

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

Wednesday, 8 May 2013

(Extract from book 6)

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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 (from 22 April 2013)

Premier, Minister for Regional Cities and Minister for Racing	The Hon. D. V. Napthine, MP
Deputy Premier, Minister for State Development, and Minister for Regional and Rural Development	The Hon. P. J. Ryan, MP
Treasurer	The Hon. M. A. O'Brien, MP
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Minister for Housing, and Minister for Children and Early Childhood Development	The Hon. W. A. Lovell, MLC
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Minister for Liquor and Gaming Regulation, Minister for Corrections and Minister for Crime Prevention	The Hon. E. J. O'Donohue, MLC
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 the Arts, Minister for Women's Affairs and Minister for Consumer Affairs	The Hon. H. Victoria, MP
Minister for Agriculture and Food Security, and Minister for Water.	The Hon. P. L. Walsh, MP
Minister for Police and Emergency Services, and Minister for Bushfire Response	The Hon. K. A. Wells, MP
Minister for Mental Health, Minister for Community Services, and Minister for Disability Services and Reform	The Hon. M. L. N. Wooldridge, MP
Cabinet Secretary	Mr N. Wakeling, 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, Mrs Coote, #Ms Crozier, Mr Drum, Mr Finn, #Ms Hartland, #Mr Leane, Mr Lenders, Mr Melhem, #Mr Ondarchie, Ms Pulford and Mr Ramsay.

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

Environment and Planning Legislation Committee — Mr Dalla-Riva, 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 Dalla-Riva, 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, Mrs Petrovich, Mrs Peulich, #Mr Ramsay and Mr Viney.

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

Participating member

Joint committees

Accountability and Oversight Committee — (*Council*): Mr P. Davis, Mr O'Brien. (*Assembly*): Ms Kanis, Ms Richardson and Mr Wakeling.

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

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

Economic Development and Infrastructure Committee — (*Council*): Mrs Peulich. (*Assembly*): Mr Burgess, Mr 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, Mrs Peulich, Mr Somyurek and Mr Tarlamis. (*Assembly*): Ms Ryall.

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.

Independent Broad-based Anti-corruption Commission Committee — (*Council*): Mr Koch and Mr Viney. (*Assembly*): Ms Hennessy, Mr Newton-Brown 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 O'Brien and Mr Ondarchie. (*Assembly*): Mr Angus, Ms Hennessey, Mr Morris, Mr Pakula 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 Dalla-Riva. (*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

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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	Lenders, Mr John	Southern Metropolitan	ALP
Barber, Mr Gregory John	Northern Metropolitan	Greens	Lovell, Hon. Wendy Ann	Northern Victoria	LP
Broad, Ms Candy Celeste	Northern Victoria	ALP	Melhem, Mr Cesar ²	Western Metropolitan	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 ¹	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
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP			

¹ Resigned 26 March 2013

² Appointed 8 May 2013

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Wednesday, 8 May 2013

The PRESIDENT (Hon. B. N. Atkinson) took the chair at 9.34 a.m. and read the prayer.

The PRESIDENT — Order! I wish to advise the house that the Economy and Infrastructure Legislation Committee, the Environment and Planning Legislation Committee and the Legal and Social Issues Legislation Committee will all be meeting this day following the conclusion of the sitting of the Council. I take this opportunity to remind members to check the running sheet for today. We will go to statements on reports and papers at 4.30 p.m. and to the adjournment debate at 5.30 p.m. Then we will have the joint sitting in the Legislative Assembly at 6.15 p.m. to agree to the Labor Party's appointment of the new member for this house.

OFFICE OF THE PUBLIC ADVOCATE

Community visitors report 2011–12

Hon. W. A. LOVELL (Minister for Housing), by leave, presented government response.

Laid on table.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Financial and performance outcomes 2011–12

Mr O'BRIEN (Western Victoria) presented report, including appendices.

Laid on table.

Ordered to be printed.

Mr O'BRIEN (Western Victoria) — I move:

That the Council take note of the report.

This is one of the important reports that comes out of the Public Accounts and Estimates Committee (PAEC) in any given year. We are heading towards another period of estimates hearings, consequent upon the Treasurer's handing down of the budget yesterday. He has done a fine job, I might say, in compiling the budget since his time in office and also in making decisions about the spending priorities that are important to this state. This PAEC report relates to the 2011–12 financial and performance outcomes, and it effectively reviews what the Baillieu government, as it was then, delivered in its first full budget in 2011.

In presenting this report I would first like to place on record my thanks to and congratulations for the work of

the committee as a whole, including members who are no longer on the committee, particularly Mr Philip Davis, who was the chair at that time. I also thank the secretariat: executive officer Valerie Cheong; senior research officer Christopher Gribbin; research officers Bill Stent, Vathani Shivanandan and Kevin Chan; business support officer Melanie Hondros; and Justin Ong, the desktop publisher. I also place on record my congratulations to Mr Ondarchie, who is a fine addition to that committee. My best wishes and congratulations on the job so far, including for the compilation of this report, go to the new chair of the committee, Mr David Morris, the member for Mornington in the other place. In giving my best wishes I am particularly mindful of the estimates hearings that are coming up over the next two weeks, in which I know that Mr Morris will preside over a controlled and collegiate chairmanship of the committee with the full cooperation of all members.

In this report the government notes, firstly, the economic challenges that occurred at that time, and they are listed in the findings of the committee. The committee indicates that the government faced a number of economic challenges that reduced revenue from sources compared to expectations, including weaker national and international economic conditions, a subdued property market resulting in reduced taxes on property, lower GST revenue than expected and a variation in the national economic performance between the states, and that finding is discussed on page 12. Nevertheless, the government's operating surplus in 2011–12 was in fact \$571.2 million, which was \$430.8 million more than the budget estimate. It is important to note that in large part that \$430 million was due to the timing by the commonwealth of some specific purpose payments, while output expenditure was relatively consistent with the budget estimate.

Importantly, the committee found that the government had invested \$5.4 billion in assets in 2011–12, which again I can say incidentally is consistent with the importance that Treasurer O'Brien has placed on asset and infrastructure investment in the current budget and the commitment this coalition government places on responsible economic management, delivering surpluses that have been promised and enabling Victorians to invest in the future based on responsible fiscal management so that we can build for growth and deliver the outcomes that Victorians can afford and can expect over the long term.

There are also some recommendations made by the committee, as is its role, in terms of financial disclosures to improve the transparency and the information that is given to members of the public alike consistent with PAEC's role as an oversight committee.

Those recommendations are contained in the report and no doubt will be given due consideration by the government. I commend the committee on its work, and I commend the report to the house.

Mr ONDARCHIE (Northern Metropolitan) — I also rise to speak to the 115th report of the Public Accounts and Estimates Committee (PAEC) to this Parliament, which is about the 2011–12 financial and performance outcomes. I start by congratulating the members of the committee, which I have only recently joined, who are, from the Assembly: the member for Mornington, David Morris; the member for Lyndhurst, Martin Pakula; the member for Forest Hill, Neil Angus; the member for Altona, Jill Hennessy; the member for Preston, Robin Scott; and my colleague in this place a member for Western Victoria Region, David O'Brien. In the very short period of time I have been part of this committee, it has been an honour to work with them. I also pay tribute to my predecessor on the committee and the previous chair of PAEC, Philip Davis, not only for his stewardship of PAEC but also for his highly valued guidance and counsel to me as a brand-new member. His experience and his time in this place and at PAEC should be valued by all members here, and we should continue to seek his advice. I pay tribute to Philip Davis as a result of this report.

The report, as outlined by Mr O'Brien, found that the government's operating surplus in 2011–12 was \$571.2 million, which was \$430.8 million more than the budget estimate. That was a result of revenue being substantially higher than the budget estimate due to the timing by the commonwealth of some specific purpose payments, while output expenditure was relatively consistent with the budget estimates. The government faced a number of economic challenges which reduced its revenue from sources compared to expectations, including weaker national and international economic conditions, the subdued property market resulting in reduced taxes on property, lower GST revenue than expected and a variation in national economic performance between the states.

I pay tribute to the committee secretariat as well, as mentioned by Mr O'Brien, for the wonderful work, guidance and support it has given to me, as a new member, and to the other members of PAEC.

Motion agreed to.

PAPERS

Laid on table by Clerk:

Auditor-General's Report on Planning, Delivery and Benefits Realisation of Major Asset Investment: The Gateway Review Process, May 2013.

STANDING COMMITTEE ON LEGAL AND SOCIAL ISSUES

Membership

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

That Mr O'Donohue be discharged from the Legal and Social Issues Legislation Committee and the Legal and Social Issues References Committee and that Mrs Peulich be appointed in his place.

Motion agreed to.

MEMBERS STATEMENTS

Paramedics: education expenses

Ms PULFORD (Western Victoria) — It has come to my attention that the next class of paramedics to graduate will have to pay \$1000 above and beyond their course fees before they begin working as paramedics. Graduate paramedics have been forced to pay for their own medicals at a cost of \$300 and above, and now in addition paramedics will be forced to pay around \$700 out of their own pockets for defensive driving courses before they start working and start being paid — that is, \$1000 that many students simply cannot afford. This government does not ask our firefighters to pay for their own driver training. This government does not ask our police to pay for their own driver training. Why then should this Liberal-Nationals coalition government be asking our paramedics to pay for their own driver training? It is absurd. It is a ridiculous double standard, and frankly I find it disgusting.

To add insult to injury, these hardworking emergency service workers are the lowest paid of the three groups of emergency services workers and this government is refusing to offer a pay increase of greater than \$1 a week in their current negotiations. The Minister for Health needs to address this urgently. If he does not, he should hang his head in shame. That students are paying for their own defensive driving training before being able to commence work as paramedics is a ridiculous example of the punitive approach this government takes to our emergency services workforce.

Anzac Day: Mornington

Hon. E. J. O'DONOHUE (Minister for Liquor and Gaming Regulation) — It was a privilege on Anzac Day to be present at the ceremony in Mornington, and I congratulate Mornington RSL on its organisation of such a fantastic and moving memorial. I particularly congratulate the master of ceremonies, Mr Colin Fisher, on doing such a great job. It was terrific to see so many schools and community groups involved in the morning and to see such an enormous crowd. It was truly moving and fantastic to be a part of it.

Protective services officers: Upwey railway station

Hon. E. J. O'DONOHUE — On another matter, I was pleased that protective services officers were recently deployed at Upwey railway station. I note the support of the Upwey Township Group president, Mr Peter van Santen, in the *Ranges Trader Mail* earlier this month when he said, 'All in all, it's a win-win situation'. I agree with him. It is a fantastic development for communities from Upwey and the hills, and it has been widely welcomed by the local community.

Budget: Eastern Victoria Region

Hon. E. J. O'DONOHUE — On another matter, I am pleased to see new investments in the budget handed down yesterday by Treasurer O'Brien for the Eastern Victoria Region, including a new police station for Somerville; a refurbished and rebuilt station at Sale; new road infrastructure, including a further upgrade to Cardinia Road, Pakenham; and a range of other matters in the region.

International Workers Memorial Day

Ms PENNICUIK (Southern Metropolitan) — Each year 28 April marks International Workers Memorial Day, the global union campaign for safer and healthier work. Workers Memorial Day was started in Canada by Canadian unions in 1984 and was adopted by the international union movement in 1996. Australian unions have marked the day since 1997, when I recall participating in a candlelight ceremony at 6.00 a.m. outside WorkSafe in Latrobe Street. Unfortunately I was not able to attend International Workers Memorial Day this year, but since April last year 21 people — workers and unfortunately some bystanders — have been killed as a result of workplace accidents in Victoria. In the whole of Australia there were 374 fatalities in the year 2010–11, the most recent year for which statistics are available; however, it is

estimated the death rate when work-related diseases are added is well over 10 times that amount.

Internationally the most tragic example of the terrible dangers facing workers in their daily lives was the more than 1000 workers recently killed in Bangladesh when a building collapsed. It gives us pause to think about how the garments and other items that we purchase so cheaply can cost workers their health, safety and lives.

Queenscliff: heritage railway station

Mr KOCH (Western Victoria) — I was proud to represent the Victorian government last weekend as the Borough of Queenscliff celebrated its 150th anniversary, and I was particularly proud to join the Deputy Premier in announcing funding to upgrade the historic Queenscliff heritage railway station. The Victorian government is providing \$500 000 for a significant upgrade to the Queenscliff railway station precinct through the \$100 million Putting Locals First program, a major component of the \$1 billion Regional Growth Fund. The project will see the station restored to its original 1920s heritage condition, with a complete overhaul of its facilities. It will also include an extension of the existing platform, a new locomotive turntable, new fencing, public amenities and a barbecue and picnic area. Funding was announced to coincide with the Borough of Queenscliff's 150th anniversary celebrations, where a range of entertainment and cultural activities, including the laying of a time capsule, was enjoyed by a huge crowd of townspeople and visitors.

The Bellarine Railway is already a major tourist attraction for Queenscliff, injecting nearly \$8 million into the local economy every year while supporting 60 local jobs. This \$886 000 project will generate considerable benefits for the local community. My congratulations to the Borough of Queenscliff, which contributed \$241 000 to the project; to Bellarine Railway for providing a very generous \$40 000 cash contribution, along with \$105 000 of in-kind volunteer support; and to the more than 250 volunteers of the Bellarine Railway, along with 13 other existing user groups and their 300 participants who will benefit from this project.

Budget: manufacturing

Mr SOMYUREK (South Eastern Metropolitan) — I rise to condemn the Napthine government for the shameless disregard it has shown towards the Victorian manufacturing sector in yesterday's budget. Not only have no new initiatives in manufacturing been announced in the budget but also no additional funding

has been allocated beyond the forward estimates period. The manufacturing programs that are currently in the system are due to run out of funding in 2015–16 and the government appears not to have planned for funding to the manufacturing sector beyond that period.

The Australian Industry Group in its *Australian States Economies Outlook* report of February 2013 identified the loss of manufacturing jobs as a key risk for the Victorian economy. Based on data from the federal Department of Education, Employment and Workplace Relations, Victoria is on track to shed 33 000 manufacturing jobs by 2016–17, only a year after the manufacturing programs are due to lapse. At a time when our manufacturing sector is doing it tough, as evidenced by the closure of manufacturing businesses and the loss of thousands of manufacturing jobs, the Napthine government has effectively decided to cut the manufacturing sector loose. Under the watch of this government our state is fast losing its primacy as the manufacturing hub of the nation, as measured by employment in the manufacturing sector compared to that in New South Wales.

BAPS Shri Swaminarayan Mandir

Mr ONDARCHIE (Northern Metropolitan) — I was blessed on Sunday, 28 April, to attend the BAPS Shri Swaminarayan Mandir in Mill Park to celebrate the one-year anniversary of its grand opening in March 2012. The past year was full of various community-related activities and events for the BAPS mandir, such as the blood donation camp, the tree planting drive, the prayer assembly, the festival celebrations and the mandir open day visit. It does a wonderful job for the local community. It is a wonderful, inclusive Indian Hindu community.

It goes to show that the strong support of the Napthine coalition government, which has just announced \$26 million in the 2013–14 budget for multiculturalism — that is, for services and programs that meet the needs of Victoria's culturally and linguistically diverse communities — is being celebrated in the marketplace today. The Napthine coalition government is steadfast in its commitment to improving access to services and supporting the participation of all migrants as citizens of our state. The continued investment in our multicultural communities can only be achieved through responsible economic management, which is being delivered by the Napthine coalition government. This budget is being celebrated right across Victoria today because this is what leading Victoria and building for growth is all about.

Budget: Northern Victoria Region

Ms DARVENIZA (Northern Victoria) — Families in Northern Victoria Region who were hoping the Napthine government would deliver a budget that would create jobs and provide much-needed support for education and health services are bitter about being let down. An additional \$209 million has been slashed from the health budget, and the \$70 million education cut is risking \$4 billion of commonwealth government funding of the Gonski reforms for Victorian students. I am disappointed that apprentices will miss out on cash bonuses of up to \$500, which have assisted apprentices in purchasing tools and other equipment, and that the first home owner grant of \$7000 for those buying established homes in regional and rural areas will expire on 1 July.

This is a budget that once again increases cost of living pressures for families in northern Victoria, with car registration and other motoring taxes set to go up by 34 per cent. I am incredibly disappointed that the Liberal-Nationals government neglected northern Victoria's hospitals, schools, roads, public transport and other essential services which desperately need funding. The budget is cold comfort to Victorians on hospital waiting lists, the tens of thousands of Victorians who have lost their jobs since the Liberals and Nationals came to power and the students who can no longer access TAFE.

Regional Victoria Living Expo

Mr O'BRIEN (Western Victoria) — On Friday, 19 April, I was pleased to attend the Regional Victoria Living Expo at the Melbourne Convention and Exhibition Centre. The expo is a key project and initiative of the Victorian government, and it demonstrates the government's commitment to promoting regional Victoria as a great place to live, work and invest. This year's expo welcomed Victorians who wanted information and advice on jobs, education, property, health and lifestyle opportunities in regional and rural Victoria. Official attendance figures show that almost 9500 people attended the event, a 15 per cent increase on the inaugural event last year, which had 8200 attendees.

Research has shown that the cost of providing critical infrastructure to support an additional 50 000 people in regional cities is \$1 billion, which compares favourably with inefficiency costs of \$3.1 billion, including carbon emissions, associated with the same number of persons being accommodated in metropolitan Melbourne.

Mr Finn interjected.

Mr O'BRIEN — I thought I would wake you up, Mr Finn! I note that many local councils, such as Southern Grampians Shire Council, host follow-up 'Come and try' days in their regions, where prospective residents can see all the attractions of living in a regional area, consistent with the government's Good Move campaign.

Gas: Avoca supply

Mr O'BRIEN — On a related topic, on Tuesday, 30 April, whilst I was attending parliamentary committee hearings, the Deputy Premier, Peter Ryan, who is also the Minister for Regional and Rural Development, accompanied by Mr Ramsay, announced that natural gas would be connected to Avoca, one of the important regional towns in the Pyrenees region of western Victoria. This is something the previous government said could not happen. This government's commitment to invest \$8.389 million in the project is a significant aspect of the Energy for the Regions program.

Ambulance Victoria: Wallan station

Ms BROAD (Northern Victoria) — Dr Napthine's first budget as Premier continues the Liberal trend of cutting from health and placing more pressure on Victoria's overwhelmed ambulance services. This is the reason the community of Wallan cannot trust Dr Napthine and the Liberals to deliver on the promised 24-hour ambulance station for Wallan. Earlier this year I drew attention to the fact that more than two years after the 2010 election the Minister for Health and the member for Seymour in the Assembly, Ms McLeish, are evidently still searching for a suitable site for an ambulance station in Wallan. In the meantime the Napthine Liberal government came up with the truly Orwellian solution of announcing that a 24-hour ambulance station for Wallan was to be located in Kilmore. Yesterday's Liberal budget by Dr Napthine did not identify any dollars for a 24-hour ambulance station in Wallan as promised. Dr Napthine and Ms McLeish need to explain to the community of Wallan where the dollars for the ambulance station are and when Wallan will get the much-needed ambulance station it was promised and absolutely deserves.

Gas: Avoca supply

Mr RAMSAY (Western Victoria) — Last week I was pleased to be able to accompany the Deputy Premier on a visit to Avoca to announce the successful tenderer, SP AusNet, for the connection of natural gas for residents in Avoca. This means people like Isabelle Holland can have access to cheap, clean, continuous heat without changing bottles, and it also provides

incentives for industrial growth in the region. I look forward to the Deputy Premier announcing further rollouts of natural gas to Bannockburn, Terang, Winchelsea and Invermay in Western Victoria Region, in line with the government's commitments, which will provide those communities with the same opportunities as Avoca will have.

Protective services officers: Melton railway station

Mr RAMSAY — This week I had the pleasure of meeting and being at the induction of the first five protective services officers (PSOs) to be deployed at the V/Line station at Melton. There is great excitement and relief that Melton now has PSOs patrolling the railway station and the car park precinct. The success of the government's initiative of providing 362 PSOs who have been deployed across 47 stations has been applauded by Victoria Police, train travellers and the broader public. Over 1400 arrests made by Victoria Police have been attributable to the work of PSOs, and the government is well on the way to completing its \$212 million investment in 940 PSOs by November 2014. As John Silvester said in the *Age* this week, it is a great success story and a win-win for all.

Fire services levy: reform

Mr RAMSAY — Another success story was the final announcement in the budget of the biggest tax reform in Victoria for decades. The fire services levy (FSL) has been reformed to make it a fairer, more equitable funding model for the Country Fire Authority and the Metropolitan Fire Brigade, with concessions for pensioners and war veterans — concessions that were not available under the old model. This is a reform that the Labor government did not have the ticker to introduce. Along with others who have been campaigning long and hard for FSL reforms, I would like to acknowledge the efforts of the previous Treasurer, Kim Wells, and past Premier, Ted Baillieu, the member for Hawthorn in the Assembly, who committed to this tax reform pre-election, and the now Premier, Denis Napthine, and Treasurer, Michael O'Brien, who have followed it through to delivery.

Budget: health initiatives

Ms CROZIER (Southern Metropolitan) — I would like to make a comment and congratulate the Napthine government on the budget it handed down yesterday. I especially congratulate the Treasurer, Michael O'Brien, who delivered a responsible budget that will ensure a growing economy, growing employment and growing surpluses that will provide for major new infrastructure. In particular I would like to congratulate the

government on its initiatives in a number of areas in health care — which I think all Victorians will benefit from — including the Monash Children's hospital, which will deliver 230 paediatric beds to services in growing populations in the south-eastern area of Melbourne and parts of south-eastern Victoria. It will also service my area of Southern Metropolitan Region, which is home to many children and parents who may need to utilise that hospital service.

In addition, there were some significant announcements, despite what the opposition has said, in relation to initiatives that will affect all Victorians, including those in northern Victoria. I remind members that Bendigo Hospital is a new, \$630 million hospital that will be built to service people in northern Victoria, which will be a huge benefit to them. In addition, \$62 million will be allocated over four years to provide for service options for Aboriginal Victorians, and \$22.2 million will be allocated over four years to provide health care for refugees and asylum seekers settling in Victoria. This is new money going into very important areas. The budget has delivered for all Victorians.

Housing: Victoria in Bloom awards

Hon. W. A. LOVELL (Minister for Housing) — I recently had the pleasure of joining one of television's best known gardeners, Vasili Kanidiadis, for the much-loved Victoria in Bloom awards. Victoria in Bloom is an initiative that recognises and rewards the very best gardeners in social housing, both public and community. Vasili was on hand to see the awards handed out and to share gardening tips with some very excited nominees and winners. During this wonderful event at the Royal Botanic Gardens Marj Sullivan from Shepparton won the overall award for the year — the 75th Anniversary of Public Housing award — for her significant contribution to gardening. Upon visiting Marj's garden later in the week it was easy for me to see that she is a worthy winner of this award.

Shepparton: work and learning centre

Hon. W. A. LOVELL — On 24 April I was delighted to officially open the new Shepparton work and learning centre. The function was held at Mooroopna, where a special training centre has been set up in a social housing building with equipment supplied by a range of businesses. This partnership between the Brotherhood of St Laurence, the Salvation Army and the Victorian government is the last of five work and learning centres to open in areas with high concentrations of disadvantage. It joins the centres at Carlton, Geelong, Moe and Ballarat in the task of helping local residents, including Tim, who I met on the

day, engage in education and training, thus helping them move towards a future of stable employment.

Minister for Children and Early Childhood Development: art wall

Hon. W. A. LOVELL — Last week I was happy to welcome some young students to my ministerial office for a special morning tea. Children from the four-year-old kindergarten class at the University of Melbourne's early learning centre paid a visit to see their beautiful pictures on my art wall. The pictures show just how advanced some of the art programs in our early learning centres are. I would like to thank the students and their teachers who joined us to discuss their work and sing us some songs. We will miss their art when it goes back to the kindergarten soon, but we are excited about what might come next when another kindergarten displays its art on our wall.

Princes Highway: Sale–Traralgon duplication

Mr P. DAVIS (Eastern Victoria) — It is with some pleasure that I rise and briefly observe what an outstanding budget the Treasurer, Michael O'Brien, delivered for Victorians yesterday. In particular, it contrasts with the dismal attempts by the federal Labor government to manage its budgetary framework. As every day goes by, the deficit at a national level increases. But I do not wish to weigh in with that because what I am interested in is the delivery of road projects in Victoria. There is absolutely no doubt that this roads budget is a fantastic investment in the future of infrastructure for Victorians, in particular those in country Victoria, where a major investment of \$170 million of maintenance funding has been allocated in this budget.

I would particularly like to focus on the Princes Highway east between Sale and Traralgon. I note that while work has been under way for the duplication of that section of road, there is uncertainty about funding from the commonwealth, which in February 2011 reallocated funds for the duplication of this section of Princes Highway east to Queensland for flood recovery works. We have some uncertainty at this time, which can only be clarified by the commonwealth budget next week. I urge the commonwealth Treasurer to provide clarification in relation to the funding flow for the duplication of Princes Highway east.

Dr Nicole Johnson

Mrs PETROVICH (Northern Victoria) — My member's statement today relates to a young woman, Dr Nicole Johnson, who is a lecturer at La Trobe University in Bendigo, at the La Trobe Rural Health

School. Nicole graduated with her PhD last week on Friday, 3 May.

Nicole's mother was diagnosed with breast cancer at the age of 39. Five years later, when Nicole was only 15, her mother passed away as a result of secondary cancer. Being in a single-parent home, Nicole and her brother became responsible for their own life choices. Life became a challenge, and with school, work and home duties to attend to, life was anything but normal.

At a very early age Nicole was introduced to the impacts of serious illness and maternal loss, and her personal experience allowed her to empathise with women she was to later interview and allowed her to gain a greater understanding of their experiences, as well as her own, on both a personal and academic level.

Drawing on her background in philosophy she drew upon the work of German philosopher Martin Heidegger to study the emotional effects of breast cancer on members of the family unit, with a particular focus on the habitual and temporal effects of familial breast cancer on women living in rural areas. Throughout her studies Nicole worked extensively in public health, majoring in health promotion. She is an active member of Women's Health Loddon Mallee and Bendigo Health's Human Research Ethics Committee, and she has a passion for illness prevention and women's health.

Now at 28, Nicole is the youngest PhD graduate that La Trobe's rural health school and department of public health have ever had. I would like to congratulate Nicole on her remarkable academic achievements and encourage her to continue this important work in the future with the passion and commitment she has already shown. I am sure her family and friends are very proud of her success.

RESIDENTIAL TENANCIES AMENDMENT (ROOMING HOUSE STANDARDS) BILL 2013

Second reading

Debate resumed from 17 April; motion of Mr TEE (Eastern Metropolitan).

Mrs COOTE (Southern Metropolitan) — I cannot begin to say how delighted I am to talk about this bill, because it gives me an opportunity to say just how successful this coalition government has been on this issue. It is a terrific opportunity. Later in my contribution I will list the success stories that have arisen as a result of the work of the coalition government. Before I do that I would like to paint the

opposite picture. I would like to paint the picture of what life in a rooming house and what life with residential tenancies was like under the Labor government. I will bring up some names such as former minister Mary Delahunty — what a blast from the past that is!

Mr Leane interjected.

Mrs COOTE — We are opposing this bill, Mr Leane. Just to get it absolutely and utterly right on the record up-front: we are opposing this bill. As I said, this gives me a great opportunity to talk about the success of the coalition government and to remind people of just how bad things were under the Labor government and to resurrect some names such as Mary Delahunty. What a disaster she was!

Before I get onto the good news story, I would like to paint the picture. I would like to talk about the history of Labor's failure and inaction on rooming house regulations. There is absolutely no doubt that the former government dropped the ball on the regulation of dodgy rooming houses and substandard accommodation. I think everybody in the chamber can remember the stories, and everybody would be able to relate to constituents who would have talked about dodgy rooming houses. In and around my electorate of Southern Metropolitan Region, which is also represented by Mr Lenders, who looks like he is very thirsty and is drinking coffee, there are many rooming houses, and there have been some very dodgy ones in the past.

The circumstances in which some people were living was an absolute indictment of the previous government; however, that has been cleared up. If we go back, we see that dodgy rooming houses and dodgy operators were allowed to flourish under both the Bracks and Brumby governments. Let us go back to 2002 and to press articles in which a former Minister for Planning, Mary Delahunty, was quoted as saying:

Every parent is nervous about the risks of fire in low-budget accommodation.

She is also quoted as saying:

We want to make sure that low-budget accommodation is a safe alternative for the hundreds of Victorians and overseas tourists who rely on cheaper accommodation ...

It is cheaper, but it should be just as safe.

That was from an article in the *Herald Sun* of 13 September 2002, one of a number of articles in which Mary Delahunty talks about and expresses the

knowledge she had of just how bad the circumstances were. The same article says:

These are the deathtraps that serve as homes for Melbourne's low-income earners, backpackers and the elderly.

...

About one in three private rooming homes or hostels inspected by the Metropolitan Fire Brigade lack basic fire safety.

It goes on as follows:

Planning minister Mary Delahunty yesterday said the Building Commission was working to develop new safety regulations for budget accommodation.

It is believed proposed regulations would give operators about 12 months to install hard-wired smoke alarms ...

The reality is that safety is absolutely imperative. There was a lot of talk from Mary Delahunty, but there was not all that much activity.

Mr Barber — Hand wringing.

Mrs COOTE — I take up the interjection of Mr Barber, who said 'hand wringing'. What a very good picture that paints — of Mary Delahunty sitting there, reading about this, knowing how bad it was, coming out with the platitudes and wringing her hands, just as Mr Barber said. That is exactly what she did. We must remember that Mary Delahunty was after all a journalist, and she was particularly good at the spin. I suggest we have not missed her since her demise.

Going back to not just what Mary Delahunty said but to painting a picture of the times, I have just mentioned what she and the public knew and what the press was reporting back in 2002. In 2006, still under the regime of the Labor Party, there was a tragic fire in Brunswick in a rooming house in which Christopher Giorgi and Leigh Sinclair were killed. The danger to vulnerable Victorians using these services was clear, but the Bracks and Brumby governments failed to do anything to ensure that they were made safer. There is a four-year gap between the article from the *Herald Sun* that I read out to members and the tragic death of two people in a rooming house about 3 kilometres from here.

Between 2006 and 2009 Many more articles were written about the dangers of rooming houses. I will quote from just a few. For example, an article in the *Herald Sun* of 3 October 2006 headed 'Death home warning — loophole stopped council acting on complaint' states:

A rooming house in Brunswick where two people died in a fire at the weekend was the subject of a complaint two years ago.

That was two years beforehand, and nothing was done. There was a lot of hand wringing and rhetoric but no action. An article by Dan Silkstone in the *Age* of 24 October 2006 headed 'Rooming house complaints ignored: minister "knew nothing" of warnings' states:

The state government has been warned at least seven times since 2004 about the unregistered boarding houses run by Dignity Homes and associated companies and has ignored requests to prosecute them.

Two 'systemic issues reports' provided to Consumer Affairs Victoria by the Tenants Union of Victoria in the past year featured Dignity Homes as examples of questionable rooming house businesses.

It goes on to say:

But while her bureaucracy knew about complaints against the companies, consumer affairs minister Marsha Thomson said she did not.

That was unacceptable. In fact then Minister Thomson should have had her staffers reading the papers, and a very loud siren should have been going off to explain what was happening, assuming her departmental advisers were not briefing her in the first place. It is an indictment of the then minister to say that she did not know what was going on. This occurred from 2002 to 2006 — a period of four years. What on earth were they doing for four years that they could not realise that people's very lives were in danger? Tragically it turned out to be all too true.

Another article in the *Herald Sun* of 1 September 2007 headed 'Call to fix rooming houses' states:

Dodgy rooming house operators are taking advantage of Victoria's most desperate, according to lobby groups calling on the state government to introduce industry standards.

It went on to say:

The state government need to legislate for minimum standards ...

Another article by Dan Silkstone in the *Age* of 19 October 2006 headed 'Tenants booted out from horrid Brunswick slum' quotes David Imber from the Tenants Union of Victoria as having said:

... it was not illegal to rent a house without heating or electricity.

He also said:

There are no minimum standards and that is something we have been urging the government to address ...

I will read that again because it relates to what the coalition government has done:

There are no minimum standards and that is something we have been urging the government to address ...

So there it is. That is the litany of press articles across that time spectrum. It is an absolute indictment of the former government, which was ignoring these places.

I would like to refer to some of the rooming houses that are in my own electorate of Southern Metropolitan Region. As everyone in this chamber knows, that region has some challenging low socioeconomic areas, and some places in the city of Port Phillip have been the centre for rooming houses over the years. Indeed many of those were unregistered and many in the past were dodgy.

I can recall one that I visited quite frequently where one of the women locked her room every night. She was petrified to go to the bathroom and to be in the common areas because the men who were living there were intimidatory and violent, and she was literally living in fear of her life. Her tiny room was stacked with things like something that in olden times you would call her glory box. She had collected things from sales, for the time when she could move into a home of her own, and she had boxes everywhere, but her room was as neat as it could possibly be.

This woman was living in the room, terrified for her life, frightened of coming in and out of the rooming house, where there was graffiti all over the place, the locks did not work and the bathroom itself was a hazard. It was a shared bathroom arrangement and she felt frightened that when she was using the bathroom her room might be ransacked, or that it might happen while she was at work. In addition her own personal safety could be at risk.

Elderly people also lived in those rooming houses. They were very frail and vulnerable and had no idea of their rights — that is, what they could or could not do. They were living in what could only be described as substandard situations. Those rooming houses are within a very short distance of this place, and yet members of the Labor Party sat on their hands and watched and allowed that to happen. They could spin the spin and talk the talk, but they did not walk the talk. They did not ever actually address these absolutely appalling situations.

I can remember going out with the St Vincent's team one night to North Melbourne, where there is a soup kitchen. The people at the St Vincent de Paul Society run an excellent organisation. Many people donate food, including fruit. In North Melbourne a fabulous team of volunteers makes sandwiches and cooks up delicious soup from vegetables which have been

donated. At night groups of volunteers go out in buses and deliver the food to rooming houses in a wide arc from North Melbourne. It was a huge privilege and an honour for me to go out with those dedicated volunteers.

The rooming house situation was quite interesting. People conjure up the idea of a rooming house being a place for elderly alcoholic men who have seen better times and often are suffering from mental health issues and perhaps drug and alcohol issues. It was surprising to see just how many young people were in those rooming houses and how many people who had fallen on hard times. We went into one man's room and saw that he had his suit on the back of the door. His coat and tie were all pressed and neat, ready for the next day. Although he was living in a rooming house and was being given food by a charity, every day he was fronting up looking as respectable as he could, trying to get a job. It was very poignant. Although the rooming house itself left a lot to be desired, on the whole his room was very neat and tidy.

Once again, those people were living in fear. They had no redress; they had no-one they could go to to explain how bad things were, and they were frightened. They felt vulnerable. They felt dependent upon those rooming house operators and owners, regardless of how they managed them. They did not know how to approach the situation. They were concerned that they would be out on the street and not have anywhere to go. Quite frankly, they did not know their rights.

I would like to put on the record my commendation for the terrific job the people at St Vincent's and at so many other organisations do. I know the people at the Brotherhood of St Laurence do another excellent food run and look after people in rooming houses. I know that in the city of Port Phillip the people at the Sacred Heart Mission do a sensational job in feeding people. Every day at lunch they feed more than 450 people, many of whom come out of rooming houses. It is interesting that the people at the Sacred Heart Mission keep an eye on those people to make certain that their health is all right. Those who are suffering from mental health issues or drug and alcohol issues have an eye cast over them and are cared for by the people at the Sacred Heart Mission, who do a phenomenal job.

The people who go to lunch at the Sacred Heart Mission have a nourishing meal provided to them by, once again, an excellent group of volunteers. Frequently the people from the local bread shop donate bread, and the people who come from the rooming houses take that bread to the people in the rooming houses who do not feel up to coming out for lunch. So

there is a community of people who are watchful and caring, but that can go only so far. It has to come back to a sensitive, caring government whose members do not just sit there and wring their hands or put out the spin in the public relations sense but who actually do something about what needs to be done.

I would like to talk now about what the coalition government has in fact done. I would like to praise Minister Lovell, who has been presiding over this area. Whilst in opposition she understood how difficult things were. She read those articles that were published from 2002 right through to 2007 and she knew what she would be dealing with. Not only did she make it very clear going into the last election what a coalition government would do once it came to office but in the very short time we have been in government she has achieved a whole range of things, and I will allude to those.

The coalition government introduced the toughest minimum standards we have ever seen in relation to rooming houses in Victoria. Those standards were introduced in March 2012 and have applied since 31 March 2013. I have painted a picture of what rooming houses were like, mentioning only a few examples, but right across Victoria you would have found the same situation in most electorates. Those standards relate to privacy, security, safety and amenity in rooming houses and include locks on bedroom doors that can only be opened from the outside with a key, laundry and dining facilities and, most importantly, electrical and gas safety checks.

In the lead-up to the new minimum standards taking effect Consumer Affairs Victoria (CAV) attended more than 870 rooming houses. That is an enormous number of rooming houses and CAV no doubt found a lot of substandard situations amongst them. Under the coalition government inspections of rooming houses increased from 42 in 2008–09 under Labor to a whopping 610 in 2011–12. The number is significant because it means CAV is looking at what is happening in rooming houses on a regular basis; people are not able to just trick it up for the day, hoping the people doing investigations will not come back and see what is actually going on. These 610 inspections were conducted on a regular basis and the rooming house operators knew that they were not going to get away with substandard services.

I remind members of those numbers again: the inspections increased from 42 inspections of rooming houses in 2008–09, at the height of the Bracks and Brumby governments, to 610 in 2011–12. That is an increase of 1352 per cent. I think the numbers say it all,

but we are not talking just numbers here. The numbers are a very good indication that the policies are working, but this is about people; this is about making it safe for the most vulnerable Victorians. The numbers are very pleasing to see because they show that these standards are working, but it is important to realise that they represent the individuals who I spoke of before being able to have some certainty in their lives and to feel that they can live their lives in safety even whilst they are in rooming houses.

New powers have also come into effect which allow Consumer Affairs Victoria inspectors to issue on-the-spot fines to rooming house owners who do not comply with the minimum standards. These fines are more than \$700 for individuals and \$2800 for companies. The government has also empowered tenants to take action at the Victorian Civil and Administrative Tribunal to have the minimum standards enforced. Councils will also be able to suspend, vary or cancel the registration of a rooming house due to non-compliance with the minimum standards. These are very important follow-throughs. Often it is the local council that is aware of what these rooming houses are doing. This has given councils teeth and the capacity to go in and do something about it. It is a very clear message right along the chain, right up to that \$2800 fine for companies which abuse and do not comply with the minimum standards.

Since 31 March inspectors have focused on compliance and enforcement action against owners who do not comply with the minimum standards, and Consumer Affairs Victoria is working with local councils to make sure rooming house operators are aware of the new standards, along with health and environmental requirements already enforced by local councils. As I said, local councils are very pleased to have a clear framework. They are pleased to know that what they decide in relation to what they see in rooming houses is going to be backed up by the government — with regulation and minimum standards — so that there is no doubt about what is being asked and indeed they can enforce this. Since 2011 Consumer Affairs Victoria has taken action against 11 rooming house operators for contraventions of the Residential Tenancies Act 1997. This includes seven criminal prosecutions and civil proceedings against five parties for matters such as not lodging bonds, failing to provide property condition reports to residents, failing to provide statements of rights and duties to residents and using non-compliant lease agreements.

In this chamber we may take all those things for granted. I remind the house about the woman in the rooming house in Elsternwick I spoke of earlier and

about how frightened she was. Under these minimum standards she can live in her room knowing that she is the only one with the key, that she can use the laundry facilities and the dining room facilities with confidence, that she can do so in safety and indeed that the electricity and gas in the rooming house is safe. In addition if she feels concerned at any time, she would have been informed by the owner that she can make a complaint. It is empowering for these people, who have been very vulnerable in the past, to have some control over their living conditions. This is an enormous step forward from what we saw under the Labor Party. The former Labor government actioned no civil proceedings against dodgy operators between 2006 and 2010. Over two years CAV has taken action against 11 rooming houses, as I said, in contrast to the situation under the Labor government, of no civil proceedings against dodgy operators being actioned. Under the coalition government criminal proceedings against dodgy operators have increased 100 per cent from the period between 2006 and 2010, when Labor ministers such as Mary Delahunty and Marsha Thomson were in ascendance.

I want to talk a bit about the minimum standards for rooming houses because I think it is important to get on the record that once again the minister has understood what these issues are and has implemented changes to address them. That has certainly been welcomed by the sector and welcomed by the individuals living in these rooming houses whose lives are affected. As I said, local councils now have some clear direction and are also very pleased. What are the minimum standards for rooming houses? The new infringement regime will complement the privacy, safety, security and amenity standards under the Residential Tenancies (Rooming House Standards) Regulations 2012, which have applied since 31 March 2013. The new regulations mean that failure to meet the minimum standards for bedrooms, communal areas and facilities will be able to be met with swift action in the way of fines, rather than having to pursue prosecution.

It is easy for me to say that, but for a lot of people, some who may be suffering from drug and alcohol related issues or mental illness, prosecution would be a difficult thing. It would be very hard if you were feeling vulnerable and did not know where to go and what to do. You would feel vulnerable not knowing what to do to prosecute. These regulations, under which a failure to meet the standards can be dealt with by fines, send a clear message to the operators — do the wrong thing and you will be fined — without the onus being on the rooming house resident to pursue probably costly, certainly difficult, prosecution.

The minimum standards for privacy, safety, security and amenity include the following things. All bedrooms must have locks on the outside for when residents come and go, two working power outlets and window coverings for privacy. When you stop and think about it, it is quite astonishing that these had to be put in as minimum standards because they were not being met. The dodgy operators who operated under the Labor Party regime could get away with not providing even these very basic things. Bathrooms and toilets must have privacy locks or latches. Again, it seems extraordinary that we even have to mention this, but the fact is that many people did not do this. As we know, 11 rooming house operators have contravened the Residential Tenancies Act 1997, so obviously people have been getting away with not having privacy locks or latches on the bathroom and toilet doors. It is no wonder that people have felt intimidated and scared.

Kitchen facilities must be adequate for the use of all residents, including having a working cooktop and stove and adequate fridge space. It is a difficult situation when you share a fridge with a whole range of people in a rooming house. You have different ethnic groups, different food requirements and a whole range of things. You may have people coming home who have run out of food and take someone else's. It is a very difficult and contentious issue that needs to be looked at and addressed, because it can easily cause an enormous amount of stress to people who share a kitchen, so it is pleasing to see that this is a regulation under the minimum standards.

The front entrance must be well lit and be able to be opened from outside with a key. As I said before, many rooming houses are in areas that are often not safe and not well lit. There may be graffiti, rubbish or people lurking around, so it is important that people can approach their home with safety, knowing that there will be a light and that they have a key to get in quickly and safely. The general standards require rooming houses to have a fire evacuation plan, to be well lit day and night and to have good ventilation and openable windows that must be able to be kept open or closed without a key, and periodical checks must be conducted on gas and electrical installations and fittings.

The minimum standards complement and expand on protections already offered to residents under the Residential Tenancies Act 1997 and legislation administered by local councils, including building and health standards, to ensure that Victoria's most vulnerable and disadvantaged households are protected from exploitation by opportunistic rooming house operators. Looking around the chamber at those here today, each member will have several stories about

rooming house operators within their electorates. I have given a few from Southern Metropolitan Region, but they have been across the state.

A statewide register of rooming houses will be introduced to provide councils, Consumer Affairs Victoria, tenant welfare organisations and others, for the first time, with the details of rooming house locations and operators. I mentioned earlier the number of rooming houses in Victoria, but I cannot find it now. It is up around 800, I believe. Now there will be a register that will be open and transparent. Once again it is about accountability, not some sort of backyard arrangement or a few rooms in a house that may or may not meet the standards. At any given time people across Victoria will know where rooming houses are and will be able to investigate them. People living in rooming houses will know what their rights are. It is a big step forward. The register will assist these bodies to ensure compliance with protections for rooming house residents and with the minimum standards we have been speaking about.

Once the statewide register of rooming houses is established, the director of Consumer Affairs Victoria will be able to make public the addresses of registered rooming houses and the names and Australian business numbers or Australian company numbers of their proprietors. It is about accountability in an industry that in the past has been known for its lack of regulation, pushing the boundaries, dodgy operations and providing places that have been terrifying, quite frankly, for the people living there. All these minimum standards will create a strong incentive for rooming house proprietors to register their rooming houses, due to the much greater risk that neighbouring residents will report unregistered premises, and to comply with other legislative standards.

I have found the number of rooming houses in my notes. Consumer Affairs Victoria has attended more than 870 rooming houses. I am not certain of the current number, but I am certain that once these minimum standards are applied across the state there will be a much better understanding. Rooming houses will be brought up to scratch, and operators will have to be accountable. They will have to meet the minimum standards and make quite certain that they go through the registration and that their rooming houses are open to the inspectors.

Mr Leane interjected.

Mrs COOTE — Mr Leane is agitating, as he does so well. Mr Leane is very good at agitating, and he

wants to talk about the bill at hand, which we, I might add, are opposing, just so that he gets that very clear.

I want to get to what the amendment actually does. I have painted the picture of the active, almost criminal neglect by the Labor Party of these rooming houses — of its spin, its rhetoric and its handwringing, but also its very little action, its knowledge of what was happening in these rooming houses and its failure to do anything.

In a very short time the coalition government has done an enormous amount. Consumer Affairs Victoria and the Minister for Housing have done an extraordinary job in identifying the problems, doing something about them, working with local councils, working with peak organisations and working with stakeholders to give security to people who are living in these vulnerable situations. Not one of us wants to see the situation of the fire at the Brunswick rooming house ever happen again on any of our watches. It was absolutely abhorrent that it happened in this time, and none of us want to see such a thing happen again. But preventing such occurrences does not just happen by saying that we do not want them to happen. We have to put in very stringent controls to make quite certain that it is never likely to happen, that all possible safeguards are put in place and that those minimum standards that I have just read to the house will do just that.

Let us get to the amendments. It is important to understand what a rooming house is. A rooming house, in a minimum sense, can be four rooms or upwards of that which are rented to an individual. The problem with this amendment is that it would change the focus of what the regulations and the existing act do. It would change the entire focus from where it has been in dealing with the occupation of the rooms to a focus that would represent a totally different approach. It moves to a tenancy agreement and allows for the occupation of a room.

I will talk about the power to enter tenancy agreements and other agreements. Section 94(1A) of the principal act says:

If a tenancy agreement is entered into by a resident and a rooming house owner in respect of a room in a rooming house, the rooming house provisions do not apply to the occupation of that room by that resident while the tenancy agreement continues.

Which is proposed to be amended by inserting:

save for any standards established by any regulations made pursuant to section 142C, and the obligation of the rooming house owner to comply with those standards including under section 142B.

As I said, the point is that the amendment would change the emphasis of the occupation of that room, and would, in fact, undermine the very standards that I outlined earlier. It would build confusion into the situation and make it absolutely untenable. The matters that relate to the occupation of a room include rent, bond, length of tenure and notice to vacate, but if a tenancy agreement is entered into, these provisions will be covered under part 2 of the principal act. It is important to understand that and to understand that amalgamating these two things would make for confusion. We are trying to keep the legislation around this as simple as possible so that the stakeholders, occupants, owners, councils and all involved are very clear as to what the direction is.

I will now go through the amendments. The proposed amendment to section 94(1A) contained in clause 3 of the bill is both unnecessary and would potentially remove more rights from the tenant than it would protect. Indeed, that is the issue I have just been speaking about, and therefore this would cloud what has been achieved, which is a clear understanding of exactly where everybody stands in this situation. The amendment would send us back to the Labor Party policies of the Mary Delahunty and Marsha Thomson eras. Labor members cannot help themselves: they want to go back to the past, and they want to make things murky again; they do not like accountability, they do not like transparency and they do not like ease. They want this area to be murky and complicated again, and that is what this amendment would do.

It is unnecessary because it is already clear that section 94(1A) of the principal act does not allow rooming house owners to opt out of minimum standards for rooming houses. I have spent an inordinate amount of time talking about the minimum standards and how important they are, and detailing their benefit for the very residents that we are trying to protect under the Residential Tenancies Act 1997.

Section 94(1A) provides that the rooming house provisions of the Residential Tenancies Act will not apply to the occupation of a room in a rooming house while the room is occupied under a tenancy agreement. I read out some of the things that are covered under occupancy, but just to reiterate they are: rent, bond, length of tenure and the notice-to-vacate period. However, section 142B of the Residential Tenancies Act is concerned with the provision of a room by a rooming house owner, not the occupation of a room.

I notice Mr Tee is in here scribbling away, and I hope he is getting that point of definition. Therefore a rooming house owner's obligation to comply with

section 142B is not removed by section 94(1A). I am hoping that Labor members will understand that and realise the error of their ways in bringing such a bill to the chamber today.

Rooming house standards will apply to rooms in a rooming house and to rooming houses generally, irrespective of whether a room is subject to a tenancy agreement or a residency agreement. In addition to being unnecessary, the proposed amendment to section 94(1A) would create confusion and uncertainty. That is what I have emphasised in my contribution today. It has been the hallmark of what was operating under the former Labor government — that is, uncertainty, fear and lack of clarity. However, in the very short time the coalition government has been in power it has made certain that there are clear minimum standards to be operated under and that local councils and all the stakeholders involved with rooming houses clearly understand their roles and responsibilities.

I mentioned earlier that in addition to being unnecessary, proposed section 94(1A) would create confusion and uncertainty. This is because the selective reference to section 142B in the proposed amendment leads to the question of why there is no explicit mention of other provisions in the act that also create obligations on the rooming house owner to comply with the rooming house standards. As an example of this, the amendment does not refer to section 120A, which introduces the important duty on rooming house owners to ensure that rooms, services, facilities and common areas provided to residents comply with rooming house standards. I painted the picture before about how absolutely important that compliance is across the necessity of bathroom safety to the sharing of the fridge, and this amendment would take away that clarity.

The text of the proposed amendment also confuses the prescribed standards with the rooming house provisions, which they are not. In summary, the proposed amendment to section 94(1A) potentially removes more of a tenant's rights than it actually protects. I am sure that is not what the Labor Party intended, but being in opposition is very hard, and perhaps opposition members did not have enough time to go through this in detail and work out exactly how this legislation would operate.

On another issue, no legislative gap is created by section 94(1A). The minimum standards apply whether or not the room has been let under a tenancy agreement. They also apply where all rooms in the rooming house have been separately let under tenancy agreements. The duty on rooming house owners applies to the provision

of the room to a resident who occupies the room, whether or not it is under a tenancy agreement. Section 94(1A) does not provide that the rooming house provisions of the act cease to apply if the tenancy agreement is entered into between a resident and rooming house owner in respect of a room in a rooming house. I notice Mr Leane sitting opposite looking as if he is suffering from a late night last night, but I hope he is concentrating on this debate. He might like to read *Hansard* so that he gets it very clearly, because I am sure there are rooming houses in his electorate that will want to know these details.

Mr Leane — Don't worry about me.

Mrs COOTE — He has chirped up! The language of section 94(1) itself contemplates that the room and the rooming house retain their characterisation despite the entry into a tenancy agreement. The section provides that the rooming house provisions do not apply to the occupation of the room while the tenancy agreement continues. This might be a fine distinction, but it is illustrated in the history of the earlier provisions which governed tenancy agreements entered into in respect of rooming houses. This area is quite technical, and it is important to understand this very fine distinction.

Section 94(1) was inserted into the Residential Tenancies Act in 2002. The same amendment act repealed section 16, which had provided that rooming house provisions do not apply to a room if an agreement is entered into between the rooming house owner and the resident, under which the resident is entitled to occupy the room for a fixed term. If Parliament had intended that all the rooming house provisions would not apply to a tenancy agreement entered into in respect of a room in a rooming house, it could have achieved that result by simply amending section 16. Instead, Parliament repealed section 16 and inserted section 94(1A), which introduced the words limiting the rooming house provisions which do not apply — that is, the references to the occupation of the room. The effect of section 94(1A) being limited to the occupation of the room does not mean that a resident who enters into a tenancy agreement moves out of part 3 of the act, dealing with rooming houses, and into part 2 of the act, dealing with tenancy agreements.

This is very complex and involves talking about different parts of the bill, the emphasis and where in fact it all sits. To be clear, if all the rooming house provisions ceased to apply, the resident, by reason of a tenancy agreement, would have none of the other protections of part 3 of the act which apply generally to the rooming house — for example, the state of the

kitchen, bathroom, toilets, laundry, lights in the hall and the exit green lights. These would be things over which the resident had no rights. As I pointed out before very clearly, this is about empowering and giving rights to the residents. Our minimum standards empower the residents, and this amendment would have the opposite effect.

It is important to understand the unintended consequences, and I am sure Mr Tee will be very pleased that I am pointing these out to him. Referring selectively to 142B in section 94(1A) as not being affected by the entry into a tenancy agreement creates uncertainty as to which of the rooming house provisions are disabled by section 94(1A). It creates the question that if it were necessary to specifically mention 142B, what other rooming house provisions might not apply? As I said, the opposition's proposed amendment creates a lack of clarity.

One important example, as mentioned already, is section 120A, which sets out the duty on the rooming house owners to ensure that rooms, services, facilities and common areas provided to residents comply with rooming house standards. Breaches of duty in section 120A entitle a rooming house resident to take action in the Victorian Civil and Administrative Tribunal (VCAT) for compensation or compliance. Not including a reference to section 120A would create a risk that rooming house residents who occupy their rooms under tenancy agreements would be unable to seek remedies for breaches of a rooming house owner's duty to comply with rooming house standards.

I would like to talk about what that would mean. By focusing only on section 142B, the amendment raises doubts about all the other provisions in the act that set out the obligations on rooming house owners in relation to the provision of rooms in rooming houses. This would remove the obligation of rooming house operators to do certain things. The first obligation, under section 92(1)(b), is to ensure the resident's right to use the facilities in the rooming house and to complain about the facilities in the rooming house. This is a vital point.

As I have said, residents are now empowered to complain, but this unintended consequence of the bill would remove that right. It would remove the obligation on the rooming house owner to ensure the resident's right to a schedule of charges for any services provided under section 109; to keep the rooming house generally in good repair under section 120; to provide 24-hour access to the room, toilets and bathrooms and to other facilities at reasonable hours under section 121; and to provide the resident with a copy of the statement

of their rights and duties and the house rules under section 124.

Referring again to my explicit example, imagine that woman going back to the rooming house. She has an opportunity to have a copy of her rights and duties in the house, but suddenly, as an unintended consequence of the bill before us today, that is ripped away. Imagine that she once again goes back to feeling vulnerable and uncertain.

The bill would also remove the obligation of the rooming house owner under section 127 to give seven days notice of changes to the house rules, to take steps to see that they are observed by all residents and to ensure that the house rules are reasonable and enforced consistently and fairly. I do not need to elaborate on that; I am sure members of the chamber quite understand the ramifications. The bill would also remove the resident's right under section 128 to apply to VCAT if house rules are unreasonable and the resident's right under section 129 to arrange for urgent repairs to the rooming house.

Once again I remind members that the list I am reading from shows the unintentional consequences of what this bill would do. It would have the effect of removing the obligation of rooming house owners to do the things on the list I am reading from. To continue with that list, the resident's right under section 130 to seek an order against the owner to carry out urgent repairs would also be removed, along with the resident's right under section 131 to apply to Consumer Affairs Victoria to investigate non-urgent affairs; the resident's right under section 132 to apply to VCAT for an order seeking that non-urgent repairs be carried out; and finally, the resident's right under section 134 to apply to VCAT for an order that rent be paid into a special account when repairs have not been carried out and the owner fails to comply with a duty to carry them out.

We have all these unintended consequences of the bill. Just one of them would have been bad, but what have we got here? I will just add them all up, because there is a number of them. There are 12. Just one of them would take away the rights of individuals. Just one of them would make their position cloudy and difficult — impossible, in fact. It would mean taking things back to the Bracks and Brumby era, to the era of Marsha Thomson and Mary Delahunty as ministers and to the dark ages of rooming houses in this state. I think this bill is a tragedy. It is a tragedy that Mr Tee has brought this bill to the chamber. The problems with it just show how desperately members of the opposition are trying to cling to anything at all that they can think of. They

are very concerned by the strength of the coalition government.

Yesterday was a prime example. You only have to look at the front pages of today's local papers to see how third-party advocates — not the government — are out there supporting this coalition government. I remind members opposite of those dark years of expenditure and budgets out of control, just as their federal government counterparts and the federal Treasurer are presiding over now. It is a disaster for the country. The only way we are going to look after people in rooming houses is to give them certainty and to make quite certain that dodgy owners are run out of town, that the regulation is clear and transparent, that everybody knows where they stand and that local councils, stakeholders and, most importantly, residents are engaged. This again shows a government that is in control, a government that is in fact bringing in a surplus.

I might say that Treasurer O'Brien, when he was the Minister for Consumer Affairs, did a phenomenal job of making quite certain that the Residential Tenancies Act is as healthy as it is. It is directly attributable to Michael O'Brien as the former minister, in conjunction with the Minister for Housing, Ms Lovell, that the coalition government has been able to address these minimum standards and have openness and transparency. Their work is backed up by a solid government that is producing benefits for Victoria in infrastructure, schools and hospitals right across the board. This was a very successful budget. It goes all the way down to residents in rooming houses. If you do not have sound government, you are not going to be able to look after the most vulnerable people in the state. What Minister O'Brien and Minister Lovell have achieved is absolutely first rate.

This bill has given me a fabulous opportunity to talk about all the strengths of the coalition government. I am sure Mr Tee is going to be gracious enough in his contribution to accept and acknowledge all of those achievements. I am quite certain he is going to be very gracious in his contribution and explain how well the government is doing. I do not expect him to bag his former colleagues, but I have been able to put on the record how absolutely hopeless former ministers Delahunty and Thomson were, and the bad legacy of the Bracks and Brumby governments that put the most vulnerable Victorians at risk. It was just totally unacceptable. It takes a sound government, a government that is well financed, has a direction and a plan and is well funded to make quite certain that none of those dodgy operators that were a hallmark of the

Labor government's period in office will exist in the future.

I would have to say that the coalition's record is fabulous, and it is going to get stronger and better with the inspections that we are going to continue to have. I think Mr Tee was out of the chamber when I explained that there have been over 600 inspections —

Mr Tee — I was here.

Mrs COOTE — That is a huge increase on the 42, I think, in four years that the Labor government had. The proof is in the numbers. The reality is that the lives of vulnerable Victorians are being protected, they are being given a safe and secure place to live, they can live their lives regardless of whatever their life circumstances have been and they can live in safety and security, knowing their rights in a very clear, open and transparent way. The amendment bill before us today would do everything to cloud that situation and take us back to the dark era, and that is the very thing we do not want to do. The government will be opposing this bill.

Ms HARTLAND (Western Metropolitan) — I thank Mrs Coote for that very detailed presentation. I agree with her on one point: the previous government did not do enough about rooming houses. However, I do not believe we are at a stage yet where we can actually say that dodgy rooming house landlords have been forced out of the industry. I am aware of quite a few rooming houses that are still unbelievably suspect in the way they operate and in the numbers of people who live in them. It is not just about people per room or one person per room; it is about where they are renting out beds. These things do not seem to have changed all that much. It is quite gratifying to know how many inspections there have been, but I think 11 prosecutions is quite low for the number of complaints I am receiving from various people.

Mr Barber and I were talking about this when the debate was occurring. Having both been local councillors we were often in that terrible situation where rooming houses in our municipalities had to be closed down because of the unbelievably dangerous situations they put tenants in, but then where did these tenants go? There is so little alternative affordable accommodation, and that is one of the great failures of both the previous government and the current government. They have not and are not funding enough low-cost housing for people in rooming houses who are being left at the mercy of extremely dodgy landlords.

Mr Tee has identified a gap in the legislation that needs to be rectified. One of the reasons the Greens will

support this bill is that this gap has also been identified by the Public Interest Law Clearing House (PILCH) Homeless Persons Legal Clinic and the Tenants Union of Victoria. I have had a fair bit to do with PILCH over the years. It is a service that deals every day with this group of people. It actually assists homeless people. It is an organisation that helps people when they are being fined on the train, when they cannot manage their rent and when they are being victimised by their landlords.

If these organisations are saying that there is a problem, we should take that seriously. That is the reason the Greens will support this bill. We as a Parliament have to do everything we can to support people who often have no choice about where they live, which rooming house they live in and how much rent they pay, which is often incredibly exorbitant for what they receive. Often that rent is for a bed rather than a room, and it does not come with basic things we take for granted, like the bathroom, the fridge, hot water — all of those things. If these organisations are saying to us that there is a problem, as a Parliament we have a responsibility to fix that gap.

Mr LEANE (Eastern Metropolitan) — I start by congratulating Mr Tee and Ms D'Ambrosio, the member for Mill Park in the Assembly, for initiating this private members bill. As Ms Hartland touched on very well, this is not an amendment to legislation that has been plucked out of the sky for fun by the ALP, as the bizarre contribution from Mrs Coote might indicate — that, just for fun and out of the blue, an ALP member would introduce a private members bill for such a serious issue and concern. Actually it is a concern that, as Ms Hartland said, has come from the Public Interest Law Clearing House (PILCH), and it is a concern that has come from the Tenants Union of Victoria. So for Mrs Coote to say that it is just the ALP playing some sort of game is totally misleading the house once again, but there should not be any surprise at all about that.

Mrs Coote spent a good part of her hour — a good part of her filibuster — actually talking for the bill, I thought, when she identified the safety issues, which she went through a number of times. She said those safety issues were a major concern for tenants of rooming houses. Those safety concerns can be contracted out as the act now stands, so what this private members bill intends is that that loophole be removed. However, the government cannot even agree to this common-sense amendment that, as I said, has been recommended by PILCH and the tenants union. It is something the government has not acted on.

Once again the coalition cannot be trusted. It cannot be trusted on the statements it made pre-election, when it said it would do anything that was necessary to drive out rogue rooming house owners in the industry. It said it would do anything necessary to drive out rogue operators. Here is an opportunity to reinforce the pre-election rhetoric the coalition delivered to people who live in this type of housing. Here is a chance to actually fulfil that commitment, but once again the coalition cannot be trusted. Of course we should not be surprised, because the coalition never had any interest in or care for people who live in this situation.

One way to make fewer people occupy rooming houses, as Mrs Coote was concerned about, is to support more social and affordable housing, but we know how government members of this chamber acted when they were in opposition. I know from personal experience how members of the opposition acted when the federal government introduced stimulus money that went towards social and affordable housing projects. I remember clearly a half-page photo on the front page of the *Knox Weekly* with the headline 'Slum in the Gully'. The photo depicted Mr Wakeling, the member for Ferntree Gully in the Assembly, standing in front of a social housing project. He was out there scaremongering about a social housing project for his own political ends. You cannot get much grubbier than that, but they have managed to. We should not be surprised, because this came from the same —

Hon. W. A. Lovell — On a point of order, Acting President, I believe the member is reflecting on a member in another place, and I would ask you to bring him back to the bill.

Mr Tee — On the point of order, Acting President, I heard Mr Leane talk about actions and conduct. I did not hear him reflect at all on the member in the other chamber.

The ACTING PRESIDENT (Mr O'Brien) — Order! Based on my hearing I ask the member to withdraw.

Mr Leane — On the point of order, Acting President, I am not too sure if a member needs to withdraw the calling of an action 'grubby'. Can a member withdraw —

The ACTING PRESIDENT (Mr O'Brien) — Order! There are a number of points to be made. First of all, I did not want the word repeated in *Hansard*, which is why I did not direct the member to do anything but withdraw. I believe the member should have withdrawn, given the circumstances. I have heard

the distinction made by the member in his argument with the Chair. Based on my hearing I cannot at this point determine whether he used the word to describe the action or the member himself. I will therefore refer this matter to the President for further consideration after a careful review of *Hansard*. At this stage I simply note that the member has, in a sense, chosen not to withdraw the statements he has made. Again I give the member the opportunity to unconditionally withdraw and continue with his contribution to the debate in the event that he is wrong in his recollection or the President has a different view.

Mr LEANE — I am more than confident in my recollection, but for the sake of the request from the Acting President, I withdraw what he has asked me to withdraw. However, I note that if it is unparliamentary to call an action of members of the government 'grubby', we should watch out. I think there is going to be unparliamentary commentary in this chamber for some time to come.

As I was saying, it is no surprise that coalition members have not fulfilled the commitment they made to tenants for this particular type of housing. These are the same members of Parliament who went out and said to bushfire victims, 'We will implement all the bushfire recommendations — lock, stock and barrel'. That is what they told victims of the bushfires after the royal commission. We should not be surprised that they would engage in further grubby action — probably a bit less grubby, but still grubby — and make a commitment to tenants of rooming houses that they would do anything within their power to remove rogue operators. If they were prepared to fulfil that commitment, they would be voting for Mr Tee's private member's bill today. It is as simple as that. Anything that this government says cannot be trusted. It never backs up of any of its words; it is all just rhetoric and artist impressions. It is a joke of a government, and it lied its way into office.

Ms DARVENIZA (Northern Victoria) — I am pleased to rise to make some comments in support of the Residential Tenancies Amendment (Rooming House Standards) Bill 2013. It has been very disappointing to listen to Mrs Coote's contribution today. I believe Mrs Coote is a caring person. She has taken a lot of interest in some of the most needy and vulnerable people in Victoria ever since she was elected to Parliament in 1999. We all know that some of the most vulnerable citizens of our state live in rooming houses. They live in them for a variety of reasons. I have had quite a bit to do with rooming houses, not so much in my time as a member of Parliament but when I worked in the mental health sector. Rooming houses

were often the only accommodation option available to the chronically mentally ill and sometimes also to those who were being discharged after an acute episode. They were often very young people.

Mrs Coote's contribution, disappointing as it was in its lack of support for this bill, clearly outlined the state of play in rooming houses, the very poor standard of accommodation and the very real risks to health and safety that people who live in rooming houses have to deal with every day. But having given that very detailed account of those conditions, Mrs Coote was still not prepared to support this bill. In fact she was very strong in her criticism of the opposition for bringing this important amendment bill to the chamber.

We know there are rogue operators of rooming houses and that they will use any opportunity they can to take advantage of residents. We also know that those residents are probably the least able in our community to advocate for themselves and ensure that their rights are looked after in any sort of agreement they enter into with an operator. We know this because if you are looking at accommodation in a rooming house, you have reached the end of your tether. You have reached the end of your accommodation options. Other options are not available to you, such as the option of owning a home, the option of living with family or friends, the option of being able to live in rental accommodation or the option of public housing. Mr Leane talked about his disappointment, and I share that disappointment, with this government's attitude to and funding of social housing.

These options are not open to a person who is entering into a residential agreement with a rooming house operator, so all the power rests with the operator, not with the resident, unless there is legislation and regulation to protect the resident, and that legislation must be fiercely overseen so the letter of the law is enacted to provide all of the protections available to these individuals.

What we have before the Parliament today in Mr Tee's bill has been supported by the Tenants Union of Victoria. Mr Michael Williams from the tenants union is reported as having said that:

unscrupulous rooming house operators would do whatever they could to avoid complying with the minimum standards.

He is quoted as having said:

The sector is full of dodgy operators and if they can see an opportunity to put people on tenancy agreements to dodge the standards they will absolutely do that ...

That is what this is about. It is about closing the loophole that we know exists in the legislation which allows an operator to enter into a tenancy agreement which would enable them to not have to comply with the minimum standards. We are talking about minimum standards here. We are talking about standards that are very important to a resident's quality of life and safety, and it is vitally important that we make sure this loophole is closed to ensure that residents in rooming houses can have those minimum standards met. We would hope that much higher standards than that are provided by rooming houses, but we know that there are rogue operators out there.

There was the Foley report, but the recommendations of that report have not been implemented in full. In fact recommendation 3 — and this goes right to the bill before us today — says:

Once the rooming house standards made pursuant to section 142C come into force on 31 March 2013 ...

and they already have come into force —

there is a large discrepancy between the fire and safety obligations of rooming house owners under section 142C, as compared with rented premises covered by the tenancy provisions of the RTA —

meaning the Residential Tenancies Act 1997 —

This creates an incentive —

so there is actually an incentive created by this legislation —

for rooming house owners to enter into tenancy agreements with rooming house residents in order to avoid these standards.

As I said, they are minimum standards. I believe this is a very good bill. The opposition will not simply stand by and allow the law to continue in its current deficient state. That is why it has introduced the bill before us today. The bill seeks to protect some of our most vulnerable citizens and to prevent rogue rooming house operators from taking advantage of very vulnerable people who are not able to protect themselves. The government should support this bill. As I said, it is a good bill, and it deserves the support of all members of this chamber.

Hon. W. A. LOVELL (Minister for Housing) — I want to provide some clarification on why the government is not supporting this bill. The amendment put forward by the opposition to section 94(1A) of the Residential Tenancies Act 1997 (RTA), as proposed by clause 3 of the bill, is both unnecessary and potentially removes more tenant rights than it actually protects.

What we are talking about here are two different things: the provision of a room and the deeming of a house to be a rooming house; and the occupation of that room.

First of all, a house would have to qualify to be a rooming house, meaning that more than four rooms were available for rent to one or more persons but on an individual basis. The house would then be deemed to be a rooming house. It must be registered and it must comply with the standards. In order for an operator to even be able to offer a tenancy agreement to someone a rooming house already has to comply with those minimum standards.

Section 94(1A) referred to in the bill actually deals with the occupation of the room — and occupation is quite different to the provision of the room. Occupation is about things such as rent, bonds, the length of tenure or the period of notice to vacate. This section allows for someone to enter into a tenancy agreement around the occupation of the room, and that tenancy agreement would then fall under the provisions of part 2 of the act rather than the provisions relating to occupation in part 3 of the act, which deals with rooming houses.

It is therefore unnecessary to make this amendment, because it is already clear that section 94(1A) does not allow rooming house operators to opt out of rooming house minimum standards. Section 94(1A) provides that the rooming house provisions of the RTA will not apply to the occupation of a room in a rooming house while the room is occupied under a tenancy agreement. However, section 142B of the RTA is concerned with the provision of a room by a rooming house owner, not the occupation of a room. Therefore a rooming house operator's obligation to comply with section 142B is not removed by section 94(1A). Rooming house standards will apply to rooms in a rooming house and to rooming houses generally irrespective of whether a room is subject to a tenancy agreement or a residency agreement.

In addition to being unnecessary the proposed amendment to section 94(1A) will create confusion and uncertainty. This is because the selective reference to section 142B in the proposed amendment leads to the question of why other provisions in the act that also create obligations on rooming house owners to comply with the rooming house standards are not also explicitly mentioned. For example — and Mrs Coote went through this — the amendment does not refer to section 120A, which introduces the important duty on rooming house owners to ensure that rooms, services, facilities and common areas provided to residents comply with rooming house standards.

There is no legislative gap created by section 94(1A). The minimum standards apply whether or not the room has been let under a tenancy agreement. They also apply where all rooms in the rooming house have been separately let under tenancy agreements. The duty on rooming house owners applies to the provision of the room to a resident who occupies the room whether or not they have a tenancy agreement.

As I have said, because it focuses on section 142B, the opposition's amendment would raise further questions about other sections of the act around which confusion and unintended consequences may be created. Focusing only on section 142B, the amendment raises a doubt about all the other provisions in the act that set out obligations on rooming house owners in relation to the provision of rooms in rooming houses.

These include obligations such as those provided by section 92(1)(b), which provides for the resident's right to use the facilities in the rooming house and to complain about the facilities in the rooming house; section 109, which provides for the resident's right to a schedule of charges for any services provided; section 120, the obligation on a rooming house owner to keep the rooming house generally in good repair; section 121, the obligation on the rooming house owner to provide 24-hour access to the room, toilets and bathrooms, and to other facilities at reasonable hours; section 124, the obligation on the rooming house owner to provide a copy of the statement of the rights and duties and house rules to the resident; section 127, the obligation on the rooming house owner to give seven days notice of changes of the house rules, to take steps to see that they are observed by all residents and to ensure that the house rules are reasonable and enforced consistently and fairly; section 128, the resident's right to apply to the Victorian Civil and Administrative Tribunal (VCAT) if house rules are unreasonable; section 129, the resident's right to arrange for urgent repairs to the rooming house; section 130, the resident's right to seek an order against the owner to carry out urgent repairs; section 131, the resident's right to apply to Consumer Affairs Victoria to investigate non-urgent affairs; section 132, the resident's right to apply to VCAT for an order seeking that non-urgent repairs be carried out; and section 134, the resident's right to apply to VCAT for an order that rent be paid into a special account when repairs have not been carried out and the owner fails to comply with the duty to carry them out. Thus making this amendment creates these anomalies and unintended consequences in the act which would reduce residents' rights in rooming houses.

Mr Leane in his contribution made some baseless claims about the government's concerns about rooming houses. The government has a strong record here. We are committed to lifting standards in rooming houses and to making them safer places for the residents. Mrs Coote gave examples of the warnings made to, and the inaction of, the former government, which really dropped the ball on rooming houses and left these vulnerable people in unsafe, insecure accommodation. Mr Leane also made baseless claims about my colleague Nick Wakeling, the member for Ferntree Gully in the Assembly, and I was offended by those claims. There were a number of concerns raised about the way the former government dealt with nation building because of the call-in powers, and there were concerns in the Ferntree Gully community about the particular housing development referred to. As a good local member, Mr Wakeling listened to his constituents' concerns and, again like a good local member, Mr Wakeling is now working with the residents — —

Mr Leane interjected.

The ACTING PRESIDENT (Ms Pennicuik) — Order! I say to Mr Leane that constant interjecting is not parliamentary, and I ask him to desist.

Hon. W. A. LOVELL — Mr Wakeling, as a good local member, is now working with the residents who live in that housing development to ensure that they are getting the best possible advantages of being in that community and having the opportunity of affordable housing. In fact Mr Wakeling attended the opening of that development with me and the federal member for La Trobe, Laura Smyth. At that opening Laura Smyth called on the federal government to make further investment in housing because she realises that the federal government has an obligation to provide funding for public and community housing.

The government's record on rooming houses is strong. We have introduced the toughest minimum standards for rooming houses that have ever existed in this state, something the former government did not do. As Mrs Coote outlined, since 2002 the former Labor government knew these were unsafe places. There were numerous articles between 2006 and 2009 following the unfortunate deaths of Christopher Giorgi and Leigh Sinclair in the Brunswick fire. The former government said it was going to do something but did nothing. Then in 2009 when the coroner was about to hand down his findings into the Brunswick rooming house fire, the former government suddenly said, 'Oh, we had better do something. We'll form a task force. We'll have some recommendations'. But did the former

government implement minimum standards? No. It took Labor 12 months after its task force reported to even come into the Parliament and legislate to allow regulations to be developed, and it did not develop one regulation.

When the coalition came to government and I became Minister for Housing, one of the first questions I asked was about the minimum standards. I was told by the then director of housing, 'There has been no work done on these regulations'. So we developed and implemented them to provide security and safety to residents in rooming houses.

In addition to regulating for minimum standards and also a statewide register of rooming houses, just yesterday in the state budget I committed a further \$19.1 million for the Accommodation Options for Families program, to assist families who are living in inappropriate accommodation, including rooming houses, to move to more secure and appropriate housing.

Mr Leane interjected.

Hon. W. A. LOVELL — This government has a strong record. If Mr Leane wants to talk about investment in housing, I refer him pages 85 and 86 of budget paper 4, which outlines the government's — —

Mr Leane interjected.

Hon. W. A. LOVELL — Let me repeat that for you — —

The ACTING PRESIDENT (Ms Pennicuik) — Order! I advise Mr Leane that it is not parliamentary to keep constantly interjecting like that. We need to be able to hear both speakers.

Hon. W. A. LOVELL — Thank you, Acting President, I am glad you pulled him up, because I want Mr Leane to hear this. If he goes to pages 85 and 86 of budget paper 4, he will see outlined our \$1.1 billion housing acquisition program. The reason I have outlined relates to the unintended consequences that this amendment would have on the Residential Tenancies Act and also to the fact that it is completely unnecessary to legislate. Section 94(1A) of the act does not allow rooming house operators to opt out of the minimum standards. The government will oppose the bill.

Mr TEE (Eastern Metropolitan) — I welcome the opportunity to reply briefly, and in so doing I start by thanking the speakers who have made their contributions. I thank Ms Hartland for her support, I

thank Mr Leane for very accurately reflecting on the very grubby nature of the tactics of government members, including some who were members of the former opposition, and of their terrible approach to social housing. I point particularly to the conduct of Mr Wakeling, the member for Ferntree Gully in the other place, as one of the people that the rooming house community has not forgotten. I also want to thank Ms Darveniza for her contribution, although I thought she was very generous in reflecting on Mrs Coote's comments. Mrs Coote stood here, hand on heart, pretending to be caring and compassionate about these most vulnerable people. Then, after having made her contribution, she walked out of the chamber without listening to any of the other contributions.

We have seen this before from government members. They stand in the chamber and are sanctimonious in defence of their conduct. They talk about standing up to protect the most vulnerable in the community, they pretend to care about those who fall through the cracks and need our support, yet when it comes to action and actually doing something, when it comes to being able to make a difference, they are, as we have seen with Mrs Coote, nowhere to be seen. They talk the talk, but when it comes to walking the walk and making a difference they completely lack integrity and credibility. We have seen no better demonstration of that than what occurred here today when Mrs Coote went through example after example of the horrific circumstances in which many people who live in rooming houses find themselves. Mrs Coote protests and suggests that she stands shoulder to shoulder with those people, but the reality is that the actions of her government have put her shoulder to shoulder with the dodgy end of town.

Hon. W. A. Lovell interjected.

Mr TEE — Because that is the consequence of what you are doing here today. What you have done — and you can pretend otherwise — —

The ACTING PRESIDENT (Ms Pennicuik) — Order! Through the Chair, Mr Tee.

Mr TEE — What you have done is provide all these glossy brochures, all these highfalutin standards and artists impressions of this ideal world, but the truth is that you have provided, through section 94(1A) of the act, the perfect get-out-of-jail provision, the perfect escape route. Your interpretation of that section says, 'Oh no, disregard it'.

Hon. W. A. Lovell — Read it. It says 'occupation'.

Mr TEE — It says, 'Disregard that section. It does not exist'. The section which says that the rooming house provisions do not apply — —

Hon. W. A. Lovell — It does not say that.

Mr TEE — It says that. I have read it. You asked me to read it. It says:

... the rooming house provisions do not apply ...

And you say, 'No, let's suspend reality'.

Hon. W. A. Lovell interjected.

The ACTING PRESIDENT (Ms Pennicuik) — Order! This is a very important issue. Mr Tee has every right to sum up the debate, but he needs to do that through the Chair and not across the chamber addressing Ms Lovell. May I say also to Ms Lovell and Mr Leane that, unhappily, given the geographic positions they occupy and the loudness of their voices, the constant interjections amount to shouting in my ears, which is not tolerable.

Mr TEE — What we are being asked by those in government to accept is that effectively section 94(1A) just does not exist. We on this side of the chamber are expected to close our eyes or tear that page out of the legislation, because members of the government say in relation to that section, which states that the rooming house provisions do not apply, 'Just pretend that it does not exist, because those dodgy operators out there will pretend it does not exist. We will all live happily ever after in the land of Nod, the land of perfect press releases, glossy brochures and highfalutin standards, but we will completely disregard what the legislation says. Let us keep our fingers crossed, because that is what the dodgy operators will do as well'.

That is simply not the real world. It is not the reality of what those most vulnerable people in our community will be confronted with as a result of the changes that have been made. The government has put up all the regulations but they do not mean anything. That is what I find so very galling about the gap between what Mrs Coote and others opposite say they are going to do and what they actually deliver for people on the ground when it matters.

In her contribution Ms Lovell said that section 94(1A) applies only to occupation.

Hon. W. A. Lovell — Read it!

Mr TEE — It says that, but 'occupation' includes the content and standards of things such as electricity. They are all about occupation. That is a very clear

provision in the minds of those on this side. It is also very clear in the minds of those at the Public Interest Law Clearing House and at the Tenants Union of Victoria, who have no doubt about what the provision allows dodgy operators to do. We on this side are very concerned about this issue and the hypocrisy shown in some of the contributions that have been made to the debate. We urge members opposite to reconsider the provision.

In Ms Lovell's contribution on the budget, she of course points to some funding, but what she does not point to is the fact that funding for rooming house reforms has lapsed.

Hon. W. A. Lovell interjected.

Mr TEE — The funding that is needed to actually make a difference, to implement the provisions, has lapsed. Again, there was hypocrisy in Ms Lovell standing here with hand on heart pretending to care when the way that the government acts is to ensure that the funding that will make a difference to people's lives on the ground, where it matters, has lapsed.

Hon. W. A. Lovell — Under your government.

Mr TEE — Through the Chair, I will take up the interjection. The suggestion is that the funding lapsed under the previous government — that is, three budgets ago. The suggestion is that the current government does not have the capacity to continue the funding because it is somehow barred from continuing to fund programs. That is an outrageous suggestion, and it does not hold any water. It is a joke. At the end of the day what is very clear from the actions of government members today and the government's commitment in the budget is that government members just do not care. Notwithstanding Mrs Coote standing hand on heart, going through example after example of the horrific situations in which many people find themselves, none of that carries any water unless government members actually do something about it.

That is what the previous government did. It set up the inquiry, came up with the recommendations and provided a way forward to implement those recommendations. Government members stepped into that breach and effectively drafted those recommendations. Our case, which is a compelling case, is that while on the one hand the government has drafted those recommendations, on the other hand it has provided people with the perfect way to get out of implementing those recommendations. The issue of course is that the people who are the most vulnerable and will be hurt the most do not have the capacity, the

lawyers or the ability to make the case that they will be taken advantage of by those dodgy rooming house operators.

Members on this side are very concerned, and we urge members opposite to reconsider their position and do no more than what they say they are going to do — that is, help those vulnerable members of our community, because their current actions are a slap in the face for those very vulnerable people in our community.

House divided on motion:

Ayes, 17

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

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	Petrovich, Mrs (<i>Teller</i>)
Elsbury, Mr	Peulich, Mrs
Finn, Mr (<i>Teller</i>)	Ramsay, Mr
Guy, Mr	Rich-Phillips, Mr
Hall, Mr	

Motion negatived.

MELBOURNE PLANNING SCHEME: AMENDMENT

Mr BARBER (Northern Metropolitan) — I move:

That amendment C194 to the Melbourne planning scheme be revoked.

The purpose of this motion is to revoke amendment C194 to the Melbourne City Council planning scheme. This amendment was made by the Minister for Planning over and against the wishes of the Melbourne City Council, which has ongoing responsibility for ensuring good planning outcomes within its area. The reason the minister moved that amendment to override the council was that he sought to approve a particular development that would not have complied with the existing planning rules, the planning rules that the council was putting forward, to wit, on Southbank, a 108-level tower with an overall height of 388 metres containing 646 residential apartments, 288 hotel rooms, 500 square metres of

office space, 2150 square metres of retail space, 600 car spaces, 236 bicycle spaces, and with the existing facades of the two buildings there retained, a basement supermarket and storage area, and 11 levels of above-ground car park.

The Minister for Planning sometimes comes in here and says that the Greens want everybody to live in humpies. What I would like to know is whether there is any sensible middle ground between living in humpies and a 108-level, 388-metre tower on Southbank? Is the minister capable of seeing anything other than black-and-white political rhetoric or can he actually have a serious debate about what represents proper and orderly planning for this area? It is my view that the public wants him to. The public does not want a planning minister who runs around making all sorts of wild claims, cutting ribbons one day and attacking his enemies the next. They want to hear from someone who can articulate a clear vision for planning that protects what it is that pretty much all Melburnians agree is great about this city and that allows for the necessary growth and development that we also want, the change we would like to see.

The minister really does himself no favours. Of course he is doing it for his own backbench, and he gets a great cheer from those members, but you have to listen to what the ordinary citizen is saying about the future of Melbourne. There is no doubt that this minister has paid particular attention to — I might even say tamed — some of the planning issues out in the middle suburbs, but in the green wedges on the urban fringe and here in the inner city he has inflamed those debates without in the end making any clearer than his predecessor did what exactly it is that they like about Melbourne and what they want changed.

When you make a planning intervention like the one the minister has done here and you do not articulate what is so special about this site and development that it must bust massively through the existing planning rules, then everybody starts to get worried. Everybody starts to think that a development like this may be coming to their part of town, their urban village or even the block next to them. That was the mistake made by Mr Guy's predecessor, Mr Madden, now the member for Essendon in the other place. He went around randomly intervening across the landscape, and there was no rhyme nor reason to it. In the time we have to debate this revocation today I hope we will get to the bottom of some of the rhyme and reason associated with this particular site.

If the minister really wanted to get some good advice on this, he only needed to read the Melbourne City

Council planning office report, which I will be relying on today. The minister gave the council scant notice of what he was intending to do. He gave the council the opportunity to consider the proposal over a few short days, but he did not give it the opportunity to go out and properly consult with its community, which is the essence of getting planning right. You have to listen to all sides, and Melbourne City Council, although it ultimately put forward its view, would have appreciated the time to do proper consultation with its community — that is, in a way that builds trust between the responsible authority and its citizens.

However, unfortunately this intervention cut across another planning scheme amendment that the council was well on the way to preparing, amendment C171 for Southbank, for which the council was seeking approval and which at the time of the minister's intervention was actually sitting on the minister's desk. It was a set of planning rules for the area that went through extensive consultation, had been through a planning panel, was fully supported by the council and was sitting on the minister's desk. This proposal, amendment C194, and the minister's precipitous action were all about heading off those rules, because this proposal goes massively higher and neglects many other features of good planning. In fact it destroys the whole intent of amendment C171.

Business interrupted pursuant to order of Council.

QUESTIONS WITHOUT NOTICE

Children: early intervention services

Ms MIKAKOS (Northern Metropolitan) — My question is to the Minister for Children and Early Childhood Development. On 20 March I asked the minister what she was going to do to restore access to multidisciplinary assessments for children with disabilities at the Sunshine Hospital. Mr Jennings asked her about the same issue last sitting week. As I understand it, the issue is yet to be resolved. There appears to be no specific output for this in yesterday's budget, but I am happy for the minister to point me to the relevant page if it exists. I ask the minister today: will the Department of Education and Early Childhood Development increase its funding to Western Health to enable multidisciplinary assessments to be restored?

Hon. W. A. LOVELL (Minister for Children and Early Childhood Development) — I thank the shadow minister for her question. I am pleased she has asked this question because it enables me to clarify for her that the premise of her original question was wrong; these tests are not required to access early childhood

intervention services. The multidisciplinary tests are required to access the federal government's autism packages, and they are required for students entering school and the program for students with disabilities.

As I outlined to Mr Jennings in the last sitting week, the letter that was sent out by the person at Western Health was done without any consultation with our department. There was no request of our department to sit down and talk about funding. It was done, I believe, without the knowledge of senior management at Western Health as well. I have asked my department to meet with Western Health. They have had a number of meetings. They are now putting in place a program to ensure that students can be assessed before they enter school.

However, I also point out that it is not standard practice to fund these multidisciplinary assessments. This is additional money that is given to Western Health by the department of education. We are now working with Western Health to ensure that it is used in the most appropriate manner.

Supplementary question

Ms MIKAKOS (Northern Metropolitan) — Meetings in themselves are not fixing the problem if there is no resolution. I am pleased that there have been a couple of meetings between Western Health and the minister's department, but it has been several weeks since the minister personally became aware of this problem. I understand that Brimbank City Council has also passed a motion regarding this issue; it is also very concerned about this. I ask the minister: when will she personally take steps to fix this issue?

Hon. W. A. LOVELL (Minister for Children and Early Childhood Development) — I have taken steps to try to bring a resolution to this issue. I get weekly updates from my department on its progress on this, and I am confident in its ability to resolve the issue.

Budget: regional hospitals

Mrs PETROVICH (Northern Victoria) — My question is to the Minister for Health, David Davis. Can the minister inform the house of any country hospital projects supported in yesterday's budget?

Hon. D. M. DAVIS (Minister for Health) — I thank the member for her question and for her strong commitment to hospitals in northern Victoria. I know there are some in this chamber who believe that there is no activity in northern Victoria in our hospital sector, but I can assure them that that is not the case. There is massive activity. It is not just the \$630 million project

at Bendigo, which is moving forward very quickly, but also Kilmore and other projects of that nature.

I can say that Numurkah, a hospital and a town that faced a big challenge, is to get the full upgrade that was promised. I pay tribute to the board, to the CEO and to the people in the town who endured the flood. I know that Mrs Petrovich, Mr Drum and Ms Lovell have advocated very hard to ensure that Numurkah gets the fair treatment it deserves. I was very proud of an announcement in this year's budget that Numurkah will have its entire building rebuilt, and that is as it should be. There are many other projects in country Victoria, and in northern Victoria in particular. If members think of Kerang and the project proceeding there and the massive expansion and rebuild at Echuca, they will see that they are all very important projects.

I was also proud that the budget this year has \$50.2 million for the Waurin Ponds campus of the new community hospital that will be built next to or on the Deakin University site with appropriate connections to medical and nursing links, so that students can have access to it, and appropriate research links. I pay tribute to the work done by Barwon Health in developing the service plan. I pay tribute to the work of the Barwon Health board, the CEO and the medical and clinical staff at Barwon Health. This will be a very significant outcome for Waurin Ponds and the southern area of Geelong.

What is very clear is that some in this country believe that the population of Victoria is falling, but anyone who goes for a drive down the south coast past Geelong will understand that the population is growing very fast indeed. The 32-bed hospital that will be built at Waurin Ponds will make a very big difference. It is part of a massive, more than \$4.2 billion capital project that is under way across the state. It is a massive outcome for Victorian hospitals. It is a historic rebuilding of Victorian hospitals from the legacy left by Labor in its failure to rebuild country hospitals.

Mrs Petrovich will well know that the Victorian Healthcare Association figures, which were released before the state election, showed only 17 per cent of the previous government's capital activity to 2010 was in country Victoria, despite 27 per cent of Victoria's population living in country Victoria.

Honourable members interjecting.

The PRESIDENT — Order! On my left there is too much conversation and interjection; it is over the top. The minister to continue without assistance.

Hon. D. M. DAVIS — Building from the unfortunate legacy of the last government where country Victoria had not had its fair share, this government is now turning that around. The previous government, now the opposition, did not allocate enough money for those projects. This government is turning around that historic failure to invest in country Victoria. The Bracks and Brumby governments invested 17 per cent compared to 27 per cent of the Victorian population living in country Victoria, and that is the legacy of Labor in country Victoria. I know Mrs Petrovich and many members on this side of the house, including Mr Drum and Ms Lovell, are committed to seeing projects delivered in country Victoria.

Kindergartens: funding

Ms MIKAKOS (Northern Metropolitan) — My question again is directed to the Minister for Children and Early Childhood Development. I am pleased to see that the minister has put in \$7 million for kindergarten infrastructure for the next financial year only. That is a very modest amount, and I note there is no further funding in the forward estimates for subsequent years. This is a job well done coming off a very low base of zero dollars in last year's budget. Can the minister advise the house how many kindergartens will benefit from this very modest investment?

Hon. W. A. LOVELL (Minister for Children and Early Childhood Development) — What I can advise the member about is the coalition's record on investment in kindergartens. This \$7 million brings our investment to \$93 million in grants available to kindergartens since the coalition came to government. That is more than the opposition provided during its entire last term in government and is almost equal to what it did in its entire 11 years.

We have a strong record on investment in infrastructure, and this \$7 million will form part of a competitive grants round for kindergartens. The Early Learning Association of Australia (ELAA), formerly Kindergarten Parents Victoria, said in its press release yesterday:

The investment of \$7 million towards funding children's capital facilities to build and upgrade children's centres ... across Victoria is ... welcome ... This funding will assist services in providing the best educational environments for children.

ELAA went on to say:

ELAA congratulates the Napthine government for their continued investment in early childhood education. In particular ELAA would like to acknowledge Minister Lovell

and her role in securing ongoing and improved investment in early years sectors. Ministers Lovell's commitment to improving the quality of early childhood services and her passion for the sector — —

Honourable members interjecting.

Ms Mikakos — On a point of order, President, the question I asked the minister was very specific. It was about asking for the number of kindergartens that would benefit from a very modest investment of \$7 million. The minister has not gone anywhere near addressing my question, and I ask her to come to that question and actually respond to the question for a change.

Hon. D. M. Davis — On the point of order, President, the minister has clearly been very responsive and is putting on record community comment about the government's commitment to this area, which is entirely appropriate. It may be inconvenient and the opposition might be tetchy about that, but it is a fact and relevant.

The PRESIDENT — Order! The minister still has 2½ minutes in which to respond to the question that has been put. The minister is quite within her rights to inform the house of the context of funding in this area. The minister has been trying to ensure that the house understands what is happening in funding for these services. As I said, the minister has 2½ minutes in which she may well specifically address the member's question on the number of kindergartens to benefit.

Hon. W. A. LOVELL — I would just like to finish the quote from ELAA, which finishes by saying:

Minister Lovell's commitment to improving the quality of early childhood services and her passion for the sector is critical to delivering key benefits to families.

As I said in the earlier part of my response, this money will form part of a competitive grants round. It is impossible to say how many services may benefit from this, because it depends on the amount of money that is requested within each grant. It also depends on whether the government, when it receives those applications, decides to allocate more money in that grant round, as it has in both of its previous grant rounds.

Supplementary question

Ms MIKAKOS (Northern Metropolitan) — I do not think the minister is fooling anybody when she continues to come here and claim credit for money that is coming from the federal government.

Hon. W. A. Lovell interjected.

Ms MIKAKOS — That is really unparliamentary language.

Honourable members interjecting.

The PRESIDENT — Order! I know we had a late night last night, and I know that some members are perhaps a little bit frayed at the edges and testy, but this is not helpful. I point out to Ms Mikakos that the opening remarks of her supplementary question were fairly provocative, inviting some of the interjections from the government side. It may well also invite a form of response from the minister that Ms Mikakos might not want. We need to be more constructive in terms of the way we approach this, and I ask Ms Mikakos to return to the supplementary question. Given the interjections, I will provide a little more than the 27 seconds if it is needed, but I do not want to hear commentary in that period; I only want to hear the supplementary question. I ask members of the government not to react to any provocation.

Ms MIKAKOS — The minister did not respond to my original question. In her response she referred to a grants program that seeks to distribute funds that have been predominantly coming from the federal government through a national partnership agreement. I know the minister is eagerly awaiting more federal funding to come through imminently, so I ask: is the modest investment in the Victorian budget her government's way of yet again waiting to be rescued by federal funding?

Hon. W. A. LOVELL (Minister for Children and Early Childhood Development) — The member does not do herself any service by asking these types of questions. A substantial investment was announced in yesterday's state budget that has been welcomed by the sector. Ms Mikakos would have heard the response from the kindergarten sector. We stand very strongly behind our commitments to early childhood. In fact in our first budget we provided a 10.8 per cent budget increase. In last year's budget we provided a 17.6 per cent budget increase, and this year we provided a 7.1 per cent budget increase. These are record investments in early childhood education, and this is an area that this government takes very seriously.

Budget: western suburbs

Mr O'BRIEN (Western Victoria) — My question is to Mr Guy, the Minister for Planning, and I ask: can the minister inform the house what action the coalition government has taken in the latest state budget to reduce travel times, build local jobs and improve

livability for residents in Melbourne's fastest growing area, the Wyndham growth corridor?

Hon. M. J. GUY (Minister for Planning) — I thank Mr O'Brien for a very important question about an area on the very edge of his seat, the western suburbs of Melbourne. Of course it is also the area that Mr Finn and Mr Elsbury so ably represent in this chamber — that is, Melbourne's western growth corridor.

For too long we have seen the Labor Party take for granted Melbourne's western suburbs. It is this coalition government that is committed — —

Mr Lenders — On a point of order, President, Mr Guy is already debating the question. Rather than taking a question on government administration, he is now reflecting on other political parties. I ask that you direct him to cease debating the question.

The PRESIDENT — Order! I thank the Leader of the Opposition for the point of order. I think the minister is aware of my concerns about members debating their answers, but at this point the minister has only just started to answer the question. The fact that he has made a statement that he would regard as context for where he is going with his answer is acceptable to me, provided he does not continue to develop that line in his answer, which would certainly meet the criteria Mr Lenders has referred to under our standing orders and which we do not encourage — that is, debating the question. I ask the minister to continue and be mindful of those comments.

Hon. M. J. GUY — Thank you, President, and I appreciate your guidance. I know, as you would, President, that the truth does hurt for some people, but let me say how proud I am of this coalition government that put a further \$30 million into the Treasurer's budget to eliminate traffic congestion in and out of Point Cook, on top of the good work done by Mr Elsbury and Mr Finn.

Mr Leane interjected.

The PRESIDENT — Order! I advise Mr Leane that he is on unsafe ground again. Using those terms is not appropriate, and the level of interjection is also inappropriate from my perspective. The minister to continue without assistance.

Hon. M. J. GUY — Again I say how proud I am of the coalition government that is actually doing what Point Cook residents have wanted done for 12 long years — that is, the government is building the Sneydes Road interchange. In this budget we have committed a further \$32 million on top of \$40 million to get a full

diamond interchange at the Sneydes Road intersection to ensure that the infrastructure is in place for the brand-new Werribee employment precinct, which was an opportunity lost by the previous government that sat there collecting dust on the desk of the former Minister for Roads and Ports and Minister for Major Projects, Tim Pallas, the member for Tarneit in the Assembly.

We are getting on with the job of building the Werribee employment precinct, and we are putting in place something that might be novel to many other Labor governments — that is, infrastructure first and development second. That is why we have committed \$30 million in this budget, on top of the existing \$40 million commitment, to make sure that the infrastructure goes in now.

Mr Elsbury and I know, as we were there recently, how important this is to jobs in the Wyndham growth corridor. To provide the full context, last night I heard some comments from opposition members.

Ms Hennessy, the member for Altona in the Assembly, said the budget fails to deal specifically with Point Cook. I might give Ms Hennessy some advice on how to read the budget papers, because clearly this \$30 million announcement is important. It is on top of the \$40 million we had already committed, of which \$16.9 million is to begin upgrading Sneydes Road to get from Point Cook into the brand-new employment suburb. This is her own seat.

There is also \$9.6 million for the realignment of the Hoppers Lane-Princes Highway intersection, \$3.1 million for the phase 2 environmental site assessments and \$2.5 million for future Crown land management of the Werribee employment precinct.

This government is putting its money where its mouth is, unlike previous governments that promised a lot for the western suburbs and delivered nothing. This is in the context of what the coalition government has done for Melbourne's west. We are building three new schools in Melbourne's west. The Minister for Health, David Davis, was there recently to announce over \$30 million in brand-new health infrastructure for Melbourne's western suburbs. In addition there is money that this government has committed on top of other commitments to make sure that the regional rail link actually has things like signals and trains, which the previous government forgot to provide. On top of that there are the grade separations.

The coalition government is proud that it is starting these projects; it is going to see them through and will deliver vital infrastructure to the people of Point Cook — vital infrastructure that the Labor Party took

for granted for 10 years. We are going to get on and make sure that we are building for growth.

Mr Leane interjected.

Questions interrupted.

SUSPENSION OF MEMBER

Mr Leane

The PRESIDENT — Order! Mr Leane can leave the chamber for 15 minutes. Perhaps he might consider that the football is on the weekend, not today.

Mr Leane withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Questions resumed.

Ambulance Victoria: response times

Mr JENNINGS (South Eastern Metropolitan) — My question is for the Minister for Health. I agree with the Minister for Planning that the truth does hurt. Indeed sometimes the truth places lives at risk. In that context I ask the Minister for Health: as the budget papers that were released yesterday by the Treasurer show unequivocally that there was an underspend of \$16.7 million in the ambulance programs last year, how will he explain to patients whose lives are at risk that ambulance response times continue to deteriorate to the point that only 72 per cent of life-threatening conditions are responded to on time, which is worse than the year before? How can the minister explain these circumstances to those patients and their loved ones?

Hon. D. M. DAVIS (Minister for Health) — What I can say is that our paramedics and our ambulance service do a remarkable job. I can also say that there has been a 17 per cent increase in funding to Ambulance Victoria since this government came to power. We came to power with a \$151 million package to bring in 310 additional paramedics and 30 patient transport officers. Of those staff 240 are in country Victoria and 100 are in the city. They are being rolled out. The number of paramedics and front-line staff at Ambulance Victoria has never been greater.

I can further tell Mr Jennings that the government is focused on improving patient outcomes and getting the very best outcomes. I can say that Ambulance Victoria is in the top 4 per cent of ambulance services internationally in respect of survival rates, and I can say that survival rates in rural and regional Victoria are improving steadily, year on year.

We are focused on getting the very best outcomes for the community in terms of results and in terms of actual survival. Getting patients to the hospital is critical, and getting them there with the support of the very highly trained paramedics who are in our system is absolutely critical too. I can indicate that there has been a rollout of mobile intensive care ambulance paramedics in the 10 big regional cities of Victoria, towns like Wodonga, Warrnambool, Shepparton, Mildura, and I could go on. The fact is they are actually having a significant impact; they are having a very good result for the Victorian community. Survival rates are improving, and it is because we are putting more highly trained paramedics in place, and they are getting the results for our community and they are getting the treatment in place.

I am very proud of this budget, which has a significant boost for cardiac spending, including the provision of clot-busting drugs for paramedics, which will be rolled out in one region first and then later in all the other country regions of Victoria. Paramedics will be in a position to administer the clot-busting drugs earlier, and that will lead to the saving of lives. We are focused on delivering outcomes in terms of survival rates and in terms of better results for our community.

I have to say that we are cleaning up the mess of 11 years of Labor — the botched merger and the failed management of Ambulance Victoria, and the failure to put the resources in and deliver the outcomes. We are working very hard on better outcomes for Victorians, better outcomes for country Victorians, better survival rates, better training for our paramedics and better results in terms of the clot-busting drugs, an initiative that is part of this year's budget and something the opposition never did in the 11 years it was in government. It failed to do that. The key thing here is to focus on getting the very best outcomes for Victorians, and that is what we are doing.

Supplementary question

Mr JENNINGS (South Eastern Metropolitan) — My supplementary question builds on the minister's answer. I am sure that not one person in this chamber heard the minister refute what the budget paper says — that there was a \$16.7 million underspend in ambulance programs — nor did they hear the minister dispute that ambulance response times to emergencies have reduced to 72 percent. Will the minister take the opportunity to either refute that or explain to us why our ambulances are transferring patients to hospitals within 40 minutes on only 76 per cent of occasions, another target that has actually reduced during the course of the last year, which was confirmed by the government's budget papers yesterday?

Hon. D. M. DAVIS (Minister for Health) — What I can confirm for the member is that the government is determined to focus on the measures that really count, and they are about the survival rate of patients. It is about the outcomes for patients. It is about the results for patients. We are determined to strengthen MICA provision in those 10 regional cities. Mr Jennings's parliamentary secretary, Wade Noonan, the member for Williamstown in the other place, wants to undermine the provision of MICA services in the 10 big regional cities. He wants to unpick the government's efforts to put MICA into those 10 regional towns and deliver these saving steps for those communities.

I can also say to the member that we are determined to focus this debate very strongly on the outcomes for our patients. It is clear that the results are improving for our patients in terms of actual outcomes. What I have said is that Ambulance Victoria is one of the best in the world, and outcomes in country Victoria are improving in terms of survival.

The PRESIDENT — Time!

Budget: early childhood development

Mr ELSBURY (Western Metropolitan) — My question is to the Minister for Children and Early Childhood Development, the Honourable Wendy Lovell. Can the minister inform the house of how the Napthine government's 2013–14 budget will impact on early childhood development?

Hon. W. A. LOVELL (Minister for Children and Early Childhood Development) — I thank the member for his question and for his ongoing interest in early childhood development and the welfare of Victoria's younger citizens. I am delighted that the Napthine government has delivered what is yet another great budget for the early years. Overall there is a 7.1 per cent increase from last year's budget, and this budget delivers over \$46 million in youth funding to the early years sector. There has been \$34.3 million allocated for 1000 early childhood intervention service (ECIS) places. This includes an additional 500 places and also the 500 places that were recently allocated to services. That brings the number of additional early childhood intervention service places allocated under this government to 1150 — a very strong investment in early childhood intervention services.

The budget also allocates \$7 million in state funding to the Children's Capital Facilities Fund, and this \$7 million adds to the \$86 million we have already allocated to this fund over the past two years. This \$7 million will form part of a competitive grants round

later in the year and will benefit a number of services throughout Victoria. I have already mentioned the reaction of the Early Learning Association Australia (ELAA) to that announcement. What I forgot to mention is that ELAA started its media release by saying:

ELAA applauds the government ...

That was a very nice endorsement from ELAA on the early childhood intervention services. Early Childhood Intervention Australia (ECIA) Victorian chapter said:

Today's budget announcement ... demonstrates the ongoing commitment of the Victorian government to invest in young children with a disability or developmental delay, and their families, even in lean financial times.

It goes on to say:

I would also like to personally acknowledge the ongoing commitment of the Minister for Children and Early Childhood Development, Wendy Lovell, to invest in ECIS. Minister Lovell's passion to support young children and their families has ensured that thousands of children will receive vital supports now and into the future. We look forward to continuing to work with the minister on these issues.

ECIA goes on to say that its budget submission:

... called on the Victorian government to prioritise investment in children and families and build on the great work that is happening. In early childhood intervention this call has been heard and answered with this budget.

Those are strong third-party endorsements.

We will also allocate \$4.6 million for scholarships to upgrade qualifications of early years educators to ensure that we can continue to deliver the best quality programs for young students. There will also be funding to cover wage rises associated with the Fair Work Australia decision, known as the social and community services case, including wage increases for parenting service program workers.

I remind the house that our first budget had a 10.8 per cent increase on the year before, and our second budget had a 17.6 per cent increase. This budget has a 7.1 per cent increase — a very strong investment in the early years services. We are proud of our record of investment and look forward to continuing to deliver for Victorian families.

Hospitals: waiting lists

Mr JENNINGS (South Eastern Metropolitan) — My question is for the Minister for Health on a theme of the truth hurting and putting patients' lives at risk. In the budget papers published yesterday it was very clear in the admitted services program that one of the key

performance measures is that semi-urgent elective surgery patients are responded to within appropriate times of 90 days. This only occurred on 67 per cent of occasions, which is well short of the target in the budget papers. Can the minister explain that to those patients whose lives were inconvenienced and whose pain and suffering continues to this day, at a time when that program was underspent by \$139.2 million last financial year?

Hon. D. M. DAVIS (Minister for Health) — What I can say to the member is that the government is massively increasing its investment in health care. This year we will produce a budget with a record spend of \$14.3449 billion. That is a 4.8 per cent increase. In the acute health services area, which is largely the area I am responsible for, there is a 5.4 per cent increase in spending. I can say that the overwhelming majority is ours, and what I can say — —

Mr Jennings interjected.

Hon. D. M. DAVIS — I can, actually, and I can say that the growth in the state contribution is more than the federal contribution.

Mr Jennings — Is it?

Hon. D. M. DAVIS — Yes, it is.

Mr Jennings — How do you demonstrate that?

Hon. D. M. DAVIS — It is actually in the budget papers themselves. I do not have the page handy, but I can put that to Mr Jennings. I am quite sure that that is the case.

Mr Jennings interjected.

Hon. D. M. DAVIS — Yes it is, Mr Jennings. I can indicate to Mr Jennings that the commonwealth's share of spending has continued to fall as a share, going from 44 per cent down to around 39 per cent, and we will see what the final numbers are this year. There is always that uncertainty about what the commonwealth will do. I also point out, given that the member has raised the matter of commonwealth spending, that the state is seeking that \$368 million the commonwealth promised to spend. The share of that spending that is due in the forthcoming financial year is \$99.5 million. We will certainly be seeking that funding from the commonwealth, and we will be seeking the support of all parties in this chamber to recover the money the commonwealth has promised.

It is clear that on the basis of a dodgy population formula the commonwealth cut \$107 million out of the

current financial year and was forced by community resistance to return that money to Victoria. There is still \$368 million to go to be returned, including \$99.5 million from 1 July. We will be seeking Mr Jennings's support in that. Last time he supported the commonwealth and wanted the cut. He supported the cut, he wanted to see hospitals reduced in their capacity and wanted that cut in the middle of the year.

We will be seeking to get that \$99.5 million, which was promised, back from the commonwealth. Whatever level of activity the state undertakes, where the commonwealth has withdrawn that \$99.5 million, the aggregate — the total result — will be less than it would otherwise have been. I know Mr Jennings will join with us on this occasion in fighting for that \$99.5 million of commonwealth funding that was due and was promised, but what I can say to Mr Jennings is that we will be seeking to get the very best result we possibly can.

I can also indicate that the chaotic way the commonwealth behaved in this financial year has not helped the planning and flow of outcomes for surgeries. We know that because of the commonwealth action at least 2300 fewer people had their surgery. When the commonwealth cut the money from 7 December and until it returned the money in dribs and drabs to individual health services over the last month or two, a significant hiatus and uncertainty was left for health services. What is clear is that health services naturally had to live with the funding they were given by the commonwealth through the pool. They were forced to make difficult decisions, and I say to Mr Jennings that it has impacted on the category 2 patients. It has impacted on category 3 patients too, so Mr Jennings has to share some of the responsibility because of his advocacy for the commonwealth cut to our health services.

Supplementary question

Mr JENNINGS (South Eastern Metropolitan) — I refute that I have at any stage been an advocate for the removal of \$107 million, but I will remind the minister that the \$107 million which was withdrawn, withheld and then returned by the commonwealth actually appears in the budget paper within the item that I have referred to. The item that I have referred to has a reduction — an underspend — that the minister is responsible for of \$139.2 million. In other words, the commonwealth withheld \$107 million — a number less than that — for three months and returned it fully, and the minister underspent \$139 million during the course of the last financial year. Can the minister explain that?

Hon. D. M. DAVIS (Minister for Health) — What I can very easily explain to the member is that the government is doing the very best it can with the resources, which are increasing significantly. What I can also indicate to the member is that the commonwealth's chaotic actions did have an impact on both category 2 and category 3 patients. There is no question that when the commonwealth took the money out, it did impact on services. Surgeries were cancelled. Surgeries are not easy to put back on in the period.

The commonwealth withdrew that money — money it had promised — on the basis of a population formula that the Senate committee has now pointed out was flawed. The Senate committee understood that the growth in the population of Victoria was significant. It is only the federal Treasurer and some of his cronies in Canberra who thought for a moment that Victoria's population had fallen. I am focused on the \$99.5 million, and I will be watching Mr Jennings move on this to see whether he supports the government.

Apprentices: government assistance

Mrs COOTE (Southern Metropolitan) — My question is for Mr Hall, the Minister for Higher Education and Skills. Given that the government announced in yesterday's budget that the apprentice trade bonus scheme will be discontinued, could the minister advise the house of measures the coalition government is taking to encourage apprenticeship-level training?

Hon. P. R. HALL (Minister for Higher Education and Skills) — I thank Mrs Coote for her interest in and question on this particular matter. It is true that yesterday's budget announced that the trade bonus scheme for apprentices would be discontinued. This scheme provides \$250 to apprentices on completion of their first 6 months of training and a further \$250 after they have completed 12 months of their training. I say quite categorically that this particular scheme is not the catalyst to encourage people to undertake apprenticeship training.

The best thing we can do to encourage more young people to accept and embark upon apprenticeships is provide a strong economy that gives governments, individuals and the private sector the confidence to invest in this state and therefore create job opportunities. I do not think anyone has disputed that the budget that was brought down by this government yesterday, which saw a record investment of \$6.1 billion in infrastructure, will create those jobs and in turn create opportunities for apprentices here in

Victoria. That is the very best thing we can do to ensure that they have jobs and apprenticeships they can go to.

Moreover, I want to put on the record this government's support for apprenticeship training in this state. It was at this very time last year, when we announced new subsidy arrangements for all training programs in Victoria, that every single apprenticeship program was given a higher subsidy. I will highlight just a few examples: plumbing went from a training subsidy per student contact hour of \$10.01 to \$12.50 — a 25 per cent increase. If members multiply that increase by the number of nominal hours in a plumbing apprenticeship, they will see that it means that this government is putting \$5000 in round figures into every apprenticeship training place in this state. If we look at cabinet making, we will see that there was a 25 per cent increase in subsidies for cabinet making, which means that for every cabinet-maker trained in this state the government was putting in, in round terms, an extra \$3500. For commercial cooks there was an increase of about \$2300 in terms of the state government input to their training. For hairdressing the Victorian government provided an additional subsidy of about \$3000 for support.

Those subsidies were in the apprenticeship areas. The record of this coalition government's support for apprenticeship training is quite a remarkable one, particularly when you compare it to the actions of the commonwealth government in the last 12 months. In its 2012–13 budget the commonwealth government took out \$400 million worth of apprenticeship incentives across Australia. In its midyear budget it took another \$450 million away from apprenticeship support programs. Those two actions of the federal government meant that about \$200 million less in apprenticeship training support would flow to Victorian apprentices.

As I said, that stands in stark contrast to the Victorian government's efforts in supporting apprenticeship training. The additional subsidy level, which was announced in last year's budget and continues in this year's budget, puts literally hundreds of millions of dollars more of government subsidies towards ensuring that we have an adequate supply of apprentices in this state.

Ordered that answer be considered next day on motion of Mr LENDERS (Southern Metropolitan).

Albury-Wodonga: air quality

Mr BARBER (Northern Metropolitan) — My question is to the Minister for Health. Last sitting week I asked the minister about the impact of various burn-

offs on air quality in Albury-Wodonga. I also sent him the data from the New South Wales Environment Protection Authority about the levels of air pollution in that area. This government does not monitor air quality in regional areas. In addition there is a study that was undertaken by the New South Wales department of health during the 2003 bushfires on the impact of smoke pollution on emergency department presentations at Albury Base Hospital. I ask whether the minister has been able to determine whether the levels of air pollution occurring in Albury-Wodonga are likely to cause impacts on human health and even the daily death rate, and whether that creates a requirement for him to act under the Health Act 1958?

Hon. D. M. DAVIS (Minister for Health) — I thank Mr Barber for the question. I take seriously the points he made last sitting week, and I have requested formal information and response from my department. I have not yet received that. It is a reasonably complex matter to get to the bottom of in terms of the detail of this, and I am assured that there will be information coming back to me in the relatively near future.

Supplementary question

Mr BARBER (Northern Metropolitan) — The government now has two more large burn-offs planned in the north-east — one at Bright and one at Kiewa — either later this week or sometime next week. Will the minister be taking any action between now and then to ensure that air quality in the area will not be damaging to human health?

Hon. D. M. DAVIS (Minister for Health) — What I can indicate to the member is I am awaiting that formal advice. I think, as I said in the discussion in the chamber previously, this is a matter that touches both environmental burn-offs and fuel reduction, which is the responsibility of the Minister for Environment and Climate Change. It obviously involves the Environment Protection Authority and that agency's role. Also, as I indicated at the time, there is a matter for my department in terms of any health impacts. I am seeking advice on that. I have requested that advice but have not yet formally received it. But I will pay close heed to that, and I am very happy to make that information available to Mr Barber.

Corrections: government initiatives

Mr KOCH (Western Victoria) — My question without notice is to the Honourable Edward O'Donohue. I would like to join others in congratulating him on being appointed to the state cabinet as Minister for Liquor and Gaming Regulation,

Minister for Corrections and Minister for Crime Prevention. In his capacity as Minister for Corrections I ask: can the minister outline to the house the ways in which the coalition government is investing in the Victorian corrections system to make Victorians safer?

Hon. E. J. O'DONOHUE (Minister for Corrections) — I thank Mr Koch for this most important question. It is a privilege for me to be given responsibility as the Minister for Corrections. In that capacity I am pleased to advise the house that the 2013–14 budget handed down by the Treasurer, Michael O'Brien, yesterday contains new funding for Victoria's corrections system.

The government is investing \$52.9 million to build and operate a new high-security unit at Barwon Prison. This 40-bed unit will increase our capacity to safely and securely house Victoria's most dangerous criminals. That \$52.9 million will also deliver a security upgrade of the Banksia management unit, also located at Barwon Prison. In addition \$78.6 million will be spent to build and operate an additional 357 beds across the prison system. In total the 2013–14 budget invests \$131.5 million across a number of projects.

This budget's investment in the correctional system will create an additional approximately 65 construction jobs and 40 ongoing jobs at Barwon and across other regions. This funding is on top of the \$670 million announced in last year's budget to build a new 500-bed men's prison at Ravenhall and to add 395 beds elsewhere across the system, which is estimated to create approximately 800 construction jobs and 580 ongoing jobs.

The coalition government inherited from Labor a corrections system in crisis due to 11 long years of significant underinvestment by the former government. As the Auditor-General identified in his report of November last year, the Department of Justice advised the Labor government three times that a new prison was needed, and three times Labor said no. Prior to the last election the coalition promised 500 new beds across the male prison system to be delivered in its first term of government, and I am pleased to advise the house that the government is well on the way to delivering that commitment and more. The 500-bed expansion was promised to account for the coalition's sentencing reform — a responsible thing to do.

However, upon coming to government it quickly became clear to the government that many more beds would be needed to make up for Labor's neglect of the prison system and the growth that it was, and had been, experiencing. Labor was acutely aware of the prisoner

projections and bed shortages and three times, as the Auditor-General described, Labor said no.

Another legacy the coalition government inherited from Labor is yet another botched Labor project, which is the Ararat prison expansion, or Hopkins Correctional Centre expansion project at Ararat. As members would know, the coalition has fixed this botched project inherited from Labor. We have a new agreement with the banks, which sees the banks assume the risk. I am advised there are now 500 workers on site creating jobs and economic activity in Ararat and the broader community. In that context I congratulate and acknowledge the former Minister for Corrections, the member for Kew in the Assembly, on his diligent oversight of this portfolio during the first two and a half years of this coalition government.

Ordered that answer be considered next day on motion of Ms PENNICUIK (Southern Metropolitan).

MELBOURNE PLANNING SCHEME: AMENDMENT

Debate resumed.

Mr BARBER (Northern Metropolitan) — As I was saying earlier today, in relation to the site where the minister made his intervention the Melbourne City Council already put forward amendment C171. In fact on 25 September 2012 it resolved that it be sent to the minister for approval. A number of the planning rules in that amendment would have had an impact on this proposed development — for example, under the rules podium heights should not exceed 30 metres; the development above a podium should be no less than 10 metres from the front, side and rear boundaries; towers should be no less than 20 metres from an adjoining tower, unless it can be demonstrated that sunlight, good daylight and privacy and an outlook from habitable rooms can be provided; towers should be well spaced to equitably distribute access to an outlook and sunlight between towers and to ensure adequate sun penetration at street level; towers should be designed so that habitable room windows do not directly face one another; and towers above the podium should be designed to encourage a reasonable sharing of access to daylight and an outlook and the mitigation of wind effects.

The council report stated that the panel reviewing amendment C171 found that the structure plan embodied in those rules was appropriate. It reports the panel as stating:

While the panel is satisfied in general terms that Southbank Structure Plan 2010 achieves an acceptable balance of development consistent with its policy settings...

Of course those settings include 100 metres as the preferred height. It was the view of Melbourne City Council that buildings substantially higher will undermine this balance, with the outcome being overcrowded streets, dominated by inhospitable built form. It said that from a strategic planning perspective a building three times the height — the one the minister is backing — has not been substantiated by the applicant, and it asked, 'How will this building enhance the livability of Southbank?'.

What we have is a very sensible and generally well-received set of planning rules for Southbank which protects the things that are going to make Southbank livable — nice views, good sunlight, a bit of privacy, not too windy. These are all the things in relation to which people ask what went wrong concerning the much-maligned Docklands, do they not, Mr Tee? Someone has learnt the lesson and put it into a planning scheme amendment: amendment C171, proposed by Melbourne City Council, endorsed by a panel and sent to the minister to sign off.

The minister, however, apparently has not learnt the lessons about livability, not just in a building but in the public space around a building. Southbank started life as a bit of a concrete jungle, and we certainly want to improve that rather than make it worse. As is so often the case, it is the council that is looking out for these important details. Clearly the minister is not. Perhaps the minister is just buzzing around what the developer and the developer's architect are telling him. Perhaps the minister, who seems to think Margaret Thatcher was the greatest thing ever, says, 'There's no such thing as society, so who really cares what people do when they're outside their little flat? Who cares whether they'll find it comfortable and welcoming and an experience of livability to hang around in the public spaces around Southbank and the city of Melbourne?'.

Even if we just look at comfort and livability within dwellings and the other private spaces in such buildings, there is the question of ecologically sustainable development. Here again Melbourne City Council has an eye to the long term. It recently adopted amendment C187 relating to energy, water and waste efficiency. The council says the minister has not yet considered whether this particular development, this 108-storey tower, complies with that policy. When we talk about environmental sustainability we come back to the same issues we had in relation to public space amenity — that is, are people going to have good

natural light in their apartments, or are they going to have to run their lights 24 hours of the day?

Interestingly the developer of the Eureka Tower, which for quite a while was the biggest building down there, managed to comply with a whole range of these requirements that the council is now seeking to have as broader planning rules. If the developer of Eureka Tower could manage that compliance, why is it that this particular tower, which the minister favours, is being given a free kick on all these rules?

I turn to car parking. The council does not support the provision of above-ground car parking that would abut the street, because what that would create is a dead street frontage and a dead building. 'Oh', it is claimed, 'this developer has the solution there'. You can see it in the pictures that accompany the developer's application. I have seen this quite a few times now, Deputy President: whenever an architect wants to put in a layer of the eco-woo-woo on their building, they put in some planter boxes with trees sticking out of the side of the building and they call that an 'urban forest' or a 'vertical garden' or use some other trendy term they are going for and that they tell their mates about at dinner parties.

Mr O'Brien — Trying to please the Greens.

Mr BARBER — Probably trying to please pale greens, like Mr O'Brien over here from The Nationals, who would not know green if it popped up in his porridge and who gets sucked in. As a planning barrister, I am sure Mr O'Brien, who seeks to intervene in this debate, would probably walk into a planning hearing and put up something like the design I am holding here, throw out a few of the usual eco-woo-woo buzzwords and say, 'That's a good building from an ecologically sustainable development point of view'. How can you put in multiple storeys of car parking facing the street frontage, bung a few planter boxes on it and say that that meets good design?

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

Mr BARBER — No estimates of traffic generation from this project were provided, at least at the time that Melbourne City Council got to review it, and that is important because a big building is going to produce a hell of a lot of cars and there are already a hell of a lot of cars on Southbank and not a lot in the way of high frequency and direct or even late-running public transport. There is some, to be sure, but it is a bit of a hike to find it. There is nothing high frequency that runs the length of Southbank, even if public transport does cross it from place to place.

Whether you live in the building and take off in your car and come home twice a day, or whether you work in the building and drive in and out, it is no wonder that so many people on Southbank drive, even though the vast majority of people from across the Yarra take public transport to the CBD. I hope the minister had a look at that before he moved to approve the project, but it does beg the question: what is the government's plan for improving public transport in the near CBD area? I am not talking about a few ferries chugging up the river; I am talking about the sorts of high frequency public transport — trams or buses — that would get people around once they step off at Flinders Street.

Last but not least is the question of the assessment itself. The minister jumped in here because the proponent argued that this was a project of state significance. We found out from the last government that almost anything would be a project of state significance. But we should recall that the Eureka Tower, which is next door, was done through a planning application process. What we have here is a planning scheme amendment that is meant to rewrite the rules to fit the project rather than the project itself having to respond to the rules.

I refer to some of the quite laughable arguments that the proponent used in claiming this was a project of state significance and therefore the rule book should be tossed out the window. Firstly, there was an intention to construct the proposed building with prefabrication technology. Then they asserted that the proposal would demonstrate confidence that Melbourne is a city which is progressing and strengthening. There are very high levels of development in Melbourne, and the ongoing confidence in Melbourne's property market is not dependent on this particular development being given a free kick. If it is about the broader impact on the community, we would expect that there would be some net public benefits thrown into the mix.

The structure plan already sets up the 30-year vision for Southbank, and with that a program of capital improvements to the Southbank area includes upgrades to intersections and measures to improve pedestrian safety. That usually means widening the footpaths, which makes me wonder where all those extra cars will travel. The council, in a last-ditch effort, suggested that if this thing were to be approved, various conditions should be designed to ensure that there is a contribution to the public space. What argument did the minister make for approving this? He put out a press release and basically told us that the building was big. It was good because it was big. He did not use the word big, he used a range of other allusions to it. He said that Australia 108 — that is, the building — will be 'an outstanding

addition to Melbourne's skyline'. He said, 'This tower signifies the best of Victorian architecture and a drive for enterprise and ingenuity'. He also said the tower would define our city for many years to come, and would become as iconic as Flinders Street station or Federation Square. Get off the grass, Minister! The minister said the tower would be 'an icon both visually and for those who will live in it, stay at its hotel, dine at the level 84 Sky Lounge or visit the level 108 Star Bar'.

Yes, Minister, but you forgot to consider how they would be living. Would they be in well-lit apartments? Would they have huge power bills? Would they have a nice environment? Where will the cars go from and to, and how comfortable will it be to live in the vicinity? In other words, the people who live in and use this building as well as its surrounds were the ones who were completely left out of all consideration, because the well-considered and comprehensively discussed planning rules, put together by Melbourne City Council, were tossed out so that the minister could have his icon, which is what you can see on the skyline. I care about the people who live and work on Southbank, and for them what is happening at the street level is much more important than Mr Guy's view as he travels around.

Inevitably, once you start scrapping the rules for special projects that you think are ace, you get more and more requests to do the same. Not long after that press release, in propertyobserver.com.au we read the headline 'Two more Melbourne high-rise towers seek Matthew Guy's tick of approval'. Developers seeking to build a 49-storey tower on Ferrars Street, South Melbourne, and a 43-storey tower on City Road, Southbank, were the next ones to put up their hands, and the minister has already shown, post this intervention, that he is willing to rewrite the rules as they apply to the Yarra River area even before a proposal is on the table. In fact in anticipation of a proposal, of an actual planning permit that he has been told about, he has just gone and rewritten the rules with regard to overshadowing of the Yarra River.

If this one particular decision by the minister illustrates anything, it is that the minister does not take due care when it comes to the livability of the environment in a very important development zone like Southbank. He does not consider the amenity, the livability and the ecological sustainability of the operation of the building and those who occupy it. He thinks bigger is better. His vision of the skyline is more important than the things that most ordinary citizens find to be important about this city.

His dirty great icon on the skyline will not do anything to help protect what is most important about Melbourne — that is, our status as one of the world's most livable cities. Even a humble local council planning officer engaged with a bit of training and the council's own rule book finds this development failing. The proposal should have been modified; instead, the minister rewrote the rules for one particular developer's vision. As we all know, once you start doing that, it is habit forming. People's fears that the minister has no real plan for what he is doing in the inner Melbourne area are rapidly being realised. That is why the Greens are urging the house to disallow this planning scheme amendment, to prevent this development from happening and to require the developer to go back and make an application under the existing rules and those already put forward by the council, which the minister should be endorsing.

The DEPUTY PRESIDENT — Order! I call Mr Tee. I can see that Mr O'Brien is concerned. The process is that the views of the non-government parties are put and then the debate is determined on those for and those against.

Mr O'Brien — I have no quibble with that. With due respect, the Clerk explained a different process to me when I was in the chair. I am comfortable if Mr Tee wants to have the call.

Mr Tee — It might be of assistance to me if Mr O'Brien responds.

The DEPUTY PRESIDENT — Order! We are all in agreement. I call Mr O'Brien.

Mr O'BRIEN (Western Victoria) — It is true that I am very keen to respond to Mr Barber's contribution in relation to this particular proposal. I note that towards the end, as usual, he did not take up any of my interjections about the complete contrast, and therefore the complete undermining of the sincerity of his views, between what he espouses as the rights of residents in inner city Melbourne and what he espouses as the rights of those who occupy the rural and regional areas that I represent, such as those who have been and remain concerned about the hypocrisy of the Greens on the issue of wind farms.

That hypocrisy of members of that political party is shown in that it is considered to be okay for them to cite residential concerns, environmental significance, heritage and all the other issues that are of genuine concern to inner city residents except when those same concerns are cited by many western Victorians whom I

represent and who are concerned about the impact of wind farms on the environment.

Mr Barber — Dig deeper!

Mr O'BRIEN — Mr Barber invites me to dig deep, and I will dig deep. I note Mr Barber's reported comments about the recent Dundonnell wind farm proposal. It is reported that Mr Barber said that the Minister for Planning should have approved it without — —

Mr Tee — On a point of order, Deputy President, I am loath to interrupt, as Mr O'Brien has just commenced, but we are dealing with an application for a tall tower and Mr O'Brien seems to be discussing a wind farm development in regional Victoria. It is a very specific motion that is before the house, which concerns a single planning scheme amendment dealing with a single tower in Melbourne. I am not sure how a discussion around wind farms comes into the debate, particularly when the issue was not raised by Mr Barber in his contribution.

Mr O'BRIEN — On the point of order, Deputy President, the point I am making is the contrast in Mr Barber's general position. They were opening remarks, and I think I should put Mr Barber's comments on the record. After making these comments, I will turn to the specifics of the proposal, but as opening comments by the lead speaker I thought they were in order.

The DEPUTY PRESIDENT — Order! That was in fact how I was intending to rule. I wanted to give Mr O'Brien the opportunity to express his views in response, but we do not need to go any further. In the opening remarks in this debate I think it is acceptable for a member to put some context around the remarks they wish to make. In that sense I do not uphold the point of order, but I remind Mr O'Brien that it is a very narrow motion and a narrow debate. Having made his general points, he should try to stick to the specifics of the motion.

Mr O'BRIEN — I will. I will just put these comments on the record. This is what Mr Barber said in relation to the same minister's decision on 21 January to order the preparation of an environment effects statement on the proposal for that wind farm. Mr Barber said that the wind farm should be approved, and he is quoted as having said further:

I'm a pretty big greenie —

I agree with that —

and if I thought there was any real risk to any species with this project, I'd be onto it like a seagull onto a hot chip ...

The real threat to native wildlife is continued clearing of bushlands ... (and) climate change.

That is the quote.

The DEPUTY PRESIDENT — Order!

Mr O'Brien needs to be cautious in quoting from a recent *Hansard* record. If that is a quote from *Hansard*, Mr O'Brien can refer to what someone said but he cannot quote directly from it.

Mr O'BRIEN — Thank you for your guidance. If I have inadvertently misled the Chair into thinking it was from *Hansard*, I apologise. That quote was not from *Hansard*; it was a quote of Mr Barber reported in the *Herald Sun* of 27 January. I am very glad that it is now in *Hansard* to let Mr Barber's voters know that when they vote Greens there will be opposition in relation to developments in the big cities but when those same concerns about environmental matters arise in western Victoria, we get precisely the opposite arguments coming from the Greens.

Mr Barber has moved this motion in relation to this proposal. It is very rare that the house votes to set aside a planning scheme amendment. He cited a number of arguments in support of that, yet we see in those comments I have now put on the record that when it conveniently suits the Greens they will take another position. They will take the position that Mr Barber himself can decide on applications without needing to go through the proper process, because Mr Barber and the other Greens, according to them, are the font of all wisdom on environmental and climate issues. The hypocrisy of the Greens on this proposal by members of that political party is what I sought to expose at the outset of this contribution.

The decision has been to approve an application to build a tall building. That decision is made under a planning scheme that encourages the building of tall buildings on the very site where that building will be located. Through amendment C194 the minister has inserted an incorporated document into the Melbourne planning scheme to allow for a 390-metre or 108-storey mixed use development, comprising dwellings and residential hotel, office and retail components at 70 Southbank Boulevard. It will be called the Australia 108 building and will feature 646 apartments and a 288-room, 6-star hotel as well as retail and office space. That use is entirely consistent with the zoning and controls that have been in place for many years.

Currently in that zone there is no height prohibition or mandatory height limit. The Victorian Civil and Administrative Tribunal decision on the previous proposal of the former Labor government for a 70-storey planning permit confirmed that there was no mandatory height control in relation to this site. What we have in this situation is a perfectly suitable site to house not only Australia's but the Southern Hemisphere's highest building.

This iconic building will be a landmark for the city. As has been described, it is a Nonda Katsalidis design that incorporates high-quality architectural solutions. Its construction will involve many innovative techniques that will actually save on construction time to the tune of about 25 per cent, thereby saving on transport and reducing carbon emissions and impact on residents of the area.

This is a very significant proposal, which has received the minister's approval as a state-significant planning decision. If it is a landmark building in terms of being Australia's tallest tower, it is clearly a state-significant development. As the tallest structure in the Southern Hemisphere it will also be taller than the Empire State Building in New York. But it will not just be a tall building; it will also be a game-changer in terms of construction techniques, as was reported in the *Australian* of 19 March by Luke Slattery, who wrote:

Australia 108 ... marks the first use in a high-rise building of game-changing construction techniques pioneered by Melbourne firm Fender Katsalidis, which also designed Eureka Tower. Many of the 108-storey tower's interior spaces, including 646 apartments —

et cetera —

will be fabricated under cover at a \$10-million factory, trucked to the site, craned into place and assembled around a concrete core. Katsalidis anticipates that this system will enable Australia 108 to be completed in three years, a saving of about 25 per cent in construction time and cost.

That was the 25 per cent that I referred to earlier. These techniques have been refined:

... under the arm of a separate but related firm, Unitised Building, and it has been used on several new residential projects in Melbourne. Its Little Hero apartments at Russell Place was built in 6 months instead of 12 and has been referred to as Melbourne's first instant building.

'This is a great demonstration not just of the system we're using, which has real flexibility and makes a big contribution to productivity, but of the innovation that comes out of Australia and particularly out of Melbourne', a director of the firm, Nonda Katsalidis, told the *Australian*.

The architect has already been approached to adapt it for use in Singapore and across South-East Asia with Samsung.

Mr Katsalidis quoted as saying:

I would like to reduce the cost of construction, make it more efficient and cheaper ...

What we have here is an Australian innovation, a Melbourne-led innovation, that will not only implement innovative construction techniques in relation to large tower buildings in Melbourne, but will also have the potential to foster Australian relationships with other countries and to continue the great work that many Australian engineering firms, design firms and architectural firms do in developing innovative solutions that can result in export jobs, connections with other cities and increased productivity for the economy.

The minister has recognised that the site, for which planning approval had already been granted, is one that warrants a significant landmark building. It is a site for which the previous government had already approved a 70-storey planning permit. As Mr Barber quite accurately conceded in his opening remarks, this government has been concerned to tame the planning concerns in the suburbs. Those were his words, as I took them down. That was something that was of significant concern under the regime of the previous Bracks and Brumby governments, whereby we had a succession of four planning ministers — starting with Minister Thwaites and running through Minister Delahunty, Minister Hulls, and finally, Minister Madden, who progressively sought to unveil Melbourne 2030 and then unravelled it as it went forward through — —

Honourable members interjecting.

The DEPUTY PRESIDENT — Order! I think Mr O'Brien might be able to stand his own ground without the assistance of Mr Finn and Mr Barber.

Mr O'BRIEN — What I was saying in relation to the planning concerns in the suburbs was that Melbourne 2030 became a significant albatross around the neck of the previous government in that it failed to recognise the importance of development in appropriate areas. Encouraging the development in Southbank of high-rise buildings is something that is appropriate. If we wanted to prevent high-rise buildings in Southbank, I am afraid that horse bolted long ago.

Mr Barber — We would all live in humpies!

Mr O'BRIEN — Even if we wanted to prevent high-rise buildings in the city, that horse bolted long ago. I am sure Mr Barber would love to live in humpies in Southbank, as he says. I think the Greens live more

in nimbys than in humpies. They are particularly astute at identifying concerns that relate to their beloved inner city haunts and eulogising that those similar concerns expressed for different reasons could not possibly be validly held by people such as western Victorians, who are legitimately concerned about issues such as wind farms. In relation to the decision by the Minister for Planning on Dundonnell, as I pointed to, all he is doing is putting it through an environment effects statement process to look at issues such as the potential impact on bats and brolgas and factors that should be generally considered.

In relation to the Greens opposition to these motions, there is a failure to recognise that we can actually mitigate some of the concerns about infrastructure provision in relation to public transport if we house more people in tall buildings proximate to inner city locations such as Southbank and create mixed use developments with apartments, tourist attractions, hotels et cetera. People will be able to walk, catch trams on our existing network, catch trains and use other forms of public transport, including the ferry that Mr Barber derided. They can enjoy the wonders of inner city Melbourne, including the river at Southbank — —

Mr Finn — And the MCG.

Mr O'BRIEN — And the MCG, where they would need to go earlier in the season if they were to enjoy the success of Mr Finn's team, Richmond. Certainly that applies more so in relation to the Melbourne Football Club.

Mr Finn — You'll be waiting for decades.

Mr O'BRIEN — I accept that. This is about long-term vision and planning. I accept that I am straying from the motion now, and I see that I do not have your assistance, Deputy President, on this occasion, so I will return — —

The DEPUTY PRESIDENT — Order! I am always happy for people to take the mickey out of Mr Finn on football.

Mr O'BRIEN — I am looking forward to Mr Finn making a contribution. I believe he will proceed after Mr Tee, and he will further respond to some of the economic woo-woo that came out of Mr Barber's mouth. I think that was the phrase.

Mr Finn interjected.

Mr O'BRIEN — Sorry, it was not economic woo-woo; it was eco-woo-woo. The Greens will forever be a

testament in this country to the failure of the Gillard-Brown experiment as being not just economic woo-woo or eco-woo-woo but economic doo-doo or voodoo and any other 'oo-oo' you want to put after it. What it shows is a failure to realise good management of money, productivity, construction jobs and sensible planning decisions in sensible locations, like the innovative Australia 108 building, which will be constructed with a number of sensible feng shui elements using the number eight, which is a lucky number on this 8 May. We believe it will bring the best of prosperity and good fortune to this great city.

With that, I close by taking up one other comment that Mr Barber made — and I am sure Mr Finn would love to further take up this theme of argument — and that is when Mr Barber sought to analogise Minister Guy in the vein of the now late and great British Prime Minister, Margaret Thatcher.

Mr Finn — God bless her.

Mr O'BRIEN — 'God bless her', says Mr Finn. Endorsing those remarks, and in relation to all the reasons for which Mr Barber has sought to criticise this proposal — that it is a \$600 million investment, that it will bring jobs to the Victorian economy, with approximately 300 in the hospitality industry, that it will protect the livability of the suburbs, that it will allow for greater use of our existing infrastructure and construction techniques, and that it is a signature building that has been approved by a very competent planning minister of this government, which is restoring economic credibility to this state — I say to Mr Barber, quoting Margaret Thatcher: what a good idea.

Mr TEE (Eastern Metropolitan) — I welcome the opportunity to speak on this motion. It is opportune that Mr Barber has brought on this motion, because it is timely that we have a debate around what has now been nearly 40 towers that this Minister for Planning has approved in a very ad hoc way without any criteria. I think it is opportune that we see this debate on this motion in that context.

On this side we lament and fear the consequences of having a planning minister who has a tick and flick approach and has knocked back only one developer application. As we would all remember, the one application he knocked back was the infamous 'tower of power' application, where in order to protect views of the bay for some high-profile Liberal Party mates the minister knocked back a tall tower. However, outside of that this minister has allowed —

Mr Finn — On a point of order, Deputy President, Mr Tee has clearly strayed into the area of flouting the standing orders. He has cast clear aspersions on the motivations of the Minister for Planning, and I ask him to withdraw.

The DEPUTY PRESIDENT — Order! I am at a disadvantage in the sense that I was talking to another member about the order of business on the agenda after this, so I did not hear Mr Tee's remarks. It is therefore in effect up to Mr Tee as to whether or not he knows that the words he used were inappropriate, so all I can do is ask, if they were inappropriate, for Mr Tee to abide by the normal practices of the house. If they were not, he may continue.

Mr TEE — I am at a bit of a loss as to which particular remarks Mr Finn is referring to. Perhaps he could clarify, and that would help me in determining what I should do in the circumstances.

The DEPUTY PRESIDENT — Order! No, I will not be doing that.

Mr Finn — You must think I'm as stupid as you are. Fair dinkum!

The DEPUTY PRESIDENT — Order! Mr Finn! Mr Finn has raised a matter, and I am trying to sort that out. I will not ask Mr Finn to specifically refer to the words. Mr Tee would know whether or not certain words he used might have been objectively offensive, which is the requirement. What I can do is discuss this with the President. Either he or I will check *Daily Hansard* tomorrow, and if we feel that they are objectively offensive, then we can proceed from there. It is unfortunate that I did not hear Mr Tee's remarks, and I apologise to the house for that, but I was trying to concentrate on the business of proceedings immediately after this. I call Mr Tee. If he believes that any words he used were objectively offensive, I ask him to withdraw. If not, we will check *Daily Hansard* and deal with the matter tomorrow.

Mr TEE — Thank you, Deputy President. I am unclear as to the particular remarks, and therefore the option you have articulated of checking *Daily Hansard* is probably a good way through this impasse.

As I was saying, there have been nearly 40 applications before this minister, all but one of which have been approved and none of which has had any regard to the views particularly of local communities or of local councils. None of those views seem to matter. On this side we are concerned to make sure that there is a strategy for the way in which planning decisions are made, particularly around these sorts of developments.

On this side of the chamber we are concerned that if the planning minister does what he has done — that is, in effect vacate the field and allow developers to put forward their designs — what you then have, in the absence of a planning minister, is Melbourne's skyline being designed by developers. I am not besmirching the motivations of developers. They have got a piece of land and their objective and motivation — —

Mr Barber interjected.

Mr TEE — As Mr Barber says, their motivation is to ensure that they provide a product that maximises the return for them and their shareholders. I do not begrudge them that at all; it is entirely appropriate. But the role for government and planners is to make sure that those developments occur with a broader context. That broader context is: what does Melbourne's skyline look like in 5, 10, 20 or 30 years? Where does this development and this piece of land fit into a vision for Melbourne for the next generation? What will that development do in terms of the broader picture, in terms of the street view, in terms of shadowing and, in the case of this development, in terms of the impact on the Shrine of Remembrance? What impact will there be in terms of Melbourne's livability, its look and its feel? Those issues, which are difficult because they are somewhat intangible, are important if Melbourne is going to continue to be the most livable city in the world.

I thank Mr Barber for bringing on this debate because it is an important discussion about our livability and where Melbourne's success will be in the next 5 or 10 years. We will do the community and the next generation a disservice if we endorse any actions by this minister or this government which allow the designs of developers and their motivations — as good as they are for themselves — to define what Melbourne will become and what it will look like. That is an approach that we will regret, particularly in the next generation. It is all very easy for the minister to put out a press release and announce another of his 40 towers, but in terms of the long-term impact, that is a burden which the next generation will have to carry.

That is our concern about the approach but unfortunately it is also the reason we cannot support Mr Barber's motion today. Our view is that we cannot on the one hand demand a degree of transparency, accountability and a structure within which the minister operates but then at the same time pick off 1 of 40 towers to be the one that we will put under particular scrutiny and decide not to support.

Mr Barber interjected.

Mr TEE — We are concerned, as Mr Barber has indicated, that there are issues around this development. It is inconsistent with the Southbank structure plan and with the aspirations of many who live in that area. I have met with a number of Southbank residents who are particularly concerned about this sort of ad hoc development and who are constantly being ignored by the government. I have enormous sympathy for the underlying issues that have motivated Mr Barber to move this motion, because what it says is that if we operate the way the minister does, there is no concern about infrastructure, there is no consideration of the impact in terms of traffic flows, public transport or school needs. I note that we are talking about an area where there is a severe shortage of schools. We know that South Melbourne has been left behind by this government when it comes to schools. We know that — —

Mr Finn interjected.

Mr TEE — I will take up the interjection by Mr Finn, through you, Deputy President, that this budget allows for funding for a school, but that will not be before 2017, which is a long way away when you have got Port Melbourne Primary School with an enrolment of over 1000 children. It is a long way away when the schools there are at capacity today. In other areas there are much shorter time frames. The demand here would suggest a short time frame but the budget certainly has not delivered that. Instead we have the minister approving another tall tower and generating more demand without any consideration as to the needs of that community in terms of schools or the impact of this development. In this context providing a school by 2017 is simply far too late.

I urge the government and those opposite to prevail upon this minister to work with the local council, to work through the proposal with the council and the local community and to come up with a comprehensive plan to make sure that we take into account the needs of residents today and for years to come; that we have got an approach that acknowledges the importance of schools, public transport and open space and also acknowledges that this is an ideal location for high-rise development.

We are not talking about something that is incompatible. We are not talking about the extreme position that the government puts where it says you are either antidevelopment or pro-development. We on this side of the chamber say it is about getting the balance right. It is about a responsible approach that recognises how important this area is to accommodate Melbourne's growing population, but to do so in a way

that does not leave the community short and does not compromise Melbourne's livability. That is what is at stake, and that is why I welcome Mr Barber's motion. It allows us to ventilate these issues, but again I will not be making the minister's mistake of picking this tower out of the other 40 or so.

I will conclude by noting that we know that at least another eight applications are sitting on the minister's desk, we know that this issue is going to keep bubbling along, and we urge the minister to act promptly, to get his act together and to make sure we have a way forward which looks after not just the developers who have aspirations, but also the aspirations of Victorians more generally, particularly those who live in those areas and derive their income from the most livable city in the world.

Mr FINN (Western Metropolitan) — I always take a great deal of interest in matters of mysticism, and there are some of the great mysteries of life that we, as individuals and as a society, can take into account. Some of the great questions we need to address include the meaning of life. Is this all there is? That is a question we often hear. Is there a God is another one that has been considered and talked about through the ages. Surely when taking all these matters into consideration one of the greatest issues not just of our time but of any time must be: what the hell is going on with the Greens? What is wrong with these people? It is something about which I have to say, 'I don't understand'.

I have been looking at the Greens for quite some time now. I have seen the Greens go through their embryonic stage and infancy. Up they went, and they have decided election after election. Now they have reached their peak and are on their way out, and we have seen that election after election. It never ceases to amaze me why the Greens would want to put up motions like this, because its members keep telling us they do not want people living in the suburbs. For years we have heard from the Greens that they do not want the suburban sprawl. They want to keep the green wedge. They want people to live in smaller homes and largely keep out of the suburbs. They do not like people living in the country because that might upset the trees — and the last thing we want to do is upset the trees. Now they tell us here today they do not want people living in the city either. If they do not want people living in the suburbs, they do not want people living in the country and they do not want people living in the city, we can only draw conclusions not totally unrelated to their views on a number of other issues that they do not want people living anywhere at all.

That is the bottom line when it comes to the Greens: they regard people as a nuisance and as a danger to the environment. That is their basic problem and that is where they are coming from. That is where this motion comes from today. It is not the first time we have seen a motion of this nature, and it is not the first time we have heard a contribution of this nature come from the Labor Party either. Mr Tee has raised similar matters over a period of time. I heard Mr Tee's contribution in this debate today. I cannot say that I entirely understood what he said, but I heard it, and it was clearly antidevelopment. He made the point on a number of occasions that any decision supportive of development had to be opposed. Is this the new policy of the Labor Party? Have Labor members completely lost their senses and merged with the Greens into that mystic world I spoke of earlier?

As Mr Barber said by way of an interjection earlier, the Greens would have us all living in humpies by the banks of the Barcoo River or any similar river. Mr Barber would have us living like that. As we know, he would have us all riding bikes, would ban cars and does not want the tunnel. We do not know whether the Labor Party wants the east-west link either, but listening to the debate today it seems that both Labor and the Greens have taken on the policy of total, complete and absolute opposition to any development at all. That clearly is not only a threat to the future of our city and our state, but it is also a clear and present threat to the jobs of thousands of Victorians, particularly those in the construction industry.

One would think that particularly members of the Labor Party would have some concern for the welfare of employees in the construction industry, because a good deal of the support and a good deal of the money that the ALP brings in to fight its campaigns come from the Construction, Forestry, Mining and Energy Union, and it is those very jobs that we are talking about today. These are the very jobs that would come as a result of Australia 108, a building that would in its own way make a substantial contribution to the funds that the ALP will use to fight the next election.

Again, it mystifies me that the Labor Party would be against the development, as outlined by Mr Tee in the house today. I may be a little tired today — I think we are all a little bit tired today — but it goes beyond the realm of reason to try to match up the arguments of Labor via Mr Tee and the arguments of the Greens via Mr Barber with any logic or common sense at all. We have heard from Mr Barber and particularly from Mr Tee that this development would be some sort of threat to the Shrine of Remembrance. That of course is a nonsense. The shrine board of trustees —

Mr Barber — I did not say that.

Mr FINN — Mr Barber says he did not say that. He is more worried about some parrot or something, no doubt. Mr Tee certainly made it clear that he was concerned about the effect Australia 108 would have on the shrine. If that were the case, I would share that concern because the shrine is something that we should all regard with a great deal of respect, as it represents something that we all should hold very dear.

Mr Barber — That's why I consulted the trustees.

Mr FINN — I do not know what Mr Barber is saying there, but the shrine board of trustees has made it very clear that it does not oppose this development at all, and it put that in writing. I would not be too concerned. I do not know what the trustees said to Mr Barber, but they have put it in writing that they are not opposed to this development. It offers no threat. Australia 108 offers no threat to the shrine. Let us face facts; we have to face facts here. The arguments about the shrine are secondary in consideration of the general view of the Labor Party and the Greens that development is bad, growth is bad, business is bad. That is what they are on about. That is what we expect from the extreme left, and that is what we have got here today. I think that in itself is very sad.

Ms Pulford — This from a member of the snooziest government in Victorian history!

Mr FINN — Ms Pulford might get very excited and passionate about these matters because she might not be as left wing as some of her comrades.

Mr Tee — On a point of order, Deputy President, Mr Finn has referred to the views of the shrine board of trustees by reference to a letter. I would ask that, as a courtesy to the house, he make that letter available to all parties.

Mr FINN — On the point of order, Deputy President, certainly if I had been quoting from that letter I would be very happy to do that. My understanding is that the letter exists; I am surprised that Mr Tee has not seen it.

The DEPUTY PRESIDENT — Order! That is sufficient on the point of order. There is no capacity for the Chair to require a member to table or make a document available. It is a matter for the member using such a document to determine whether or not they are prepared to do that. I cannot uphold Mr Tee's point of order, given that Mr Finn has indicated he does not wish to do so.

Mr FINN — Getting back to Ms Pulford's point, it is interesting that Ms Pulford enters this debate in the way that she has, as out of order as that may be. It is interesting that she has entered the debate in this way, because as we know the Victorian Labor Party at the moment is split between the extreme left, as led by the current Leader of the Opposition, Daniel Andrews, and the not-so-extreme left, led by the heir apparent, Mr Pakula. I would not go as far as suggesting that Ms Pulford — —

The DEPUTY PRESIDENT — Order! Earlier in his contribution Mr Finn referred to the fact that he has spent many years in this place listening to the Greens and observing them. I have spent many years in this place listening to and observing Mr Finn, and what I can say is that he has a tendency in debates to move from the matter before the Chair. I think he has enough experience to cleverly bring his points back to the matter before the Chair, but at this stage he is failing to do so. I ask him to address the matter before the Chair, which is a specific motion about a particular planning matter.

Mr FINN — I hear what you say, Deputy President, and I certainly hope you hear what I say as well. I just made that reference because there may be a little bit more than meets the eye when it comes to the views of the Labor Party on this matter, particularly as Ms Pakula — there was a Freudian slip! — particularly as Ms Pulford entered the debate in the manner in which she did.

Mrs Peulich — Being in the Pakula stable.

Mr FINN — As Mrs Peulich says, Ms Pulford is supporting one particular candidate, and it might not be the same candidate Mr Tee is supporting. But that is another thing altogether, and I will move on.

We heard Mr Tee talk about his desire to work with councils on these sorts of developments. I laughed myself stupid. My memory might not be as good as it was 20 or 30 years ago, but it is not completely shot. I remember the last planning minister of this state, who tried to ride roughshod over every council in Victoria. He tried to take the ability to have any planning powers at all from every council in Victoria. It is drawing a long bow, to say the least, for members of the Labor Party, particularly a man who thinks he could be the Minister for Planning in Victoria, to get up here in this house today and talk about their desire to protect the rights of councils.

I remember not all that long ago when the then Minister for Planning, Mr Madden, now the member for

Essendon in the Assembly, would have turned Mount Alexander Road in Essendon into a concrete canyon. Wherever there was a tram track you would have had concrete canyons — great mountains of buildings on either side. The Moonee Valley City Council was against that then, and I emphasise that that was a Labor council at the time. Wherever those councils were expressing a view, the minister just did not want to know.

If Labor Party members are now taking into consideration the views of councils, I commend them. I congratulate them because that is a giant step in the right direction for them and certainly a total and complete about-face on what they did and what they attempted to do the last time they were in government.

I am very excited about the development the Minister for Planning, Mr Guy, has approved. Australia 108 is going to be a major asset to Melbourne and to Victoria, and I sincerely hope it will not be the last development of its type in Melbourne. You just have to go back 20 years to see that Melbourne was a dead city on the weekends and after hours.

Mr Koch — A ghost town.

Mr FINN — It was a ghost town, Mr Koch. There was nobody here. Nobody lived here. Over the last 20 years things changed, and that was started by former Minister for Planning Robert Maclellan, who took the view that Melbourne was a living, vibrant city that should be occupied by actual human beings after hours. He did that, and I am delighted to see that Mr Guy as the planning minister now is continuing in that regard. I have no doubt that in the years and decades to come people will look back and see Mr Guy as a visionary, and they will give him the due credit that is his for continuing our magnificent city as a living, breathing, vibrant city. That is an issue that is foremost in the minds of a good many people in the city.

I do not know who Mr Barber talks to; I have a fair idea, but I do not completely know. However, the people I speak to do not have any problem with these sorts of towers. They have no problem with these sorts of developments; in fact they regard them as being very good. As I say, they create jobs. They bring investment. We are talking about a \$600 million investment in the Victorian economy and 300 jobs in the construction and hospitality industries. You cannot buy investment like that. If we had a city nobody wanted to invest in, then we would have a problem, but here we have people who want to invest in Victoria, who want to invest in Melbourne, who want to create jobs and who want to create wealth.

That might be another problem for Mr Barber, because the Greens have a real problem with wealth. They do not like wealth. 'Profit' is a dirty word to them. I suppose it comes from their base, which is largely the hippie crowd, most of whom have never had a job in their lives. I suppose that flows through.

Mrs Kronberg — Do they ever polish their shoes?

Mr FINN — I do not know whether they polish their shoes, but I can only point the finger on that score, Mrs Kronberg. It comes back to the fact that the Greens and the left of the Labor Party, as epitomised by the outgoing Leader of the Opposition, Mr Andrews, the member for Mulgrave in the Assembly — —

Mr Leane interjected.

Mr FINN — Mr Leane is very touchy on this subject. I am surprised. Ms Pulford has gone quiet all of a sudden. Mr Leane is in furious defence of the outgoing Leader of the Labor Party, Mr Andrews, and the smile on Ms Pulford's face says it all, because she knows that her man is the one who is going to have the job very soon, and she will probably be leapfrogging that bench. It may well be the case that she will be taking Mr Tee's spot. Ms Pulford may well be the shadow Minister for Planning in — —

Mr Ramsay — It's a giant leap of faith.

Mr FINN — Mr Ramsay is absolutely on the money, as he so often is. He says, 'It's a giant leap of faith', and one I perhaps would not be prepared to make. However, Mr Pakula, who is now the member for Lyndhurst in the Assembly, may be prepared to do that.

To get back to what I was saying before, I commend the Minister for Planning, Mr Guy, on his vision. I commend him on the systematic and planned way he is going about developing parts of Melbourne that need these sorts of developments. We see him out in East Werribee at the moment. Parts of that area have been referred to by some as Finnland, which I do not think is a bad name. We are seeing development right around the metropolitan area. We are seeing it in many country areas, and we are very fortunate as a government and as a state to have somebody like Matthew Guy in the planning portfolio overseeing the sorts of developments and growth that are happening right across the board. For that I am very grateful, and I am very proud to be part of a government that has him as minister in that portfolio.

Clearly I will not be supporting this motion today. Undoubtedly there will be more as Victoria continues

to grow. As Victoria continues to improve we will see Labor and the Greens joining together in an attempt to stop that growth — in an attempt to stop Victoria becoming a better place. That is one of the reasons they are going to be on that side of the house for a very long time to come.

Mr BARBER (Northern Metropolitan) — Whatever it is the Minister for Planning is doing, it is pretty clear he does not have a plan for Southbank. He has well and truly moved into Madden mode, which is that developers come to you with a proposal and then you write a set of rules to fit that proposal.

I laid down a bit of a challenge when I moved this motion and debated it. Apart from the very important matters that are considered within the planning scheme amendment, I laid down a challenge for any member of the government to articulate what the government's planning policy was. What I said was that somewhere between the 108-storey tower they are approving and the humpies they say the Greens all want to live in there may be some sort of middle ground. However, the government members spectacularly failed to discuss anything that might represent a set of rules for a livable and prosperous Southbank and inner Melbourne.

It is not like I am the audience for the government's message. I am the guy moving this motion; of course I am going to vote for it.

Ms Hartland — And I will.

Mr BARBER — Thank you, Ms Hartland; I appreciate it. I simply wanted to know whether those opposite were capable of articulating what is good about this development and why anything that anybody might put up as an alternative, including the Melbourne City Council's proposed planning rules, is bad. We did not get it. I listened and waited, and I was told that this development is good because it is big. Mr O'Brien also said it is good because it will go up quickly. They are going to use some sort of new prefabrication technology that will make it go up quickly. Congratulations to the developer and the proponent if they can do that; I am sure they will be well rewarded. But no-one from the government benches mounted the case for why this development is good and why Melbourne City Council got it wrong in proposing more modest planning rules.

Mr Finn gave the same speech he gives every single time. It does not really matter what issue is being debated; Mr Finn gives, in effect, the same speech. He must think that speech is a winner. Acting President, I would bet you \$1 million that Mr Finn did not prepare

for this debate by reading the delegate's report that went to the minister to justify this approval. I will bet you double or nothing that he did not read Melbourne City Council's submission.

The ACTING PRESIDENT (Mr O'Brien) — Order! I do not think it is in accordance with the standing orders for a member to challenge the Chair in such a manner. I call on the member to continue.

Mr BARBER — I bet no member of the government who spoke on this matter read Melbourne City Council's submission on behalf of the citizens who elected it. Someone accused me of thinking I was the font of all knowledge when it came to planning, but in fact I just went through the very well-considered report prepared by Melbourne City Council and I contrasted its proposal with the proposal of the minister. It was not about what Greg Barber or the Greens thought; it was about what Melbourne City Council ultimately resolved with the Greens and Labor members and the Liberal Lord Mayor. They all took a view, and I am endorsing that view. The minister should go back to the drawing board and consider the matters that Melbourne City Council put forward.

I have been told I am a hypocrite. Apparently I am a hypocrite because I want developments to comply with planning rules. I want wind farms to comply with planning rules that have seen no real change by this government with regard to heights, noise controls and blade flicker. All the guidelines that would govern a wind farm, except for a few minor changes that are almost not worth mentioning, are exactly the same as they were when this government took office. I also think this development should comply with the rules that are being written for Southbank. I do not understand why that makes me a hypocrite.

Apparently it had something to do with the fact that I might comment on developments that are happening in western Victoria. It was odd then that the government put up a member for Western Victoria Region and a member for the western suburbs to comment on a development that is just across the river from my electorate in the Melbourne City Council area which I try to represent. I did not hear from government members from Southern Metropolitan Region or Northern Metropolitan Region on this subject. Like most things, it was all blamed on Melbourne 2030, which as members would know is a Greens-Labor plot.

Mr Finn — I forgot to mention that.

Mr BARBER — Mr Finn did mention it. He should not worry; he is not slipping. He did mention

Melbourne 2030 as a Greens-Labor plot. The thing I have been trying to work out for the last two-and-a-bit years is why the coalition government did not abolish Melbourne 2030 when it took office.

Mr Finn — That's a damn good question.

Mr BARBER — 'That's a damn good question', Mr Finn says. If Melbourne 2030 is terrible and a Greens-Labor plot, why is it still in place? Why is it that in more than a dozen places in the statewide part of the planning scheme there is reference to Melbourne 2030 and to Melbourne @ 5 Million? It is because the Minister for Planning has not come up with anything better in two-and-a-bit years. He has been too busy doing the tick and flick on developers' plans.

There was also a reference to nimbys. Apparently I am a hypocrite because I am representing nimbys, and yet the one change that the government has made to wind farm rules has been to legislate nimbyism into the planning scheme for the first time ever. There is now an official nimby clause — and I do not think you will find one in any other planning scheme in any serious jurisdiction — that says you can veto a wind farm if you live within 2 kilometres of it. It does not matter how many rules it complies with or how many environment effects statements have been completed on it. It is completely irrelevant whether it complies with every single rule in the book that this government itself has endorsed. If you do not like it, you block it. Nobody on Southbank is getting that deal. That is why I was confused when I was the one being accused of being a hypocrite because I want citizens to have their say and the responsible authority to enforce the rules. Apparently it does not matter whether a wind farm meets the rules, nimbys still get their say.

There were more of the same arguments: 'It's an iconic building, that's the reason it is going up'. Things like livability — —

Mr Finn interjected.

Mr BARBER — We are coming back to the development in a minute.

Mr Finn — That would be nice.

Mr BARBER — Perhaps if being iconic is the measure, a building may be in the form of a 100-storey statue of Matthew Guy straddling the Yarra River like the Colossus of Rhodes. It would be iconic enough to see everything in the planning scheme stripped away so that that could be built.

Then we heard from members of the Labor Party, and what a downer that was. Mr Tee said he is very concerned about the problems with this development. Mr Tee said he had met with Southbank residents who are concerned about this development. Mr Tee said he has sympathy with their concerns. Then Mr Tee said he is not going to vote according to those concerns; he is not going to vote according to those sympathies; he is going to vote with the Liberal Party.

This is why they are in a bit of trouble on that side of the house. They have all these high-minded visions and values and they fall back on the history and all the rest of it, but when the bells ring they do not vote according to those values. It is kind of like making an iconic, now world-famous speech against misogyny, as the Prime Minister did, on the same day that you vote for a bill that cuts single mothers' pensions. It might be part of the reason that, despite all their best intentions and all their flowery words, people do not want to vote for Labor members.

If this development is not enough to get Mr Tee moving — and we know that other towers like this, probably dozens of them, are going to be proposed — when is it exactly that Mr Tee will draw the line in the sand? I heard a member of the government say that Labor was antidevelopment. Ha-ha! I know the Liberal Party has to do something to try to differentiate itself from the Labor Party, but this is certainly not it. After all, they are getting funded by all the same groups of developers. I do not know why those developers would continue to shovel money to the Labor and Liberal parties if the Labor Party was antidevelopment. It is yet another example of really how similar they are.

It is another example — and we will see it in a minute when the vote is called — of Labor and Liberal cozying up there on that side of the chamber. Only the Greens are defending good planning and defending the unanimous decision of Melbourne City Council, with all its different political flavours, to go for livability, sustainability and progress. The best thing the government can tell us is that it is good development because it cost \$600 million to build. It is a bit like the best thing it can tell us about the east-west toll road, which is that it is going to cost \$8 billion to build. Sure, it creates jobs. As we know, paying people to dig holes and fill them in again creates jobs, but does it boost the economy? It does not boost the economy if it simply creates more traffic, and it does not boost the economy if it destroys the livability, which is the reason people want to move into Melbourne, and particularly Southbank, in the first place. They should think twice before they simply make a dollar figure the arbiter of everything.

It is a bad development. Melbourne city councillors and their planning staff showed the government why it is bad, but its members did not listen. They did not come in here ready to debate planning. They simply came in here ready to throw around epithets and slogans. As I said, it is not like I am the audience for their message. It is the people of Melbourne they have to convince. I do not think they are convincing them. They have not even tried to articulate their vision for this city. It is not like this will be the last time that government members will be challenged in this way.

House divided on motion:

Ayes, 2

Barber, Mr (*Teller*)

Hartland, Ms (*Teller*)

Noes, 35

Atkinson, Mr

Lenders, Mr

Broad, Ms

Lovell, Ms

Coote, Mrs

Mikakos, Ms

Crozier, Ms

O'Brien, Mr

Darveniza, Ms

O'Donohue, Mr

Davis, Mr D.

Ondarchie, Mr

Davis, Mr P.

Petrovich, Mrs

Drum, Mr

Peulich, Mrs (*Teller*)

Eideh, Mr (*Teller*)

Pulford, Ms

Elasmar, Mr

Ramsay, Mr

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

Pairs

Pennicuik, Ms

Dalla-Riva, Mr

Motion negatived.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Reference

Ms HARTLAND (Western Metropolitan) — I move:

That this house requires the Public Accounts and Estimates Committee to inquire into, consider and report no later than 11 June 2013 on the Auditor-General's report *Management of Unplanned Leave in Emergency Services*, March 2013, tabled in this house on 6 March 2013.

I will be quite brief in my contribution because I think this is a very straightforward matter, and I would hope that the Labor Party and the government would also see that it is a fairly straightforward matter. In moving this motion I wish to say at the outset that I have the highest

regard for the work of the Auditor-General. In the six years the parliamentary Greens have been in this Parliament we have had a representative at every Auditor-General briefing, because we rely on the Auditor-General's reports as a reliable, credible, authoritative source of information about the workings of government.

When the report I am referring to, *Management of Unplanned Leave in Emergency Services*, was released, I was aware that the United Firefighters Union of Australia, the body that represents firefighters, had not had an opportunity to address the issues raised in it. I felt it was important that it be able to give insight into why it is that there is such a problem with unplanned leave within the Metropolitan Fire Brigade. I believe that referring this report to the committee will give all parties the chance to be heard on these incredibly important issues regarding the health and welfare of firefighters and why there is a problem with unplanned leave in the emergency services. Referring this matter to the Public Accounts and Estimates Committee (PAEC) also gives PAEC an opportunity to address these issues in a timely manner.

Quite recently people would have become aware that the union commissioned a report on the psychological and physical effects of firefighting. Unfortunately at this stage we have not been able to refer that report to a committee, but I know Ms Pulford is very keen to do exactly that. For members in this chamber who have not read that report, I note it gives a great deal of insight into the difficulties firefighters face.

I said I would be very brief. I think this is a very straightforward matter. I think the logical place to refer this Auditor-General's report is to PAEC so that it can be considered.

Debate interrupted.

DISTINGUISHED VISITORS

The DEPUTY PRESIDENT — Order! Before calling Ms Pulford, I would like to acknowledge the presence in the gallery of someone who is very busy talking at the moment. I acknowledge Mr Bill Forwood, a former member of what was then Templestowe Province, a former Leader of the Liberal Party and former Leader of the Opposition, a former Parliamentary Secretary to the Premier and a former chair of the Public Accounts and Estimates Committee, I think.

Interjections from gallery.

The DEPUTY PRESIDENT — Order! And he is now being inappropriate — not that Mr Forwood was ever shy of having a few words to say! He was a sparring partner of mine in many general business debates, I might say, and I welcome him to the gallery.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Reference

Debate resumed.

Ms PULFORD (Western Victoria) — I am pleased to make some brief remarks on Ms Hartland's motion requiring the Public Accounts and Estimates Committee (PAEC):

to inquire into, consider and report no later than 11 June 2013 on the Auditor-General's report *Management of Unplanned Leave in Emergency Services ...*

On numerous occasions in recent times in this place we have talked about some of the health and safety and wellbeing issues that affect our firefighting forces in Victoria. I think one of the things that unites us when we disagree in this place from time to time is the need to provide the safest possible conditions for our career firefighters and indeed our volunteer firefighters. There are many ways in which these issues are progressed in a bipartisan sense, but in recent times I would probably share Ms Hartland's frustrations about the government's lack of enthusiasm in advancing some of these issues.

Ms Hartland introduced a bill into this place around the presumptive compensation rights for firefighters with certain types of cancer. The President ruled that there were some constitutional impediments to that bill progressing, and of course we have now had a debate about a referral of that bill to a committee of this house. My motion — which still sits on the notice paper, although it is unlikely to succeed as the government has indicated that it will oppose it — seeks an inquiry into the factors that contribute to ill health in firefighters and to some of the occupational risks that affect firefighters, and here we are on this occasion asking PAEC to consider this report of the Auditor-General.

I agree with Ms Hartland's assessment that PAEC is perhaps the most appropriate committee of this Parliament to consider a report of the Auditor-General, and I made some remarks about this report and its contents when I spoke on my motion which is on closely related but not identical issues. There are issues around the management of unplanned leave, and whatever we can do to create better working environments for our emergency services personnel

will obviously benefit the people who are affected in those workforces and also Victoria as a whole, because effective management of leave is important in any organisation.

Therefore we will support Ms Hartland's motion on this occasion. It is probably not the greatest week of the year to be referring something to PAEC, which is about to be bombarded with estimates hearings, but this is certainly worthy of its consideration. We will support the motion, although I am a little pessimistic about its success because I believe the government intends to oppose it.

Mr DRUM (Northern Victoria) — It gives me great pleasure this afternoon to contribute to the debate on this motion put forward by Ms Hartland and in effect to talk a little bit about our emergency services. The backdrop to this notice of motion is the Auditor-General's report *Management of Unplanned Leave in Emergency Services*. After reading through the report I am a little baffled as to why Ms Hartland has moved the motion. The Auditor-General in effect compartmentalises the emergency services into Ambulance Victoria (AV), the Metropolitan Fire and Emergency Services Board (MFESB) as well as Victoria Police.

The Auditor-General's very strong words suggest that both Ambulance Victoria and Victoria Police have generally been effective and efficient in managing unplanned leave. However, the MFESB needs to improve considerably. The Auditor-General's report says the MFESB management needs to be aware, firstly, of how to handle the issue of unplanned leave. The Auditor-General clearly states this has not been adequately addressed since 2000, so the problem is 13 years old. It is a significant issue and one that goes back quite a way.

To effectively see how the government can go forward with this issue, it is worth looking at the significance of unplanned leave trends. As it turns out, Ambulance Victoria and Victoria Police, as well as MFESB, are working some very long shifts, and when a shift is missed they are in effect missing a significant number of hours. The MFESB has averaged out the leave, and each of its members are missing 139 hours per annum in unplanned leave. The level of unplanned leave at Ambulance Victoria has been in slight decline since 2010–11, so the government is of the opinion that the issue at AV is on the improve. There has been a slight improvement also at the MFESB. But the unplanned leave at Victoria Police has remained more or less constant, even though it is well below the levels of unplanned leave at Ambulance Victoria and the MFESB.

The Auditor-General looked at a number of reasons that it is as it is, and he stated quite simply that management within the MFESB is unable to negotiate, deal and work flexibly with the United Firefighters Union. The manner in which the union hamstringing standard work procedures is nothing short of staggering. The MFESB is struggling with this problem, and the report talks about the fact that it has entered into an enterprise bargaining agreement with firefighters and that some of this agreement is currently binding and contains provisions that constrain the MFESB's ability to effectively and efficiently implement initiatives to manage unplanned leave.

Mr Barber — That is one thing.

Mr DRUM — It is what the Auditor-General says. Mr Barber is quite flippant and is saying that that is just one thing, but according to the Auditor-General, it is the first constraint on their ability to do their job.

Mr Barber — I said it is one thing.

Mr DRUM — And I would suggest it is the main thing, even if it is the first aspect that the Attorney-General highlights. He talks clearly about this being an issue that will continue to constrain any improvement in the area of unplanned leave. Because the MFESB members work long shifts they then have long shifts away from the working environment, but each of them has, on average, 140 hours on top of that, which is roughly an additional three weeks of unplanned leave. That is leave when you are supposed to turn up to work and you do not turn up. The Auditor-General says in his report that whilst the MFESB regularly monitors the levels of overtime costs and the costs of unplanned leave, management is not in a position to implement the measures that will create a better outcome.

It is quite a staggering issue that has been dealt with. However, there is a strong belief that these issues are on the improve and will continue to improve once the MFESB strengthens this role of managing unplanned leave. That is in effect how it will be. Both Ambulance Victoria and Victoria Police have better protocols in place for their management to put in place the human resources and the internal training to manage the staff. In Ambulance Victoria and Victoria Police more human resources are given to management to ensure that all the staff are aware of their roles and responsibilities, and one of the responsibilities is to turn up to work and to let people know when you want to take leave so that this cost does not hit the Victorian taxpayers the way it currently does.

Mr Barber — So are you supporting the inquiry?

Mr DRUM — If Mr Barber had been listening to my speech, he would realise that the government has already had an inquiry — it is called an Auditor-General's report — and he would see from that that the issue of unplanned absences, especially in Ambulance Victoria, are on the improve. The government expects that once negotiations on the enterprise bargaining agreement that are currently being conducted have been completed the situation will improve even more.

Government members understand that some issues for the MFESB are around the fact that it has been trying to change a brigade response protocol under which two trucks have to respond to every fire, even if it is simply a fire in a street litter bin. Every year there are 1500 bin fires in the CBD and in every one of those callouts, because of the union deal — —

Mr Barber interjected.

Mr DRUM — I am having a go at the way the union is holding the MFESB to ransom. It is just ludicrous. I cannot believe Mr Barber would actually try to defend that. If there is a call-out because a litter bin on Bourke Street is on fire, the protocol is that two trucks and two crews must be sent out to that emergency. I think there would be significant savings for Victorian taxpayers if just one truck could be sent out. My understanding is that the MFESB has been trying for more than 18 months to have this protocol changed. However, it has been unsuccessful so far.

There is a range of serious concerns in the Auditor-General's report. The government is treating the report carefully and seriously. The government does not believe an inquiry into the report is what members of the Public Accounts and Estimates Committee should be diverted to at the moment, because of the work which they are doing currently and which they are expected to continue to do in the next few months directly after the budget has been brought down. However, there is no doubt that this is an extremely serious issue. The statistics show the hours that are lost through unplanned leave are 126 hours for Ambulance Victoria and 139 hours, on average, for the fire services. The figure for Victoria Police is 73 hours, which is lower but still a significant number.

Members should not for one moment think coalition members do not understand the stresses and pressures that many people in emergency services operate under. We most certainly do. Whenever there is an emergency, no-one will stand closer shoulder to shoulder with the volunteers and professionals than the Minister for Police and Emergency Services, Kim Wells, just as before him the then minister, Peter Ryan, would have, to ensure that Victoria Police and other

emergency services have the resources that they need. We on this side of politics went out ahead of the pack, making sure that we would add 1700 police and introduce 940 protective services officers (PSOs) into the system. We introduced the concept of having PSOs on train stations to make public transport safer for people to use, so we are right there with people and understand the pressure that our police, our firefighters and our paramedics are working under. Members should not get me wrong.

However, when people take unplanned leave, there is an exceptional drain on the agencies with which they are working, and that becomes an exceptional drain on the state of Victoria. There have been instances where it would seem that emergency services staff have orchestrated their unplanned leave to ensure that a heavily subsidised overtime shift goes to a colleague. That is causing enormous grief, and it is becoming very problematic within many of our emergency services.

On behalf of the government, I indicate that government members are happy to talk about what a great job our fire services and our ambulance officers do. We understand that those two groups will be parties to an enterprise bargaining agreement, but it is very difficult for government members to agree to refer the proposed inquiry to the Public Accounts and Estimates Committee when its members are the busiest they will be all year and given that the government is showing the way after 10 years of problems in this area. There has not been one skerrick of improvement in the data on unplanned leave. In 2010, 2011 and 2012 we saw slight improvements in this area, and we believe with Minister Wells at the helm we will continue to see improvement. Hopefully we will get to the bottom of this problem. We will put the resources into the management teams in each of the areas to ensure that they are better able to communicate the roles and responsibilities of the staff so that when they are scheduled to go to work they do in fact turn up to do their shifts.

Ms HARTLAND (Western Metropolitan) — I will be fairly brief. I thank Mr Drum, but I am a little surprised that he went off target a great deal. I do not believe there was any mention in the report of the protocol for rubbish bin fires. What the report does refer to are the issues around unplanned leave. What I am trying to assess is why that has occurred, but the report does not explain that. I do not believe firefighters are orchestrating their unplanned leave. If Mr Drum believes that is what is occurring, I would have thought it would be appropriate for the Public Accounts and Estimates Committee to investigate and find out whether it is true.

My reading of this report and a number of other reports about the health and safety of firefighters indicates that there are massive problems on the job. Firefighters may be responding to a fire in a rubbish bin, but in the next hour they will be first responders to a situation where a child has been injured. They respond to house fires, where they have to get people out of houses, and the next day they might go to a major chemical fire. If they are volunteers with the Country Fire Authority, they go out to grassfires or other fires such as the Black Saturday fires. Firefighters have to do a whole range of things.

What has surprised me about this Auditor-General's report and the reason I want it to be considered by the Public Accounts and Estimates Committee is the fact that the union, which represents firefighters, was not given an opportunity to discuss with the Auditor-General what it saw as the problem. That is a major oversight that needs to be addressed, because, as Mr Drum has acknowledged, firefighting is a very difficult job, as is working for the police or the ambulance service. As members of Parliament we should do everything we can to protect them. If that means inquiring into difficult matters such as this, that is what we should be doing, rather than ignoring the problem.

House divided on motion:

Ayes, 17

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

Noes, 20

Atkinson, Mr	Koch, Mr
Coote, Mrs	Kronberg, Mrs
Crozier, Ms	Lovell, Ms
Dalla-Riva, Mr (<i>Teller</i>)	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
Guy, Mr	Ramsay, Mr
Hall, Mr	Rich-Phillips, Mr

Pairs

Pennicuik, Ms	Finn, Mr
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Motion negatived.

PRODUCTION OF DOCUMENTS

Mr VINEY (Eastern Victoria) — By leave, I move, in an amended form:

That this house requires the Leader of the Government to table in the Legislative Council —

- (1) on Tuesday, 25 June 2013, a copy of the independent site assessment updates referred to in the former Premier's response to the adjournment matter raised on 14 November 2012 regarding flooding in the lands between the Princes Freeway and Wallace Street, Morwell, tabled in the Legislative Council on 19 March 2013;
- (2) any brief from VicRoads to the consultants engaged to assess the relevant site or any correspondence detailing the scope or expectations of the investigation;
- (3) the original report of investigations into this site undertaken by GHD for VicRoads on 24 March 2011, including the brief or other documents that detailed the requirements of that investigation; and
- (4) any correspondence or briefs between VicRoads, the minister for transport or his office, the Premier or his office and the member for Morwell about this site in relation to flooding, or the requests for action that were raised in adjournment debates by the member for Eastern Victoria Region Mr Matt Viney, MLC, on 14 August and 14 November 2012.

Hon. P. R. HALL (Minister for Higher Education and Skills) — Leave is granted. The government understands the amendment is simply a date change reflective of the timing of the moving of this motion, so we are happy to grant leave.

Mr VINEY (Eastern Victoria) — This is a relatively simple matter that has been made extraordinarily complex by this government. I will say at the outset that I have participated in many general business debates and I have participated in a large number of general business debates where members have been seeking documents through the powers of the Legislative Council; however, this is the first occasion on which I have sought documents, which I am sure Mr Barber will be pleased to hear, this being a pet procedure of his. The reason I seek these documents is worth making some comments about.

About a year ago I met with residents of Wallace Street, Morwell, who had contacted me because they were concerned that there was significant flooding at the rear of their properties on Wallace Street. This is specifically the properties on Wallace Street, Morwell, that are nearest to the Princes Freeway. I am sure that members driving down the freeway would recognise the area. As you drive through Morwell on the freeway, if you are heading towards Traralgon, there are a

number of properties on your immediate left-hand side. You see some of them, but there is a sound barrier, some trees and so on on the left-hand side near the sound barrier, so you may not see how close the properties are to the freeway.

Explaining a visual thing in words is sometimes difficult, but it is worth explaining that next to the Princes Freeway there is a sound mound made of earth. That earth has in effect been pushed up during the construction of the freeway by the earthworks necessary for that construction. It is earth that has been pushed up from the freeway into what you might call no-man's land to provide some sound protection for the properties on Wallace Street and, to an extent, those beyond. The earth is clay soil — it is a coal environment — that has been mounded up. It is quite a simple engineering process that provides the sound barrier for those properties.

Between that sound barrier and the back fences of the properties on Wallace Street is an area that varies in size but is, on average, about 10 metres wide, and the problem is exactly in that zone between the sound barrier and the rear of the properties. We will get to some of the technical details and reports later, but what is happening, according to the residents, is that rainfall water — that is, surface water, if you like — lands on that part of no-man's land and cannot get away. It cannot get through to the drains between the sound mound and the freeway itself because the sound mound is made of clay, as is the surface underneath it. It is non-permeable soil, and the water will not escape through the sound barrier into the drain adjacent to the freeway.

There is, to say the least, extremely poor drainage in a linear sense between the back fences and the sound mound. Although some attempts to improve it have been made by VicRoads, it is very poor drainage. The land is undulating and the drainage that has been put in does not take the water out of this area to where it can subsequently escape into territory where it will not cause damage. Naturally what then occurs — and this is the essence of the residents' complaint — is that the water simply sits there and seeps into their backyards.

On my site visit I donned a pair of gumboots, walked the length of the area with some of the residents and noticed that a number of the houses on these properties on Wallace Street appeared to have some subsidence in their foundations because the water in no-man's land, for want of a better term, seeps down into an area about half to 1 metre below that and into their backyards. Naturally the water goes from their backyards to the foundations at the rear of their properties. This is not happening dramatically, nor on every property, but it

was noticeable on some, and it is naturally a concern for the residents. It is a concern not just about the foundations of their properties but also that their backyards are fairly damp and sodden in wet weather and on either side of wet weather. They were certainly sodden when I visited the site.

The member for Morwell in the other place has had some discussions with VicRoads and residents, but the residents came to me because they felt there had not been progress. On 14 August 2012 I raised my concerns in an adjournment matter with the former Premier of Victoria, Mr Baillieu. In that contribution I made a number of comments about this issue, but in particular I asked the former Premier whether he could sort out who was responsible — the Department of Primary Industries, as it was then, or VicRoads — because the residents were getting a bit of conflicting advice as to who was ultimately responsible. I asked the former Premier to sort out who was responsible and to get this matter looked at by the appropriate department.

On 23 October I received a reply from the former Premier to the matter I raised on 14 August in which he indicated that it was VicRoads that had sole responsibility for this matter. He acknowledged that VicRoads had met with the member for Morwell, Mr Northe, and indicated that the outcome of that meeting, and presumably of the matter I raised, was:

... that VicRoads will review the effectiveness of the works completed to date, as well as organise an independent assessment of the site to determine whether further works are required.

He also advised me that the Wallace Street resident who had made a direct complaint to VicRoads had been informed of this outcome. I was appreciative of the former Premier's response, but in a further adjournment matter on 14 November again I raised concerns and indicated that I would like a copy of the independent site assessment on this matter so that I could stay abreast of the issue and, as a local member, keep in touch with local residents to keep them informed of what was occurring.

The former Premier's response to me was that the assessment had commenced, that VicRoads would continue to provide updates to the member for Morwell and that he had written to Mr Northe asking him to inform the residents of Wallace Street of the outcomes of the independent assessment. He gave me no assurance that he would provide information to me as requested; in fact he effectively refused it. Not only that, but the former Premier copied his response to my adjournment matter to the member for Morwell. I met with the residents, I raised an issue twice during

adjournment debates and the former Premier's response was to give the information to another member of Parliament. It is worth recalling that when I raised this immediately, the President — —

Hon. D. M. Davis interjected.

Mr VINEY — Mr Davis is at odds with the views of the President, who indicated to the house immediately upon my raising the matter with him that he thought it was a gross discourtesy to members to be treated this way in relation to an adjournment matter. In fact I believe he wrote — not that I have seen his letter, but I understand he intended to, and I presume that he has — to the current Premier to express his concerns.

Putting all that aside — putting the politics aside, if you like — the issue remained what was going to happen to these poor residents who expressed their concern. It so happened that the *Latrobe Valley Express*, the local newspaper, which was equally interested in this issue as I was, because residents had talked to its representative, was given a copy of the independent site assessment which was refused to me. It was given a copy, presumably Mr Northe was given a copy and the *Latrobe Valley Express* provided a copy to me for my comment.

I appreciate the courtesy of representatives of the *Latrobe Valley Express*. We have worked together on these concerns, and I will talk about that in a minute, but I had already framed a motion to bring to this house to seek that document via this process. The government can be advised that whilst it is in the form of a motion, I would appreciate its being formally tabled in this house for all members. I can advise the house that I do have a copy. I can also say that the reason I have asked for some other things is that I would like not only this information but the whole background to this matter in order to know why we have had such an impasse on such a simple issue.

An open linear drain down that piece of land to take the water away, out of the area, or into a freeway drain, or other options further down the road where the water will cause no damage, is, I am advised, a pretty simple piece of engineering. In fact most farmers do this sort of thing, with an open drain to take water away from grazing areas or other areas they do not want waterlogged in the winter. It would have been pretty simple to have resolved this problem, but there seems to have been incredible resistance to resolving it and incredible secrecy around it all. I also want access to a number of other documents. I want to understand what took place between the former Premier, the relevant ministers and the member for Morwell in terms of, if

you like, spin management of this whole issue. I want to understand what they were doing in terms of communications, memos, letters and so on in relation to trying to cover this up.

I read the independent assessment which was done by GHD, and I will talk about that assessment in a bit more detail. At page 1 of the report that company produced, under the heading 'Introduction', at item 1.1, headed 'Purpose of this report', it says:

This report is supplementary to a previous investigation undertaken by GHD on the 24 March 2011 when two other boreholes were drilled.

I would like a copy of that report. If there was a report done on this land in 2011, I would like a copy of that as well, because we need to understand what is happening here.

I should advise the house that it so happens that my cousin is both a geologist and an engineer. When I say 'cousin', he is a sort of cousin. I will not go into the complexities of my family history to establish that, but we are very close, and he works in Western Australia. He has also worked in Hong Kong, building tunnels, building airports, knocking down mountains and building cities, so he has a bit of experience in both geology and engineering. I asked him if he would mind having a look at this report, and he did so. If you saw my copy of the report, you would see that there are pages of notations from my telephone conversation with him about how he viewed this report. I required some expertise, if you like, to review what the report is actually saying because obviously it is highly technical and I am not an engineer. I understand some of the basic principles of what is going on here, but I thought it would be useful to get his opinion.

The first thing I would say is that it is clear that whoever wrote this report for GHD has been given the wrong questions, because the conclusion at page 3 of the report — and if members look at it they will see that I have got an enormous number of notes on this page — has both 'Summary of findings' and 'Conclusions' on one page. The conclusion says:

Based on the findings of the investigation boreholes it is considered that the ephemeral ponding of surface water experienced is unlikely to influence or impact on the previous ground movement issues observed on the other (south) side of the freeway.

This is the section of freeway where cracking and serious problems some time ago caused the freeway to be closed for three months. That was not my original adjournment matter. My request was to have a look at the ponding of water in this no-man's land and the

impact it was having on houses on the north side of the freeway. This report draws conclusions about what might be happening in relation to the south side of the freeway.

The first thing my cousin told me in relation to this report was that my concerns and those of the residents were proved on the report's cover page. I know we cannot use props in this place, so I will not show it, but I will describe the cover page of the report. It contains a very large photograph of the no-man's-land area I am referring to. It shows the back fences of the properties to the left-hand side and the trees and sound mound to the right-hand side, and it simply says, 'VicRoads eastern region Princes Highway East — near Wallace Street, Morwell, drainage along freeway reserve behind Wallace Street'. That is all it says, and it has the GHD logo on it.

I asked my cousin what he meant by saying, 'It's proved on the front page'. He said, 'Just look at the photograph'. The date of the field investigation was 21 November 2012, in the period just before summer, and my family expert said, 'Look at the photograph. You will see that the grass to the right-hand side of the no-man's-land area near the sound mound is dry, indicating that it had been a fairly dry period even though it was very late spring'. If you look at the records, you would find that period had not had a lot of rain but all of the grass along the fence lines of that property is green. That indicates that the pondage and pooling of water is causing the land along this area to be wet, if you like, or saturated, with higher levels of grass, and it is all green along the fence lines. In other words, that single photograph proves that there is a drainage problem that is affecting the properties in Wallace Street.

In this motion I am seeking not only the reports but to find out what the brief was. If it is obvious to a trained eye from this photograph that there is a problem, how could an engineering company field investigator go there and not investigate that problem? If a person with a trained eye looks at that photograph and says, 'Clearly there is a problem and we need to investigate what it is', then why is it that the GHD field investigator asked to go out there by VicRoads in response to my adjournment matter investigated something that was not the question to be investigated? It must be in the brief, as I think it is a fairly reputable company, so one would think that they are not incompetent when it comes to reading a brief or a request for information.

In other words, unless GHD was incompetent in reading the brief given to it, one would expect that the field investigator might have gone out and actually tried

to answer the fundamental question — that is, why is there flooding in the properties on Wallace Street? Why is that flooding occurring, and what can be done to fix it? It is obvious from the photograph taken on the day they were out there investigating, so my conclusion is that it is likely the brief given to GHD was not actually a brief about the question I raised in the adjournment, which rather makes the report fairly useless for a start. Therefore part of my request is to get the brief and any correspondence detailing the scope or expectations of this investigation.

That is the first thing I am seeking, but I also think it would be useful to get the brief from VicRoads to the consultants in relation to the original report, which apparently was presented to VicRoads on 24 March 2011. I want the brief and the report because I would like to know how long this problem has been known by VicRoads, whether it was detailed in the original report, and if it was, why was nothing done about it? They are the things I am trying to understand.

Apart from actually trying to get the government to recognise that there is a problem and to do something about what, as I have described, is a really significant thing to fix, I do not understand the inertia. I do not understand the degree of the problem around it. There are many other aspects to it, but the detail of this report includes commentary about the type of soil in this area. While it concludes that the soil is permeable, my advice says it is CL to CH sandy clay — CL being clay of low plasticity and CH being clay of high plasticity which is more subject to cracking — and it is in fact a fairly non-permeable soil. In other words, water does not escape out of this area easily.

My advice is that if you read the details of the investigation, you could only conclude that all the investigations demonstrate that there is a significant problem of pondage and pooling of water in this zone because of the nature of the soil and because of the nature of what has occurred on this piece of land — that is, a high, non-permeable sound wall is to one side and underneath is effectively non-permeable clay. It says in this report that there is only a very shallow topsoil, so immediately below the very shallow topsoil is a non-permeable clay. Therefore the only place for water to go is to drain off that topsoil into the backyards of the properties on Wallace Street, which is the very complaint made by the people of Wallace Street.

Let me give GHD the benefit of the doubt. It would appear that an incomplete or incorrect briefing from VicRoads, which asked the wrong question — that is, whether the water will cause damage to the freeway — has led GHD to a conclusion that is simply not an

answer to the fundamental question. The question is not ‘Is this surface water going to cause problems for the freeway?’. It may or may not; I do not know. That is not the issue I am concerned with; that is a matter for VicRoads to worry about. I am representing the residents; I am not representing VicRoads here. I am not trying to check out whether VicRoads has a problem; I am trying to check out whether the residents have a problem — and this report proves that they do. And yet the report concludes that there is no problem with the freeway, completely ignoring the fundamental issue as to whether or not there is a problem for the residents, with their backyards being flooded or saturated and damage potentially being done to the foundations of their homes.

You can all say that I am nitpicking, that I am like a dog with a bone, and to an extent I am because I have got my goat up on this.

Mrs Coote — Gosh, that is an admission! A very nice dog.

Mr VINEY — I have got my goat up on this, Mrs Coote, because these residents have been expressing their concerns for a couple of years. I think it is appalling for any government agency to ignore a community’s concerns in this way. I would hope that the government would be concerned that this is occurring. I have raised these concerns in the adjournment debate on two occasions, and the result of that process has been to ask an entirely different question — not the question I am trying to get to the bottom of, but a question about whether there are problems with the freeway. As I say, that is a problem for VicRoads, not for me. I want to know that the residents’ concerns and interests are being protected here. I am asking for the government to give me and its own members the documents so that we can establish whether or not this is occurring.

Business interrupted pursuant to order of Council.

STATEMENTS ON REPORTS AND PAPERS

Regional Development Victoria: report 2011–12

Ms DARVENIZA (Northern Victoria) — I wish to rise to make some comments on the Regional Development Victoria (RDV) 2011–12 annual report. First of all I want to take this opportunity to congratulate the chief executive officer, Lachlan Bruce, and all the staff of RDV for their commitment to facilitating economic, infrastructure and community development initiatives to ensure a better quality of life

for people in rural and regional Victoria. RDV is one of those units which has always worked very closely with rural and regional communities. It has offices based right around Victoria. It has always been very highly regarded by regional and rural communities, and it has worked very closely with those communities to bring about the best outcomes it can. RDV is held in very high regard throughout rural and regional Victoria.

In this report we see that Regional Development Victoria had a number of highlights that year for which it should be congratulated, and I just want to mention a couple of those. The riverfront parkland works were announced as part of the Mildura riverfront redevelopment, and funding was allocated to redevelop the Mildura Airport. This is of course building on the work that was done by the Labor government. I was very pleased to have had the opportunity to announce the considerable funding that went into the Mildura Airport to modernise it and to ensure that larger aircraft were able to land there. It is great to see that the work that was started by us is being built on by the coalition government. I was also very pleased to have been at the Mildura riverfront redevelopment with former Premier Steve Bracks when he announced the redevelopment of the airport and riverfront area.

The fire recovery unit was established on 1 July 2011 to help with the ongoing recovery and response to the February 2009 bushfires. Again it is very pleasing to see this development, but it is very disappointing to see that, although the coalition government promised in the lead-up to the last election to implement all the recommendations of the 2009 Victorian Bushfires Royal Commission, it has not lived up to its word. Those recommendations have not all been implemented. In fact the coalition government has no intention of implementing them; it has backed away from that. But the establishment of this recovery unit is very pleasing to see.

RDV also opened the Marysville multipurpose community facility and recreation centre and the Lake Mountain visitors centre, and launched the Marysville economic development package to support economic development in fire-affected areas. Of course everybody remembers that Marysville was basically burnt to the ground in those devastating bushfires. It is great to see again that this coalition government is building on the work that was done by the Labor government to have the community in Marysville re-established and to provide the facilities it requires.

We have also seen the commencement of the Flood Recovery Community Infrastructure Fund, which supports 22 businesses in flood-affected areas through

the Victorian Business Flood Recovery Fund. Of course parts of northern Victoria have been devastated by flooding, which has affected many businesses throughout the region. Communities in my electorate of Northern Victoria Region represent the largest percentage of the RDV catchment, and it is great to see that funds and efforts are being delivered to northern Victoria to assist where they are needed most. One of RDV's roles involves facilitating new investment and business growth and jobs — —

The ACTING PRESIDENT (Ms Crozier) — Time!

Family and Community Development Committee: workforce participation by people with mental illness

Mrs COOTE (Southern Metropolitan) — It gives me a great deal of pleasure today to speak on the government's response to the Family and Community Development Committee's inquiry into workforce participation by people with mental illness. This is the government's response of April 2013. The Family and Community Development Committee is an exceedingly hardworking committee under the direction of an excellent chair in Ms Crozier, and there are some excellent members on that committee, such as Mr O'Brien. It is currently working very hard on the child abuse inquiry. I would have to say that there have been some very challenging times but some very productive responses already. This is a very hardworking committee.

The inquiry into workforce participation by people with a mental illness was a particularly interesting one because it highlighted a number of very real issues for people with a mental illness. Often they had comorbidity with alcohol issues, and we heard some very poignant stories of people trying to search for employment but finding brick walls ahead of them because of prejudices at the time. We put in a number of recommendations to the government, and it is very pleasing to see the government's approach. In fact it approached this report looking at the committee's themes, which were ensuring opportunities in education, changing perceptions, providing diverse employment pathways, fostering health and supportive workplaces and strengthening mental health services.

It is particularly timely for me to be talking about mental health and the Napthine government here today because yesterday we saw the Treasurer, Michael O'Brien, bring down a simply fabulous budget that will sustain Victoria's future for the long term and provide jobs, infrastructure and — something the federal

government does not understand — a surplus. It is very interesting to read the budget documents and see what the government has done for mental health, because when you read them in conjunction with this report by the Family and Community Development Committee you can see that this coalition government really understands mental health issues and is prepared to put substantial funding into making life better for people with mental illness.

I will just read a couple of the highlights. A media release yesterday from Mary Wooldridge, Minister for Mental Health, says:

The Victorian coalition government will spend an additional \$70 million next year to better support Victorians with a mental illness or drug and alcohol addiction ...

The 2013–14 Victorian state budget provides new funding to invest in more hospital beds for people with a mental illness, improved access to services for vulnerable Victorians and more support for mental health and alcohol and drug sector workers.

‘Through responsible economic management, the coalition government is able to continue to invest in help for those Victorians who need it most’, Ms Wooldridge said.

‘Our investment includes \$35 million for a new 54-bed acute mental health facility at the Werribee Mercy Hospital — the largest ever funding boost for mental health services in Melbourne’s west — which will improve the access to and quality of mental health care for people in the area.

I need not remind this chamber of the neglect of the Labor Party on mental illness. Sadly, mental illness is a growing issue in our community, with, I think, one in five people suffering from a mental illness at some stage in their lives, so support for mental health is particularly important. I put on record my praise for former Premier Jeff Kennett, who is the chairman of beyondblue, an organisation that has put mental illness right out there for the rest of the community to understand and to break down some of the very barriers we discovered in our inquiry and barriers that still have some way to go before they are overcome. However, we have come a long way.

Much of what the coalition government is doing helps with mental health issues. For example, people with mental illness will be able to access the best possible care in a unique psychiatric facility at the new Bendigo Hospital. Also there is a mental health funding boost for Casey and Cardinia schools, which recognises that tackling youth mental health issues is a really important area. Where there is some concern in this growth corridor we as a government have recognised that there needs to be more support and have put additional funding into programs to help alleviate some of the

mental health stresses our youth in Cardinia and Casey are facing.

This document is an excellent response to the committee’s report. The government understood what our committee did and has given us a very good reply.

Auditor-General: *Managing Traffic Congestion*

Ms PULFORD (Western Victoria) — I would like to make some remarks about the Auditor-General’s report entitled *Managing Traffic Congestion*, which was tabled last month. Obviously since this report was listed and spoken on, the state budget for this year has been revealed. By way of background before I make a few comments about the way in which the two intersect, let me say that this report is certainly important reading for all members of the Parliament. It indicates that in 2006 the Victorian Competition and Efficiency Commission estimated that the economic costs of Melbourne’s congestion ranged from \$1.3 billion to \$2.6 billion a year and that this was likely to double by 2020.

The report talks about a number of things that cause congestion and made many recommendations about the need for governments to address congestion. It says that the economic costs of congestion are significant and rising, and while year after year successive state governments invest in initiatives to relieve congestion, they do so in the absence of a statewide plan with clearly defined objectives, strategies and associated agency responsibilities for congestion and travel demand management. Of course anybody who moves around or across Melbourne knows that this is a challenge that requires decisive action from government and commitment from governments of all persuasions year on year.

Today, after the release of the state budget, we read an *Age* editorial headed ‘Do-nothing government discovers first gear’. We can read that the Metro underground link — the 9-kilometre rail link proposed and often talked about as the government’s no. 1 infrastructure priority — has been mothballed or put on ice. There is \$10 million allocated for a project that is expected to cost in the order of \$7 billion to \$8 billion. Mr Davis will know well that there is no new money in this budget for this project. The other big proposal, of course, is the east–west link, and this one comes with a price tag of \$6 billion to \$8 billion. The budget allocates \$294 million for that project. The allocation is a whopping, great 3 per cent of the estimated total cost. I hope some of us live long enough to see that one completed.

There is no serious investment by this government in addressing the causes of congestion and no new money for the Melbourne Metro rail tunnel, which the government says is its no. 1 project. Indeed there are a variety of other empty promises that have been made by government members all across the state, around — —

Mr Leane interjected.

Ms PULFORD — Mr Leane indicates — —

The ACTING PRESIDENT (Ms Crozier) — Order! Mr Leane! Ms Pulford to continue to speak to the report.

Ms PULFORD — Thank you for your guidance, Acting Chair. What has been revealed today is that Melbourne Metro will come first, before Mr Leane's Doncaster rail, before the Rowville promise and before the much-talked about, much-anticipated link to Melbourne Airport. Those are all at the back of the queue, behind Metro, which is at the back of some other queue. You would not want to be holding your breath.

There have been cuts in this budget under the category of planning for the transport system — from \$41 million to \$26.7 million. That is a 38 per cent cut. On public maintenance, of course the effective operation of our existing infrastructure is important in relieving congestion. Public transport maintenance has been cut by 38.3 per cent. Rail safety audit targets are down from 90 a year to 50 a year.

This government that promised no spin has been working frantically to convince us that it has a plan to relieve congestion. The Auditor-General's report indicates that what we need is a serious government in Victoria and a serious approach, not 3 per cent of a road here and 0 per cent of a rail project there. That is the best that Premier Napthine and Treasurer O'Brien were able to dish up yesterday. Members opposite know they sold Victorians a pup yesterday, and we are not going to let them get away with it.

Outer Suburban/Interface Services and Development Committee: livability options in outer suburban Melbourne

Mrs KRONBERG (Eastern Metropolitan) — I am delighted to give my account of the Outer Suburban/Interface Services and Development Committee's December 2012 report on the inquiry into livability options in outer suburban Melbourne. One of the things the report highlights is the benefit of

residential densification. If we are to maintain Melbourne's position as the world's most livable city — achieved for the second successive year in 2012 — we have to be conscious that many of the benefits enjoyed by people living in the inner suburbs of Australian cities are in part due to relatively high residential densities by Australian standards. Found in the existing housing stock here, these benefits typically include greater access to employment options, transport, schools, hospitals and recreational facilities as well as increased choice in available housing types. This is due to the power of phenomenon called agglomeration.

Despite a growing awareness of such benefits, the urban densities of Australian cities remain among the lowest in the developed world. Moreover the subject of residential densification in established middle and outer suburbs can polarise communities. From the perspective of some, it is this polarisation that presents one of the key challenges to livability in Melbourne. However, increasing community support for increased residential densities is a challenge that must be met if Melbourne is to preserve its existing livability and improve the livability of its outer suburbs, which is the focus of this report. The committee received evidence that the most effective means of building such support is through community engagement and education, which is discussed in the latter part of the report.

There are some diagrams on page 239 of the report that enable a comparison of Melbourne with large, urban sprawling cities around the world. There are comparisons with Los Angeles, Greater London, Tokyo, Yokohama, Calcutta, Berlin, Paris, Phoenix in Arizona, Perth and Sydney. The visual impact of this is something to behold. When members read this report I recommend they turn to page 239 to have a look at how enormous Melbourne is in terms of the spread of its urban area. It is one of the largest urban settlement areas in the world, with a significantly smaller population than many of the cities with which it is comparable.

This pattern of urban development has delivered a high standard of living for a number of decades, but it is presenting increasing challenges in terms of access to physical and community infrastructure along with challenges to community wellbeing and social cohesion due to a lack of local employment, long commute times, relative isolation and the loss of land that was previously valued for agriculture, recreation and conservation reasons.

The typical Australian urban density of 12 net dwellings per hectare is very low compared with many

other cities around the world, including those in Europe, where the typical residential density is 250 net dwellings per hectare — quite a contrast. Stated in terms of land use, Australian cities typically require almost 21 times more land area than European cities in order to house the same number of people. This presents great problems with regard to land that has been set aside for employment, as a treasured nature reserve or, importantly, for growing food upon. The relatively low residential densities in Australian cities have a significant impact on the natural environment and on land that could be utilised for a range of purposes other than for building houses on. It is important to note that there are a range of densities and a variety of methods for increasing residential densities in selected areas.

The committee never set out to advocate that a one-size-fits-all template or model approach should be adopted in regard to residential densification. It is so vital — and this government is wedded to this principle — to respect the amenity of each neighbourhood and community and to respect the unique and wonderful things that go to make up, by aggregation, the essence of Melbourne and its livability. It is no challenge — —

The ACTING PRESIDENT (Ms Crozier) — Order! The member's time has expired.

Auditor-General: Consumer Protection

Mr ELASMAR (Northern Metropolitan) — I rise to speak to the Auditor-General's April 2013 report addressing consumer protection. I read the report because I was interested in the effectiveness of the compliance unit and its enforcement officers. We have all heard horror stories of people being ripped off by unethical and despicable traders. Elderly people in particular are a target for scammers, so we need to ensure that our consumer protection measures are working. There must be adequate funding to enable Consumer Affairs Victoria (CAV) to apprehend or apply punitive sanctions on unscrupulous traders.

The health and safety of Victorians must be paramount. In situations involving consumption of spoiled food from public eateries it is all too often the case that people become very ill — in some cases they are hospitalised — before an enforcement officer is sent to investigate the cause of the food poisoning. I know that in the past local councils had the primary authority and power to close down a food establishment prior to any outbreaks. But that was in the old days, when health inspections were an important part of the council's responsibility to prevent food poisoning outbreaks.

I was very disappointed to see that the findings of the Auditor-General's report point to a distinct lack of understanding or knowledge by enforcement officers of the requirements of the department in resolving disputes or addressing complaints by the public in relation to disreputable traders. I note that while Consumer Affairs Victoria has provided a framework to guide its officers in resolving disputes, the framework's inherent weakness is demonstrated by CAV's inability to determine how effective or efficient the system in place is or whether the data provided to the auditors is reflective of what is actually happening to Victorians who lodge complaints.

It would seem that the culprit is lack of proper training and an ineffective monitoring system for enforcement officers in the field. The Auditor-General has made 14 recommendations, and I support them all.

Auditor-General: Managing Traffic Congestion

Mrs PEULICH (South Eastern Metropolitan) — I, too, wish to make some comments in relation to the Auditor-General's report of April 2013 entitled *Managing Traffic Congestion*. As may be expected, it will be a slightly different view to the one that was put by Ms Pulford a little earlier.

The audit summary provides a very good context and highlights the importance of having an efficient road and transport system, especially for a thriving metropolis such as our city and our state. Under the heading 'Background' on page vii the report says:

Traffic on our roads is a sign of mobility and of a dynamic economy. However, excessive congestion has a range of undesirable consequences including increased costs to the community and businesses through longer, less predictable travel times, lost productivity, additional running costs of vehicles, and environmental pollution.

This is an issue that I have raised on numerous occasions since being elected to this house, in particular the effect of traffic congestion on South Eastern Metropolitan Region, which I represent. I have spoken extensively about a number of these matters, including the fact that transport contributes something like 15 per cent to our air pollution. Clearly getting it right, getting it running efficiently and getting rid of the jams is crucial to improving those outcomes.

Mr Barber interjected.

Mrs PEULICH — Traffic jams, and an important public transport system. Regrettably, Mr Barber, not all of us live within a stone's throw of a train station.

Mr Barber interjected.

Mrs PEULICH — We all know the challenges of getting people to use the bus system, in particular women who have a family, who work and who are juggling roles, and tradesmen and other people who travel as a result of their work. Not all of those matters are going to be provided by the Greens solution — that is, to hop on a tram and go off for a latte at the closest coffee shop. Regrettably the real world is very different.

The Victorian Competition and Efficiency Commission released a report in 2006. It estimated that the economic costs of Melbourne's congestion ranged from \$1.3 billion to \$2.6 billion per year, and that this was likely to be doubled by 2020. The audit report looks at planning and oversight of congestion management, decision making for infrastructure expansion, addressing the demand-side causes of congestion, and optimising the efficiency of existing roads. It basically forms a view that not enough is being done across the various responsible agencies to address traffic congestion, and its recommendations have been accepted by the relevant agencies and departments.

Of course much of that was a problem accumulated under the former government. Most of the report related to the period under the former government. Since being elected to government — admittedly, we are politicians, we are not magicians; we cannot create the solution with a magic wand — the coalition has certainly been working on the problem.

Mr Barber interjected.

Mrs PEULICH — Mr Barber is criticising the east-west link. In the most recent edition of the *Royal Auto* magazine the RACV identifies the east-west link as its very first priority.

Mr Barber — What do those dills know?

Mrs PEULICH — Mr Barber asks, 'What do those dills know? Through the Economic Development and Infrastructure Committee public hearings I know that every single key stakeholder, especially around the city of Greater Geelong and elsewhere, endorsed and echoed the need to build the east-west link. I commend the Premier and the Treasurer for getting this moving. The coalition has traditionally been the one that has spearheaded and instigated the major road infrastructure projects for this state, and long may that continue.

The Victorian government has taken a multifaceted approach to managing road traffic congestion, which has included fostering infrastructure improvements, some of which are highlighted in the budget, operational improvements, public and active transport

improvements and expanded driver information. I intend to speak about those at some length on future occasions. But in the meantime I will say that I look forward to traffic congestion decreasing as a result of these initiatives.

Tourism Victoria: report 2011–12

Mr EIDEH (Western Metropolitan) — I rise to speak on a very positive report, the Tourism Victoria 2011–12 annual report. I would like to, firstly, congratulate the chair, Dr Janine Kirk, the chief executive, Leigh Harry, and the other members of the board on putting together this wonderful report which has clearly outlined a successful year. In addition to this I extend congratulations and thanks to the invaluable staff members who work hard for the industry and its important partners.

We who live in Victoria and have the pleasure of calling it home know how wonderful it is and how lucky we are. Like many of my fellow Victorians, I am sure, I marvel at the idea of a family member or friend coming from overseas to visit and having the opportunity of showcasing our beautiful state. From the bustling streets of the CBD to the glorious Great Ocean Road to the breathtaking landscapes of the Grampians and the Yarra Valley, we know that Victoria is a great place to visit.

Tourism is important to all countries, as it remains a significant contributor to the economy. It was pleasing to see that this has remained true yet again for Victoria. The tourism industry brought in \$15.9 billion last year and provided jobs for 204 000 Victorians. It is too bad that this cannot be said for other industries that are quickly spiralling out of control with job losses and closures under this government.

Most impressive was the report's indication that in the past year, and I quote Dr Kirk:

... spending by international overnight visitors to Victoria reached ... \$4.3 billion ...

That is a significant increase on last year — of 9.4 per cent, to be exact. This injection into our state's economy is great to see, and is something that all Victorians from a wide variety of sectors can enjoy. Visitors from all corners of the globe visit Australia on a daily basis. And why would they not? It is a beautiful place.

Tourism Victoria has predicted that China will soon become the largest inbound market to Australia — by 2018. In the last financial year this has happened already in Victoria, with China overtaking New

Zealand to become the no. 1 market for international overnight visitors to Victoria.

I would like to share some of Tourism Victoria's highlights in the last financial year. Domestic overnight expenditure increased to \$8.99 billion; regional growth increased to \$4.22 billion; and income from domestic overnight visitors to Victoria increased to \$16.9 million. The annual report also highlighted that in 2011–12 Tourism Victoria successfully attracted more international flights to Melbourne and that in the last financial year our international airport processed more than 28 million passengers.

Last year Victoria hosted a number of exhibitions, including the glorious Tutankhamen and the Golden Age of the Pharaohs exhibition, which attracted more than 800 000 people, and the regional exhibition, Grace Kelly — Style Icon, which attracted more than 125 000 to the wonderful regional town of Bendigo. It is not only these rare exhibitions that bring people to Victoria; it is also our wonderful annual events such as the Australian Formula One Grand Prix, the AFL Grand Final and the Australian Open. I hope this government ensures that these events stay in Victoria and that it recognises their importance, not only in terms of bringing money into the Victorian economy but also in constituting an essential opportunity to showcase Victoria on a world scale. I commend the report to the house.

Family and Community Development Committee: workforce participation by people with mental illness

Ms CROZIER (Southern Metropolitan) — I am pleased to rise and comment on the government response to the report of the Family and Community Development Committee inquiry into workforce participation by people with mental illness, which I tabled in this place last October. It was a terrific inquiry undertaken by the committee, and I am pleased the government has looked at this report, taken up many of its recommendations and supported many of the findings the committee reached after undertaking the inquiry. We met with many people in the course of our inquiry, during which we travelled within Victoria, and people were very generous in the evidence they gave to the inquiry.

In its response the government, under the leadership of the Minister for Mental Health, Mary Wooldridge, indicates that it understands that there is a compelling case for increasing workforce participation by people with a mental illness and that mental illness impacts one in five Victorians, a very significant figure. That

ultimately is having impacts not only on those individuals but also on their families, on their communities and on the economy as a whole. The non-participation costs quoted in the government response were around \$2.7 billion in 2006. That is from some time ago, so I can only presume that figure would be increasing if the non-participation rate within our workforce is also increasing.

The government has quite rightly taken up and identified the themes the committee identified when it conducted its inquiry. Those themes were strengthening mental health services in the key areas, including mental health professional workforce development; reform of psychiatric disability, rehabilitation and support services; strengthening peer support programs; coordination between specialist mental health services and employment services; and ongoing development of youth mental health services. I note that whilst we were undertaking our inquiry, one of the joint federal committees — I think it was the House of Representatives Standing Committee on Education and Employment — was at the time also identifying this as a major issue and conducting a similar inquiry, something we met with that committee on.

A key recommendation of our inquiry was:

That the Victorian government develops a mental health employment strategy that outlines its forward plan to increase workforce participation by people with mental illness with the capacity to work from 29 to 50 per cent across the public and private sectors by 2020 through —

a number of initiatives. Certainly the government supports the need for a strategic approach and is in that process and is developing an integrated Victorian mental health employment participation plan. I was pleased to see that the budget handed down yesterday by the Treasurer, Michael O'Brien, highlighted some of those areas Minister Wooldridge has been working on to encourage further support for many people with mental health problems and issues and indeed increased spending in this area. The budget allocates \$42 million to build on the existing investments of \$1.1 billion for mental health and drug services. The additional funds will secure the ongoing operation of a number of areas within Austin Health and a range of mental health beds at Monash Health, including at Dandenong Hospital. Also in the budget is provision for 16 new mental health beds across Western Health, Eastern Health, Austin Health and the Latrobe Regional Hospital.

Also — and this area is very important but sometimes not very well understood — there is an increasing problem with postnatal depression, and there will be three five-bed mother-baby units in regional Victoria

for women with mental illness and their infants. That is a very significant initiative for people in regional Victoria, especially those women who suffer from mental illness. Yesterday's announcement included enhanced mental health and wellbeing services in Bairnsdale which will coordinate access to mental health, welfare and social services in East Gippsland.

The government is looking, then, at this issue from a statewide perspective. The government is undertaking the initiatives announced in the budget yesterday and is reaching into regional Victoria as well as looking into services within Melbourne's metropolitan area. I am pleased the government has taken on a number of aspects from the report of the inquiry the committee conducted and is acting on them. I commend the government's response to the report.

Auditor-General: *Managing Traffic Congestion*

Mr LEANE (Eastern Metropolitan) — I also would like to make a statement on the Victorian Auditor-General's report *Managing Traffic Congestion*, which basically found that the Baillieu, Napthine or whatever-it-is-at-the-moment government actually does not have a plan to manage traffic congestion. Considering that this report was tabled by the Auditor-General before the budget, you would have thought that the Napthine government would have taken the opportunity of the budget to put in a plan and put some money towards managing traffic congestion, but as we know that has not been the case.

There has been a lot of fanfare and a lot of talk about the 3 per cent the government has put towards the cost of the east–west link, and I suppose all that money could possibly go towards a real whizzbang artist's impression. This government seems to be expert in one area — that is, in producing artists impressions. Given the amount of money that goes towards the artist's impressions, I am sure the impressions of the east–west link will be fantastic. I am sure the people painted inside the cars who are driving along the east–west link will look very happy, and there will be no congestion in that artist's impression of the east–west tunnel. It will be terrific.

For a no-spin government, I was interested to hear that the east–west link is a game-changer project. It would be good if one of the government members could explain to me what a game-changer project is. If the east–west link is built by the government, will it mean that footballers will be wearing cricket pads, after the east–west link game-changer project is delivered? We will not be holding our breath for that project to happen!

The opportunity was there to put money towards rail. At the last election the coalition promised that it would find the funds and build a new rail link to Doncaster. Since making a commitment to build the Doncaster rail link the silence of the coalition on that project has been deafening. The excuse for not committing to that promise is that the Melbourne Metro tunnel needs to be built first for capacity. The no-spin government allocated a measly \$10 million towards the tunnel as a token, so that it could say, 'We are progressing it'. I am sure that \$10 million will go to develop another stunning artist's impression, and that the people painted on the platforms will be delighted. I am sure their painted-in train will be turning up on time. It might even have 'Doncaster' written on the front of it. But we will wait with bated breath!

So far as alleviating congestion is concerned, nothing has been done, and nothing has been committed to be done. Roadworks were the centrepiece of this budget, but they are now off in the never-never, with only 3 per cent of a project worth nearly \$7 billion being allocated. The government is saying that it will receive money from the federal coalition government if the federal Leader of the Opposition, Tony Abbott, wins the election, and then the other \$5 billion will just fall out of the sky, that corporations will fall over each other to give money to this project. It will not even have city exits, but the money will fall out of the sky and the corporations will be falling over each other to contribute. So for a no-spin government, there is nothing but spin in this area.

Regional Development Victoria: report 2011–12

Mr O'BRIEN (Western Victoria) — It is with great pleasure that I rise to make a contribution on the Regional Development Victoria annual report for 2011–12. It is not my first contribution on this report and I suspect it will not be my last because it is reflective of the significant government initiatives taken prior to and upon election of the government in relation to the establishment of the Regional Growth Fund over two terms. It was legislated for, budgeted for, and is gradually being delivered, as outlined in this report.

In relation to many of the initiatives that are set out, I could start with the \$2 million for the Wimmera regional intermodal freight hub project, to pick up some of Mr Leane's comments. I note in relation to Mr Leane's contribution that when one is looking at infrastructure spending it is important that you spend it well. You do not do what the federal government did in relation to its surplus, and that is overpromise and underdeliver. Rather, you say what you are going to do,

you promise what you can do and then you deliver it. We have done that, notwithstanding the challenges faced in this state by what has been accurately described as the circus that exists in Canberra. Federal Treasurer Swan and Prime Minister Gillard have failed to deliver what they promised around 500 times, which was a surplus; in fact they are heading right out the back door and removing many of the programs and promises that they said they would make, including the carbon tax compensation payment, which is now gone.

Therefore what this government has done in relation to the Regional Growth Fund is legislate over two terms the \$1 billion that is being set aside for the many projects listed in the growth fund. It is important for the people of Victoria to remember that what we have legislated for in the second term is subject to any decision by the Labor Party or the Greens — God forbid they should ever get into power — to undo the important legislative programs that have been set aside in this very popular and well-accepted Regional Growth Fund. One would wish that the present circus that is operating in Canberra does not re-infect this state by the election of a Labor government any time in the future.

I now turn to other programs that have been delivered by the government. I think I heard Mr Leane stalling during his contribution about Ballarat and Geelong. Some of the very important programs that have been declared in the Ballarat area include initiatives such as \$179 million for the eight new X'trapolis trains to be fitted out in Ballarat by Alstom; \$8 million for the stage 2 construction of the learning spaces at Phoenix P-12 Community College in Ballarat; and \$16.8 million over four years for further remediation work at the CFAs Fiskville state training centre.

This is on top of the most significant reform in terms of cutting down the costs of insurance that have been an unnecessary overburden on many regional Victorians. The former fire services levy was inequitable in that one could receive the benefits of Country Fire Authority fire protection without paying any premiums to support the insurance-based system. With this budget the government has delivered on its longstanding commitment that has been fought for, for many years, by people who have been in this Parliament for up to 20 years, including the Premier and the Deputy Premier respectively. They have been able to deliver this important reform which will save costs in all regional areas consistent with the infrastructure investments that are being made as part of the Regional Growth Fund.

I also listened to Mrs Kronberg's contribution, and I commend her for her part in producing the report on

outer suburban infrastructure issues. The opportunities in regional areas to have sensible population growth in hamlet-style developments in sensible subdivisions that the Minister for Planning, Matthew Guy, is considering as part of his regional zones review enables these areas to also attract more population. It goes on top of our commitments to provide education services in the west, including \$11.5 million for a primary school at Wyndham Vale South, \$11.5 million for a primary school at Melton North and \$10 million for stage 1 of the Truganina P-9 school. With those remarks, I commend the report to the house.

ADJOURNMENT

Hon. M. J. GUY (Minister for Planning) — I move:

That the house do now adjourn.

Drought: western Victoria

Mr BARBER (Northern Metropolitan) — My adjournment matter is for the attention of the Minister for Agriculture and Food Security, and I am requesting that he take action to have western Victoria declared to be drought affected and to lobby for federal assistance for farmers in that area. Last week the Queensland government declared large parts of that state to be drought affected.

Over the past couple of weeks I have been all over western Victoria and the picture is quite stark — poor rainfall over the last six months, record lows in some areas, and a forecast for more of the same. It must be obvious to the Premier, given that this is part of his own electorate. He cannot have missed the fact that there is a lot of heat and drought affecting his electorate. In fact if any other member who is interested wants to look at the Bureau of Meteorology figures, they will see that between 1 October 2012 and 30 April 2013 large parts of western Victoria experienced the lowest rainfall on record.

Mr O'Brien interjected.

Mr BARBER — People do not need a rain gauge, Mr O'Brien, but if they are having trouble reading that, they should check the number of calls coming into the local Lifeline service to measure the severe impact on dairy farmers in western Victoria.

Mr O'Brien interjected.

Mr BARBER — Then I would like to know why there has been no action from the government in this area. I went through the budget papers looking for a sign of assistance for farmers in western Victoria or

even some awareness in the economic outlook that western Victoria is under severe drought. There are plenty of risks associated with the European economy mentioned in the budget, but there is nothing about drought.

It is only going to get worse. There is a crisis in western Victoria's dairy industry. It is driven by low milk prices but also by high feed prices. Climate change means that we can expect more of the same. We need short-term financial relief for those farmers and, I would argue, a short-term plan to make dairies sustainable in the long term in a much more variable climate.

Planning: city of Maribyrnong

Mr FINN (Western Metropolitan) — I wish to raise a matter for the attention of the Minister for Planning, Mr Guy. It is wonderful to see him in the chamber this afternoon. I wish to preface my comments and request by thanking the minister for the time and effort he has been putting into the western suburbs since he took over his portfolio. I can assure him that I certainly appreciate that effort and the people of the western suburbs appreciate that effort. We are not used to having ministers who actually care about the west of Melbourne. It is wonderful that we now have a Minister for Planning who actually does care, and I thank him most sincerely for that.

The matter I raise with the minister is one that was raised with me some time ago by the mayor of the City of Maribyrnong, Cr Catherine Cumming. I have known Cr Cumming for some years. She is a dedicated servant of the people of Maribyrnong and she has been fighting for some years against a party machine which has put itself ahead of the people of that municipality. She now finds herself mayor and she is putting in place a number of programs and making a number of attempts to bring about change in a way that will greatly benefit the people of Maribyrnong and the suburbs within the city of Maribyrnong.

In particular, Cr Cumming raised with me her desire to change the image and the feel of the suburb of Braybrook. As I am sure the minister is aware, Braybrook is an area that has suffered from a great deal of neglect for a long time. It is a very disadvantaged area and has suffered over a long time. Cr Cumming is very keen to turn that around and to do so as quickly as possible. She is of the view that the minister, given his strong activity in Melbourne's west since becoming the Minister for Planning, would be the appropriate minister to speak to about changing the scope, feel and texture of the suburb of Braybrook.

I ask the minister to give Cr Cumming and the Maribyrnong City Council a positive response to their request for a meeting with him to discuss these very important matters, including the future of Braybrook and the people of that suburb.

Buses: local manufacture

Ms TIERNEY (Western Victoria) — I rise this evening to raise an issue relating to local manufacturing and procurement. It is an issue for the minister responsible for procurement and the Minister for Manufacturing. The matter I raise relates to a notification that we have received recently about Transdev Melbourne being the successful tenderer for Melbourne bus routes. There are very strong rumours in the industry that letting the tender to Transdev will result in Veolia Transdev having buses built in and sourced from Malaysia.

That is raising a number of concerns in the bus manufacturing industry in this state, in particular at Volgren, a company in the south-eastern suburbs of Melbourne. It has been a very successful company for many years, and prior to entering Parliament I had some association with that company. The people at Volgren are particularly concerned that there will be a huge impact on the company, there will be consequential job losses at Volgren and there will be substantial impacts on the component suppliers that provide the componentry for the buses they make on site at Volgren.

I seek from both ministers their support for local manufacturing in respect of the example I have given tonight, and I seek their assurances that the letting of the tender for the Melbourne bus routes will not result in buses being sourced from overseas at the expense of local manufacturers in the south-east of this state.

The ACTING PRESIDENT (Mr Elasmarr) — Order! To which minister was Ms Tierney's request directed? It can be directed to only one minister.

Ms TIERNEY — I am happy for it to be the Minister for Manufacturing.

Abattoirs: Trafalgar

Mr LENDERS (Southern Metropolitan) — The matter I raise tonight is for the attention of the Minister for Agriculture and Food Security, Peter Walsh. It relates to the Giles brothers' abattoir in Trafalgar, about which I spoke on a number of occasions last year. Acting President, you may recall that the abattoir employed 25 people in Trafalgar, a town of 2500 people in West Gippsland. The abattoir was

closed when PrimeSafe threw the book at it, so to speak, in very heavy-handed fashion and charges were laid against the proprietors.

The Department of Primary Industries has now dropped all those charges. Now what we have is a company that I have the highest regard for, as I have gone there on a number of occasions and met with the proprietors, their workforce and their suppliers. They are quite bewildered that they have lost their business, which was worth about \$7 million a year. They have also incurred \$150 000 in fees from the Victorian Civil and Administrative Tribunal. Most of their workers are still unemployed and the plant is idle. A number of farmers seek to supply pigs to the business. They had farmers supplying cattle, goats, pigs and sheep to them. Most of them have found alternative places to supply, but the pig farmers have not done so.

Having been down there, I have discovered that now there are a number of farmers who cannot have their pigs slaughtered in any economical manner. Recently I visited a farmer who used to get \$120 per piglet and now gets \$20 per piglet because rather than having them slaughtered in Trafalgar he has to send them to Sale, Warracknabeal, Wangaratta or Echuca. Needless to say, part of the agricultural industry in that part of Gippsland is now severely under pressure. The minister has not accepted my request to review PrimeSafe. In the end, that is his prerogative as the minister.

The action I seek this evening from the minister is that he go down and meet with the Giles family and a number of the farmers. I am very happy to give the minister the names of people he can meet, to facilitate the meeting and to commit to him that there will be no media present. I would like the minister to meet with a number of the people who have been severely affected by the actions of the state regulator for which he is accountable, in particular some of the pig farmers who now are having their livelihoods destroyed.

I do not say that idly. Given they are getting about one-fifth or one-sixth of the price for stock that they once got because of the action of an authority, I would hope the minister would actually meet with them and discuss their issues on a confidential basis so that he was more informed. I think he would also be moved by what I have seen and the stories I have heard on a number of occasions in West Gippsland. I urge the minister to meet with these farmers promptly.

Healesville freeway reservation: future

Mr LEANE (Eastern Metropolitan) — My adjournment matter is directed to the Minister for

Roads, Mr Mulder, and it concerns the reporting of public deliberative forums that were held around the Healesville freeway reserve land which VicRoads has deemed excess. Despite Minister Mulder's new colleague in the cabinet, the Minister for the Arts, Heidi Victoria, who is the member for Bayswater in the Assembly, stating in writing to the people of her electorate that this land would be kept as public open reserve, there has been a VicRoads process of consulting with members of the public who are interested in this reserve about the way forward — as in what pieces of land will be flogged off and what pieces of land may be maintained. There is a report, *The Way Forward*, which I understand may soon be available on the VicRoads website.

But what the residents of the area and the people organising the resident groups want is for the minutes of the deliberative forums — where members of the public and concerned citizens aired their opinions about what this land should be used for into the future — to be made public. There were minutes taken by VicRoads at these deliberative meetings, so these clearly could be made available. VicRoads is arguing that that particular information was fed into the report, but the members of the public do not accept that. They want a public document that states what was fed in by the community in terms of how community members think this land should be used into the future.

Planning: radio broadcast towers

Mr TEE (Eastern Metropolitan) — My adjournment matter is for the Minister for Planning, and I am pleased that he is in the chamber. It involves a case that I think is quite familiar to him, that of Mr John Howard, who has a property at Purnim with two radio masts on it. The permit for the towers was issued by the Moyne Shire Council. Mr Howard is concerned about the impact these radio masts have had on him, given they are located close to his house, and he is concerned about electromagnetic interference on his property. The issue has been raised in a number of forums, including the Supreme Court and other courts.

I understand that Mr Guy, when he was shadow Minister for Planning, visited the property with a former member of this place, Mr Vogels, and expressed some sympathy for the position that Mr Howard found himself in. The mayor of the Moyne Shire Council has called for a state government inquiry into the matter, and I note that a number of current and former members of this place have raised this issue, including Mr Ramsay, who has also called for an investigation into the matter.

My request to the minister this evening is that he consider this matter and examine the issue fully because Mr Howard feels that he has been unfairly treated. He believes he has suffered a grave injustice. I ask Mr Guy, now that he is the minister, to examine Mr Howard's claims and to provide to Mr Howard and to this Parliament a full account of what has occurred so that we can all be confident that Mr Howard has not been unfairly treated.

Responses

Hon. M. J. GUY (Minister for Planning) — There are six adjournment items tonight. The first is from Mr Barber to the Minister for Agriculture and Food Security, Peter Walsh, in relation to drought-affected farmers, and I will get the minister to respond to Mr Barber.

Mr Finn raised a matter with me around meeting the mayor of Maribyrnong. It is good to see Mr Finn again standing up for the western suburbs in this chamber; he does this every week. I am more than happy to meet the mayor with Mr Finn to discuss those issues. I think it is a very good idea, and no doubt we will do that in time.

Ms Tierney raised a matter for the Minister for Manufacturing in relation to procurement issues, and I will get a response for her.

Mr Lenders raised an issue for the Minister for Agriculture and Food Security, Peter Walsh, in relation to the L. E. Giles & Sons abattoir in Trafalgar, and that does sound like a very serious issue, to which I will seek the minister's immediate reply.

Mr Leane raised a matter in relation to the Healesville freeway reserve land. Obviously the freeway has not been, and I suspect will not be, built but that reservation still exists. Mr Leane has asked the Minister for Roads, Terry Mulder, to provide some details on that land and the future of it, and I will have him do that.

Mr Tee has raised a matter for me relating to John Howard. I know John Howard — this is John Howard the Purnim farmer, not John Howard the former Prime Minister, I might add. I believe Mr Howard's issues are legal issues not planning issues. They were the subject of a Victorian Civil and Administrative Tribunal (VCAT) inquiry some time ago and Mr Koch, Mr Vogels, Dr Napthine, Mr Ramsay and I have known about these issues for many years. In fact Mr Howard is a close personal friend of Mr Vogels, I understand, so they have talked about the situation over a long period of time. It has been going on for a long time. There have been solutions offered, but there clearly has not

been a settlement arrived at. I think the aspect of the issue Mr Tee is asking that I look at is the issuing of those permits. That has been looked at by VCAT, but I am happy to have a look at it with the Moyne council. I know the Moyne council is saying there should be an inquiry, but it issued the permits! There are no other matters to respond to. That is all for the adjournment debate.

The PRESIDENT — Order! The house now stands adjourned.

House adjourned 5.39 p.m.

Wednesday, 8 May 2013

JOINT SITTING OF PARLIAMENT

Legislative Council vacancy

**Honourable members of both houses met in
Assembly chamber at 6.17 p.m.**

The Clerk — Before proceeding with the business of the joint sitting it will be necessary to appoint a Chair. I call the Premier.

Dr NAPTHINE (Premier) — I move:

That the Honourable Bruce Atkinson, President of the Legislative Council, be appointed Chair of this joint sitting.

He is willing to accept this nomination.

Mr ANDREWS (Leader of the Opposition) — I second the motion.

The Clerk — Are there any other proposals?

There being no other proposal, the Honourable Bruce Atkinson, President of the Legislative Council, will take the chair.

The CHAIR — Order! I thank honourable members for their confidence.

I draw the attention of honourable members to the extracts from the Constitution Act 1975 which have been circulated. It will be noted that the various provisions require that the joint sitting be conducted in accordance with rules adopted for the purpose by members present at the sitting. The first procedure, therefore, will be the adoption of the rules.

Dr NAPTHINE (Premier) — I desire to submit rules of procedure, which are in the hands of honourable members, and I accordingly move:

That these rules be the rules of procedure for this joint sitting.

Mr ANDREWS (Leader of the Opposition) — I second the motion.

Motion agreed to.

The CHAIR — Order! The rules having been adopted, I now invite proposals from members for a person to occupy the vacant seat in the Legislative Council.

Dr NAPTHINE (Premier) — I propose:

That Mr Cesar Melhem be chosen to occupy the vacant seat in the Legislative Council.

He is willing to accept the appointment, if chosen. In order to satisfy the joint sitting as to the requirements of section 27A(4) of the Constitution Act 1975, I also advise the house that Mr Melhem is the selection of the Australian Labor Party, the party previously represented in the Legislative Council by Mr Pakula.

Mr ANDREWS (Leader of the Opposition) — It is with great pleasure that I second the motion.

The CHAIR — Order! Are there any further proposals?

As there are no further nominations, I declare that nominations are closed.

Motion agreed to.

The CHAIR — Order! I therefore declare that Mr Melhem has been chosen to occupy the vacant seat in the Legislative Council. I will advise the Governor of Victoria accordingly.

I now declare the joint sitting closed and thank members for their attendance.

Proceedings terminated 6.21 p.m.