for Higher Education and Skills detailing the various training bodies he has deregistered, as if it is some kind of encouraging sign that he has deregistered large numbers of private operators. Surely it would be better for all those concerned, including students, who are often young people and who have invested considerable amounts of money and time in kicking off their careers through a vocational education and training course, to not have to have gone through the exercise of getting burnt.

But apparently it is this crackdown on the dodgy providers that is going to fund the enhancements that Mr Andrews now wants to make to this sector. I will say one thing, and that is that this section of the policy put forward by the Labor opposition is actually reasonably comprehensive in terms of its coverage. Let us face it, the opposition has had an incentive to create a strong policy in this area. First there was the Melbourne by-election, which it pronounced to be a referendum on TAFE and the result of which was that its vote went down. On more than one occasion we saw Labor members get harangued by TAFE teachers at the polling booth.

Mr Leane interjected.

Mr BARBER — Subsequently at a number of rallies that I have been to, Mr Leane, I have seen the Leader of the Opposition booed and heckled by people at the rally when he has said to them, 'Watch this space; there will soon be an opposition policy on TAFE'.

Mr Leane interjected.

Mr BARBER — Yes, we do now have something to examine in this policy, and I would recommend that everybody have a close look at it. There is an intention to build up what Labor calls a 'community service obligation' for TAFEs to ensure that TAFEs can compete with private operators on a truly level playing field because the TAFEs provide a whole range of services to students that some fly-by-night operator setting up on the vacant floor of a CBD office building would never contemplate. It has traditionally been

known as the full service provider payment. Mr Andrews wants to rebadge it as the community service obligation (CSO) payment. It seems to apply mainly to disadvantaged students, whereas the full service obligation payment recognised a full set of services to all students — and for that matter also covered award and negotiated payments to TAFE teachers, which are not mentioned at all in Mr Andrews's plan. I am left wondering how different the plan is and what is the quantum of this CSO that Mr Andrews puts forward.

We do not know the quantum, because when it comes to the costing of this policy things get a little bit vague. We see in the document that a future Andrews government commits itself to a minimum \$100 million surplus. That sounds familiar. But when it comes to the funding of TAFE, which under the full service provider obligation would be in the hundreds of millions of dollars each year — unless you believe you are going to inherit such a smoking ruin of a TAFE system that there would be nothing left to fund — what we see is that Mr Andrews intends to meet the bill, firstly, from resources within the existing training budget following the crackdown on poor-quality providers and those who rort the system, and good on him, and, secondly, through the additional funding required being the first call on any projected budget surplus and contingencies. That would be following the provision of a minimum \$100 million operating surplus.

That is a rather curious financial concept. There is an ironclad promise to deliver this money to TAFEs as the first priority, but it comes after the achievement of a \$100 million surplus. In other words, not only does a future Andrews government commit to a minimum \$100 million surplus, in a way it is committing to a maximum \$100 million surplus as well, with anything above \$100 million going to TAFEs. That just raises more questions. If there is no more, does that mean nothing will go to TAFE, or are we talking about both a minimum and a maximum \$100 million surplus with the rest going to TAFE? I am none the wiser, despite this whizzbang new policy.

It is not hard. You only need to talk to the TAFE association on behalf of its members and ask what it believes this money would consist of and what it would provide for, including, I note, those teachers wages — and we got there with the debate last night on further changes. Following the thread that Labor had been introducing for years and which the Greens had said was an extremely poor set of reforms, and following on from Labor's thread and what Mr Brumby said back in 2009 would be recognised in the future as the greatest set of reforms ever for the vocational education and

training system — the Labor Party balked. The Labor Party, when presented with the continuation of its own reforms, balked and jackknifed the caravan of the coalition that has been towing along behind it quite happily since 2009. The Labor Party threw it into reverse and tried to come back to what the Greens had been saying all along, which is that this is the privatisation by stealth of the vocational system. It is another exercise in union busting.

The coalition was pretty clear about it last night, and even the opposition in its questioning wanted to know about that. It ended in a fairly unappealing display of Labor and coalition members accusing each other of being hypocrites because they were now copying each other's policies. It happens time and again in this place. But good on the opposition for realising that this has not been a great set of reforms, that the negative effects are mounting and that it had better draw the line somewhere and start coming back and having a sensible conversation. Hence the proposal for a new set of bodies through which industry can have consultation about our skills needs. What a fantastic idea — except that we used to have that and Labor members abolished it. Last night, when asked to continue that process, they changed their minds; they had a change of heart. So much for the commitment to the TAFE system.

Moving on, the opposition also proposes a new body called Infrastructure Victoria — a bit like the Infrastructure Australia that we talk about, and a bit like New South Wales Premier Barry O'Farrell's vanity exercise of appointing Nick Greiner to do the same thing. We see that the job of Infrastructure Victoria will be to have a plan. Infrastructure Victoria will be 'independent and transparent', to quote the document from Mr Andrews, and its recommendations will be publicly available. That is all very nice, but how will it be independent and transparent?

Under the last government, when Mr Pakula was Minister for Transport, I tried to obtain copies of the transport department's submissions to Infrastructure Australia. It took me 18 months and cost me \$15 000 in legal fees. In the end copies were handed to me on the metaphorical courthouse steps, when the government realised it was about to lose its case, with a couple of numbers blacked out but the entirety of the submission otherwise released to me. I am gratified that the Labor opposition, if it ever finds itself in government, wants a new approach. I would not mind getting my \$15 000 back from Mr Pakula.

In any case, we could save the public purse billions of dollars if the various proposals for infrastructure that have been put forward were genuinely transparent, with

not simply the recommendations from this body to the cabinet being made available but the whole of the information behind them. In fact, if we go back through the aspirations of Mr Albanese, the federal Minister for Infrastructure and Transport, and Mr Tanner, the former federal Minister for Finance and Deregulation, as to how open and transparent Infrastructure Australia was going to be, we can see a model there, but in actual fact it did not happen.

I do not believe we will see it from the Baillieu government either, with its major transport project, the east–west road tunnel, and its billions and billions of dollars in costs. Members from the government side already have a series of notices of motion saying how great this project is, but none of them understand anything about the economics of it. The economics of the project have not been determined. The government is busy working on a business case now, despite telling us that construction will commence on the east–west road tunnel, conveniently, by October 2014. They are saying, ‘It is an absolute goer; now we just need to do the business case’. That sounds familiar. That is how we got all those white elephants from the Brumby government.

Should there be an Andrews government, I look forward to what he has promised here, which is a frank assessment of all capital projects under way. In the review of the finances of the state of Victoria, which was tabled just last sitting week, we got a frank assessment courtesy of the Auditor-General. He told us that myki had blown out by another \$166 million and that because the government was still negotiating with the contractor, that cost could rise — and so forth through a range of other projects. There is no point reading about it afterwards or at the end of the financial year; we need that frank assessment up-front through a transparent release of infrastructure projects and their business cases. I guarantee that no government will do this unless its members are held over fire. The one thing they do not want to show us is the business case. If the business case was so good, they would shout it from the rooftops. These are politically-driven propositions, designed to appease one or another interest group that has decided it has a pet project, and the economic rigour comes afterwards every time.

That is incredibly important when we are talking about the subject of this motion, because there is a limited amount of money available for capital works projects. The ones we put up must be the best ones with the highest economic cost-benefit ratio. The fact is, as I stand here I cannot even tell now, despite six years of inquiry, what the benefits and costs are of all the major projects that have rolled through in the last six years,

including the ones being put forward by this government.

Also in the jobs plan Mr Lenders referred to is the creation of something called Projects Victoria, which will deliver projects. We only need to go back to last week and read the Auditor-General’s report into Major Projects Victoria to find out how not to do that. Major Projects Victoria will become Projects Victoria — hopefully just by pulling a few letters off the front of the office, rather than having a complete rebadging, with new business cards, letterhead and the rest of it. What needs to change are those things that are made clear in the Auditor-General’s review of Major Projects Victoria and that I believe are part of a common malaise across many of our other departments, such as the Department of Transport — that is, that you do not have the capacity to design and commission, much less build, major projects within state government anymore.

What you have is a bunch of people whose first job when they are told to build something is to employ a contracted project manager. That project manager, who is supposed to be a contractor, then goes on and manages the project on behalf of the state of Victoria. But, as the Auditor-General found out, most of those external contractors are not external at all. Because the department wants to keep an eye on them, they are actually brought into the departmental office, given a departmental email account and told, ‘Right, you are a contractor, but you are actually sitting here where I can pop up over the cubicle wall every 10 minutes and ask you how it’s going’. By the way, these same contractors were signing off on invoices for payment for the delivery of major projects, which the Auditor-General said is wrong. Let us build up the destroyed capacity to deliver these projects within state government, and then we will stop getting ripped off.

We have a regional rail link project out there that has been put out to tender. Part of the tender is for the successful bidder to design the project, so now they are going to tell us what they are going to build and how — we wonder why we end up spending so much money on these major projects, why they blow out and why there is no money left in the tin for the other projects we want. The way we are doing it is just crazy.

The plan put forward by Mr Andrews looks at the viability of Bay West as an alternative to other port facilities. It will be fantastic if Labor does that; it is just that when it was last in government it was convinced that Hastings was it. This look at the viability of our different port facilities needs to look at all the alternatives from all perspectives — social, environmental and economic as well. We were told that

Hastings was it, and legislation was brought to this Parliament to enact that. When we said, 'What about the environmental constraints?', we were told, 'That's all right; we'll do an environment effects statement'. We said, 'Yes, but what about the environment?'. They said, 'That's all right; we'll do an environment effects statement'.

Now it seems there has been a change of heart with Labor now backing Bay West, which is also an area with some significant environmental constraints. I do not like the idea of different ports being corporatised and seemingly competing with each other when they are natural monopolies. Instead we need a strategic plan that deals with all our freight and shipping needs and the different opportunities each facility can provide. It is gratifying that Labor in opposition recognises that in that section of its jobs plan.

On WorkCover dividends, Mr Lenders — backed up fully, I am sure, by the Victorian Employers Chamber of Commerce and Industry (VECCI), which pretty much wrote this whole wish list for him — thinks it is bad if we strip dividends out of WorkCover because then premiums might go up. Mr Lenders noted it could also lead to reduced benefits for victims of industrial accidents. But in relation to WorkCover and all the corporatised entities, I want to know who exactly is setting the dividend policy, because this gets very political. A private company would set a dividend policy designed to send signals to its investors about its long-run rate of growth and profitability, whereas it seems that the dividend policy of what are meant to be commercial entities is a completely political issue now, yet it is not transparent.

I have asked many times in estimates committees and in other ways about how dividends are set. Why is it that an entity that is supposed to be commercial, like VicForests, does not actually pay a dividend and does not even make a profit, but it keeps getting fed all the time, yet other groups — water bodies, for example — are used by the government as cash cows, at the expense of the customers? They are either built on a commercial basis or they are not, and for WorkCover and all the rest I would like to see some consistent guidelines on dividend policy. I would like to see what sort of fireside chat is determining these things between the minister and the members of those boards.

The Auditor-General has said in another review — the reviews have been coming thick and fast, and they are all adding to my case — that the directors of those boards have responsibilities, just like the directors of a private entity, and to undermine them eventually

removes that responsibility. If you take away the power, you take away the responsibility.

Again on the VECCI wish list there is Mr Lenders's happy plan to reduce the regulatory burden by 25 per cent — 25 per cent of what I have never quite known. Is it 25 per cent of the pages of legislation? Is it the number of regulations? Again, because it is just something VECCI wants to hear, the opposition appears to be completely indifferent to which 25 per cent of regulation it removes.

In the last Parliament the then government removed the requirement for crop dusting aeroplanes to have third-party insurance. People who fly very fast and very low, not just over crops but over local schools and houses as well, do not need third-party insurance. How did we get that bill before the Parliament? Because someone had a target of a 25 per cent reduction in red tape. The government just served it up, and up that came. Even The Nationals were scratching their heads over that one, but because it was part of an omnibus bill it eventually went through. Mr Lenders was quite enraged; he thought the coalition had broken the bipartisan stance of continuing removal of regulation.

Business regulation is one thing, but environmental regulation is another, and we know it is well and truly in the sights of this government and the opposition because they have form. The Andrews plan is to maintain a curfew-free airport, and I sure everybody agrees with that.

The ACTING PRESIDENT (Mr Ramsay) — Order! I have noticed that for the last 20 minutes Mr Lenders has had his back to the chamber. It is Mr Lenders's motion, and out of respect to Mr Barber we should perhaps dispense with the huddle on my left and at least allow Mr Barber to be heard in his contribution.

Mr BARBER — The Andrews opposition has obviously been reading the Auditor-General's reports, because much of its policy seems to have been derived from them. There is the discussion about grants to industry, doing a survey of much of the Labor government's history in this area and saying that it is very hard to know what outcomes we got from all of that targeted industry assistance. It always means that some minister gets a photo opportunity, saying, 'Look at these jobs I created', but we do not ever know the amount of industry assistance given or, if we do, what it is for. That was the way Labor did it when it was in power.

I have come into the house many times and asked questions without notice on what various industry grants were meant to deliver back to the taxpayer and the broader Victorian economy, and I am always told, 'It is all hush-hush; you cannot know that information'. There has been another change of heart by members of the Labor Party. They propose that targets will be attached to each industry grant, that those targets will be public, that the funding will be tied to outcomes and that there will be an investment strategy. It is always good to have an investment strategy. The Auditor-General noted that it has been a long time since we have had one.

In the group of promises in this Labor Party policy document I noticed something quite curious. It is:

A future Victorian Labor government will release an action plan to support investment and jobs in Victoria in renewable energies. The action plan will include a more sensible and balanced approach to planning controls for wind farms.

No doubt you, Acting President, will be interested to read that plan, but you will not be able to do so unless there is a Victorian Labor government. The literal wording of Labor's promise is that if there is a Labor government, its members will then create an action plan to support renewable energies. You will not see that plan before you vote for Labor members. The policy is that they will have a plan if they are the government. The action plan, including what Labor members describe as 'a more sensible and balanced approach to planning controls for wind farms', will come after the election.

I saw this coming because not so long ago, at a Rural Press Club of Victoria lunch in Ballarat, the Leader of the Opposition, Daniel Andrews, was asked whether he would reverse the Baillieu government's changes to the wind farm guidelines and he declined to say yes. He said, 'Today's not the day to announce a policy'. Now Labor has announced a policy, and it is: you will find out what Labor members would do about that only after they have been elected and have had a chance to write a plan.

That is very disappointing. I remember when Labor Party members in this place voted — unsuccessfully, despite the support of the Greens — to disallow Mr Baillieu's wind farm rules. I thought that was a promise, but it has now been downgraded to Labor members saying: vote Labor and then after the election we will write a policy and that policy will include what we are doing about wind farm guidelines. That appears to be a commitment to not have a position on that issue. It is the major thing threatening the future development of the wind industry. Without it, it is hard to know what

else would be in a plan to support investment and jobs in renewables.

The Labor opposition wants to support regional councils by helping them to borrow and in some cases through creating a special fund for infrastructure in interface areas. That will be very gratifying if we ever see it. I do not know whether that will come out of the \$100 million surplus, the maximum surplus, the minimum surplus or whatever it is that Labor is now committing itself to.

Last but not least there is the Labor Party procurement policy. The document notes correctly that the Victorian government is a big buyer of stuff. Labor members would like to see not just government departments but also the broader agencies — presumably that would include the government business enterprises — and local councils by law buying Aussie cars. Now there is a thing about Australian-made cars, and that is that a lot of them are big gas guzzlers. Australia's and Victoria's car industry is highly export focused, but we tend to export to those parts of the world that do not have fuel efficiency standards. If we were exporting to California or Europe, we would have to produce cars with very good fuel efficiency, but we do not, and as Australia does not have a fuel efficiency target for the cars we produce, we end up making gas guzzlers for Asia and Saudi Arabia. Saying that Labor will force local councils to buy Australian-made cars is saying that Labor will force them to buy fairly big cars and certainly not the most efficient cars on the market.

On the subject of government procurement, there is nothing in Labor's policy document about forcing the government of the day to buy Australian-made green electrons. We produce plenty of electrons here in Victoria, and there are a lot of jobs in that. They come from wind farms, they come from hydro, they come from solar and they come from all the new renewables that we are rapidly developing, but there is no commitment in this document for a government — —

Mr Ondarchie interjected.

Mr BARBER — As Mr Ondarchie would understand, the government will be buying Australian-made electrons, because that is all we have to buy. What I want to know is whether a future Andrews government will be buying green electrons from Victoria.

Mr Leane — Yes.

Mr BARBER — There is no commitment in this document to a green power target. There is just a commitment to buying Australian-made cars, which are

all big gas guzzlers. A Labor government will force local government to do that, too, which will mean that if councils have a fuel efficiency target for their vehicle fleets, it will be scrapped and replaced with Labor's commitment.

It is not clear from this Labor policy document whether the industry participation process that the former Labor government set up will be revamped. For the information of members, that works in the following way. If someone bids for a major project and that is the preferred bid, the sealed envelope is then opened and in that there will be another bid indicating how much Australian content that bidder can include. Putting it that way means that bidders do not take it too seriously. They pad their bids for Australian-made content because they know that by that stage they will be the preferred bidder. If it were really a criterion, it would be up-front. At the state government level it is very hard to do that without getting into the issues of competition, international trade and the rest of it. There is some sort of reaffirmation of that policy, but it is not clear what extra benefit that would be.

Those make up the checklist, if you like, of what is going to create jobs and investment here in Victoria. I would of course add a few more if it were my motion or if it were my policy being put forward. Protection of Victoria's environment and the reduction of subsidies for environmental destruction and damage in what is Australia's most ecologically damaged state would be a good start in job creation, because not only does a healthy environment make healthy people but it also makes a healthy economy and provides many of the bases for what is Victoria's competitive advantage.

We have a beautiful freshwater supply, we have a reasonably clean living environment, we have great renewable resources that will insure us against future shocks that will come as we are forced to reduce our greenhouse gas emissions. Without an assessment of those — our natural capital, if you like — it is very hard to start developing a jobs and investment plan, and that is why the newly minted, 76-page Andrews jobs and investment plan is so unbalanced. It picks a little bit from here and a little bit from there. Having read it in black and white, it seems to recognise from a whole series of Auditor-General's reports how it was that Labor stuffed it up when it was last in government. It is a case of, 'Give us another chance and we will try to do it right this time', and not much more. Amazingly, when Mr Lenders moved this motion today he did not even want to talk about it.

I agree with this motion that the Baillieu-Ryan coalition made a whole set of promises around fixing the

problems and building the future. I will support the motion, but the debate needs to be a lot wider than this, and we certainly need to form some cross-partisan agreement on a way forward.

Mr ONDARCHIE (Northern Metropolitan) — I rise today to speak on motion 484 moved by Mr Lenders, which calls on the Baillieu coalition government to both fix the problems and build the future. I could not agree with him more following his Orwellian contribution — sadly he is not here — when he talked about Big Brother. He referred to George Orwell's *Nineteen Eighty-Four* and used the analogy of Big Brother. We know who Big Brother is in the ALP; Big Brother is the office down in West Melbourne and those faceless men. It is interesting that Mr Lenders touched on that today.

Going directly to his motion, I would like to put some context around his motion when he talks about cost of living pressures. Let us talk about the fiscal context we have for the challenges facing Victoria. The global and national economic factors have resulted in a softer economy and a significant reduction in government revenue here in Victoria. Compared with the estimates that were made in late 2010, Victoria will have lost \$6.1 billion in GST revenue over the four years from 2012–13. Much of this is due to slower consumption growth; we accept that. But some of it is due to the reduction in Victoria's share of the GST revenue, and disappointingly in his contribution today Mr Lenders did not call on the federal government to support Victoria in its share of GST revenue.

Revenue estimates from GST and stamp duty on land transfers have been reduced by \$7.6 billion over the four-year period, and that represents an average of about \$1.9 billion a year or around 7 per cent of Victoria's revenue from state taxes and GST. This is the biggest fiscal challenge to confront Victoria in over two decades. But faced with these challenges and understanding what the climate is, the government has taken decisive action to restrain expenditure growth and create a stronger medium-term fiscal position. Those measures required difficult decisions. Mr Barber acknowledged how difficult it has been in his contribution today.

The 2011–12 budget implemented savings totalling \$2.2 billion, and in the 2011–12 budget update the government announced a further \$1.9 billion in efficiencies focused on public service back office and administrative functions. In particular the 2011–12 budget update announced a reduction by 3600 of the size of the Victorian public service to be achieved through natural attrition, voluntary departures and

non-renewal of fixed-term contracts. Front-line service delivery has been protected from these staff reductions.

The current budget for 2012–13 delivers further targeted departmental efficiencies. In addition, savings can be made in a range of program areas. These savings will lead to a further reduction in staff numbers of around 600, and the government will continue to protect front-line service delivery.

The Baillieu coalition government is constraining expenditure growth to an average of 2.9 per cent over the forward estimates; that compares with revenue growth of around 4.4 per cent. These savings reduce spending growth and return it to more sustainable levels. Over the forward estimates it will average 2.9 per cent per year, significantly lower than the 7.3 per cent average annual growth rate over the decade to 2010–11. Taxation revenue as a proportion of nominal gross state product in 2011–12, the government's first full year in office, was 4.57 per cent, the second lowest since 2000–01. The lowest was in 2008–09 when the global financial crisis reduced the tax receipts of the government.

Since coming to office just on two years ago, the Baillieu coalition government has replaced the insurance-based fire services levy with a more equitable and transparent property-based levy, the introduction of which means that GST and stamp duty will no longer be applied to fire services contributions. The new scheme will provide savings of over \$100 million to households and businesses across the state. Households will pay about \$40 million less under the new scheme, while business will see a saving of around \$45 million. The Victorian government will also provide \$20 million in concessions to pensioners and veterans.

Since coming to office just on two years ago the government has reduced land transfer duty payable by first home buyers by 50 per cent, encouraging and stimulating that market, and that will be fully implemented by 1 September 2014. That will save first home buyers up to \$15 535 in duty. This is a good initiative. We have expanded the land transfer duty concession to more pensioners and concession card holders, and extended the scheme to holders of commonwealth seniors health cards for the very first time. We have introduced land transfer duty exemptions for young farmers who are purchasing their first farm, and that will save farmers about \$13 070 in duty.

This government maintains the second-lowest payroll tax rates of any jurisdiction. We maintain some of the lowest tax rates of any jurisdiction, but unlike other

states the Victorian government must fund essential services without the benefit of record levels of royalty income generated by the mining sector in other parts of Australia.

What are we doing to address the cost of living pressures? We have provided a \$1.2 billion package of measures to ease the cost of living pressures for Victorian families. That includes things like a half a billion dollar cut in stamp duty for first home buyers, pensioners and farmers; the stamp duty paid by a first home buyer will be cut in successive stages from 1 July this year; and before the end of the government's first term, first home buyers will benefit from a 50 per cent reduction in stamp duty. If you take the median price of a Victorian house, that equates to about \$14 000. There has been a 50 per cent cut in ambulance membership fees. We extended the winter electricity concession to an all-year-round concession, enabling water and sewerage concessions to keep pace with increasing costs.

But to some degree, part of that is addressing the legacy that was left to us by the Bracks-Brumby-Lenders government. Mr Lenders could have used his theatrics today to apologise to Victorians for the mess that he left Victoria in. Perhaps we should retitle his contribution the 'dementia dialogue', because he has forgotten what he left for Victoria. Let me remind him. He was concerned about being blamed. He was concerned about the Victorian government blaming the previous government for the legacy it left. I remind him of the contribution made by Ms Mikakos in the last sitting week, where she said, 'You should look in the mirror and take responsibility'. I call on the Victorian opposition to do that today — to look in the mirror and take responsibility for the mess it has left Victoria in.

The mismanagement of the desalination plant will cost Victorians \$2 million a day for the next 27 years. The monumental mismanagement of the Melbourne Market relocation project in my electorate in Northern Metropolitan Region will see a cost blow-out of millions of dollars, as identified by the Auditor-General. There is the \$3 billion lost to taxpayers due to Labor's bungling of the gaming licence machine auction. I refer to the Auditor-General's report of June 2011 that referred to the allocation of electronic gaming machine entitlements. The Victorian Auditor-General said:

The revenue obtained from the sale of the entitlements was around \$3 billion less than the assessed fair market value of these assets ... Large venue operators, rather than the community, are the beneficiaries of this windfall gain.

Further the report says that the Department of Treasury and Finance under the ministerial leadership of the then Treasurer of the day, Mr Lenders, raised concerns on the merits of proceeding with the auction with their respective ministers. However, no formal review was undertaken. He knew that it was going to cost Victorians \$3 billion of lost opportunity. Mr Lenders knew and he did nothing. And today he refused to take responsibility; he refused to look in the mirror and take responsibility for the mess that he left Victorians in.

But further there was the disastrous mismanagement of ICT projects such as the myki ticketing system, which will cost Victorians over \$1.4 billion in cost blow-outs. The ineptitude of the Bracks-Brumby-Lenders government saw a \$1.1 billion blow-out in the cost of the regional rail link. Victorians were left with road cost blow-outs of more than \$360 million, such as the M1 upgrade.

Mr Lenders did not want to talk about the funding black holes, but clearly there are funding black holes left in the Olivia Newton-John Cancer and Wellness Centre, where the Labor government funded a shell and not the internals, and the Royal Children's Hospital ICT project, which the coalition had to fix in its very first budget. Opposition members should look in the mirror and take responsibility.

The opposition leader's own HealthSMART project had cost blow-outs of \$243 million. The Auditor-General found to our surprise — surprise, surprise! — that the HealthSMART project had no business case. They just took it out for a test drive and said. 'Let's see how we go here', and what happened? There were cost blow-outs of \$243 million to the taxpayer.

Mr Drum interjected.

Mr ONDARCHIE — I will pick up Mr Drum's interjection about a failure in the appropriate rigour associated with the north-south pipeline. I know Mrs Petrovich has been highlighting the failings of the Bracks-Brumby-Lenders government with the north-south pipeline and its lack of appropriate rigour, but today Mr Lenders in his Orwellian contribution failed to recognise the failings of his stewardship.

There was more expense for the Victorian taxpayers, including more than \$1 billion in taxpayer funds used for blatant political advertising by the previous Bracks, Brumby and Lenders governments. We recall the red helicopter. They failed Victorian students with run-down schools and overcrowded classrooms, and

just before the election they announced they were going to fix a suite of schools. The question remains in my mind and in the minds of Victorian taxpayers: why did they not do anything for 11 years?

Honourable members interjecting.

Mr ONDARCHIE — They say, 'We were going to.' They were going to do it, but they did not pick it up in the forward estimates. They had the chance to do it but they did not do it, and now they are saying, 'Oh, we would have done it'. But for 11 years you did not — that is the problem. I remind you of other commitments you made to the Victorian taxpayers, other commitments that the Bracks, Brumby and Lenders governments — —

The ACTING PRESIDENT (Mr Finn) — Order! If Mr Ondarchie would make his comments through the Chair, it may assist members on my left to restrain themselves.

Mr ONDARCHIE — Through you, Acting President, I remind members on your left of other failings they left Victorians with, such as in 1999 when they promised the people of South Morang a railway station. Families moved into the South Morang area on the expectation that they were going to get a railway station in 1999. But when did it open? It opened in 2012, 13 years after they promised a railway station to that community of South Morang in the Northern Metropolitan Region of Melbourne. Thirteen years after it was promised, it was delivered. Guess what? The young children of those families that moved into that area back then with the expectation they were going to have accessible public transport are now driving motor vehicles, because they had to wait 13 years for a train to arrive. That is a classic example of the Bracks-Brumby Labor governments' failure to plan for growth and the ageing population because they used out-of-date, inaccurate data in planning.

There was a \$25 million blow-out in the state's sporting facilities. There was 11 years of mismanagement, including Mr Andrews's own botched merger of the ambulance services when he was Minister for Health, declining operational and financial performances and a continual list of failings by the Bracks, Brumby and Lenders governments as identified by the Auditor-General. Another problem that was left for the Baillieu coalition government to fix was the systemic neglect and mismanagement of public housing.

Let us talk about what we have done to fix some of these problems, because Mr Lenders was very interested in learning about that today. An additional

\$72 million has been allocated to home and community care funding to keep senior Victorians living independently in our community; there has been an upgrade of the residential aged-care facilities at Swan Hill hospital, including residential aged-care beds and a purpose-built building as part of an \$18 million redevelopment of the Swan Hill hospital, and a \$23 million rebuild of the Charlton hospital that was damaged in the January 2011 floods, which includes residential aged-care facilities.

We have allocated \$2.6 million for the Vision 2020 initiative to ensure that preventable vision loss, which is particularly prevalent amongst older Victorians, does not lead to blindness. There is \$3.8 million allocated over four years to maintain language services for culturally and linguistically diverse people accessing health services, many of whom are older Victorians. We also introduced electricity concessions for the whole year for concession card holders rather than only in winter, and we increased water and sewerage concession caps to keep pace with increasing costs.

We introduced a land transfer duty exemption for properties valued up to \$330 000, with a concession for properties valued up to \$750 000 — another example of how we are helping older Victorians. From 1 January 2011 we extended free public transport for senior myki card holders to the whole weekend and we launched Victoria's largest ever seniors guide. We commenced a seniors reciprocal arrangement with New Zealand. We provided \$3.7 million to assist people with dementia, which could be of value to Mr Lenders today, and \$3.2 million to expand Victorian eye-care centres, and we initiated the launch of Victoria's centenary club.

In health services — and I know this is of interest to those opposite, Acting President — we provided a record \$13.7 billion in health funding, including new programs to improve health service delivery. We halved the ambulance subscription fees for families and singles. We funded 310 additional paramedics and 30 patient transport officers. We provided \$46 million to provide extra beds at Ballarat Base Hospital, and we honoured the election commitment to build a helipad for the hospital on top of a new multideck car park. I know Mr Koch was a champion of getting that helipad built at the Ballarat Base Hospital. We have provided \$15 million to expand maternity services and establish an intensive care unit at Sunshine Hospital, which I know Mr Finn and Mr Elsbury have been great advocates for.

There is \$23 million to build a new Charlton hospital to replace the hospital damaged in the 2011 floods and \$93 million for a major upgrade to Geelong Hospital,

which includes extra care beds, care for older patients and a boost to cancer care. Mr Koch, Mr O'Brien and Mr Ramsay, amongst others, have been very strong advocates for that \$93 million upgrade. There is \$40 million to expand and reconfigure the Frankston Hospital emergency department, including a 12-bed short-stay unit, after 11 years of Labor neglect. We are spending \$10 million to upgrade the Castlemaine hospital, which Mrs Petrovich has been a great advocate for, including a second new theatre, and \$5 million for radiotherapy services in Warrnambool to service south-west Victoria.

There is an additional \$20 million to redevelop and expand Kilmore hospital in partnership with the commonwealth, which includes extra beds, and another \$2 million to introduce chemotherapy services at Seymour District Memorial Hospital. Cindy McLeish, the member for Seymour in the other place, and Mrs Petrovich have strongly advocated for this for a long time, and this government has delivered. There is \$22 million to expand the Maroondah Hospital, including a 16-bed critical-care unit, with an expansion of 6 beds, and there is a 22-bed inpatient ward that Mrs Kronberg in Eastern Metropolitan Region has been advocating for with the leadership team of the Victorian government, and in particular with the Minister for Health, to ensure that Maroondah Hospital gets that benefit.

There is \$24.5 million dollars to expand and redevelop Northern Hospital's emergency department by providing 21 treatment spaces and a special care nursery with seven cots. The Northern Hospital in Epping, which is in my electorate of Northern Metropolitan Region, needs lots of support. I did a shift with staff in that hospital's emergency department, and staff members told me they are 8 to 10 years behind where they need to be — 8 to 10 years behind. In his contribution Mr Lenders failed to acknowledge that his government had been asleep at the wheel and had not kept up with the growth and pace of Melbourne's expansion.

There is \$40 million for the Echuca hospital to increase capacity by an additional 22 multi-day beds, 6 short-stay observation beds and 10 treatment spaces in the emergency department. There is \$17.5 million for Kerang District Health's residential aged-care facility. There is \$5 million to increase capacity at Mildura Base Hospital, and \$480 000 to fund a cancer ward upgrade at that hospital. We announced funding for the Monash Children's hospital, which will allow for 7000 more children to be treated each year close to where they live. We are going to care for the kids at the Monash Children's hospital.

We have started work on the new \$1 billion Victorian Comprehensive Cancer Centre, and have continued to work on the expansion of the \$603 million Bendigo hospital — that is \$102 million more than the Labor Party put in. There is \$447.5 million for the Box Hill Hospital, and Mrs Kronberg also reminded us that that is \$40 million more than the Labor Party said it was going to put into that hospital.

Last week the Premier and the health minister announced the Royal Victorian Eye and Ear Hospital redevelopment project, including a major reconfiguration, upgrade and expansion of existing facilities for clinical services and significant improvements to the associated on-site teaching, training and research facilities. The project will involve the demolition of existing buildings between the two 10-storey tower blocks and allow the construction of a connecting link, with five fully integrated floors. This is a good model for Victoria. To answer Mr Lenders's motion, this is the coalition government starting to fix the problems and build for the future. We launched \$100 million for the Victorian — —

The ACTING PRESIDENT (Mr Finn) — Order! It being midday, I must interrupt proceedings. Mr Ondarchie will have the call at the next opportunity.

Business interrupted pursuant to standing orders.

QUESTIONS WITHOUT NOTICE

Planning: ministerial interventions

Mr TEE (Eastern Metropolitan) — My question without notice is to the Minister for Planning. I refer to the commitment to provide an annual report to Parliament on ministerial interventions, which would include a list of external lobbyists who have had meetings with the minister, his staff or his department regarding projects that have been called in by the minister. Two years on, why have we not seen the annual report to Parliament regarding ministerial interventions?

Hon. M. J. GUY (Minister for Planning) — I can inform the Parliament that that is a document that will be tabled in the near future. I look forward to it being tabled because in my two years as the Minister for Planning I believe I have called in four projects from the Victorian Civil and Administrative Tribunal. That compares to 40 projects that were called in by the previous minister in a similar time.

Supplementary question

Mr TEE (Eastern Metropolitan) — I thank the minister for that answer. We have been waiting for two years. Can the minister be any more specific in terms of when he will table the ministerial interventions? Will it be this year, and will it meet all of the requirements of his election commitment in terms of identifying all external lobbyists who have met with the minister, his staff or his department?

Hon. M. J. GUY (Minister for Planning) — Yes, it will be this year, and yes, it will meet all the requirements put forward in the election policy. From memory I think there may have been — and I stand to be corrected — one or maybe only two instances in relation to lobbyists. Again, I do not believe they were proponents; I think they might have been people who were making representation on behalf of a project, and certainly not on projects which were then followed through. Certainly, as I said, we will have the document tabled this year as we committed to do.

Health: federal funding

Mrs PETROVICH (Northern Victoria) — My question is to Mr David Davis, the Minister for Health. Can the minister update the house on the state government's concerns over the commonwealth's proposed cuts to Victorian health services?

Hon. D. M. DAVIS (Minister for Health) — I thank the member for her question and for her significant concern for health services in her region and across the state. It is no secret — —

Mr Lenders — On a point of order, President, at the moment we have before the Chair a motion that says in paragraph (2) that health services are being cut. I draw your attention to the question, which is about cuts to health services, and suggest to you that it breaches the anticipation rule for the motion currently being debated.

The PRESIDENT — Order! Can I have the question again?

Mrs Petrovich — Can the minister update the house on the state government's concerns over the commonwealth's proposed cuts to Victorian health services?

Hon. D. M. DAVIS — On the point of order, President, as I understand it, the opposition motion deals with state government administration. I am concerned about the impact of federal government decisions on state hospitals.

The PRESIDENT — Order! I take the view that there is a distinction between the two, although I remind ministers that questions really need to be about matters within their jurisdiction. There is a need to be cautious about canvassing federal government policy because that clearly is not within the minister's actual jurisdiction. But it is true that federal government policies can impact on Victorian services. Provided the minister is mindful of the areas he is competent, if you like, to discuss, then I think the question is okay on this occasion.

Hon. D. M. DAVIS — Thank you, President. As you will understand, we have spoken in this chamber previously about the federal government's extraordinary decision to cut funding to Victorian hospitals, and that clearly will have some significant impact. The chamber will be interested to hear an update on the dispute between the six state health ministers and the commonwealth Minister for Health and the commonwealth Treasurer. Let me be quite clear. The state faces a significant cut, which will be administered on 7 December. This will be of the order of \$107 million, which will have a significant impact over a seven-month period — a concentrated impact. The new system was meant to provide predictability and certainty. In fact it is not providing predictability and certainty; what it is going to provide is a significant cut.

Honourable members interjecting.

The PRESIDENT — Order! I have for as much quiet as possible during the answer to this question. Clearly Mr Davis has not got full command of his voice, and he is providing an answer to the chamber. For the benefit of Hansard and for the rest of us, we need to support Mr Davis today in this situation.

Hon. D. M. DAVIS — The chamber will be interested to hear that heads of Treasury have met twice now to discuss these matters, and no satisfactory resolution has been found. The state government is even more concerned about the fact that the commonwealth's basis for this decision to cut is flawed and is a subterfuge to institute a cut without any legitimate population growth basis. But there will be significant impacts. In Mrs Petrovich's region, for example, the Bendigo Health group will face a cut of around \$2.9 million beginning in early December. It is clear Eastern Health will face a cut of around \$8.5 million — all commonwealth reductions.

Mr Viney — On a point of order, President, with regard to your earlier ruling, Mr Davis is clearly required to walk a tightrope on this matter because

there is a motion currently under way in the house that includes the issue of cuts to health. Mr Davis has to avoid talking about cuts to health because that is in the motion before the house, and when he talks about federal matters he has to talk about matters that are in his administrative responsibility. I put to you, President, that Mr Davis is failing to achieve that because he is talking about what he is alleging to be federal cuts and then immediately referring to the specific implications, from his view of those things, on particular regions and particular health services, which is absolutely the subject of the current motion before the Chair.

Hon. D. M. DAVIS — On the point of order, President, perhaps I can explain to the chamber how the new system works and the interrelationship between the two sources of funding. There is now a pool: commonwealth money is paid into the pool and state money is paid into the pool. The state money will remain the same. In December the commonwealth money — —

The PRESIDENT — Order! I regard Mr Davis's comments as debating the point of order rather than addressing the point of order.

I thank Mr Viney for his point of order. There is a previous ruling on this issue which was made by President Smith in 2008. Mr Smith indicated in his ruling that during questions without notice a question was asked that was the subject of a general business debate which had commenced the same day and had been interrupted for question time. The President regarded the question as having incidental reference to the motion and invited the minister to answer the question on that occasion.

During the course of this Parliament we have also had a situation where a debate had started and there was a question that, in my recall, I allowed to continue provided it remained within the sorts of guidelines that I spoke of earlier. Whilst the motion before the house concerns funding cuts and the coalition government's addressing of various issues regarding state services, including health, it is my view that the minister's discussion at this point is about the direct impact of federal funding cuts on health services — what they will equate to in terms of reductions in state services.

I agree that this is a difficult area during question time, given the debate on foot and the fact that we are talking about the impact of federal government funding changes. Nonetheless, the house deserves to be informed of the potential outcomes of this. If the minister describes this position, there is an opportunity for other questions to ensue from members of the house

and debate later this day might be informed by that. So long as the minister does not move into a direct position on the debate before the house, his answer to this question can continue. The minister might well take into account what I have talked about and the merits of Mr Viney's point of order.

Hon. D. M. DAVIS — I was attempting to inform the house of the direct impact that commonwealth reductions in funding will have on individual services. At Southern Health the reduction is likely to be \$13.7 million; at Western Health, \$6.68 million; and at Barwon Health, as I said, \$4.9 million. These are very significant reductions. At Mildura Base Hospital \$1.17 million is likely to be the reduction. With the state government's funding remaining and the commonwealth funding falling in December and subsequent months, that is going to have a significant impact on the ability of Victoria to deliver the services that we would seek to deliver.

The Labor Party and the Greens have to acknowledge that they are supporting the commonwealth government with these cuts. They are supporting cuts at Eastern Health and Western Health, and they are supporting the reductions in services that will inevitably occur. I am in communication with hospitals, and many hospitals are now beginning a planning process as to how they will manage these reductions instituted by the Prime Minister, Julia Gillard, and the federal Minister for Health, Tanya Plibersek. The state government has increased funding, but what is occurring here is a targeted cut by the commonwealth on every health service in Victoria in the middle of the financial year after these health services have set their budgets, rosters and staffing arrangements, and this is going to directly impact on patients.

Questions interrupted.

DISTINGUISHED VISITORS

The PRESIDENT — Order! It is with pleasure that I acknowledge in the house the attendance of two friends of Victoria and representatives from the consular corps. I take this opportunity to welcome the Consul General for Malta, Carmel Mifsud, who is known to many members of the Parliament here. We welcome him today.

We also welcome the Consul General for Lebanon, Mr Ghassan El Khatib, who is a fairly recent arrival in his post. He replaces a consul-general who was very active and who was also well known to members of Parliament here. He has some fairly big shoes to fill, but as members can see, he has some fairly big shoes of

his own. I have had some very constructive discussions with Mr El Khatib on the occasions when I have had the opportunity to meet with him to date.

The communities of Malta and Lebanon are very well represented by these gentlemen, and we welcome them to the chamber today.

QUESTIONS WITHOUT NOTICE

Questions resumed.

Surf Coast planning scheme: amendment

Mr TEE (Eastern Metropolitan) — My question is to the Minister for Planning. In May 2011, about 18 months ago, the Surf Coast Shire Council sent the minister planning scheme amendment C57 for his approval. That amendment relates to development contributions. The delay in processing this planning scheme has cost the community about \$200 000, which would have gone to infrastructure such as child-care facilities, road upgrades and so on. Is there any capacity for the council to claim from the state government the revenue it may have lost because of the delays in the minister proceeding with this planning scheme amendment?

Hon. M. J. GUY (Minister for Planning) — Let us get one thing clear on this: this government is reforming the process around planning scheme amendments. Indeed in the other chamber there is legislation right now to mandate a 10-day time frame around the planning scheme amendment process. I will be very interested to see where the Australian Labor Party stands on that legislation. Importantly, when I became the minister two years ago there were planning scheme amendments sitting on my desk which went back years. In fact we had to call some councils to ask, 'Do you still want these planning scheme amendments put through?', because there had been no response from the previous government.

Not only is this government reforming the planning scheme amendment process but I have had a number of discussions with the Surf Coast shire in relation to its land supply and boundary movements in that area. We have a full and comprehensive review of development contributions under way right now, which is a reform the previous government shirked but a reform this government is carrying out. We intend to make sure that the reform is lasting and provides clarity for the metropolitan area, clarity for regional areas and clarity for rural areas. It is a reform the previous government was unwilling to undertake.

Supplementary question

Mr TEE (Eastern Metropolitan) — Can the minister provide any clarity to the Council today in terms of his dealing with this matter expeditiously, or will it be caught up in the review of the development contributions?

Hon. M. J. GUY (Minister for Planning) — I would again just say to Mr Tee: I will be very interested to see how his party reacts and whether or not it supports the legislation that is before the Legislative Assembly when it comes to this chamber, because if Mr Tee is looking for clarity and he wants to get on the phone to some of his buddies down at the Surf Coast, he might want to give some indication to them of how he will vote on a 10-day mandated time frame when the Labor government had no level of clarity in the system. This government is going to put in place a 10-day time frame that will manage all planning scheme amendments across this state. Mr Tee can rant and rage and whinge, but his mettle will be tested in the next sitting week of this Parliament.

Automotive industry: government support

Mr O'DONOHUE (Eastern Victoria) — I have a question for Mr Dalla-Riva in his capacity as the Minister for Manufacturing, Exports and Trade, and I ask: can the minister update the house on any initiatives the Victorian government is undertaking to assist the automotive supply chain to diversify and capture new markets?

Hon. R. A. DALLA-RIVA (Minister for Manufacturing, Exports and Trade) — I thank the member for his question, because obviously this side of the chamber has a very clear intent in terms of assisting and supporting industry, particularly as the global economy is under pressure and the value of the Australian dollar is high. We have made our economic reform agenda very clear, in terms of our AAA credit rating, in terms of productivity improvement, in terms of seeking new market opportunities — which we are doing through our international engagement strategy — and also in terms of assisting industries in transition.

We know the automotive industry is under enormous pressure at the moment, with, as I indicated earlier, the high Australian dollar and the global competition. Just to give one example, we have to compete with 60 brands in a market that really only supplies about 1 million cars into Australia. That is why I was very pleased back in March to announce, with the commonwealth and South Australian governments, the opening of the joint \$30 million Automotive New

Markets Initiative. That was designed to assist the automotive supply chain to diversify into new markets and products. Those who have listened would have heard me time and again over the last two years talk about the importance of our manufacturers diversifying so that they are able to compete on the global supply chains.

When we put the manufacturing strategy out we made it very clear that we would focus on assisting the industry and assisting manufacturing, so I was pleased last week to announce, with the member for Bentleigh in the other place, in her electorate, the completion of the first round of grants. The first round recipients included companies like Chassis Brakes International in East Bentleigh. I will list some of the recipients and their projects to give members an idea of why it is important in terms of where they are going.

We had, for example, Chassis Brakes International, which designs and validates automotive braking components for the Asian region and which is already supplying into the Asian market. That is very important to note. But it is supplying a different product range to what it normally supplies.

Mr Somyurek — Why is it that everyone is scared of a federal Liberal government for the auto industry?

Hon. R. A. DALLA-RIVA — Listen to their fear!

Another company that received a grant was HELLA Australia. We know that HELLA has been very advanced in diversifying its supply chain, and we have provided assistance for its development of high-intensity LED floodlamps. That is a great example of the company diversifying, but we have got other examples of that. I will read some of them out. One company is commissioning full service local electrical wire harness design, engineering and manufacture. Another is involved in the introduction of leading-edge technology for the production of complex components for the automotive, aerospace, defence and mining sectors. We need to remember that these are companies that have previously produced only for the automotive supply chain either here or in South Australia.

We have Backwell IXL, which is providing Australian-made parts for the installation of next-generation, large-scale solar plants specifically designed for Australia's remote regions. We have solar energy component projects, as I said, and we have the acquisition of electric moulding machines with robotics and automation. Another company in Victoria is involved in the development of a potentially life-saving backover avoidance system.

What this indicates is that we understand the need to provide support to our automotive manufacturers in the supply chain as they face difficulties moving forward. I can also say that last week, with the Minister for Regional Cities, Dr Napthine, we also committed an additional \$11 million for the new Geelong Fund, complementing the \$30 million Automotive New Markets program. We now have \$15 million available for Geelong to assist it in transition. The federal government has not contributed one dollar extra to the \$4 million that we have provided.

Government: advertising

Hon. M. P. PAKULA (Western Metropolitan) — My question is to the Leader of the Government. On 25 October 2010 the now minister issued a media release headed 'Coalition launches anti-ad salvo against Brumby'. In its last paragraph the media release says:

If elected, the coalition will reintroduce to Parliament its Government (Political Advertising) Bill, which aims to set up an independent government advertising campaign review panel to vet and control government advertising using strict guidelines first promised by John Brumby as opposition leader in 1995, a promise broken by him in government.

Given the minister's evident horror at the breaking of campaign promises, my question is: two years after the coalition was elected to government, can the minister now tell the house when that bill will be reintroduced, as promised by him?

Hon. D. M. DAVIS (Minister for Health) — I thank the member for his question. What I know has occurred is that the amount of advertising, unnecessary and wasteful advertising, by government has reduced. I can indicate that that information is on the websites. In terms of specifics in this matter, I will refer the matter to the Premier.

Supplementary question

Hon. M. P. PAKULA (Western Metropolitan) — I thank the minister for referring the matter to the Premier, and I am sure we will get a speedy response. I indicate in response to the minister's answer that the government has just signed a three-year \$330 million advertising contract, and I note that the commitment I referred to was a commitment made by him. Whilst I reluctantly accept that the minister might not be able to go to specifics, can he at least assure the house that the bill he promised to reintroduce will be introduced during this term of government?

Hon. D. M. DAVIS (Minister for Health) — What I can indicate to the member very clearly is that I will refer the matter to the Premier. I suggest that he look at

the relevant government websites because they show the reduction in advertising that has occurred under the Baillieu government.

Werribee employment precinct: development

Mr ELSBURY (Western Metropolitan) — My question is for the Minister for Planning, the Honourable Matthew Guy. Can the minister inform the house what action the Baillieu government has taken to bring new jobs and infrastructure to the Wyndham growth corridor?

Hon. M. J. GUY (Minister for Planning) — I thank Mr Elsbury for his magnificent question. As a Liberal Party member for the western suburbs, he is proud to have asked a question that is so important for the growth of Melbourne's west. He is someone who lives and works in and breathes his life in the western suburbs. His colleague Mr Finn also lives in and breathes the western suburbs, and he has been a part of the western suburbs for so much of his life. It is a pleasure to be answering a question on the growth of the western suburbs, and to talk about the Baillieu government's master plan for an employment precinct that was promised but never delivered by the previous government.

I had the pleasure last week of joining the Premier, the Minister for Water, Mr Elsbury and Mr Finn at the launch of the East Werribee employment precinct in the new suburb of East Werribee. This is a suburb for the future. This is a suburb that will start to take the pressure off the reverse commute for Melbourne's western suburbs. It will provide 50 000 jobs, and it covers an area of 700 hectares. This is a jobs precinct that is so needed for the growth of Melbourne's west and a jobs precinct that has been talked down by the Leader of the Opposition in the Assembly, Mr Daniels or Mr Andrews — whoever he is, he is an angry man with no plan.

This is a government that has got on with the job of putting forward a unique structure plan predominantly focused on employment where the vast majority of money from land sales on the government-owned site will go back into this precinct.

Importantly, this precinct is not one that is just going to be around jobs and job generation. The money from this precinct will not just go toward open space, bike paths and a road network to manage bus connections, Mr Barber. the money will also go into a structure plan towards the construction of the Derrimut Road railway station, a brand-new railway station. This precinct is bordered by two existing railway stations and in the

structure plan there is a third. That is what the Baillieu government is doing that other governments did not do. We are putting forward a structure plan where we have money available not only for public transport and open space but also, importantly, a road network.

I will now talk about the Sneydes Road interchange. The Sneydes Road interchange is vitally needed for the suburb of Point Cook. When we left office in 1999 barely 1000 people lived in Point Cook. Today there are more than 10 000 people living there. No additional on-ramp from the freeway was provided by the previous government, despite four years of the local member being the Minister for Roads and Ports, despite the federal member being the Prime Minister and despite a sincere offer from this government to seek a partnership in funding that the federal government rejected. Not a cent was offered by the Prime Minister.

My grandmother, recently passed, would have said, ‘ви мокрый куркий’ — they are wet chooks. They had the opportunity; they could have done something; but they did nothing. The Labor Party actually wasted a chance that could have delivered vital infrastructure for Melbourne’s west, infrastructure that will service the Point Cook growth corridor and the brand-new Werribee employment precinct; infrastructure that will service a jobs CBD precinct, which will be serviced by three railway stations and which will be the envy of other cities.

This is a level of regionalisation in a capital city that has not been seen in Australia, but has been brought forward by the Baillieu government in a visionary approach to reinvigorate Melbourne’s western suburbs. We will have a new suburb that many people will have the chance to name, including my colleague Mr Finn, who believes it should be Finn-land!

The PRESIDENT — Order! I will accept Mr Guy’s translation of his grandmother’s comments, and I trust they were parliamentary.

WorkSafe Victoria: common-law claims

Hon. M. P. PAKULA (Western Metropolitan) — Can I say that if Mr Finn wants to decamp to Finn-land, the opposition will take up a collection.

My question is to the Assistant Treasurer. I refer to the review that I understand is currently being undertaken in respect of an injured worker’s right to claim legal costs and disbursements associated with a common-law claim. I am wondering if the minister could assure the house that there will not be cap placed on an injured

worker’s entitlement to legal costs and disbursements when bringing such a common-law claim for damages.

Hon. G. K. RICH-PHILLIPS (Assistant Treasurer) — I thank Mr Pakula for his question. Mr Pakula is referring to the review of the fixed cost model, which is a model that was put in place by the previous government, and a statutory review period of two years was required when that was put in place in 2010. I can advise Mr Pakula that that review is being undertaken and the government will consider it in due course.

Supplementary question

Hon. M. P. PAKULA (Western Metropolitan) — I appreciate the minister advising that the review is under way, but I note he has not been able to indicate to the house that there will not be a cap placed on the ability of an injured worker to access legal costs and disbursements. Can the minister explain to the house how it would be possible for an injured worker to properly contest a matter with the Victorian WorkCover Authority in the event of the WorkCover Authority having unlimited access to doctors and barristers whilst the injured worker’s access is curtailed by the cap that the minister will not rule out?

The PRESIDENT — Order! I will allow the minister to answer but I am concerned that the supplementary question ranged quite a way from the original question. I guess Mr Pakula was a little at a disadvantage on the basis that he perhaps did not have the expected response to his original question, but his supplementary question is fairly adventurous given the original question. With that in mind, I will still allow the minister to respond.

Hon. G. K. RICH-PHILLIPS (Assistant Treasurer) — I thank Mr Pakula for his supplementary question. I guess I am a bit surprised that Mr Pakula is now expressing concern in this area because the matters that he raises arise from a policy position put in place by the previous government in 2010 with respect to legal costs associated with common-law claims in the WorkCover scheme. When that policy was introduced in 2010 by the previous government, the minister in the then government was not expressing concern about access to legal costs and disbursements by WorkCover claimants. The review that is under way was required as a consequence of that change being put in place in 2010 and, as I said, the government will consider it in due course.

Housing: Richmond anti-drug initiative

Mr ONDARCHIE (Northern Metropolitan) — My question this afternoon is for the Minister for Housing, the Honourable Wendy Lovell. Could the minister advise the house on the details of last Sunday's announcement to further expand the Richmond anti-drug initiative.

Hon. W. A. LOVELL (Minister for Housing) — I was absolutely delighted last Sunday to join Premier Ted Baillieu, Victoria Police Assistant Commissioner Andrew Crisp, Inspector Bernie Edwards and local representatives of the Richmond housing estate for what was a dual announcement. The first announcement was the results of the trial of the government's anti-drug initiative on the Richmond estate. The second announcement was a two-year extension of the Richmond command post, a further \$40 000 to expand live closed-circuit television screening to Collingwood and Fitzroy high-rise housing estates and also to review security measures to ensure that non-residents are not using the Collingwood and Fitzroy estates unlawfully.

This is a fantastic initiative that we have put in place in Richmond to combat what was a huge drug problem on that estate. I remember that when we announced the initiative in this place Ms Mikakos opposed it. However, it has been a great initiative that has produced real results for people on the Richmond housing estate. What we have seen in the 15-month review of the government's initiative is a 20 per cent reduction in total crimes on the Richmond housing estate, a 50 per cent reduction in crimes against the person, a 28 per cent reduction in crimes against property and a 16 per cent decrease in drug possession offences. What we have also seen is a 54 per cent increase in charges laid for drug trafficking. This initiative is not something that is chasing drug activity off the estate onto the streets around Richmond; it is an initiative that is taking the drug dealers off the street and putting them in jail. It is taking dealers off the street; it is removing drug activities from our estate and from the Richmond community.

Between June 2010 and May 2012 we also saw a 74 per cent reduction in discarded needles as well as a 62 per cent reduction in observed drug use on the Richmond housing estate. Tenants are very pleased with this outcome. They have come up to us when we have been on the estate to hug and thank us for making their homes safer.

In the area where the anti-drug initiatives have been introduced there are two children's playgrounds. When

we first went there over 12 months ago to announce this initiative the residents told us they had not seen children playing on those playgrounds for 15 years. On Sunday morning those playgrounds were alive with the sounds of children playing on the equipment provided for them. This initiative has produced real outcomes for the people of the Richmond housing estate and we hope that it will now, as we expand it to Fitzroy and Collingwood, produce those great outcomes for people on those estates as well.

Victoria Police has supported the government in this initiative; it is very much a partnership with the police. We thank the police for their involvement and for their continued interest in making our housing estates safer places to be.

The former government failed to provide safer living conditions for people in public housing. As I have already said, children were not able to play on the playgrounds in those estates. The Baillieu government will not accept this situation for residents on our housing estates. We want to ensure that if the Office of Housing puts a young family on one of these estates, it has the opportunity to live a really good life. We want to know that those children have the opportunity to grow up without drug activity happening on their doorstep. This is a great initiative and the government is very pleased that it has been able to expand it to two further housing estates.

Manufacturing: industry participation policy

Mr SOMYUREK (South Eastern Metropolitan) — My question is directed to the Minister for Manufacturing, Exports and Trade, Richard Dalla-Riva. In his manufacturing strategy the minister failed to tackle one of the most important issues in manufacturing, and that is government procurement through the Victorian industry participation policy 2011–12 annual report, which indicates that at some stage between now and the middle of 2013 the minister will introduce reforms to the Victorian industry participation policy (VIPP). I ask the minister: are those reforms confined to the three so-called strengthened monitoring and reporting measures delineated in the annual report? If not, what other measures is the minister considering?

Hon. R. A. DALLA-RIVA (Minister for Manufacturing, Exports and Trade) — I thank the member for his question. He asked a question only recently about the process of the reform to VIPP. Again I ask the member to refer to the Victorian industry participation policy annual report to Parliament that I

tabled recently. He will note that details of the VIPP reforms are outlined in that report.

Supplementary question

Mr SOMYUREK (South Eastern Metropolitan) — Will the minister follow the opposition’s lead and introduce a formal weighting system in the evaluation of all VIPP plans and VIPP local industry development plans that will give a minimum 10 per cent weighting in tender evaluation to projects that contain higher levels of local content?

Hon. R. A. DALLA-RIVA (Minister for Manufacturing, Exports and Trade) — I thank the member, who is obviously referring to Labor’s supposed jobs plan. If you read through the document, what you notice is an absence of issues around unionism in this state; you notice a supportive Labor government that wants to stand shoulder to shoulder with the Construction, Forestry, Mining and Energy Union. What you note in terms of Labor’s election commitments — or its supposed plan, as outlined — is that it wants to reinstate the Victorian government business office in Frankfurt. I guess there are some old Labor mates it wants to put back in there.

We are opening new offices in places like Beijing, Mumbai and Jakarta. We want to go forward; they want to go backwards. What we find is that we have a commitment of \$15 million for Geelong. We have added \$4 million to assist industry. Where is Labor in terms of telling the federal government to co-contribute? It is nowhere — absolutely nowhere. When you start to look at some of the things we have announced in terms of procurement you see the Bombardier agreement of last week for 40 new train sets, with 70 per cent local content. That is our procurement.

Ballarat: technology park

Mr KOCH (Western Victoria) — My question without notice is to my colleague Gordon Rich-Phillips, the Minister for Technology. Can the minister inform the house of any new developments in the technology sector which highlight Victoria’s national and international competitiveness?

Hon. G. K. RICH-PHILLIPS (Minister for Technology) — I thank Mr Koch for his question and for his continuing interest in the strength of Victoria’s technology sector and indeed his continuing interest in regional Victoria. I was very pleased to be in Ballarat last Friday at the University of Ballarat Technology Park, which has been a great success story for the ICT

sector in Victoria and a great success story for the Ballarat community. It is a tech park that contributes around \$300 million a year to the Ballarat economy and employs around 5 per cent of the workforce in Ballarat, so it is a very significant component of the Ballarat economy and the Ballarat workforce. I was pleased to be there with my cabinet colleague the Minister for Regional Cities, Denis Napthine, my parliamentary colleague Simon Ramsay and one of the local representatives at the IBM facility.

IBM is a major player at the University of Ballarat Technology Park. It is a company which has been operating from Ballarat for the best part of two decades, since it received an original contract under the Kennett government to undertake VicRoads processing work at Ballarat, and it has expanded over the last two decades. IBM is a major employer in Victoria generally, with around 4000 people employed here in Victoria, including around 650 at its multiple campuses in Ballarat. It is both an important company for Victoria, with around 40 per cent of its total Australian workforce here in this state, and also an important employer in Ballarat.

Last Friday I was pleased to join Andrew Stevens, the managing director of IBM Australia, to announce that a further 150 new jobs will be created at Ballarat over the next four years. This is a substantial boost to employment at IBM and of course a substantial boost to the Ballarat economy. These jobs will be in areas such as software development, application development and software testing, which will be a new line of operation for IBM here in Australia. This facility at Ballarat will allow IBM to support its clients in the Asia-Pacific region and around the world. It is a great success story for IBM, but it is also a great success story for Ballarat, and it underpins the strength of the Ballarat ICT sector.

Ballarat is now recognised as the leading regional centre in Australia for ICT investment, and this new investment by IBM further underpins the strength of Ballarat as an ICT hub and further underpins the strength of the Victorian economy.

QUESTIONS ON NOTICE

Answers

Hon. D. M. DAVIS (Minister for Health) — I have answers to the following questions on notice: 8188, 8272, 8274, 8520, 8585, 8586, 8684–7, 8690, 8691, 8693–5, 8724–9, 8733.

GOVERNMENT: PERFORMANCE**Debate resumed.**

Mr ONDARCHIE (Northern Metropolitan) — Just picking up from where I left off, I was talking about our efforts in health and the things we have done to deliver in that area. We launched a \$100 billion Victorian community prevention model, the first of its kind in Australia. David Davis, the Minister for Health, worked hard to protect the Victorian health system by renegotiating the Council of Australian Governments health deal with the Gillard government, securing more funding, no claw-back of Victoria's GST and specific arrangements to protect Victoria's rural hospitals. But unfortunately the commonwealth government has again withdrawn health funding from Victoria. That is going to affect hospitals right across the state, including hospitals in my own electorate, such as the Austin Hospital, the Northern Hospital, St Vincent's Hospital, the Royal Melbourne Hospital, the Royal Children's Hospital — —

Mr Finn interjected.

Mr ONDARCHIE — And the Mercy hospital, as Mr Finn points out to me, as well. We opened the new mobile intensive care ambulance single responder units in Shepparton, Mildura, Wangaratta, Warrnambool, Wodonga and Wonthaggi — and maybe some other places that start with 'W'! — and also upgraded metropolitan and rural ambulance branches. We strengthened palliative care services with a \$34 million funding boost, established a \$100 million Victorian Innovation, e-Health and Communications Technology Fund, launched a new health performance website with regularly updated information that keeps patients informed of what their health choices are and announced \$60 million worth of funding for the Victorian Cancer Agency. We funded Labor's black holes for services and for major capital works, such as the IT system for the Royal Children's Hospital, which received \$24.9 million from this government, and the Olivia Newton-John Cancer and Wellness Centre in Heidelberg at the Austin Hospital site in my electorate, which needed another \$45 million to fit it out.

Sadly, when Mr Lenders was making his contribution to the house he failed to recognise that Labor did not do its job. Labor did not do what it said it was going to do. We have allocated \$70 million for a medical equipment replacement program and \$45 million for a statewide infrastructure renewal program in the health system. There has been \$2.7 million for Vision 2020, which promotes eye health and vision care and will work towards preventing avoidable blindness and reducing

the impact of vision loss on Victorians through improving public and professional awareness.

Mr Lenders went on to talk about jobs. I will talk about Labor's jobs plan very shortly, sometime this afternoon, but let us just talk about jobs. The October ABS (Australian Bureau of Statistics) data shows that the Victorian unemployment rate is at 5.4 per cent, which is exactly the same as it was when Labor left office. At that time Mr Lenders called 5.4 per cent a boom time.

Mr Drum — Did he, now?

Mr ONDARCHIE — According to seasonally adjusted ABS labour force data there were 2 893 000 Victorians employed in October 2012. That compares to 2 867 500 in December 2010, shortly after we came to office, Mr Drum — an increase of 25 500 in jobs since the Victorian coalition government came to office. Victoria's employment growth since December 2010 is the third highest of all the states, behind Western Australia and New South Wales. The employment and national accounts data demonstrates a solid performance by the Victorian economy in the face of tough global economic challenges.

The Baillieu coalition government is committed to working with businesses to generate growth and new investment and to improve productivity and competitiveness. However, it is true to say that our industries are facing substantial pressures: the decline in consumer confidence on a national level; the impact of the high Australian dollar, particularly on our trade-exposed industries; and the uncertainty for investment in jobs arising from Labor's great big new tax, the carbon tax — a tax the Prime Minister said would never be introduced under a government she led. With the support of its minority government partner, the Australian Greens, federal Labor has introduced this carbon tax, and not once today when members of the Greens or the Labor Party were talking about the jobs plan for Victoria did they acknowledge the impact the carbon tax would have on working families and their jobs — another failure to recognise. To pick up Ms Mikakos's phrase, which has been often used since the last sitting week, they should look in the mirror and take responsibility.

The other pressure that has added to the problems of Victorian industry, of course, is Labor's inflexible workplace laws. We have seen industrial action in this state that, quite frankly, should make us shake our heads. The task of growing Victoria's economy and creating new jobs will be more challenging here in Victoria because of federal Labor.

Victorian companies are fighting hard in very difficult times, and they are showing strength and resilience. We are tough in Victoria. There have been many examples of this, including the coalition announcement just this week of securing 70 jobs at Bombardier, a train manufacturer at Dandenong, with the purchase of 40 new V/Line trains to service regional and rural Victoria. There is also the Premier's announcement of 500 jobs at Cotton On in Geelong, which I know Mr Ramsay, Mr O'Brien, Mr Koch and Mr Finn have been very strong advocates for; they have worked hard to ensure that businesses in Geelong are well supported by the coalition government. There are also 800 new jobs and \$1.5 billion in investments to flow from the super trade mission to China that occurred in September, which ministers such as the Minister for Manufacturing, Exports and Trade joined to ensure that we drive more investment and more opportunity for Victorian businesses.

There are 80-plus jobs that will come from almost \$14 million in new investment flowing already from the first round of grants under the Baillieu coalition government's Investing in Manufacturing Technology program. Bead Foods in Dandenong South has opened a new factory, generating 50 jobs. And for Australian Paper there is a \$9.5 million investment to be put towards a \$90 million project — the greenfield de-inking plant at Maryvale that incorporates state-of-the-art, purpose-developed technology from Nippon Paper. The construction and ongoing operations of this greenfield plant will create about 140 direct jobs and over 1100 more full-time equivalent jobs across Victoria. This is the Baillieu coalition government doing its job to support Victorian employers and Victorian job creation.

Ego Pharmaceuticals just this month opened a \$1 million distribution centre in Bangholme, generating 50 jobs over the next two years. I know Minister Rich-Phillips is extremely proud of what Ego Pharmaceuticals is doing down in that part of Melbourne. This vote of confidence in what is happening in Victoria will ensure that retailing will generate hundreds of new jobs as well. There are 160 new jobs going to Maryborough at the new True Foods plant. There are 50 jobs in the Kiewa Valley through a Danone investment in a new dairy processing plant in Tangambalanga. Kraft recently employed 38 new workers at its Ringwood manufacturing plant, one of its six Victorian facilities. I know Mrs Kronberg is a very good supporter of and advocates well for the Ringwood manufacturing plant. It is just another example of how the coalition government is committed to engaging closely with businesses on new approaches

to generating investment and to adding high-value jobs to Victoria.

The coalition government has conducted the most rigorous review anywhere in the country into the state of the manufacturing sector in Victoria. This identified key policies in our \$58 million manufacturing strategy to make industry more productive and more competitive. We have also had our \$50 million international trade engagement strategy to help identify and capture new markets. There are plenty more examples, but those in the opposition can — and they choose to — dwell on the negatives if they want to. They are always talking Victoria down. Because of the lack of leadership from the federal government and the impost of pressures such as the high value of the Australian dollar and the downturn in consumer confidence, this is a time when we need to talk Victoria up. This is a time to keep reminding the Australian business community and the international community that Australia, particularly Victoria, is a great place to invest and do business.

Victorian industry is showing great strength and resilience in these very challenging times. With commitment and with vision we can secure and strengthen the state's prosperity and produce jobs and opportunities for the future, for our kids and for our grandchildren. We can do this by setting the state up, fixing the problems and building the future. That is exactly what the Baillieu coalition government is doing.

Mr Lenders wanted to talk about education. He wanted to talk about what is happening in schools. The Victorian coalition government has already invested \$408 million in school capital works in its first two budgets. This includes the single largest capital investment in specialist and autism schools for over a decade. I know Mr Finn has been a strong advocate of support for specialist and autism school programs, and here it is. The Baillieu coalition government is delivering.

There have been announcements about the construction of a number of new schools in growth areas like Torquay, Officer, Point Cook and Tarneit. We have invested over \$56 million through our first two budgets to purchase land in population growth areas to secure sites for new schools in areas like Cranbourne South and Doreen — investment in schools in that corridor of Melbourne, which is one of the fastest growing corridors in Australia and which has been let go for so long. When I talk to teachers, parents and the local community in my electorate of Northern Metropolitan Region, particularly in that whole Mernda-Doreen corridor, they have been telling me — as recently as

last Friday night, at a community meeting I had with them — ‘We have been left behind for the last 8 to 10 years’.

Then we have people like Ms Mikakos and the member for Yan Yean in the other place, Danielle Green, saying to us, ‘What are you doing about building infrastructure and providing education and services out in this part of Melbourne?’. What did they do for 11 years? We are making a commitment to do something about it, and here we are — we have announced a new school for Doreen. Those opposite know that what we have invested is more than Labor set aside in its last budget for land acquisition. Those opposite know that we have made an effort, which they did not make.

Mr O’Brien — It means that the land is now more expensive to buy.

Mr ONDARCHIE — As a result, as Mr O’Brien rightly points out to the house, we are doing it when the capital value of land has increased. When those opposite had the chance to buy land for schools at a more economical level, they failed to do so. We are fixing the problems and we are building the future.

The Victorian Baillieu coalition government is planning for growth and delivering into Labor’s heartland. Today members heard the Minister for Planning talk about the new suburb outside Werribee, in Labor’s heartland. Members have heard talk of a new railway station at Werribee and of significant investment in programs in Northern Metropolitan Region, which I represent and which has been traditionally regarded as Labor heartland. I would say, and I am sure Mr Finn would, that when you look at areas such as Point Cook and the north of Melbourne you see that the times, they are a-changing. People in those traditional Labor strongholds are remembering that they have been neglected for such a long time, and they know that this Baillieu coalition government is doing something about supporting those areas.

Members of the government understand that the Labor government — the Bracks-Brumby-Lenders government — left more than 200 schools on a school capital funding waiting list, without any certainty as to when their projects were to be delivered. I have had conversations with Mrs Kronberg, Mrs Petrovich, Mr Finn, Mr Ramsay, Mr O’Brien and Mr Drum. They have told me that people in schools in their areas had an expectation built by promises that were made by the Labor government but were never delivered on. Those people are now saying to us, ‘We know we were let down by the Bracks-Brumby-Lenders government’.

This government gave an undertaking at the last election to fund and commence a number of priority school capital projects in its first term of office, and it is doing that. The government is on track to deliver all its election commitments in the time promised. Where money for school projects we committed to has not been made available in our first two budgets, planning has proceeded at a number of those schools in preparation for the commencement of work. In its first two budgets the government has funded close to \$180 million in school capital works, delivering on its election commitments. We are doing our job.

Mr Lenders’s motion refers to the coalition government fixing the problems and building the future. The government is successfully planning to build and deliver on its promises over this period of government. Victoria remains on track to deliver a \$155 million surplus in the 2012–13 financial report. The Baillieu coalition government’s fiscal and economic strategy has strengthened Victoria’s finances and kept Victoria on track, despite the unsustainable budget position the government inherited from Labor.

There are three key reasons why the final result for the quarter was negative \$685 million, which was broadly in line with the government’s expectations. They are: external factors, including the unresolved crisis in the Euro zone; weakness in the national economy; and commonwealth policies such as the carbon tax. The commonwealth government’s backflip on company tax cuts and its proposed occupational health and safety laws continue to drive uncertainty in the economy. The unusual seasonal patterns in revenue receipts mean that most land duty revenue will not be recognised until later this year. I am only just getting started. There are a number of things this government said it would do that it is well on track for.

By way of rounding off, I will touch on Labor’s jobs plan. That plan is no more than an unfunded wish list of irresponsible and vague promises that highlights the fact that the Labor Party in this state is nowhere near ready to govern. The Leader of the Opposition, Daniel Andrews, has promised to impose a \$3.4 billion cost on Victorian businesses, with a massive increase in red tape and regulation. It shows that he is simply going to do the bidding of the Gillard government before he stands up for the interests of Victoria’s businesses and its workers. Labor’s plan is a threat to Victoria’s finances and its AAA credit rating. Those opposite have no policy to keep the budget in surplus or to maintain the AAA credit rating this government has done so well to maintain. I oppose the motion.

Sitting suspended 1.03 p.m. until 2.07 p.m.

DISTINGUISHED VISITORS

The ACTING PRESIDENT (Mr Ondarchie) — Order! I have just come from a function visiting the Maltese Consulate General, but there are people visiting Parliament today from the Turkish Parliament. On the chance that they appear in the gallery before or after their lunch, this is a chance to welcome them. We welcome Mr Selahattin Demirtaş, Leader of the Peace and Democracy Party in the Turkish Parliament, to our chamber today.

GOVERNMENT: PERFORMANCE**Debate resumed.**

Mr VINEY (Eastern Victoria) — I am pleased to rise in support of Mr Lenders's motion which draws to the attention of the house that it is the second anniversary of the election of the Baillieu government. In the spirit of Mr Guy referring to a Ukrainian saying, we will use some simpler French in saying that one would have expected more joie de vivre. One would have expected some happiness and some joy amongst coalition members for having got to office and having celebrated two years in office, but all we have seen are long faces amongst the members of the coalition. We are seeing those long faces because of the abject failure of the Baillieu government to meet its commitments and its fundamental promise, as part of the slogan it used, that it would 'fix the problems', when in actual fact the problems have increased.

In my electorate alone, in the Gippsland and Latrobe Valley regions, we have been losing jobs every day since the Baillieu government was elected. The Acting President in his earlier contribution was singing the virtues of the government's achievements in employment, but the facts of the employment rate in this state defy those views. It does not matter how many times you say, 'We are doing well', it does not make it true, because what we have seen in our region is 40 jobs lost every day.

Mr Drum interjected.

Mr VINEY — In response to Mr Drum, at a time when unemployment has increased and when jobs have been lost in our region the government's response has been to cut into skills training and to cut into TAFE colleges. We are now seeing a situation where fees are going up, courses have been closed and campuses are now being considered for sale. At the training restaurant in Warragul the lease has been closed.

Mr Drum interjected.

Mr VINEY — Mr Drum, I am telling you the truth.

The ACTING PRESIDENT (Mr Ondarchie) — Order! Mr Drum will get his chance in a moment.

Mr VINEY — I will look forward to Mr Drum's contribution, and I hope it is coherent, which would be a new development. It does not matter how many times members of the coalition attack the performance of the Labor government. Even though they constantly attack the financial management of the Labor government, the facts are that there were 11 years of budget surpluses, 11 years of AAA credit ratings and 11 years of economic growth and jobs growth. They are the facts, and in two years this government has seen employment plummet and the manufacturing industry in crisis. We have seen slashes to the education system and a \$600 million cut from the hospital system. Mr Davis just wants to blame the federal government for problems in the health sector. If there were to be cuts in federal funding — and I doubt there will be because we have had evidence showing that over the forward estimates the federal government will be increasing commonwealth funding to Victoria by 25 per cent in the health sector — even if there were some minor cuts, they would be dwarfed by the \$600 million cut in the Victorian health budget.

The contrast between the financial performance of the last government, with its budget surpluses, AAA credit ratings and economic and jobs growth year in and year out for 11 years, even during the global financial crisis, is stark. This government has made cuts to health and cuts to the TAFE sector. It has failed to deliver on its promise to make teachers the best paid in the country as Mr Baillieu said — not the worst paid, the best paid. The minister responsible for that, the Minister for Higher Education and Skills, sits opposite, and his record has been to cut into the TAFE system in his own electorate — in the electorate we share. We are seeing cuts into GippsTAFE and cuts into Advance TAFE, and these things are going to affect people in Gippsland. The cuts will mean that young people in Gippsland will have to go to Melbourne for skills training because the Gippsland colleges will not be able to provide the courses they are seeking due to those cuts.

These are the facts. This government has failed to deliver in these areas. Despite the fact that it has made cuts to education and health, it is now downsizing the public service but telling us that the front-line positions are exempt, and yet we find that the regional office right near Mr Hall's own office has been downsized, according to the current staff, from about 70 staff members to a skeleton staff of maybe 4 to 10 people.

Mr Hall claims that only 18 jobs will be going, but those jobs still represent 35 to 40 per cent of the staff in that office, and yet across the country these reductions are supposed to be only 10 per cent as promised.

Gippsland is taking the brunt of the cuts in the education sector. You cannot tell me that the jobs going in Gippsland in the sector that provides services to kids with disabilities and reading recovery programs are not front-line services. The coalition is trying to tell us that they are not front-line services. The coalition has said that the ministers' drivers are front-line services, but people providing reading recovery programs are now being made redundant through this government's policies.

This is a government that despite all of those cuts has managed to double state debt. That is some achievement — to cut services, to rip into health, to rip into education and to double state debt at the same time.

There is one other area that I would like to touch on fairly quickly in this debate today, and that is the question of accountability. We heard long and loud from the government when it was in opposition that it was going to restore accountability and openness in government, as if that had somehow disappeared in the previous government. Yet in this very chamber all parties set up a committee system that would allow for continuous monitoring of the performance of the government, particularly through the legislation committees, and would be able to call in senior public servants and oversee annual reports and estimates of expenditure. None of those committees are doing their job.

All of us have suffered the accusations and the references to this place as the 'red morgue'. All of us have heard that, and many of us find it a little difficult to tolerate given that this is a fairly robust chamber. But I think we are starting to earn that tag. We now have no committee systems meeting to operate any level of scrutiny of this government. That is in contrast to what the government did when in opposition. It set up select committee after select committee — and I served on them so I do remember them — and they were all about holding the government of the day to account. Uncomfortable as it might have been as a member of the government, as I was at that time, to watch ministers and public servants being questioned, the one thing I will say is that as uncomfortable as I was trying to defend the government that I was a part of — one of the things we know we have to do in politics — what I did know was that it was essential for a robust political system.

This government has closed that system down. This government has made sure that none of those committees can conduct inquiries into matters that might in any way cause questions or problems for ministers of the day. I have to say to the government members, 'You will rue that position', because taking that position will mean that this government will make mistakes. Having that view will come back to bite it.

This has been an interesting debate. Shortly before the contribution from Acting President Ondarchie Mr Barber made a contribution to this debate. I was surprised and yet not surprised that his entire contribution focused on the former Labor government and the opposition's jobs policy which was released last week. I think Mr Barber's contribution proved the view that many hold that the Greens party is simply made up of unreconstructed Trotskyists who think there is much more sport and much more fun in attacking another progressive party than in actually focusing on a motion that focuses on the government of the day and the policies it has that are harming Victorians and particularly ordinary working families. That is where our focus should be. The approach of the Greens is to constantly focus on another progressive party. Instead of focusing on the conservatives and having a look at what the Tories are up to, the Greens party decides it wants to focus on us.

I have got to tell Mr Barber that we know we lost government and we accept the decision of the people. However, it might be time to get into 2012 and start looking at what the mob that has been elected is doing to Victorians; that might be a useful exercise for the Greens party to start focusing on.

What I am pushing here today is twofold. Firstly, it is time for the government to focus on the things it promised to do. During their years in opposition government members described a range of problems, some of which we agree on and some of which we might not agree on, and defined the problems they wanted to fix. In opposition they defined the problems they wanted to fix, and the government's fundamental problem today is that its members are forgetting about the problems they defined and are not fixing them; in fact they are adding to the problems of Victoria.

When we return to government — whenever that is; obviously members on this side are working hard to make it happen at the next election — we will have to fix the problems this conservative government has created. We know the areas conservative governments attack — education and health. This government is doing what the Kennett government did — that is, sacking 4000 nurses and removing 8000 teachers from

the system. We are seeing the same process being repeated. Members of this government and the Greens party think it is great sport to attack the Labor Party's record, but our record on economic management stands on the facts: jobs growth, budget surpluses every year and a AAA credit rating for 11 years — all achieved at a time of restoring our education system.

Acting President, in your contribution to this debate you made criticisms of the former government's commitment to rebuild schools in Victoria. We made a commitment to renovate or rebuild every school in Victoria by 2014, and we were well on track for that. We had already achieved that aim with about 50 per cent of the schools in Victoria, and we were well on track to meeting that target. The plans were in place, and the project was added to by the federal Labor government's Building the Education Revolution funding.

We also restored the hospital system in Victoria. We removed the very large networks established by the Kennett government and brought hospitals closer to the people by appointing community representatives to hospital boards. We introduced and maintained nurse-patient ratios which, in its first enterprise bargaining agreement negotiations with the nurses, this government tried to undo. We put those measures in place, and we are proud of that record.

We are also proud of building the new Royal Children's Hospital. We are proud of buying back the Latrobe Regional Hospital for \$1, because the Kennett government had privatised it, which was an abject failure. We are proud of what we did in terms of ambulance policy, including two-officer ambulance crewing and the provision of advanced life support programs. We are proud of the fact that we were able to restore the community's confidence in ambulance services. We are proud of the fact that we massively expanded the mobile intensive care ambulance system in Victoria. Those are great achievements of a Labor government, and we are proud of those achievements.

We will not stand by and watch a conservative government rip those achievements apart — rip the health and education systems apart — without holding it to account. We will not allow this government to continue to rip into the TAFE funding system, to cut coordinators from the Victorian certificate of applied learning program or to close down the great Labor program of renovating and rebuilding every school in Victoria. That was a great Labor program for building Victoria. There were massive infrastructure projects across the state. We are proud of our achievements.

As much as people on the other side did not like what we did, let me remind Mr Drum that the Northern Victoria Irrigation Renewal Project, was a great infrastructure project and part of the system that is allowing the Murray-Darling Basin to be restored to health. NVIRP is a part of that whole program. We are proud of those achievements, and no amount of criticism and repeating things that are not true by members of the government will undo those great Labor achievements. We will not allow this elected government to get away with ripping into programs and services. On top of that, we will hold government members to account on their commitments and for the promises they made to fix the problems that they defined. We will follow those problems all the way to the next election, because government members are failing to deliver on those things.

Government members are doing what we always know to be true of conservative governments: they cannot be trusted in the fundamental service delivery programs in health and in education, and they have proven that the Victorian people rightly question whether or not the coalition parties have a commitment to those things. It is ingrained in the people of Victoria's knowledge of the Liberal Party and The Nationals that neither party can be trusted on health and education. The first things government members have done in their first two years since coming to office have been to prove that those perceptions of them held by the Victorian people are true, because government members have ripped \$600 million from the health system and \$300 million from the TAFE system. Government members have not delivered on their commitment to teachers, and they have closed down the program that we started of rebuilding and renovating every government school in this state. I say that government members will be held to account not by us in these next two years but by the people of Victoria.

Mr DRUM (Northern Victoria) — Acting President, congratulations on your ascension to the throne, if that is how it could be described. It is always a pleasure in this place to defend the work the Baillieu-Ryan government is undertaking. Just the other day I heard the Leader of the Opposition on ABC radio mouthing words about the Premier, Ted Baillieu. He accused the Premier of being on a holiday from hard work. That is the claim of Labor — that the Premier has been on a holiday from hard work for two years. The Premier may have some faults, but not being a hard worker is not one of them. If there is anyone on the Labor side in this or the other chamber who has the physical capacity to get out of bed when the Premier gets up and to attend to the number of issues that he attends to before getting to bed at the ridiculous hour he

gets to bed, then I would like them to put up their hands. They do not exist.

At the moment in Victoria we are blessed in having a Premier who is a fraction on the quiet side. Unlike any other Premier who comes to mind, he likes to avoid public self-promotion. We also have a Deputy Premier who does not sleep. They both just work. They work for Victoria and are producing fantastic results. But you would not think that if you read the motion moved by Mr Lenders. There can be no doubt that the current coalition government inherited a mess from the Labor government. Had all the revenues projected running up to the last election come through, it would have been a mess that was reasonably easy to fix. That wasted spending would have been a mess that we could have gotten on top of. The biggest and most glaring problem with the previous government was simply the amount of money it wasted. Opposition members talk about project overruns of hundreds of millions of dollars as though they are talking about whose shout it is at the bar. Every major project had overruns of absolutely ridiculous amounts of money.

The very first major project the previous government go into was the incorrectly named regional fast rail project, and Labor still managed to blow the budget. Members of the former government added to that waste and created extra services and so forth, but with all the add-ons the \$80 million project blew out to something in the vicinity of \$1.3 billion. There is also the regional rail link, which is already \$400 million or \$500 million over the amount it was originally costed at. This morning we heard Mr Barber say that myki is continuing to cost more than it was supposed to. The previous government's budget overruns for myki, which was still not completed when it lost government, were in the vicinity of \$400 to \$500 million, and that continues to be a headache for Victorians.

I do not know how many times we have to mention the ridiculous size of the desalination plant, which the former government built at Wonthaggi. It is three times bigger than any other desalination plant in this country. It is also about three times the size of what was proposed by the coalition when it was in opposition, which was ridiculed by the Labor Party. The current government has been forced to fix all of these projects and try to make something out of them that Victorians can actually live with. The public-private partnership model put in place for the Ararat prison meant that everybody was involved but nobody was responsible, so when some of the more senior partners faced financial difficulty and were forced to go into liquidation, the whole project stalled. The model that was put in place was an absolute joke. It was as if the

job had been given to a bunch of drunks at the local pub, who were asked: 'Try and come up with a model that everybody — —

Mrs Petrovich — The whiteboard.

Mr DRUM — The whiteboard — beautiful analogy there, Mrs Petrovich. The Minister for Corrections has had to put some robust guidelines around the Ararat prison project using the main creditors which stood to lose a lot of money. I believe these were the Bendigo and Adelaide Bank and the National Australia Bank, but I may be incorrect on the second bank. On top of that there has been an incredible blow-out in the training sector.

The previous government put a system of training in place with no monitoring process. It said, 'Here is an unlimited government guarantee for training. Go for your lives. It does not matter what you train Victorians in. Whether it is cake decorating or basket weaving, we will give you a certificate II or III, government-guaranteed funding and subsidies from Victorian taxpayers to the extent of a \$400 million per year blow-out'. The coalition has been placed in the position of having to try to fix up that mess.

Obviously opposition members do not want to listen. It is in their interests to continue to slam the current government for its savings measures and the responsible decisions it has made to create sustainable government. We could fix many of these issues if we had the projected revenues that before the 2010 election both sides of politics were led to believe would be available. That \$6.8 billion is where the shortfall lies. People can say there is more money now than there was in 2009 or 2010, but we are talking about projected revenues. That is where there is a \$6.8 billion difference. The federal government has exacerbated the financial situation in Victoria on the back of a phoney commonwealth surplus. Any political observer in Australia knows that what the federal Treasurer Wayne Swan is doing is fraudulent. He knows that the 2012–13 budget will not deliver a genuine surplus. Any political observer understands — —

Mr Viney — What does this have to do with your record in office?

Mr DRUM — If Mr Viney would listen, the federal government has just ripped \$400 million out of our health system for the next four years.

Honourable members interjecting.

The ACTING PRESIDENT (Mr Ondarchie) — Order. I asked Mr Drum to exercise some courtesy

when Mr Viney and Mr Scheffer were speaking. I ask them to do the same for Mr Drum.

Mr DRUM — I am happy for opposition members to interject because the more they interject, the more opportunities we get to go over it again. The federal government is delivering a phoney surplus. Money was taken out of this financial year and spent in the previous financial year, and expenses have been taken out of the end of this financial year and will be carried over into 2013–14, when a whole range of payments to the states will be dragged back to the federal government. This is a joke, and everybody knows it is a joke, yet the federal government continues its endeavours to somehow put the figures together for just this one year. It has not made any assertions about what will happen in 2013–14 because members of the federal government realise that the election will take place then and it will not really matter. It will not matter what happens in the election year; the government will say it is going to have surplus, and we all know that it is a lie or a fraud.

The opposition needs to take stock of what will help to drive growth and prosperity in this state. Continually talking the state down will certainly not do it. Mr Lenders leads the charge in walking around Shepparton and counting how many empty shops there are. We all understand that for people to spend money there has to be a level of confidence. As Mr Lenders used to remind us when we were in opposition, it is the job of the opposition as well as the government to talk the state up and to create confidence in the business sector. By creating confidence in the business sector you will get the private sector spending the money that will help us continue to bounce back from the global financial crisis and be able to sustain ourselves into the future.

The other side accuses us at times of poor financial management. Here are the facts: yes, the Labor government produced a surplus in each of its 11 years, but only because revenues exceeded its expectations by about a billion dollars every year. In the course of handing down 11 budgets the Victorian Labor government was not able to stick to one of them. The Labor government blew each and every one of its 11 budgets, and it blew them by about a billion dollars each year, on average.

Mr Viney — That's absolutely untrue.

Mr DRUM — It is the exact truth. Every budget that was handed down was effectively overblown by about a billion dollars. In total it was \$11 billion. Victorians would not mind that \$11 billion back, by the

way. I have not even mentioned yet all the waste that Labor oversaw, which it tends to think was okay. It was okay to put a north–south pipeline project in that would not be used; it was okay to spend \$700 million to \$800 million on it. It was okay to build a \$5 billion desalination plant that we do not need.

Those opposite think it is okay to waste taxpayers money in this manner. What we are telling them is that it is not. We are saying that if they are going to waste \$3 billion through the improper and incompetent management of the gaming licence auction, then they have to be responsible for that mess. It was not only that; it was the entire model and Labor's inability to actually liaise with the gaming sector. Those opposite were too paranoid, they were too scared to be able to talk to anybody, and as the Auditor-General says — we keep having the Auditor-General quoted at us — had the state government handled the whole auction process in a different way, the state of Victoria would have been \$3 billion better off the day after the auction than we were.

That is a level of incompetence that only the Labor Party can be responsible for. This is no-one else's fault but the Labor Party's. I hope sometime someone will take responsibility for it. Every member who has so far risen to their feet and contributed to the debate — and I imagine every member of the Labor Party will continue to rise to their feet to speak on this motion — has, firstly, criticised every project for which we have cut costs or created savings. They will criticise every cutback and saving that we have created. Secondly, they blame us for the blow-out in state debt — and every speaker will do that. Thirdly, they claim that if they were in government they too would have a \$100 million surplus.

The one thing that no speaker will talk about is where all this money is going to come from. Where is it going to come from? Will government projects and programs be cut back or reinstated? When you want 4200 public sector workers put back onto the payroll, where is the money going to come from? Where is this additional money going to come from? If you are going to reinstate 3600 or 4200 additional public servants, who is going to pay for them? If the full TAFE funding is to be reinstated, where is that money going to come from? If the \$600 million worth of savings from the health sector is to be reinstated, where is that money going to come from?

Daniel Andrews has put out a jobs plan, and there is \$8 million worth of savings in the entire jobs plan; there is nothing. I will give the Labor Party a serve of what its members used to give the opposition in the previous

Parliament. They used to say, ‘What are you going to do? Are you going to cut the cops back? Are you going to cut police numbers? Are you going to cut protective services officers? Are you going to cut education? Are you going to cut law and order? Where is the money going to come from? I will tell the house where the opposition is going to cut it from. It is going to get rid of the billion-dollar Regional Growth Fund and it is going to try to go back to spending half the amount of money we are currently spending in regional Victoria.

As everybody knows, in this four-year term funding through the Regional Growth Fund is double what the previous Labor government was prepared to spend, and we are going to spend that much again in the next four-year term. However, Labor has made it clear now that through legislation it is going to try to roll back the Regional Growth Fund and return to the Regional Infrastructure Development Fund. All keen observers of regional policy will know that the coalition has got twice the amount of finances committed to the regions as Labor would have.

There will be no answers when Mr Scheffer gets to his feet. He will not answer what it is that Labor is going to cut back. He will not answer the question of where labor is going to raise extra revenues. He will just say that our cutbacks need to be reversed and our policies need to provide more money, but that we are not allowed to increase debt. We know what is going to happen. Labor, if it ever gets a chance to come back into government, will increase spending and increase debt. You only have to look to the north of the Victorian border to see the disastrous situations brought about under prolonged Labor governments. Labor would put this state into so much debt that we would never get out of it. And then we would see a Campbell Newman-style hacksaw job done on the entire economy. In Queensland, which is a resource-rich state, they are having to take a hacksaw to the state to try to recover, and that is what would be needed in the state of Victoria after our next bout of Labor to ensure that we could return to normal.

I hope people have long memories and understand that the responsible measures put in place by this government are going to give this state a chance for greater prosperity and greater job creation, and they will put this state on the best financial footing that we can hope for.

Mr SCHEFFER (Eastern Victoria) — Midway through its term the Baillieu government is lost in a dark place. The euphoria of its surprise 2010 election victory that gave it a one-seat majority in both houses of the Victorian Parliament is now but a distant

memory. Through its 11 years in opposition the coalition came to believe its own rhetoric — that random and populist criticism of the then administration was preparation for government. The coalition mistook the barracking of the media and its own cheer squad as evidence that it was building credibility as an alternative government.

As we know, in the end the coalition was tipped into government, but this came as a huge surprise to it, and the evidence of the first two years of its first and hopefully only term shows that it has not found its feet. The Baillieu government has been unable to make the transition from opposition to government, even after two years in office. The most obvious characteristic of this — and we have just seen an example of it from Mr Drum — is this government’s fixation on the Labor opposition. The coalition often appears to be disproportionately concerned and anxious about what the opposition and its shadow ministers think about the government’s musings and thought bubbles. What began as an understandable insecurity of an unlikely crew of coalition MPs who found themselves in government has over the past few years become a hallmark of the government — insecure, still trying to hit on a plan for the state and unable to deliver a program that inspires or much less works.

The government has learnt that it is much harder to govern than to lob pot shots across the chamber or make a wisecrack at a doorstep. The government has been locked into a cycle of frozen inactivity of its own making. As recently as last Sunday we saw another piece written up in the *Sunday Age* reporting that the business community has once again urged the Premier to be bolder and more decisive. The piece was devastating, describing the government as stagnating, too slow to act and failing to sell a credible policy agenda across the state.

Victorian business is desperately pressing Premier Ted Baillieu and his government to boost infrastructure, grow jobs and improve public services. If the government is tempted to think that this is just some trumped up *Age* journalist having a go, the piece quotes Lindsay Fox, a member of the Premier’s business round table, telling the Premier to ‘take the challenge’, ‘dare to be great’, take the opportunity and ‘make your mark’. This kind of language is unprecedented. I cannot remember a time when a Premier in this state has been so publicly taken to task by their closest supporters.

The *Sunday Age* piece says that Frank Costa, Brian Welch and Tim Piper agree that more should be done to articulate a clear agenda ahead of the next election. All this has come from groups that actually support the

conservative side of politics. If this is what they are saying on the public record, I can only imagine what is being said behind closed doors and how that is ripping through The Nationals and Liberal Party circles, and indeed amongst those opposite.

Mr Koch — Dream on.

Mr SCHEFFER — I say to Mr Koch that it is not a dream; it is a vision.

Is it any wonder that some opposition eyes are settling on the eager and vociferous Minister for Planning, because at least not all of his policy cigars have exploded.

The *Sunday Age* piece should not be left there, because there is more reported from groups you might have expected to be critical of conservative governments but which were gullible enough to have expected more and which are now bitterly disappointed. For example, the president of the Law Institute of Victoria, Michael Holcroft, accused the government of taking too long to make appointments in the justice portfolio. Mr Pakula is on the record as pointing out that all the key roles within the Department of Justice are vacant. There is no secretary, there is no equal opportunity commissioner and the government still has not found a person prepared to take up the position of commissioner for the Independent Broad-based Anti-corruption Commission.

It was a damning piece in the *Sunday Age*. It has been followed up nearly every day this week in the *Age*, in this week of the second anniversary of the Baillieu government, with items, one after the other, criticising the government and pointing out to the community its many failings.

This is a point in the electoral cycle at which the government ought to be riding high, when the public is usually still very favourably disposed towards an administration that it only relatively recently elected. Clearly it is not the case with this government, and the scathing opinions made so openly by key business interests and community leaders are just the tip of the iceberg.

I have made the point before that every public servant you talk to around town will tell you that this government is incapable of managing and its approach to policy development and program implementation and delivery is chaotic. Victoria has a fine, capable and willing public service that is willing to serve the government of the day without fear or favour, and this government has squandered the goodwill established over many years, because of its distrust of what is a very precious human resource.

The sacking of 4320 skilled public servants is well under way, and I know that many top people are walking out the door, taking with them considerable corporate knowledge and skills that the Victorian government sector can ill do without. It is important to keep in mind that at the 2010 election the coalition promised that there would be no new taxes, no job losses and no cuts to the public service. Many public servants are leaving because they do not feel they can turn down an opportunity to free themselves from the dysfunction and distrust that now permeate our government departments, and it is well known that there is little rhyme or reason, other than budget bottom lines, for who gets a departure package and who does not.

One of the saddest decisions this government made soon after the 2010 election was to abandon the Victorian schools plan to rebuild or renovate every state school in Victoria. This was a truly great program that was making a positive difference to our schools. The new government had the option to slow it down and reorder its priorities, but to abandon it for a pick-and-choose scheme across the state really sold our children short.

The subsequent attack on the Victorian certificate of applied learning (VCAL), which we now know about through reports that have come out in recent days, reflected very badly on the government, which had failed to understand what VCAL was about. The attack on the VCAL program brought the government no credit, and the offensive against the TAFE sector that followed shortly after has torn the government's reputation to shreds.

Arguably the key policy imperative for any government is job creation. I and others on this side have on countless occasions pointed to the phenomenal and undeniable achievements of the previous Labor government in leading the nation in job creation. In cooperation with the federal Labor government the former state Labor government even weathered the global financial crisis.

Let us not forget that in 2010, 100 000 jobs were created, and in the previous year Victoria created 92 per cent of all full-time jobs in the country. That is job creation the Labor way. By contrast the performance of this Baillieu government is a disaster, with regular news reports of job losses. We have seen in the most recent Australian Bureau of Statistics figures an increasing unemployment rate and decreasing participation rates.

Regional and outer metropolitan areas are faring the worst, and they will be hardest hit by the TAFE cuts,

which represent a whole disaster on their own, as I have indicated. It is now well understood across the community that the government has no jobs plan and that it has failed to make the necessary public investments needed to stimulate private investment and jobs growth.

Let us put on the record the evidence for these assertions. In Parliament on 4 May last year the Treasurer, Kim Wells, predicted that between 50 000 and 55 000 jobs would be created every year over the forward estimates of the budget. In fact the facts tell us that only 10 200 jobs were created in the 20 months up to August this year and that 23 000 people have become unemployed since that time.

In the 2011 Victorian families statement — and members will all remember the Victorian families statement that has now disappeared without a trace; and we strain to hear a murmur about the commitment that came with that statement — the Premier said that every year after the benchmarking exercise had been completed there would be an annual report. Not one has emerged since then.

We were told in that document that unemployment was dropping and was expected to be at around 5 per cent by 2012–2013, whereas in fact unemployment is now at 5.6 per cent. Tired of waiting, as we have heard, Victorian Labor has devised and released its own jobs and growth plan to kick-start the economy. We have provided some 67 practical and affordable initiatives that will secure the future for Victorians and we have done this in consultation with industry, business and community leaders through the extensive program of forums that Labor has conducted across the state.

Some highlights of the plan include the re-funding of TAFE; cracking down on unscrupulous training providers; establishing Infrastructure Victoria to plan the state's infrastructure priorities and take it out of the toing and froing of different governments and electoral cycles; establishing Projects Victoria to develop critical major projects; protecting WorkCover from government plunder, establishing robust regulatory burden reduction measures; supporting Victorian businesses seeking to tap into the resources boom and ensuring the Victorian government's procurement processes support local jobs and businesses. That is the beginnings of a plan; it is a proposition we can debate in a responsible way and put some ideas on the agenda for our consideration.

When we survey the two years since the election we see pretty clearly that the government has failed some critically important tests when it comes to delivering on

commitments it made at a time when the coalition did not seriously think it would be elected. As I said earlier, jobs is the big one. Besides failing to invest in infrastructure development there are other specific commitments such as the promise to make Victorian teachers the highest paid in the country, which the Minister responsible for the Teaching Profession, Mr Hall, who is in the chamber, the Minister for Education, Mr Dixon, and the Premier have tried on a number of occasions to weasel their way out of — and I am sorry to end that sentence with a preposition!

Another commitment is slashing hospital waiting lists. The coalition said back in 2010 that its government would significantly cut Labor's hospital waiting lists in its first term through an \$87 million hospital waiting list policy package it said would directly improve the flow of patients through the system. What has happened is that the coalition has cut some \$616 million from the health system and elective surgery waiting lists have increased by 6758 over the last 12 months. If that is not enough, 57 Victorian health services recorded an operating deficit last financial year and the health system is around \$100 million in the red.

Of course one of the issues that featured prominently in the 2010 election was the cost of living — a very important issue for many Victorian families. The coalition effectively promised to be careful not to unreasonably increase utility charges, transport prices, local government rates, and the affordability of housing and child-care costs, amongst others. To be honest, this is not an area that a state government can do a lot about and the commitment was reckless. But having said that, to take just one example, the government has increased motor registration fees by \$35 a year, collecting around \$210 million a year in additional motor vehicle taxes.

To wind up, in recent days the Premier and the Minister for Planning have been cobbling together lists of achievements for the media to try to stem the flood of criticism the government has received. The Premier has asserted that significant infrastructure development is under way and that he is looking forward to more in the near future. The Premier said that his government would do this in an entirely responsible way and that of course the coalition would get all the costs right. But a look through the Premier's media releases, which I did, shows that there is nothing there by way of a jobs plan or an investment plan; it is all normal day-to-day announcements of a project unveiled here, a funding announcement there.

Labor, from opposition, has stepped into the breach with its jobs and infrastructure plan and the contrast

with the government's abysmal lack of effort could not be more telling.

Mrs PETROVICH (Northern Victoria) — I rise to speak in opposition to Mr Lender's motion, and I would have to say that it is very much a case of the pot calling the kettle black. Together with such outstanding achievements as a desalination plant which has turned into nothing short of a white elephant; a north-south pipeline which is testimony to a lack of consultation, a lack of design and a lack of consideration for what I believe a human rights issue; fairy lights on the West Gate Bridge; myki, HealthSMART — there is a whole plethora I could go on to name — there is the lack of accountability, the design and construct projects and the budget overruns that were part and parcel of the previous Bracks and Brumby governments legacies. These have left Victorians in the position of making a clear decision on which government can lead the state out of the malaise that was created by those who had 11 years to fulfil many obligations to the state and who failed on all counts.

We have seen the jobs creation legacy — jobs creation the Labor way that Mr Scheffer talks about — the contractual arrangements which are nothing short of dodgy and the major projects which seemingly had no conclusion. There was no process but they cost a fortune, and in the case of the desal plant it will continue to cost Victorians \$2 million a day for the next 20 years. That is a terrible legacy to bestow on our children and possibly our grandchildren. I look at many of the areas I represent in the Northern Victoria Region and there is a plethora of achievements that this government is working its way through for the people of Victoria in what can only be described as extremely difficult economic circumstances. Many of those circumstances were created and left by the previous government.

Look at the work this government has done in creating \$2.2 billion of savings in the 2011-12 budget and the announcement of a further \$1.9 billion worth of efficiencies focused on public service back-office administrative functions. Everybody talks about the cuts to the public sector, but this is being conducted in a very responsible way. Other governments around Australia have made very significant cuts to the public service. We have approached this in a way that has allowed people in the public service to leave through natural attrition, voluntary departures and non-reviewable fixed-term contracts. Front-line services have been protected from these staff reductions.

It is a difficult circumstance; we know that we have been left in a financial mess by those who had 11 years to put Victoria in a good position. They had buckets of GST money and they had high economic times. It is quite gobsmacking when you look at the outcomes they produced, for all of the financial services they talk about, which were actually borrowings to create surplus, and when you look at the waste and mismanagement. I am quite gobsmacked that this motion is before us today.

Look at the way we are approaching constraining expenditure growth to an average of 2.9 per cent over the forward estimates and how this compares with revenue growth of 4.4 per cent. I actually talk to people around the community in real terms when I have that opportunity, and they understand that when you have a bad financial situation you have to tighten your belt; you have to make sure that you have money in the bank before you spend it. This government is working hard to increase that revenue to put Victoria back in a great spot, and it has maintained its AAA rating when states around Australia have fallen by the wayside. These savings will reduce spending growth and return it to sustainable levels. Expenditure growth over the forward estimates will average 2.9 per cent a year — significantly lower than the 7.3 per cent average annual growth figure over the year 2010-11, which was a remnant of the legacy that was left by Labor.

In this state we maintain the second lowest payroll tax of any jurisdiction, and we have the lowest tax rate of any jurisdiction. These were reduced significantly. Thresholds were increased between 2001-02 and 2008-09. That is a characteristic of big-spending Labor governments that are very keen to get out that philosophical hammer they use to rip money off those people who work the hardest. I think that is what people need to remember when they are making their choices between what Labor represents and what our government represents, which is responsible fiscal management.

Unlike other states, Victoria must fund essential services without the benefit of record-level royalty income generated by the mining boom. We have many other natural assets in Victoria, which we are certainly focused on. We are working towards strengthening Victoria through a range of initiatives, and I will speak a little bit about those from a business, tourism and marketing perspective. To the credit of Richard Dalla-Riva, the Minister for Manufacturing, Exports and Trade, Louise Asher, the Minister for Innovation, Services and Small Business, and Premier Ted Baillieu, we have led extensive trade missions to China, opened offices in Mumbai, Beijing, Chengdu and Jakarta, led

trade missions to the Middle East and Japan, and worked very hard on a tourism strategy for China. This is a great opportunity for Victoria. We have great natural resources here. We certainly can produce in food and fibre, tourism opportunities, wine and a range of products that are desirable to those external markets, and we have capitalised on that.

We are looking very positive in the area of jobs growth. Those opposite continue to talk down Victoria and talk down jobs, but in fact there has been a growth of 27 000 jobs since November 2010. We have a plan around technology, and we have worked on our ports to enable us to have additional capacity. We have vision, and not only are we providing that AAA rating, which gives Victoria a stable outlook, but we have slowed growth in expenditure, we have stabilised debt and I think we have a responsible wages policy, which is not easy. I think there are many groups out there that have played hardball, and we have taken a very firm but fair approach to this in tough economic times. Those people who have been in the enterprise bargaining agreement negotiations have, I think, been well pleased. In particular I am talking about police, who have done very well from their negotiations.

We have reduced stamp duty for first home buyers and pensioners and extended the 17.5 per cent annual electricity concession from 6 months to 12 months. We have seen cuts in our GST. GST and stamp duty on land transfers have been reduced by \$7.6 billion over four years. That is a heck of a slug to any budget, but in spite of that our budgets are coming in in surplus, we have a AAA rating and we are working to provide our election commitments in a steady, conscientious way. We are not making a great hoo-ha about these things; we have not got teams of public relations people or a Premier flying around the state in a little red helicopter announcing things three and four times with much media fanfare. We are just going about our business.

Look at the work we have done for infrastructure and the responsible way we have tackled that. We have given \$160 million to regional local governments for roads and bridges, which I know from the feedback I get from local governments has been a great boon. The port of Melbourne has had a \$1.6 billion capacity expansion. We have improved regional rail link projects and delivered the Victorian Comprehensive Cancer Centre and the hospitals at Bendigo, Box Hill and Ballarat, some of which will be the biggest developments that have been seen for a long time. It is really disappointing to see local members — such as Jacinta Allan, the member for Bendigo East in the Assembly, and Maree Edwards, the member for Bendigo West in the Assembly — talking down such

great projects for central Victoria as the Bendigo hospital development.

We have a record program of level crossing upgrades and separations; a revised metropolitan rail project; the east–west link road project, which also does not seem to attract a lot of support from those opposite; and Infrastructure Australia applications for Avalon Airport, the port of Hastings, Dandenong rail capacity and more than 20 other projects.

We have put in an enormous amount of effort, and all credit to Terry Mulder, the Minister for Public Transport, who has worked tirelessly to try to fix the disastrous legacy that was myki. We all remember that machine falling off the wall. Even I felt sorry for former Minister for Public Transport, Lynne Kosky, for a moment. It was such a disaster that even the ticketing machine could not be considered functional. We now have contributed \$270 million to fix Labor's rail maintenance neglect and we have added more than 1000 new train services.

I could talk for a very long time on this motion. As Mr Ondarchie said earlier, this is a subject we could talk very loudly and proudly about for the whole day, but I will give others the opportunity to continue.

Ms BROAD (Northern Victoria) — I wish to make some remarks in support of the motion by the Leader of the Opposition, John Lenders, calling on the Baillieu-Ryan government to plan for the future, build infrastructure and human capital and deliver on its election promises. Members of the Baillieu-Ryan government have advanced a long list of excuses for their failure to deliver on their promises to fix the problems, to minimise the increases in the cost of living caused by government actions, to make Victorian teachers the best paid in the nation, to cut hospital waiting lists, to absolutely not reduce the number of public servants, to implement every recommendation of the 2009 Victorian Bushfires Royal Commission and to establish an independent, broadbased anticorruption commission by July 2011. Those are just a few off the top of my head, and that list could be extended to a very long list. Let us just start with some of those promises the government has failed to deliver.

In her contribution Mrs Petrovich wanted to talk about reducing the number of public servants in a responsible way. The point here is that when Mr Baillieu, who is now the Premier, was Leader of the Opposition he promised absolutely not to reduce the number of public servants if he were elected to government. Mrs Petrovich seems to think it is an entirely irrelevant consideration that Mr Baillieu

made that promise absolutely. He said that as Leader of the Opposition he was not having a bar of Labor saying that if the Liberals and The Nationals got back into government again, they would do exactly what they did under the Kennett government and slash and burn the public sector. Mrs Petrovich has totally disregarded Mr Baillieu's — —

Honourable members interjecting.

Ms BROAD — Mrs Petrovich has just wished away the promise by Mr Baillieu that he would absolutely not cut the number of public servants. Let us just be really clear about that. The numbers that have been cut to date by Mr Baillieu and Mr Ryan, the Deputy Premier, are well over 4000 and climbing. If you do not call that a broken promise, I do not know what a broken promise is.

The excuses outlined by Mrs Petrovich, and before that by Mr Ondarchie, were extensive. Let me just go to some of those excuses. The state of the global economy was advanced as an excuse for the Baillieu-Ryan government not being willing or able to implement its promises. I have news for members of the Baillieu-Ryan government: the state of the global economy was well known by the time of the 2010 election. We had the global financial crisis. We had major interventions by governments nationally in Australia, here in Victoria and around the world to deal with that crisis. Those circumstances were very well known, and if members of what is now the Baillieu-Ryan government were not aware of the circumstances facing the global economy in 2010, then they must have been living under a mushroom in the dark.

To advance now, two years into government, the state of the global economy as an excuse for their actions during the period they were elected in 2010 and over the following two years is really quite extraordinary when the global economic situation was well known. Actions were taken by many governments, including the Victorian Labor government, to deal with those circumstances. However, those circumstances did not prevent Mr Baillieu, Mr Ryan and other members from the other side making the most extravagant promises, such as making Victorian teachers the best paid in the nation. How is that going? Now they want to say to Victorian teachers, 'We did not really mean it. The state of the global economy means we cannot deliver on that promise'. It did not stop them for 1 minute in 2010.

Let us move on to Labor's legacy. Members on the other side want to talk about Labor's legacy as an excuse for not delivering on their promises. Let us see.

We had surpluses every year for 11 years, AAA-rated budgets every year for 11 years and a pipeline of investment to create jobs and prosperity, and ministers from the Liberal Party, ministers from The Nationals and other members of the Liberal-Nationals coalition government are very happy to go out and cut ribbons to open the resulting projects. There have been references to how Labor delivered those AAA-rated budgets every year for 11 years — how Labor delivered surplus budgets every year for 11 years. Let us contrast that with the way Mr Baillieu and Mr Ryan have delivered surplus budgets. Let us look at the actions of the Baillieu-Ryan government in forcing water authorities to borrow money to pay dividends, and let us look at the sackings which are now going on because water authorities are now having to cut staff because they have had to borrow to pay dividends so that the Baillieu-Ryan government can prop up its promise to deliver surplus budgets.

Let me just say very clearly that this was not something that was done by the former Labor government. We are very happy to talk about how surplus budgets should be delivered and to contrast Labor's legacy with the failed performance by the Baillieu-Ryan government to date. Who knows who in the public sector will be forced to borrow money next in order to pay dividends to prop up the government's budgets because of the choices the government has made to spend money? Who knows how many more public sector sackings we are going to see on top of the ones Mr Baillieu promised would never happen under a government he led but which have already been made in order to prop up his budgets?

Let us also talk about what has happened to jobs under the Baillieu-Ryan government. As members know, the Baillieu-Ryan government still does not have a jobs plan for Victoria. We also know what has happened to jobs in Victoria in the two years since Mr Baillieu and Mr Ryan have taken over the reins of government. We have seen 34 300 full-time jobs lost over that period and we have seen unemployment in Victoria go up by 18 000 people over that period. Yet members of the Baillieu-Ryan government want to come in here and talk about their record on jobs and how Victoria is travelling compared to Labor's legacy. Bring it on. Let us have a debate about jobs. Let us talk about the Labor opposition's plan for jobs and investment versus the Baillieu-Ryan government's no-jobs plan — it has absolutely nothing.

Meanwhile we continue to see jobs go, unemployment go up and cuts to public sector jobs, which Mr Baillieu promised would absolutely never happen under a government he led. We continue to hear reference after

reference to all the promises the Baillieu-Ryan is going to implement. Members on the other side have continued to use the word 'gunna'. They talk about what they claim Labor promised when it was in government and about all the promises they are going to implement.

Let us talk about just some of those promises members of the Baillieu-Ryan government like to talk about as though they have actually delivered them. To go to my electorate of Northern Victoria Region, I refer to the Kilmore-Wallan bypass.

Mrs Petrovich interjected.

Ms BROAD — Mrs Petrovich, who is interjecting now, has been very quiet on this subject over the past two years, compared to how vocal and outspoken she was about this matter when she was a member of the opposition. How is implementing that promise going?

Mrs Petrovich interjected.

Ms BROAD — Rather than interjecting here, perhaps Mrs Petrovich would like to go and explain to my constituents how the government is going in implementing that promise. It is not going very well. Constituents are deeply unhappy about the proposals that have been put forward so far in relation to that election promise, which do not come even close to delivering on the commitment that was made to the residents of Kilmore and Wallan to deliver a bypass to the north of Kilmore.

Let us talk about gas. Before the last election members of The Nationals in particular made a lot of promises about delivering gas to rural and regional communities. At the last count I think Mr Ryan, the Leader of The Nationals in the Assembly, was up to plan no. 3 as to how he might go about implementing that promise because his first and second plans have absolutely failed to deliver on that promise.

On the cost of living, I refer to the school conveyance allowance. Judging from the ducking, weaving, dodging and hiding that went on in the other place today in relation to the school conveyance allowance, the government is actually having second thoughts about its plans to slash and burn the school conveyance allowance and add thousands of dollars in costs to family budgets, particularly those of families in rural and regional Victoria. Let us hope that is right. Let us hope the government has listened to constituents like those who have contacted me and that it will change its plans.

I could talk about health. On the Charlton hospital, we still have the Minister for Health talking about the promise to rebuild that hospital. I think at last a site has been found after two years. I have had a lot to say in this place previously about the Mildura hospital.

There is a lot more to say, but the Opposition Whip has suggested that others would like to make a contribution to this debate. I will wind up and commend Mr Lenders's motion to the house.

Mr FINN (Western Metropolitan) — I congratulate you, Acting President, upon your elevation to greatness as an Acting President.

As you, Acting President, and other members of this house know, I am a man of compassion. I am a man who views the plight of people with compassion; I feel empathy for them. On that basis, I will not ask where Mr Lenders is at the moment. I will not point out that it is his motion that members are debating and that he has not been in the house for the last hour at least. I will not ask why he shows as much interest in his motion as it warrants — which is about none at all.

Instead, I will feel deep sorrow, which I have been feeling since I heard Mr Lenders's contribution to the debate this morning. As I heard Mr Lenders rambling on, I thought, 'Oh, how the mighty have fallen'. There was a man who just a couple of years ago was the Treasurer of the state and who was part of a team whose members were charged with the responsibility of ensuring that Victoria went from strength to strength. This morning we heard him quoting George Orwell and wandering all over the place. His rambling efforts made me think that he might not have written his speech at all. I thought that it sounded very much like a contribution from Mr Leane. I wonder whether there was a bit of plagiarism going on there. It is sad when we hear a man — who, as I said, was once the Treasurer of this state — rambling on in the incoherent fashion that he did this morning.

Despite his efforts, Mr Lenders attempted to rewrite history. Going back into history, I can only sum up his contribution by quoting a former Prime Minister of Australia, Paul Keating. Members all know the quote I am talking about. When I think of John Lenders's contribution to the debate in this house this morning, blah, blah, blah is what it was like. It made no sense to anybody who had even just a passing interest in what was going on; it made no sense at all. That is a great pity. I think the poor swine has lost it, and that is a great pity indeed.

I regret that I do not have a lot longer to speak on this matter, but a bit earlier we heard Ms Broad speaking about the number of public servants who may be departing the service in the not-too-distant future. It got me to thinking ever so briefly about the Labor Party's obsession with the size of the public service. It seems to me that the Labor Party judges its success by how many public servants it can employ. It is almost as if Labor has a large weighbridge over there at Treasury Place; it herds them all onto the weighbridge, and if it has a certain maybe 600 or 700 kilos extra a day or a week, then it has succeeded. If it can spend more and more of the taxpayers dollars on the public service, then it believes it has succeeded. This tells us how Labor gets it wrong and gets it wrong so often.

The key to success in business, government and life is to get value for money. It is not to throw good money after bad.

Mr O'Brien interjected.

Mr FINN — Indeed, as Mr O'Brien points out, the key to success is not to throw other people's good money after bad. It is to get value for that money — not to spend the money just because you want to spend the money but to spend the money and get a result for the people of Victoria. That is what this government is on about. It is not just taking from the people of Victoria and throwing money at a problem. It is actually seeking solutions and spending money in a way that people in Victoria get value for that money.

We have seen over recent years, and indeed probably going back over the last three decades, incompetence from Labor on a grand scale. We see that on display in Canberra today. We see the Gillard government in its death throes as it approaches its last Christmas. We see it thrashing about, desperately gasping for air, saying and doing anything to try to distract from the fact that it has made a complete mess of this country and has made a complete mess of attempting to be what one would describe as some sort of government for the people of this country.

That sadly is Labor's story, not just in Canberra now but in Victoria, in New South Wales, in South Australia, in Queensland and in Western Australia. Of course as we know now, Tasmania is a basket case as a result of the Labor-Greens minority government down there, and one has to wonder exactly how that is going to be solved.

In the area of Melbourne's west, which I am particularly familiar with, we have to say that Labor failed very badly. In its supposed heartland, Labor

failed. Now we see, with this new government, ministers coming into the western suburbs almost on a daily basis, ministers like the Minister for Planning, Matthew Guy, who came to Point Cook and saw the problems firsthand and spoke to people about the problems that had been created by Labor and about Labor's legacy. He then set about solving those problems and providing value for money and real solutions for the people of Point Cook.

I could go on about this particular matter for quite some time, but I will not because I understand we have other matters that need to be discussed. But it should be pointed out that after two years this government is succeeding where Labor failed, not just in the western suburbs but right across this great state of Victoria. I say to Mr Leane, Ms Broad and Mr Lenders, if he was here, stick around. It is good now, but the best is yet to come.

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

Debate adjourned until later this day.

TOBACCO AMENDMENT (SMOKING IN OUTDOOR AREAS) BILL 2012

Statement of compatibility

Ms HARTLAND (Western Metropolitan) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (the charter act), I make a statement of compatibility for the Tobacco Amendment (Smoking in Outdoor Areas) Bill 2012.

In my opinion, the Tobacco Amendment (Smoking in Outdoor Areas) Bill 2012, as introduced into the Legislative Council, is compatible with the human rights protected by the charter act. I base my opinion on the reasons outlined in this statement.

Overview of bill

The purpose of the bill is to prohibit smoking in outdoor dining and drinking areas (except in designated outdoor smoking areas), within 4 metres of public transport stops, within 10 metres of children's play equipment, and at sporting venues during and 1 hour before or after an organised sporting event. It is intended that this smoking ban will further limit the exposure of children and families to second-hand smoke, denormalise smoking, minimise the littering of cigarette butts and improve public amenity in a number of outdoor areas in Victoria.

Human rights issues

The bill does not engage any human rights protected by the charter.

As the bill does not engage any of the human rights protected by the charter act it is unnecessary to consider the application of section 7(2) of the charter act.

Conclusion

I consider the bill is compatible with the charter act because it does not raise any human rights issues.

Colleen Hartland MLC
Western Metropolitan Region

Second reading

Ms HARTLAND (Western Metropolitan) — I move:

That the bill be now read a second time.

I would like to start by dedicating this bill to my mother, June Hartland, who died of smoking-related lung cancer 15 years ago at the age of 60. For her, the health warnings and the campaign to denormalise smoking came too late.

I would also like to dedicate this bill to my other friends and family members who have suffered and died as a result of smoking-related diseases and to their loved ones who have endured the pain with them and now live with the heartache of all they have lost.

Smoking-related deaths account for nearly 12 per cent of deaths from all causes in Victoria. Smoking kills more Victorians every year than road accidents, alcohol and other drugs combined. When I hear these facts I think we have just got to do something about this.

These facts are an important wake-up call. We can be proud that we have come a long way in winding back the prevalence of smoking in society and preventing the health impacts and loss of life, but there is still a long way to go.

Today one in seven Victorians is still a regular smoker and 4000 Victorians lose their lives to smoking-related diseases every year. I suspect there are few of us here in the Parliament and in the community whose lives have not been touched by the preventable suffering that smoking causes.

However, smoking does not affect us all equally. Death rates from tobacco-caused disease are higher among Aboriginal and Torres Strait Islander people and lower socioeconomic groups. It is critical we address this social disparity through better targeted programs and more support.

Unfortunately, even those who do not smoke are also at risk. There is no level of exposure to second-hand smoke that is free of risk. Second-hand smoke causes

early death and disease in children and in adults. The more second-hand smoke to which you are exposed, the higher your risk of disease. Non-smokers who suffer long-term exposure to environmental tobacco smoke have a 20 to 30 per cent higher risk of developing lung cancer than non-smokers who are not exposed. Exposure to high levels of second-hand tobacco smoke has been found to increase the risk of heart disease by 50 to 60 per cent. Our children are also at risk, with second-hand smoke causing increased risk of sudden infant death syndrome (SIDS), acute respiratory infections, ear problems and more severe asthma.

The costs of smoking are not only to public health. There are also significant financial costs. The social costs of smoking are over \$6 billion annually. The direct tangible costs, which are borne by individuals, businesses and the government, added up to an estimated \$2.4 billion in 2008–09. The intangible costs of smoking-related diseases are even greater and they land entirely on the backs of individuals, their families and communities.

The costs of smoking also extend to our environment. Around 7.2 billion cigarette butts are littered in Australia each year. Apparently if you laid them end to end, the line of butts would circle the earth 3.6 times.

These cigarette butts leach toxins, such as nicotine and pyrene bleach, into the soil and waterways. One of the areas where the impact of cigarette butts is most apparent is our beaches. Cigarette butts are the most common litter item on the beach. Last Clean Up Australia Day, 25 000 cigarette butts were picked up at St Kilda beach alone. Our beaches are precious and deserve protection from rubbish and pollution.

As I have just outlined, smoking has major social, economic and environmental costs.

Mercifully, over the past 30 years the Victorian and federal governments have taken a number of steps to provide public education about the health risks of smoking and have worked to reduce smoking rates in Victoria.

From 1983 to 2011 the rate of adult smoking in Victoria was brought down from 32 per cent to 14.4 per cent. There are now far more former smokers than current smokers: 30.6 per cent of men and 25.3 per cent of women have quit smoking in Victoria.

The good news is that quitting smoking has an immediate health benefit and dramatically reduces the risk of smoking-related diseases, whatever the person's age. For example, quitting before middle age reduces the risk of lung cancer by 90 per cent. After 15 years of

being a non-smoker the risk of stroke is reduced to that of a person who has never smoked. Within two to five years of quitting there is a large drop in your risk of heart attack and stroke.

There are also economic benefits. While there is a lag in the economic returns from reducing smoking rates in the community, the benefits are becoming clear. Between 1998–99 and 2008–09 there was a decline of over 10 per cent in real social costs of smoking.

This reduction in smoking rates of over 17 per cent is thanks to the public health education and to strong community campaigns run by organisations like Quit, which has also received government support. It is also due to regulatory measures that restrict smoking in crowded public spaces.

Legislating for smoke-free areas helps denormalise smoking, reduce smoking cues for former smokers and quitters, reduce the number of cigarettes some smokers consume each day and stimulate some smokers to consider quitting and to quit. We all know people who have tried very hard to give up smoking; it is a very difficult addiction and we need to give them as much help as we can. Smoking bans also limit individual exposure to smoking and can reduce the take-up of smoking in the first place, which is particularly important amongst young people. They reduce individuals', workers' and children's exposure to second-hand smoke.

Legislation is an effective way of managing this public health issue. According to the cancer council, 18 to 29-year-olds are no longer the age group with the highest proportion of smokers and it is likely that this is in large part due to the smoking bans in pubs and clubs.

Now it is time to take the next step. The previous government's Victorian Tobacco Control Strategy 2008–2013 is now coming to an end, and the next phase of tobacco control must begin.

Victoria currently bans smoking in: covered train platforms and tram and bus stops; at under age 'music/dance' events; in motor vehicles if a person under the age of 18 years is present; on the grounds of all government schools; and recently it legislated to prohibit smoking between and within 50 metres of patrolled sections of the beach.

I want to thank Mr Drum who attempted to bring a private member's bill, which the Greens supported, to stop adults smoking in cars where children are present.

These are important measures, but they are not enough. Victoria has failed to keep pace with other Australian

states with respect to smoking bans in crowded outdoor areas.

As early as 2006 state governments in Australia started banning smoking in outdoor dining and drinking areas, starting with Queensland. In 2010 the Western Australia and ACT bans came into effect, followed by the Northern Territory ban in 2011 and Tasmania in 2012. New South Wales was the last to legislate to ban smoking in outdoor dining areas and this will take effect from 2015.

Victoria and South Australia are the only states yet to legislate that outdoor dining and drinking areas must be smoke free. However, South Australia has signalled its intention to conform by warning businesses to prepare for a smoking ban in outdoor dining areas by 2016.

So Victoria is the only state that has not already introduced or announced an intention to introduce smoke-free outdoor dining and drinking areas. This bill aims to address this situation and to bring us into line with other states.

Banning smoking in outdoor drinking areas is the first and most important part of a comprehensive package of smoking restrictions in crowded outdoor areas.

Existing laws fail to adequately protect hospitality workers and patrons from second-hand smoke because outdoor areas can be up to 75 per cent enclosed.

There is no safe level of exposure to cigarette smoke. The 2010 report of the US Surgeon General advised that even brief exposure to second-hand smoke can lead to an increased risk of cardiovascular disease and acute cardiac events.

So the first aspect of this amendment to the Tobacco Act proposes to introduce a ban on smoking in outdoor dining and drinking areas beginning in December 2013.

Like many other states in Australia legislating for smoke-free dining and drinking will be accompanied with the concession to allow smoking in designated outdoor smoking areas in licensed venues. Licensed venues will be able to establish one designated outdoor smoking area in no more than 50 per cent of their outside dining and drinking area.

The designated outdoor smoking area will have a 2.1-metre buffer wall with one single entrance, will not be immediately adjacent to enclosed spaces and will have no roof or a partial roof no greater than 50 per cent of the overhead area. No food or drink can be served in the designated outdoor smoking area, and no food can be brought into the area. No person under 18 years can

enter, and entertainment cannot be provided. Occupiers of a licensed venue will be required to create a smoking management plan which details how smoke exposure will be minimised to venue patrons.

Smoke-free outdoor dining and drinking areas not only protect people from second-hand smoke, they remove cues which prompt quitters to relapse and denormalise smoking for young people.

Such a ban would be well received by the community. According to the Cancer Council there is strong public support for a ban on smoking in these areas, with 70 per cent of Victorians in favour.

After smoke-free outdoor dining was introduced in Queensland, a review found that while 9 per cent of Queensland respondents say they are visiting outdoor eating or drinking places less often, 30 per cent said they are visiting them more often. It was also found that the smoking bans for outdoor eating or drinking places were largely successful, with compliance rates at 98 per cent.

A report prepared for Queensland Health by the National Health and Medical Research Council also found that 3 in 10 Queensland smokers were thinking about quitting or have decreased the number of cigarettes they smoke since the laws were introduced; 1 in 5 smokers had attempted to quit smoking because of the July 2006 laws; and 2 per cent of all smokers said they had successfully quit the habit.

This suggests a similar ban in Victoria could further prompt a smoking rethink for many addicts.

This bill does not stop there. There are a range of other crowded outdoor areas where smoking poses a health hazard and is exposing children to smoke.

This bill bans smoking within 10 metres of children's playground equipment in a public place, such as a park.

This penalty does not apply to people in a designated outdoor smoking area, which will have a buffer wall, in a motor vehicle or at a residential premises or private land that might run alongside the playground area.

This bill prohibits smoking within 4 metres of public transport stops. Currently the law allows smoking on public transport stops where they are not enclosed — for example, in open-air sections of a train platform. This new section of the Tobacco Act would extend the area free from smoke to up to 4 metres from the stop, including 4 metres from the entire train platform, bus stop, taxicab rank, and landings for ferries, punts and water taxis. This will limit exposure to second-hand

smoke of persons waiting for or queuing to board public transport.

This penalty does not apply if the accused proves that he or she was smoking only while passing and did not linger within 4 metres of the public transport stop.

This bill also makes it an offence to smoke at sporting venues within 1 hour of and during organised sporting events. This includes organised games and training or practice sessions. This applies to both major sporting events and community sporting events at ovals, parks and grounds. The smoke-free area extends to any area or facility used by competitors, officials or spectators during an organised sporting event. The ban does not apply to a person smoking inside a designated outdoor smoking area at a sporting venue.

In the case of a series of sporting events, practices or trainings being held at the same sporting venue on the same day, the ban would apply 1 hour before the first organised sporting event, training or practice, and finish 1 hour after the end of the last official event, training or practice. So in the case of public outdoor swimming pools, for example, this would have the effect of banning smoking on the grounds during opening hours.

Finally, this bill extends the smoking ban on beaches to all the sanded area on beaches in Port Phillip Bay and Western Port Bay. These urban bay beaches are very crowded in summer but also popular in winter. They also have limited patrolled sections, making current laws that prohibit smoking within 50 metres of and between the surf club lifesaving flags ineffective in protecting beachgoers from second-hand smoke. On the coastal beaches beyond Port Phillip and Western Port bays existing laws will continue to apply.

To enforce these new laws, 'no smoking' signs will be erected at parks, public transport stops, sportsgrounds and beaches to remind people of the ban. A communications campaign will also be needed to inform Victorians about the new smoke-free laws.

Over time it is expected the ban will become largely self-enforcing, but inspectors authorised under the Tobacco Act 1987 will enforce the ban initially.

To conclude, I want to return to what I said at the beginning. Smoking-related deaths account for nearly 12 per cent of deaths from all causes in Victoria. These staggering figures remind us that this is a public health issue that affects us all. It is an issue that goes beyond political divides. It is an issue around which we can unite to ensure smoking rates continue to decline in the community.

Yesterday I found it interesting that both the Premier, Mr Baillieu, and the Minister for Health, Mr Davis, announced that they would be doing something about smoking in public places, but again we have no details, no date and no legislation. I did warn the government over six months ago that I would introduce this legislation if nothing was forthcoming.

I believe that this is an issue that is far too important to drag our feet on. It is time Victoria steps into line with other states and provides the public health protections from smoking that our children deserve.

I commend the bill to the house.

Debate adjourned for Ms CROZIER (Southern Metropolitan) on motion of Hon. W. A. Lovell.

Debate adjourned until Wednesday, 12 December.

LAW REFORM COMMITTEE

Reference

Hon. M. P. PAKULA (Western Metropolitan) —
Allow me to say at the outset, Acting President Ondarchie, what a fine acting president you make. It gives me pleasure to move:

That, under section 33 of the Parliamentary Committees Act 2003, the Law Reform Committee is required to inquire into, consider and report no later than 30 August 2013 into access-to-justice matters, and in particular —

- (1) the level of legal aid funding;
- (2) the adequacy of such funding in a changing legal environment;
- (3) the role of, and resources available to, community legal centres in the current environment;
- (4) court resourcing issues and the relationship of those issues to access to justice;
- (5) what role the private profession can and does play in improving access to justice;
- (6) whether improvements in Victoria Police resourcing could have a positive impact on court times and hence access to justice; and
- (7) any other matter the committee deems appropriate.

This is a proposition that the house send a reference to the Law Reform Committee to inquire into, consider and report no later than 30 August 2013 on access-to-justice matters.

It is my understanding that the relevant committee does not have a particularly full agenda for 2013 and is

certainly capable of dealing with this reference and undertaking the hearings and the work necessary to fulfil the terms of the reference. This is a very important issue which I think has been grappled with by state and federal governments for some period of time. The fact is, as the government continues to remind us, that we operate in an environment where the needs of the community and the budgets available to both state and federal governments do not always coincide. Of course there is a particular squeeze that occurs in the justice system because the services provided by the justice system are not as readily apparent to the community as the services provided by, for instance, the health system, the education system or the housing system, and as a consequence sometimes the resources made available to the justice system to deal with the load that it has placed upon it gets somewhat forgotten and left behind.

It was interesting to note that just last week at the launch of the Urban Justice Centre, an initiative of the Salvation Army operating out of its premises in Bourke Street, Bevan Warner, the managing director of Victoria Legal Aid, gave a fairly extensive address and talked about the challenge of delivering real access to justice. Without going through the detail of Mr Warner's speech, he made a few points that are worth commenting on. He made the point that we need to recognise that the Productivity Commission in its 2010 report indicated that the civil justice system is not just about access to justice per se but it is also about fostering social stability and economic growth.

Social stability is fundamental to economic growth and is enhanced by the fairness and predictability of the justice system, which was a point eloquently made by Mr Warner. He went on to say that every \$2 of legal aid spent resolving family law issues, as an example, saves \$3 in court and tribunal costs. This is an investment that has an economic return. I have indicated in this place on numerous occasions that every time an applicant or a defendant appears unrepresented before the court there is an inevitable delay, there are inevitable adjournments and the overall cost to the system goes up. Money spent on ensuring that people are represented and ensuring that access to justice is timely has an economic dividend as we go through the system.

Mr Warner went on to point out that the continued tightening of eligibility guidelines and means tests has led to a situation where it is not the poor but only the very poorest Australians with the most serious legal problems who are eligible for intensive and ongoing legal assistance these days. There is a misconception that if you are disadvantaged, you will receive a guaranteed level of service. That is not in fact the case

unless you are really poor or have a very serious legal problem.

It is also worth pointing out — and I suspect Mr O'Brien will point this out — that this is not just a matter that the state government should contend with on its own. The level of commonwealth support to the justice system, and to legal aid in particular, is an important element of how much legal aid funding there is in the system and how much support and assistance people have. I have suggested that it would be timely for the committee to look at matters such as the level of legal aid funding. I am more than comfortable with the notion that this examination should consider both state and commonwealth funding and that the funding should be considered in the context of a changing legal environment.

There is no question that the government's changes to sentencing laws, the existence of more police on the street and the government's own acknowledgement of the impact of that via its commitment to build a new prison all mean a further strain on the resources of the court system and legal aid. I would argue that the simple indexation of legal aid funding, which is what we saw in the budget, does not properly cater for the fact that the increase in the call on legal aid is more likely to be exponential rather than an indexation-based increase. It is not simply an inflation-based increase in demand. The increase in demand is being driven by public policy decisions of the government.

As I indicated at the outset, if more and more people present to the court unrepresented, very few judicial officers — judges, magistrates and the like — will require those people to go through their hearings without representation. The judicial officers are much more likely to adjourn matters and to expect those matters to be brought back before the courts when those individuals are represented.

We also need to look at the very important role community legal centres play in providing access to justice and at court resourcing issues. While the government continues to say that front-line services are not affected by its cuts, there is no doubt that our court system is enduring cuts at the back office end, which are putting more strain on the court system. The private profession has a strong role to play in ensuring access to justice. The government has made some minor changes in terms of freeing up access to pro bono work, but a lot more can be done in this space and it would be an appropriate matter for the committee to look at. Whether Victoria Police is appropriately resourced with police prosecutors to ensure that matters are expeditiously dealt with by the court system could also

be considered, as could other matters that the committee deems appropriate.

I do not intend to go on. I do not intend to make my contribution a polemic about the resources in the judicial system at the moment, because I am genuinely hopeful of a tripartisan agreement to refer this matter to the Law Reform Committee of the Parliament. As members of Parliament we would all be better off if we had a better understanding of access-to-justice issues and how they might best be resolved. It would be useful to government and to the Parliament if organisations such as Victoria Legal Aid, the Federation of Community Legal Centres Victoria, Victoria Police and the Law Institute of Victoria could come before the committee, make submissions, and give us a better appreciation of the kinds of strains there are on the court system and the legal aid system and how those strains are impacting on access-to-justice matters.

All of us have an interest in access to justice being appropriate and reasonable for people. It does not just free up the court system; there is, as I have indicated, an economic benefit. There is also a benefit in terms of social cohesion, and most importantly there is the very real need in a modern civil society for those people who are before the court system to have a decent chance of proper representation. We live in a free society where the government should not be able to deprive you of your liberty without appropriately proving its case.

Mr Barber — It's a bit like the refugees, isn't it?

Hon. M. P. PAKULA — Mr Barber will have his go.

We live in a civil society where two competing parties who have a civil matter should be able to present their case before the courts with a fair opportunity of each getting a fair outcome.

All of these outcomes that we desire are necessarily made more likely by an appropriate access-to-justice regime. I do not think anyone should go into these kinds of inquiries with particular predispositions or preconceptions. I think there is some very interesting ground that can be traversed, and I am absolutely confident that Victoria Legal Aid, the Federation of Community Legal Centres Victoria, the Salvation Army, the Law Institute of Victoria and the Victorian Bar — a range of bodies, including the police — would be very keen to participate in and contribute to such an inquiry. I hope this chamber supports this reference and gives the Law Reform Committee this important work to do.

Mr O'BRIEN (Western Victoria) — I join my parliamentary colleagues in also congratulating you, Acting President Ondarchie, on your elevation to this high office. I would also like to indicate that the government will be opposing the motion by Mr Pakula — for a very good reason. The reason we will be opposing the motion is that what is essentially the equivalent of this inquiry is under way at a commonwealth level. That inquiry is already able to canvass the matters that Mr Pakula has canvassed, and it is efficiently conducting its review. I will get to that in a second — but first I want to make that absolutely clear.

The government absolutely supports the role of our community legal centres and our other providers of pro bono legal services, and in making my contribution on behalf of The Nationals I will highlight some of the commitments the government has made both in a budgetary sense in terms of commitments to the base funding of legal aid, most notably for a record \$72.8 million over four years, and in legislative reforms, particularly the Legal Profession and Public Notaries Amendment Act 2012, which has enabled an estimated 2700 practitioners to engage in pro bono legal services as corporate lawyers, subject to the appropriate balances of professional indemnity insurance.

In making my contribution I would like to echo Mr Pakula's congratulations to the Urban Justice Centre. I would also like to congratulate the 49 community legal centres that operate in Victoria under the Federation of Community Legal Centres Victoria. They do an excellent job. I think this issue was canvassed by both Mr Pakula and Ms Pennicuik as well as by me in our speeches in relation to the Legal Profession Public Notaries Act 2012.

In discussing it, it is important to note that the legal centres have operated in the community in some instances over many years with the assistance of all levels of the legal profession — the solicitors, the bar, the judiciary, the educators — and various other participants, including corporate firms and governments. That is why it is appropriate that the commonwealth look at these issues, because it is, as Mr Pakula has acknowledged in his contribution, a mix of both state and federal funding that comprises the much-needed funding for many of these activities, as well as direct contributions, philanthropic contributions and of course the donation of time by the practitioners and other persons who contribute to the activities of the centres.

Without wishing to single out particular centres, some that have had a long history both in terms of my development and in this state include the former

Springvale Legal Service and the Monash Oakleigh Legal Service, as well as the Aboriginal Family Violence Prevention and Legal Service Victoria and its Warrnambool office. They also include the Environment Defenders Office, PILCH (Public Interest Law Clearing House) of course — the pro bono coordinating 'clearing house', as it is called — the Barwon Community Legal Service, the Brimbank Melton Community Legal Centre, the Central Highlands Community Legal Centre and the Gippsland Community Legal Centre, which received an award in fact from the previous Attorney-General, Mr Hulls, which I was present at the reception of, for the work it had done for the corporate firm Middletons — whose motto is 'Straight talking' — and for the work it had done with Anglicare for special rates and other matters that had been undertaken for many years on a pro bono basis. Also included are the Human Rights Law Centre, the Mental Health Legal Centre, the Refugee and Immigration Legal Centre, the Taxi Driver Legal Service, the Tenants Union of Victoria, the Villamanta Disability Rights Legal Service in Geelong, the Wyndham Legal Service's YouthLaw and the Women's Legal Service Victoria.

The Nationals commend those bodies on their work as part of responding to this motion. We note that the government has provided that legislative assistance to allow corporate lawyers to undertake pro bono activities, for which the government received significant commendation from the Victorian pro bono community, including in *Pro Bono Australia News*. I refer briefly to the *Pro Bono Australia News* of Tuesday, 6 March 2012, which opens by saying:

The Public Interest Law Clearing House Victoria (PILCH) has welcomed the Victorian government's intention to introduce legislation that will allow in-house lawyers to provide free legal services to the Victorian community.

Restrictions under the Legal Profession Practice Act limit lawyers working in business and government to volunteering their time and expertise at a community legal centre.

'The current law significantly reduces the pool of lawyers who are able to do pro bono work.'

I note that lawyers sometimes come under criticism. Some of that is fair and some of that is intended to be humorous. As a practitioner, it is difficult to defend lawyers, but there are a lot of lawyers who do excellent work in the community. It is not said often enough that the disputes that occur in our community, while sometimes they are started by lawyers, are but a reflection of human interaction, and our legal system is a means for us to resolve those disputes. They are resolved under the rule of law in this country, which is a significant development of the common law via its British and western European traditions and parliamentary democracy. The role that our lawyers

play in that is important. Other countries have similar traditions where disputes are resolved under the law of that country, and some are ruled by sovereign parliaments.

It is also important that lawyers be appropriately regulated by appropriate legislation. Most importantly, in relation to community legal services, there is the principle of self-help. As much as anything, the role of our legal services is to help make the law truly accessible to those who cannot afford lawyers and to ensure that the justice system caters for those appearing for themselves, enabling them to represent themselves in a dispute and doing so in fairness and in a way that is consistent with the interests of justice.

I will refer to some of the terms of reference and background material to the commonwealth review. This is the review by the Australian Government Attorney-General's Department that is being conducted by the Allen Consulting Group. It has received 22 submissions from 16 bodies. The data collection phase of the review commenced in the week of 19 November. The review will collect data from legal services from November to December. I believe the Attorney-General's department is expected to complete the review by 30 June 2013. The website of the Attorney-General's department indicates that the review is a collaborative project between the Australian government and the states and territories.

On the motion, we do not believe it is necessary to have a separate Victorian inquiry when that collaborative review is being conducted at the commonwealth level. These very valuable legal services and issues in relation to community legal centres are being reviewed. Just to confirm that, the scope of the review will evaluate the quality, efficiency and cost effectiveness of all four Australian government-funded legal assistance programs as a national system. The programs to be evaluated include legal aid commissions, community legal centres, Aboriginal and Torres Strait Islander legal services and family violence protection legal services. The review will also consider the progress made by legal aid commissions toward achieving specific performance indicators set out in the national partnership agreement on legal assistance services.

It is a comprehensive review. The Victorian government will obviously be interested in the outcome, and we will encourage people to contribute to the review. In providing materials for the review, it is important to note the contributions that have been made by community legal services, and some of the materials effectively demonstrate that. In an article in *Pro Bono Australia News* dated Thursday, 5 April, on the Victorian legislation and in relation to the lifting of the barrier on pro bono work for corporate lawyers, John

Corker, the director of the National Pro Bono Resource Centre, is reported as saying:

Now that this barrier is being removed in Victoria, it is a good time for national corporations to develop their pro bono practices and take advantage of this new opportunity to give back to the community

We encourage all our pro bono lawyers and other people to continue to keep those high goals in mind.

In conclusion, the government has committed significant funds to legal aid, as has been outlined in the budget papers and by the Attorney-General. I remind members that we have added an extra \$104 million to the base of legal aid funding over the forward estimates period, which is \$26 million each year. That is recurrent funding. It is not like the previous Labor government's funding model, under which funding had to be applied for each year. The funding will provide certainty for these reviews. The situation with commonwealth support has dropped over the last 10 years from a position of about a 50 per cent share; it is now down to a 35 per cent share. It is estimated that the commonwealth government's total funding to Victoria Legal Aid totalled \$43.6 million, compared to the \$72.8 million contributed by the coalition government.

We call on the commonwealth government, as it plans its next budget and independently of the review, to bring that contribution back to the 50-50 share in order to give back to these very important community legal services and the other legal assistance services that Mr Pakula has identified, and to give Victoria its fair share.

Finally, on a personal note, in recognising the contribution made by lawyers, I would like to acknowledge a groomsman of mine, Adrian Finanzio, SC, who received his senior counsel appointment yesterday. He is the first of his generation, which includes me, to have obtained that very important position, and it is well deserved. I also acknowledge my mentor, who joined me for dinner last night, Christopher Wren, SC, who has also made a significant contribution to Victorian law over time. He carried on the tradition that was started by his more famous grandfather of generously contributing to the community. His grandfather was sometimes maligned in certain circles. He is known for his associations with the Labor Party and the Collingwood Football Club. It is not commonly known, but he also supported the National Party, so the history goes, or the Country Party as it was then under the premiership of Albert Dunstan. I give my personal thanks to Christopher Wren, SC, and those who gathered last night for their contribution to the law and their service to the community.

Debate interrupted.

DISTINGUISHED VISITORS

The ACTING PRESIDENT (Mr Ondarchie) — Order! I acknowledge in our gallery the Honourable Rosemary Varty, member of the Legislative Council for Nunawading Province and then Silvan Province from 1985 to 1999. We welcome Ms Varty to our chamber today.

LAW REFORM COMMITTEE

Reference

Debate resumed.

Ms PENNICUIK (Southern Metropolitan) — It would be remiss of me not to congratulate Mr Ondarchie on his elevation to the post of Acting President.

The Greens support the motion put forward by Mr Pakula that the Law Reform Committee inquire, consider and report no later than 30 August 2013 into access-to-justice matters, and in particular that it examine the seven points of his motion.

It is a shame that the government has indicated it will not be supporting the motion. The only reason it seems to have put forward for that is that there is an inquiry going on at the commonwealth level, which is being conducted by Allen Consulting. That is probably a good reason for supporting the motion. The Victorian Law Reform Committee could look into the Victorian aspects of this issue at the same time Allen Consulting looks into the commonwealth aspects; the two could run in parallel, and the recommendations could be looked at in conjunction with each other.

With regard to Victoria Legal Aid (VLA), the level of legal aid funding and the adequacy of it in the changing legal environment, it is important to say at the start that Victoria Legal Aid provides much-needed free legal services to the socially and economically disadvantaged members of our community. It is the vulnerable in particular who need legal advocates to protect and assert their legal rights. As Mr Pakula said, the situation is that it is really only the most disadvantaged who can be guaranteed access to legal aid, and many more people in the community do not have that access.

The adequacy of legal aid funding should be examined in light of the changing legal environment, whereby recent legislative reforms have widened the net for persons who could face imprisonment. Such so-called reforms have included the abolition of home detention, the removal of suspended sentences for certain offences under the Sentencing Further Amendment Bill 2010

and the possible abolition of suspended sentences that has been foreshadowed by the government.

Victoria Legal Aid covers areas such as family law, Children's Court matters, criminal law, asylum seeker matters, discrimination law, mental health law, guardianship and administration and social security law. It is imperative that Victoria Legal Aid is funded and resourced so that it can maintain its activities in these areas of law and continue to fulfil its obligations under its guidelines. It is also important that its lawyers and other staff can continue to provide an excellent service to the community under what are often highly pressured and difficult circumstances.

An example that Victoria Legal Aid may be under stress is its recent decision to no longer fund representation of people accused of traffic offences unless they have a pre-diagnosed disability or they have a psychiatric condition and face a term of imprisonment. Prior to this the VLA test for legal assistance was based simply on whether a person's conviction was likely to result in a term of imprisonment, either immediate or suspended.

I know that this issue has been the subject of some toing and froing between Victoria Legal Aid and the Law Institute of Victoria, which I do not want to enter into. I just want to highlight the fact that this decision appears to have been made because of competing demands for funding in other areas of much-needed legal aid assistance such as family law.

It is useful to examine the adequacy of legal aid funding in the light of the changing socioeconomic environment we are facing. When times are difficult economically there are more people in need of legal assistance. The increase in the number of people dealing with mental health issues and experiencing situations of mental health crisis also precipitates a need for increased access to legal aid and free legal services, as does the increasing rate of family relationship breakdowns and family violence. Victoria Legal Aid also provides important free legal information and advice to multicultural and culturally and linguistically diverse communities and the adequacy of funding in this area, particularly with regard to refugees and asylum seekers and adequate access to interpreters, is also crucial.

There are increasing demands and stresses faced by Victoria Legal Aid, and although Mr O'Brien hailed its increase in government funding, in fact it has only been an increase indexed to CPI and not related to the increasing pressures faced by the VLA that I have just outlined.

Mr Pakula's motion also goes to the role of and resources available to community legal centres in the

current environment. As both Mr Pakula and Mr O'Brien have said, the 49 community legal centres provide much-needed free legal advice and assistance to people in the community on a range of issues. During my time in this house the Federation of Community Legal Centres and community legal centres generally have provided me with much-needed advice and assistance on pieces of legislation and other matters that have come before the Parliament. These centres cover many areas of the law including civil disputes such as motor vehicle accidents, family law and criminal law. In the last financial year they provided 145 000 services to Victorians. They also delivered 908 community legal education projects and 233 law reform and legal policy projects. These areas need to continue to be fully funded along with the clinical programs established at community legal centres such as the Monash Oakleigh Legal Centre where law students, supervised by lawyers, assist disadvantaged clients with their legal issues.

There are also specialist community legal centres which provide much-needed assistance. It is crucial that they are adequately resourced and funded to ensure access to justice in Victoria. These include the Women's Legal Service Victoria, Youthlaw, JobWatch, Villamanta Disability Rights Legal Service and the Refugee and Immigration Legal Centre, to name a few.

An example of the need for these centres to be fully funded is illustrated by JobWatch, the only provider of free legal service and representation in the community for employment matters, including bullying cases; yet the state government cut its funding last year by 60 per cent. It appeared at that time that JobWatch would not be able to continue to provide services, but fortunately Adam Bandt, the federal member for Melbourne, was able to help secure commonwealth funding to enable it to continue operating. However, JobWatch cannot meet the demand from callers seeking legal assistance. A high percentage of calls are not answered and it cannot represent many of the people who need representation. JobWatch is the only place where people can seek help on employment issues when they cannot afford private legal assistance. In 10 years JobWatch has recovered over \$3 million in entitlements for clients. It needs secure recurrent funding to be fully operational and to continue to help these clients.

The next point in Mr Pakula's motion goes to court resourcing issues and their relationship to access to justice. It is crucial that courts at all levels are adequately resourced to deal with their caseload of civil and criminal matters so that unreasonable and unnecessary delays are avoided in cases that are being listed and heard. We have seen legislative changes coming through the Parliament, particularly in the last

year, ostensibly to make sure that delays are reduced in the court system. Lengthy delays add to the stress of litigants and witnesses and in some circumstances may undermine the ability of the courts to deliver justice. I have been sceptical that many of those legislative changes will be able to deliver that justice in the absence of adequate resourcing of the courts.

There also needs to be a review of the facilities in our courts to deal with increasing caseloads. For example, in July this year the Chief Magistrate, Mr Ian Gray, demanded an urgent upgrade of court facilities to cope with the increasing number of family violence cases. He said the state's courts were struggling to deal with the staggering 48 per cent increase in family violence and intervention order applications in the past five years. Given the nature and sensitivity of these matters, it is essential that there be rooms available to keep respondents and applicants apart and that a safe and secure environment be provided for applicants. As I mentioned before, this increase in family violence cases is also impacting on Victoria Legal Aid and community legal centres across Victoria.

The next point Mr Pakula raised is the role the private legal profession can and does play in improving access to justice. As we know, the private profession already has an important role in improving access to justice. A number of private firms are on the legal aid panel and many barristers undertake legal aid work as part of their commitment to serving the community. However, it is important that the legal aid fees paid to legal professionals are commensurate with their level of expertise and the complexity of the work involved. This is essential to ensure that there is an adequate pool of barristers and private solicitors willing to undertake funded legal aid work.

As mentioned by both Mr Pakula and Mr O'Brien, barristers and solicitors also provide much-needed pro bono legal assistance to the disadvantaged and marginalised people in our community, either by dealing directly with such clients or by having such matters referred to them through the pro bono schemes of the Victorian Bar and the Law Institute of Victoria respectively, which are managed by the Public Interest Law Clearing House, and through other pro bono schemes established by PILCH, such as the Homeless Persons' Legal Clinic and PILCHConnect, which assists community not-for-profit organisations.

The contribution that pro-bono legal services provide to the community is substantial, and for it to continue these services rely on recurrent funding from the government and philanthropic bodies for their management and administration. It is essential that the government does not expect pro bono legal services to replace existing funded legal services, such as Victoria

Legal Aid, the 49 community legal centres and the specialist legal centres, to address every gap in the provision of free legal assistance.

Lastly, Mr Pakula's motion goes to whether improvements in Victoria Police resourcing could have a positive impact on court times and hence access to justice. I think this is an important issue, because it is essential that Victoria Police are adequately funded and resourced to carry out their duties and obligations. That includes ensuring that they are fully staffed so that briefs in criminal matters are prepared efficiently and in a timely matter to coincide with when matters are listed at court and so that informants are available on the day required. It is crucial to look at the ways in which police resourcing impacts on court times and on cases being dealt with in an efficient and thorough manner, and in fact vice versa — at how the operation of the courts impacts on the ability of police to fulfil their other duties. With those comments, the Greens will support the motion put forward by Mr Pakula that these issues be referred to the Parliamentary Law Reform Committee.

House divided on motion:

Ayes, 19

Barber, Mr	Pakula, Mr
Broad, Ms	Pennicuik, Ms
Darveniza, Ms (<i>Teller</i>)	Pulford, Ms
Eideh, Mr	Scheffer, Mr (<i>Teller</i>)
Elasmar, Mr	Somyurek, Mr
Hartland, Ms	Tarlamis, Mr
Jennings, Mr	Tee, Mr
Leane, Mr	Tierney, Ms
Lenders, Mr	Viney, Mr
Mikakos, Ms	

Noes, 21

Atkinson, Mr	Koch, Mr
Coote, Mrs	Kronberg, Mrs
Crozier, Ms	Lovell, Ms
Dalla-Riva, Mr	O'Brien, Mr
Davis, Mr D.	O'Donohue, Mr
Davis, Mr P.	Ondarchie, Mr
Drum, Mr (<i>Teller</i>)	Petrovich, Mrs
Elsbury, Mr	Peulich, Mrs (<i>Teller</i>)
Finn, Mr	Ramsay, Mr
Guy, Mr	Rich-Phillips, Mr
Hall, Mr	

Motion negatived.

ALCOA (PORTLAND ALUMINIUM SMELTER) (AMENDMENT) ACT AMENDMENT BILL 2012

Second reading

Debate resumed from 14 November; motion of Mr BARBER (Northern Metropolitan).

Mr P. DAVIS (Eastern Victoria) — What a delight it is to make a contribution this afternoon, the first day that you, Acting President, have been in the chair. I congratulate you on having made one small step for an acting Presiding Officer. The matter upon which I am asked to make some remarks is the Alcoa (Portland Aluminium Smelter) (Amendment) Act Amendment Bill 2012. All I can say about this can be said in two words: regulatory risk. I will repeat that just in case Mr Barber did not hear it: regulatory risk.

It seems to me that the essence of the debate on this matter is contained and set out, in effect, in the second-reading speech, which is presented with this bill for the house to consider. In his second-reading speech Mr Barber made the point that in 1984 the act which this bill seeks to amend, the Alcoa (Portland Aluminium Smelter) Act 1984, was introduced as part of a process by the then Premier of Victoria, Mr Cain, to deal with the commercial matters relating to Alcoa and the agreements with the then Victorian government. I want to go to a particular aspect of what Mr Barber is seeking to achieve, which clearly is to interrupt the arrangements which were put in place in the 1984 act in relation to deleting from that act the provisions in section 14.

Mr Barber interjected.

Mr P. DAVIS — I did read it, and I read the act too, by the way. I note that the provision Mr Barber seeks to in effect redact is worded thus:

14 Exempt documents under Freedom of Information Act 1982

- (1) A document relating to the establishment, operation or carrying on of the smelter or affecting or relating to the smelter site or anything done or to be done on or in relation to the smelter site is an exempt document for the purposes of the Freedom of Information Act 1982.
- (2) In subsection (1) —

Smelter means the smelter within the meaning of the Principal Act or the smelter at Point Henry —

Of course the smelter in the principal act is the Portland smelter —

Smelter site means the smelter site within the meaning of the Principal Act or the site of the smelter at Point Henry.

Having said that, let us understand what that means. It means that in respect of the schedule in the act, which is in fact an agreement with Alcoa endorsed by the Parliament, the effect is to interfere with that agreement in a way that is retrospective — in other words, this bill

seeks to remove provisions which have been established in the schedule of a preceding act as part of an agreement between the then Victorian government and a commercial undertaking. In my view, by any measure it is a fact that such a proposal, notwithstanding whatever a contemporary legislative framework might be, would create the issue of regulatory risk.

It is clear that there are many statutes that enshrine a commercial agreement between the Victorian government and an enterprise in the state of Victoria, and those statutes may go to particulars in relation to an agreement. Often it is the case that an agreement is adopted and enshrined and given effect in law, not just in terms of contract but also by statute, which binds the Crown and binds the enterprise to certain terms and conditions. One of the conditions that John Cain, in his great wisdom as Premier — —

Mr Lenders — Hear, hear!

Mr P. DAVIS — John Cain had an important role in Victorian political life. For a long period he was Premier — until, as I recall, his own party threw him over. Anyway, that is another story. I do not want to be distracted, because this provision relates to a time when he had the full support of the Labor Party — 1984. Maybe he never had full support, but in any event Mr Lenders can give us a dissertation on that, I am sure, later.

As I recall, there was very strong support for this proposal within the then Labor government and the Parliament of Victoria supported it and passed the act. Indeed, some negotiations had been going on with the outgoing Hamer-Thompson government prior to that, and Digby Crozier was the then minister for state development, as I recall. He was an outstanding minister and one of the great men of the Victorian Parliament. When I see him from time to time, Digby always gives me some very sage advice, some of which I take and some of which I do not.

On the bill, it seems to me that Mr Barber's contention is that members should refute, repeal or undo a commitment to Alcoa which the Crown has given by virtue of the 1984 act. I suppose I could ask Mr Barber rhetorically whether he can produce some documentation from Alcoa which he got after he invited Alcoa to express a view about repealing a provision in that act. I suppose there is no point in asking him that because Alcoa would probably have the same view about this as I have — that is, that it would be inappropriate for there to be unilateral decision making in the Victorian Parliament on the basis of

setting a precedent in relation to the repeal of provisions in a commercial agreement, in effect.

I am not particularly excited about the prospect of doing that because I am aware of other acts in which such agreements are enshrined. For example, I could ask rhetorically: if we amend this act to interfere with a commercial agreement entered into by the state, could we do the same thing with the Central Highlands forest agreement between the state of Victoria and Australian Paper at Maryvale? I am sure that Mr Barber would have a great deal more joy in repealing the schedule to the relevant act than in pursuing Alcoa — because that is all about hugging trees and that is what Mr Barber spends most of his time doing.

Mr Barber — Give it a couple of years.

Mr P. DAVIS — He is working up to it, but I am not going to give Mr Barber any joy, because I am not going to encourage him to go down this track. It would be setting an entirely bad precedent to pass this bill on the basis that it would result in a retrospective interruption to a commercial agreement between the state of Victoria and a commercial enterprise — in this case, Alcoa. Today one might draft the initial agreement differently and the legislation slightly differently, but that is not what is at issue here. What is at issue is the principle, which is that we have an established framework. In relation to the matter Mr Barber is seeking to address through this bill, it is specifically to get access to information that he does not have access to under the current law. I do not know whether it is possible for the government to release some of that information at some future date, but I am sure the government is having a good look at that.

Mr Barber — Still waiting.

Mr P. DAVIS — Mr Barber might have to wait a bit longer. The issue for me is that there is a difference between the government, in consultation with its agencies and Alcoa, coming to a view about providing certain information and Mr Barber's attempt to use the forms of the Parliament to coerce people to give him information which currently he has no right to access.

The principle here is the protection of the sovereign right of the state, if you like, to have some certainty in entering into a commercial agreement with an enterprise and for that enterprise not to be at risk of having the agreement entered into in good faith upset because of a political endeavour by a member of Parliament. Indeed, it is clear that there would be, within the whole construct of the way that the state goes about doing business with private enterprise, a

perception of regulatory risk if enterprises were subject to unilateral changes to the law that had retrospective effect and that diminished their rights under an act which had given a protection to their commercial enterprise.

That in essence is my contention and for that reason I affirm that the government will not be supporting this bill. I hoped we could deal with it expeditiously — although I can see that the Government Whip is encouraging me to expand on my case.

Mr Barber — Dig yourself in a few feet deeper. Take your time. I am loving it.

Mr P. DAVIS — I thank Mr Barber for the invitation, but I will not take it up. My view on this is very simple: that the law around this was established in 1984 to give certainty to an enterprise. Mr Barber's contention is that we should repeal that certainty. In my view that is an unconscionable position. I do not as a matter of course support legislation that has retrospective effect. From time to time it is necessary for the Parliament to legislate retrospectively. One of the principles of the rule of law in our liberal democracy — I say 'liberal democracy' advisedly — is regulatory certainty. Part of that is the avoidance of any unnecessary intervention with retrospective legislation, so just on that point of that principle I would have a great deal of difficulty in accepting the proposal before the house.

In regard to the particulars of the bill, I have enormous difficulty with the bill because it challenges the commercial sensitivities around an enterprise which employs many people in both Portland and the Geelong area, is a great contributor to those local regional economies, contributes significantly to the wealth and economic activity of the state and over a long time has contributed to the welfare of Victoria.

There are challenges in industries which are involved in processing resources and I do not think we should add to those by supporting this bill. Without further ado, I conclude my remarks, indicating that the government will not support Mr Barber's bill.

Mr LENDERS (Southern Metropolitan) — I rise to speak on the private member's bill relating to Alcoa that has been introduced by Mr Barber. In opening I indicate that Labor members are great supporters of Alcoa. We do not share the view of the members of the Greens about Alcoa. Good jobs, well-paid jobs, unionised jobs, research and development, and manufacturing are all exemplified by Alcoa. In a perfect world, the government's interaction with every

company would be governed by the same rules as far as the FOI act is concerned. But it is not a perfect world and we do not start with a blank sheet of paper; we start with the 1984 agreement.

Mr Barber said in his second-reading speech:

The exemption arose out of the agreements between the Victorian government and Alcoa to continue construction of the Portland aluminium smelter in 1984.

That sentence gives rise to the concern about sovereign risk. We believe the Environment Protection Authority should release the study Mr Barber seeks. We believe that going forward the government and Alcoa should negotiate to put interactions with Alcoa on the same FOI footing as interactions with every other company in Victoria. But simply removing the exemption that is the subject of an agreement, simply tearing up the deal, is too blunt an instrument for us.

Labor has always understood and respected the principle of sovereign risk. We understand and believe very strongly that it is critical to attracting and retaining investment. We cannot walk away from that core principle, and so we cannot support Mr Barber's bill.

Mr BARBER (Northern Metropolitan) — I thank members for the time and consideration they have put into this matter, and I thank the Parliament for the opportunity to put the bill before the house and have it debated and considered.

I am disappointed, though, that I am not obtaining any support for my proposition. Mr Philip Davis, for the government, characterised this act of Parliament as a commercial agreement. It is not that at all. This is a simple exemption from another piece of legislation — the FOI act. You will find half a dozen of these scattered around in the statute books including, I think, one involving Loy Yang and another involving the Grand Prix corporation. There are a few others that do not come to mind, but nothing about it is in relation to a commercial agreement. If decisions made 30 years ago are never to be changed to the detriment or, for that matter, to the benefit of any company who may have got a particular benefit out of an act of Parliament, then we will not have much to do around here.

Of course it was not a retrospective or regulatory risk when Mr Davis's government sliced into payments for solar energy. Together with the actions of the federal government on that, we will see a one-third reduction in the number of solar installations next year, which is a massive hit to any industry. Likewise, when he supported his government in changing the planning rules on wind farms mid-application, in some cases, or

in fact for any wind farm needing an extension of time, it was not on his radar that this may have been some sort of regulatory risk.

He asked me if I had sought Alcoa's view on this, and in fact I have received Alcoa's view. I received it appended to the Environment Protection Authority's refusal of my request to obtain information about the health risk impacts of Alcoa's operation and, with it, its refusal to release the document. The Environment Protection Authority refused to release the health risk assessment, and in the process it consulted Alcoa, which gave its reasons, which were provided to me. Mr Davis hinted that the documents are coming. As a result of my documents motion requesting the health risk assessment, it may be tabled in this house.

Mr P. Davis — I have no idea.

Mr BARBER — Mr Davis says he has no idea, but there are some heavy hints being dropped around this place.

Mr Elsbury — I'm pretty sure you've got no idea.

Mr BARBER — You are like the Incredible Hulk of stupid interjections.

The ACTING PRESIDENT (Mr Ondarchie) — Order! Mr Barber, through the Chair.

Mr BARBER — Idiocy rising! Must control!

The ACTING PRESIDENT (Mr Ondarchie) — Order!

Mr BARBER — Thank you, Acting President. The government is dropping some heavy hints that it might release the health risk assessment, recognising that the power of the Parliament to call for documents, persons and other things does not in any way relate to the Freedom of Information Act itself.

I am getting more heavy hints dropped to me right now from the direction of the government over there. But if we do not get that information by this mechanism or some other, I will not be the only person who is disappointed. The Liberal Party's candidate for the federal seat of Corangamite, Sarah Henderson, has already gone on record and said in relation to this matter that every community has a right to know that the air they are breathing is safe. She said — and I would concur — that being able to access all relevant air emissions data is an important step in building the trust and confidence of Anglesea residents.

I am doing my bit, Ms Henderson is doing her bit, apparently the government is going to do its bit — I am not sure if that will be before or after Christmas — but unfortunately the Labor Party is not offering any support on this one. Mr Lenders said he does not share the view of the Greens on Alcoa. He did not say what that view on Alcoa was, but he is pretty clear about it and pretty clear that he does not share it. My view on Alcoa, if he is interested, is that it makes a product that is actually very useful. It is called aluminium. It is a useful metal in many applications. It is light and easy to work with. The only problem with it is that it uses huge amounts of energy in its production, but then of course it is recyclable after that with a much lesser use of energy.

The Greens would like to see Alcoa recycling more post-consumer aluminium here in Australia, maybe even in Victoria. It all gets trucked off to New South Wales at the moment to go through that process. But never fear, Alcoa has a plan. It makes about 25 per cent of the world's aluminium. It makes it with hydropower in Canada, with geothermal and hydropower in Iceland — I have seen where it is made there — and I think it is unlikely that it will continue to make it with coal-fired power in Victoria once the subsidies run out, which they will do in a couple of years.

We do not know what those subsidies are. That is another piece of information that is not available due to this special exemption, but it is in the hundreds of millions every year. I think the Labor Party's view is that it does not intend to continue to provide hundreds of millions of dollars of subsidies to those smelters. I think that is also the Liberal Party's view here in Victoria, because while the government is making some efforts to retain Alcoa's operations at Point Henry, I have not heard it suggest that hundreds of millions of dollars of annual subsidies for electricity will be forthcoming. It could be that Labor, Liberal and the Greens all agree on one issue there.

Mr Lenders has urged the government and Alcoa to negotiate in relation to this matter. He suggested that my proposed change to the FOI act would represent tearing up the deal. This is not about some trade secrets that might have been shared between the government and Alcoa 30 years ago. It is not even about those subsidies that are about to run out in a couple of years. It is about the quality of the air around Alcoa and its downstream facilities, including the Anglesea coal-fired power station. It is not simply about the health risk assessment that we have been seeking; it is about any piece of information that any government agency might hold on Alcoa and its operations, because the opinion of the Environment Protection Authority and the

opinion of Alcoa in refusing my FOI request is that this is an incredibly wide-ranging provision.

The provision in the FOI act is currently extraordinarily wide and has been granted to only the one company; it does not apply to any other company. Despite the sensitivities that Alcoa may have in its dealings with government, this bill would simply make the rules for Alcoa the same as they are for every other company in Victoria. It is disappointing that we have received no support from either the Labor Party or the Liberal Party in the house for what I thought was a fairly simple proposition.

House divided on motion:

Ayes, 3

Barber, Mr
Hartland, Ms (*Teller*)
Pennicuk, Ms (*Teller*)

Noes, 37

Atkinson, Mr	Lenders, Mr
Broad, Ms	Lovell, Ms
Coote, Mrs (<i>Teller</i>)	Mikakos, Ms
Crozier, Ms	O'Brien, Mr
Dalla-Riva, Mr	O'Donohue, Mr
Darveniza, Ms	Ondarchie, Mr
Davis, Mr D.	Pakula, Mr
Davis, Mr P.	Petrovich, Mrs
Drum, Mr	Peulich, Mrs
Eideh, Mr	Pulford, Ms
Elasmar, Mr	Ramsay, Mr (<i>Teller</i>)
Elsbury, Mr	Rich-Phillips, Mr
Finn, Mr	Scheffer, Mr
Guy, Mr	Somyurek, Mr
Hall, Mr	Tarlamis, Mr
Jennings, Mr	Tee, Mr
Koch, Mr	Tierney, Ms
Kronberg, Mrs	Viney, Mr
Leane, Mr	

Motion negatived.

PRODUCTION OF DOCUMENTS

Ms PENNICUIK (Southern Metropolitan) — I move:

That this house requires the Leader of the Government to table in the Legislative Council by 12 noon on Tuesday, 11 December 2012, examples of bathymetric data, showing both cross-sectional and concomitant 3D representations, for the plateau and the entrance or rip bank area used to depict seabed topography from four distinct periods, namely —

- (1) measurements that were used for the 2004 environment effects statement — before any dredging occurred (pre August 2005);
- (2) post the 'trial dredging' period (September 2005);
- (3) post the completion of the channel deepening project (after 25 November 2009); and

(4) within the past six months;

and any data pertaining to ongoing erosion, if any, as predicted in the Scour assessment report, July 2007, Sinclair Knight Merz, which was tabled on the last day of the 2007 supplementary environment effects statement inquiry into channel deepening of Port Phillip Bay.

That may seem like a long and technical motion, but in fact it is quite simple. I am asking for measurements of the depth of those areas in Port Phillip Bay I mentioned, which are the plateau and the entrance, or Rip Bank, at Port Phillip Heads. Members would be aware that last Sunday was the third anniversary of the completion of the channel-deepening project on 25 November 2009. Since that time no data has been released by the Port of Melbourne Corporation on what the actual depths are at that area of Port Phillip Heads despite many members of the community, including me, trying to get that information from them.

I do not understand why anybody needs to be asking the Port of Melbourne Corporation for information about how deep those areas are at and around Port Phillip Heads. That information belongs to the public because Port Phillip Bay, Port Phillip Heads and Bass Strait are not owned by the Port of Melbourne Corporation, although sometimes you might be forgiven for thinking that from the way it treats that area and its shipping channels as if its only function were to act as a highway for ships.

Amongst the important reasons for calling for these documents are the reports from divers who have observed damage to seagrass beds and other underwater features in and around the Port Phillip Heads area, including into the marine parks area. We need to know what is actually going on with the depths at the channel because of the ongoing issue of Portsea beach. Back in May 2010, which was six months after the completion of the channel-deepening project, locals were talking about the damage to Portsea beach saying that 15 metres of the beach had been washed away around the Portsea pier and the pub area and 50 trees had disappeared.

On 5 May 2010 on ABC radio's AM program Andrew Henderson, the owner of the Portsea Hotel, stated:

The beach is completely gone. There is a swell that comes through on an incoming tide now, which has happened since they opened the Heads up with the channel deepening. That swell has just been beating on the beach or smashing onto the beach and it's just carving the beach away and it has taken two and a half metres of sand away and there is no beach.

On the same report another local stated:

I think that something needs to be done and done very quickly or we're going to have not only no beach left at Portsea but no beach left at Port Nepean or other parts of the coast either.

At the time the Port of Melbourne Corporation and the Office of the Environmental Monitor pooh-pooled all of this and said it was a cyclical, seasonal thing. It is now three years since the completion of the channel-deepening project and the situation is quite dire at Portsea. The beach has never returned and if you look at the Department of Sustainability and Environment's (DSE) website today, you can find information on the Portsea protection works:

Erosion has caused significant changes to the Portsea foreshore. Over the last three years —

coincidentally —

Portsea beach has receded 20 to 25 metres.

Since 2010 DSE has undertaken pier stabilisation works and constructed a 150-metre sandbag seawall to protect Portsea foreshore and minimise further erosion.

DSE will soon be undertaking maintenance works to strengthen the sandbag seawall so it can continue to protect Portsea foreshore and community assets.

The decision to strengthen the sandbag seawall and maintain other existing seawalls follows the recent completion of the Portsea prefeasibility study.

...

The study assessed all feasible options and after careful consideration by DSE, it was determined that maintaining the existing sandbag seawall was the only viable approach.

That is very telling. The DSE is now committed to more strengthening activities at the sandbag seawall. Anyone who has been down there will be astonished at the actual size of that sandbag seawall. The dunes and the sand are gone so the sandbag seawall is up against the actual cliff face underneath the Portsea beach. Of course the DSE has to keep strengthening it, because it keeps breaking up from being battered by each incoming tide of ocean swell that is now coming in through Port Phillip Heads. This issue is not going to go away because the damage is not going to go away and, as the people I quoted earlier said, the damage is being done to other beaches around the southern end of the bay because of the changes of hydrology. It is scandalous that I have to stand here asking for this information which should be publicly available on the Port of Melbourne Corporation's website.

It was never believable, and it is not at all credible that the Port of Melbourne Corporation, the government or anyone else can continue to say that the three years of constant battering that has been experienced at Portsea

beach is somehow related to a seasonal cycle issue. The people who have lived and worked in the area for 40 and 50 years say they have never seen anything like it. The fact is the DSE and the Mornington Peninsula Shire will have to keep maintaining that seawall and — who knows — that may not be enough to protect the cliff face there.

The issue of course is also that the Department of Sustainability and Environment, Parks Victoria and the Mornington Peninsula Shire council are the ones who have to foot the bill for the maintenance of that sandbag seawall and for the works done on Portsea pier, which has become very dangerous because of the swell that is hitting it. People were in dangerous situations trying to get on and off boats and even walking along the pier. These works will have to be ongoing and should be paid for by the Port of Melbourne Corporation.

The Port of Melbourne Corporation has a \$100 million bond that was posted for any damage which occurred as a result of channel deepening, and of course it will deny that this is a result of channel deepening. But really you have to say if it looks like a duck and quacks like a duck, and if the damage has only been occurring and is ongoing since channel deepening, the evidence is pretty clear that channel deepening and the removal of 5 metres of depth at Port Phillip Heads from 14 to 19 metres — we do not know the exact measurement, and that is what I am looking for — is deepening the Heads by one-third of their original depth and is quite a massive change. We are seeing its effect. I might add that many people, including me, warned this would be one of the effects of channel deepening, but our concerns were underplayed and dismissed at the time of the environment effects statement and the supplementary environment effects statement.

The proponents of this project dismissed our concerns and have presided over what has become irreversible damage at Port Phillip Heads that will result in ongoing damage to the coast and coastal assets, including infrastructure, at the southern end of Port Phillip Bay. Those people should be hanging their heads in shame for what they have been responsible for.

With those comments I urge the house to support my call for the documents regarding particular depths around Port Phillip Heads. I have requested data about the measurements of depths at four distinct periods at the Heads. I urge the house to support the motion.

Mr O'DONOHUE (Eastern Victoria) — The government will not be opposing Ms Pennicuik's motion, with the usual caveats around cabinet confidentiality, et cetera. Let me say in response to

Ms Pennicuik's motion that as a representative of Eastern Victoria Region, which includes the Mornington Peninsula, and as someone with an interest in the port of Melbourne, I have followed this issue closely. Let me point out to Ms Pennicuik that she said in her remarks that the information she is seeking is quite simple. I am a layman when it comes to the matters she has listed in her motion 489, but I know that the data she is seeking from before August 2005 and a range of other data collected since that time, including from the last six months, is very detailed information. I put to Ms Pennicuik that while the government is not opposing her motion, seeking this information by midday on Tuesday, 11 December will be a difficult deadline to meet. In effect public servants are the ones who do the work to gather this information, and this request will put them under a great deal of pressure, which I think is a little unreasonable, particularly at this time of year when everyone is under pressure due to a range of issues. I make the observation to Ms Pennicuik with regard to her motion, which would require the Leader of the Government to table in the Legislative Council by 12 noon on Tuesday, 11 December, the information sought in her motion, that I think it is an unreasonable request that would put pressure on the public servants who do this work.

I also make the point that everything Ms Pennicuik is seeking, save and except point (4) in her motion, which relates to the testing and information from the last six months, is from the period of the previous government. I do not say that with any political overlay, but I make the point that if these activities did take place, then they took place under the former government, which may make it more difficult for the Leader of the Government to source that and other information. As I understand it — and I do not profess to be an expert —

Mr Tee — You've got it all; it's all there. You'll be right.

Mr O'DONOHUE — I welcome Mr Tee's assurance that all the information is there. Thank you, Mr Tee.

Mr Tee — You have got it.

Mr O'DONOHUE — Thank you, Mr Tee, for that assurance that the Labor government did do all the work that is in Ms Pennicuik's motion. As I said, this project was not undertaken by this government; it was a project commenced under the previous government, so I welcome Mr Tee's confirmation in the house that everything that Ms Pennicuik is seeking was done at the times that Ms Pennicuik has listed in her motion. I am sure that will be of assistance to the public servants who

will be required to seek this information. I thank Mr Tee for his, as always, insightful interjection to this debate.

The government does not oppose Ms Pennicuik's motion in the interests of being open and transparent. I foreshadow without any knowledge of the topics or the issues being sought that the timetable issued by Ms Pennicuik may be difficult to achieve. I trust that on behalf of the government the Leader of the Government will diligently seek the information which Mr Tee assures the house is available.

Mr LEANE (Eastern Metropolitan) — The opposition also supports Ms Pennicuik's motion regarding a call for documents. I am not too sure if the government member's contribution in which he verbalised Mr Tee on a one-word interjection is correct, but government members are more than happy to support this call for paperwork. We understand the government may have some limitations under commercial-in-confidence and cabinet-in-confidence provisions — we always understand that. Unlike the present government, which did not accept that, we will not change our tune depending on which side of the chamber we sit. Further let me add that we also support the call for documents.

Ms CROZIER (Southern Metropolitan) — I am pleased to rise and speak very briefly on Ms Pennicuik's motion, and note that time is getting the better of me in relation to the length of my contribution. I too acknowledge and reiterate my colleague Mr O'Donohue's comments in relation to the government not opposing Ms Pennicuik's motion. There was significant debate about the channel deepening project for many years, a debate that was the cause of a lot of interest amongst the public, as it should have been.

We are lucky enough to have a beautiful bay, especially around the Heads, as Ms Pennicuik noted. Much of the bay, and the bayside beaches, adjoins the electorate I share with Ms Pennicuik and Mrs Coote, who is with us in the chamber. We are all very aware of the significant aspects of the bay and the opportunities for recreational activities they offer. Fishing, swimming, boating and sailing are all very important to the Victorian community, as is the port of Melbourne and the huge economic impacts it provides, being the largest container port in Australia. The port of Melbourne provides significant economic benefits to the state and important and significant national economic benefits, so it is an extremely important part of Melbourne's local infrastructure and is also important to the entire Australian economy.

As I said at the outset, there is no denying that dredging caused some angst in the community. Ms Pennicuik is now asking for documents that relate to the dredging process that occurred under the previous government. There are certain environmental aspects in relation to dredging, including water quality and water movement, contamination in sediment being moved due to the dredging process and changes to organic matter. There are very important elements to the environmental aspects of our bay, and there is no question about the concerns that people may have had. Ms Pennicuik has spoken of issues in relation to other areas further down the bay towards the Heads, and these issues are also very important to those communities. Acting President, are you looking at me to continue? As Mr O'Donohue has said, the government will not be opposing Ms Pennicuik's motion. There are some technical aspects to it, and it is very detailed in relation to — —

Business interrupted pursuant to standing orders.

STATEMENTS ON REPORTS AND PAPERS

Auditor-General: *Consumer Participation in the Health System*

Mr EIDEH (Western Metropolitan) — I also congratulate you, Mr Ondarchie, on your elevation to Acting President.

I rise to speak on the Auditor-General's report on *Consumer Participation in the Health System*. I am deeply proud of the fact that reforms in consumer participation in the health system have been borne primarily from Labor governments. For instance, it was a Labor Minister for Health, Tom Roper, who responded to representations from the chair of the Health Commission and the deputy chair of the Medical Practitioners Board of Victoria, way back then, to establish the Office of the Health Services Commissioner and the Health Services Review Council.

It was also under a Labor government that hospitals such as the Royal Victorian Eye and Ear Hospital produced charters of patient rights. In that hospital, the person who successfully moved in that direction was an appointee of then Minister for Health Caroline Hogg. They were a community or consumer representative. I make that distinction because when Liberal Premier Jeff Kennett took office he sacked these community or consumer representatives and replaced them with corporate businesspersons, just as the Baillieu government is now seeking to do in various areas — and that issue was raised in debate on the Education Legislation Amendment (Governance) Bill 2012.

But as the report notes, the key legislation is the Health Services Act 1988. Section 1.2.2 of the Auditor-General's report notes that the act includes specific requirements relating to consumer participation in health. These are that:

healthcare agencies are accountable to the public

users of health services are provided with sufficient information, in appropriate forms and languages, to make informed decisions

users of health services are able to choose the type of care most appropriate to their needs

the board of a public health service appoints a community advisory committee (CAC).

The report further notes the 'Doing it with us not for us' policy. Its aims are:

... for consumers... to participate with their health services and the Department of Human Services (now the Department of Health) in improving health policy and planning, care and treatment, and the wellbeing of all Victorians.

It provides strategic direction for consumer participation and a guide for participative actions. These are also all initiatives of Labor in government. I could go on and on because on this side of the house we believe very strongly in the direct participation of the broader community in decision-making processes — in listening to community members and in encouraging them to be proactive and to enjoy some of the ownership of what we achieve.

I cannot say the same of the Baillieu-Ryan government or the current Minister for Health, David Davis. We need to see far greater participation of consumers than we have seen in the past three years, including — to show some bias — more from ethnic communities, given the immense impact of multicultural Victoria on the economic growth and prosperity of our state and the large number of people who are first, second or third-generation Victorians. That also means that we must produce more information in languages other than English so that all Victorians better understand and better utilise our precious health system.

Communication is critical, especially as in the past many people have stated that a key cause of malpractice suits against doctors and hospitals was in fact poor communication — and none of us wishes to see malpractice grow, just as none of us wishes to see iatrogenesis grow.

In various areas of the report, the Auditor-General praises what we have. However, he also notes in section 3.5.2 that:

...there is scope for increasing the level of strategic input.

We can do more; we must do more.

Shortly after this quote, the Auditor-General includes a statement that consumers must be more involved in planning for new hospital developments. I wish to remind the government that the people of the fastest-growing regions in the nation, Wyndham and Melton, urgently need a new and dedicated local hospital. Their councils have been calling on this government for two years, but there is no response and maybe it does not want to hear.

I enjoyed reading this report and talking with the people involved in the consumer participation area of health. I am also proud of the many positives, which I relate to the governments of the day, which were primarily ALP governments. But I do accept that we can do more, and this is something to be considered seriously for the future.

Victoria Police: report 2011–12

Mr ELSBURY (Western Metropolitan) — I join with my colleagues who earlier today expressed congratulations on your elevation to the position of Acting President.

I rise this afternoon to speak on the *Victoria Police Annual Report 2011–12*. It is always important that the people of Victoria know that their police are doing absolutely everything they can to ensure the safety of our community. An annual report gives us a snapshot of just where Victoria Police is situated in the community and also its plans for the future.

I would like to highlight a few parts of the report; in particular, I would like to highlight the part that deals with police capacity, which points out that the coalition government is adding an extra 1700 police to the beat. The report states that:

Victoria Police exceeded its target for sworn police in 2011–12 by 204 officers, deploying an additional 644 police over the 2011–12 period. As a result, 65 per cent of the additional 1700 police have already been deployed.

So we are well ahead on that particular mark. We already have the police getting out there on the streets, and we know we need them. In fact Western Metropolitan Region has been a beneficiary of additional police over the last few months in the cities of Brimbank, Wyndham, Maribyrnong and Hobsons Bay. We have had the benefit of additional police coming out into our community.

Of course we have had the deployment of our protective services officers (PSOs), and we are glad that that is occurring. On many occasions I have been out talking to the PSOs on the train stations about the job they are doing and I have congratulated them on the great work they do for our community. I have also spoken to Metro Trains Melbourne staff, who are more than happy to have the PSOs on their stations providing additional security that not only commuters but also the staff at those stations deserve. The response from those opposite was that we should put more staff on the stations, but how can more staff make staff feel safer? I ask that question. The PSOs are actually making the staff feel safer. They are also helping out. I have spoken to taxidivers at several train stations, and they have said that there has been a marked improvement in the type of people hanging around the stations. In fact most of the people who are there are there to catch trains. Strange, but true!

I would also like to highlight that in the section of this document on training for the PSOs it says that PSOs undertake a 12-week training course and undergo the same 2-week operational tactics and safety training that sworn police currently receive. They will be required to requalify every six months. This is a point that those opposite just could not get, but here it is in the report by Victoria Police: a PSO receives the same training as a sworn police officer receives.

As a member of the Road Safety Committee I would also like to point out that we have had a reduction, fortunately, in the number of fatalities on Victoria's roads. Fatalities in 2008–09 were 301 and in 2011–12 they were 270. There are still too many lives being lost on our roads, but it is certainly a good trend that we have here. Long may the toll continue to decrease.

We have also seen action with respect to hoon drivers. When the hoon driving legislation was first introduced by the previous government 3458 vehicles were being impounded. We have now got that up to 4171 vehicles being impounded, showing that we are serious about this particular issue and we are actually getting out there and removing these vehicles from the roads to ensure the safety of our community.

I could go on about the great work of Victoria Police, but to express what the police are able to do and what they will be doing for us into the future would require a lot more time than the 5 minutes I have been given.

Office of Police Integrity: policing people who appear to be mentally ill

Ms PENNICUIK (Southern Metropolitan) — This report sets out the findings of a review by the OPI (Office of Police Integrity) into how Victoria Police responds to people who appear to have a mental illness. In 2009 the Auditor-General completed a review into inter-agency coordination, preparedness and effectiveness in responding to mental health crises. This report follows on from the Auditor-General's report and assesses whether more could be done to enhance Victoria Police's responses to people who appear to have a mental illness.

The report highlights that police regularly encounter in their day-to-day work people who have or appear to have a mental illness, accounting for almost half the incidents that the critical incident response team is called out to. The closure of mental health institutions in the 1980s and 1990s and the subsequent inadequate provision of community-based mental health services have contributed to this situation. The high prevalence of people with severe mental illness such as psychosis and schizophrenia among people fatally shot by police is well documented. Seventeen of the 32 people fatally shot by Victoria Police between 1990 and 1996 were considered to have had a mental disorder at the time of the shooting.

Victoria Police responded to these concerning statistics with Project Beacon in 1996, with the key message that:

... the success of an operation will primarily be judged by the extent to which the use of force is avoided or minimised.

However, this report notes that since this initiative the effectiveness of this message has at times waned. Since 2002 a number of reviews have warned Victoria Police that it was not effectively managing the risks associated with the use of force and that it seemed to:

... lack the will or capacity to implement solutions to effectively address the identified problems.

This report raises concerns that current police training reaffirms the perception of a connection between mentally ill persons and the use of force, which is not a valid assumption. It questions police training in how to deal with people experiencing mental illness that relies on e-learning. Face-to-face role-playing scenarios must also be incorporated for effective training.

The report also highlights the critical issue of transportation of those who are experiencing acute mental illness. While Ambulance Victoria has primary

responsibility for this, in practice police are often required to transport people in police vehicles and at times have to arrest people experiencing or appearing to experience a mental health crisis and hold them in police cells. This is at odds with agreed protocols and also at odds with the rights, dignity and interests of people requiring a mental health assessment. It means the person is in contact with the justice system rather than the health system.

The report also revealed that the crisis assessment teams lack the capacity to deliver mobile crisis assessment within the community. This leads to long delays for assessment and gaps in responding to mental health crises in the community, which are often left to the police to fill. When police transport a person to already-pressured hospital emergency departments there are often long delays, which increase the distress of the person apprehended and divert police away from their other duties.

In light of these problems the OPI report has a number of recommendations, including that a dedicated psychiatric facility be established for the emergency assessment of people experiencing a mental health crisis, which would provide safe, short-term accommodation for people in crisis, improve the care available for them and decrease the potential of the person being criminalised. It would also ease the strain on police resources and emergency departments.

The report also recommended that Victoria Police consider strategies to promote the participation of mental health service consumers in training delivery, incorporate contemporary psychiatric research and practices into its curriculum on mental illness and evaluate its use of e-learning technology. The report recommended that Victoria Police should review the allocation of mental health liaison officer portfolios to ensure that they are held by strong advocates and effective negotiators and develop further strategies to prepare and support officers holding these portfolios. It also recommended that VicPol should continue to enhance its general education and training on responding to people who appear to be mentally ill and give consideration to introducing specialised training in relation to improving responses to these members of our community.

The report also recommended that the government's interdepartmental liaison committee, comprising representatives from police, Ambulance Victoria, the Department of Health and consumer and carer groups, consider the deployment of a mental health professional to provide 24/7 clinical support at the Emergency Services Telecommunications Authority. This may well

be one of the last such reports from the OPI. The reports have been valuable in alerting the police and the community to systemic and operational problems in Victoria Police and recommending solutions to them. With the demise of the OPI descending upon us due to its being subsumed into the Independent Broad-based Anti-corruption Commission, it remains to be seen which agency, if any, will take up the baton.

Budget sector: financial report 2010–11

Ms PULFORD (Western Victoria) — I would like to make some remarks today on the *2011–12 Financial Report — Incorporating Quarterly Financial Report No. 4* for the period ending 30 June. At the outset, the report states:

The 2011–12 budget update set out the government's strategy to place the state's finances back on a sustainable footing. The key elements of that strategy were to maintain a budget surplus of at least \$100 million a year, implement savings in the public sector, maintain Victoria's triple-A credit rating and move towards sustainable levels of public debt.

The 2011–12 results are consistent with the government's fiscal strategy. The government has taken important steps toward improving the state's financial sustainability by implementing substantial savings, constraining overall spending growth over the forward estimates, and committing to a new medium-term fiscal strategy in the 2012–13 budget.

This is the highest taxing government in Victoria's history. This government has presided over a massive increase in state debt over just two budgets. We can only imagine what it has in store next. This government has nothing in the infrastructure pipeline, and this document tabled in Parliament by the Treasurer, Kim Wells, who is so hell bent on creating mythology about Victoria's finances as they were inherited by this government, stands in remarkable contrast to another document that was tabled in the Parliament today, the Auditor-General's *Portfolio Departments and Associated Entities — Results of the 2011–12 Audits*. This report states:

At 30 June 2012, \$1.4 billion —

that is \$1.4 billion —

was available across the 11 portfolio departments to deliver additional public services and infrastructure. Nevertheless, no portfolio department other than the Department of Health could demonstrate strategies to use these reserves in the current economic climate.

We are told day in and day out that the joint is broken, that it is all the federal government's fault or the former government's fault — the old blame game is alive and well in Victoria — but there is all of this money just sitting around in the departments without a plan in 10 of

11 departments about how to use it for things like government services for the people of Victoria.

If I could just illustrate the types of cuts we are seeing, I will take education as an example. It is two years since this sorry excuse for a government was elected, and in education the education conveyance allowance has been cut. People are extremely concerned about this right across my electorate. TAFE needs no further explanation, really, but the impact of the government's TAFE cuts on vocational education and training in schools is catastrophic. Even the arts community is talking about courses closing, and Victoria's dynamic arts community is being jeopardised by these TAFE cuts.

The Victorian certificate of applied learning coordinators saw the first assault on education by this government. The plan to modernise every school in the state was scrapped. In my electorate this has affected communities from Horsham, where there is a lot of support for rebuilding the Horsham College, right through to Bannockburn, a rapidly growing community that urgently needs the government to commit to a P–12 school. There is no secondary school in the entire Golden Plains shire, which means that people from the age of 12 are leaving their communities on a daily basis to seek a secondary education.

The great insult given to Victorian teachers by the coalition, as members will remember, was that it broke its promise that it would make Victorian teachers the highest paid in Australia. That was a commitment from the Premier. He said, 'We must lift the pay of teachers in our school system so they are not just equal with other states, but the highest paid in the nation'. Apparently this is something the Victorian government cannot afford: to invest in the future of our young people.

I got home the other night and on the kitchen bench there was a note that came home in my child's schoolbag. It said that the school reports that are currently being written to come home to our place in the next few days will have much less detail than they usually do because of the ongoing dispute this government is unable to resolve.

The ACTING PRESIDENT (Mr Eideh) — Order! The member's time has expired.

Victoria Police: report 2011–12

Ms CROZIER (Southern Metropolitan) — I am pleased to rise to speak on the Victoria Police annual

report 2011–12. As my colleague Mr Elsbury pointed out, this report goes a long way towards supporting Victoria Police right across the state. I would like to endorse the tremendous work the police undertake for the Victorian community on a daily basis. I am pleased to say that in his opening comments Chief Commissioner Ken Lay said that the focus of the police force and its core mission is to continue to deliver a ‘safe, secure and orderly society for all Victorians’.

Mr Finn — He is a very good chief commissioner.

Ms CROZIER — He is a very good chief commissioner. Mr Finn is absolutely right.

In those opening remarks, Mr Lay said that the focus on community engagement and improving service delivery has increased, and confidence amongst community members who have been surveyed has also increased. That says a lot about his leadership and what he is doing in relation to leading the Victorian police force. He is certainly instilling confidence in members of the force, but also, importantly, in the Victorian community.

As we all know, it is very important that we live in a civil society, and we are very fortunate that we do. Unfortunately at times there are issues that our police have to address, and one of those issues that is highlighted in this report is the road safety statistics. Looking at the report, I am pleased to note that the number of both fatalities and injuries has decreased over the past few years. There is a bipartisan approach to improving road safety and statistics, and I think governments of all persuasions are very much supportive of that, but nevertheless the statistics are very encouraging. Fatalities have decreased from 301 in 2008–09 to 270 in 2011–12 — a decrease of 10.3 per cent. With injuries, there were 19 151 in 2008–09, and then 18 739 in 2011–12 — a decrease of 2.2 per cent. These improvements are significant. They are still far too high, obviously, but they are significant in relation to the work undertaken.

In Southern Metropolitan Region, the electorate I represent, Operation Halo operated in the Boroondara, Stonnington and Port Phillip local government areas. That operation was very successful. It aimed to change road user behaviour by providing a sustained enforcement strategy during the month of February this year. Anything we can do, such as those initiatives, is a good thing if it reduces our road toll, especially as we are coming into the festive season. We hope those numbers will continue to decrease and not increase.

Obviously law and order was a huge platform for the coalition government coming into the last election, and as Mr Elsbury highlighted, we are on track to recruit additional police officers and the very important protective services officers (PSOs), who are doing a tremendous amount of work on our rail stations in providing increased safety to commuters. That is becoming evident. It is highlighted in this report. The report states, ‘Victoria Police deployed an additional 644 front-line police across Victoria and 88 PSOs’, and it is on track to continue deployment up until 2014.

There is one element that is on the increase, and that is family violence. I know that the responsible minister, the Minister for Community Services, Mary Wooldridge, is doing an enormous amount of work on that. It was a coalition commitment to look at that issue, and in September this year a new funding package of \$16 million over four years was provided to tackle family violence by expanding services and work with agencies such as Victoria Police to ensure that our communities remain safe. Family violence is a complex issue and unfortunately those statistics have risen, but that can also be attributed to an increase in the reporting of violence. People are feeling more confident about reporting family violence and that is showing up in the statistics. I again commend Victoria Police.

Auditor-General: *Public Hospitals — Results of the 2011–12 Audits*

Mr ELASMAR (Northern Metropolitan) — I rise to speak to the Auditor-General’s report entitled *Public Hospitals — Results of the 2011–12 Audits*, dated November 2012. When I initially grabbed the report I thought to myself, ‘I am in for a terrible read on the financial status of our Victorian public hospitals’, but I was wrong. I was quite amazed at the Auditor-General’s overall positive statements on our 113 public hospitals and their associated entities, trusts and foundations established for the purpose of assisting the public hospital system.

The current deficit is \$43 million, no doubt due to so-called improved management practices and capital injections of substantial government funding. Anyone living outside Australia and reading this report would think that the Victorian health system was working beautifully, providing all services in a timely manner. The truth is that the waiting lists for elective surgery are longer than they ever were and the shortage of hospital beds is just as critical. It will be interesting to see next year’s finance audit and note what impact the national health reform agreement has made on the overall performance of the public hospital system in

metropolitan Melbourne and country and regional Victoria.

As usual there are the obligatory recommendations on improving the internal auditing and management of cash flow systems. The essence of any business success is being able to pay all outgoings in a timely manner but at the same time being financially prepared and ready for a curve ball that has the capacity to land at any time. The recommendations contained in the report are pretty much in line with constantly striving for improvement and clearer processes, and of course I support those.

In all fairness I think the public hospital system is working well in the general auditing and management of its finances. This is a testament to hospital administration staff, who deserve to be commended. However, the reality is that Victorians are not receiving the best medical care within the public hospital system because it is not being delivered in a timely fashion. Some Victorians are living in pain while waiting for surgery, and sometimes that wait is counted in years. This problem can only worsen as our population continues to age.

Victoria is a great place to live, but my advice to Victorians is not to get old. Whatever you do, do not get sick!

Electoral Matters Committee: conduct of 2010 Victorian state election

Mr FINN (Western Metropolitan) — It gives me a great deal of pleasure to rise to speak to the report entitled *Government Response to the Electoral Matters Committee's Report on the Conduct of the 2010 Victorian State Election* and matters related thereto. It gives me particular pleasure as chair of the Electoral Matters Committee to report to the house that the committee continues to meet on a regular basis to discuss matters that are of great consequence to the electoral administration of this state. It is wonderful to see that at least one of my colleagues who is a member of that committee — the deputy chair — is in the house tonight. I refer to Mr Somyurek.

Mrs Peulich interjected.

Mr FINN — Mr Tarlamis is also a member of the committee. There are a number of members who wish they were on the Electoral Matters Committee, and I can understand that. I should say that Dee Ryall and Heidi Victoria, the members for Mitcham and Bayswater in the Legislative Assembly, are also members of that committee, and we work in a very

harmonious manner. It is entirely appropriate that we act in a harmonious manner, given that the electoral system in this state is one we can be justifiably proud of.

The government response to the Electoral Matters Committee report into the 2010 state election is very welcome, and it is supportive of many, if not all, of the recommendations in the report. I thank the Attorney-General in particular for his prompt response to the committee's report. But there are a number of outstanding matters the committee is continuing to investigate, one being the matter of early voting. I think we have to get to a point very soon — and I may have told the house this before — where we decide whether we have an election day or an election fortnight. Recently the President of the United States declared that he was voting early — and possibly quite often as well. He voted early and urged everybody else to do the same. That was a week and a half out from the election. If that is a path we might be going down, it is something we need to consider. We certainly welcome the opinions and submissions of all interested parties, including members of this house.

Another matter which is of interest, and which I am able to say is under consideration, is the possibility of changing from the preferential system that we currently have to an optional preferential system. As we know, the optional preferential system is in operation in New South Wales and in Queensland. In the two most recent elections in those states it has been ragingly successful, and I believe it is worth considering in Victoria. It will cut the rate of votes that are lost to us, and I think it is something that is well worth considering.

I should say that one matter that has created a great deal of interest and discussion is the possibility of changing the name of this chamber to the Victorian Senate. I noticed that Mr Barber from the Greens made a disparaging comment about this prospect — not because, I suspect, it is a bad idea, but because it came from the United States, he said. Anything from the United States, according to the Greens, has to be bad. That is just the way they are. It does not matter if it is the Senate or McDonald's; it has to be bad. That is just the way the Greens are.

In the time since the report was delivered to the house and the suggestion was put out I have taken a straw poll, particularly in many multicultural areas in my electorate. I found that there is zero understanding of what the Legislative Council is or what it does. However, when one mentions that we are the state senate, there is immediate understanding of exactly what we do. People know what the Senate does, but

after 150 years they have not got a clue what the Legislative Council does. I think this is something that we should all take into consideration. If we want people to participate and if we want people to understand what is going on, we need to demystify the situation. I believe that is something the committee will report on at a future time.

Upper Murray Health and Community Services: report 2011–12

Ms DARVENIZA (Northern Victoria) — I am very pleased to rise to make some comments on the Upper Murray Health and Community Services *2011–12 Annual Report*. In making my remarks, I would like to acknowledge the contributions of Graham Hill, the chairperson, and Maxine Brockfield, the CEO and director of nursing. Upper Murray Health and Community Services is supported by a dedicated team of volunteers, as well as groups such as the ladies auxiliary, the community liaison group, Corryong Foodbank and volunteer drivers. I was pleased to be able to visit the Corryong Foodbank during the last Parliament when the Rural and Regional Committee was inquiring into rural disadvantage. The committee visited the Corryong Foodbank and met the fantastic people who work there and deliver that terrific service.

Upper Murray Health and Community Services is like many smaller health providers in my electorate that struggle to use every dollar they are allocated to deliver first-rate health services. It is a highly integrated organisation which provides a broad range of hospital, residential aged care, medical, primary health and community support services. The service has 10 acute hospital beds, with patients being admitted by a GP. It offers rehabilitation, acute aged care, post-acute care, palliative care, emergency respite care and mental health care for low-risk clients. It also has a high dependency unit, which is used to treat and stabilise critically ill clients before they are transferred to a major hospital. So it is a very important service.

Whilst it is small and has only a small number of beds, it offers a diverse group of very important health-care services. The service also operates a medical clinic, a health and fitness centre, a retirement village and the Australian Institute of Flexible Learning, which is a registered training organisation. The health service offers extensive services and is truly responsive to community needs. I want to congratulate it for the terrific services it offers.

Some of its achievements that are mentioned in the report include the improvements to health service delivery in Towong shire through a collaborative

approach to planning and development, with the setting up of the Towong Shire Health Alliance. The council very much believes in a collaborative approach on a whole range of issues, not just health. The four agencies — Upper Murray Health and Community Services, the Walwa Bush Nursing Centre, the Tallangatta Health Service and the Towong Shire Council — share information and resources on recruitment, training and developing aligned systems. In addition, Upper Murray Health and Community Services and the medical clinic received full accreditation, and dental services will commence there for two days a fortnight. That is a very important and much-needed service.

A significant highlight was the commencement of two new doctors at the medical clinic, Nick and Hannah Mason. Attracting medical staff, allied health professionals and nursing staff to rural and regional areas is a real recruitment challenge. The inaugural year of the rural placement of graduate nurses program within the service was 2011–12. This is a strong partnership with Albury Wodonga Health and the Tallangatta Health Service. Five graduate nurses moved between the three organisations on a four-month rotation. This has gone extremely well in the first year.

There has been a replacement of the old telephone system with the new wireless phone and nurse call system. There is a new director of client services — Ms Christine Stuart was appointed. Ms Stuart brings extensive experience to the role. She has previously worked in primary health care in Indonesia as well as the Middle East.

The ACTING PRESIDENT (Mr Eideh) — Order! Time has expired.

Office of the Health Services Commissioner: report 2012

Mrs COOTE (Southern Metropolitan) — I have great pleasure in speaking on the annual report of the Office of the Health Services Commissioner 2012 and in noting that this is the last report of the health services commissioner, Beth Wilson. As I have told this chamber before, I was very honoured to be the president of the Health Services Review Council when it appointed Beth Wilson. It seems like a very short time ago, but in actuality it has been 15 years.

Recently we had an excellent reception for Beth Wilson in the Sofitel hotel, and there were a whole range of people there to support Beth, to praise her and to congratulate her on what has been an extraordinary career as the health services commissioner. Former

ministers for health and the current Minister for Health were there. Joan Kirner was there. The child safety commissioner, Bernie Geary, was there, as were senior bureaucrats, judges and professors. They were all there to say thank you to Beth for the extraordinary job she has done on behalf of Victoria.

Beth's term had come to a conclusion on 30 April, but the Minister for Health, David Davis, extended it to 30 December because there is a substantial review of the Health Services (Conciliation and Review) Act 1987. The reason for this is that the ways in which health services are being provided have changed. For example, in the report Beth said that 28 per cent of general practitioners now work in clinics owned by the practitioners themselves, which is in fact quite different from what used to happen. She also said:

Corporatised medicine poses new challenges for our regulatory systems and a health complaints model which relies heavily on voluntary processes may not be so effective.

This review is being headed by another former chair of the Health Services Review Council, the excellent Michael Gorton, and I know he will do an excellent job in rewriting and revisiting this very important act.

In her final summary Beth Wilson said:

It has been an extraordinary privilege to have held the office of commissioner for over 15 years. During that time my staff and I have listened to thousands of health complainants' stories and have also heard the 'other side of the story' from providers. The obligation to be impartial gives us permission to view complaints in a holistic way. There is seldom only one version of events and all players will have their own perspective and aspirations. The common thread is the desire to learn from complaints so that quality changes can be made.

I was privileged to speak at Beth's farewell. In doing so I mentioned how her personal success has been such a huge hallmark of her time as the health services commissioner. For example, there was a woman who was having a series of really bad migraines. This woman went to her doctor, who specialised in acupuncture. She had never had acupuncture before. She was put on the table and had all the needles put into her. He said, 'Just lie here and relax'. Her appointment started at 4.30. At 6.30 she was getting a little concerned. At 7.30 she was a little more concerned. At 8.30 she was significantly concerned, so at 9.30 she finally got up with the needles still in her body to find that the entire surgery had left and that she was the only one there.

The woman took her complaint to the Health Services Commission — to Beth Wilson and her staff. Many people would have gone in there and sued that surgery; they would have gone to town. However, Beth's skill as

a conciliator and a mediator was such that she got all the players around the table. The person who had had the acupuncture said she never wanted this to happen again, and she was assured by the service provider that that would be the case and that protocols had been put into place. The outcome, after careful negotiation and conciliation by Beth and her team, was in fact that this woman continues to go to this service provider for her medical supports. That was a great outcome.

There are many such stories over the 15 years in which Beth Wilson has been the health services commissioner. She has been there to listen to a whole range of complaints and concerns and has been able to preside over the implementation of many programs and procedures that have changed. Many people who make complaints just want the system to work so that nobody else has to go through the same type of situation they have gone through. I put in the public arena and on the record again my congratulations to Beth Wilson.

Auditor-General: *Investment Attraction*

Mrs KRONBERG (Eastern Metropolitan) — I am very pleased to rise and report on the Victorian Auditor-General's report of August 2012, *Investment Attraction*. I am picking up where I left off in an earlier contribution on this report. I have the second tranche of it before the house today because I regard this as something we have to get right. It is really important for the state of Victoria, for jobs and for economic development that this government is not in the business of picking winners. I can recall very clearly what the Cain-Kirner government did with the Victorian Economic Development Corporation debacle. Picking winners is not a good thing for a government to do, because then we start to get a stench like that which emanates out of the Obeid fandangos in New South Wales and so on and so forth.

It is important that these processes are forensic and robust. While you are being forensic and robust and not picking winners, you need to be encouraging and supportive, and you must help elucidate the matters involved. People looking to invest in this state, looking to build on an idea or looking to innovate and therefore inspire and bring greater economic benefits to this state need the process not to be onerous. This is the essence of what has drawn the Victorian Auditor-General's attention, and I have to commend the Victorian Auditor-General on this report, as I have in the past on other reports.

This Victorian Auditor-General's report, which is on government assistance, reveals that the state government has a portfolio of industry assistance

programs managed by seven government departments. That is quite an onerous exercise in itself, and I know that the Baillieu government is looking to take out the silos and the silo mentality we have inherited from previous governments and the effect that has on the bureaucratic mindset. Reducing the silos is a work in progress. It is worth noting that in the 2010–11 financial year these programs provided \$412 million in government assistance. The Department of Business and Innovation itself, the subject of this audit, was responsible for \$170 million, or 41 per cent, of that total amount.

We need to look at some of the mechanics of this. The Department of Business and Innovation, in its approach to encouraging investment, offers grants to assist business investment in Victoria. That is a no-brainer. It also offers non-financial assistance to help companies understand our regulatory requirements here in Victoria. This is done through mechanisms such as the industry support program and the Industry Transition Fund. The overall objective of investment assistance provision is to ensure that there are benefits to the state that come in the form of economic development, jobs and economic wellbeing.

As I said earlier, and this point needs to resonate, it must be robust. These approaches and the skills to deploy them need to be heightened, and I am hopeful that as an ongoing quest people from industry and the relevant sectors who are putting these grants assistance programs under examination actually bring a skills base from industry sectors to that. This is important because we need to see clear objectives, clear objectivity and priorities to focus on the assistance. It has to be measurable; everything in business and in government must be measurable. It goes hand in hand with accountability, but it also has to be realistic. There must be measurable, relevant and transparent selection criteria. There needs to be rigorous assessment, and the approval process needs to be rigorous as well.

Effective monitoring and evaluation of the project outcomes is fourth on the list of what is necessary to achieve the desired outcomes. For some people this could be like pinning jelly to the wall. It might be hard to measure project outcomes, but that is why the framework has to be so robust in the first place. Otherwise things can become just ephemeral and hard to manage.

Ombudsman: investigation into allegations against Mr Geoff Shaw, MP

Mr LEANE (Eastern Metropolitan) — I was reminded that government members when in opposition

said that they were going to come in with the highest level of accountability, including for their members. When I thought of that, I decided to make a statement on the Victorian Ombudsman's report on the investigation into allegations against Mr Geoff Shaw, the member for Frankston in the other place.

An honourable member interjected.

Mr LEANE — The Premier said that Mr Shaw delivers for Frankston. Actually, I reckon he cringed after he saw that bit of footage on the news the next day.

The report is interesting, and just reading the headings in the report is worthwhile. I will go through them: 'Mr Shaw's commercial use of the parliamentary vehicle — trip to Sale'; 'Southern Cross Hardware's commercial use of the parliamentary vehicle' — I will come back to that one; 'Warrnambool — February 2011' — let us go back and see what happened then; 'Use of parliamentary fuel card to fill a Southern Cross Hardware vehicle' — that sounds exciting; I will come back to that one; 'New South Wales and country Victoria trips — May 2011' — I wonder what happened then; 'South Australia and country Victoria trips — October to December 2011'; and 'Mr Shaw's role in the use of the parliamentary vehicle'. There is a lot of talk about Mr A and Mr B in those paragraphs; I will come back to them. It goes on: 'Electorate office copying and printing facilities'; and 'A discussion of Mr Shaw's response to my conclusions' — I like that heading as well.

Going back to the start when the government came in and there was going to be a new level of transparency and accountability, as soon as this report was tabled, the Premier said in response that Mr Shaw was a good member — so all that had been said was thrown out the window. All you have to do is read the headings through the report to understand what has actually happened. The report details some of the almost comical things that Mr A and Mr B were requested to do by their boss at Southern Cross Hardware. One of them was to reverse from the bowser after they had filled up and paid with the said petrol card so that it made it hard for the petrol attendant to see the numberplate.

When you go to Mr Shaw's defence — I wonder where he got his legal advice from — you see that he relies on the words 'should not be used for commercial purposes'. If a person believes that it is okay to let people working for a company of which they are a director use their car, would that person be telling those people, 'Reverse from the bowser — —

Mr Ondarchie — On a point of order, Acting President, I am just seeking your guidance here. I understand that this matter is before a house Privileges Committee. I am just wondering if that is something we should talk about in the chamber whilst it is before a Privileges Committee.

The ACTING PRESIDENT (Mr Eideh) — Order! There is no point of order, Mr Ondarchie. It is in the other house.

Mr LEANE — I appreciate that I would be trying that, too, if I was on that side of the chamber.

Mrs Peulich — On a point of order, Acting President, this is a question that you might be able to confer on with the clerks and advisers. Notwithstanding the fact that obviously that report has been tabled in Parliament, the standing orders still state quite clearly that reflecting on a member is disorderly and that it is to be done only by way of a substantive motion. Could you perhaps confer and advise us how Mr Leane's contribution intersects with the standing orders in relation to members?

Mr Barber — On the point of order, Acting President, I can remember other Ombudsman's reports that named members of this house and the other house and I do not remember there being any particular restriction on debate on those Ombudsman's reports.

The ACTING PRESIDENT (Mr Eideh) — Order! There is no point of order, Mrs Peulich.

Mr LEANE — To help Mrs Peulich out, what if I just read the headings again and stick to them? They are: 'Mr Shaw's commercial use of the parliamentary vehicle — trip to Sale'; 'Southern Cross Hardware's commercial use of the parliamentary vehicle'; 'Warrnambool — February 2011'; 'Use of parliamentary fuel card to fill a Southern Cross Hardware vehicle'; 'New South Wales and country Victoria trips — May 2011'; 'South Australia and country Victoria trips — October to December 2011'; and 'Mr Shaw's role in the use of the parliamentary vehicle'. I have to turn two pages to get to the next one, which is 'Electorate office copying and printing facilities'. Finally, 'A discussion of Mr Shaw's response to my conclusions', when Mr Shaw relied on 'should not' in the vehicle plan. Let us go through all the bills that the government is going to bring in, because the word 'should' will have to be changed.

Office of Police Integrity: policing people who appear to be mentally ill

Mr O'BRIEN (Western Victoria) — In the time available I wish to comment on the report of the Office of Police Integrity entitled *Policing People Who Appear to be Mentally Ill*. This is a very important issue in the community and a very difficult one for those police officers who, as part of their very important service to the people of Victoria, have to confront people who are mentally ill. Some of the data in the report, which I urge members to read, includes that:

... police in Victoria report that in any average week they regularly come into contact with people who appear to have a mental illness. Fifty per cent of police reported this occurs one to two times a week, with more than a third of police reporting between 3 and 10 encounters. As well as occurring frequently these interactions are often time consuming in nature.

The report addresses the various issues that have existed in mental health since deinstitutionalisation and the passage of the Mental Health Act 1986. I commend the Minister for Mental Health, Ms Wooldridge, on a very detailed outline of policy reforms to the Mental Health Act, which include as clear features:

a focus on minimising the duration of compulsory treatment and ensuring that, where compulsory treatment is provided, it is done in the least restrictive and least intrusive manner possible;

a shared decision-making model in which all patients are presumed to have the capacity to make decisions about their own treatment ...

provisions to allow patients to make an 'advance statement' to record their treatment preferences in the event that they become unwell and require compulsory treatment; and ...

increased safeguards and oversight of services to protect the rights and dignity of people with a mental illness, including the establishment of a new mental health tribunal and a mental health complaints commissioner.

This is a very serious issue, as I said. The report outlines and in fact provides a positive endorsement of the extensive work that Victoria Police has done to enhance general education and training in responding to people who appear to be mentally ill and to give consideration to specialised training.

Business interrupted pursuant to sessional orders.

ADJOURNMENT

The DEPUTY PRESIDENT — Order! The question is:

That the house do now adjourn.

**South Yarra Public Tenants Association:
Russian interpreting service**

Mr LENDERS (Southern Metropolitan) — The matter I raise on the adjournment tonight is for the attention of the Minister for Community Services, Mary Wooldridge. It relates to a promise made by the member for Prahran, Clem Newton-Brown. Prior to the last election Mr Newton-Brown told a community gathering organised by the Russian Jewish Women of Victoria that he would provide any help needed if he was elected. I have a letter here from the association on that matter.

Two years later, an initiative of the South Yarra Public Tenants Association — that being a Russian interpreting service — has come to the end of its funding. The South Yarra Public Tenants Association has asked for Mr Newton-Brown to keep his promise. There is no more money to pay an interpreter, and they need a new source of funding. The interpreter service assists residents in filling in various application forms, dealing with health providers and insurers, Centrelink, community services as well as Veterans' Affairs and pension applications, for example. They are also able to translate information on packages and letters from English into Russian and vice versa.

The action I seek is that in the absence of the promised assistance from the now member for Prahran, Clem Newton-Brown, the minister visit the South Yarra Public Tenants Association and discuss how she can assist the association to keep its interpreting service operating as promised by Mr Newton-Brown.

Tourism: Woodlands Park

Mr FINN (Western Metropolitan) — I raise a matter for the attention of the Minister for Tourism and Major Events. It concerns a matter which is close to the hearts of those who live around and who are employed at Melbourne Airport. Across the road from Melbourne Airport is Woodlands Park, and within that park there has been an increasing population of kangaroos over recent times due, firstly, to the drought. Now that the drought has broken and we have had significant rain, there is plentiful food, so there are huge numbers of kangaroos roaming through the park and getting onto the roads. There has been considerable concern expressed about the numbers of kangaroos in the area,

particularly by people who have been driving cars that have struck kangaroos. Kangaroos can make a very nasty mess of your car, and kangaroos usually come off second best.

My matter this evening concerns the possibility of establishing some sort of access from the airport to the park so that visitors to the airport can go over the road in a safe manner and see kangaroos in their natural habitat. As we know, tourists from overseas, particularly from Asian countries, come to Australia mainly to see our wildlife. I believe it would be a major attraction for Melbourne if we had a park with kangaroos next to Melbourne Airport so people flying in can see them when they first arrive and before they do anything else. Perhaps we could offset the costs by setting up an eatery or a kiosk of some sort.

We already have the best airport in Australia, and such a facility could only add to it. The prospect of selling Melbourne overseas as the place where you can fly in and head across the road and have lunch with a kangaroo could be very appealing to millions of people, particularly those to our north who are considering where they might spend their vacation.

I ask the Minister for Tourism and Major Events to take what I have said into consideration and conduct an examination of the feasibility of this idea, including discussions, with the Minister for Environment and Climate Change with a view to putting forward a plan which may see this very appealing proposition come to fruition.

Hospitals: graduate positions

Mr JENNINGS (South Eastern Metropolitan) — My adjournment matter this evening is for the attention of the Minister for Health. Earlier today in question time the Minister for Health reminded us of the leadership role the Victorian government plays in setting the pooled funding arrangements for health in Victoria which are to be matched by the commonwealth. He then took the issue on a different trajectory and complained about the commonwealth withdrawing funding, ignoring the fact that the government of Victoria had reduced funding for health.

The matter I want him to address at the earliest opportunity is the Victorian government's reduction in funding for the provision of training opportunities within the Victorian hospital system, particularly relating to nurse graduate positions and medical intern positions within our hospitals. If people look at page 125 of budget paper 3, they will see that this year's allocation by the Victorian government has been

reduced from the previous year's expenditure; this year it is \$313 million, whereas the year before it was \$324 million. Significantly, the number of graduate nursing positions has reduced from the actual outcome of 2010–11 and 2011–12. The target figure for this year is lower than those outcomes. The number of medical graduate positions that are available within Victorian hospitals has been reduced, and similarly the target figure for this year.

I also draw attention to the human consequences of this. I draw the attention of the minister to some correspondence I have received from an international medical graduate of Monash University, Haris Noor, who identifies that in 2012 he is a graduate and has failed to secure an internship within the Victorian hospital system. He draws attention to the fact that governments in other jurisdictions across the country — Queensland, the Australian Capital Territory, Western Australia and the Northern Territory — have reached an agreement with the commonwealth to fund additional intern places across the nation, but the Victorian government has singularly failed following its reduction in funding available in the budget.

Mrs Peulich interjected.

Mr JENNINGS — If the member had listened to my contribution, she would have heard me identify how the Victorian government has reduced the allocation for medical graduate positions within public hospitals. I have encouraged the Victorian minister to lift his game, to find the funds and to find an agreement with the commonwealth to improve the opportunities for nursing positions and interns, particularly international interns, to ensure that they can achieve the result they seek and complete their contribution to the Australian community.

Wind farms: Woodend

Mrs PETROVICH (Northern Victoria) — My adjournment matter is for the Minister for Planning and relates to the placement of wind farms in the Macedon Ranges. The Woodend Sustainability Group recently produced data investigating the economic and environmental viability of a community wind farm on Black Forest Drive. The data was collected over a six-month period at the Black Forest mill site and indicated that with no site specified the report was inconclusive and that it was difficult to draw any further conclusions around the suitability of this proposed facility. Funding provided for the study was from Sustainability Victoria, and as part of the previous Labor government's push for wind energy products \$50 000 was allocated.

The previous Labor government had a planning policy which gave little say to local communities and local councils, and in many parts of the state wind farms were built without consultation and subsequently divided communities.

In 2011 Matthew Guy, the Minister for Planning in the Baillieu government — —

Mr Finn — A damn fine minister.

Mrs PETROVICH — A very fine minister, Mr Finn. He announced that the Macedon Ranges was a no-go zone for wind turbines in light of the view lines and the protection of biodiversity and topography of the region. The policy provided certainty to communities and a clear direction on planning for these facilities. The risk of fire in the Black Forest area, the greater Macedon Ranges area and Woodend is of great concern, and there is growing evidence of the combustibility of wind facilities. The topography in the area of the WISE (Woodend Integrated Sustainable Energy) wind farm is a potential fire hazard to the local community and has the potential to endanger the lives of those living in the Macedon area, the Black Forest area, Woodend and Mount Macedon. With the horror of Black Saturday and Ash Wednesday etched into the memory of those within the community, the risk of fire is very real for the people of Macedon Ranges.

Considering the sorts of risks that wind turbines can present in an area that has a wildfire management overlay, this campaign is nothing short of irresponsible. I will always err on the side of caution, and I feel it is a selfish ideology that is prepared to put others at risk. RMIT University professor Dr Sean MacDermott has recently stated that more research needs to be undertaken into the effects of sound produced by wind turbines on residents living in close proximity. It is clear more work needs to be done.

Unfortunately the \$50 000 allocated by Labor has produced no conclusive results, and in spite of this WISE president Barry Mann and other members of the WISE group cling to the hope of a change of government to get their wind farm built in a wildfire management overlay. I would urge the community of Woodend, Macedon and Mount Macedon to ensure that Barry Mann and WISE do not get their wish and place others at risk.

I would like to commend the planning minister — —

The PRESIDENT — Order! What is crucial in terms of a contribution to the adjournment debate, as members would know, is that it should not be a setpiece speech, and I am concerned that this is pretty close to a

setpiece speech insomuch as Mrs Petrovich's adjournment matter is now a message to the residents of Woodend rather than a request for action by a minister.

Mrs PETROVICH — I am just about to go to the action.

The PRESIDENT — Yes. I notice also that the minister Mrs Petrovich referred to earlier is actually in the chamber, and if it were not a setpiece speech, I dare say she would have said that she was glad to see the minister here, because he has made this decision. I am obviously going to allow Mrs Petrovich to proceed tonight, but there have been a number of occasions in the last few nights where in my view there have been setpiece speeches rather than the conformity that we expect in the adjournment debate. When we start talking about what residents should do that is clearly a message to the residents rather than a request of a minister. Other members might also bear in mind the form of adjournment items.

Mrs PETROVICH — I am actually pleased to see that the minister concerned is in the chamber, and the action I seek is that he ensure that this policy continue to protect the Macedon Ranges. I would like to commend him on his decision to prohibit wind farms in the Macedon Ranges through the introduction of VC 82, which protects landscape values and biodiversity and reduces fire risk for residents in the Macedon Ranges.

Gay, lesbian, bisexual, transgender and intersex community: health ministerial advisory committee

Ms PULFORD (Western Victoria) — The matter I seek to raise in the adjournment debate this evening is for the attention of the Minister for Health, Mr Davis, and it relates to the government's commitment to establish a new gay, lesbian, bisexual, transgender and intersex health ministerial advisory committee. This is another example of the slow-moving creature that is the Baillieu government. Two years into this term —

An honourable member interjected.

Ms PULFORD — And one day. I should not forget that one day; some of them go pretty slowly and painfully. Two years into this term the government has not appointed members to this committee. I note that there is some opposition to this committee from some government MPs. An article in the *Sunday Age* of 6 May this year quotes a senior MP as saying:

I don't see what used to be known as 'poofter bashing' happening and I don't see overt discrimination. It's unnecessary. You don't need a committee for everything.

This stands in contrast with Mr Davis's stated views on this. The same article reports that Mr Davis indicated that the government is:

... considering 'different testing approaches' for HIV — including the prospect of 'rapid' testing, which would allow people to get their results within 30 minutes, rather than having to wait weeks.

The article states that he went on to say:

We are closely looking at what sort of trial might work. We're aware of some of the international approaches, and this would be a useful point for the ministerial advisory committee to give some direct advice on.

So even though there is some opposition within the government to establishing such a committee, it would appear that the minister is supportive and probably needs to get his skates on in terms of these appointments. Applications closed in April this year, a long time after the election, and it is probably high time that the government moved on this. The health minister by his own admission says this committee has important work to do.

The government was very quick to rule out a conscience vote for government MPs on any marriage equality legislation in this Parliament and was very quick to act to repeal equal opportunity provisions. It would be nice if it applied the same kind of urgency to appointing this committee, and I request that the minister appoint and convene this committee as a matter of urgency.

Budget: gaming licences

Mr O'DONOHUE (Eastern Victoria) — I raise a matter for the attention of the Minister for Gaming, Mr O'Brien. It flows from the Auditor-General's *Allocation of Electronic Gaming Machine Entitlements* report of June 2011. The issue I seek specific advice from the minister about relates to the findings of the report, including the loss of revenue and how it relates to the current budgetary environment and the forward estimates period. I will give some more detail.

Page viii of the audit summary of the report states:

The revenue obtained from the sale of the entitlements was around \$3 billion less than the assessed fair market value of these assets.

The Auditor-General goes on to say:

Large venue operators, rather than the community, are the beneficiaries of this windfall gain.

On page ix the report states:

DPC and DTF —

that is, the Department of Premier and Cabinet and the Department of Treasury and Finance —

appropriately raised concerns on the merits of proceeding with the auction with their respective ministers. However, no formal review was undertaken.

The Treasurer at the time, now the Leader of the Opposition in this place, as the lead minister in the Department of Treasury and Finance in effect had carriage of this issue rather than the then Minister for Gaming, Mr Robinson — at least that is what the papers were saying at the time. But of course the Auditor-General does not quantify this \$3 billion loss into an annual figure, including whether there were revenue consequences in the early years which were mitigated in later years, or whether it is the reverse. What I seek from the Minister for Gaming, the minister who oversees electronic gaming machines, is a better understanding of the budgetary impacts of this gross negligence and this gross mismanagement of the auction process of the electronic gaming machine licences.

Ms Pulford interjected.

Mr O'DONOHUE — I pick up Ms Pulford's interjection. I know in the adjournment debate we are not supposed to, but this is a significant issue. The Auditor-General has said that people like Ms Pulford, who was a part of the previous government, forwent \$3 billion-worth of revenue, and I am asking a legitimate question of the Minister for Gaming, which is: what is the impact on the Victorian budget and the forward estimates? Is the weighting of this \$3 billion that members of the Labor Party let slip through their hands in this budget, the next budget or in the forward estimates period? That is the action I am seeking from the minister.

The PRESIDENT — Order! I will allow that to stand, but I do have concerns about the item Mr O'Donohue has raised in the context that it is hypothetical. What happened happened, and Mr O'Donohue is asking the minister for a hypothetical projection of what might have been had a larger sum of money been available to the state. I think that is probably asking the minister for an answer to something that I am not sure is a responsible process in terms of an adjournment item, but I will let it stand. The minister can make his decision, but I am concerned about our starting to go to hypotheticals in the adjournment debate.

Department of Education and Early Childhood Development: Moe regional office

Mr VINEY (Eastern Victoria) — I raise a matter for the attention of the Minister for Higher Education and Skills, Mr Hall, in his capacity as the coordinating minister for the Department of Education and Early Childhood Development. My matter relates to the proposed substantial staff reductions that are to occur in the DEECD regional office in Moe in my electorate. As I understand it, this office has about 70 staff, and these staff provide essential services to schools throughout my electorate. Staff at the office provide such programs as Reading Recovery in schools, disability support services for children and families, educational psychologists and counsellors, and support for school principals through the principals support program.

I note the government has said its sustainable government initiative requires these reductions, but the government has also said that it is exempting front-line services from those cuts. I find it difficult to understand how programs like Reading Recovery, disability support and psychology and counselling programs are not front-line services; nevertheless, this appears to be the decision. I understand that Mr Hall has said in media reports that there will be cuts of only about 18 staff, which is about 35 per cent of the total number of staff at the Moe office. Mr Hall has also said that the cuts would be only around 10 per cent. The action I seek is for the minister to explain to me and the community how these services will be delivered if those extensive cuts to that regional office are to occur? How will the government deliver Reading Recovery programs, disability support, psychology and counselling, and principal support if those staff are cut?

I note that the government has defined ministerial drivers as performing front-line services and therefore exempt from the cuts, but apparently people providing these essential programs to kids with a disability and children who need extra support in our education system are not providing front-line services. I would like the minister to explain how those services will be delivered.

Planning: Northern Metropolitan Region

Mr ONDARCHIE (Northern Metropolitan) — My adjournment matter is for my good friend and colleague the Minister for Planning, the Honourable Matthew Guy, and I am delighted he is in the chamber to hear my request.

My matter relates to my electorate of Northern Metropolitan Region, and I suspect to other electorates

as well, but particularly to suburbs like Doreen, Mernda, Epping and Epping North, as well as developments like Aurora and Lyndarum, and suburbs like Laurimar and South Morang. It goes to the lack of forward planning and lack of infrastructure that occurs in those suburbs. To a degree, one of the reasons I sought to undertake this role as a member of Parliament is that I live in that area, and communities for a long time have been saying to me that they have been left stranded by the lack of forward planning and infrastructure.

My matter is around issues like transport, population growth and working together across government to ensure that we develop appropriate mechanisms to support Victorians within the scale of new developments. Just like last week's announcement of a possible third runway at Tullamarine airport and the development of a new suburb in Melbourne's west, which I know Mr Elsbury and Mr Finn are delighted about, and other developments in the north, a considerable amount of discussion has been created relating to the legacy of the previous government with lack of public transport, education and health et cetera in these suburbs.

I ask the minister to inform my constituents in Northern Metropolitan Region, and I suspect other electorates as well, how his department engages in a consultative process with the Department of Infrastructure — and with VicRoads, and the departments of education, health, community services and a range of other departments — to assure the people of Victoria that as a government we are working together to ensure that we do not make the mistakes of the Bracks-Brumby-Lenders governments.

Manufacturing: government policy

Mr SOMYUREK (South Eastern Metropolitan) — I raise a matter for the attention of the Minister for Manufacturing, Exports and Trade, the Honourable Richard Dalla-Riva, concerning the failure of the government to implement its manufacturing statement policy commitments one year after the release of the manufacturing statement. The government committed to forming a manufacturing council to oversee and give strategic advice on the implementation of the government's manufacturing statement or manufacturing policy.

As of last week, almost a year on, the manufacturing council had yet to convene — that is, the manufacturing council was about 300 days overdue. When you consider that this was also an election commitment, the manufacturing council is about 730 days overdue.

When you consider that on paper the manufacturing council has a critical role in the implementation process of the government's manufacturing statement, you wonder whether the council is actually going to be what the government has talked it up to be, since it is yet to meet. Any rational person would have thought that this body, which was meant to be overseeing the implementation process of the government's manufacturing policy, would have been the first to be implemented.

Today in question time the minister confessed that the government has not implemented another of its policy commitments from last year — that is, the commitment to reforming the Victorian industry participation policy (VIPP) to improve strengthening, reporting and monitoring measures. VIPP is a critical tool for job creation in Victoria. Thus it is very disappointing to industry, to me and to all stakeholders — everyone associated with the Victorian manufacturing sector — that the government has still not announced VIPP reforms. The 2011–12 VIPP annual report indicates that the VIPP reforms will be released by mid-2013. That is just not good enough.

I request that the minister outline to the house the policy commitments contained in the manufacturing statement, which are yet to be implemented by the government.

Students: education conveyance allowance

Ms DARVENIZA (Northern Victoria) — I wish to raise a matter for the Minister for Education, Martin Dixon. The matter I raise concerns the changes that have been made by this government to the education conveyance allowance.

I recently received an email from John Giffard, the business manager at St Mary of the Angels Secondary College in Nathalia, outlining the school's deep concerns over the changes to the conveyance allowance. St Mary of the Angels Secondary College is situated in a low socioeconomic part of the state with a socioeconomic status score of only 91. The school operates a fleet of 11 buses, which cover an area of approximately 4000 square kilometres, and currently has a student population of 460, but it has 530 enrolments for 2013.

At the moment 305 of St Mary's students are eligible to claim some level of conveyance allowance. St Mary's has calculated that only 66 of those 305 students will meet the new requirements. The eligibility criteria for the conveyance allowance has become very confusing within the Department of Education and Early

Childhood Development. It lists 29 individual pension or health-care cards that are eligible. Further problems exist when students move to a youth allowance at age 16 and are paid directly instead of the allowance being paid to the school.

In Nathalia there are no trains, trams or taxis to ferry students to and from school. The only form of public transport the school has access to is a V/Line bus that runs from Barmah to Melbourne via Nathalia and Shepparton at 6.10 a.m. Another bus runs at 12.10 p.m. Neither of those two buses run anywhere near the school's collection areas of Numurkah, Cobram and Invergordon.

I have a very specific request of the minister, and that is that he immediately remove the means test criteria for the conveyance allowance for students at St Mary of the Angels Secondary College in Nathalia. In 2013, with the increased enrolments, the college will provide over 70 jobs in Nathalia. These changes to the conveyance allowance guidelines will reduce support for parents and may see a significant change to enrolments, which will put this college under extreme financial pressure. The school informs me that without the school buses its enrolments would be cut so severely that it would become non-viable. St Mary's Nathalia is just another example of the many schools in rural and regional Victoria that are feeling let down by a government which treats education as such a low priority.

Pinewood Primary School: redevelopment

Mr TARLAMIS (South Eastern Metropolitan) — The matter I raise tonight is for the Minister for Education and relates to Pinewood Primary School in Mount Waverley. I ask the minister to advise when he will act on his government's promise to build a new school at Pinewood Primary School, which was estimated two years ago to cost \$4.5 million. Pinewood Primary School has been described by Mr Gidley, the Assembly member for Waverley — I mean the member for Mount Waverley; I apologise, I was confused by the member's website where he names his electorate as Waverley — as desperately needing redevelopment. Both the minister and the local member would be aware of the deteriorating condition of the school.

Mr Finn — On a point of order, Deputy President, you have constantly warned members against preset speeches, as has the President. The current speaker, Mr Tarlamis, has such a preset speech that even his mistakes are preset. I ask that you address the matter as a matter of consistency.

The DEPUTY PRESIDENT — Order! I do not think the member needs to be interrupted by those kinds of points of order. I call Mr Tarlamis.

Mr TARLAMIS — Mr Gidley also stated that as a result the school community has had to put up with mould, leaking roofs and completely inadequate teaching facilities. The state Liberal government could end this neglect by providing — —

Mr Finn interjected.

The DEPUTY PRESIDENT — Order! Even by interjection it is inappropriate to question the Deputy President's ruling. Mr Finn will desist.

Mr TARLAMIS — Mr Gidley said that a Liberal government would end this neglect by providing \$4.5 million to undertake this major rebuild. This was what the coalition and Mr Gidley put forward before the last election — a promise that was described as 'a priority'. It has now been two years and one day, and the school is yet to receive one dollar to fulfil this promise.

The member for Mount Waverley has surely been to the minister's office on many occasions to lobby for the money, but even if he had not, the minister would already be aware of these facts and the need to act on this issue. I know this because the minister has spoken on it before. The Minister for Education himself, as the shadow minister, was quoted in 2006 in an article in the *Age* about school maintenance which mentioned issues at Pinewood Primary School as having said:

Maintenance should be one of the key roles of government.

Having said that and having known about the issues for six years, it is surprising that the minister has not yet acted on the issue. It seems that it was a priority while he was in opposition but it is not now that he is in government. The school community deserves to know if this actually still is a priority for the government and the local member. If they are still committed to delivering it, when that will be?

These are genuine concerns, given the government's failure to act since being elected two years and one day ago. I would urge the minister to make this a priority as the students have already been waiting for a long time. In fact, the students who were in prep at the time the minister first raised these matters are now about to graduate from the school. Unfortunately I do not think they will be too pleased with the rest of the education system when they move on to secondary college. In closing, I would ask the minister not just to provide the community with the reassurances it deserves but to

actually get on with the job of allocating the money in the budget for Pinewood primary and build the school. I think that is the least the government could do.

Planning: wind farms

Mr BARBER (Northern Metropolitan) — My adjournment matter is for the attention of the Minister for Planning, Mr Guy. Earlier tonight I heard another member on the adjournment put to the minister the completely unproven assertion that since wind turbines are a major source of ignition, given that a particular proposal is coming forward in an area that is under a wildfire management overlay, he should use planning controls to rule out a wind farm in that area on the basis of its fire risk.

In the Macedon Ranges shire in a given year there are around 100 different ignitions. I do not have any data as to the source of those ignitions, but across Victoria around 16 per cent of ignitions are caused by agricultural activities, around 10 per cent are from campfires, 7 per cent from cigarettes and matches, 3 per cent from machinery exhausts, 2 per cent from planned burn escapes and 1 per cent from public utilities. I am not sure whether the minister is planning to use land use controls to control these sorts of activities or possibly to ban them from the Macedon Ranges shire, or any other area, but if he is inclined to accede to Mrs Petrovich's request, I would like him to consider, in the same vein, the possible use of the wildfire management overlay or any other planning instrument as a tool to ban typical land use management activities that may under some circumstances lead to the ignition of fires.

Alternatively, in relation to those sorts of activities and the fire risks associated with them, for example, haystack fires, tractors out in paddocks — after all, wind turbines are just great big tractors on stilts; they are electromechanical engines, although very valuable ones, so not the sort of thing people like to see catch fire too regularly — the minister may form the view that the appropriate instruments to determine fire ignition risk are the existing suite of Country Fire Authority and emergency management laws and the plans that come out of those. Can the minister inform me what his determination in this area is?

The DEPUTY PRESIDENT — Order! Whilst on this occasion Mr Barber's adjournment matter will be ruled in order, the adjournment debate is an opportunity to raise a matter for the attention of the minister. It is not an opportunity, other than perhaps in passing, for a rebuttal of a matter raised by another member, which was really the substance of Mr Barber's adjournment matter. He did, I think, raise some issues that the

minister can respond to, but perhaps in the future we will try to keep some order. If a member wishes to rebut a matter raised by another member, there are other means by which they can do it.

Taxis: industry inquiry

Mr LEANE (Eastern Metropolitan) — My adjournment matter is for the Minister for Public Transport, and it involves the concerns of taxi owner-driver Aleksander Idel, who is from Glen Waverley. Mr Idel wrote to the minister on 30 June 2012, and I am pretty sure that letter was receipted by the minister at the time, so the minister will have contact details for Mr Idel. I spoke to his wife, Elena, recently about their concerns about how the government's response to the Fels taxi inquiry may affect them.

The family immigrated from Europe in 1989. Mr Idel has a tertiary degree from Europe in biology and a wealth of experience working in European national parks and zoos, but unfortunately when he came to this country his accreditation was not accepted, so he invested in his own taxi, and he has been working day and night since 1989. He was hoping to retire in the middle of this year, but the review, which is on track, has put everything on hold as far as the sale of taxi licences goes. The real concern is that the Idels will not be able to achieve their goals after working so hard if the review adversely affects their ability to sell their taxi licence for some degree of what it is worth.

I know the minister is a busy man, so the action I seek is that he, or one of his high-ranking advisers, organise a meeting with Mr and Mrs Idel to deal with the issue and their concerns firsthand. It is a complex issue, I know, but these people are very concerned about where their lives are heading because of this issue. It would be much appreciated if they could get that hearing.

Responses

Hon. M. J. GUY (Minister for Planning) — Mr Lenders raised an issue for the Minister for Community Services, Ms Wooldridge, in relation to the South Yarra Public Tenants Association and a Russian interpreter. Without breaking back into Ukrainian I could say something to Mr Lenders, and offer to do some interpreting work for him in his office. However, I will not do that. Instead, I will refer the matter to the minister for her response.

Mr Finn raised an issue for the Minister for Tourism and Major Events, Ms Asher, in relation to kangaroos

gaining access to a park near Melbourne Airport. I will have Ms Asher respond to Mr Finn's interesting matter.

Mr Finn — Hop to it.

Hon. M. J. GUY — She will hop to it, indeed.

Mr Jennings raised a matter for the Minister for Health, Mr Davis, in relation to training opportunities for nurses and graduate positions in Victorian hospitals. I will have Mr Davis respond to the member's request.

Mrs Petrovich raised an issue for me in relation to wind farms in the Macedon Ranges. While I will give her a written reply, I will also make a couple of points. The Victoria planning provision amendments which this government brought in in relation to wind farms have certainly brought certainty and fairness back into the planning scheme when it comes to putting very large facilities in and around existing residential areas. Indeed the most important thing about the Baillieu government's reforms to wind turbines is that it has made councils the responsible authority for all wind developments across the state. This was a vast change from the previous government, under which ministerial intervention — in fact it was not even intervention; it was a ministerial decision — was the responsible authority in terms of wind farm developments.

Under the previous government a raft of wind farms were approved by the Governor in Council. The last one was approved just before the last election. In relation to the turbines that were approved at that time, there was no community feedback, there was no community participation in relation to the facilities being put in and there were no permit requirements to upgrade some of the roads, which was an issue Mr O'Donohue correctly raised; those issues were not considered. The permits were simply approved by the then Minister for Planning and now member for Essendon in the Assembly, Justin Madden, during the twilight of the last government. This government has reformed the process so that councils have the first say on an application, and of course it has put in place a 2-kilometre buffer zone. We have also put in place no-go areas across the state. I think those are all working well. I will also give Mrs Petrovich a formal response.

Ms Pulford raised an issue for the Minister for Health, Mr Davis, in relation to the ministerial advisory committee on gay, lesbian, bisexual, transgender and intersex health and wellbeing. I will have Mr Davis respond to her matter.

Mr O'Donohue raised an interesting matter for the Minister for Gaming, Mr O'Brien, in relation to the loss

of gaming revenues as a result of a previous government decision in relation to licensing. I will have Mr O'Brien respond to that.

Mr Viney, when he was not in the chair, raised a matter for the Minister for Higher Education and Skills, Mr Hall, in relation to the education regional office in Moe. I will have the minister respond to Mr Viney.

Mr Ondarchie, my Liberal colleague in Northern Metropolitan Region, raised a matter for me, and while I will give him a formal response, I will also make some comments on it. The matter related to the provision of infrastructure in the northern part of our electorate and the southern part of Mrs Petrovich's electorate of Northern Victoria Region. In particular I refer to the northern growth corridor, including Laurimar, Doreen and Mernda, and also further north into places such as Wallan, Donnybrook and some of the other areas in the northern growth corridor. There is a lack of infrastructure and forward planning for some of those areas.

As members in this chamber may be aware, the government has brought forward a rewrite of the metropolitan planning strategy, which we believe is going to be integral to the delivery of some of those services well into the future. Importantly, we have made some changes before the delivery of the metropolitan planning strategy in relation to the delivery of works in kind, so that a developer who has a tax bill or tax liability of some tens of millions of dollars in many instances can use that as an offset to pay for a piece of state infrastructure, be it a diamond interchange, be it a new railway station or indeed be it a school.

Mr O'Donohue interjected.

Hon. M. J. GUY — This government believes it can address — while not providing a silver bullet solution — a number of infrastructure concerns and pressures in some of our outer urban areas sooner than would normally be the case.

By way of interjection Mr O'Donohue raised a very important point, and that is that the opposition opposed the work-in-kind changes at every stage. The growth areas infrastructure contribution has been removed from schools, so their first contact in growth areas will not be with the government via a tax bill, as was the case under the previous regime; it will in fact be a letter of ability to move forward and allow schools to be built earlier.

The former Treasurer, Mr Lenders, is leaving the chamber. He was responsible for billing schools

\$1.25 million, which would have been their first contact with the previous government, as opposed to the arrangement under this government where they will receive encouragement to build their facilities rather than being taxed. It is a marked difference. I also indicate in summary that this government has put more than \$250 million into brand-new V/Line rail carriages to serve areas such as Wallan and Donnybrook.

Mr Somyurek raised a matter for the Minister for Manufacturing, Exports and Trade, Mr Dalla-Riva, in relation to a manufacturing statement. It is nice to see Mr Somyurek. He was on a sabbatical for about seven months. This side of the house looks forward to him, as one of the young turks of the frontbench, coming back. Some of his tired old colleagues are actually making way for people like him who deserve to ask some questions and raise matters on the adjournment. I will have Mr Dalla-Riva respond to the matter Mr Somyurek has raised tonight.

Mr Somyurek — You are very kind.

Hon. M. J. GUY — I am always kind to Mr Somyurek. I enjoy being quite generous to him.

Ms Darveniza raised a matter for the Minister for Education, Mr Dixon, in relation to the education conveyance allowance. I will have him respond to that.

Mr Tarlamis also raised a matter for Mr Dixon. In doing so he made some interesting comments about the lower house member for Mount Waverley, Mr Gidley, who is a fine member doing an excellent job.

Mr Jennings interjected.

Hon. M. J. GUY — That might be comedy at Trades Hall for Mr Jennings, but I would simply say — —

The DEPUTY PRESIDENT — Order! We were doing very well. We were nearly there. I would like members to cease interjecting, and I say to the minister that he is in fact provoking some interjection by making comments on members on the other side. If the minister is going to conclude his responses in the next couple of minutes, then perhaps we should try to keep some order.

Hon. M. J. GUY — I thank the Deputy President for his guidance. I always respond to his guidance. Indeed I would simply say that the member for Mount Waverley is a fine member, and he lives in his electorate, which is very rare amongst some of the members of the upper house.

Mr Tarlamis in his laminated, preset speech, which I was going to ask to be tabled, raised some issues for the Minister for Education in relation to Pinewood Primary School in Mount Waverley. I will have the Minister for Education respond to that matter.

Mr Barber raised a curious adjournment matter. It seemed to be more of a response to Mrs Petrovich's adjournment matter. She should take credit for it and get a bit of a pat on the back for provoking the Greens — job well done. Mrs Petrovich raised a point about wind farms, and Mr Barber felt that he would like to raise a point in relation to wind farms. The Deputy President also made some comments. I note that Mr Barber in the past has made comments such as, 'The noise of a wind farm is no different to the noise in an office'. That is an interesting point. If Mr Barber lived in Mortlake South, I am sure that at 2 o'clock on a Sunday morning he would want to have the noise of an office in the background. The government has made some changes to wind farm legislation — —

Mr Barber interjected.

Hon. M. J. GUY — A cure for the Australian Greens is themselves; they are doing a very good job of losing every seat they have. Indeed we made changes to wind farm legislation. We stand by them. I will respond to the matter that Mr Barber raised.

Mr Leane raised a matter for the Minister for Public Transport, Mr Mulder, in relation to taxidriver concerns. It is always good to finish on a matter raised by Mr Leane. I will have Mr Mulder respond to those concerns.

There are no written responses to be tabled.

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

House adjourned at 7.20 p.m.

