

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

Wednesday, 11 June 2014

(Extract from book 8)

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By authority of the Victorian Government Printer

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The Honourable ALEX CHERNOV, AC, QC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

The ministry

(from 17 March 2014)

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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 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	Mrs I. Peulich, MLC

Legislative Council committees

Privileges Committee — Ms Darveniza, Mr D. Davis, Mr Drum, Ms Lovell, Ms Pennicuik, Mrs Peulich and Mr Scheffer.

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

Legislative Council standing committees

Economy and Infrastructure Legislation Committee — Mr Barber, Mrs Coote, #Ms Crozier, Mr Finn, #Ms Hartland, #Mr Leane, Mr Lenders, Mr Melhem, Mr D. D O'Brien, #Mr Ondarchie, Ms Pulford, Mr Ramsay and #Mr Scheffer.

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

Environment and Planning Legislation Committee — Mr Dalla-Riva, #Mr Finn, #Ms Hartland, Mrs Kronberg, #Mr Leane, Mr Ondarchie, Ms Pennicuik, #Mrs Peulich, Mr Ronalds, Mr Scheffer, #Mr Tarlamis, Mr Tee and Ms Tierney.

Environment and Planning References Committee — Mr Dalla-Riva, #Mr Finn, #Ms Hartland, Mrs Kronberg, #Mr Leane, Mr Ondarchie, Ms Pennicuik, #Mrs Peulich, Mr Ronalds, Mr Scheffer, #Mr Tarlamis, Mr Tee and Ms Tierney.

Legal and Social Issues Legislation Committee — Ms Crozier, Mr Elasmr, Mr Elsbury, Ms Hartland, #Mr Leane, Ms Lewis, Mrs Millar, Mr D. R. J. O'Brien, #Mrs Peulich, #Mr Ramsay and Mr Viney.

Legal and Social Issues References Committee — Ms Crozier, Mr Elasmr, Mr Elsbury, Ms Hartland, #Mr Leane, Ms Lewis, Mrs Millar, Mr D. R. J. O'Brien, #Mrs Peulich, #Mr Ramsay and Mr Viney.

Participating member

Joint committees

Accountability and Oversight Committee — (*Council*): Mr D. R. J. O'Brien and Mr Ronalds. (*Assembly*): Ms Kanis, Mr McIntosh and Ms Neville.

Dispute Resolution Committee — (*Council*): Mr D. Davis, Mr Drum, Mr Lenders, Ms Lovell and Ms Pennicuik. (*Assembly*): Ms Allan, Ms Asher, Mr Clark, Ms Hennessy, Mr Merlino, Mr O'Brien and Mr Walsh.

Economic Development, Infrastructure and Outer Suburban/Interface Services Committee — (*Council*): Mr Eideh, Mrs Millar and Mr Ronalds. (*Assembly*): Mr Burgess and Mr McGuire.

Education and Training Committee — (*Council*): Mr Elasmr, Mrs Kronberg and Mrs Millar. (*Assembly*): Mr Brooks and Mr Crisp.

Electoral Matters Committee — (*Council*): Mr Finn, Mrs Peulich, Mr Somyurek and Mr Tarlamis. (*Assembly*): Mr Delahunty.

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

Family and Community Development Committee — (*Council*): Mrs Coote. (*Assembly*): Ms Halfpenny, Mr Madden, Mrs Powell and Ms Ryall.

House Committee — (*Council*): The President (*ex officio*) Mr Eideh, Mr Finn, Ms Hartland, Mr D. R. J. O'Brien and Mrs Peulich. (*Assembly*): The Speaker (*ex officio*), Ms Beattie, Mr Blackwood, Ms Campbell, Ms Thomson, Mr Wakeling and Mr Weller.

Independent Broad-based Anti-corruption Commission Committee — (*Council*): Mr Viney. (*Assembly*): Ms Kanis, Mr Kotsiras, Mr McIntosh and Mr Weller.

Law Reform, Drugs and Crime Prevention Committee — (*Council*): Mr Ramsay and Mr Scheffer. (*Assembly*): Mr Carroll, Mr McCurdy and Mr Southwick.

Public Accounts and Estimates Committee — (*Council*): Mr D. R. J. O'Brien and Mr Ondarchie. (*Assembly*): Mr Angus, Ms Garrett, 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 D. R. J. O'Brien. (*Assembly*): Mr Howard, Mr Katos, Mr Trezise and Mr Weller.

Scrutiny of Acts and Regulations Committee — (*Council*): Mr Dalla-Riva. (*Assembly*): Ms Barker, 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

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FIFTY-SEVENTH PARLIAMENT — FIRST SESSION

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Deputy President: Mr M. VINEY

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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. D. K. DRUM (from 17 March 2013)

The Hon. P. R. HALL (to 17 March 2013)

Deputy Leader of The Nationals:

Mr D. R. J. O'BRIEN (from 17 March 2013)

Mr D. K. DRUM (to 17 March 2013)

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Barber, Mr Gregory John	Northern Metropolitan	Greens	Melhem, Mr Cesar ²	Western Metropolitan	LP
Broad, Ms Candy Celeste ⁹	Northern Victoria	ALP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Coote, Mrs Andrea	Southern Metropolitan	LP	Millar, Mrs Amanda Louise ⁴	Northern Victoria	LP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	O'Brien, Mr Daniel David ⁸	Eastern Victoria	Nats
Dalla-Riva, Hon. Richard Alex Gordon	Eastern Metropolitan	LP	O'Brien, Mr David Roland Joseph	Western Victoria	Nats
Darveniza, Ms Kaye Mary	Northern Victoria	ALP	O'Donohue, Mr Edward John	Eastern Victoria	LP
Davis, Hon. David McLean	Southern Metropolitan	LP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
Davis, Mr Philip Rivers ⁵	Eastern Victoria	LP	Pakula, Hon. Martin Philip ¹	Western Metropolitan	ALP
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Elasmr, Mr Nazih	Northern Metropolitan	ALP	Peulich, Mrs Inga	South Eastern Metropolitan	LP
Elsbury, Mr Andrew Warren	Western Metropolitan	LP	Pulford, Ms Jaala Lee	Western Victoria	ALP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Ramsay, Mr Simon	Western Victoria	LP
Guy, Hon. Matthew Jason	Northern Metropolitan	LP	Rich-Phillips, Hon. Gordon Kenneth	South Eastern Metropolitan	LP
Hall, Hon. Peter Ronald ⁷	Eastern Victoria	Nats	Ronalds, Mr Andrew Mark ⁶	Eastern Victoria	LP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Scheffer, Mr Johan Emiel	Eastern Victoria	ALP
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Koch, Mr David Frank	Western Victoria	LP	Tarlamis, Mr Lee Reginald	South Eastern Metropolitan	ALP
Kronberg, Mrs Janice Susan	Eastern Metropolitan	LP	Tee, Mr Brian Lennox	Eastern Metropolitan	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Leanders, Mr John	Southern Metropolitan	ALP	Viney, Mr Matthew Shaw	Eastern Victoria	ALP
Lewis, Ms Margaret ¹⁰	Northern Victoria	ALP			

¹ Resigned 26 March 2013

² Appointed 8 May 2013

³ Resigned 1 July 2013

⁴ Appointed 21 August 2013

⁵ Resigned 3 February 2014

⁶ Appointed 5 February 2014

⁷ Resigned 17 March 2014

⁸ Appointed 26 March 2014

⁹ Resigned 9 May 2014

¹⁰ Appointed 11 June 2014

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Wednesday, 11 June 2014

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

The PRESIDENT — Order! I inform the house that the Legal and Social Issues Legislation Committee will be meeting this day following the conclusion of the sitting of the Council. I also remind members that there is a joint sitting at 6.15 p.m. tonight in the Legislative Assembly chamber.

PETITIONS

Following petition presented to house:

Kingswood Golf Club site

To the Legislative Council of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Council and the Minister for Planning, the Hon. Matthew Guy, MLC, our concerns regarding the proposed sale and rezoning of the Dingley Village Kingswood golf course land to residential.

Our community's infrastructure is already under pressure. We are concerned that our crowded village may be forced to fit possibly hundreds of additional dwellings. Dingley Village is a unique place with a strong community spirit, and we want to keep it that way.

The petitioners therefore request that the Legislative Council lobby the Victorian Minister for Planning to urgently advise us:

1. what matters he would consider in deciding whether to approve a rezoning of the golf course to residential;
2. what limitations, if any, he would place on the density of development on the site; and
3. what infrastructure requirements, if any, he would impose on any such approval?

By Mr TARLAMIS (South Eastern Metropolitan) (487 signatures).

Laid on table.

PAPERS

Laid on table by Acting Clerk:

Auditor-General's reports on —

Prisoner Transportation, June 2014.

Using ICT to Improve Traffic Management, June 2014.

Interpretation of Legislation Act 1984 — Notice pursuant to section 32(3) in relation to Statutory Rule No. 37.

Subordinate Legislation Act 1994 — Documents under section 15 in respect of Statutory Rule No. 45.

MEMBERS STATEMENTS

Motor vehicle registration fees

Ms DARVENIZA (Northern Victoria) — The \$25 rise in motor vehicle registration fees constitutes a revenue-raising measure by the Liberal-Nationals state government, and the funds raised must be allocated to regional Victorians who rely on the road network due to a lack of public transport options and therefore rely more heavily on their cars. The fee increase will apply from 1 July, but so far the Treasurer has provided very little detail on where the funds will be spent other than saying there will be an extra \$130 million in the budget over four years for 'road maintenance and restoration' across the state. It is critical that rural and regional communities are not forgotten when this extra funding is dished out.

The *Weekly Times* recently reported on the large number of deaths on our country roads, and local councils need money to fix deteriorating rural and regional roads. It is therefore very important that this extra revenue is allocated to the much-needed upgrading of rural and regional roads across Victoria. The raised registration fee will be a blow affecting already stretched hip pockets; it will be worth it only if the money goes to fixing roads in rural and regional areas.

Linking Learning Birth to 12 Years

Hon. W. A. LOVELL (Minister for Children and Early Childhood Development) — During Education Week, alongside my colleague Martin Dixon, the Minister for Education, I was proud to launch the \$2.3 million Linking Learning Birth to 12 Years project. Linking Learning is one of the key initiatives of the Early Years Strategic Plan. It is a three-year project to enhance children's learning opportunities from birth to age 12. The initiative will model a shared partnership approach, supporting families, educators and service providers to work together more effectively and develop seamless and continuous learning for children. Eight sites will each receive \$240 000 over three years to help services to coordinate and target efforts to meet the particular challenges faced by children in their communities, share resources and expertise to improve student learning and development outcomes, and promote high-quality learning and care.

Many young children have a range of complex learning needs that cannot always be met by one service. This project will ensure that any learning problems are identified early on and addressed. The Victorian

coalition government is building a better Victoria by boosting learning outcomes for children.

Aiming High

Hon. W. A. LOVELL — I am thrilled that the Minister for Education, Martin Dixon, has launched the Aiming High strategy to engage and develop gifted and talented children and young people. Building on the gifted and talented early years program I launched last year, Aiming High supports students with outstanding potential or ability from early childhood right through to secondary school. Early childhood professionals engage with young children at a crucial stage of their development, and with the right support they can make a real and lasting difference to how children group.

Aiming High details 18 actions and initiatives over the next five years to ensure that children and education professionals receive vital support, and this includes providing professional learning in gifted and talented education for early childhood professionals and teachers, and developing identification toolkits for parents, early childhood professionals and teachers to recognise gifted and talented students. The Victorian government has already implemented a number of these initiatives to ensure that all children, regardless of their background or ability, achieve their full potential.

Climate change

Mr BARBER (Northern Metropolitan) — For a brief moment Australia was a world leader in action on climate change. However, you need only rest on your laurels for a few moments for the rest of the world to race ahead of you. President Obama has articulated very well the need for carbon pricing. An article in the *New York Times* of 7 June refers to what Obama said in relation to the way the United States has solved previous problems like acid rain:

... 'We're going to charge you if you're releasing this stuff into the atmosphere, but we're going to let you figure out — with the marketplace and with the technology' how best to mitigate it. But 'you can't keep dumping it out in the atmosphere and making everybody else pay for it. So if there's one thing I would like to see, it'd be for us to be able to price the cost of carbon emissions'.

Prime Minister Abbott is in agreement with the one world leader — other than perhaps Vladimir Putin — the Prime Minister of Canada, who is prepared to embrace and hug coal and tell us all how great it is for us. For a moment it may look like it is possible for Mr Abbott to deny this problem. For a moment our Prime Minister — briefly, it seemed — upgraded climate change from 'absolute crap', as he previously called it, to now simply 'a problem, but not a very big

problem'. It is a big problem for the coalition at state and federal levels. Public opinion is with us on action, and the science is in.

Minimum wage

Mr MELHEM (Western Metropolitan) — Last week the Fair Work commissioner awarded Australia's lowest paid workers an \$18.70 pay increase, which was welcome news for these workers. However, it was disturbing to see the Naphthine government's submission to the Fair Work Commission, which basically cautioned the commission against making any increases. According to the government, such increases might impact on jobs. However, we are talking about the lowest paid workers in the state, who have suffered a great deal and are about to suffer more under the latest state budget. For example, the Naphthine government has increased car registration by \$25, and council rates are going through the roof. We also have cost pressures introduced by the federal budget, with measures such as the \$7 co-payment for visiting a GP and various cuts to welfare.

I commend the Australian Council of Trade Unions (ACTU), including secretary Dave Oliver and president Ged Kearney, which continues to stand up for working people and lower paid workers. The ACTU was brave enough to put forward a submission for a \$27 increase, with no discrimination between union and non-union members. All workers will receive the increase. The ACTU continues to do a great job representing working people in this country.

Castlemaine Secondary College

Mrs MILLAR (Northern Victoria) — To be taught by an inspirational teacher just once in your lifetime is enough to inspire you forever. In my lifetime, I have had one such teacher at the University of Melbourne in Vincent Buckley, the poet and professor of English literature. Though he is since deceased, many of his words stay with me still, and there are certain poems that, when I read them — even today, nearly 30 years on — I can still hear his lyrical Irish tone.

Inspirational teachers are not a thing of the past and still exist in our schools and universities. On Friday, 30 May, together with Jack Lyons, the Liberal candidate for Bendigo West, I had the privilege of attending Castlemaine Secondary College and inspecting its fantastic completed Wellbeing Centre, the \$8 million stage 1 development for this school. I also heard about plans for the next stage to be completed with the \$5.5 million announced as part of this year's state budget.

Walking into this school is a privilege, especially when you are greeted by some of the students and hear them in their classrooms; they are bright and engaged young minds. I congratulate the principal, Mary McPherson, on her outstanding leadership of this school, not only on the fabulous stage 1 building works but on her educational leadership in raising student performance levels; leading the school's vision for the future, including ensuring that this is integrated into the community's strengths; and providing a caring and person-centred approach to education. I also thank and recognise the other outstanding teachers at this school for their great work.

At this visit the principal extended her thanks and best wishes to the Minister for Education, Martin Dixon. I thank the minister and the Premier for the strong budget commitment to this outstanding school, community and group of educators. The future is in good hands in Castlemaine.

State and federal budgets

Mr TARLAMIS (South Eastern Metropolitan) — I rise today to take a stand on behalf of young people right across Victoria in the face of the unprecedented assaults on their living standards and opportunities by those opposite. Australian Bureau of Statistics figures indicate that Victoria's youth unemployment rate is now the highest on the Australian mainland, with one in five young Victorians currently unemployed. What does the Napthine government do to address this situation? It continues its assault on TAFE by ripping out a further \$124 million, resulting in \$1.2 billion in cuts to TAFE funding over the forward estimates, and it cuts the apprenticeship trade bonus, which benefited over 125 000 apprentices. But it does not end there. The government has also reduced the number of traineeships available through the youth employment scheme from 450 to 280 and slashed the amount of funding from \$4500 to a paltry \$500.

Meanwhile the government's federal coalition colleagues are creating a system where universities will be able to triple fees. This combined with doubling the higher education contribution scheme's interest on repayments will trap young people into more than a generation of debt and further entrench inequality, as those with the ability to pay will benefit, rather than the system being based on merit. Not satisfied with denying students opportunities and pricing them out of education and training, the federal colleagues of those opposite continue their assault on the youth of Victoria by taking action to deny young people under 30 years of age access to unemployment benefits for six months. This will affect 100 000 young people this year, and

that number will grow to 700 000 over the next four years.

Young people who do not have the means or cannot rely on the support of family for a variety of reasons — such as family breakdown, estrangement or mental illness — will face lives of poverty, disadvantage and homelessness and, most importantly, the loss of the opportunity to break this cycle as a direct result of the actions of the Napthine and Abbott governments. These are actions those governments should and will be condemned for.

East–west link

Mr RONALDS (Eastern Victoria) — I had the great privilege last Friday of going to one of the beautiful towns in my electorate, Monbulk. I went with Mark Verschuur, the Liberal Party candidate for the Assembly seat of Monbulk. He is a good man. We went around the electorate and had a look at a number of good businesses. In particular we went to Fleming's Nurseries. Fleming's Nurseries employs 80 people, which makes it one of the biggest horticulture businesses in Australia. But Fleming's is not only locally known but is also world renowned. It has recently exhibited at the Chelsea Flower Show for the eighth time; it won the best exhibition prize at the show last year. The managing director, who I was talking to, said that of course the highlight was meeting the Queen.

Like many successful businesses in my electorate, Fleming's Nurseries has one big fear. That fear is Labor returning to power, with its mismanagement and neglect of vital infrastructure projects. The big thing that is important to people in this area is the east–west link. It is vital for the people of Monbulk as they take their produce to Melbourne and as they travel to Melbourne sometimes for work. It will make them more competitive, and most importantly it will provide jobs. This is just another way the Victorian government is building a better Victoria — by building better roads and better public transport.

Geelong region police resources

Ms TIERNEY (Western Victoria) — On Tuesday, 20 May, more than 200 off-duty police officers rallied against the ongoing and systematic funding cuts and decrease in resources for police in the Geelong region. Police Association secretary, Ron Iddles, addressed the rally, saying it was the first time he could recall a group of police rallying publicly for more support. Police officers have rallied in public because they have been left no other option, as their desperate calls for

increased resources continue to be ignored by this government.

Just like with Victoria's ambulance officers and firefighters, the Napthine government is simply not interested in hearing about critical issues from important services personnel who keep Victorians safe each and every day. Mr Iddles said that Geelong's police numbers were in crisis and that he has never seen the frustration of staff so high and the morale so low in his more than 18 years of service. Mr Iddles also said that the community should be outraged and that he is aware that a number of calls from the community to police are going unattended. It is not the police officer's fault, he said. It happens because there has been a drastic reduction in police officers — and it is not good enough.

As was discovered through a Labor FOI request, Geelong police numbers are down 19 per cent from 224 to 181 whilst crime in the region is up 18 per cent. These men and women put their lives on the line each and every day they put on their uniforms, yet this government refuses to give them the appropriate resources.

The Greens

Mr ONDARCHIE (Northern Metropolitan) — Twenty years ago they used to hug trees, and we had a sense that we knew what the Australian Greens stood for, but who and what do they represent today? Their policy positions simply move with the tide. They construct policy based on last night's session of Stone's Original Green Ginger Wine. They block, they stall, they misconstrue, they are antibusiness and they are antijobs. They offer promises to the Australian electorate that they know they will never have to deliver. They actively support the job-killing carbon tax.

What of their latest offering, their suggestion that the Parliament of Victoria reject the state budget and block supply? Suggesting blocking supply means that the Greens, for example, do not want to support our health initiatives, such as addressing violence against women. They do not want to pay our nurses. They do not want to boost elective surgery capacity. They do not want to deliver home care for our aged. They do not want to provide support for Victorians with mental illness. They do not want to respond to ambulance service growth. They do not want to improve health outcomes for at-risk pregnant women and their babies. They do not want to pay our teachers, they do not want to pay our firefighters and they do not want to pay our community workers.

The Greens complain to me about traffic congestion on Alexandra Parade and around Parkville, Carlton et cetera, yet they block the east–west link. The Greens say they care about people, but the Australian voters know that they only care about themselves.

Healthy Together Victoria

Mr RAMSAY (Western Victoria) — My statement this morning is a call for the federal government to reinstate funding for preventive health-care programs, like Healthy Together Victoria. I have long been a strong advocate for more people being more active more often, and given the high rates of obesity and diabetes in Western Victoria Region, it is important that we encourage and mentor communities to be engaged in preventive health programs. Healthy Together Geelong is a preventive program that engages over 50 000 people and is strongly supported by the City of Greater Geelong, and also, I might add, by the federal member for Corangamite, Sarah Henderson.

The Ararat municipality has one of the highest incidences of diabetes and obesity per capita. When Healthy Together Grampians Goldfields coupled with the television program *The Biggest Loser*, the community embraced preventive health care with a vengeance. The results included an 87 per cent decrease in hypertension, a 70 per cent reduction in type 2 diabetes, a 50 per cent reduction in stroke indicators and an average weight loss of 5.6 per cent. There are now over 800 people wearing Alere Pebbles activity trackers for real-time monitoring of their weight loss and blood pressure.

These programs, which are funded through the National Partnership Agreement on Preventive Health, are essential to those communities in regional Victoria that are groaning under the weight of an unhealthy diet and lack of exercise. Obesity is costing Australians \$120 billion, despite the best efforts of ambassadors like Steve Moneghetti, who was recognised in the Queen's Birthday honours on Monday, and even ex-politicians like a former member for Corangamite, Stewart McArthur, who was also honoured for his contribution to the public service and at 70 is still running marathons. The federal government must see that these programs are not only a great economic investment in the health-care sector but an essential component for the wellbeing of communities like Geelong and Ararat.

South Eastern Metropolitan Region community events

Mrs PEULICH (South Eastern Metropolitan) — One of the greatest joys of my job is my engagement with the communities of the south-east. It is a very multicultural region. Whilst community events fill my calendar on weekends, this is something I consider to be very important in showing support not just for the community organisations that are dedicating resources and putting their hearts and souls into doing good work but also for the various charitable causes. Sometimes we offer modest state government funding, which magnifies the benefits to the community.

Some of the more recent events I have attended include the Australia India Business Council dinner held at the RACV City Club, at which Louise Asher, the Deputy Leader of the Liberal Party, received an award for the work she has done in building a stronger relationship with the Sri Lankan and Indian communities in Victoria and abroad.

I also had the pleasure of attending the Asian food harvest festival, which was hosted by the Indian Christian community and associated with the Immanuel Mar Thoma Church in Dandenong. I want to congratulate them on their work.

I had a great night at the Cebuano Association of Victoria gala event held at the Freccia Azzurra Club in Keysborough last Saturday. It was a fantastic night organised by Alex Sy and his committee, and I commend the association on its work in raising money for victims of natural disasters.

The Harp and Beats concert at the River Gum Performing Arts Centre in Hampton Park was also a great success, and I thank Philip Prasad for his wonderful work.

Oral health

Ms CROZIER (Southern Metropolitan) — Those of us who grew up in the 1970s will remember the Colgate toothpaste ads with Mrs Marsh. Mrs Marsh was quite an icon of Australian TV, and in honour of the late Barbara Callcott, who played the role of Mrs Marsh, Colgate has provided a grant to continue the message of good oral health. The Mrs Marsh grant will allow maternal and child health nurses to have discussions with families about the importance of oral health and provide them with tools to act on those messages. This will enable maternal and child health nurses to build on the very effective partnerships and

the Tooth Packs project already undertaken by Dental Health Services Victoria.

Level crossings

Ms CROZIER — While representing the Minister for Health at an announcement at the Springvale Service for Children last week, I drove past and could not help notice the extent of work being undertaken on the Springvale Road level crossing. That level crossing is just one of 40 that will be removed or has been planned to be removed under the coalition government since coming to office just three and a half years ago. The coalition government has provided \$1.8 billion to deal with the systemic and considered approach required to undertake level crossing removal projects. The level crossings at Murrumbeena Road, Murrumbeena, and Koornang Road, Carnegie, will be removed as part of the Cranbourne-Pakenham rail corridor project. This is a vital project that will cater for the growing population in south-eastern Melbourne and will deliver more services more often.

Labor’s description of this project being a ‘disaster’ just demonstrates how out of touch it really is. The people of the south-eastern suburbs understand the importance of such projects. They know that Labor did nothing, and they know that the Napthine government is working toward improving services not only for those in the south-eastern areas of Melbourne but all Victorians.

MENTONE GARDENS AGED-CARE FACILITY

Ms MIKAKOS (Northern Metropolitan) — I move:

That this house notes —

- (1) that the registered supported residential service, operated by Parklane Assets Pty Ltd and trading as Mentone Gardens, was placed into voluntary administration on 12 June 2013 and subsequently into liquidation on 18 September 2013;
- (2) the responses to questions without notice from Ms Jenny Mikakos, MLC, to the Minister for Ageing, Mr David Davis, MLC, in respect of Mentone Gardens on 17 October 2013, 28 May 2014 and 29 May 2014; and
- (3) that the minister has shown a complete lack of empathy and compassion to individuals who have lost significant amounts of money by way of security deposits due to the collapse of Mentone Gardens;

and calls on the minister to cooperate with the liquidator’s investigation into the collapse of Mentone Gardens by releasing important documents sought.

At the outset I say that it is important to understand the background before coming to the supported residential service (SRS) that is at the centre of this motion today — that is, Mentone Gardens. On 12 June 2013 Parklane Assets Pty Limited, trading as Mentone Gardens, was placed into voluntary administration with debts of more than \$4 million. On 18 September 2013 the company went into liquidation. As a result of this collapse, approximately 30 unsecured creditors, mostly residents, are at risk of losing security deposits of up to \$400 000 each.

I have brought this motion before the house because I am very concerned about the plight of the residents affected by the Mentone Gardens collapse and the subsequent obfuscation by the responsible minister, the Minister for Ageing, David Davis, in responding to questions I have asked in the house about this issue. I want to highlight the minister's complete lack of empathy and compassion for the great number of individuals who have lost significant amounts of money due to this collapse.

More recently concerns were raised by the liquidator himself about being denied access to documents being pursued through freedom of information legislation. It will mean the liquidator will have greater difficulty completing his investigations into the circumstances relating to the collapse of this company and following the money trail, so to speak, to assist the affected individuals to recover funds if they are able to be recovered.

Before I go into further detail regarding Mentone Gardens, it is useful to give a brief overview of supported residential services as, unlike many other types of supported accommodation, they are very diverse. Supported residential services are privately operated services providing accommodation and personal support for people of varying ages and support needs. They vary in size, resident profile, fees charged and the range of services offered. Despite being privately operated, they are registered and regulated by the state government so that the care and accommodation needs of the residents are met. This is because the sector houses a large number of quite vulnerable Victorians, both seniors and people with disabilities. According to the *2013 Census of Supported Residential Services (SRS) in Victoria* final report, an estimated 4275 Victorians called supported residential services home. As I have said, these are vulnerable people who need to be protected.

In response to the evolving needs of this sector the previous government commenced a review of SRS regulations in 2007, and after extensive consultation

with residents and their families, proprietors and many other stakeholders, the Supported Residential Services (Private Proprietors) Bill 2010 was introduced and passed. The act has as one of its key purposes to protect the rights of residents living in supported residential services by establishing a registration system and imposing minimum standards on service providers. It aims to ensure that people living in supported residential services are protected from neglect or abuse and are cared for properly.

The new legislation introduced new tenancy rights, limits on fees and charges a resident may pay on entry to an SRS, minimum notice periods and rights of appeal against eviction to give residents better protections and rights when residing in an SRS. It also strengthened financial protections for residents' money to ensure it remains safe and secure while they reside at an SRS. It established statutory limits on the amounts that can be charged for security deposits, fees paid in advance and reservation set-up fees, and it set requirements for the repayment of those amounts. It also established that deposits and some other fees be placed in a trust account. The proposed new regulations included further protections for residents. The Labor government also invested \$40.4 million over five years towards a supporting accommodation for vulnerable Victorians initiative, which provided funding to improve the viability of pension-level SRSs, as well as contributing to making improvements to the care, safety and amenity provided to residents.

I return to the situation at Mentone Gardens. As I said earlier, approximately 30 residents have each lost a significant amount of money in this company's collapse. I also point out that 12 staff lost jobs and are owed about \$40 000 in superannuation. A number of individuals have been affected by this collapse, and a number of them have contacted me, Mr Lenders and other members of the opposition about this issue. They have also been very active in contacting members of the government.

Leonie Roberts and her siblings placed their 92-year-old mother at Mentone Gardens in 2012. They paid a \$30 000 down payment on a \$250 000 deposit that the family thought was a bond being placed into a trust account for their mother's care. When their mother passed away a few months later, the family was unable to get in touch with the former owners of Mentone Gardens or find out what had happened to their money. Alan and Rose Lorraine have lost an extraordinary amount of money, which I understand is of the order of about \$400 000 in security deposits. As a result they can no longer afford to live in this accommodation. Mr Lorraine has had a number of communications with

Mr Lenders, who, as a member for Southern Metropolitan Region, is a local member and has been supporting Mr Lorraine and his family in their plight.

Mr Lorraine has had a number of communications directly with the minister and his department, and I note that in some of the correspondence, and in fact in response to the very first letter Mr Lorraine wrote to the minister, there was absolutely no empathy for his plight. There was no suggestion of any meeting occurring. There was no suggestion in that correspondence that the minister was concerned at the plight of Mr Lorraine and many other individuals. I thought it was a very perfunctory response, and no doubt Mr Lorraine and others who have received similar responses would have been concerned by the lack of empathy and sympathy shown by the minister for their plight.

I have also been contacted by another family member, Jennifer, whose mother, Una, is living at the facility. To protect their privacy I will not use the family's surname. Jennifer advised me that Una turned 99 years of age last week. Since entering Mentone Gardens she has developed dementia and is unable to make clear decisions. Una has lost her security deposit of approximately \$100 000 and her family now worries about how she will continue to be provided with the care she needs in the manner to which she has become accustomed.

Jennifer has also been speaking to Mr Lorraine. Obviously there are a number of people affected by this situation who are in constant communication with each other and who show concern for each other's plight. Jennifer has also expressed concerns about the plight of Mr Lorraine, who I referred to earlier. She says he is tirelessly working at the age of 91 to compensate for the money he has lost. She is very concerned about Mr Lorraine and his wife and worries a great deal for them.

There are many human faces and many cases behind the collapse of Mentone Gardens. I do not want to spend all my time going through all the cases, but approximately 30 residents have been affected by this. They are all in similar situations to the individuals I have already referred to. They are all quite elderly people who in some cases are suffering dementia. It is unfortunate that at this point in their lives these individuals are concerned about their financial futures and how they are going to continue to pay for their accommodation, let alone get by. The reason I have brought this motion to the Parliament is due to my concern that in asking the minister a number of

questions around these circumstances, what we have seen from the minister is really — —

Ms Tierney — Where is the minister?

Ms MIKAKOS — That is a good question. Where is the minister? I hope he is listening to the debate in his office. What we have seen from the minister to date is a lack of sympathy and empathy for the affected individuals. He has also been very light on in terms of the details regarding the circumstances surrounding the situation at Mentone Gardens. The minister has been unprepared to take responsibility on behalf of his department for the circumstances relating to the collapse of Mentone Gardens, which took place under his watch, or provide any information about what his department knew about the company's collapse, which has caused so many people so much financial strife.

As I said earlier, on 18 September 2013 the company went into liquidation. On 17 October 2013 I asked the minister my first question about when his department first became aware of the financial troubles at Mentone Gardens. The minister was not able to respond at the time but took the question on notice. I subsequently received a letter dated 22 October 2013 in which he advised that his department was notified by a family of a deceased resident that they were pursuing a refund from the then proprietary company on 11 January 2013. On 11 February 2013 the family was subsequently advised that the refund had not been made. Despite media reports at the time in which the department indicated that it had been investigating Mentone Gardens prior to its having gone into voluntary administration, the minister refused to indicate whether his department had any reason to investigate it or its proprietary company in respect of any financial troubles prior to 11 January 2013. Nevertheless I am concerned that there may have been further contacts with the department prior to this date. The department did not take action at that time to ensure that these individuals did not lose their security deposits, and it did not appear to have monitored the company in terms of its financial soundness in any way to ensure that those obligations to keep funds in a trust account were actually being complied with.

On 28 May I again asked the minister about Mentone Gardens and in particular about his cooperation with the liquidator, Mr Roger Darren Grant, in the course of his investigation. Despite the minister's assurances last year that his department had 'sought to do everything that it can to assist', I was advised by the liquidator that the minister's department had not released all relevant documentation and that the matter was now the subject of a complaint to the FOI commissioner. The liquidator

further advised me that when the minister wrote to him on 13 November last year seeking a copy of his report, the report was provided. Despite the liquidator writing to the minister on both 13 March and 20 April this year outlining the difficulties he was experiencing in obtaining a response to his FOI request, he has not received a response. This is a display of arrogance on the part of the minister.

In a letter of 28 May that the liquidator sent to me he notes that he has:

... reasonable grounds to question whether the above request for details of my investigation are in good faith in circumstances where I am unable to obtain timely responses from the Department of Health.

We have a situation where the liquidator himself is questioning whether the minister is acting in good faith when he is refusing to release relevant documents to assist the liquidator in his investigations. This is not the cooperative approach the minister has claimed he is undertaking — quite the contrary. The minister even sought to shift responsibility for furnishing those documents onto the liquidator himself when he said that it was a ‘challenge’ for documents to be released from the liquidator to the department. Questions had to be asked in the Parliament before the minister furnished a small number of documents to the liquidator, but all the relevant documents are yet to be provided.

In response to the questions I raised in the Parliament, I received a subsequent letter from the liquidator dated 6 June. This is a letter that the liquidator, Mr Grant, wrote directly to the minister and in which he copied me in, so the minister has a copy of this letter. I will quote extensively from this letter because I think it is important to put it on the public record:

I refer to previous correspondence regarding the above named company —

this being Parklane Assets Pty Ltd —

Jenny Mikakos has highlighted a number of references to the discussion of the company in liquidation in the *Hansard*.

You have informed Parliament that you have sought documents from me, and I would not provide those documents to the department. You have characterised this as a ‘challenge’.

I am informed that on 3 June 2014 that you communicated to Bob Lorraine that freedom of information documents were being withheld by your office as I had not furnished my reports to the Australian Securities and Investments Commission to your office.

Notwithstanding I have now thankfully received a small number of documents. I clarify as follows:

For the avoidance of doubt, as I have set out in previous correspondence, you have requested copies of my reports to the Australian Securities and Investments Commission under section 533 of the Corporations Act 2001.

Those reports are subject to privilege and do not contain the conclusions of my investigation. Those reports are required to be submitted within six months of the commencement of the liquidation and to include details of offences that it ‘appears’ to me that ‘may’ have occurred. The Corporations Act 2001 therefore requires me to be quite liberal in the content of this report, to report that when my investigations are not yet complete, and to run ahead of the evidence, so to speak. Accordingly, to release such a report to your department at this time, when my investigations have not been completed, would be inflammatory, misleading and further would open me to libel, as well as causing other problems.

I request that you clarify where the ‘challenge’ for your department lies in this matter.

However, I have been taking steps to try to bring certain investigative actions to a close, which would hopefully provide material which could inform a report to the department.

More particularly, I am preparing to conduct public examination (partially funded by former residents) to obtain further information in respect of the conduct of the company. Ordinarily, a liquidator will enter a public examination with questions they wish to propose. The materials your department was requested to provide under freedom of information would inform such questions, to ensure that investigations can be complete and relevant as possible, which will then put a liquidator in a position to be able to issue final reports.

I request that you provide content to your advice to Parliament that your department has worked as closely as possible with my office. What did you mean by this statement? In what manner have our respective offices worked as closely as possible?

I request that you clarify why it is a complex legal matter to respond to my freedom of information requests? I would have thought there would be policies and procedures in place to make such a request quite procedural and ordinary.

The liquidator has expressed considerable concerns regarding statements the minister has made in the Parliament claiming that in some way the liquidator has not been forthcoming in providing information for the department. Mr Grant explained the limitations that he has had imposed on him by the Corporations Act in terms of his reports to the Australian Securities and Investments Commission (ASIC), but he has provided advice to the department where possible. He has raised concerns regarding the minister’s claim that his department has been working as closely as possible with the liquidator: the liquidator is clearly saying that has not been the case.

The minister and the government understand full well that, whilst the minister and the department have the ability to withhold documents under the freedom of

information legislation, the minister still has the discretion to release documents. Just because they can withhold documents does not mean they have to withhold documents. The minister still has the ability to direct his department to release documents to the liquidator to enable the liquidator to complete his investigation. Clearly the liquidator feels there are further questions to be asked and further issues to be examined in terms of the circumstances relating to this company's collapse. These circumstances have led many of the affected residents — not just the liquidator himself — to question the minister's interests and his bona fides in claiming that his department is assisting the liquidator to get to the bottom of these matters. Clearly the minister has not been forthcoming in providing information to the liquidator that would assist the liquidator to complete his task.

This motion calls on the minister to cooperate with the liquidator's investigation into the collapse of Mentone Gardens by releasing important documents sought to enable the liquidator to complete his task. I conclude by saying that there are clearly a lot of questions to be raised here arising from the collapse of Mentone Gardens. As I said, a number of vulnerable Victorians live in similar accommodation that is similarly regulated by the department under the relevant legislation. It is important that we get to the bottom of this, not only to assist the affected residents of Mentone Gardens but also to take the lessons that can be learnt here in terms of what potential further changes need to be made to the legislation and what further protections need to be looked at to ensure that we do not get similar situations in future where other vulnerable Victorians lose hundreds of thousands of dollars in security deposits.

I call on the minister to come in here, and he is yet to appear during the course of my contribution to the debate, and to give some further explanation regarding the circumstances of the collapse of Mentone Gardens. He needs to explain when his department knew about the financial difficulties facing the company prior to the collapse of Mentone Gardens, and he needs to give a clear explanation as to what his department is going to do to ensure that we get to the bottom of the circumstances here, what his department is going to do to ensure we do not see similar situations in the future, and what he is going to do to ensure that the liquidator is provided with all the relevant documents it is seeking to complete its investigation.

Ms CROZIER (Southern Metropolitan) — I am keen to speak on the motion moved by Ms Mikakos this morning because it is an important issue. I know she has raised it with the Minister for Ageing a number

of times in question time, and I want to make some comments about her motion in relation to the issues surrounding Mentone Gardens. People facing financial difficulties in the elderly stages of their lives is always very concerning, and obviously families have been embroiled in this issue.

It is not correct to say that the minister has shown a complete lack of empathy and compassion in this matter. Anyone who understands the issues that have been raised and anyone who has elderly parents, relatives or friends in the aged-care sector knows how important it is to give as much security to people as possible when they are in an aged-care facility. Our aged-care facilities do a tremendous job in caring for our elderly relatives, parents, friends and loved ones.

To go to the heart of the motion, Ms Mikakos has given a bit of background about Mentone Gardens, which is a supported residential service (SRS). Supported residential services are private businesses governed in Victoria by the Supported Residential Services (Private Proprietors) Act 2010. Pursuant to the Administration of Acts, General Order, dated 22 February 2011 the Minister for Ageing and the Minister for Community Services jointly and severally administer that act. The act received royal assent on 24 August 2010 under the Labor government, and that is an important point to understand in this debate. In the questions that have been raised with the minister by Ms Mikakos in question time this has been shown to be a somewhat complex area, and it is important in this debate to understand the time lines.

I note that in her concluding remarks Ms Mikakos spoke about lessons to be learnt, the challenges and further protections being needed. It was actually under this government that regulations were developed following extensive consultation with the sector to effect the act's provisions relating to financial and money management matters, including a requirement for any fees and deposits paid to be held in a trust account and a specification of retention and refund requirements in relation to fees and deposits.

The regulations were subject to a regulatory impact statement, submissions and consultation with stakeholders including the Office of the Public Advocate, SRS proprietors, residents and residents' families, guardians, medical and health-care practitioners, the Tenants Union of Victoria, the health services commissioner, the disability services commissioner, the Victorian Council of Social Services, State Trustees, the Royal District Nursing Service, VICSERV — a peak body representing community management health services in Victoria —

the Law Institute of Victoria and the Office of the Chief Parliamentary Counsel. All were consulted for the purposes of making the regulations.

Members can see from that list that there was extensive consultation with the relevant bodies and authorities. In fact the regulations came into effect on 1 July 2012, but they did not apply to the full suite of payments made to the proprietors prior to that date. It is fair to say that we do have the issue of the various time lines and dates, but again I point to the fact that it was the coalition government that put in those extra regulations to safeguard money in trust.

The objective and primary focus of the Supported Residential Services (Private Proprietors) Act is to protect the safety and wellbeing of residents. The financial provisions under the act do not replace the broader protections, penalties and remedies available under consumer law, criminal law and the Corporations Act 2001, which is a commonwealth act. That is relevant to this debate, and a number of issues arise out of it.

I note that in a question to the minister about the liquidator Ms Mikakos extensively referred to the letter from the liquidator to the minister. I had a copy of that letter and I was following it as she was reading it into *Hansard*. At the time the President noted:

I make the observation that it is unusual to have a liquidator's letter introduced into Parliament and raised as part of a question process. It is not just about the obligations of the state government; there are also implications for the Australian Securities and Investments Commission in particular in terms of the liquidator's processes.

Members can see that the situation is complex. Did Ms Mikakos raise this issue with the former federal Labor government because of the implications of the commonwealth law in this particular area?

To get back to the issue surrounding Mentone Gardens — —

Ms Mikakos — It is regulated under the state act. Is that going to be your defence today — —

Ms CROZIER — It is not a defence at all.

Ms Mikakos — That it was the federal Labor government's responsibility?

Ms CROZIER — No. It is a fact that this is a complex area. It involves consumer law, criminal law and the Corporations Act — and that is a commonwealth act.

I note that the bulk of payments made by the Mentone Gardens residents to the old proprietor, which was Parklane Assets Pty Ltd, as is noted in the letter that was read, were made under the old regime which was operational under the previous state Labor government, of which Ms Mikakos was a member. Therefore they are not likely to be covered by the new regulations.

Mentone Gardens was placed into voluntary administration in June 2013 and a liquidator was subsequently appointed in September 2013. The liquidator is currently undertaking investigations, and when those investigations conclude the Australian Securities and Investments Commission will determine any action under the Corporations Act 2001. Again, that is a commonwealth requirement. I make the point again that this is not a simple issue but a complex matter.

As has been highlighted, Mentone Gardens was sold in September 2013 to a new proprietor, CPN Assets Pty Ltd. That meant that the 36 elderly residents did not need to be relocated, although I understand that a number have since opted of their own accord to move from the facility.

I note again that Ms Mikakos raised concerns about the liquidator, and that I was following the letter while she was reading it into *Hansard*. She quoted the third paragraph of the letter to the minister:

You have informed Parliament that you have sought documents from me, and I would not provide those documents to the department. You have characterised this as a 'challenge'.

I think that has been taken somewhat out of context. *Hansard* reports the minister as saying:

I am sorry, but there is obviously a proper process that the department would undertake. I have to also say that this is a complex area. The liquidator has a set of processes, and I know that in a different context the department actually sought documents from the liquidator and the liquidator would not provide those documents to the department, so I think there is a challenge — —

It is pretty clear, and in this situation it is a challenge. As I have highlighted, it is a complex issue requiring different elements from different authorities and under different regulations.

The point is that there is a proper process for the freedom of information requests that the liquidator has sought, and the department follows this. Decisions under the Freedom of Information Act 1982 are made by officers of the department with the appropriate delegation to perform this function. The Department of Health's freedom of information unit processed a

request for documents from the liquidator, Mr Roger Grant of Dye & Co., under the FOI act. Mr Grant's request was processed in accordance with the act without interference and in a manner which would protect privacy in accordance with the FOI legislation. It is also very important to point out that the processes that need to be followed are there to protect privacy issues in future FOI requests.

It is my understanding that the applicant has sought an independent review by the freedom of information commissioner of this decision and that the review before the commissioner has not yet been finalised. Accordingly it would be highly inappropriate for the Minister for Ageing, Mr Davis, to comment on the case before the commissioner or to interfere with the established procedures and processes under the FOI act.

Ms Mikakos has used some language in the debate to suggest that the minister has no empathy or sympathy for the individuals concerned. That is far from the truth. This is a complex matter, and proper processes are being followed in relation to the requests by those who have been directly affected and by the liquidator, who has raised this issue. Acting President, I ask that an amendment be circulated to members in the chamber.

The ACTING PRESIDENT (Mr Tarlamis) — Order! For clarification, is Ms Crozier moving this amendment?

Ms CROZIER — It is not the process that the government would move an amendment to opposition business.

The ACTING PRESIDENT (Mr Tarlamis) — Order! If the amendment is not being formally moved, we would not circulate it in the house.

Ms CROZIER — I will read it into the record then. I know it has been a longstanding practice as part of opposition business, but if I were to circulate an amendment to the motion that Ms Mikakos has brought before the house, it would be as follows:

That all the words after paragraph (2) be omitted with the view of inserting in their place —

- (3) the irresponsible campaign being run by Ms Jenny Mikakos, MLC, concerning Mentone Gardens;
- (4) that despite leading on those parties impacted by the liquidation, Ms Mikakos has not committed to a financial solution; and
- (5) that Ms Mikakos has inappropriately sought to influence the freedom of information process.

The point is Ms Mikakos has not provided a financial solution to this issue. She has raised the issue but has not shown an understanding of the process in her subsequent questions to the minister at question time. On that basis the government will certainly not be supporting the motion. The department is undertaking the correct and proper process in relation to FOI. We understand this is a difficult issue for the residents involved, but I reiterate that the government will not be supporting the motion moved by Ms Mikakos.

Ms HARTLAND (Western Metropolitan) — The Greens support this motion because we think it is an appropriate motion. This is a very difficult situation that the residents have ended up in, and having listened to the questions that Ms Mikakos has asked over several weeks, we do not believe she has received satisfactory information from the government. My experience in dealing with the government over issues of FOI and documents is that there is a continual lack of transparency. It would be in the government's best interests to hand over these documents and get on with it, because we are talking about vulnerable elderly people, who should be the first concern of government.

Mr LENDERS (Southern Metropolitan) — I rise to speak in favour of Ms Mikakos's motion. In doing so I would like to rebut the comments stoically made by Ms Crozier on behalf of the minister for whom she is parliamentary secretary. We could have a debate here over whether or not the legislation passed in 2010 was appropriate. We could have a debate over who did the legislation. We could have a debate about who to blame. But we need to be conscious that 32 elderly constituents of Ms Crozier, myself and the Minister for Ageing, Mr Davis, are affected by this, a number of whom have already died. The remaining people are distressed and are seeking some remedy to their problem and empathy from the minister, who is a local member.

I have visited Mr Alan Lorraine, one of the affected people. Alan Lorraine is a man I am in awe of. He is 91 years old, physically vigorous and has an awesome intellect. He is a citizen who has done more work than most we normally find. Acting President, you know and every member of this house knows that people come to us as members of Parliament with different reasons. They come to us because they do not know where to go. They come to us because they do not know where to start. They have problems with the system, the state, rogue businesses, bad neighbours, whatever it may be. This is a man who has done every single thing you could expect a citizen to do to look after his own interests. He has come not just to me but to a series of his local members of Parliament seeking

redress for what is a gross inequity at Mentone Gardens.

What we have is an aged-care facility, a supported residential service, that has gone wrong. Ms Crozier may want to do a St Augustine by saying how many angels can dance on the head of a pin and who is responsible, but relevant legislation went through this Parliament in 2010, supported by all parties. There was a change of government and the new government did nothing about proclaiming the legislation. It did nothing about getting the regulations in place other than talking a lot about it and saying, 'It is complex'. It should not be a wake-up call for Mr David Davis that government is complex and that the job is to fix the problems.

What followed was a long period when nothing happened while the consultation was going on. Those in this house who have worked with this minister know what consultation means. He gets to his feet and says, 'We're looking into it'. You raise the issue again six months later and he says, 'We're looking into it'. You then get the earnestness — I would have the boldness to say it is a look of oozing insincerity — as he says, 'We're looking into it'. That is what Ms Mikakos got when she asked a question on this last year, and it is what she got when she asked a question this year. At least Ms Mikakos got an answer; when I raised the issue in the debate on the adjournment, the minister was nowhere to be seen.

We have here a problem, and Ms Crozier and the Minister for Ageing are correct in saying it is not a simple problem. It is a complex problem, but it is one the minister by his actions appears to be hoping will go away. The answer Mr Lorraine and other residents get, the answer Ms Mikakos and I get and the answer that anyone gets, including presumably the two Liberal Party members of Parliament who have been approached by the residents, is that it is complex. Of course it is complex, but government is complex, and ministers have an obligation to look after vulnerable citizens and try to address the complexity.

In Ms Crozier's contribution she said, 'Oh, it's complex, and, you know, there's a bill that Labor brought in'. Yes, there is. But that bill was also one that Mr Davis voted for. In fact he spoke on that bill in the Legislative Council, and I will briefly take members through what he said in his very brief contribution. As Ms Mikakos said, the crux of this issue is that residents paid bonds of \$300 000 or \$400 000, the facility has gone belly up and the bonds have been taken by other creditors. Those creditors are doing what they think they should be entitled to do under company law. That is the reality. In the case of Mr Lorraine, who I met

with, there was a string of correspondence between him and the company, which effectively acknowledged the money was a bond, that it was in an account as a bond and that it could only be drawn down on for residential purposes.

To get to the crux, the legislation concerned started to entrench some of these bond issues into law but it was not proclaimed after the change of government, meaning some protections that would have been in place did not come into place, because the government was procrastinating. It was consulting. It was having round tables. It was taking month after month to do something. That reminds me a little bit of this place. We who deal with this minister constantly know that he always gets up, whether when responding to a question on notice that has not been answered, or to an adjournment matter that has not been answered, or to a commitment to introducing legislation that has not been acted on, and says, 'We're looking into it' and, earnestly, 'It's complex'. The answer seems to be 'Trust me. I'm David Davis'.

We in this place do not blink at these responses, because we know that is what the minister is like. If it is a complex problem, he will ignore it. But we have 32 vulnerable senior Victorians — and that number is dropping, because they are dying while this matter goes on — who get told about this problem that 'It's complex'. Acting President, they know it is complex. They want some support from government.

What did Mr David Davis say in the debate about that bill in 2010? He went on about it being important. He said that it established trust accounts to hold certain fees and that these were important things. He said it put in place rights and that these were important things. He said of course that Labor had been slow and negligent and all the rest of it. He went on with the normal stuff, and then he spent the rest of his speech praising his colleague Mary Wooldridge, the then shadow Minister for Community Services and now Minister for Community Services. In a speech in which he acknowledged that the piece of legislation was overdue and was good and would reduce red tape and protect people's rights, he subsequently went into this whole political David Davis routine of saying what a fantastic person Mary Wooldridge is. He went on and on, spending more time praising Mary Wooldridge than talking about the legislation. Then he voted for the bill, and it was done and dusted.

Later he came into government, and he did nothing. In her contribution Ms Crozier dutifully tried to hold the party line and protect the person she is parliamentary secretary to, saying that it was complex consultation.

She has done her brief — she acted as a barrister — and she will get the day's pay. She has probably done as well as anyone could in defending the indefensible, but in the end Mr David Davis has done nothing.

I will just quote a few statistics, and this goes to the last point of the motion. These statistics are from Mr Alan Lorraine, one of the 32 victims in this case. On 15 August he writes a six-page letter to the minister. On 18 September he gets a one-and-a-half page response. On 23 September nothing much has happened, and he writes another eight-page letter to the minister. On 3 October he gets a four-line response from the minister's office. Okay, that sounds familiar. On 28 October he writes a 20-page letter — and I will come to the 20-page letter in a moment — and on 20 December he gets a 10-line response from the minister. On 4 February he writes a two-page letter, and on 5 February — by now the minister has got the message about a lack of empathy — he gets a four-line response. That is the next day — not bad. On 22 February he writes a 15-page letter to the minister. He is still awaiting a response.

This matter may be complex, and some of the correspondence that has gone to the minister from Mr Lorraine and others is of the nature, 'Here is a problem'. Ms Crozier said, 'What is the Labor Party proposing?'. Mr Lorraine and the other residents or their estates have asked the minister to consider ex gratia relief. They have come to him with a proposition that deals with the financial pressures they are under. Ex gratia relief is not something any government should deal with lightly. I am not going to blithely say governments should offer ex gratia relief to anybody in any circumstances who wants it. But there is no consideration of it. The residents or their estates are just told, 'It's complex'.

If you are one of these residents, legislation introduced in relation to supported residential services protects your deposit more than the previous legislation. The government has done nothing more than have another round table consultation, while Mr Davis is probably spending his time doing things that are more exciting for him. He is probably scheming the latest plot in the Legislative Council, planning the latest wacky reference to give to a committee or intervening in something — goodness knows what he does. Perhaps he has been writing a treatise on the devastating effects of the federal carbon tax, which is not in place, on some health service.

The Minister for Ageing does not have time for this. People have said to him, 'Give us ex gratia relief'. Why do they want ex gratia relief? If the relevant clauses of

the legislation that have since been enacted had been proclaimed when the bill was assented to, these bonds would have been protected.

I can go through the correspondence. I am happy to give it to the minister — even though he has it all — and I am happy to give it to the house. The Newitt family, who run the Mentone Gardens facility, have run several other aged-care facilities that have gone into liquidation and have gone belly up. This family has engaged in a whole series of practices that the residents of this facility believe to be corrupt, as they have indicated in their letters. The residents have said, 'Send an inspector. Come and look at it'. However, according to the minister, 'It is very complex'. The regulator is involved, the Australian Securities and Investments Commission is involved and there is federal and state legislation. Government members have blamed Labor, and the minister is saying, 'I am looking into it'. The residents have asked for ex gratia relief because from their perspective the actions or inactions of the government have exacerbated their situation. Have they been given a hearing by the minister? They have been told, 'It is very complex'.

Ms Mikakos has thoroughly outlined where the liquidator stands in this. I take up Ms Crozier's comments — the valiant effort by the barrister! I refer to Ms Crozier's, dare I say it, wacky comments that Ms Mikakos somehow or other does not understand the FOI legislation. The FOI legislation has never been designed to stop a minister handing out information they want to hand out. The FOI legislation was designed to protect a minister from an inappropriate request for information. At any time Mr Davis, within the law — obviously there are some legal constraints on him — can err to help the liquidator and to give them information. Mr Davis could load up 50 semitrailers of information if he thought it might help.

The FOI legislation is not designed to stop a minister helping an aggrieved constituent or a liquidator who is trying to get information to protect vulnerable citizens. It is designed to protect the minister from crazy, capricious, inappropriate, uninformed or whatever requests, and it is designed to protect a minister from releasing something that is not in the public interest. It is not designed to stop the minister giving information to a liquidator. Heaven forbid the Clayton's amendment, which says that Ms Mikakos does not understand FOI.

This goes back to my central premise, which is that this is a government that lacks empathy, this is a minister who thinks that if you just go into denial, say, 'It is complex' and avoid talking about it, the problem will

go away. If the minister is listening to this or if he reads *Hansard*, let me assure him that the problem will not go away, because 32 citizens have been affected by this. These citizens will not let go, and even if some of the citizens have died, their estates will not let go, their families will not let go and, let me assure the minister, if he bothers to read *Hansard* or listen to this debate, Mr Alan Lorraine will not let go.

We had a debate relating to the Supported Residential Services (Private Proprietors) Bill 2010, and the minister said that he had to protect these citizens, that the bill was overdue and that a parliamentary committee had said the government needed to protect the citizens, yadda, yadda — ‘I will vote for it’. The minister hardly talked about it, but he mentioned the bonds, which is the issue here, and then he spent most of his time praising his political colleague the Minister for Community Services, Mary Wooldridge.

We go then to the citizens who were affected. The government dithered, dallied, delayed, had round tables, consulted and did absolutely nothing. Meanwhile citizens were contacting the government, pointing out examples of a string of companies with records of dodgy practices. That is what they say to the minister, and what happens? Is there an investigation? No. Is there any empathy? No. Is there a response to the request for ex gratia payments? No.

I can go through some examples residents have used with me. You can look at the situation in Ventnor where an ex gratia payment was made to a single taxpayer. There is no similar payment here. Governments have to use discretion in these matters. However, the frustrating thing for the residents here is that they get no response. They have sent letters on the bonds. They have sent letters on the adequacy of the Newitt family, who run the place, and letters on the Newitts’ background. There has been no serious response to any of these letters other than the minister telling us, ‘It is very, very complex’. That is the only answer they have received.

If we go through all of this, the department has been asked to intervene. It has not intervened. It is looking at the complex issues. It has not sent anyone down there. We have a debate here that it is somehow or other a political problem or that Labor did not do anything. If Labor did not do anything, Labor ought to stand condemned, but this has happened on the watch of this minister and this government and ministers can act under whatever legislation they have. The legislation would be a lot tougher if the relevant sections had been proclaimed rather than just sitting there while other consultation proceeded. We have heard tales of

complexities and proper process, but these people have followed proper process. They have come to their MPs and the Parliament because they have been getting no relief.

I could go on endlessly through the material that has been presented to me. The residents are looking for a way they can get relief. There are looking for a way they can get any interest from the minister. They are looking for a way they can get any action from the department other than a mealy-mouthed response, such as, ‘It is complex. Do not bother us. We understand these things. Trust us’. From the point of view of the residents and their families, they have waited too long. They are suffering — and I use that word deliberately. They are suffering financially, but they are also suffering from the stress. They are suffering from what they see as a betrayal of trust, and they are suffering because they believe the government’s response has indicated a total lack of interest in their situation.

This is a mild motion. In the end it notes a number of things, and it simply seeks that the documents sought be given to the liquidator now. It also seeks that the minister show greater empathy or, dare I say it, any empathy. The motion should be supported. These 32 Victorians deserve our support. I could go through the tales of their having fought the wars, fought the battles, paid the taxes and their having done all the things we would expect of citizens. They have done those things, and they feel they have been betrayed by this government. The motion should be passed.

Ms MIKAKOS (Northern Metropolitan) — I am not going to say a great deal more because Mr Lenders has covered a lot of ground in his contribution to this debate, and I commend him for his contribution. The contrast could not be any clearer between the contribution from the government and the very empathetic and compassionate contribution that Mr Lenders made on behalf of his local constituents, outlining how I think all of us feel for his constituent Mr Lorraine. I have seen the file that Mr Lenders has, and it is a massive file. Mr Lorraine has written a huge number of letters directly to the minister, pleading for some interest from the minister and from the government. He has sought a response to his plight and that of many others affected by the Mentone Gardens collapse.

In contrast to Mr Lenders’ empathetic and compassionate contribution stands Ms Crozier’s contribution. She has drawn the short straw; she has been asked as the parliamentary secretary to come in here and defend the indefensible. Basically, on behalf of the government her task today has been to wash her

hands of this whole matter and to try to blame-shift. Apparently it is the fault of the previous state Labor government; apparently it is the fault of the previous federal Labor government. It is everybody's fault, but it is not the responsibility of this minister. As Mr Lenders has pointed out, we are all tired of having Mr Davis come in here and simply attempt to wash his hands of responsibility. Public aged-care facilities have closed, but they are never his responsibility. It is always somebody else's decision, somebody else's fault, but never his responsibility.

It is time for Mr Davis to come in and actually give some explanation. He has chosen today to not even participate in this debate. He has asked his parliamentary secretary to speak on his behalf. Mr Davis could have responded to this motion himself and outlined — not to us as opposition members, but to the affected residents — what he proposes to do to assist them. As we have heard, more than 30 affected residents have lost their life savings. They have lost hundreds of thousands of dollars. These are people for whom losing that amount of money is a hugely stressful experience. It is entirely understandable why they are upset and distraught. During their twilight years — at the point in their life when they should be enjoying themselves — they are concerned about their financial security and their financial futures.

It is an absolute disgrace that government members come in here and accuse me, in this 'Clayton's amendment' that they have moved, of being irresponsible in taking up the case of the minister's constituents and the parliamentary secretary's constituents. Somehow it is irresponsible for me to be taking up the case on behalf of 30 vulnerable, elderly Victorians who have lost hundreds of thousands dollars. It is just beyond belief that we hear that response from the government. The parliamentary secretary said the opposition should be coming up with financial solutions. Members opposite need to understand that they are the government at the end of the day. It is in their hands to come up with a financial solution. If they do not want that responsibility, we are very happy to move to their side of the chamber and take this matter out of their hands. We want to come up with some real solutions for these people.

We want the liquidator to complete his investigation, because when he gets to the bottom of the matter there might be some very interesting findings in terms of what has happened. If the department has failed in its responsibility — if it was aware of financial impropriety by the operators of this company and this supported residential service — then there may well be a case for these individuals to be compensated, a case

for ex-gratia relief to be made to these individuals. But we will never know whether that is in fact justifiable unless the minister actually directs his department to release the relevant documentation. The minister needs to show some interest in this matter and release the documentation to the liquidator so that the liquidator can get on with the job and conduct his investigation.

The last point Ms Crozier made in her 'Clayton's amendment' that she wishes the house to consider suggested that somehow I was seeking to improperly influence the FOI process. As I pointed out earlier and as Mr Lenders pointed out, the minister does not have to refuse to release documents just because he can. He has the ability to direct his department to release the documentation, and he is choosing to refuse to do so. In opposing my motion today the minister is making it clear that he has absolutely no intention of releasing the relevant documentation to the liquidator. That is the only thing that can be inferred from the government's position today in its opposition to this motion. As Mr Lenders said, it was quite a mild motion in the scheme of things and in comparison to other debates and other motions that we have debated in the past. We did not use highly inflammatory language in this motion. We did not talk about condemning the minister. We met some very reasonable demands of the government and of the minister.

We highlighted the fact that the minister has not responded in any real detail to a whole range of questions that I have put to him in this house about the circumstances relating to the collapse. He has completely dodged questions asked of him, and has refused to assist the liquidator, whom he claimed last year he was going to give every possible assistance to. The liquidator put the challenge to the minister by asking him why he did not go ahead and release these documents. What we see here is the government opposing our motion today. Clearly we can infer from that, as can the affected residents and the liquidator, that the government and this minister have absolutely no intention of assisting the liquidator.

In concluding this matter, the only things that we are left with are the questions: who is the government protecting here? What does it have to hide? There is a whiff about this; there is a bad smell about this. We have had an operator that has had not just one collapse but numerous collapses over the years. Who are they defending? Who are they protecting? What is the association between the operators and the government? What is really going on here? Why is the minister refusing to release the documentation to the liquidator to enable him to complete his investigation? Who are they protecting? Has the department not done its job

properly? Why will the minister not release the documents so Mr Lorraine and all the other affected residents can know exactly what has taken place?

There are clearly issues here that the minister does not want to deal with. We will take up the responsibility if the government fails in its obligation to these vulnerable Victorians. We will continue to ask questions and we will continue to pursue this matter, and I know the affected residents will continue to pursue this matter because clearly the government is hiding something. It is not coming clean. Government members should hang their heads in shame in opposing this motion, which is merely calling on the minister to do his duty and release the documents to assist the liquidator to complete his investigation. I urge all members to support the motion before the house.

House divided on motion:

Ayes, 15

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

Noes, 19

Coote, Mrs	Millar, Mrs
Crozier, Ms	O'Brien, Mr D. D.
Dalla-Riva, Mr (<i>Teller</i>)	O'Brien, Mr D. R. J.
Davis, Mr D.	O'Donohue, Mr
Drum, Mr	Ondarchie, Mr
Elsbury, Mr	Peulich, Mrs
Finn, Mr (<i>Teller</i>)	Ramsay, Mr
Guy, Mr	Rich-Phillips, Mr
Koch, Mr	Ronalds, Mr
Lovell, Ms	

Pairs

Pennicuik, Ms	Atkinson, Mr
Viney, Mr	Kronberg, Mrs

Motion negatived.

YOUTH EMPLOYMENT

Ms TIERNEY (Western Victoria) — I move:

That this house notes that —

- (1) the Napthine government has cut Victoria's youth employment scheme at the height of a youth unemployment crisis;
- (2) the Minister for Employment and Trade, the Honourable Louise Asher, MP, has admitted that the Napthine government reduced the number of traineeships in the scheme from 450 to 280;

- (3) the Napthine government has also slashed the amount of funding from \$4500 to \$500 per traineeship;
- (4) according to the Australian Bureau of Statistics, Victoria's youth unemployment level is 20 per cent, the largest on the mainland of Australia;
- (5) youth unemployment is even higher in some regional centres of Victoria such as Ballarat and Warrambool; and
- (6) more than 52 000 jobs have been lost in Victoria under the Napthine government;

and condemns the Napthine government for not only failing the youth of Victoria but also actively making it more difficult for them to gain employment in this state.

One of the motivations for moving this motion this morning is the cold, hard facts that have now been presented with respect to unemployment. Some 81 900 young Victorians are now unemployed; 14 000 of these young people qualify as long-term unemployed. That represents a 52 per cent increase in youth unemployment in this state over the last 12 months. That would concern not only those who are on the unemployment queues but also those who are about to join them and the parents of young people in this state.

Victoria now holds the title of the state with the highest level of unemployment in mainland Australia. Sadly, these statistics do not come as a surprise to the people in this state who have been witness to this government's full frontal assault on opportunities for young people in their efforts to gain the best start in life. To date, this government has cut more than \$1 billion from Victoria's TAFE system, making it much harder for young people, particularly those in regional Victoria, to access education to help them gain employment. Our young Victorians want to work, they want to study and they want to get the skills they need to start a long and successful career in their chosen fields, but under this Napthine government, a government that is doing nothing to assist young people, they are not in a position to reach their potential. It is this government that is making their lives much harder.

I will touch on a number of areas that are having a compounding effect on young unemployed people. This is not just a situation that is impacting on young people in Victoria; it is almost a concerted, compounding campaign against young people in this state — to deny them training, to deny them education and to deny them jobs. This government has set about destroying the support networks and organisations that have traditionally been there to support those who are vulnerable.

The motion mentions that the Minister for Employment and Trade, Louise Asher, has admitted that the Napthine government has reduced the number of traineeships available under the youth employment scheme from 450 to 280 and has also seen fit to cut funding from \$4500 to \$500 per traineeship. The government has admitted to doing this, and it has done so at the height of the youth unemployment crisis in this state. It would be difficult to think of something so counterproductive if it were not for the fact that the same government also ripped \$1 billion from the TAFE system. When you couple that with the fact that apprenticeships and traineeships have also been under attack, it is beyond belief.

In fact that is what the Auditor-General found in a recent report tabled in this house. The report found that under this government the number of people commencing apprenticeships and traineeships has failed to increase. Young people who have traditionally benefited from vocational education by obtaining qualifications, skills and employment have been failing to reach their full potential and have not been in a position to properly embark on a lifetime of employment. The Auditor-General found that this government has failed to increase the number of qualified people being introduced to the workforce. We are informed in no uncertain terms that the completion of this training is essential and that people are more likely to be employed, earn a higher salary and work full time rather than part time if they have completed training. The report also details that among the most common factors influencing the decision by an apprentice or trainee to quit are the lack of support available to them and the low wages.

Rather than assisting our young people to complete their training and receive the obvious benefits that flow, the Napthine government has scrapped the apprenticeship accommodation allowance which has helped young people who have to travel for training. That is particularly relevant in my electorate and all other country electorates. The Napthine government has also scrapped the apprentice trade bonus which financially supported people at the beginning of their training. Even more alarmingly, the apprentice/trainee completion bonus is now available only to those who commenced prior to 1 January 2011. This bonus provided a financial incentive for people to finish their training after potentially years of scraping by on very low wages. This situation is also highlighted in the Auditor-General's report entitled *Access to Education for Rural Students*, which was recently tabled in this Parliament.

Before I go to that report, I indicate to the house that last week I spent quite a bit of time in Portland, Warrnambool and the Moyne shire, and yesterday I also had conversations with a delegation from Ararat. On all four occasions representatives of those regional areas indicated to me, and I would assume to other politicians regardless of their political make-up, that educational attainment in rural and regional areas is one of the highest priorities for them because it is significantly lower than for their metropolitan cousins. They now are linking that low educational attainment to what will be a dramatic impact on the local economies of our rural towns and regional centres if it is not arrested shortly. They are making sure educational attainment for our young people in rural and regional Victoria is sitting at the top of the political checklist or priority list, so that all ears, no matter of what political persuasion, can listen and learn from the fact we need to do something dramatically better than what we have been doing in the past and particularly better than what the Napthine government has been doing in its time in office.

This was reinforced by the Auditor-General, who said in his recent report that he was concerned about the government's lack of strategic planning around alleviating concerns surrounding education and improving access to education and educational outcomes for rural students. I also note that the Napthine government's neglect of the TAFE sector, which is crucial to improving outcomes for rural students, has had a significant impact on the educational opportunities available for rural Victorian school leavers. I must say I have ongoing concerns with the smaller outlying TAFE campuses in rural Victoria. Whilst things are difficult at the moment, I believe we will become aware in time of a situation that is even worse than what we could possibly imagine and that some of those campuses will find themselves having to close and thus provide even more limited opportunities for our young people in rural and regional Victoria.

Half of Victoria's public TAFEs are now running deficits, because this government has cut a number of courses. They have also cut jobs, and they have also been forced to raise the fee levels for a whole range of courses. This has all made it very difficult for rural students to access TAFE. Thirty per cent of Victoria's school population is rural, but a disproportionately lower number of students from rural schools go on to tertiary education. Around 10 per cent of metropolitan students defer further study, but about one-third of rural students defer, and often they defer and do not continue their education, primarily due to the lack of financial support. I argue that this government has clearly failed to provide access to high-quality education and training

for all students, and it has neglected the interests of rural students.

Furthermore, the uptake of vocational education and training (VET) has been much slower in rural Victoria. Much of this stems from the Baillieu Liberal government's cuts to VET funding. The Napthine government has performed poorly in understanding and addressing the barriers to better outcomes for rural students. This government does not seem to understand the importance of TAFE, especially for rural and regional students. If it did, it simply would not have gone about decimating the Victorian TAFE system. Progress towards completing rural and regional plans has slowed. The project board has not met since last October, and a detailed project plan has yet to be formulated. These are the very words of the Auditor-General in his report entitled *Access to Education for Rural Students*.

The Napthine government has failed to address significant issues surrounding access to education for rural students in spite of plans that had been put in place by the Brumby government. The government did not have to reinvent the wheel; the plan was there, and essentially it needed to get ahead of the game, implement that plan and ensure that our rural and regional students had the opportunity to fully participate in the education system. While we are at it, The Nationals as a party has just stood by and allowed all of this to take place. We have not heard a whimper from The Nationals representatives in either this house or the other house with respect to what they consider to be their natural constituency. I really do wonder what they believe is a good thing for rural and regional students in this state when they overwhelmingly sit on their hands in respect of this key issue.

The post-school institutions in the electorate of Western Victoria Region have been hit very hard. In recent times I have visited a number of educational institutions in my electorate, and every one of them is saying that this government has gone too far, that there are no more corners that can be cut. They are down to the bare bones and are concerned that many of the courses that are needed to support the local economy are not being run. That is significantly impacting on tourism and a range of other employment sectors in the local economy. For example, at the South West Institute of TAFE the participation rate for 15 to 24-year-old students has reduced by 657 from 2012 to 2013. That is a significant number of young people in a very localised community who are now not participating in a whole range of training qualifications that would better not just themselves but the rest of the community.

At the Gordon Institute of TAFE we have lost 1064 students, which is a dramatic loss in participation. Those figures are from the 2012–13 set of statistics. This drop in participation occurred at the same time as the stripping of approximately \$23 million from the Gordon, which amounts to the equivalent of 103 full-time positions. This has had a ripple effect within the Geelong community, which as members would know is already hurting from job losses.

At the very time when we really need a funding injection and a government that understands the problems confronting our local communities, not only do our pleas fall on deaf ears but we also get the announcement of further cuts. At the two main universities operating in western Victoria — Federation University and Deakin University — there have been significant cuts and the abolition of a whole range of courses. Both vice-chancellors at these universities are remarkable; I regard them as at the top of the list of vice-chancellors in this country. They are both absolute driving forces in ensuring that rural and regional students get the best possible access to education, particularly university education. Jane den Hollander, the vice-chancellor of Deakin University, has undertaken a number of commitments with G21, the Geelong Region Alliance, under the education and training pillar to ensure that the most disadvantaged people in Geelong are afforded a range of opportunities that would not necessarily be afforded to them if not for her interventions.

Whilst these vice-chancellors are doing an astounding job, the necessary resources must also be provided to support those who are really putting in the hard yards to make sure that our rural and regional kids get the best possible opportunities, and that is simply not happening. I concur with the public comments Jane den Hollander made in recent times about the impact that the increase in tertiary education fees will have not just on numbers but also on the country as a whole and what we can and cannot achieve in respect of the innovation, transition and transformation that are required in this state.

I am quite concerned, to say the least, about what has happened not just in our state budget but also the federal budget. In saying that, I indicate my absolute support for the local learning and employment networks (LLENs), many of which, as a result of state and federal government cuts, will have to close their doors on 31 December. A few LLENs may be able to continue to operate for a short period of time because of certain partnership relationships they have in place, but the vast majority will be shutting their doors. For those members who are not aware of LLENs, there are

around 15 in place at the moment. The LLENs in my electorate have been very good at orienting MPs in terms of focusing the work they undertake. These LLENs are very concerned that their great work will not be able to continue in the near future because of these funding cuts.

LLENs have a particular focus on young people at risk of disengaging and on those who have already disengaged from education and training and are not in meaningful employment. I worry about what is going to happen to those young people because LLENs not only deal with teenagers in the mid-teenage and later teenage years, they also make interventions at earlier stages on the recommendation of teachers and other people in the sector. When we on this side were in government we saw many more children start to disengage during the primary school years, so we created a whole new set of innovations in that area to make sure that we did not lose kids so early from the education system. Now all of that is going to go by the bye.

That issue is another sleeper in the system. Unless you are closely associated with LLENs you would not know that is going to occur, but it definitely is. LLENs have tried everything to try to persuade the state and federal governments to change their minds and continue to increase funding in that area, but their pleas have fallen on deaf ears.

The federal government also defunded important youth diversion programs such as Youth Connections. It is telling that even though both the federal and state Liberal governments are actively making it more difficult for young people to get jobs, if you are unemployed, you will not be getting government support to help you until you turn 25. The federal government, like the state government, clearly has no real plan to help young people transition to a job in a stagnant labour market. After three and a half years of the Baillieu and Napthine governments and after just one budget from the federal Liberal government, all Victorians are now fully aware that if you are a young person and there is a Liberal government in power — whether it be at a state or a national level or both — essentially you are on your own.

This morning I have attempted to paint a general picture about the situation faced by young people. No matter where they turn, their options are being cut off and destroyed, whether it is TAFE, training, education at a university or trying to get a job, and that is not to mention those young people who are already disengaged or about to be disengaged from the system. There is no pathway for young people, and I am concerned not just about their future as individuals but

as a generation of youth. It will not be easy to unpick what has happened in the last 12 months; there will be reverberations through the system for a significant time.

Young people who are trying to find a job know adult unemployment levels are high. In places like Geelong we know that job losses have been substantial and that there will be further unemployment in the region. We know Alcoa is shutting down next month and the shut-down of Ford will occur, so these very young people, without work experience, will be in a jobs market competing against people who have work experience. It is already a very competitive environment for adults who are trying to seek jobs.

I have tried to think about why this government and the Liberal government in Canberra have gone about doing what they have done in relation to options that now are not available to our young people. Generally societies are judged by how they care for our young, vulnerable citizens, but also by how they make sure that there are the best possible opportunities for youth to engage, learn, be productive, lead healthy lives and interact in respectful relationships. Opportunities for young people in Victoria have been systematically dismantled. We have had a reduction in training opportunities, a reduction in education opportunities and a reduction in job opportunities. Not one area in the youth sector has been left untouched. It begs the question: what has this government got against young people? I have pondered this question and have come to the conclusion that what this government has done is unfathomable. It is clearly unjustified and I believe unforgivable. As I said, the Napthine government's actions in this area do not just impact on individuals who happen to be young but also impact on a whole generation of youth in every aspect of their daily lives.

Only Labor will expose what is happening, only Labor will stand by young Victorians and only Labor will fight to stop this government's anti-youth agenda. Only Labor will restore real opportunities which are critical so that young Victorians can grow to lead fruitful lives. Liberal governments are only interested in shutting things down and shutting out young people. Young Victorians will not be shut up. They will be strong in voicing their needs, and those old enough to vote will also demonstrate their views via the ballot box this year. This morning I call on all members of this chamber to vote in support of this motion. In doing so they will assist in giving voice to the abhorrent unprecedented attacks on young Victorians in this state.

Mr ELSBURY (Western Metropolitan) —
Listening to Ms Tierney's contribution to the debate on this motion has raised more questions in my mind than

it has answered, simply because her motion is partially tinged with factual information — only a tinge — but the rest of it is absolute rubbish. The motion puts forward six separate points which Ms Tierney has used to fabricate an entire diatribe which makes no sense at all. If we listen to Ms Tierney, she says we are a government that is out to somehow destroy the future of this state by attacking our youth.

As the youngest member of the Parliament representing the western suburbs of Melbourne, which is made up of a very large and diverse youth community and also a lot of people who work in various industrial sectors, I take great umbrage at what Ms Tierney is advocating. She highlighted the youth employment scheme, which commenced in 2000 — 14 years ago. It is targeted towards people who are aged between 15 years and 24 years. The youth employment scheme — strangely enough, the acronym for the scheme is YES — allows trainees to undertake a 12-month traineeship with a government department, statutory authority or authorised agency. This traineeship provides young people with the experience of work. It gives them the experience of being in the workplace and undertaking a fruitful role in that workplace. They learn about the trade and about how things work in those individual departments.

A wage subsidy is paid to a department or agency which hosts a YES trainee for that 12-month period. The subsidy for 2013–14 is \$4500 per participant. The target for 2013–14 is 450 traineeships commenced, and the YES program is on track to meet that target. According to the information I have, on 31 March a total of 234 trainees were employed within departments or agencies, with a further 46 placements in the recruitment stage. That is a pro rata target set for the first three quarters of the financial year. A further fourth-quarter pro rata target of 175 places was being dealt with, and I have no doubt that is being actioned as we speak.

Some changes have been undertaken by the government in relation to the way our departments work. We have placed a greater focus on the delivery of services — delivery of services at the front line, removing people from areas where there is no need for them and reducing the paper shuffling of the previous government.

Sending letters between departments just to confirm what is going on, to generate yet more paperwork, does not seem to be very productive at all. The squeeze on the private sector to fund the public sector needs to stop, because it is not productive to continually feed a government at the cost of the private sector.

There have been some changes introduced in the 2014–15 budget. There has been a reduction in the number of YES places that will be provided. There has also been a reduction in the amount of money that departments will receive under this scheme; the amount has decreased from \$4500 per trainee to \$500 per trainee. These are not organisations outside government, they are not businesses, they are not not-for-profit organisations; they are government departments. I do not see how this can impact on the delivery of this system, considering we are talking about a government department giving another government department an amount of money to do this traineeship. Just shuffling the cost along does not make sense to me.

The government is introducing the Employment Start Up for Business program. There are 438 traineeships to be determined each year with private companies. This makes a lot more sense to me than putting people into government departments. It gives people practical experience that they can use in the workforce into the future. It is valuable for someone to go into the private sector to get work experience — out in what some people would call the real world. It allows people to gain those experiences, and if they want to enter the public service at some later stage in their lives, they can carry the information and the experiences they have gained in the private sector. That can only be of benefit to the public sector.

The Employment Start Up for Business program targets 15 to 25-year-olds, and it seeks to fill skills vacancies that are currently in the market. It provides employment for young and unemployed Victorians. As part of the program, businesses receive a payment of \$1000 on the employment of an unemployed young person and a further \$3000 after 16 weeks of employment of at least 30 hours per week and evidence that the employer has organised and paid for accredited training to the value of at least \$800 for the new employee. We are not just taking it for granted that these young people are being given the opportunity to have a job and receive training. We need to have crosschecks to ensure that the employer is doing its job, that it has told the young person to seek this training and that this training is being undertaken.

That is being done by the private sector. For those opposite, it would be a completely foreign concept that the private sector can deliver these sorts of outcomes for young people. But strangely enough it can, because it is in the private sector's best interests that young people get trained up. It is in the best interests of many companies that young people come in, learn the skills and are then able to become part of that company into

the future. To participate in the generation of wealth is something that many aspire to, and so they should.

The Employment Start Up for Business program was allocated funding of \$7.5 million over four years from 2013–14 to 2016–17 to achieve a minimum of 1750 employment places for young Victorians. That is in small to medium business enterprise in both regional and metropolitan areas. It is not restricted to just the suburbs or the Melbourne CBD; it is spread out across the entire state. It allows people the opportunity to undertake training in a local workplace so they can develop their skills where they live.

The Employment Start Up for Business program commenced on 31 July 2013 and had a target of 438 placements in its first year. In the eight months to 31 March 2014 the program assisted more than 250 Victorian businesses with grants to employ 310 young Victorians. Based on the application rates at that time and with a monthly pro rata target of 37 applications, it is expected that the program will meet all its targets this financial year.

Going back to the youth employment scheme which is mentioned in Ms Tierney's motion, members must remember that that scheme was developed in 2000, which is 14 years ago — a long time ago. Things do change. New thinking is employed and new programs come along. The government has moved from a public sector-based training system. It has been able to move with the times and develop a new training system based on the private sector.

Ms Tierney's motion has five other points in it and they have me intrigued. There is some inconsistency in the information Ms Tierney has provided in relation to youth unemployment rates. Over the year to April 2014 the youth unemployment rate in Victoria was 12.8 per cent, but in her motion Ms Tierney claims that the level of youth unemployment is 20 per cent, which is a slightly different figure. Once again it can be seen that you cannot trust Labor members with numbers — except for those in their own party room or possibly in a factional deal. At any rate, a youth unemployment rate of 12.8 per cent over the year to April 2014 is not the same as the figure Ms Tierney has put forward.

In their motion opposition members also claim that youth unemployment in Victoria is the highest of the states of mainland Australia. This is not the fact at all. Again, I point out that the Victorian rate is 12.8 per cent. Queensland has a youth unemployment rate of 13.4 per cent. In the people's republic of South Australia there is a youth unemployment rate of 14.2 per cent. As South Australia has the only socialist

government left on mainland Australia, I am sure those opposite would not want to point out to anyone that that government is going so well that the state has a youth unemployment rate of 14.2 per cent.

I point out that over the year to April, 58.2 per cent of Victoria's youth population was in full-time education and a further 32.5 per cent was employed. In addition, 4 per cent of the total youth population was both unemployed and not in full-time education, which is 0.03 per cent lower than the rate last year and 0.1 per cent lower than the rate in Labor's last year in office. We have had a downward trend in the number of people who are both unemployed and not receiving training or education in any way, shape or form. In the year to April 2014 the national average proportion of the youth population that was both unemployed and not in full-time education was 4.7 per cent. Members can see that here in Victoria we are well ahead of the curve. We are providing greater opportunities for our young people than are provided in other parts of the country.

The opposition claims in its motion that youth unemployment figures in some regional centres are even higher than 20 per cent. It would be interesting to find out which regional centres they are.

Ms Tierney — I have the list here.

Mr ELSBURY — In any case, using the 12-month average, the youth unemployment rate in Ballarat was well below the Victorian average.

Mr Tee interjected.

Mr ELSBURY — If it is from the same source as the health figures used by those opposite, which as the health minister points out when talking about what is going on with the federal budget were done in the back room, and the same boffins out the back are doing that sort of calculation, I have to suggest that perhaps those opposite need to get some new people in those offices fairly quickly. Perhaps they should take the advantage of the opportunity to take on some young people who know what they are doing.

In any case, what we saw, using the 12-month average, is that the youth unemployment rate in Ballarat, at 8.6 per cent for the year to April 2014, is well below the Victorian average. That is less than half what the youth unemployment rate in Ballarat was during Labor's last 12 months in office, which was 17.7 per cent. So we have reduced the level of youth unemployment in Ballarat. Those opposite are trumpeting some figures that they have made up or gotten from somewhere, whereas we are using Australian Bureau of Statistics figures to show that there has been an actual decrease in

the rate of youth unemployment in Ballarat. Indeed, Warrnambool, in the south-west region, recorded a rate of 16.7 per cent youth unemployment in the 12 months to April 2014.

We need to discuss the Victorian unemployment figures. There are now 61 200 more people employed in Victoria than there were when Labor left office in 2010. Victoria has not lost 52 000 jobs, as is claimed in this motion of Ms Tierney's. That is just factually completely incorrect. I do not understand where members opposite have got that figure from. They have been putting far too much time into finding a replacement for Ms Broad and have not been doing their numbers properly at all. It cannot be said in any other way, shape or form; they are just not good with numbers.

The seasonally adjusted Victorian unemployment rate was 6.4 per cent in April. Full-time employment rose by 10 100 people over the month of April. The labour force participation rate was 64.1 per cent in April, the highest of the non-mining states. Victoria's economy is cracking along at the moment compared to our neighbours New South Wales and South Australia — the people's republic is not going so well in South Australia. Employment in regional Victoria grew by 18 800 jobs in the past year. There are now 21 000 more people employed in regional Victoria than when Labor left office — and are they not thankful for that? They would be thankful that Labor left office, and they would be thankful for those jobs.

There is a stark contrast between those opposite and the government, because the government is about jobs. It brought down a budget that is not only about jobs in the short term but jobs well and truly into the future. Let me highlight some of the things the budget provides for the people of Victoria. A small project that I am rather proud of, and which will be immeasurably beneficial to the people of Victoria for many years to come, is the east-west link. There will be 3000 jobs created during its construction phase. This will be of great benefit to the people of Victoria. Once construction is complete logistical advantages will be generated for the state, allowing for more produce to be moved and more companies to come into the western suburbs of Melbourne, which is of great benefit to the industry powerhouse that is the western suburbs. We will have greater access to the port of Melbourne, which will result in our produce being able to be exported more efficiently than is currently the case.

The state government's commitment to the port of Hastings is another thing I highlight. This is not just about what is happening now, it is about what is going

to happen in the future. In the future we will have vessels with much larger draughts coming to this state to take our produce out to the global market. Food and fibre will continue to be amongst our greatest exports for many decades to come. We need to continue work on the port of Hastings for the benefit of the entire state because it will provide us with the ability to convey our goods into the global market, which will benefit not only the people of my electorate but the people of Victoria for many years to come.

Coming back to the western suburbs of Melbourne, we are also committed to creating jobs in the west of Melbourne with the East Werribee employment precinct, which will produce 58 000 jobs over its 30-year life span. This is not just during the construction phase; these are permanent on-site jobs. Construction jobs will occur in the early phase and will include apprenticeships and traineeships. This is a big project that will provide the people of Victoria and the youth of Victoria with every possibility for gaining employment. The East Werribee employment precinct will be made up of health, education, commercial and office precincts, all built on what is now basically an empty paddock owned by the state government in East Werribee. Funds raised through the sale of that land will be used to provide it with the infrastructure needed to make it a major employment hub in the western suburbs.

The government does not stop in East Werribee. Some people might accuse me of being Werribee-centric in some of my representations, but I can honestly say that I look a lot further out than that. The proposed Essendon Fields-Airport West employment hub will provide 25 000 jobs in that part of Western Metropolitan Region. It will include a 150-room hotel and conference centre, the expansion of the Auto Centro car yards precinct and 15 000 square metres of office space provided in that part of my electorate. By using the rejuvenation of Essendon Airport as a catalyst for providing more jobs for Melbourne's west we will reduce our reliability on car traffic and provide jobs closer to home, which will not only maximise the use of our infrastructure but also allow people to travel shorter distances for a better work-life balance.

The former Orica site in Deer Park will also be used as an employment hub providing 3600 jobs in the Deer Park, Cairnlea and Caroline Springs areas of the western suburbs. The site has very good connections to public transport.

Business interrupted pursuant to standing orders.

QUESTIONS WITHOUT NOTICE

Ambulance services

Mr JENNINGS (South Eastern Metropolitan) — My question is to the Minister for Health. The minister would be aware that following Ambulance Victoria’s decision to refuse a freedom of information request on local branch response times, in May Ambulance Victoria opposed its release in the Victorian Civil and Administrative Tribunal. Can the minister now inform the house whether he has been made aware by Ambulance Victoria that in the first week of June a number of patients who had cardiac arrests died in circumstances where code 1 response times were outside 15 minutes in Epping, Echuca, Yarram, Jan Juc, Eildon and Tatura?

Hon. D. M. DAVIS (Minister for Health) — I want to be very direct but very cautious here, because each and every case managed by Ambulance Victoria is an important case. Ambulance Victoria has more resources, more staff — 465 more staff — more money, more ambulances and more new ambulance stations than ever before. There has been a historic increase in support for Ambulance Victoria. It is also true that as part of a hardline campaign for more money the ambulance union is putting out lists of cases. On recent weekends — the weekend just gone and one several weekends before that — Danny Hill and the hardline ambulance union, to further their industrial and money-grabbing claims, have put out information that is flawed.

Mr Jennings — On a point of order, President, clearly the minister is debating the issue and is slandering a member of the public. I am preventing the minister from going further, as he has done previously, to slander individuals in this place in ways he cannot outside the Parliament and in ways that are quite mischievous. I encourage the minister not to debate the question. I asked him a very straight question, and I want a very straight answer.

Hon. D. M. DAVIS — On the point of order, President, the source of the information Mr Jennings is relaying and the veracity of that information is clearly material — —

Mr Jennings — I asked you whether Ambulance Victoria told you about them.

Hon. D. M. DAVIS — You have gone down a list of cases, and I know the source of that list. The source is the union, and the veracity of the information is directly related to the motives of the union. That is what

I am reflecting. I am about to give some detailed answers about cases, but I am also going to say that there are some deep flaws.

The PRESIDENT — Order! With respect to the point of order, I say to the minister that whilst he might believe he knows the source of the document or the information provided to the opposition, that has not been established in this place, and I therefore do not think it is appropriate to refer to it in that way when we do not know for sure that it is the source of it. Mr Davis has his suspicions, and I accept those. He may indeed have a bit more than suspicion, but nonetheless that has not been established in this place. I think the minister was moving into the area of debating the issue, but I also understand he was suggesting there were some reasons why these incidents occurred. The minister is trying to make a pretty substantial connection. I would, however, welcome his moving into the discussion of individual cases and being apposite to the question asked.

Hon. D. M. DAVIS — The source of some of these cases is material, because these cases have been peddled in the media, and a number of cases are not as they have been construed by the union. Several weeks ago when a list was put out — —

Mr Jennings — How do you know?

Hon. D. M. DAVIS — Because I have had them closely investigated and, within the limits of privacy, I have been able to establish — —

Mr Jennings — If you have had them examined, answer the question I asked you!

Hon. D. M. DAVIS — Let me be quite clear. Ambulance Victoria indicates that at least two of the cases that have been referred to from last weekend’s list were people who sadly were dead a long time before the call to Ambulance Victoria was made. Whilst I have the highest regard — —

Mr Jennings interjected.

Hon. D. M. DAVIS — I am telling you that is the information that has been provided to me. Whilst I think paramedics have remarkable skills, reviving people at a point long after is not one of them. The list put out on the weekend is like what Daniel Andrews, the Leader of the Opposition and member for Mulgrave in the Assembly, said about union assertions in the last enterprise bargaining agreement campaign — 40 to 50 per cent of the claims are wrong and ultimately not established.

What is clear is that the union collects cases and information, and that information is sometimes right, sometimes wrong and sometimes deliberately misleading.

Ms Crozier interjected.

Hon. D. M. DAVIS — Ms Crozier points to the case at Frankston, where photographs were put out to the media and were later established to have been concocted.

Mr Jennings — Rubbish.

Hon. D. M. DAVIS — They were concocted. They were set up. You can go online and watch them set up the photo.

Let us be quite clear here. Where a case needs to be investigated, Ambulance Victoria will investigate that as a matter of course and will establish what was best managed, what was not and what learnings can be taken from an individual case. There is a proper series of protocols to do that, and that is employed wherever that is required. I say to Mr Jennings that it is also important to understand that a union asserting in the middle of a hardline enterprise bargaining agreement campaign that a case features something untoward is not an establishment of fact. It is an assertion by a union in pursuit of money.

Let us understand what we are talking about. It is an assertion by a hardline left-wing union that has donated \$1 million to the Labor Party in the last 11 years. I wonder whether that is why there are so many questions and why some Labor people will take the union's list and ask its questions. Here we have Dickie Knee — —

The PRESIDENT — Order! Thank you, Minister.

Supplementary question

Mr JENNINGS (South Eastern Metropolitan) — My supplementary question is basically another aspect of my substantive question. Does the minister receive reports from Ambulance Victoria about sentinel events? Does he regularly compile and review information from Ambulance Victoria? Given that Ambulance Victoria is not releasing information into the public domain as it once did, does the minister receive information, and can he share it with the chamber and the community?

Hon. D. M. DAVIS (Minister for Health) — There is more information in the public domain from Ambulance Victoria than there ever was before. Hospital early warning systems data, which was kept

secret by Mr Jennings, is now routinely made public. Survival rate data, which was kept secret by Mr Jennings and his government, is now routinely published.

Hon. M. J. Guy — Which minister?

Hon. D. M. DAVIS — Which minister? It was Daniel Andrews. Where was the hospital early warning systems data? Where was the transfer time data? Where was the survival rate data? All of that data is now routinely put into the public arena. It is reliable information. It is important information, and it is information that Labor kept secret. More information is in the public domain now, but what is clear here is that there are sad cases, and my sympathy is always with the patients and their families.

Honourable members interjecting.

The PRESIDENT — Order! Mr Jennings is receiving an answer to his question. Mr Drum has other responsibilities in this place. If Mr Jennings wishes to pursue those, perhaps he should put a different question to Mr Drum.

Hon. D. M. DAVIS — My sympathy is always with the families, but my point is also that it is irresponsible to routinely accept information from a hardline union in the middle of a money-grabbing campaign. Labor members' strings are being pulled!

Questions interrupted.

DISTINGUISHED VISITORS

The PRESIDENT — Order! I take this opportunity to welcome to the gallery the Honourable Peter Hall, a former minister and member of this place. Welcome back, Peter. It is great to see you.

QUESTIONS WITHOUT NOTICE

Questions resumed.

Information and communications technology

Ms CROZIER (Southern Metropolitan) — My question is to the Minister for Technology, Mr Rich-Phillips, and I ask: can the minister update the house about recent growth in Victoria's ICT sector?

Hon. G. K. RICH-PHILLIPS (Minister for Technology) — I thank Ms Crozier for her question and for her interest in the Victorian technology sector. As part of the Napthine coalition government's commitment to building a better Victoria, there is a

strong focus on attracting investment and jobs in the technology sectors, be they ICT, be they biotechnology or be they small tech. Over the course of this year we have seen a number of well-recognised ICT companies from the United States announce or establish a presence here in Victoria. This includes companies such as Eventbrite, Tintri and Hightail, all of whom have recognised the strength of the ICT market in Victoria and the relevance of Victoria in relation to investment in ICT for the Asia-Pacific region.

Last week I was delighted to join the Premier and the member for Malvern in the Assembly for the opening of the new Asurion technical support centre in Armadale. This is a commitment by Asurion, which is one of the world's largest providers of support services for mobile devices, be they mobile telephones or tablet devices, to provide support to the users and owners of those devices. The services Asurion offers includes assistance with connections, assistance with problems with those devices and assistance with broken devices.

Asurion has established at Armadale a support centre with around 150 staff initially located at that centre, and that number will grow to 300 over the next five years. Asurion's support staff are very highly skilled. In responding to telephone calls, they can address questions on Bluetooth, questions on every different device, including BlackBerries, iPhone devices and Android devices. They may respond to consumer problems. A highly skilled workforce is required in that facility in Armadale, and it is a very strong testament to the workforce and the business environment we have here in Victoria that Asurion has chosen to locate that facility at Armadale.

The reality is that this facility provides support across Australia and into the Asia-Pacific region. This facility did not need to be located in Melbourne. It could have been established in Singapore, it could have been established in Hong Kong or it could have been established elsewhere in the Asia-Pacific region. However, Asurion recognised the strength of the ICT workforce in Victoria, it recognised the strength of the economy in our state and it recognised the good business environment we have in Victoria.

I was delighted to join the Premier for the opening of the Asurion centre last week. I look forward to that centre growing to 300 jobs over the next five years. It is a strong vote of confidence in the Victorian economy and the Victorian workforce that that centre has been established in Melbourne.

Migrant, refugee and asylum seeker services

Ms MIKAKOS (Northern Metropolitan) — My question is to the Minister for Multicultural Affairs and Citizenship. I refer the minister to the recent report of the Auditor-General entitled *Access to Services for Migrants, Refugees and Asylum Seekers*, which found:

Departments and service providers do not systematically collect and analyse data from clients to assess accessibility and effectiveness of service provision.

And:

Current reporting requirements do not hold service delivery departments sufficiently accountable for their performance with culturally and linguistically diverse (CALD) communities.

I ask the minister: how will the government ensure that services are informed by sound and systemic assessment of the needs of Victoria's migrants, refugees and asylum seekers?

Hon. M. J. GUY (Minister for Multicultural Affairs and Citizenship) — That is a good question from Ms Mikakos. This government has conducted audits that were previously non-existent, and it has set new targets for departments to meet in this field. Importantly that report of the Auditor-General also looks at the structures around the Office of Multicultural Affairs and Citizenship (OMAC) and the Victorian Multicultural Commission (VMC).

VMC and OMAC need to have clear, defined roles around their responsibilities. They need to have stronger roles within a whole-of-government approach to ensure that we are delivering the best response to our non-English-speaking communities and any new communities coming into Victoria. The government is committed to doing that. It is certainly committed to looking at those findings from the Auditor-General, and also from its individual departments, and at how they are conducting advertising and at their policies related to people from non-English-speaking backgrounds. They will be implemented over a period of time, as we have committed to doing certainly for the three previous years.

Supplementary question

Ms MIKAKOS (Northern Metropolitan) — One of the functions of the VMC is to undertake systemic and wide-ranging community consultation, on which it then reports to the minister. The Auditor-General identified that the results of the 2011 and 2012 community consultations were not used by service delivery departments to inform their programs and services. The

Auditor-General said that in its current form this consultation had little value. The Auditor-General also found that the VMC did not have adequate resources. Is this a direct result of the minister gutting the VMC staff?

Hon. M. J. GUY (Minister for Multicultural Affairs and Citizenship) — That is actually not true. If members look at the number of multicultural services staff, particularly in OMAC and VMC together, they will find that staff numbers are higher than they were under the previous government. While I accept one part of the premise of the question, the factual inaccuracies are not borne out by the truth in the other. The reality is that if there is data collected by the VMC or indeed by other departments and there needs to be a more efficient mechanism to share that data, then that is a legitimate commentary back to the government that we will take on board and implement.

I might add that if that were the case under the previous government, over 11 years it did nothing to address this issue. This has been identified. This government will address the problem. Ms Mikakos should respectfully go back and look at Labor's delivery mechanisms, which have also been clearly found to have failed for 11 years.

Major sporting events

Mr KOCH (Western Victoria) — My question is to the Honourable Damian Drum in his capacity as Minister for Sport and Recreation. Could the minister inform the house on how the Victorian coalition government is supporting major sporting events involving Melbourne Victory and Geelong?

Hon. D. K. DRUM (Minister for Sport and Recreation) — I thank Mr Koch for his question and his involvement in this important announcement in Geelong. It is also great to be able to give an answer in this house in front of my former tutor — I will not mention him by name, but he looks like one of those teachers who has recently accepted a 54/11 package and is getting younger by the day.

This morning at Kardinia Park in Geelong, in partnership with the City of Greater Geelong and as part of the Napthine government's Significant Sporting Events program, we were able to announce that Melbourne Victory will be playing three games over three years at Kardinia Park. Next year's game will be the very first A-League game in regional Victoria, and it will be held over the New Year holiday period. This is a fantastic boon for the whole Geelong area. It is a great opportunity for Victory's core supporters.

Melbourne Victory's administration is very positive about the fact that the club's group of core supporters of 8000 to 10 000 people, who turn up every game, will no doubt make the trip down the highway to be part of this game.

It is also expected that soccer supporters — supporters of the world game — from Geelong will take advantage of the opportunity to attend an A-League game for the very first time at their own Kardinia Park. On top of this, it is a great opportunity for all the holiday-makers who will be spending their holiday period and the Christmas and New Year break on the Surf Coast to take advantage of an afternoon to break away from their beach holiday and visit Geelong to have a look at the world game played at the highest domestic standard anywhere in this country — and it is going to be played right in Geelong.

A commitment of \$50 000 over three years is in partnership with the City of Greater Geelong, which is injecting over \$70 000. It is an investment in this significant sporting event, and it will see games played over each of the next three years. It will give Melbourne Victory a chance to build its supporter and membership bases in the Geelong and Surf Coast region as well as open itself up to the entire western Victorian region, whose population will have a great opportunity to access an A-League game in their region.

It is also worth noting that at this announcement it was pointed out by the Liberal candidate for the seat of Geelong, Paula Kontelj, who was in attendance this morning, that these games at Kardinia Park will bring in hundreds of thousands of dollars.

Honourable members interjecting.

Hon. D. K. DRUM — I am happy for Mr Jennings and Mr Leane to interject as much as they like; however, it does not take away the fact that these types of major events bring hundreds of thousands of dollars into the greater Geelong economy. The opportunity for increased motel bookings, hotel and restaurant patronage, as well as all the other ancillary and associated spending that goes with bringing tens of thousands of people into a region, is very important for people looking to be community leaders into the future.

The A-League is currently in its off-season, and many of the clubs, as Mr Ondarchie may be aware, are signing superstars from around the world to be part of next year's season. David Villa and Damien Duff have joined Melbourne City, and Carl Valeri has joined Melbourne Victory for next year and beyond. Next year we will also see the Asian Cup launch. We are in an

area that will see some of the greatest soccer teams from around the world — the national teams of Japan, China, North Korea and South Korea — competing against 16 Asian teams, and they are all coming to Australia. There will be seven games in Melbourne. It will be fever pitch if you are a supporter of the world game and you are looking for an amazing start to next year.

Planning zone reform

Mr TEE (Eastern Metropolitan) — My question is to the Minister for Planning, and it relates to the application of the three new residential zones that will determine the type of development in each local area. In August 2012 I asked the minister a question without notice about whether or not councils and their communities would be allowed to determine the location of the zones without interference from the minister. In September last year the City of Boroondara sent its zoning application to the minister and the City of Stonnington sent its in December last year. For more than six months these applications have been with the minister. Why are the minister and his department delaying the introduction of the new zones?

Hon. M. J. GUY (Minister for Planning) — What an interesting question — delaying the introduction of new zones. I believe Mr Tee's government first talked about new residential zones in 2004, so from 2004 to 2010 that government did nothing. My department has had 79 councils to deal with when it comes to new residential zones. We intend to have all of them done in a time frame that I believe is realistic and sensible. In fact the time frame was set much more clearly than when Mr Tee's party was in office and failed three times to deliver residential zone reform to this state. My department has had numerous conversations with those two councils — one of those councils in particular.

Mr Tee — They're saying you're bullying them. That's what they're telling me.

Hon. M. J. GUY — If Mr Tee wants to ask me a question, I understand. If he wants to behave like some kind of juvenile muppet, then he can go and do that. At the end of the day I have a sensible question, which I will deal with, and I have Mr Tee's juvenile muppet behaviour, which he can manage himself. The reality is the new residential zones that the previous government put in place failed and flopped, and I might add that Mr Tee was an adviser to the minister who tried to do it. It flopped three times.

This government introduced residential zone reform. It has been embraced by the vast majority of councils

very warmly and very sensibly. We have gone through a relatively quick process in the planning sphere to bring those changes into place by 1 July. We have a process for an advisory committee for councils that want to be a part of that or need to have elements of their submissions referred; we will do that. Stonnington and Boroondara I have no doubt will be approved by the deadline, which is in place and is 1 July.

Supplementary question

Mr TEE (Eastern Metropolitan) — I want to ask about the 1 July deadline, and I expect Boroondara and Stonnington councils will welcome the fact that their zones will be approved by that date. Are we still on track to approve the new zones by 1 July in the manner requested by all councils?

Hon. M. J. GUY (Minister for Planning) — All councils will translate to the new residential zone structure by 1 July, and that is because — if Mr Tee actually understood the planning process — once you sign a VC amendment, as I have, to implement a zone structure by a certain date, that means the old one will sunset and the new one will come into existence. Therefore the new zones will translate from the old ones that have been in place. The guts of the question, Mr Tee, was, will they translate? Yes, they will, because a VC amendment has been signed.

Mr Tee — As requested by the councils?

Hon. M. J. GUY — Some councils have not made any request. Yarriambiack Shire Council, for instance, might only have three or four lots within the residential zone structure. You need to understand the process and the structure of councils before you — you muppet — begin interjecting and making a fool of yourself even more.

The PRESIDENT — Order! I am not sure that the term 'muppet' is unparliamentary as such. However, the use of words in a particular context does at times trouble me. When the minister referred to muppets previously it was at a slant, but to do it directly, as he has just done, is not in order.

Planning zone reform

Mr FINN (Western Metropolitan) — My question without notice is directed to my good friend and colleague the Minister for Planning, and I ask: can the minister inform the house what action the government has taken to build a modern, competitive planning system that encourages job growth for Victoria?

Hon. M. J. GUY (Minister for Planning) — I thank Mr Finn for his very sensible question on zone reform — that is sensible zone reform. It is not like Statler and Waldorf. It is sensible zone reform for Victoria and a government that is getting on with the job of building a better Victoria. I can inform the chamber that recently this government finally implemented the last stage of commercial zone reform in this state by abolishing floor-space caps in a number of suburban shopping centres. If we are to have population growth, we need retail growth. This government does not support monopolies. In fact we require everyone to be competitive when it comes to Melbourne growing to be a sensible global city.

Ultimately commercial floor-space caps are caps on jobs, and that is why this government has acted decisively and enormously productively, as the Productivity Commission and others have found, in removing floor-space caps to allow our shopping centres in suburban areas to grow. Major centres which have had floor-space limits removed include Highpoint shopping centre, Campbellfield Plaza, Dandenong Plaza, Forest Hill Chase, Victoria Gardens and Westfield Doncaster in the electorate of Bulleen. It is worth noting that future expansion of those centres will still need to comply with planning rules on important issues such as car spaces, traffic management, landscaping and height limits.

These changes have come with significant approval throughout Australia. It should be noted that the Productivity Commission released an interim report on 6 June entitled *Relative Costs of Doing Business in Australia — Retail Trade*, which states:

Victoria is more advanced in adopting planning and zoning reforms than other jurisdictions ...

Did you hear that — in response to the last question and this one — more advanced than other jurisdictions?

The Large Format Retail Association said:

These recent zoning changes ... have created the most flexible planning system for retail development in Australia. ... These changes are entirely consistent with the recommendations of the Productivity Commission and should serve as a model for other states and territories to follow.

That is a very important third-party endorsement for sensible commercial reforms. The Shopping Centre Council of Australia said:

This reform is in line with good urban planning, including the need to achieve the broad objectives of the recently released Plan Melbourne such as the growth of suburban centres and clusters. The announcement will also enable further retail investment and competition.

This announcement is about jobs. It is about sensible, long-term reform, not reform that is nitpicked to death and that can never eventuate, like previous attempts to reform retail zones, commercial zones or residential zones. It is about getting on with the job and doing what is right for Victoria.

President, as someone with a large amount of policy experience in this field, you know that the commercial space caps have been a massive cap on investment in this state for many decades. This state has now gone from the most restrictive place to do business in retail in Australia to the best place. As I said, do not take my word for it. Look at the Property Council of Australia and the Large Format Retail Association. Look at the investment figures showing retail investment in this state starting to boom. I simply say that this state government is getting on with the job of creating the right environment for people to do business in Victoria and for jobs to grow in Victoria because it is committed to building a better Victoria.

Prisoner accommodation

Mr TEE (Eastern Metropolitan) — My question is to the Minister for Corrections. I refer the minister to the 2014–15 budget reference to new units and relocatable units such as those at Dhurringile Prison, which are known as dongas. Can the minister advise the house where the dongas are sourced from?

Hon. E. J. O'DONOHUE (Minister for Corrections) — The Pilbara.

The PRESIDENT — Order! Perhaps Mr Tee could provide further explanation to the minister.

Supplementary question

Mr TEE (Eastern Metropolitan) — Can the minister advise the house of the average cost per unit of purchasing, transporting and installing a donga?

Hon. E. J. O'DONOHUE (Minister for Corrections) — It costs approximately \$15 million to install approximately 300 beds across the prison system. Let me make the point that the shadow corrections minister criticised this type of accommodation — —

Mr Lenders — On a point of order, President, the minister, to his credit, gave a one-word direct answer to the first question. The supplementary was specific: what is the cost? The minister answered that, to his credit, but now is commencing to debate the question by referring to the motivations and actions of Mr Tee. I

put to you that he is debating a question after a very good start.

The PRESIDENT — Order! The minister knows that I am not keen on debating in answers, so perhaps he might be mindful of that as he completes his supplementary answer.

Hon. E. J. O'DONOHUE — Thank you, President; I will be mindful of your ruling. Perhaps what I will do is give Mr Tee some of the background context to the additional prison capacity that this government has procured and delivered. As we know, Labor botched the Ararat prison project; 350 beds were supposed to be in the prison system by late 2012, but the —

Mr Lenders — President, my point of order is that one assumes context is something one gives before one gives a specific answer. The minister has, to his credit, given a specific answer to the question and a specific answer to the supplementary question. He is now debating the matter, because the question from Mr Tee on the cost and source of a donga has nothing to do with the minister's debating what a previous government may or may not have done.

Hon. E. J. O'DONOHUE — On the point of order, President, I am providing information that is relevant to the question. It is background to the government's decision to procure this type of accommodation for prisoners in the Victorian corrections system.

The PRESIDENT — Order! In regard to the point of order, I maintain the position that the minister is entitled to provide this additional information to the Parliament on this occasion. After my previous comments, I thought that the minister's more recent remarks were teasing out, if you like, the answer to the question. I thought it was relevant information that the house might well be interested in, so I do not uphold the point of order on the basis of the minister debating on this occasion.

Hon. E. J. O'DONOHUE — We have fixed Labor's botched Ararat prison project, we have committed to the new prison that Labor, according to the Auditor-General's findings, said no to three times, and we are fixing the parole system. We are transforming the parole system. All these factors led to our decision to procure this type of accommodation for prisoners, and it is working very well.

Healthy Together Geelong

Mr KOCH (Western Victoria) — My question is to my colleague the Minister for Health, the Honourable David Davis. Could the minister update the house on

Healthy Together Geelong, an important research program supporting community-level preventive health interventions?

Hon. D. M. DAVIS (Minister for Health) — I thank the member for his question and for his advocacy for Geelong and for Healthy Together Geelong. It is an important research program, as he has outlined, delivering preventive health interventions to a series of areas through Geelong, but it is part of a broader program in Victoria with 12 Healthy Together Victoria regions. They are structured as a research intervention to see proper assessment, proper monitoring and proper matching with similar areas to establish the effect of intervention over time. I welcome the work that is being done by Healthy Together Victoria, and in particular the Healthy Together Geelong activities. I note the involvement of key parts of the Geelong community, whether they be health and community health or the local business groups which have been very heavily involved, and schools and kindergartens, and the strong involvement and support of many across the Geelong community.

The government is pleased to confirm that alternative funding has been sourced to continue this vital scientific study. It is a study of international significance. It is clear also that the New Zealand government is interested in a similar program and has been in close contact with my department to work through how a version of the program could be introduced in New Zealand as part of its national policy to prevent obesity. The fact is that Victoria, along with other jurisdictions, faces significant challenges to deal with chronic illness and obesity and prevent new cases of diabetes and heart disease. This is an important program that has been structured in a way that enables the interventions to be carefully and independently assessed and enables Victorians to have confidence that the outcomes will be achieved.

What is also important is the support of broad groups within the Geelong community, in this case, and I know the strong support of the business community and health community. I pay tribute particularly to the City of Greater Geelong for its support. The federal member for Corangamite has also been a strong supporter. I look forward to working with members representing that area and also the broader community in Geelong to see a good outcome delivered. This is very important to the long term, and we need to establish the best interventions that will help prevent diabetes.

I pay tribute to the work of my parliamentary secretary, Ms Crozier, who has been very actively involved with

the program and its implementation in a number of key spots around the state.

Docklands short-stay operators

Mr BARBER (Northern Metropolitan) — My question is to the Minister for Planning. As we both know, the minister has received some requests for meetings from Docklands residents who find themselves living in an apartment building where apartments have been sublet as serviced apartments and are often occupied by people who come to Melbourne to party on and go crazy, with the resultant amenity problems. The minister has left it to his department to respond in a kind of bureaucratic way, referring these people back to a court case interpreting the meaning of ‘residential apartment’ that is winding its way up and down through the court system. The minister has also referred them to the unacceptable behaviour provisions within the body corporate act. The letter says that they may like to meet with the department to discuss the options. What are the minister’s options for fixing this problem, and when do we expect to see the issue resolved?

Hon. M. J. GUY (Minister for Planning) — There are two things. One, I have already met quite a few people in relation to this issue externally, and particularly within consumer affairs. The issue is one that, in terms of a legislative response, relies on consumer affairs law change rather than on planning law change. It is worthwhile noting that in May there was a victory for an owners corporation in Southbank against this very practice. I think it was a building in Wells Street in Southbank, if I remember correctly, where a short-stay operator — I think it was Airbnb, or one of the online short-stay operators — had been taken to court and a cease and desist direction was issued to those people to, as I said, cease and desist the operation, which was in effect leasing out a residential tower as a different class of building, effectively a hotel. That was successful in court.

There has been a precedent where the owners corporation has had certain powers in existence before purchasing or at the time of the signing of leases by people moving into those buildings. They have been able to take action. What we are now looking at is whether or not that can be expanded to existing arrangements, where those arrangements are not in place in agreements with owners corporations in some other towers. It is somewhat complex and not clear as to whether we have the ability to retrospectively do that, but that is what the government is examining at this point in time.

Supplementary question

Mr BARBER (Northern Metropolitan) — I thank the minister for his answer, and I ask: why not use the provisions of the residential zoning under the Planning and Environment Act 1987, possibly on a localised basis, to work out the proper uses that can be made of a residential building containing many apartments?

Hon. M. J. GUY (Minister for Planning) — Yes, that is one option, but at the end of the day use comes down to enforcement, and use comes down to not just enforcement but also a punishment — the ability to do something about it. You might contravene the use, but if you are contravening the use and there is no mechanism within the Planning and Environment Act —

Mr Barber — You can fix that, too.

Hon. M. J. GUY — No, you cannot actually, Mr Barber; there is no mechanism within the Planning and Environment Act. There would need to be quite a substantive change for an enforcement provision, which although it currently does not exist in the Planning and Environment Act it does exist under consumer law, which we could then adapt to use one with the other. That is, of course, where it crosses three different portfolio areas. It crosses justice, consumer law and planning. One of those might identify your issue; it will not necessarily fix it. As we have seen from the precedent in Southbank, it can be fixed by owners corporations where they have existing provisions within the owners corporation structure of a residential tower to then be able to take owners to the Victorian Civil and Administrative Tribunal to get a cease and desist order. But that is not fail-safe, although the precedent is there, and it may be one the government needs to expand.

Early childhood facilities

Mr ELSBURY (Western Metropolitan) — My question is to my friend and colleague the Honourable Wendy Lovell in her capacity as the Minister for Children and Early Childhood Development. Can the minister inform the house of any recent new projects or announcements for the children’s facilities capital program?

Hon. W. A. LOVELL (Minister for Children and Early Childhood Development) — I thank the member for his ongoing interest in early childhood development in Victoria, and I am delighted to be able to give a further update to the house on the progress of the children’s facilities capital program. As the house knows, this government has invested more than

\$120 million in early childhood infrastructure over its term. That is a record investment in children's infrastructure and something of which we are extremely proud.

In past weeks it has been wonderful to make announcements about grants from our recent \$22 million grant round. Many of these announcements have been made by local members and by me. In fact on Monday, 2 June, I was delighted, along with Amanda Millar, Greg Bickley, our candidate for the Assembly seat of Bendigo East, and councillors from the City of Greater Bendigo, to announce \$650 000 for the Strathfieldsaye integrated hub. This is a new facility that will be built at Strathfieldsaye, providing 67 additional kindergarten places.

I was also delighted on Tuesday, 3 June, to join Andrew Elsbury and the mayor and other councillors from the City of Melton to announce \$1.6 million towards a new Burnside children's and community centre. This will provide 132 additional places.

On Thursday, 5 June, together with our candidate for the Assembly seat of Eltham, Steven Briffa, and councillors from that area, I was delighted to announce \$350 000 to upgrade Woodridge Pre-school and \$350 000 for an extension of the Eltham Child Care Co-operative. Around \$2.95 million is being invested in these four services, which will provide 298 additional places for children.

Since 29 May two more major capital projects have opened from our previous grant rounds. On Tuesday, 3 June, the Minister for Innovation and member for Brighton in the Assembly, Ms Asher, opened Brighton Baptist Kindergarten. The Victorian government invested \$200 000 investment in that upgrade. On Wednesday, 4 June, the Minister for Education and member for Nepean, Mr Dixon, opened Sorrento Pre-school, which received a \$300 000 upgrade.

Mr Lenders interjected.

Hon. W. A. LOVELL — Mr Lenders asked why the Brighton candidate was not there. The candidate for the Assembly seat of Brighton was there, because Minister Asher is the Brighton candidate.

The Victorian government is investing in early childhood infrastructure in this state, providing for population growth and providing increased places for children, upgraded and new facilities, consulting rooms for allied health professionals, maternal and child health family support services, and spaces for playgroups. As I said, we have provided more than \$120 million for infrastructure, which is a record investment in early

childhood services, because we know the value of good-quality early childhood education.

Answers

Mr TEE (Eastern Metropolitan) — President, on 7 May I asked the Minister for Planning a question in relation to Midfield Meat, Mr Colin McKenna and whether or not the department or minister were preparing any rezoning to benefit Mr McKenna. Since then I understand the local council has formally asked the minister. The minister said at that time that he had no idea and he would take the question on notice. I have not received any response and I am wondering if through you, President, we could facilitate a response to that question.

The PRESIDENT — Order! It is not a matter that I can ask the minister for in this context. It was not a question on notice, so I am not in a position to direct the minister to answer that. Does the minister have any comment in respect of that, or is it still being worked through?

Hon. M. J. GUY (Minister for Planning) — I am happy to follow it up.

YOUTH EMPLOYMENT

Debate resumed.

Mr ELSBURY (Western Metropolitan) — By way of a recap of Ms Tierney's motion, we are looking at her fixation with the youth employment scheme — the YES scheme — to the exclusion of all the other programs that have been put forward by this government. We also have issues with regard to the youth unemployment figures she has used and with the outright incorrect figure cited in relation to the number of jobs have been lost in Victoria, as there has been an aggregate gain of 61 000 jobs across Victoria.

I have also been speaking about the benefits that are coming to Victoria from employment opportunities across the state and specifically in Western Metropolitan Region. I was speaking about the former Orica site in Deer Park on which there was a chemical and explosives factory, and the potential for that site to provide an extra 3600 jobs in that region. It has good access to public transport. It also has good access to a major highway, being the Western Highway, either by the Deer Park bypass or straight onto the Western Highway in Deer Park. Last week I was able to open the start of a new bicycle path that is being built through the Cairnlea area, which will provide for passive recreation and even transport into the Orica site.

Hopefully we will be able to continue that bike path and connect into Sunshine, which is another area of the electorate that is benefiting from a rejuvenation of industry and the job opportunities that will be available. All of these things will provide opportunities for young people to undertake training.

I would also like to highlight that HNA Group, a Chinese airline, is planning to bring international freight and commercial flights to Avalon Airport in the next 18 months. This will be a major benefit for the people of Victoria — especially those in the western suburbs of Melbourne — as we begin to utilise that asset much better than we have in the past. I welcome that announcement by HNA Group.

A range of different job opportunities have come up in the western suburbs during the term of this government. Early in my time as a member for Western Metropolitan Region I was able to visit Extrusions Australia, a company which manufactures aluminium components, including partitions, window frames and other things, for office spaces. This all happens in Laverton North.

Haines Hunter, a boatbuilding company, has also opened a service centre in Derrimut. While it is a little bit inland, Haines Hunter has deemed Derrimut to be the right place to open its facility and tap into the workforce with the skills needed to do the work on those boats, whether they be new vessels under construction or other vessels that need a little bit of tender loving care due to the time they spend out on the water. The centre will also provide an opportunity for young people to get involved in apprenticeships.

Fresenius Kabi, a pharmaceutical company from Germany, has also decided to establish itself in Deer Park, creating 120 high-level jobs in that area. We are talking about chemists and technical positions that perhaps require a little bit longer to get up to speed with. The company is opening up the frontiers for graduates from the western suburbs of Melbourne who have graduated from Melbourne University, Monash University or Deakin University to gain employment in an area they have studied at university. We really need to encourage high-tech industries to come to Victoria to allow people to use their skills to their full potential.

Digital Realty is another company that has established itself in Deer Park. It sells space for cloud computing technology. It has huge databanks across an absolutely massive floor space. At the moment I believe National Australia Bank has a major storage facility in that part of the world where it backs up its systems in Sydney. We need to encourage these high-tech companies to our

state so that young men and women are able to get jobs. We are not just talking about trade jobs or jobs that involve a hammer or shovel. I can tell the house that if I had to rely on that sort of job, I would be in real strife; I can identify a nail 3 times out of 10. This government is about providing people with job opportunities in the areas to which they are suited.

I will now turn to some of the claims made in this motion about vocational education and training. The coalition government is delivering \$1.2 billion a year for vocational education and training (VET). This is in stark contrast to the much smaller amount of money — \$808 million — that was provided by the Labor government. Compare \$1.2 billion to \$808 million; it is a totally different set of figures that shows how much we are investing in the TAFE and vocational education and training sectors.

We realise that over the last couple of years there has been some change in the market in relation to automotive manufacturing. There is \$3 million over two years to support the training of automotive supply chain workers so that people can achieve gainful employment after a change in the management styles and production methods employed by our car industries globally; changes are occurring not just here in Australia but globally.

Our vocational education and training funding is supporting much higher enrolments in training. In 2010 there were 426 900 government-subsidised enrolments in VET. In 2013 we increased that to 645 000 places, an increase of 51 per cent. How can those opposite even start to claim that there is less opportunity for people to receive training when clearly there is more opportunity and people are taking up that opportunity?

We are moving the subsidised places to allow people to get work. In regional areas there has also been a change in the figures. In 2010 regional enrolments were 126 300. In 2013 regional enrolments had increased to 168 200, which is a 30 per cent increase. Again, people are taking up vocational education and training because there is a job at the end of it. We are looking at training people for work, not just giving them a piece of paper that looks good on the wall. We are actually providing them with the skills they need to take up employment.

We are also seeing an increasing number of Indigenous people taking up vocational education and training — up 35 per cent since 2010. Enrolment of people with disabilities is up 49 per cent since 2010. Enrolment of people from culturally and linguistically diverse communities who have backgrounds where English is their second language has increased by 95 per cent.

They are able to come in and participate in vocational education and training. Enrolment of unemployed people is up 116 per cent. These are people who actually want to get into the workforce and want to learn new skills, and we are giving them that support.

In 2013, 60 per cent of industry-specific enrolments were delivered to the six highest industry sectors employing Victorians. This only makes sense. There is no sense providing training for people for a job that does not exist. What we are doing is focusing vocational education and training in this state towards providing jobs. These are areas such as health care and social assistance; retail trade; manufacturing; professional, scientific and technical services; construction; and education and training. We are focusing on those growth areas to provide young people and people who are seeking training — whether they are a former automotive worker or a person who wants to get some extra skills in order to better provide for their families — the ability to retrain. They are deciding to move into those six areas because there is where jobs growth is occurring.

That focus makes sense for us. In Victoria we are investing in people's education and then they will be able to give back to the community through undertaking work and ultimately paying — that horrible word — 'tax'. When they pay their taxes they are able to assist in further building the economy and further building our capacity to train yet more people in other areas that may rise and fall. This is the thing: industries ebb and flow. They do not stay stagnate all the time. In a controlled economy, as those opposite want and claim to be the case, it does not work like that. An economy ebbs and flows: different industries rise and different industries fall. I read somewhere that 20 per cent of the jobs that will be available in 20 years time do not exist now. We need to be flexible in our ability to provide people with the training they are going to need for whatever those jobs are going to be into the future.

Training in specialised jobs or occupations where there is a shortage increased by 34 per cent in 2010 to 43 per cent in 2013. We have increased the number of people who are in those training courses.

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

Mr ELSBURY — Once again I rise to speak on Ms Tierney's motion, which I have already pointed out has many flaws — not floors like a high-rise apartment block, but flaws as in it does not necessarily hold to the truth of the matter in relation to the youth employment scheme. It ignores every opportunity that has been

given to young people through other schemes that are available through the private sector. Labor's analysis of the number of people who are out of work is completely wrong. Last but not least, its claims that Victoria's unemployment levels are at 20 per cent and the highest on mainland Australia do not ring true, especially as South Australia and Queensland have higher youth unemployment figures than we do here in Victoria.

I have already gone through some of the initiatives we are undertaking to encourage young people into work. I have spoken about the statistics on how many people are out of work in regional areas and about the job opportunities this government is providing for people — not just young people, but certainly young people will have opportunities in new jobs that will be made available not just in trades but across the board.

I am now up to talking about vocational training. Before the lunch break interrupted my train of thought I was talking about shortage occupations. In shortage occupations — for example, child carers — enrolments went up 110 per cent between 2010 and 2013. Truck driver enrolments are up 217 per cent. Welfare support worker enrolments are up 87 per cent.

Mr Barber interjected.

Mr ELSBURY — As we can see, there has been an increase in the number of people receiving training in areas where there is a shortage.

Mr Barber interjected.

Mr ELSBURY — Mr Barber is making some inane comments. I will not get into them because I will get to have fun with him later on a motion that he has put up. What we have here is a motion that is completely flawed from whoa to go. It is a motion that has been put up disingenuously to push a political agenda of the Labor Party and to try to paint the government as something it is not. We in the government are concentrating very hard on providing the young people of Victoria with opportunities. It makes no sense for us to do otherwise. It makes no sense for a government not to provide opportunities to young workers.

Trying to launch an entire attack based on one small aspect of the training opportunities available to young people in this state does not stack up once you break it down and analyse what is happening in the broader scheme of things, where the government is encouraging further work and new industries to come in. I have not mentioned the trade missions undertaken by this government to attract new investment to this state. Nor have I mentioned the trade agreements we have in

place, whether in Indonesia or the new one established in South Korea.

We certainly have great opportunities in broadening our markets, in being able to get out there with Victorian government business offices and in talking to industries right across the state. Rather than having them centrally controlled here in Melbourne, we have spread out the business officers so they can discuss one on one with business owners what opportunities they have available to them to expand their businesses or even to bring in new apprentices or trainees. These are all things we can be proud of as a government, and we can show there are some real benefits coming forward.

I reiterate that I will not be supporting the motion. In fact I encourage any right-thinking member of Parliament to think about what the motion says. Considering it has been so poorly researched and constructed and is so horribly wrong in every way, shape and form — each of its six points can be shot down — I do not see how anyone could vote in favour of the motion except for some vain political gain. In all honesty as soon as you scratch the surface you can see it for what it is — that is, a very poor illusion of a motion. The motion is not worth voting in favour of, and I encourage other members of the chamber to join with me in voting against it.

Mr BARBER (Northern Metropolitan) — Youth unemployment is an extremely serious issue because when we talk about young people we are not just talking about another group; we are talking about the future. What young people experience around the time they are thinking of leaving school, going into study or trying to enter the workforce is an important step that we do not want to turn into a misstep.

What I cannot understand about the Liberal Party is what it sees as the other side of mutual obligation. We hear a lot about the obligation on young people to fill in a dole diary or survive on their own money until they have no money left, or hang around for six months hoping that something is going to happen in their town before they are cut off and forced to move who knows where exactly. Some members of the Liberal Party are telling them to move to Tasmania, others are telling them to move from Tasmania. The same would be true of areas around Victoria, certainly areas I have visited, where the economic opportunities are either not that great or are only good for some who are making a good living side by side with those who are finding it extraordinarily difficult.

We hear almost every day from Liberal Party members what the obligations are on the jobseeker. What we do

not hear so much about is what Liberal Party members think society's obligation is to that person. We know deep down that secretly, and sometimes not so secretly, Liberal Party members actually like unemployment. They think a certain level of natural unemployment, as they call it, is helpful in keeping wages down and stopping inflation and, for that matter, keeping people in line. They tried it in the run-up to the release of the federal budget, but it just did not work. People said, 'Enough. We have seen your vision for what sort of dog-eat-dog Australia you want. We don't want that. We want fairness. We want to work together as a society to solve these problems', and one of the problems is unemployment.

I understand there is room for disputation about the figures, because the figures are only estimates and even concepts such as employment, underemployment and unemployment are open to discussion. That is a fair and reasonable thing. Whatever the particular unemployment figure is in a particular region or state at a particular time, what you have to admit is that 5 per cent unemployment, for example, does not mean that you and I and all the members of this chamber and all the members of society are unemployed for 5 per cent of the time or for 5 per cent of the year. It means that some people are falling into the bottom of the pool of long-term unemployed while the rest of us can do quite nicely. If you are on a good income and there is a recession or even some loss of consumer confidence, you can actually do quite nicely. You might find that the price of retail goods goes down or you can get an extension done on your house pretty easily when builders are looking around to see where their next job is coming from.

It is that question of equity which is at the heart of Ms Tierney's motion. Anyone who knows Ms Tierney knows that equity is what she is all about, and the government has really failed to address that in its response. It might have gone line by line and nitpicked at this, that and the other and put up its alternative figures — reading from a ministerial briefing sheet of course. But in hoping to achieve that kind of points victory the government missed the opportunity to demonstrate genuine compassion, a genuine understanding of the problem and a genuine sense that this was a major issue and a major responsibility in that mutual bargain between those who need to work and us as a society which needs to create jobs for them. Yes, it is a big dialogue and there is a lot of discussion to be had about that at the moment.

We have discussed the employment situation here in the Parliament before, and I note that during the global financial crisis a much-derided stimulus package was

put forward and passed only because the Greens in the federal Parliament were willing to support it, while the then Liberal Party opposition leader Malcolm Turnbull was running around with his slide rule and his microeconomics textbook trying to work out whether that was the right policy for the long run. Famously Keynes said when discussing this exact issue, 'In the long run we are all dead'. The Greens stepped up to the plate and Australia, Victoria and even the individual parts of Victoria, came through that crisis relatively unscathed — a brief reduction in employment followed by a recovery.

But since the arrival of this government that has not been the case. The population has continued to grow, the workforce has continued to grow, but employment has not grown as fast and there have been a number of dips. There has been some increase in the reported number of people employed, very few of those being in the area of full-time employment, the result being a growth in unemployment with this government apparently unable to act. It has no plan, no fight; it is just watching it happen while being totally focused on its internal political problems. The government should have already announced a wide-ranging plan to solve this problem. It should have already done something about the low year 12 retention and completion rates and movement on to university as well, which it banged on a lot about in opposition, but as the Auditor-General told us in a recent report the statistics have stubbornly refused to move, and in a few regions there is no sign of hope.

Because we have debated the issue here before I do not intend to lay out a comprehensive plan for job creation. That is a much broader debate, and I am happy to talk about that at any time. But on the specific question of assistance for young people, particularly noting that outside Tasmania we have one of the highest unemployment rates amongst young people, and particularly noting the problem in some regional centres such as Ballarat and Warrnambool, where I was last weekend and the weekend before that, it is a very real, noticeable and tangible human problem going well beyond the statistics.

It is high time the government faced up to the problem and came up with a better response, a more concerned and caring response but also a practical response, than the kind of excuse making that members just heard from the previous government speaker.

Ms DARVENIZA (Northern Victoria) — I am very pleased to rise to contribute to the debate on and speak in support of Ms Tierney's motion. I start by saying that I am not sure where Mr Elsbury is getting his statistics

from. Ms Tierney, I and others on this side of the chamber are relying on the most recent Australian Bureau of Statistics (ABS) figures, released in March. They show that Victoria's youth unemployment rate is at 20 per cent and that in fact it is the highest of any state in mainland Australia. In some regional areas of Victoria the figures are even higher than 20 per cent.

I will mention the youth unemployment statistics for a few regional areas. In Ballarat the figure is 26.2 per cent; in Bendigo, which is in my electorate of Northern Victoria Region, it is 23.3 per cent; in Hume region, which again covers part of my electorate, it is 24.8 per cent; in Warrnambool it is 20 per cent; and on the Mornington Peninsula it is 21.3 per cent. According to the most recent statistics from the ABS, there are many other rural and regional areas as well as metropolitan areas where, whilst the youth unemployment rate has not hit the high level of 20 per cent, they are not far behind.

For government members to stand up in this chamber and say that youth unemployment is not a problem, or is not a problem to the extent that it is, shows that they are simply burying their heads in the sand. As I said, I do not know where Mr Elsbury has got his statistics from. I do not know whether he has been given some faulty stats or whether it is just government spin.

We on this side of the chamber know that in our constituencies there is a real problem of youth unemployment. We know that there is a real problem for young people being able to access education and training so that they can get the skills they need to be able to gain employment. We know also that there is a real problem with jobs out there amongst our constituents. We know that that problem is particularly highlighted for young people, who do not have the skills and experience to be able to get a foot in the door and get a job. Further if you come from a regional or rural electorate, as I do, you know that there has not been anything done by members of the Liberal-Nationals coalition government to create jobs in rural and regional Victoria. They have no jobs plan. What we are seeing are jobs walking out the door, so to speak, and not jobs being created. This too creates difficulty, particularly for young people to secure employment. In small rural and regional communities and even in larger regional cities the opportunities to get employment are much thinner on the ground than they are in metropolitan Melbourne.

It is becoming more and more difficult for young people to get a job. We on this side of the chamber really value our young people. We believe that it is particularly important that we invest in them, that we

invest in education and training and that we invest in jobs so that our young people are able to gain skills through training, get a job and look after themselves in the future.

The ABS figures that were released in March are of great concern to members on this side of the chamber, even though they do not seem to be worrying government members too much. Those statistics show that the number of 15 to 64-year-olds — admittedly that is a big group — who are unemployed has increased by 9800 people. I acknowledge that these are statistics, but they are of people and they show that now 9800 people are unemployed who were not an employed earlier on. The figures have gone from 37 100 in December 2010 up to 46 900 people in February 2014, so 46 900 people in the 15 to 64 years age group are unemployed — that is, in that same period the rate of unemployment has increased from 5.6 per cent to 7 per cent.

The 2014 Brotherhood of St Laurence report on youth unemployment highlights just how dire the situation is. The report states that the number of young Australians out of work has reached ‘crisis point’ as more 15 to 24-year-olds struggle to find jobs. The people on the ground or at the coalface, such as those at the Brotherhood of St Laurence, who are working with unemployed people, with some of the most disadvantaged and disengaged young people in our community, are saying that the youth unemployment rate has reached crisis point.

In the Hume region in my electorate, which includes the Goulburn Valley and the cities of Wodonga and Wangaratta, there is a 17.5 per cent youth unemployment rate. It is not at 20 per cent, but it is not far below that. The region is considered a hot spot and is the only Victorian area represented in the national survey, which is absolutely nothing to be proud of.

Job retention and job creation in regional Victoria should be a top priority for the Liberal-Nationals state government, but we are seeing industries collapsing. Once again, regional Victoria is bearing the brunt of neglect by this government. The government has no jobs plan. It has ripped \$1.2 billion of funding from the TAFE and vocational education and training sectors. It is making it more and more difficult for young people to get the training and skills that they need to get a job. What we do know is that often it is particularly difficult to find work in smaller towns. The smaller the town or area, the more difficult it is for a young person to find work.

It is particularly important in rural and regional areas that we provide the TAFE training that gives young

people the skills and training they need so that when opportunities arise they are able to get work. Apprenticeships and training have a long history in Victoria and are a very popular choice for young people in northern Victoria who want to remain in the region and learn a trade so that they can combine training with employment. Young people need training schemes that provide skills that translate into jobs and career paths. That is what TAFE is all about. This government has ripped the heart out of TAFE; it has ripped \$1.2 billion from the TAFE system.

We need the sorts of skills TAFE is able to give young people. We need traineeships and apprenticeships — we need plumbers, electricians, builders, hairdressers, mechanics, chefs and other tradespeople to build vibrant communities in regional and rural Victoria. That is why programs such as the Youth Employment Scheme (YES) are so important. We need to invest in and develop opportunities and initiatives for our young people. YES is targeted at unemployed and disadvantaged youth, and it builds skills and opportunities in the local labour market. Employers are encouraged to offer traineeships to young Victorians aged between 15 and 24 who fall into categories such as: having low educational attainment or prior attendance at a special school; being unemployed; being Indigenous; having disadvantage in English literacy; having a disability; or having been retrenched from a previous job.

Securing a job gives young people purpose. It increases their self-esteem and gives them a reason to get out of bed in the morning. The Youth Employment Scheme has been very popular because it pays trainees to get real experience in a real job where they learn new skills and gain confidence as they go. Without access to services such as YES, young people are left without the basic skills to get them into the workforce. Ms Cindy Wallace from an employment agency that works with young people in the Albury-Wodonga region attests to this and says that a lot of employers ask for experience, but no-one is willing to give young people a go when they do not have experience. The agency works with young people straight out of school who have not gone to university and do not have work experience, helping them to source a job.

Bendigo, which is highly represented in the youth unemployment data with an unemployment rate of 13.4 per cent, is of huge concern. Dale Pearce, principal of Bendigo Senior Secondary College, said he was very concerned by the ABS figures and that they highlighted the need for the government to make sure that it is well and truly focused on education and training. Once again the government has not been listening to the people

who are at the coalface working with our young people. About his students he has said it is really important for them to find ongoing sustainable employment and that they need a sound foundation in education and training. Mr Pearce also said funding reform is most needed in communities with low socioeconomic groups and that a lot of those communities and schools are in rural and regional areas.

We have seen a lot of job cuts in northern Victoria. There have been hundreds of jobs cut from a wide range of industries at such companies as Murray Goulburn, Heinz, Don Smallgoods and SPC Ardmona, and all of these cuts have had a huge impact on the community and on job opportunities, particularly for young people. With the jobs walking out the door and industries closing there is heightened competition for the jobs that are available. This is all the more reason why we should have training available so that young people can get the skills they need to get a job. It is very difficult to get a job if you are unskilled and inexperienced — it is almost impossible.

It is becoming more and more difficult for young people to build up their skills and training under this Liberal coalition government. We have seen unprecedented budget cuts to the TAFE system affecting TAFEs in northern Victoria, with courses being cut, student fees rising, campuses closing and teachers losing their jobs. In Victorian rural and regional areas TAFE has provided affordable access to education and training, and young people in my electorate deserve to acquire the skills needed to secure employment so they can provide for their future. On this side of the chamber Labor values the contribution that TAFE has made to our rural communities, which is why it is a central plank of Labor's plan for jobs and growth.

The Victorian certificate of applied learning (VCAL) is another program this government has cut. It is an important program because it gives students the opportunity to get training and develop skills for work while completing their higher education. Earlier this year schools, parents and educators, along with the Australian Education Union, called for the reinstatement of the \$48 million funding over four years that the Liberal-Nationals coalition heartlessly ripped out of the VCAL program while turning its back on more than 12 000 secondary students. This is a very important pathway for senior secondary students and a vital alternative to the Victorian certificate of education, and to cut that funding and to deny people, particularly in rural and regional areas, that pathway is disgraceful.

In my electorate there are over 70 VCAL programs. VCAL provides an alternative to the Victorian certificate of education, as I said, for students who wish to go on to employment or to vocational training rather than to university after school. Of course VCAL also caters for students who are disengaged and deemed to be at risk of leaving school and leaving education altogether.

This government has ripped the heart out of our TAFE system, and it has cut the very important VCAL program, both areas of education and training that deliver necessary skills and training for people to be able to get jobs. The government has dropped the Apprentice Trades Bonus program and also, very disappointingly, the federal government has axed the Big Brothers Big Sisters program in Wangaratta, a lost-cost mentoring program for young people who need positive role models. A mentor of this program, Mr Greg Foster, who has extensive experience in helping young people going through troubled times at home and at school, fears that Wangaratta is really going to suffer because of the closure of this program.

Little is being done by this government. The government will not even recognise the statistics on the rate of unemployment, particularly youth unemployment and particularly in rural and regional areas. Our young people are valuable, and they are critical, particularly in rural and regional communities, for a vibrant and sustainable future. On this side of the chamber we are very concerned that the government is failing to support our young people. Instead of standing up and criticising Labor members and the motions we bring forward, Liberal-Nationals coalition members should be making a commitment to education, to training and to jobs. The axing of the YES scheme and funding cuts send a clear message that education and skills do not matter in Victoria under this Liberal-Nationals coalition government.

Mrs PEULICH (South Eastern Metropolitan) — It is always a pleasure to follow the Labor Party spin doctors in order to shed some light and rationality on their spin, which members would have just heard. Let me just say from the outset that the best thing Victorians can do to improve employment, including youth employment, is to elect a Liberal government. That is absolutely the best thing Victorians can do.

Labor typically focuses on the consequences of its own incompetence — the tail end, the victims of its industrial relations policies, of its failed programs, of its failed education policies, or of its badly run economy and state budgets. Its programs focus on the victims, but we like to create an environment in which everyone

has the opportunity to prosper and thrive. A well-run economy and a well-run state budget are the bread and butter of the creation of an environment where the private sector can thrive, where jobs can be created, where even the private sector can have some stability and where there is opportunity for young people.

Putting a member of the Construction, Forestry, Mining and Energy Union (CFMEU) such as Daniel Andrews, the Leader of the Opposition and member for Mulgrave in the other place, in charge of Victoria — God help us — and in charge of the Victorian state budget and the Victorian economy will bring this state to its knees. The economy will grind to a halt. Not only will there be skyrocketing levels of youth unemployment, but there will be unemployment, full stop. Regrettably the focus of the union movement has always been on protecting the jobs of union members and not on looking after people without jobs.

A Liberal government will always create an economy that generates jobs and generates prosperity, and we know most of those opportunities come out of the private sector. That is why, for example, the Napthine coalition government's runs on the board will put young people and families — older workers and young people — in the best position to secure a job and secure their future.

Obviously we are investing in infrastructure. There is the benefit of creating thousands of jobs through substantial investments in infrastructure, including, for example, investing in the construction of the east-west link, which Daniel Andrews and the Labor Party oppose. I would not like to reflect on the Chair, but those people who have sense know these jobs are good jobs that are good for Victoria and good for improving the competitiveness and efficiency of business and that such projects create jobs. Such projects also improve amenity for many road users who are caught up in congested traffic right around Melbourne. There are the grade separations, the investment in rail, the investment in a whole range of infrastructure projects right around the state and the investment in improved services such as the national disability insurance scheme — these are all job-generating investments that will mean more jobs for ordinary Victorians and more jobs for young people.

The greatest killer of jobs would be to give control of this state to Daniel Andrews and unions such as the CFMEU. Workplaces would grind to a standstill, and the inflexibility of a Labor regime would kill off any private sector economic activity.

Victoria continues to be the only state to retain a AAA credit rating. That is very important for a robust

economy. We have a strong budget position and a strong surplus, and we have the ultimate objective that significant infrastructure will be funded through the accumulation of surpluses.

Supporting economic activity is a theme that runs through every portfolio of this government. In relation to the multicultural affairs portfolio, which is my other area of responsibility, in 2012 the government released a policy document entitled *Victoria's Advantage — Unity, Diversity and Opportunity*. That policy has taken the next step up. Every portfolio area of this government has a focus on jobs and economic activity. Not only are we focused on citizenship, participation and social cohesion — on social and cultural benefits — but we are also looking at the economic benefits of having a diverse community. This policy, *Victoria's Advantage*, places a very strong emphasis on harnessing the economic benefits of multiculturalism for all Victorians. It includes objectives and commitments designed to enable Victorians to capitalise on the economic advantages our multicultural communities provide. Many people in these communities start up small businesses.

As Mr Elsbury mentioned in his contribution, the government has led a number of trade missions to South-East Asia, India, China and Japan. There have been various opportunities explored in Latin America, especially with the export of educational opportunities. We will deal with anyone if we believe there is going to be an economic opportunity and an advantage, and we are able to leverage those opportunities off the diversity of our multicultural community. The government has involved 4000 delegates in its various trade missions, which have derived several million dollars of benefits for Victorians. For us, job creation is at front and centre of every policy and every portfolio. We do not simply focus on cleaning up the mess created by failed policies, which are typically delivered by Labor.

In relation to planning reform, the Minister for Planning has been focused on streamlining our planning framework and on giving communities the opportunity to determine and define the nature of their physical environment. The consultation has been there. However, once that consultation has been completed, the government has aimed to expedite planning permits so that economic activity can continue. These are the drivers of growth.

Even the way the government allocates grants now is focused on job creation; it is all focused on job creation. The Minister for Manufacturing is responsible for issuing a range of grants, and I have had the pleasure of accompanying him when such announcements have

been made. Such grants may focus on businesses that need to purchase equipment to improve their competitiveness so they can grow their markets, their business and their export potential, and this can lead to those businesses hiring more people and creating more jobs. Those grants have been enormously successful.

I will not spend a lot of time talking about the proposition put forward by the opposition, which is basically a misrepresentation that deals with only one end of the equation. Let me put this into context. The youth unemployment figures — and obviously I do not support this motion — do not accurately reflect the number of young people who are either unemployed or not in full-time education. If we look at Victoria's 12-month average to April, we see that there were 769 300 young people unemployed, 447 900 of whom were in full-time education. The number of young people in employment was 438 300, the number seeking work was 64 400, the number seeking work and not in full-time education was 30 900, and the percentage of young people unemployed and not in full-time work was actually 4 per cent. You can spin it any way you like.

We have heard Labor members wax lyrical about the cuts to TAFE. Where were they when Lynne Kosky, a former education minister, and John Brumby, a former Premier, reformed the TAFE sector in 2009, opening it up to contestability to the private sector — that is, to the registered training organisations (RTOs)? Invariably, if you have any common sense whatsoever, you will understand that once this sector was opened up to competition the total money allocated to TAFEs was ultimately going to decline, because the RTOs were always going to pick up a lot of those training opportunities. One may well ask why Labor did that. Why would it implement reforms that take money out of the TAFE sector and move it to RTOs?

Mr Barber interjected.

Mrs PEULICH — There are RTOs that may actually be affiliated with key unions, so this is a good way for Labor to move money to some of its mates. I am not suggesting that that has been the hallmark of a lot of the RTO pick-up. Some of the RTOs have been delivering good quality training to an increasing number of young Victorians. However, we have also had to clean up the shonky operators to make sure that some of them did not get contracts again and to make sure there is a means for us to intervene when they were not delivering on their contracts. To say that we have been responsible for TAFE cuts is just a blatant lie.

I turn to some of the other points raised in the motion. The opposition claimed that Victoria's youth unemployment rate is the highest on the mainland of Australia. As I have mentioned, this is obviously incorrect. On a 12-month average, the youth unemployment rate is higher in Queensland, where it is 13.4 per cent, and South Australia, where it is 14.2 per cent. In addition, 58.2 per cent of the Victorian youth population were in full-time education, a further 32.5 per cent were employed over the year to April and 4 per cent of the total youth population were unemployed and not in full-time education. This is the number we need to look at; it is 0.3 percentage points lower than last year's figure, and it is 0.1 percentage point lower than Labor's last year in office. These figures show that this motion is tricky. Labor is tricky.

Hon. W. A. Lovell — Mean and tricky.

Mrs PEULICH — Labor members are mean and tricky. In the Assembly we have Mr Andrews portraying himself as the defender of democracy. What would he do? He would make the Victorian Parliament akin to the Mugabe regime, without the killings. He wants to expel a democratically elected MP, who obviously does need to be dealt with, with a click of the fingers. If Daniel Andrews became Premier, what would prevent him from doing the same to three MPs or four MPs? Obviously democracy means nothing to Mr Andrews, and his recent conduct is a reflection of the sort of state he would run in the future.

Mr Leane — On a point of order, Acting President, I am not sure that the speaker's diatribe is relevant to the motion.

Mrs PEULICH — I will certainly return to the motion, Acting President, but the point I was attempting to make is that Labor is tricky, and this motion is tricky. It does not tell the whole truth. Far from it. The facts do not stand up to scrutiny and the motion only looks at the small number of people who have been the victims of bad state government policy. The coalition government put in place programs for those who need assistance. There are a range of programs that provide funding for TAFE. The funding the government has made available to vocational education and training (VET) is \$1.2 billion, which compares very favourably to the \$800 million that Labor allocated to this sector. We have invested more money in education, and some of the results in enrolments have been phenomenal. What the government has done, unashamedly, is direct money to areas where there is a national skill shortage. That is responsible policy. To do anything else would be to short-change our young people, short-change our state,

short-change our nation and short-change our taxpayers.

Let me just have a look at some of these enrolments. As I said before, the coalition government is delivering \$1.2 billion a year to VET over the next four years. This stands in stark contrast to the \$808 million allocated to VET in Labor's last budget. In addition to that, we are providing \$30 million over two years to support training for automotive supply chain workers. Our VET funding is supporting much higher training enrolment numbers as well. In 2010 there were only 429 900 government-subsidised enrolments; in 2013 enrolments increased by 51 per cent to 645 000. That is a monumental increase. All of the doomsayers, including the previous speaker, Ms Darveniza, have obviously been ignoring the facts.

Of course it is not just the metropolitan areas that are seeing this growth; government-subsidised regional enrolments are also up. In 2010 regional enrolments were 126 300; in 2013 regional enrolments increased by 30 per cent to 168 200. Victoria now has the highest number of students participating in VET as well as the highest participation rate of any jurisdiction in Australia.

We are also seeing huge increases in training enrolments by vulnerable Victorians. Enrolments among Indigenous people are up 35 per cent since 2010; among people with disabilities enrolments are up 49 000 since 2010; among people from culturally and linguistically diverse communities enrolments are up 95 per cent since 2010; and among unemployed people enrolments are up 116 per cent since 2010. Why? Because people know that if they undertake government-subsidised training in areas of skills shortage, their time is not going to be wasted as they are going to be in a very good position to get a job.

This shows that every policy and every portfolio plays a key role in supporting our economic activity, which is obviously where jobs are created. As a result of the coalition government's reforms, Victorians are now training in skills that will actually lead to jobs. In 2013, 60 per cent of industry-specific enrolments were delivered in the six highest employing Victorian industry sectors: health care and social assistance; retail trade; manufacturing; professional, scientific and technical services; construction; and education and training.

I will not go on about this. Clearly I am very proud to be judged on the achievements of this government and on the fact that we now have 70 000 more Victorians in jobs than when we came to office. I am also proud of

the magnificent announcements in the recent budget which will mean many more thousands of Victorians will be in jobs, including our young people. This is about our future. That is why I unashamedly oppose this motion.

Mr SCHEFFER (Eastern Victoria) — The facts of the Victorian coalition government's record on youth unemployment contained in Ms Tierney's motion in themselves represent a blistering indictment of the appalling damage that the Baillieu and Napthine coalition governments have inflicted on the young people of this state. A government that turns on its young, that deprives them of nourishment and knowledge, in the end turns on itself. Of course societies are not homogeneous — they are stratified in various ways — and it has always been the way with coalition governments that their policies and programs cost disadvantaged Victorians more than they cost those with private means.

Victorians saw this very amply demonstrated with the Baillieu government when early in its term it attacked the Victorian certificate of applied learning (VCAL) program by cutting some \$12 million of funding per year. This resulted in individual schools losing around \$120 000 a year from their budgets, money that paid for program coordinators who liaised with employers to secure student placements. This budget cut directly affected those young people who most need support — those who are disengaged and those who are at risk of dropping out; in other words, the most disadvantaged. The VCAL budget cut of \$12 million a year hit small rural schools the hardest because they were the schools that did not have the resource flexibility to skim the shortfall off other school programs, which many of the larger schools were able to do.

In answer to the outcry about this savage budget cut, the Baillieu government's then skills minister, Peter Hall, said that the allocation to coordinate the program was 'additional' funding. He said that money was only ever intended to support the establishment of the program and that it was no longer required because the programs and the coordinators who helped deliver them were well established and entrenched in schools. These most vulnerable students, those who most needed careful support to transition from school into employment, were the very ones that this government hand-picked to make their lives just that much tougher. Yet unbelievably, in the face of a torrent of evidence, Mr Hall said at the time that there was no reason any student should be disadvantaged by the budget cut. So when I say that coalition governments hit the most disadvantaged young people in our community, the

treatment of VCAL stands as absolutely incontrovertible evidence.

But the standout example of this coalition government's recklessness towards the young is of course the attack on the TAFE system that took \$1.2 billion. This cut has closed campuses, discontinued courses and derailed the efforts of countless young people who were doing their best to skill themselves up to make the best contribution to their community so that they could be self-reliant and work ready.

In the years I have been a member of this place I cannot recall any other issue that struck so deeply into the lives of almost every Victorian family. I can recall no funding cut that did more to trash the reputation of a government than this single measure. Of course the cost of the budget cuts to VCAL and TAFE is economic as well as personal because disrupting these educational programs lowers the aggregate skills present in the workforce, thus necessarily dampening productivity.

Ms Tierney's motion notes that the Victorian coalition government is reducing the number of traineeships at the very time that unemployment amongst young people has reached alarming levels. What is equally shocking is the staggering drop in the funding level per traineeship from \$4500 to \$500.

Ms Darveniza drew attention to work undertaken in February by the Brotherhood of St Laurence. It produced the *My Chance, Our Future Youth Unemployment Campaign* document, which contains a series of youth unemployment maps for Australia and shows the current data for Victoria. In view of the remarks Mr Elsbury made in his contribution to the debate, members should be reminded that these figures are from Australian Bureau of Statistics (ABS) data that was current at the time. The publication came out in February, so presumably these figures relate to the end of 2013. The figures show that for young people aged between 15 and 24 the unemployment level was 12.4 per cent, which is more than double the standard for the general community.

The figures for other states for the same period range from a high rate for Tasmania of 17.4 per cent to a low rate for the Australian Capital Territory of 11.3 per cent. As Ms Darveniza mentioned, the document also indicates that the highest youth unemployment in regional Victoria was in the Hume region, with a rate of 17.5 per cent, and the lowest was in the Ballarat region, with a rate of 9.2 per cent. In the greater Melbourne region, there was a high of 14.8 per cent and a low of 10.3 per cent in the inner south.

Ms Tierney's motion also points out that the Napthine coalition government's record on unemployment is poor, with more than 52 000 jobs having been lost in Victoria since the coalition came to office. Ms Tierney also indicated quite an extensive list of ABS figures, the most recent being for April, with the figures published in May. For Mr Elsbury's benefit he may wish to look at ABS catalogue 6202. If he has a look at the catalogue, he will see that the figures Ms Tierney mentioned in her contribution earlier today, which he attempted to discredit by indicating that the figures were far lower, are correct. What he said was not true. He should check the data, then come back to this chamber and see if he can say to the members here that the figures Ms Tierney used are inaccurate, because they are not. Mr Elsbury should check his facts and not denigrate what members of the opposition say when their research is impeccable.

Returning to the Brotherhood of St Laurence document, it indicates that right up until the global financial crisis long-term youth unemployment was trending down but that since 2011 the unemployment rate has been on the rise. It does not go into the reasons for youth unemployment, but the causes are well known. One of the most glaring facts is the correlation between low educational achievement and youth unemployment, and we know this coincides with low expectations on the part of the young person, their family and cohort and often results in low aspirations. Young people with low skill levels, low expectations of themselves and low aspirations fall into depression, and this cycle manifests itself more in certain geographic areas than others. Unsurprisingly the Brotherhood of St Laurence report shows that higher youth unemployment correlates to lower socioeconomic areas.

Young workers are particularly hit during periods of economic downturn. This means that unemployment amongst young people increases at a faster rate than it does for the general population, and I have already mentioned the global financial crisis, which had a severe impact on employment and on young people. The ongoing challenge regarding youth unemployment is that if the young do not find work or do not have positive employment experiences when they start out, it is likely to lead to ongoing difficulties in finding a job. The cycle of demotivation, despondency and de-skilling sets in on the part of the young person, and employers are less and less inclined to take on that young person if they have not already been in a job.

The widespread view is that there are two problems with unemployment: lack of income and lack of meaningful social engagement. There is almost no more serious problem we can experience in a modern

economy, especially one as rich as Australia's, than a lack of income. Every citizen has a right to expect that the community, through government, will ensure that no-one is left without financial and material support. While I believe this is a moral imperative, it is also a pragmatic approach because in providing some level of dependable resources to every citizen who has fallen on hard times through, for example, economic downturns, we ensure that citizens are not forced into crime, into a situation where they place themselves in danger or into the black economy.

Of course many jobs bring self-respect and dignity, but many do the opposite, either because they are part of an activity that does not bring respect, for good or bad reasons; because the management practices devalue and disrespect employees; or because the wages and conditions make it impossible or very difficult for workers to live and support their families. Let us not romanticise any and every job as having equal worth. Governments can do much to improve the attractiveness of jobs by ensuring that base wages and working conditions are the best the economy can afford and that constructive relations are fostered between employers and workers instead of fomenting conflict.

In relation to young people entering the workforce, it seems to me that the first responsibility of government is to ensure that good education and skill development are available to every young person and that unions, professional organisations, industry, business and employers are actively engaged in the process. Governments must put a premium on investment in training that is linked to economic growth and development and provides the supports that enable all young people to access the training. This means income support, affordable courses and professional career advice.

I referred earlier on to the Brotherhood of St Laurence document *My Chance, Our Future*, which points out that young people need to be job ready and that a youth transition service that focuses on building employability would be a positive initiative, and I agree with that. *My Chance, Our Future* indicates that work experience, coaching, vocational guidance, rapid action to prevent disengagement, connection with local employers — all these things — are key elements in any program that aims to reduce the unacceptably high levels of youth unemployment that Victoria and Australia currently face.

In conclusion, federal and Victorian coalition governments are regrettably taking us in the opposite direction. Ms Tierney's motion today draws I think very timely attention to those failings of the Napthine

government, and I believe that government stands condemned for its neglect.

**Debate adjourned on motion of
Mr D. R. J. O'BRIEN (Western Victoria).**

Debate adjourned until later this day.

GAMBLING REGULATION AND CASINO CONTROL AMENDMENT BILL 2014

Introduction and first reading

Ms HARTLAND (Western Metropolitan) introduced a bill for an act to amend the Gambling Regulation Act 2003 and the Casino Control Act 1991 to amend bet limits for gaming machines and for other purposes.

Read first time.

ROAD SAFETY ROAD RULES 2009 (OVERTAKING BICYCLES) BILL 2014

Introduction and first reading

Mr BARBER (Northern Metropolitan) introduced a bill for an act to amend the Road Safety Road Rules 2009 in relation to the overtaking of bicycles and for other purposes.

Read first time; by leave, ordered to be read second time forthwith.

Statement of compatibility

Mr BARBER (Northern Metropolitan) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities (the charter), I make this statement of compatibility with respect to the Road Safety Road Rules 2009 (Overtaking Bicycles) Bill 2014.

The main purpose of this bill is to amend the Road Safety Road Rules 2009 (the road rules) to require a driver or motorbike rider to maintain a minimum prescribed distance when overtaking a bicycle.

Under the road rules, all drivers and riders must leave a safe distance when overtaking. Clause 4 of the bill prescribes the safe distance to be 1 metre or 1.5 metres, depending on the speed limit that applies to the length of road.

Clauses 3 and 5 amend the road rules to provide exceptions to other road rules so that drivers and motorbike riders may legally move the prescribed distance to the right to overtake a bicycle, when it is safe to do so.

The prescribed safe distance applies only to drivers and motorbike riders overtaking a bicycle, but not to bicycle riders

overtaking a bicycle. However, drivers and riders are not distinct groups of people, so section 8 of the charter is not engaged.

The bill protects the right to life expressed in section 9 of the charter by enhancing the safety of vulnerable road users.

I consider the Road Safety Road Rules 2009 (Overtaking Bicycles) Bill 2014, as introduced to the Legislative Council, is compatible with the human rights protected by the charter.

Greg Barber, MLC

Second reading

Mr BARBER (Northern Metropolitan) — I move:

That the bill be now read a second time.

The Road Safety Road Rules 2009 (Overtaking Bicycles) Bill amends and clarifies the law in relation to motor vehicle drivers — cars, trucks, buses — overtaking bicycle riders.

Under the current laws, all drivers must overtake every other vehicle, including cyclists, at a sufficient distance to avoid a collision. There are penalties for failing to do so.

But what individual drivers may consider to be a safe distance is subjective. They are looking at it from their own point of view, as drivers.

The law is unclear, and the effect of this bill is to clarify it. In doing so, it codifies existing best practice for driver education and adopts an approach that is proposed by other states and used in Queensland.

Why we need the new law

Some of the most common collisions for bicycle riders are being clipped by a car or the car's side mirror. This can have disastrous consequences for the rider.

A recent Monash University study of risk factors for on-road commuter cyclists¹ shows that the most common incident type — that is, collisions and near misses — for cyclists in Melbourne is sideswiping, which is when a vehicle passes a bicycle rider too closely.

Sideswiping alone accounted for 40.7 per cent of all incident types in the study. Cars turning left or merging left across the path of the cyclist caused a further 16.6 per cent of incidents.

The study showed that the bike lanes were 'disjointed and often ended abruptly', with nearly half the incidents occurring where a bicycle lane was present, so bicycle lanes and infrastructure alone do not offer enough protection.

The bill

This bill does not create a new road rule or any new penalties.

It simply takes an existing road rule and improves it.

The existing rule for safe overtaking of all vehicles is rule 144, which provides that all vehicles must leave a 'sufficient distance' when overtaking. The penalty for failing to do so is 10 penalty units.

But rule 144 lacks a definition of 'sufficient distance'. It is left entirely up to the discretion of the driver, who is generally well intentioned and law abiding but no expert. One driver may think a centimetre is enough; another may be so cautious that they fail to pass the bike at all.

A police officer attempting to enforce the law is also without guidance. If a collision occurs, other laws come into play. But where there is no collision, the law is difficult to enforce.

If a car overtakes a bicycle rider with a space of 25 centimetres but the rider is forced into the kerb and crashes, did the car leave a sufficient distance? Of course not. Can the driver argue that 25 centimetres — or even 5 centimetres — is a sufficient distance to avoid a collision, in the absence of a definition? Yes.

The heart of my bill is clause 4, which creates a definition of 'sufficient distance' in relation to a driver of a motor vehicle overtaking a person who is riding a bicycle.

If the speed limit that applies to the road is not more than 60 kilometres per hour, a sufficient distance for overtaking a bicycle rider is 1 metre. On faster roads, a sufficient distance is 1.5 metres.

Clauses 3 and 5 make minor consequential amendments to other existing laws, so that drivers overtaking bicycle riders may move to the right, or move out of their marked lane, or cross a continuous line, if it is safe to do so. Drivers may already do these things if it is safe to do so in other circumstances.

The provisions of this bill have been carefully chosen to be consistent with the Queensland law, the proposed

¹ Johnson, M., et al., Naturalistic cycling study: identifying risk factors for on-road commuter cyclists. *Annals Advanced Automotive Medicine*, 2010. 54: p. 275-83. <http://www.ncbi.nlm.nih.gov/pubmed/21050610>

Western Australian law and the model rules promoted by the Amy Gillett Foundation.

The safe passing distances in this bill are consistent with the Victorian government's instructions to Victorians who are learning to drive. *The Road to Solo Driving*² is the Victorian government handbook that learner drivers use to pass their licence tests. It explains and illustrates the road rules.

In relation to overtaking bicycles, *The Road to Solo Driving* states the following, under the heading 'Rules and responsibilities'.

Drivers should leave at least 1 metre clearance when overtaking cyclists or motorcyclists and more clearance on higher speed roads.³

On the following page, there are illustrations of the rules and responsibilities.

The illustration for overtaking bicycles and motorcycles shows an arrow measuring the space between the right-hand side of a bicycle and the left-hand side of a car. The arrow has the words 'more than 1 metre' printed over it, to show that the learner driver must leave more than 1 metre of space when passing a bicycle, as a rule or a responsibility for driving on Victoria's roads.⁴

The bill is also consistent with the message to all Victorian road users issued by Chief Commissioner Ken Lay of Victoria Police in February this year.⁵ The police commissioner made his statement 'as a police officer, as a driver and as a cyclist'. He said:

Be patient when you are driving and give bikes at least 1 metre clearance when passing. More if you are travelling over 60 kilometres per hour ...

The vulnerability of cyclists does put the responsibility on motorists to drive safely and in a way that doesn't risk the lives of cyclists.

Victorian drivers want to obey the law. But the law is unclear, so this bill creates clarity and certainty.

Amy Gillett Foundation

My bill was prompted by the Amy Gillett Foundation campaign 'A metre matters'.

The Amy Gillett Foundation commemorates Australian cyclist Amy Gillett, a PhD science candidate from Buninyong who was killed by a car while she was training in Germany. Her teammates were also injured.

The charity foundation set up in her name focuses on bicycle rider safety.

The Amy Gillett Foundation has achieved a great deal in their four and a half years of campaigning. They have been instrumental in encouraging and enabling cycling safety measures across the country, including the bill I am introducing today here in Victoria.

Cycling safety measures in other states

The principle of a minimum passing distance for bicycles crosses party lines and unites politicians from different parties, as we can see from the measures around the country.

The common theme is a prescribed minimum passing distance of 1 metre for roads with a speed limit up to 60 kilometre per hour, 1.5 metres for faster roads and associated changes to allow drivers to overtake cyclists when it is safe to do so.

Leading the way is the conservative Queensland government. A two-year trial of minimum passing distance laws commenced on 7 April this year. It is the first action from a suite of recommendations of the Queensland Parliament inquiry into cycling issues.⁶

Last week, the ACT Parliament completed its inquiry into 'vulnerable road users' such as pedestrians, cyclists, and motorcycle riders. The report included recommendations for safe passing distances that are identical to those proposed by this bill.

In Western Australia, my Greens colleague Lynn MacLaren introduced the Road Traffic (Keeping Safe Distances from Bicycles) Amendment Bill in March this year.

National road rules

It is unusual for states to have their own variations on national road rules model laws, but it is not unprecedented. In fact, Victoria has a strong record of supporting innovative road rule variations before they have been adopted at a national level.

² *VicRoads Road to Solo Driving Handbook*
http://www.vicroads.vic.gov.au/NR/rdonlyres/0595337B-F764-4157-8516-D355A51AD409/0/RoadtoSoloDrivinghandbookEnglishPart4_1212_WEB.pdf

³ *Road to Safer Driving Handbook* Page 136

⁴ *Road to Solo Driving Handbook* page 137, figure 76

⁵ <https://www.youtube.com/watch?v=lq0XwIkNiFQ>

⁶ *A New Direction for cycling in Queensland*, Parliament of Queensland Report No.39, Parliament of Queensland Transport, Housing and Local Government Committee November 2013 <http://www.parliament.qld.gov.au/work-of-committees/committees/THLGC/inquiries/current-inquiries/INQ-CYC>

For example, the 50-kilometre-per-hour local speed limit rule was implemented in four states — including Victoria — before the transport ministers approved the change to the national model rules.⁷

In relation to cycling, Victoria championed the use of bicycle storage ‘boxes’ at intersections. Those are the painted road areas at traffic lights where bicycle riders can get in front of the lane of traffic, to be more visible and safe in the intersection. That innovation started in Melbourne, in a trial on St Kilda Road, but it took nine years to spread to other states and become part of the model national road rules.⁸

For a short period, Victoria was the only state where certain types of power-assisted bicycles could be ridden as bicycles, following a Napthine government road rules innovation.⁹ New South Wales and Queensland have followed, but the national model road rules have not caught up yet.¹⁰

In relation to a prescribed minimum passing distance, Queensland has innovated, so they currently have a unique variation on the national road rules. Other states may be about to follow.

A strong increase in people getting on their bikes and the sudden spike in road deaths and injuries around the country means that we must move faster than the Australian Road Rules review board.

Since Victoria is the strongest cycling state, we should lead the way, or at least not wait for the outcome of the two-year trial in Queensland.

The Queensland trial will give us measured death and injury data in an Australian setting, which is the one element that has been lacking in the debate.

But the precautionary principle would guide not to use a lack of scientific data as an excuse to delay measures that are likely to have a positive benefit.

⁷ National Transport Commission *Review of the Australian Road Rules and Vehicle Standards Rules Draft Evaluation Report* (July 2013) p.25
<http://www.ntc.gov.au/filemedia/Reports/ReviewARRAVSRDraftEvalRepJul13.pdf>

⁸ Ibid p.28.

⁹ Premier of Victoria media release 18 September 2012: Victorians get the power to pedal, European-style
<http://www.premier.vic.gov.au/media-centre/media-releases/4888-victorians-get-the-power-to-pedal-european-style.html>. See also Victoria Government Gazette S318, 18 September 2012.

¹⁰ Op cit National Transport Commission, p.9

Last year was disastrous for bicycle riders. The national road toll went down, except for bikes, which had double the number of fatalities in 2013 than in 2012.¹¹ This was not an anomaly, since I am sorry to say that this year is tracking the same way.

The move to a national safe passing distance law is inevitable. Action at a state level will make it happen sooner.

I have drafted my bill to make sure it adapts readily to any future changes to the national road rules with respect to safe passing distances. Rather than amend the Road Safety Act, the bill amends the Victorian road rules directly. Clause 6 of the bill provides that the amendments made by this bill may be altered or repealed in the same way as other road rules.

Broader benefits of the legislation

As well as the direct benefits of reducing the number of deaths and injuries by cyclists, a safe passing distance has broader social and economic benefits.

The Victorian government’s Better Health Channel promotes ‘riding to work or the shops [as] one of the most time-efficient ways to combine regular exercise with your everyday routine’.

Cycling is low-impact exercise that can be enjoyed by people of all ages. Regular cycling has many physical and mental health benefits. It is one of the best ways to reduce your risk of health problems such as stroke, heart attack, some cancers, depression, diabetes, obesity and arthritis.

It goes on to describe the other benefits of cycling — it is cheap, you can adapt the exercise to your fitness level, it is low impact, causing less strain and injuries than other forms of exercise, and it is fun. The Better Health Channel explains that because cycling is fun and gets you outside, you are more likely to stick with it than other exercise routines.

The Victorian government also promotes cycling as —

Time-efficient — as a mode of transport, cycling replaces sedentary (sitting) time spent driving motor vehicles or using trams, trains or buses with healthy exercise.

The broader economic benefits of encouraging cycling include the greater productivity of a healthier workforce and the more efficient use of public money.

¹¹ <http://www.abc.net.au/news/2014-01-01/national-road-tolls-2013/5181358>

Every new cyclist on a safe road is money in the pocket for the Victorian government, in terms of road spending, public transport and health.

I commend the bill to the house.

Debate adjourned on motion of Hon. D. K. DRUM (Minister for Sport and Recreation).

Debate adjourned until Wednesday, 25 June.

The PRESIDENT — Order! In respect of the Road Safety Rules 2009 (Overtaking Bicycles) Bill 2014, I wish to make a statement to the house. The Road Safety Rules 2009 (Overtaking Bicycles) Bill 2014 introduced by Mr Barber is unusual because it seeks to amend only subordinate legislation, the Road Safety Road Rules 2009, made under the authority of the Road Safety Act 1986 — in other words, regulations. There have been instances of an amendment bill seeking to amend a principal act and subordinate legislation, but it is unusual for a bill to amend only subordinate legislation. For this reason it is procedurally useful to place on the record that this bill is in order. Nothing in the principal act, the Road Safety Act 1986, and nothing in the Subordinate Legislation Act 1994 prohibits such a bill from proceeding. The passage of a bill that only amends subordinate legislation does not prohibit the ability of the executive to amend the rules in the usual manner.

RENEWABLE ENERGY TARGET

Mr BARBER (Northern Metropolitan) — I move:

That this house —

- (1) notes the submission by the state of Victoria to the review of the commonwealth renewable energy target, currently under way;
- (2) rejects the recommendations of the state's submission; and
- (3) calls on the state government to support the renewable energy target in its current form and to develop a renewable energy plan for Victoria.

I was somewhat heartened when I saw the New South Wales government's submission to the renewable energy target review.

Mr Tee — It was sophisticated.

Mr BARBER — It was sophisticated; I would go that far, Mr Tee. In fact since the New South Wales government already has a plan for renewables — and that is in fact a plan to expand renewables — it is entirely consistent that it argued for the continuation of

the current renewable energy target in pretty much its current form.

I was quite hopeful then that the Victorian government, which stands to benefit greatly from getting its fair share of the business associated with generating power to help meet the renewable energy target, would also in the same way back the renewable energy target in its current form. After all, the renewable energy target has attracted all-party support at both the state and federal level for quite a considerable amount of time. However, over the last few years I have detected a change in the political flavour of the coalition government with respect to matters of climate change and the rest of it. I do not have time to go through the sociological phenomena that is driving that. Suffice to say, it is no longer common ground among all parties that the renewable energy target is a good thing and should be maintained.

There is this so-called review going on, but two things tell me that that review is heading towards drastically winding down, diluting or altogether scrapping the renewable energy target. One is the amount of barracking from random coalition backbenchers — both state and federal — and also numerous parts of the landscape saying that the renewable energy target is the worst thing ever; it is the ruination of us. The second thing is the people the federal government put in charge of this review, among them a notorious climate change denier. The firm that was given the task of modelling the costs and benefits of the renewable energy target is part of the crew that readily churns out findings that the coal-fired power industry wants to read.

There is now a national campaign in defence of the renewable energy target. Apart from those noisy backbenchers, there has not been a great public upswelling of voices saying, 'Yes, yes, get rid of all those solar panels; get rid of all those wind farms if it will shave a little bit off my power bill'. That question is itself debatable, but I will return to that in a moment.

In fact Australians like renewables and they want to see more of them. The only real debate that is out there anymore is how fast renewables are going to make their way into the grid. I am looking at that change and seeing it happening rather quickly. Others like to suggest that it has stalled or that it is going to go no further or that it will be expensive or in some cases even technically impossible. The proof is right there. Whether you look at South Australia, Tasmania, the south-east Australian grid or other countries around the world, renewables are technically capable of providing an increasing proportion of our power needs at a much

higher rate than we currently have in the national electricity market.

Secondly, renewables are highly affordable — more affordable nowadays than new-build coal and gas. While there may be some people out there hoping against hope that a new coal or gas-fired power station could be built in their area, the fact is that right now we have 2500 megawatts of fossil-fuel power stations in mothballs. With the fall in demand for power as power consumers get smarter in the way they use it along with the continuing take-up of solar panels — particularly these days by businesses and often in the sunnier parts of the state — that situation is not going to change. In my view no new coal-fired power station will ever be built in Australia again, so it simply becomes a technical question as well as a policy-making question as to how to manage this transition in the most efficient way possible.

The New South Wales government has a plan; the Victorian government does not. In opposition the Victorian Liberal-Nationals coalition promised a 5 per cent solar target for Victoria. I have not heard one skerrick of a scintilla of a suggestion that it has any idea or willingness about how to do that. We did hear about 1 million solar roofs from Greg Hunt, the federal Minister for the Environment, and a very clear set of statements about how he was going to deliver that, but in the budget handed down just a couple of weeks ago we saw a massive downgrading of that promise to just a few token projects scattered around the landscape wherever one might try to locate a marginal seat.

There is no sign that the Victorian government wants to turn its mind to any question of the development of the renewable energy industry. It likes cutting ribbons on things like the Mildura solar farm. It probably tokenistically supports some of the proposals for biomass using agricultural waste. The fact is that those projects will not get up either — just as new coal-fired power stations will not get up — without a rational market mechanism to build the kind of new grid we want to get.

In the past it would have been the State Electricity Commission of Victoria. It did not just plan the whole thing; it built it. It even built the houses that the workers who built the thing lived in. These days we prefer market mechanisms, where they are efficiently designed, to deliver changes to an otherwise reasonably tightly regulated electricity market, but the scrapping of the renewable energy target represents a backwards step from that.

I understand from reading the Daniel Andrews job plan that the Leader of the Opposition and member for Mulgrave in the Assembly wants to have a renewable energy plan for Victoria. In fact he says that if elected, a future Andrews government will develop such a plan. It is a plan for a plan. It is a promise of a plan. It is 'Make me Premier and then I'll tell you what my renewable energy plan is'. We should be able to do better than that in the current climate.

In any case the Greens have a plan. It is to support the renewable energy target — in fact to boost it and set new targets for later decades into the future. It is to provide seed money to local community groups which would like to invest in the power grid themselves through community-owned renewables. It could be a proposed wind farm out in the Macedon Ranges shire, it could be a bunch of solar panels on the roof of the South Melbourne Market, but with the ingenuity, interest and passion of members of a community which would like to buy back what was once sold out from underneath them, a small amount of money would allow the community to invest in renewable generation under a community-owned model and possibly offset — if we could reform some of the market and metering arrangements — their own power demands as well as invest in such a cooperative.

The Greens plan is to scrap the crazy anti-wind farm barriers that have been put in place — —

Mr Tee — You joined us on that.

Mr BARBER — Mr Tee says we voted together on that very early in the piece. If Mr Tee does become Minister for Planning, I hope that will be the first planning scheme amendment he gazettes as minister and not just in the first 100 days. I urge Mr Tee to go straight from Government House to the Department of Transport, Planning and Local Infrastructure and order that an amendment be drawn up for him to sign to scrap the anti-wind farm rules put in place by the Baillieu and Napthine governments, because those rules are without rationality and have not even been considered for any other type of development that might have off-site impacts. You certainly would not have neighbours vetoing an agricultural enterprise simply because it was within 2 kilometres of an abattoir or a broiler farm, for example, or vetoing a new proposal for a piggery or any other kind of project that neighbours might not be too happy about, such as a new railway line or freeway. Nowhere across the planning system has the government ever contemplated simply giving neighbours a veto against the government, except in the case of wind farms. It is absolutely amazing.

In the solar sphere the government should start building capacity for not only extra solar panels but new and innovative ways of delivering them — the so-called solar leasing model, the power purchase agreement model or the community-owned model — possibly to incorporate battery storage at either the household or business level or maybe even the local grid level. That is why we have put forward a proposal for a solar bank based on the Clean Energy Finance Corporation model, which has been so successful it returned dividends to the public and has been highly effective in catalysing renewable energy development. Hence Prime Minister Tony Abbott wants to get rid of it, because it is working and pumping electricity into the grid at the expense of coal. The shareholders in coal-fired power stations are squealing because when the sun shines brightly and when the wind blows strongly, the fuel is free. Renewable energy generators typically release their power into the grid at quite a low price, in some instances even zero, and that is hurting coal.

That is proposing a challenge, not just to the incumbent nature of big dumb and centralised power supply; it is also providing a bit of a challenge for Liberal and Nationals MPs to actually get their heads around it. They have to think about this stuff, and some of the questions are quite interesting. Some of the economic benefits have to be thought about a couple of times before you start to realise them — for example, that western Victoria is so rich in renewable energy resources from wind, tide, geothermal, biomass and of course the sun that there could be whole new businesses opening up designed to generate power in the same place as it is being used. These concepts are different. This is not how it has been for the last 50 years. This is not a comfortable warm bath that you can sit in. You have to think a little bit about the changes that are coming around the corner, and that is a bit hard for a political movement — the Liberal-Nationals coalition — that has more or less devoted itself to telling people that nothing needs to change and everything is okay, even when it is so clearly not okay.

That is why I fear that the renewable energy target is going to be scrapped, and that is why I call on this house to reject the recommendations of the state's submission to the renewable energy target review and do what it should have done on day one, what in some areas of renewable technology it promised to do, which is to develop a renewable energy plan for Victoria and go forth and implement it.

Mr TEE (Eastern Metropolitan) — I welcome the opportunity to make some remarks on this motion. As a starting point, when you have a quick look at the history of the way in which this government has treated

the environment, the one recurring theme that emerges is this government's complete and utter hatred for the environment. The environment is one of the few areas where we have seen a consistent approach from this government. When it comes to cattle in the Alpine National Park or development in state parks we see clear hatred for the environment. This planning minister has shown complete contempt and hatred for green wedges. It is 'Cut 'em up and divide 'em', allow increased development, take every opportunity in this chamber to destroy green wedges. In fact in the four years — —

Mr Elsbury interjected.

Mr TEE — I will take up the interjection. When he was in opposition, Mr Baillieu, the member for Hawthorn in the Assembly, said 800 000 hectares were added to the green wedges by the Labor government. He might not have done his sums — I do not know — but he said the former government had added to the green wedges.

Mr Elsbury interjected.

Mr TEE — I am just telling you what Mr Baillieu said. You might have a different view, and that might be why he is not the leader anymore. I am just telling Mr Elsbury what Mr Baillieu said in opposition when he critiqued what the former government had done to the green wedges so that Mr Elsbury does not make a complete idiot of himself. In contrast, I can tell Mr Elsbury that not 1 inch has been added by his government to the environment, let alone the green wedges.

Mr Elsbury interjected.

Mr TEE — Not to the green wedge. What has the government done to our parks? It has ripped out the firewood and opened them up to nearby development. During its four years in office the government has not added one benefit to the environment. Not one positive thing can be said in terms of the government's contribution to the green wedge or indeed to the environment. The traffic is all one way. One of the great impacts has been in relation to wind farms, an area I am particularly concerned about. We have just had a debate on unemployment. In regional Victoria we have seen up to 20 per cent unemployment, and I am happy to provide members opposite with the list of that data if that would help them understand the extent of the problem they have caused — —

Mr Elsbury interjected.

Mr TEE — That information is publicly available, but we are happy to make it available to you. The information is out there. At the very same time that we have seen unemployment skyrocketing under this government, in regional Victoria we have seen wind farms, a key source of jobs, cut down by this government. We have seen a hostile planning system under which even existing projects and projects that have been approved are effectively under threat. We know some 30 wind farms have been proposed or approved which would add about 3400 megawatts to the grid. They face an uphill battle to get built under this government, and that is because — —

Mr Barber — How many jobs? Because you have been talking about jobs a lot today.

Mr TEE — I will come to the jobs, Mr Barber. It is an uphill battle for wind farms to get built, because if you want to make even a minor change to your permit under this minister, you are, frankly, stuffed. The time lines for construction are so tight that there is no flexibility for wind farms. At every turn this government has done its damndest to make sure that there is no benefit to regional Victoria.

Mr Barber asked about the number of jobs that are at play. With just the proposed, approved wind farms that are on the table, about 35 000 jobs are at risk, thanks to this government and its blind hatred of the environment. The legacy of that hatred is regional Victoria and 35 000 jobs. These are jobs created during the construction phase and high-skill jobs maintained during the operational phase. These are jobs in regional Victoria. These are workers who join the Country Fire Authority, who play football, who play netball, who send their kids to local schools, who contribute to the local economy and who have a number of downstream benefits which can be wiped out with a stroke of the Minister for Planning's pen. We are talking about people who run pubs and hotels and retail businesses; they are all in the gun thanks to this government's planning minister and this regime.

The people who have complained to me are farmers who get around \$10 000 or \$15 000 per year per turbine. Those farmers have a guaranteed source of income regardless of the weather, and obviously those opposite do not understand how important that is. They do not have any idea, otherwise they would not be acting in the heartless way they have been acting. They would not be doing what they are doing. That is why we have not been surprised by the government's submission. It has come as no surprise that this submission drives another dagger into the heart of regional Victoria. It is another blow to regional jobs and

regional Victoria. It is a blow delivered not through any rational thinking; it is a blow delivered because of a blind hatred of the environment.

Hon. D. K. Drum interjected.

Mr TEE — Let me tell Mr Drum what his government's submission on renewable energy says. I am not lying; I am just referring to your submission. Have a read of it. It says we ought to include gas as part of the renewable energy target (RET).

Mr Elsbury interjected.

Mr TEE — For Mr Elsbury's benefit, gas is a fossil fuel; it is not renewable. I will also show him the list of areas in regional Victoria where we have 20 per cent unemployment. The fact that he is a backbencher does not mean that he has to gobble up the government line, hook, line and sinker. The fact that he is a backbencher does not give him an excuse to put up his hand and say that he is just a backbencher and cannot control the competence of this government, that he cannot control its hatred or its neglect of regional Victoria. He has an opportunity to make a difference. He has an opportunity to stand up for jobs. He should not just wipe his hands of it and say he is just a backbencher and cannot make a contribution.

The submission Mr Elsbury's government has drafted says we should include fossil fuels in our renewable energy target, and then we should scale back that target. Then we ought to add wood waste. Fire from native forest logging should be included as part of our renewable energy target. The government is either a fool, or it takes the electorate as fools, because I do not think anyone out there will accept that fossil fuels should be part of a renewable energy target or that the burning of forests should be included.

This is part of the government's submission — and Mr Drum sat around the cabinet table and ticked this off, I am sure. It is worth putting on the record that the submission acknowledges that renewable energy has trebled in Victoria since the target was introduced in 2001. The submission says that jobs are going to be cut and regional Victoria is going to be nobbled, but it also acknowledges that \$4.3 billion has been delivered thanks to the renewable energy target. The submission itself acknowledges that and tells us what is at stake. That means that this government is knowingly destroying and cutting out that investment. The government says, 'We know that this has already delivered \$4.3 billion, we know it's delivered jobs, and we just don't care. We just don't care because we hate

the environment, and so we are happy for that investment — —

Hon. D. K. Drum interjected.

Mr TEE — Why else would you turn your back, when you have that unemployment, when you have people in regional Victoria crying out for jobs, when you have farmers saying, ‘For goodness sake, give us a chop out here, give us a guaranteed income’? Why else, unless you hated them, would you say no? I do not understand it. Certainly the government’s submission is quite inconsistent. On the one hand it is saying, ‘This is what’s at stake, this is what the renewable energy target has delivered’, but on the other hand it is saying, ‘We just don’t care’. How else would government members justify that way of operating?

Let me move on, because it is worth just having a look at some of the other submissions. In answer to Mr Elsbury’s question, Mr Baillieu, the member for Hawthorn in the other place, said that the Labor Party contributed 800 000 hectares. The Lord Mayor of Melbourne, another former leader of the Liberal Party, said in the City of Melbourne’s submission that the policy is pushing down wholesale electricity prices and benefiting consumers, including manufacturers, in the city.

Coming back to the Minister for Sport and Recreation’s question, a former leader of the Liberal Party, the Lord Mayor of Melbourne, has said that the renewable energy target is good. It is good for electricity prices because it drives down wholesale electricity prices, it is good for consumers because they get the benefit of that, and it is good for manufacturing in the city. That exposes the absurdity of the Victorian government’s position. It is not a position that is based on logic and it is not a position that is based on fact. It is a position that is based on an ideological obsession, an ideological hatred.

If members want any more evidence about how isolated and out of touch this government is, they should look at the New South Wales government’s submission. It says that the renewable energy target helps energy security by diversifying sources — that is, if you have the renewable energy target, you have alternatives so that if there is a problem in one sphere of energy generation, you have alternative sources, and that is good. The Victorian government’s submission does not pick up on that. The New South Wales government also acknowledges in its submission that the effect of renewable energy has been to drive down wholesale electricity prices.

The New South Wales government’s submission also states that the renewable energy target is good for New South Wales consumers and households and that it ultimately saves money. The New South Wales Liberal government acknowledges that this is good for consumers and good for manufacturers. It is certainly good for the city of Melbourne.

Mr Barber asked why those opposite do not get it, why they are so out of touch. The answer is because they have an ideological obsession, an ideological hatred, of the environment and they do not care. They will not let themselves be moved in that hatred by what is happening with jobs or in regional Victoria, by what is being said by farmers, by common sense or logic or by what is being said by the Liberal Lord Mayor of Melbourne or the Liberal New South Wales government. None of that will move those opposite from their ideological hatred of the environment.

The New South Wales government’s submission indicates also that in New South Wales some 8395 megawatts of capacity worth \$13 billion is progressing through the planning system. If in Victoria we had a planning minister who cared about the environment, who cared about jobs, who cared about regional and rural Victoria and who cared about farmers, we might have the sort of outcome that they have in the Liberal state of New South Wales, where another \$13 billion worth of capacity is working its way through the planning system. That is in contrast with what we have in Victoria, where the industry, jobs and communities have ground to a halt. As I said, my concern is about the impact of this government on regional Victoria, the impact of its hatred on regional Victoria and its communities.

Today I met with representatives of the Ararat Rural City Council.

Mr Somyurek — So did I.

Mr TEE — As did Mr Somyurek. Those representatives had an interesting example of the devastation this Liberal-Nationals government is causing in rural and regional Victoria. The council has just one example of a story about the devastation that people get with this government in power, but it is replicated right across Victoria. In a flyer headed ‘Ararat wind farm — a 75-turbine project outside of Ararat, Victoria’, the council states:

Construction can begin immediately but uncertainty about possible alterations to the RET scheme has delayed this project.

On the one hand the council is saying, ‘Hang on a minute. We’ve got a project that is job ready, shovel ready, ready to go, and what is bothering us, what is holding back that project, are the question marks about the renewable energy target’. On the other hand we have a government whose members are saying, ‘Scrap it, get rid of it; don’t worry about the Ararat wind farm’.

This is what the council says:

... the Ararat wind farm will not go ahead if the RET is changed. Changes to RET will also ensure that other potential wind farms are not developed.

Members do not see that in the Victorian government’s submission. You do not see any concern expressed about communities such as those around Ararat. The council goes on in its flyer:

The total cost of the entire development, including wind turbines, on-site infrastructure, a 21-kilometre powerline and the substation to connect to the national grid, is expected to be in excess of \$450 million.

Here is just one example of the kind of pain this government is causing. In Ararat they have a \$450 million project that is shovel ready but is being held back because of the attitude and approach of the Victorian government. I quote further:

This represents not only a major project in the Ararat region, but also in Victoria. Ararat residents are strong supporters of wind farms and have benefited over the last 10 years from jobs and income derived from Pacific Hydro’s ... wind farm.

Again, here is direct evidence from the council itself about the impact that an existing wind farm has on its community. Further:

Wind farms provide a financial boost to regional areas and create skilled job opportunities for local residents. It diversifies the local economy ...

Again there is the use of the term ‘diversify’. In the same way as the New South Wales government has argued that the RET is good because it diversifies the source of energy, the Ararat council says of renewable energy:

It diversifies the local economy and provides ongoing economic benefit during times of drought or falling commodity prices.

Again, it is good because they have a diversified source of electricity, it is good because there is a broader economic base and it is good for farmers who can counter either drought or falling commodity prices.

It is just mind-boggling that those opposite, who obviously do not get out to Ararat, meet with the local communities and talk to people, would take the

approach they have to something which is so beneficial for and so important to those communities. The \$40 million economic benefit of this one project is gone; 160 construction jobs are gone; 255 indirect jobs in Ararat are gone; and \$7.5 million in revenue to the local council is gone. The roads that could have been maintained and the services provided to the people of Ararat will never be seen thanks to the Victorian government. Community grants of \$1.9 million to benefit the community will never see the light of day. The Rural City of Ararat tells us it will lose \$105 million in wages and salaries for its employees — people who live in regional Victoria — through this one project. I have those figures from the council handy if Mr Elsburry would like have them tabled. I am more than happy to provide the house with the information on this; I am only relaying what the council has stated publicly.

Mr Barber — They hate local councils almost as much as they hate the environment.

Mr TEE — Those opposite hate the environment, hate local councils and hate farmers. The total loss to Ararat is \$155 million, which is an enormous amount. It may not be a large amount to those opposite — they may not care — but for a regional community that is a big number. The council circular further states:

The Ararat wind farm provides an opportunity to maintain and grow the Ararat economy during the construction period as well as over the 25-year operation phase.

What people in Ararat want to know is where is their voice? Why are these issues not part of the Victorian government submission? Why does the Victorian government submission plan to rip the guts out of the renewable energy target? Why is the voice of the local community of Ararat not in the Victorian government submission? Why is no-one standing up to represent the views of the accommodation and hospitality sectors or of fencing workers? Why are the benefits of the proposed earthworks and the on-site consumables such as the purchase of equipment, building materials and fuel supplies, and equipment hire not represented? All of these would benefit from this proposal going ahead. The circular’s headline is in part ‘Renewable energy target’, which is what the council says is holding up this project. The council goes on to identify three more future wind farm projects at risk: one at Crowlands and two by Pacific Hydro, one of which is in Ararat and the other in the Pyrenees shire.

This is certainly an opportune time to reflect on this government and its record on the environment. By any objective measure it is a bloody-minded approach, and today we are seeing in this submission another example

of what that bloody-mindedness does and the impact it is having on regional and rural Victoria.

I am pleased that we have an opportunity to debate this motion. I believe this motion should be withdrawn and rewritten so that we can hear the voice of regional Victoria in the debate. The community of Ararat is just one example of many communities that are struggling and crying out for the sorts of benefits that come from projects like this. As a Parliament and as members of Parliament we owe it those communities to have this submission withdrawn so that their voices can be included.

Mr Ramsay interjected.

Mr TEE — We know we have a conflict when it comes to this. On the one hand they take the benefits, but when they get the benefits they are opposed to it. But they were happy to put their hand out for the benefits.

The ACTING PRESIDENT (Mr Eideh) — Order!

Mr TEE — Through you, Acting President — —

Mr Elsbury interjected.

Mr TEE — Mr Elsbury may interject, but part of Mr Ramsay's electorate is in regional and rural Victoria and would benefit from understanding the sorts of experiences that we have just heard about happening in the Ararat community. Yet from Mr Ramsay we get nothing but complete opposition to the creation of jobs and the concerns of those local communities and farmers. I am going on his track record when it comes to wind farms, solar power and alpine grazing; every step of the way Mr Ramsay and this government have opposed efforts to protect the environment. I therefore think it is opportune that we debate this motion and that it be withdrawn and rewritten.

Mr ELSBURY (Western Metropolitan) — That was certainly an interesting point of view. So far what we have heard from the other side of the chamber is that no-one expects the Spanish Inquisition. As soon as you try to talk some sort of sense about energy production in the state of Victoria you are accused of being some sort of environmental heretic. You are tied up against a pole, and if it was not for the fact that you would release carbon by burning the witches who mentioned anything to do with baseload power, they would burn us.

It is just unbelievable. 'Noisy backbenchers' we hear from Mr Barber. 'Haters of the environment' we get

from Mr Tee — and I say to Mr Tee that hate is such a strong word. It is a very emotive word, and that is why he uses it. He uses it time and again because he has nothing else to throw at us. He has nothing of substance to throw at us. For Mr Tee to be obsessed with a backbencher who is just sitting and listening to what he is saying — I cannot believe it! I must be that effective, Acting President. I must be super-effective at my job if just by sitting in the chamber and listening to what an opposition frontbencher is saying suddenly I become a factor in the debate — just by sitting in the chamber and listening to a diatribe. In any case — —

Mr Leane — Well, don't do it again.

Mr ELSBURY — I would hope I would never have to do it again. I do not want to have to listen to Mr Tee ever again if I can help it, but unfortunately I have a sneaking suspicion that I will have to time and again.

In any case, we need to really have a look at the submission that was provided for this purpose of reviewing the renewable energy target (RET). We are pushing Victoria's point of view. We are not pushing that of New South Wales. New South Wales can have its point of view. It is allowed to do that. Its submission will be considered. It will be weighed up with all the other submissions that are made, as will the submission made by the City of Melbourne. But the submission which has been put forward by the Victorian government says, and I quote from part 2.2.1:

... the expansion of the RET scheme in 2010 to a fixed 2020 target of 45 000 GWh —

that is gigawatt hours —

was designed to provide investor certainty in renewable generation delivering 20 per cent of Australia's expected electricity generation by 2020. The amount allocated to renewable energy generation would have effectively soaked up the expected growth in energy demand, thereby deferring any new coal or gas-fired power generation.

That is what it has done. It has done that quite well. But the thing is the market has changed. Using the old data from when this first happened does not work anymore. The change has been that people are being smarter in their energy use. They are being smarter about what they do. We have better appliances going into our homes. We have companies that are being smart in how they use their energy. If you walk into even a government office these days, the lights turn on for you. Even if you walk into a toilet block at some council chambers, the lights turn on. They are not on constantly; they turn on to provide you with illumination while you are there, and they turn off,

somewhat like a fridge light turns off, when you are not around. So this is providing — —

Mr Barber — But how do you know the fridge light turns off when you close the door?

Mr ELSBURY — Very true, Mr Barber. Thank you very much. I will investigate that. That energy demands have changed does not mean the RET has to stay stagnant and reflect the information we had based on our old energy use. If we keep going the way we are — and it says in this submission that:

Consequently the RET is likely to be closer to 30 per cent of Australia's electricity generation by 2020.

I would have thought that would have been heartening to the Greens — that an initiative — —

Mr Barber — What was your number?

Mr ELSBURY — Thirty per cent of Australia's electricity generation by 2020.

Mr Barber — Try 23.

Mr ELSBURY — I am just saying what is in the submission.

Mr Barber — It is dodgy modelling.

Mr ELSBURY — This is what has been said in the submission. It also says:

Further to this, the variable nature of the generation incentivised by the RET means that there is uncertainty regarding its ability to contribute to peak demand when needed.

This of course refers to solar and wind. In his contribution to this debate Mr Barber spoke about when the sun shines brightly and the wind blows freely. Certainly the sun does shine brightly at times, but when it gets a bit dull, as it has recently, you get a reduction in the amount of electricity that can be generated by a solar panel. In addition, even though you would not know it out in Werribee where I live, it does stop blowing a gale every so often.

An honourable member — Really?

Mr ELSBURY — It does. And when you are becalmed, strangely enough wind turbines do not spin.

Mr D. D. O'Brien — They don't turn?

Mr ELSBURY — They do not turn when it is not windy, Mr O'Brien — that would be Danny O'Brien, for the record. But in any case, to say that we can rely on such power sources completely is utter nonsense,

which is why the submission has been framed the way it has. We are talking about the reliability of the supply. We cannot rely on wind to blow constantly at a set rate. We cannot put in an order for 25-kilometres-per-hour winds if you do not mind. We cannot ask the sun to shine for a minimum of 6 hours every day, because it does not necessarily do that — cloud cover will come across and there will be problems with supply. The submission simply points out that we need to ensure reliability of the supply of power generated, because, believe it or not, it is actually rather difficult to store energy. Some will say batteries, but they store charge; they do not store electricity. We need to ensure we have capacity to deal with — —

Mr Barber interjected.

Mr ELSBURY — No, it is not; it is science. In any case we have a need to ensure that we can generate the power that is needed for the people of Victoria first and foremost, and that is why we are putting Victoria's position in this submission.

In part 2.2.2 of the submission, headed 'Reliability of supply', the submission points out:

While there is an oversupply of capacity through the NEM —

That would be the national electricity market. The submission continues:

Victoria's electricity demand profile is particularly susceptible to spikes during sustained periods of high temperatures ...

We have certainly seen that. We are getting hot summers and cold winters; that sort of thing tends to happen. We have a need for more energy on those hot days, because people want to cool their homes. Mr Barber may well argue that solar power will solve all our problems, but there are capacity issues with solar power. Another issue is that with heat, you do not necessarily get wind. You may get it at the end of the event when the cold front starts coming through, but in any case you do not necessarily get wind. We have had very still days during our summers of late.

The submission states:

DSDBI is concerned that the RET, in its current form, is actively contributing to the mothballing or withdrawal of existing generation stock by reducing incumbents' profitability. At the same time, the RET is driving investment in variable forms of generation that are ill-suited to meet the challenges of peak demand.

This is the issue of peak demand. When you need to generate power during peak demand you cannot ask the wind to blow a little bit more and you cannot ask the

sun to shine just a little bit more brightly. You have to use some other form of energy to generate the electricity we need. That is why the government, in its submission to the RET review, has asked for changes to occur in what is to be used for RET, and we are certainly looking at reducing our emissions. We have huge coal reserves in Victoria; we have absolutely massive coal reserves throughout the Latrobe Valley.

Mr D. D. O'Brien — There is a 500-year supply.

Mr ELSBURY — Mr O'Brien has informed me that there is a 500-year supply. It is my belief that Victoria's coalfield can be found not only within the Latrobe Valley but that it stretches out underneath Port Phillip Bay and then pops up in Altona and Bacchus Marsh. It is a huge coal reserve. We are not going to use it, but we certainly have our reserves out in the Latrobe Valley with the infrastructure needed to take advantage of them.

The Greens want to break the incumbency of coal-fired power. It is not a bad thing to say that we want to improve the efficiency of our coal-fired power stations. Many of them use 1960s or 1970s technology. They do get retrofitted, but it costs a fair bit to maintain that infrastructure.

In its submission to the RET review, the government said that it wants to explore the use of natural gas. I acknowledge that this is another fossil fuel, but it is one that burns 50 per cent cleaner than coal. We are talking about reduced carbon emissions, which I think would make Mr Barber happy, and perhaps it would make Labor members happy, although today they are all down in the dumps — they are a bit grumpy. In any case that is a viable option.

We have huge gas reserves off our southern coast that we can use. We should be able to use those reserves to our full advantage and reduce our emissions at the same time as providing a reliable energy source. The Newport power station runs off natural gas. There is a gas turbine in Laverton North that provides baseload power when it is needed, and that usually happens in the evenings, during the winter months and at times early in the morning. Already we have some gas-fired infrastructure in place — —

Mr Barber — Is it baseload power in Laverton?

Mr ELSBURY — It is not baseload power. It is a reserve supply.

Mr Barber — It only runs for 1 per cent of the year.

Mr ELSBURY — I am sure that people in hospitals who are on life support systems want their power supply to be constant. They do not care whether it runs at 1 per cent a year. They want to know that their life support system is going to work. I would prefer to be able to say that we are able to guarantee supply than to muck around with this idea that we have to get rid of a piece of infrastructure because it does not run constantly. If that were the case, our wind turbines would have to be removed because of the periods when there is no wind.

The submission also talks about the use of native forest wood waste. This is not about going into forests, chopping down trees and loading them into a furnace. We produce wood products in this state, and this is a fine tradition that needs to continue. We have controls in place, unlike some other places from which you might try to source wood that are a bit more helter-skelter in their approach. We could also talk about plantation waste wood. That waste wood could be used to the full, rather than just being left on the forest floor to rot, which also releases carbon into the atmosphere. I also point out that a growing tree absorbs more carbon than an established or mature tree. We can use the resource that is currently wasted, which is left on the forest floor to rot, to assist in power generation. This suggestion was put forward by the government in its submission to the RET review, but the opposition parties do not want to support it. They will just throw the baby out with the bathwater and say that they will not try to explore any of those particular aspects. Instead they will agree to Mr Barber's motion.

We want to continue to ensure that we have jobs in Victoria, because without baseload power, without a reliable supply of power, no-one can get their job done. Victoria would be the laughing stock of the Western world. I was fortunate to meet some members of the Canadian Youth Parliament who were from Newfoundland. They explained to me that they had problems with the electricity supply in their province. This has caused great instability in their jobs market, because no-one can guarantee that when you go to work you will have enough power to do your job. That is a ridiculous thing to happen in a Western society. I do not want to see that happen in Victoria. The factories in Laverton North, Craigieburn and across the western suburbs cannot afford to have that inconsistency in their supply of electricity.

Mr Tee was happy to talk about jobs and jobs creation. He has now left the chamber, so I can talk freely about what he was carrying on about. How about we try to retain some of the jobs we already have instead of creating an instability in the electricity market? As I

have said, the government's submission to the RET review reflects the interests of Victorian stakeholders, because that is what the government is supposed to do. It is not supposed to reflect anyone else's point of view. It is not supposed to push anyone else's barrow. The government's policies are supposed to come from the experience of its members in Victoria. If they came from anyone else, that would be contrived and against the interests of this state.

We also have to recognise that Mr Tee made some out-there statements with regard to renewable energy. The fact remains that we have provided \$15 million of funding for Solar Systems, a solar generation project in Mildura; \$5 million for the BioPower Systems wave energy pilot in Port Fairy; and \$1.6 million for a geothermal heating and cooling pilot project at the University of Melbourne.

I would also like to go on with Mr Tee's claims — and here he is — about 'crazy anti-wind farm policies'. You would almost think it was late-night television the way he was carrying on, bemoaning what the government has done with regard to wind farms. Victoria currently has 13 operating wind farms with a capacity of nearly 1000 megawatts through wind power. So we have capacity through wind power, and there is the potential for more. We have approved 13 more wind farms, which are under construction as we speak. We are so anti-wind farm, and what we are doing to the people who want to invest in wind is so horrible that we are allowing another 13 to be built. I cannot believe it myself! It is uncanny.

All that we ask from the wind farm industry is that it take some notice of the people on whom it impacts. You cannot say to me that building a 30-metre tower on a farm is not going to impact on the amenity of an area or have visual or audible effects on a community. I know if I tried to build a 30-metre tower in the middle of my neighbourhood, I would have a few neighbours upset about it. Just because there are fewer people on the land, it does not mean they have fewer rights than I do. We are not talking about a piece of farming infrastructure; we are talking about a piece of industrial equipment. It is a machine which makes noise, spins around and causes some distress to people. We need to take into account exactly what these wind farms are and allow them to proceed — as we are doing, with 13 more on the way — so long as they follow a proper process.

The solar feed-in tariff is another thing that I have spoken about in the past, and it is right that we have made changes to that tariff by not slugging people who cannot afford solar panels for their roof or renters who

cannot purchase solar panels on their roof because the landlord does not want them. There is no advantage for a landlord to put solar panels on the roof. They do not have to pay for the electricity that comes into the property, so what do they care? In any case it is right that the minimum rate is set to 8 cents per kilowatt hour for electricity that is exported to the grid and that the rate is reset annually by the Essential Services Commission in line with wholesale prices.

These are very important things that need to be considered in this instance, and that is why the RET review has to go ahead, so that we can adapt to changes in the electricity market and to the fact that people are using less electricity. Some people even have solar panels on their roof, so they are not using as much electricity from the main grid. They are able to offset their refrigerator running all day or the kids playing PlayStation 4 or whatever in the afternoon by having a set of solar panels on the roof. This is the reality of the market we are now dealing with. We are dealing with changes in the market that need to be recognised by the legislation that is now in place. If you do not adapt, you are bound to put the people of Australia into a scheme that is spending more money than it has to to get a result that is already happening. It just does not make sense to be putting the people of Australia at such a disadvantage.

We stand by the submission that was put to the review of the renewable energy target by the Department of State Development, Business and Innovation, and we hope those opposite will have a think about what this motion stands for. I hope we will be able to come to some sort of proper discussion about where we are going in the future with energy production in Victoria without more of the wailing and cursing we have heard from those opposite.

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

Debate adjourned until next day.

Business interrupted pursuant to order of Council.

STATEMENTS ON REPORTS AND PAPERS

Department of Education and Early Childhood Development: report 2012–13

Mr LEANE (Eastern Metropolitan) — I rise to speak on the report of the Department of Education and Early Childhood Development for 2012–13. I made a statement on this report last week and am pleased to speak on it again. Early childhood education, as well as

higher education, is an important topic, especially given the concerning cuts to funding in this sector by the state and federal governments in recent times.

I notice the report touches upon the state's trade training centres, an initiative of the previous federal government, which also supplied the funding. It is interesting to see that the report of the Victorian Department of Education and Early Childhood highlights the importance of these trade training centres and how useful they are in assisting young men and women in secondary school to gain exposure to working in trade areas with machinery, equipment and tools. Our state is suffering a number of skill shortages in these areas at the moment. It is a shame that the federal government has stopped funding these programs into the future, along with a lot of other programs it cut funding to in its recent budget. If the federal government's plan to fill skilled worker positions in the future, especially in trades, is to issue more overseas visas, there will be a huge backlash from the electorate.

I am sure all members visit secondary schools, whether they be public or private. I am often approached by parents of students who want to be able to access a pathway to an apprenticeship or traineeship. However, with the state government cutting the Victorian certificate of applied learning programs — especially funding for the coordinators — and its own trade training programs, and now with the federal government cutting the funding for the local learning and employment networks at the end of the year, we are in a situation where there is no-one working within the secondary school system to support young people and help them to find skilled trade positions once they leave school.

I believe that is a blight on society. It is an indictment of the federal government. It is an indictment of the state government, which allowed vocational education and training to fall apart and the TAFE system to fall apart by defunding it. I know there used to be a TAFE campus at Lilydale. It is now sitting there in mothballs. It is fantastic that the bus stops there a couple of times an hour; no-one gets on and no-one gets off, but there is a bus and there is a TAFE. Inside the TAFE there are no students, no people learning, no people gaining skills. As I said, it is a shame and an indictment of the Napthine government.

I suppose there is hope that by the end of the year there might be a government that is prepared to support TAFEs, support pathways into trades and in particular support local young people and give them the chance to have a job in the future as a skilled worker. We look

forward to that happening. It has been a dark period for this sector over the last three and a half years. Hopefully we will come out of it very soon and we will have a government that cares about young people and trades.

V/Line Corporation: report 2012–13

Mr RONALDS (Eastern Victoria) — I rise to speak today on the 2012–13 V/Line annual report. One of the core values identified in this report is the aim to enrich the lives of those who commute. To this end, the Premier announced in April that \$40 million will be spent to fix mobile phone black spots and to introduce wi-fi on a number of V/Line train services. An expression of interest process will secure Victorian government-sponsored wi-fi aboard V/Line V/Locity carriages operating between Melbourne and Ballarat, Melbourne and Bendigo, Melbourne and Geelong, Melbourne and Seymour and of course Melbourne and Traralgon in my electorate.

Since this announcement I must say that I have heard from a number of people questioning the logic of the initiatives, and I welcome that. There may be a perception that young people are using this technology to play games or use social media and that this is a waste of taxpayers money. I am under no illusion that a small minority of commuters will use the technology this way, and that is okay, but I believe that free wi-fi on trains will be used overwhelmingly to keep people connected in business and improve productivity. We live in a world that is wired. We live in a world that expects to be connected 24 hours a day, seven days a week. The days of snoozing on the train as we travel back and forth are, frankly, a thing of the past. It is an effective use of time to work online while riding in the train. Having a couple of hours to do research or read emails means that when a person gets home they actually get home.

Fixing mobile black spots and offering free wi-fi on trains will be of enormous benefit to thousands of commuters, as there are more than 13 million passenger trips on these lines. As part of the project the government will invest in wi-fi services to ensure that all commuters have uninterrupted internet throughout the entire journey. Commuters travelling beyond the regional cities will also be able to access reliable mobile phone services, with the coalition government also addressing mobile black spots across Victoria more broadly.

It is estimated that 40 000 Victorians live in areas where mobile coverage is poor or non-existent. This initiative will help improve mobile coverage for these

regional towns affected by mobile black spots. The announcement will see the construction of new towers to provide broad coverage across many areas. There are more than 620 kilometres of track between Melbourne and these regional centres, with commuters facing little or no mobile coverage along approximately 40 per cent of the tracks, including parts of Gippsland in my electorate of Eastern Victoria Region. This is another example of the government building a better Victoria through building better public transport.

Auditor-General: *Universities — Results of the 2013 Audits*

Mr ELASMAR (Northern Metropolitan) — I rise to speak on the Auditor-General's report, *Universities — Results of the 2013 Audits*. This report covers 64 entities, comprising 8 universities and 56 other entities. According to the report three entities are yet to finalise their financial reports. Nonetheless it would appear that the tick of approval has been given by the Auditor-General's office in relation to the financial viability of the university sector.

However, the report does identify a worrying trend of declining revenue for eight universities which generated a net surplus of \$381.7 million in 2013, a decrease of \$73 million from 2012. It should be noted that operating surpluses have continued to decline since 2009. Student revenue and the number of students enrolled in higher education continued to increase, but there was a significant decline in domestic and international vocational education and training student numbers during 2013. Of the eight universities, three were assessed as having a high risk to self-financing in 2013. The remaining five were assessed as having a medium risk. This indicates that some universities may be unable to fund asset replacement in future periods from cash generated by their operations.

I read with some concern that in 2013 Monash University signed agreements with the private sector to assume control of its South African operations. I am quoting from the report, because I would hate to get it wrong:

In 2013 Monash University signed agreements with a private sector entity to assume control of its South African operations. From 2001 to 2013 Monash University provided \$101.8 million in loan funding to its subsidiary entities associated with the South African campus. Despite some small loan repayments during this time and the sale of land and buildings associated with the campus, Monash University has incurred a net loss of \$60.5 million in relation to the operation and disposal of this subsidiary over the period, including debt write-offs of \$44.7 million.

However, notwithstanding the medium to low rate of financial risk indicated by all universities, they all had sufficient assets to offset any future debts in regard to recurrent expenditure. One of the recommendations is that universities that do not demonstrate better practice in report preparation act immediately to improve their financial reporting processes in 2014.

In conclusion, it would appear that overall the university sector is performing well, although a need to be vigilant in regard to declining revenue is always a cause for concern. Universities should be developing achievable and rational contingency plans rather than just waiting for the federal government to slug uni students for the shortfall.

Aboriginal affairs: report 2013

Mrs MILLAR (Northern Victoria) — I am very pleased to make a further contribution with respect to the *Victorian Government Aboriginal Affairs Report 2013*, following on from my contribution in our last sitting week, as this is such a significant report and covers so many events of significance that have occurred over the past year, particularly in northern Victoria but also right across Victoria.

I have spoken in this place before of being present when former minister Jeanette Powell, the member for Shepparton in the Assembly, made an announcement in Benalla of what was undoubtedly a small grant in monetary terms, only \$5000, but which had the hugely significant impact of assisting the Bangerang people to prepare and submit a further claim to become a registered Aboriginal party. This was a very memorable day of celebration of the culture and contribution of the Bangerang elders and people, and I was hugely privileged to be present on that day to join the celebrations. Subsequently it was also my great honour to provide a letter of support in relation to this claim by the Bangerang people, which is under consideration at this time.

I especially wish to note, and the report also highlights, the significance of the Victorian Indigenous Honour Roll, established in 2011, which saw a further 14 inspirational Aboriginal Victorians inducted in 2013. I especially note here Aunty Fay Carter, an elder of the Dja Dja Wurrung, who was the first recipient from the Bendigo region to be inducted onto the honour roll. The Victorian Indigenous Honour Roll recognises, celebrates and respects the huge contribution made by our Victorian Indigenous elders.

From the report I also wish to highlight the work of Mallee District Aboriginal Services (MDAS), about

which I have spoken before in this place. I especially note the leadership of the CEO, Rudolph Kirby, and the board members and the MDAS staff for their dedicated service delivery and for all that is being achieved for the Indigenous community in Mildura and the broader Mallee district. The report focuses on MDASs fabulous Bumps to Babes and Beyond initiative and notes the successes of this program over its first year, including that 100 per cent of women were up to date with their maternal and child health visits and 100 per cent of babies were fully immunised according to the schedules.

Together with the Minister for Health, the Honourable David Davis, and the member for Mildura in the Assembly, Peter Crisp, and also on my own visits, I have attended MDAS a number of times and can report that this service is delivering great outcomes. From chatting to some of the mothers who attend this service I can report that this work is making a great deal of difference to their lives and the lives of their young children. Hearing their accounts and seeing their smiles is even more resounding than the statistics contained in the report. Congratulations, MDAS.

Even with all these significant steps forward, the report indicates, and I wish to reflect on, the many areas in which significant efforts will continue to be required to close the gaps. I will touch briefly on a number of these. In my past professional career I have worked on a number of initiatives to improve Indigenous employment levels. This remains a key priority and a key challenge — ensuring that Indigenous Victorians are equipped for and well placed to gain employment — which is a central driver to success in life in terms of wellbeing, financial independence and the ability to make a contribution by fully harnessing our skills and potential.

Commitment to Indigenous action plans by both government and non-government employers is vital. The significantly improved numbers of Aboriginal Victorians completing the Victorian certificate of education and undertaking vocational education and training gives reason for optimism that this will flow through to improved employment levels in the future. An unemployment rate of 19 per cent, based on the 2013 data, remains far too high.

I wish to also note here with concern and with much sadness that the incidence of family violence in the Aboriginal community has rapidly escalated to 2143 police attendances in 2012–13. This is potentially due to increased reporting rates, but it remains significantly in excess of incidence rates in the non-Indigenous community, although I note that

all family violence is unacceptable in our community and that the only acceptable level is zero. Also with sadness I note that the rate of self-harm among Aboriginal people remains too high at 6 per 1000 people for 2012–13, and further work needs to be done to address this need.

Finally, I note again with much concern and sadness the overrepresentation of Aboriginal people under justice supervision. Most especially concerning is the rate for juvenile justice supervision and also the overrepresentation of Aboriginal young people processed by police. These few statistics — and I have selected only a few — note the very real challenges which we must all accept and work to address. But this must also be in a context of focusing on all that is being achieved for our Aboriginal communities.

Department of Education and Early Childhood Development: report 2012–13

Ms DARVENIZA (Northern Victoria) — I wish to make some comments on the *Department of Education and Early Childhood Development — Annual Report 2012–13*. At the outset I acknowledge the work of the secretary, Richard Bolt, and his department. They have a huge set of responsibilities in providing a range of learning and development opportunities for Victorian children, young people and adults.

The report states that during 2012–13 in early childhood education and care the department implemented universal access to 15 hours for 4-year-old kindergarten, the Victorian Early Years Learning and Development Framework and the national quality framework covering both kindergarten and child care. The future of universal access is listed as a high priority for negotiation with the new commonwealth government.

In school education the department finalised the school workforce enterprise agreement. The department developed the Towards Victoria as a Learning Community action plan that will implement the government's major reforms to school autonomy, accountability, workforce management and governance. The department has undergone a reorganisation and renewal to make it more productive, responsive, connected and strategic. Secretary Richard Bolt rightly states that the Victorian education system is large and diverse. He says that change requires careful design and concerted and sustained effort to have an impact.

I do not think there can be any doubt of the impact this government's cuts have had on early childhood

education, school education or vocational education. It is disappointing that the Liberal-Nationals coalition government has failed to understand the increased financial burden placed on families due to the impact of these cuts. Every child deserves to attend kindergarten. Every primary and secondary school student deserves to be educated in an up-to-date classroom with strong student support, and every person who wants to pursue further study through vocational education deserves a system that provides access to courses, staff and support networks that will assist them in their chosen field. Families in northern Victoria have made it clear to me that they are struggling on many levels when it comes to education. Whether the need is for assistance with uniforms, purchasing text books, transport costs or paying for school excursions, families are struggling to provide for their children. Every child deserves these fundamental necessities to give them the best opportunity to learn and to participate fully in their schooling.

The reorganisation of the state's regions from nine into four has had a huge impact on rural and regional areas. Previously, 74 senior advisers worked closely with principals on school planning and performance issues. The Victorian Principals Association (VPA) says the dismantling of regional structures and fragmentation of support have left schools in regional and metropolitan areas without sufficient backing. There is a lack of clarity about who to contact, and obtaining information from the education department is increasingly difficult. Principals are coping not just with less support from the education department but also with smaller budgets and increased enrolments. North-west advisers will now have to travel to Melbourne from as far as Mildura. Previously advisers would look after 28 to 30 schools; now that number has jumped to 50.

The VPA is calling for a consistent regional response across Victoria. Schools are doing more with less, and the government's cost-cutting measures mean major changes to how our schools provide for their students. The education maintenance allowance and School Start bonus cutbacks contained in the 2012–13 state budget continue to have a direct effect on the delivery of front-line services. Student support services have suffered a huge impact, with decreases in services and positions left unfilled, reduced support hours for some students and massive understaffing in the area of student support services.

VicRoads: report 2012–13

Mr FINN (Western Metropolitan) — I rise this afternoon to make a contribution to debate on the VicRoads annual report 2012–13. When dealing with

an organisation as large as VicRoads, it is sometimes difficult to know where to start because it has tentacles that affect all of us in various ways. There is no doubt that VicRoads can make our lives a misery if it gets it wrong, and I am pleased to say that in recent years that has not been happening as much as we had previously experienced. I am also pleased to say that roads in Western Metropolitan Region and the western suburbs are getting a degree of attention that they perhaps had not received before.

I refer particularly to nation-building projects dealt with at page 20 of the report. One of those projects is the M80 upgrade, about which the report says:

Construction works on the M80 Ring Road upgrade are well under way.

They certainly are.

The 10.7-kilometre section between the Calder Freeway and Sydney Road was completed in May 2013. The Western Highway to Sunshine Avenue component is expected to be completed by December 2013 and the Edgars Road to Plenty Road section is forecast for completion by December 2014.

I am very pleased to say that the Western Highway to Sunshine Avenue component was completed on time. In fact it might have been completed a little ahead of time, which is a marvellous thing for those of us who use the Western Ring Road on a regular basis. I am a user of the Western Ring Road on a daily basis.

Mr Melhem interjected.

Mr FINN — Mr Melhem over there is whingeing about something again, and I can understand why he would be whingeing. Given his backflip on roads in the western suburbs, I would not just be embarrassed if I were him; I would be absolutely furious that I had been forced into such a humiliating public backdown — in fact a backflip — as he has been involved in. As we know, the Western Ring Road is a very important part of the motoring life of western suburban people; but what happens all too often on the Western Ring Road is that traffic grinds to a halt. We have the Western Ring Road running into the West Gate Freeway, and quite often it is gridlocked for many kilometres both down the West Gate Freeway and up the ring-road as well.

As we know, the government is putting forward a proposal that will ease that congestion. It is putting forward a proposal that will solve the issues that we have all been concerned about for so long. I should say that we on this side of the house have long been concerned about the congestion. If members on the other side had been concerned about it for so long, they would have fixed it because they had the opportunity to

do so. They had 11 years in office to fix the congestion problems on the West Gate Freeway, the Tullamarine Freeway and the Western Ring Road. Of course they did not do it — surprise, surprise — because it is the western suburbs, and Labor neglects the west. That is a truism. That is a fact. That is something that nobody with any justification — —

Mr Leane interjected.

Mr FINN — I am pleased to see Mr Leane over there is going along with me all the way. We might need to get Mr Daniel Andrews's straitjacket for him in a minute, the way he is carrying on. I have to say to the house that the Labor Party's opposition to the east–west link, and in particular stage 2 of it, is a graphic example of the contempt in which it holds the people of the western suburbs. I heard Mr Melhem — a great supporter of the east–west link in previous years, a great supporter of stage 2 of the east–west link in particular — get up in this place and whinge like a stuck pig, but the fact of the matter is that it is the Napthine government that is going to produce the answers. Indeed it has produced the answers to the congestion and road problems in the western suburbs — —

Mr Tee interjected.

Mr Leane interjected.

Mr FINN — Mr Tee would not know where the western suburbs were and nor would Mr Leane. This government — the Napthine coalition government — is doing what it has to do to build a better Victoria, particularly in the western suburbs.

Auditor-General: Access to Services for Migrants, Refugees and Asylum Seekers

Mr MELHEM (Western Metropolitan) — I will ignore the fact that Mr Finn called me names. It is all part of the game; it is all a bit of fun. I rise to speak on the Auditor-General's recently tabled report entitled *Access to Services for Migrants, Refugees and Asylum Seekers*, which was published in May 2014. The report talks about the services provided to refugees, migrants and asylum seekers by the state government.

The Auditor-General states in his comments that it was difficult for his office to gain assurance that the needs of migrants and refugees were well understood and clearly linked to plans that would make a difference. He goes on to say that perhaps the issue of greatest concern was the lack of regular collaboration among departments working to address the needs of the same cohort, and the lack of leadership and oversight to

monitor and report on whether services are meeting the needs of migrants, refugees and asylum seekers.

The Auditor-General's office found examples of good practice by departments and service providers but states that they are not sufficiently embedded within or shared across departments. That is a general overview of what the Auditor-General found.

The Auditor-General goes on to say that while service delivery departments have an understanding of multicultural principles, apart from the Department of Health they cannot demonstrate at a strategic level understanding of effective access as this applies to the complex needs of migrants, refugees and asylum seekers. This is because the department groups these people in the wider category of disadvantaged and vulnerable people. The report states that departments mostly engage solely in stakeholder consultation, not systemic data collection. Further, stakeholder consultations are not coordinated within or across departments, leading to duplication of effort.

The Auditor-General also talks about strategies and programs, stating that there is a lack of transparency and clarity around how embedded cultural competency training is in various departments. There is also a lack of coordination. In terms of monitoring and reporting, the Auditor-General talks about poor data sharing between the commonwealth and the state. Specifically the commonwealth does not readily share settler data. In particular the number of secondary migrants to Victoria is unknown. Service providers and departments mostly do not produce their own data from clients, which limits their capacity to improve service design and delivery and determine whether their services are being delivered. A whole-of-government approach is somewhat lacking; a lot of improvement is required in this area.

The Auditor-General has made six recommendations that will promote better access to services for refugees, migrants and asylum seekers. I will not go through the six recommendations because of the limited time available to me. Those recommendations are laid out in the report.

I would like to urge the Napthine government, particularly the Minister for Multicultural Affairs and Citizenship, Mr Guy — who is in the chamber and who made a few comments about this during question time, which I was very pleased to hear — to seriously consider the Auditor-General's recommendations, as Victoria is a great place to live in. However, we need to ensure that the unique barriers that confront asylum

seekers, refugees and migrants are identified, analysed and overcome.

Library Board of Victoria: report 2012–13

Mrs COOTE (Southern Metropolitan) — I rise to speak on the annual report of the Library Board of Victoria for 2012–13. I also spoke on this report on the last occasion we had an opportunity to do so. I could easily continue from now until the election to speak about all the issues within this very comprehensive report.

Last time I spoke about the digitisation project happening at the State Library of Victoria. Today I would just like to remind members about what a library is. I think everyone feels a library is somewhere where there are masses of books and you have to be very quiet. I am sure members think it is somewhere you go to do some serious study or research.

However, we only have to look at the Victorian Parliamentary Library to see what an excellent job libraries do. There are certainly walls of books readily available and there are many magazines and periodicals — which are terrific — but the work our librarians do goes well and truly beyond that. Their research work is invaluable. They put in research reports that are absolutely super, helping all of us do our jobs to create and develop legislation in this state. It is the same at the State Library of Victoria.

The State Library of Victoria has magnificent buildings. There is Queen's Hall, which is a sensational room, and there is the iconic dome, but it is mainly important to look at what a library does. This report highlights the fact that many things are done in collaboration — in partnerships, together — and I think this is something that we do not expect our libraries to do.

For example, 1500 people took part in adult learning programs, which cover general research skills, family history, public history, newspapers and health literacy. This is a growth area for the library. Learning programs are not something that we traditionally think of as part of a library's role, but family history enthusiasts in particular are getting an enormous amount out of the excellent software available and the assistance they get at the library.

On page 11 of the report, under the heading 'Supporting culturally and linguistically diverse communities', we find that the library has played a lead role in two important partnerships supporting services to culturally and linguistically diverse communities.

The state library is well known nationally and internationally in the field of multicultural affairs, which reflects how Victoria is seen internationally. Victoria is very much a blended community of many multicultural groups which work extremely well together. This is reflected in the work of the state library.

The state library has also collaborated with the Little Big Book Club to develop a new multilingual video resource to support culturally and linguistically diverse families, especially new arrivals. This is very valuable and provides a great opportunity to go into the library and form associations with all that it holds.

Commercial partnerships is another very important area. The venue hire operation continued to grow, hosting 250 external events and generating revenues above the target. It is important that members of the public go into our library and understand that it is a place for the people. Holding events is a very important element. Building partnerships is an essential way for the library to expand services, programs and collections. The partnerships include philanthropic and corporate supporters, commercial partners, other cultural agencies, the university sector, other state libraries, the National Library of Australia, major libraries from other parts of the world, the Public Libraries Victoria Network and various government departments. Once again, the depth of what our state library offers is important for us to understand; it is an extraordinarily important organisation.

The work of public libraries is particularly interesting because the state library works very closely with the Public Libraries Victoria Network. It is guided by the Library Board of Victoria and the Advisory Committee on Public Libraries and Framework for Collaborative Action. The highlight of the 2012–13 year was the publication of *Victorian Public Libraries 2030 Strategic Framework*, with its intense sector-wide visioning process. The framework identifies the key social trends that will influence the evolution of public libraries and sets out five strategies to guide managers in their long-term strategic planning. There is much more I could say, but I have run out of time. I thank the Acting President for his indulgence.

South West Institute of TAFE: report 2013

Ms TIERNEY (Western Victoria) — My contribution this evening is on the South West Institute of TAFE 2013 annual report. The South West Institute of TAFE is the largest vocational training provider in the south-west of Victoria, and over the reporting period the institute delivered accredited courses to over

11 600 students with 2.89 million student contact hours. It has campuses at Hamilton, Portland, Warrnambool and Sherwood Park, although training also extends on campus to workplaces, vocational educational and training in schools, and international and interstate programs. There is a conscious movement towards a flexible model of education delivery in order to cater for the changing market of skill shortages, smaller cohorts of students and difficulties that rural students face in accessing education.

The students of the institute reported excellent outcomes through the student outcomes survey: 78.2 per cent of graduates were employed after training, over 80 per cent of graduates found the training was relevant to their current job, 88 per cent of graduates were employed or in further study after training and 87 per cent of graduates were satisfied with the overall quality of their training. Another highlight was the achievement of student Tristan Kemp. While completing a certificate III in horticulture, parks and gardens, he travelled to the UK for 10 weeks on a study trip. When he was overseas he and 17 other horticulturalists won best-in-show honours at the Chelsea Flower Show. This was the first Australian entry to have won in the show's history. South West TAFE also participated in a range of rural projects, including the Great South Coast Health Articulation project, which was designed to respond to the region's growing need for skilled professionals in acute, respite and allied health settings.

The institute has done all of this despite an impact on its bottom line. The annual report details that although a net operating deficit of \$4.36 million is recorded, it is a better return than anticipated, given the \$2.8 million cut the institute experienced in government funding. There were also significant adjustments in expenditure, including redundancy payments that needed to be made to employees who were forced to leave. Some 49 full-time positions were lost at the institute as a result of government cuts.

Unfortunately South West TAFE recorded similar participation statistics to other Victorian TAFEs, with participation of people aged between 25 and 64 years reduced by 427 students between 2012 and 2013, and the participation of people aged between 15 and 24 years reduced by 657 students. The latter figure is of particular concern given that Australian Bureau of Statistics jobless figures show a massive rise in unemployment rates for Victorians aged 15 to 24 years, especially in regional Victoria, and we saw those issues extensively canvassed before the house today in opposition business.

The South West Institute of TAFE has in dire funding circumstances achieved many positive outcomes in 2013. It managed to record 2.98 million student contact hours and continues to offer 220 courses. So many regional Victorians rely on the South West Institute of TAFE for their training and education. Their training also benefits industry, reduces rates of unemployment and strengthens the community. Finally, I take this opportunity to acknowledge the efforts of all staff, students and management during this extremely challenging time. I stand here, like I did earlier today, and say that I look forward to the election of a Labor government later this year so there can be a restoration of the importance of training, education and the TAFE sector to this state.

Regional Development Victoria: report 2012–13

Mr RAMSAY (Western Victoria) — It gives me great pleasure to speak tonight on the Regional Development Victoria 2012–13 annual report. I note that the report's front cover shows an image of the new \$52.6 million regional and community health hub at Deakin University's Waurn Ponds campus. It reminded me of the fact that only two weeks ago I was at Deakin University with the Premier at the opening of the Carbon Nexus project and two weeks before that at the announcement of a Carbon Revolution program.

Ms Tierney interjected.

Mr RAMSAY — Yes, Ms Tierney was also there. To Deakin's credit, it keeps kicking goals. Congratulations to vice-chancellor Jane den Hollander, who has done a wonderful job with the university, both on the Eastern Beach campus and also at Waurn Ponds. It has played a significant role in delivering outcomes that have been supported by the Regional Growth Fund and through the Geelong development program.

I want to draw out some highlights of the report and also mention that Regional Development Victoria (RDV) is a mechanism to allow funding for grassroots projects that are selected by committees at a grassroots level on behalf of the communities they represent, and 60 per cent of those projects come from those grassroots committees. I will highlight a few of those shortly.

The RDV had some responsibility for the Regional Growth Fund, the billion-dollar growth fund which is the farmer's friend and regional Victoria's bible. It has provided many funding projects for small communities that I represent across the Western Victoria Region, and I will identify a few of those. It has also delivered over

\$200 million in regional infrastructure commitments and approved over 1000 regional projects from the Regional Growth Fund. There has been \$325 million invested in projects that are now worth \$1.3 billion, and that is just over the last two years.

The report indicates that the RDV facilitates new investment, business growth and job creation in regional Victoria. One of the things the RDV does is help fund the Regional Victoria Living Expo. I again had the opportunity this year — in fact, it coincided with the Liberal Party conference — to attend the home show at Jeff's Shed, and as I walked past all the stalls that showcased different councils and what they had to offer in regional Victoria, I noted that it was very well supported and attended not by those from regional Victoria but by those looking for opportunities to live, work and recreate in regional Victoria. That is the essence of having a showcase in Melbourne, where city dwellers can avail themselves of the opportunity to see what country Victoria has to offer. It is a great showcase, and I congratulate Garry Lyon, who was our ambassador on the day I was there promoting the activities of the Regional Victoria Living Expo.

The Regional Growth Fund also contributes \$2 million to the cattle underpass program. I am very familiar with this program because it is overseen by the Victorian Farmers Federation. We are removing the inherent dangers of stock crossing roads by providing, with a co-contribution from the owner, a mechanism whereby stock can go under the road. It is a small but very important program, particularly for the dairy industry, but also utilised by those with properties that are divided by arterial, local or council roads. They can apply for funding under this program to build an underpass that provides safety not only for the stock travelling under the road but also for travellers using the road.

The Deputy Premier has made a number of announcements in relation to natural gas priority towns in the Western Victoria Region as part of the Energy for the Regions program. He has already announced natural gas reticulation to Avoca, Terang, Winchelsea, Bannockburn and Invermay — all important towns that are looking for more business and job creation opportunities — and with industry moving to those areas there is now the opportunity to use natural gas as an energy source.

There was \$3.43 million allocated to the Ballarat Airport upgrade, \$1.5 million to Mars Australia for water and energy efficiencies, \$5 million to the Museum of Australian Democracy at Eureka — —

The ACTING PRESIDENT (Mr Ondarchie) — Order! The member's time has expired.

Auditor-General: Access to Services for Migrants, Refugees and Asylum Seekers

Ms MIKAKOS (Northern Metropolitan) — I rise to make a contribution to debate on the Victorian Auditor-General's report, *Access to Services for Migrants, Refugees and Asylum Seekers*, which was tabled in Parliament in the last sitting week. Migrants, refugees and asylum seekers, many of whom possess low proficiency in English or even poor literacy in their own language, are among our most vulnerable members of the community.

I am very proud of Victoria's reputation as a multicultural state. Victoria's migrants have contributed greatly to our state in many ways. However, migrants, refugees and asylum seekers face many barriers to accessing government services, and it is fair to say that this report suggests we have been going backwards in this area in the last few years. The Auditor-General found:

They may face significant barriers to accessing services, including isolation, transport barriers, financial barriers, lack of familiarity with service systems and lack of social networks that could help them understand their rights to services or the practicalities of arranging the help they need.

This report examined whether, in the provision of government services and programs, departments understand the needs of migrants, refugees and asylum seekers, whether they have in place appropriate strategies and programs to meet these needs and whether they are able to identify whether these programs are effective and responsive to these needs.

In his opening comments on the report, the Auditor-General noted he found 'several shortcomings' with respect to these issues. In fact, in the briefing to members in the last sitting week, the Auditor-General's office advised that the requirements of the legislation are not being complied with. The report found, despite Victoria's new multicultural policy, Victoria's Advantage — Unity, Diversity, Opportunity, there is:

... no clear authority or governance structure that would enable departments to be held to account.

The report found there is limited strategic coordination between service delivery departments, the Office of Multicultural Affairs and Citizenship (OMAC) and the Victorian Multicultural Commission (VMC). It found that OMAC and VMC are 'not being used to their full potential'. The report goes on to state:

As a unit within the Department of Premier and Cabinet, OMAC cannot hold other departments to account. As an independent advisory body, VMC lacks the statutory mandate to do so.

This government pulled apart the single joined-up structure which existed under the Labor government — a strong VMC which was also responsible for policy — and it has created two junior agencies in OMAC and VMC, which are trying to deal with the monolith of government with their arms tied behind their backs. So much for having a whole-of-government strategy for multicultural affairs when your leading bodies do not have the clout to keep other departments accountable.

This contributes to the inefficient use of existing resources, a lack of data and relevant information to properly develop programs and policies, and a lack of awareness regarding the roles of OMAC and VMC. It is also noted that, although this new multicultural policy includes performance indicators for the first time, they are based on existing data sets that will not enable departments, OMAC or VMC to determine whether services are being effectively assessed. The report also found that the government does not have any measures proposed or in place to adequately track whether policy objectives are being met. How then does the government intend to measure improvements? Inevitably it will give itself a glowing report card and a pat on the back without focusing on real outcomes. Where reporting does exist, it is:

... limited to outputs rather than outcomes ...

I note that one of the functions of VMC under the Multicultural Victoria Act 2011 is to undertake systematic and wide-ranging community consultations to determine the needs of Victoria's diverse communities, which are reported back to the minister. In respect of community consultation, the report found that further investigation was needed to verify the issues that arose from the 2011 and 2012 VMC community consultations.

However, the VMC advised the Auditor-General that it did not have the resources to investigate further. What is the point of community consultations if they are not then put to use by relevant service delivery departments to inform their programs and services? The Auditor-General describes this as a 'missed opportunity' for the VMC to provide a comprehensive perspective on the community's needs. This suggests that what is happening is tokenistic consultation and reporting, that the government is not actually utilising community feedback effectively and that departmental reporting within government is superficial. The government is treating our culturally and linguistically diverse

communities with disrespect when it pretends to consult with them only to do nothing with the outcomes of those discussions. The legitimate concerns of the communities are being lost in the bureaucratic confusion and gridlock caused by this government.

The report also identified issues around the growing demand for interpreters in emerging languages especially in rural areas.

The report found that for improvement to occur in terms of service delivery across government there needs to be greater collaboration, better data collection and stronger oversight. Ultimately the government is failing to comply with the intention of its own legislation in the Multicultural Victoria Act 2011. If the government is serious about removing barriers to accessing services facing migrants, refugees and asylum seekers, then it needs to do a lot more to lift its game.

Rural and Regional Committee: opportunities for people to use telecommuting and e-business to work remotely in rural and regional Victoria

Mr D. R. J. O'BRIEN (Western Victoria) — I rise to make a contribution on the Rural and Regional Committee's final report on the inquiry into the opportunities for people to use telecommuting and e-business to work remotely in rural and regional Victoria, dated February. This is an excellent report by a very hardworking and diligent committee that I recently had the honour and privilege to join and the further honour to be elected as its chair. I pay tribute to the work of the committee on this and its other inquiries and also to the staff and secretariat, who have put together a very comprehensive report on an important issue.

One of the key issues to look at in understanding the issue of telecommuting and the opportunities that regional Victoria offers is the long-term global picture in relation to the digital age and the opportunities that provides to shrink markets and provide greater information access both to and from regional areas but also opportunities to perhaps return to a former age when the population densities in regional areas were greater, which is reflective of not only the lifestyle but also the other benefits of being closer to sources of food and real economic growth and perhaps to a less congested regional centre. These issues are shared by many of the regional areas that this committee often deals with.

One of the points made in relation to connectivity is the importance of not just internet connectivity but

connectivity in a real sense. At page 132 the report says:

A key message from this inquiry is that policy-makers looking for regional development opportunities should not turn to e-business (or telecommuting) as a silver bullet. The information economy alone will not create growth in rural and regional Victoria. Rather, successful rural and regional communities rely on a total package that contains the right mixture of affinity, amenities, education and connectivity.

Obviously internet and telecommunication connectivity is a critical part of that, but given the speeches that have already been made, including one made by me recently in relation to the significant physical infrastructure that this government is providing and Mr Ramsay's most recent speech about the benefits that have been provided by this government under the Regional Growth Fund, the whole package is necessary to take account of the opportunities for e-business.

One of the key recommendations in the report — and a chapter is devoted to it — is for the establishment of hubs, where a number of telecommuting businesses can operate together and have the social interaction that can be said to be missing in the supervision sense but also in an employer-to-employer or worker-to-worker sense when one looks at very remote telecommuting businesses; in other words, people working from their homes. The report identifies the need for certain economies of scale to be established but states that rural and regional Victoria, and Victoria in particular relative to other states, with a relatively high regional density, provides great opportunities for these hubs to be developed.

With this in mind I note the government's announcements in relation to increasing wi-fi access for commuters on V/Line trains and looking to remove black spots on train services to Geelong and Ballarat in my electorate, as well as to other parts of regional Victoria — that is, Bendigo, Seymour and Traralgon. Those announcements have been well received and their implementation will make a significant contribution towards increasing options for commuters who can perhaps for some of their time work in regional centres but who may need to have physical connectivity to Melbourne or the larger regional centres. Therefore this wi-fi announcement is particularly important. I note the comments of Deakin University's vice-chancellor, Professor Jane den Hollander, who was also mentioned in another member's contribution today. She has said:

It's fantastic to see the Premier respond so positively to a need in the wider Geelong community ...

It is great news for residents, visitors and Deakin students and will help improve productivity and make Geelong even more livable and connected.

Another important announcement for the electorate of Western Victoria Region is the significant broadband internet network that has been implemented in Warrnambool to serve Deakin University and South West TAFE. At 1000 megabytes per second it is 10 times the capacity of the national broadband network. This was brought in by the state government with the assistance of a \$10 million grant. I commend the Premier, who is the member for South West Coast in the Assembly, on that initiative.

PUBLIC RECORDS AMENDMENT BILL 2014

Statement of compatibility

**For Hon. D. M. DAVIS (Minister for Health),
Hon. M. J. Guy tabled following statement in
accordance with Charter of Human Rights and
Responsibilities Act 2006:**

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 ('charter act'), I make this statement of compatibility with respect to the Public Records Amendment Bill 2014.

In my opinion, the Public Records Amendment Bill 2014 ('bill'), as introduced to the Legislative Council, is compatible with human rights as set out in the charter act. I base my opinion on the reasons outlined in this statement.

Overview

The bill amends the Public Records Act 1973 ('act') to establish a process for the annual public release of cabinet records, 30 years after the year of their creation. In addition, the bill makes minor amendments to clarify and improve the operation of, and update references in, the act.

Human rights issues

Human rights protected by the charter act that are relevant to the bill

Section 13: privacy and reputation

Section 13(a) of the charter act provides that a person has the right not to have his or her privacy unlawfully or arbitrarily interfered with.

New section 8B of the act, inserted by clause 7 of the bill, establishes a process for the annual release of 'cabinet records' after a fixed period of closure. A definition of 'cabinet record' is inserted by clause 4 of the bill, and includes all documents prepared for the purposes of, or which record deliberations or decisions of, cabinet.

The right to privacy is relevant, as cabinet records may contain information which is private or personal in nature.

New section 8B requires the Secretary to the Department of Premier and Cabinet to declare that any cabinet record transferred to the Public Record Office after the commencement of the section not be available for public inspection for 30 years from the year of its creation. Such a declaration cannot be varied or revoked.

Current section 9(1) of the act confers a power on the responsible minister to declare that a private or personal record is not available for public inspection for a specified period. This power can be exercised where the minister is of the opinion that a public record contains matters of such a private or personal nature that they should not be open for public inspection. Records are generally closed for a period which ensures they will not be released during the prospective lifetime of the person to whom the personal or private information relates (currently, 75 years from the date of creation for records relating to adults, and 99 years from the date of creation for records relating to children).

In cases where a public record is both a cabinet record and contains private or personal information, new section 9(3) of the act, inserted by clause 8 of the bill, will permit the minister to close the record from public access under section 9(1) for a period which is greater than that required under new section 8B, but not a lesser period. Accordingly, the bill provides scope for cabinet records to be closed from public access for longer periods, where necessary to protect private or personal information.

In view of the above, I consider that the bill does not limit the right to privacy in section 13(a) of the charter act, as it does not alter or interfere with the current arrangements for managing public records which contain personal or private information.

Section 25: presumption of innocence

Section 25(1) of the charter act provides that a person charged with a criminal offence has the right to be presumed innocent until proved guilty according to law.

Current section 19(1) of the act makes it an offence for a person to unlawfully remove, sell, damage or destroy a public record. A person will not commit the offence in section 19(1) where the destruction et cetera of a public record is 'lawful'. Section 19(2) provides that the destruction or disposal of a public record by a public officer is lawful where it is done in accordance with standards established by the keeper of public records under section 12 of the act.

Clause 11 of the bill amends section 19(1) to increase the maximum penalty for this offence from 5 penalty units to 60 penalty units. The right to be presumed innocent is relevant, as a public officer accused of committing this offence bears the evidential onus of proof with respect to the defence provided in section 19(2).

I consider that the bill does not limit the right to be presumed innocent in section 25(1) of the charter act. Courts in other jurisdictions have generally taken the approach that an evidential onus on a defendant to raise a defence does not limit the presumption of innocence. It is appropriate that the defendant bear the onus of raising the defence provided in section 19(2), as the defence relates to matters within the knowledge of the defendant (namely, the manner in which the defendant destroyed or disposed of the public record).

The bill merely updates the maximum penalty for the offence in section 19(1), which has not been amended since 1986 and does not reflect the seriousness of the offence. This amendment does not alter the onus of proof on the prosecution and defendant or make any changes to the elements of the offence. As such, the bill does not limit the defendant's right to be presumed innocent of the offence in section 19(1) until proved guilty.

Consideration of reasonable limitations — section 7(2)

As no rights protected under the act are limited by the bill, it is not necessary to consider section 7(2) of the charter act.

The Hon. David Davis, MLC
Minister for Health

Second reading

Ordered that second-reading speech be incorporated into *Hansard* on motion of Hon. M. J. GUY (Minister for Planning).

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

That the bill be now read a second time.

Incorporated speech as follows:

The Public Records Amendment Bill 2014 marks an important step forward for public records management in this state.

Victoria led the nation when it introduced the Public Records Act in 1973. Since that time, however, Victoria's laws and practices have fallen behind those of the commonwealth and other states — particularly with regard to the management of cabinet records.

The bill will implement the government's commitment to establish a process for the annual public release of cabinet documents. This will bring Victoria into line with other jurisdictions, by providing a fixed and transparent process for the release of cabinet records for the first time. The bill will also make amendments to clarify and improve the operation of the Public Records Act 1973.

Annual public release of cabinet records

The bill will establish a legislative process for the annual public release of cabinet records.

Cabinet documents are important historical records of government decision making, and must be preserved for the benefit of future generations. While the confidentiality of the cabinet process is a cornerstone of our system of government, it is also important that cabinet records are made available to the public in a fixed and timely fashion.

The bill will provide that cabinet records must be closed until 30 years after the year of their creation. This lengthy closure period is necessary to protect the integrity of the cabinet process. However, these reforms will mean that Victorian cabinet records will be released far sooner than has previously been the case. This is because cabinet records will now be released based on when they were created, rather than when the government that created them was defeated.

Under the new process, the Secretary of the Department of Premier and Cabinet, rather than the minister, will be responsible for closing cabinet records. This will ensure the process is managed independently of government.

The new process will apply to cabinet records of this, and all future, Victorian governments. This will mean that cabinet records created during 2011 — the first full year of the current government — will be publicly released on 1 January 2042.

In addition to these reforms, the government has already implemented a number of practical changes to the process for managing its cabinet records, which will support this new process.

Other amendments

The bill also makes several other amendments to clarify and improve the operation of the Public Records Act.

The Public Records Advisory Council will be given new advisory function in relation to public records management. This will enhance the role of the council and ensure it is better able to assist the minister and keeper of public records.

The bill will require public records to be transferred to the Public Record Office Victoria (PROV) sooner when they are no longer in use by a public office. This will assist with the management of electronic records, which become more difficult to preserve over time because of the rapid changes in technology.

The keeper of public records will be given the power to fix the fees charged for copying and other services provided by PROV. This will provide PROV with flexibility to update its services, to respond to changes in technology and the needs of its customers.

The penalty for unlawfully destroying, damaging, removing or selling a public record will be increased, to better reflect the seriousness of this offence.

Finally, the bill will update the language used in the act to ensure that it is gender neutral.

Conclusion

Public records are an important part of Victoria's history. The government is proud to be improving the consistency and transparency of Victoria's public records regime and contributing to the preservation and public release of these important historical documents.

I commend the bill to the house.

Debate adjourned for Mr LENDERS (Southern Metropolitan) on motion of Mr Leane.

Debate adjourned until Wednesday, 18 June.

MELBOURNE MARKET AUTHORITY AMENDMENT BILL 2014

Statement of compatibility

For Hon. G. K. RICH-PHILLIPS (Assistant Treasurer), Hon. M. J. Guy tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006, (the charter act), I make this statement of compatibility with respect to the Melbourne Market Authority Amendment Bill 2014 (the bill).

In my opinion, the bill, as introduced to the Legislative Council, is compatible with human rights as set out in the charter act. I base my opinion on the reasons outlined in this statement.

Overview

The purpose of the bill is to provide for the use of land under the Melbourne Market Authority Act 1977 (the act), and to make arrangements for the relocation of the West Melbourne market to Epping, including clarifying the proprietary rights and interests of persons who occupy, trade or conduct other activities on the current West Melbourne site.

Human rights issues

The right to property

Section 20 of the charter act provides that a person must not be deprived of their property other than in accordance with law. This right requires that powers which authorise the deprivation of property are conferred by legislation or common law, are confined and structured rather than unclear, are accessible to the public and are formulated precisely.

Clause 19 of the bill inserts new sections 36A and 36B of the act. New section 36A abrogates any common-law right as to the provision of the market and any incidents of a market at common law. New section 36B provides that no amount is payable by the Crown (as compensation, damages or otherwise) to any person for any loss or damage arising out of or in connection with the enactment of the bill.

Clause 22 inserts a new part IVA of the act, which provides for the relocation of the West Melbourne market. New section 38C and subsection 38D(1) provide that the minister may declare a day to be the nominated day on and from which any leases, licences, related equitable interests or rights of occupancy associated with the market that are not preserved interests come to an end; any West Melbourne market leases and licences are taken to end, if they have not ended before that day, and no extension, further term, renewal or holding over may be granted; and any rights or interests arising from or associated with the West Melbourne market leases or licences cease.

New section 38E provides that before the nominated day, the Governor in Council by order may declare an interest to be a preserved interest for the purposes of the act.

'Property' under section 20 of the charter act includes the property rights and interests of a person and may include a

lease or licence granted to a person where there is a reasonable expectation of the lasting nature of the lease or licence. To the extent that clauses 19 and 22 may deprive certain persons of some form of proprietary right or interest in the West Melbourne market, any such deprivation will occur in accordance with the processes outlined clearly in the bill and consequently will be lawful. Additionally, new section 38E allows for legitimate interests to be preserved.

Accordingly, in my view the right to property is not limited by clauses 19 or 22 of the bill.

The right to a fair hearing

Section 24(1) of the charter act provides that a party to a civil proceeding has the right to have the proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. The right to a fair hearing may include an implied right of access to a court. The right of access to a court is not absolute. It may legitimately be restricted by the needs and resources of the community and individuals in certain circumstances.

To that extent, the right to a fair hearing is relevant to clause 19 of the bill which, as discussed above, inserts new section 36B of the act to provide that no amount is payable by the Crown (as compensation, damages or otherwise) to any person for any loss or damage arising out of or in connection with the enactment of the bill. This includes the Crown not being liable for any claim arising out of or in connection with the relocation of the market, the removal of the condition on the title to the West Melbourne market land, or the abrogation of any common-law right as to the provision of a market (pursuant to new section 36A).

In my view, the implied right of access to a court is not limited by the bill. I consider it unlikely that a person would be entitled to payment of compensation by the Crown in these circumstances. As mentioned above, new section 38D will provide legislative clarification as to the status of leases, licences and other rights or interests at the West Melbourne market. Accordingly, for the avoidance of doubt, new section 36B also provides that compensation is not payable by the Crown, and that the Crown is not liable for matters arising out of or in connection with the enactment of the bill. In my view, clause 19 consequently does not limit the right to a fair hearing, but instead provides clarity in relation to whether or not compensation is payable by the Crown.

The right to be presumed innocent

Section 25(1) of the charter act provides that a person charged with a criminal offence has the right to be presumed innocent until proved guilty according to law.

Clause 20 of the bill amends section 37 of the act.

Section 37(b) currently provides that in any prosecution or other legal proceedings relating to the Melbourne wholesale fruit and vegetable market, no proof until evidence is given to the contrary is required of the title of the authority to the market or to the market land. Clause 20 of the bill amends section 37(b) to remove the reference to 'market land', and inserts a new section 37(c) to refer to the title to, or interest of, the authority in, 'market land'.

Section 37 operates to remove the need for the prosecution to prove certain facts unless the accused raises contrary evidence. While clause 20 potentially expands the operation of this presumption, in my view it does not limit the right to

be presumed innocent as it only places an evidential burden on an accused to raise certain evidence. Once this has occurred, the burden of proof shifts back to the prosecution to prove the relevant facts specified in section 37. Consequently, clause 20 does not limit the right to be presumed innocent.

The Hon. Gordon Rich-Phillips, MLC
Assistant Treasurer

Second reading

Ordered that second-reading speech be incorporated into *Hansard* on motion of Hon. M. J. GUY (Minister for Planning).

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

That the bill be now read a second time.

Incorporated speech as follows:

The introduction of the bill to the Parliament marks an historic occasion as it heralds the closing of the 33-hectare site on Footscray Road, West Melbourne, as a wholesale fruit, vegetable and flower market and facilitates the move of the market to a brand-new, purpose-built facility in Cooper Street, Epping. The Footscray Road site has been the home of the Melbourne wholesale fruit, vegetable and flower market for 46 years.

The bill will amend the Melbourne Market Authority Act 1977 which governs the operation of the Melbourne wholesale fruit, vegetable and flower market.

The bill will support the finalisation of the Melbourne market relocation project by ensuring that the West Melbourne market is able to be closed in an orderly way and legacy issues will not be carried over to the new market at Epping. The bill will also enable the West Melbourne site to be used for other purposes and clarify the ability of the Melbourne Market Authority to manage the market land at Epping.

Commenced by the Bracks government in 2004, the Melbourne market relocation project has been a difficult project. However, this government has reviewed the project, ensured that it was properly funded and brought it back on track for delivery in 2014–15.

Over 3000 businesses use the West Melbourne market on a daily basis to bring their fresh produce to market. Around 1300 small and large fruit and vegetable retailers come to the market every day to buy that produce. Around 800 florists come from all over Melbourne to purchase fine-quality cut flowers grown in Victoria or imported from South-East Asia and further afield. The West Melbourne site provides around 3.3 hectares of warehousing from which traders ship their product to distribution centres, supermarkets and interstate markets.

Wholesaling activities have evolved over time and the West Melbourne site does not provide an environment conducive to the long-term growth of businesses engaged in wholesaling of fresh produce. In particular, the site was designed before the use of pallets and forklifts, warehousing is limited, and the current facilities do not appropriately accommodate the maintenance of either the cold storage chain or strict hygiene standards. Space is limited for the B-double and B-triple

vehicles that are increasingly being used for long-distance haulage of traded vegetables.

A new modern, state-of-the-art facility at Epping awaits the market traders. Among the many attractions at Epping are: up to three times the amount of warehousing in close proximity to the trading floor; provision of cold storage chain management and security; the ability to cater for modern logistics and hygiene; capacity to facilitate innovation in transport, equipment, materials handling, storage and information technology in the fresh food industry; improvements in access and separation of pedestrians from forklifts and trucks; and the opportunities and benefits that may come from being part of a proposed interactive and integrated fresh food-related business precinct.

In the lead-up to opening the market, there are many tasks required to transition the 3000 market businesses. In implementing the move, it is necessary to preserve as much flexibility in the relocation arrangements, given the timing of delivery of supporting warehousing to Epping and the number of businesses dependent on warehousing, for example: wholesaler fruit and vegetable store traders with specialised warehousing facilities, such as fumigation and ripening rooms.

All of these circumstances need to be resolved and consequently the precise timing of the move, and whether the move will occur at the one time or in stages following each other, are not known at this point.

Unfitted-out warehousing is expected to be available on site from September 2014, with further tranches to be progressively delivered from March to July 2015. In addition to all these logistical issues, a move of the market should take account of the peak market trading time which is from December to March.

The move to Epping must be managed in a timely way and must also take account of the particular circumstances facing businesses and the new facility.

The bill recognises the complexities of the move to Epping and provides for the responsible minister to nominate a date (no later than 30 June 2015) when interests at West Melbourne will come to an end. Interests that should continue, for example, easements for utilities, will be preserved. After the nominated date, the Melbourne Market Authority will be able to deal with market participants with certainty and as market circumstances at the time allow.

The bill removes current restrictions on use of the West Melbourne land and allows the Melbourne Market Authority to permit the land to be used for non-market purposes. At the same time, the bill preserves the ability of the Melbourne Market Authority, after the nominated date, to use the West Melbourne land for market-related operations and arrangements if necessary to support a smooth transition to Epping.

By permitting the West Melbourne site to be used for purposes other than a market, the bill will facilitate stage 1 of the east–west link connection from the Eastern Freeway to CityLink. East–west link requires the manufacture of tens of thousands of precast elements as well as lay-down access for construction equipment and resources. The West Melbourne site presents as an exceptional opportunity for use as an ancillary works area for the east–west link in the short to

medium term before any decisions about the longer-term future of the site are made. This is expected to lead to substantial cost benefits.

In addition, the bill clarifies the ability of the Melbourne Market Authority to manage the market land at Epping, which is held under a lease from the Secretary, Department of State Development, Business and Innovation.

Lastly, the bill includes minor and technical amendments to the Melbourne Market Authority Act 1977 to improve its operation.

I commend the bill to the house.

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

Debate adjourned until Wednesday, 18 June.

ADJOURNMENT

Alfred Health

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

That the house do now adjourn.

Ms MIKAKOS (Northern Metropolitan) — My matter this evening is for the Minister for Ageing. I am raising a matter about ageing for the second time today, and the minister is again not in the house. I highlight yet another example of this government's secret privatisation agenda for Victoria's public sector residential aged-care services. It remains a secret because, despite its tender process for 1000 metropolitan aged-care beds having closed months ago, not a peep has come from the government about which facilities it intends to close or sell off.

In the 2012–13 budget update the Napthine government foreshadowed that it would rip \$75 million from Victoria's public aged-care sector, sending health networks and other aged-care providers scrambling. In a document dated 2 December 2013 and signed off by Andrew Perta, the director of nursing at Caulfield Hospital, Alfred Health has developed a restructure proposal to enter into a public-private partnership for its public residential aged-care services, including the Caulfield Hospital Nursing Home, the Montgomery Nursing Home and the Namarra Nursing Home.

Alfred Health held a meeting on 22 May this year, at which Labor's candidate for Caulfield, Josh Burns, was, remarkably, turned away. I have been advised also that the Australian Nursing & Midwifery Federation was also told not to send any representatives to that meeting. The excuse given by Alfred Health was that the meeting was for those directly affected by privatisation plans. However, the privatisation of

Victoria's public aged-care facilities is an issue that is directly affecting the local community more broadly.

On 10 December 2013 in Parliament the minister stated about privatisation:

... if Alfred Health were to progress down this path, it would look closely at consulting with the community.

It is not consulting closely with the community. What it is doing is continuing the very culture of secrecy and cover-up that this government is itself perpetrating when it comes to selling off our public aged-care system. I wrote to the minister on 19 May, asking that he honour this statement and urge Alfred Health to proceed with an open and transparent forum, open to the entire community. I am yet to receive a response.

The coalition government has embarked on this privatisation agenda with no mandate at the last election from the Victorian public to do so. Since it came to government 410 public aged-care beds have been lost and seven facilities have closed, with another to close at the end of this month. One facility has already been privatised. For months now the government has kept the Victorian public in the dark about which facilities it will sell.

I call on the minister to urge Alfred Health to immediately call an open and transparent community forum, open to the whole community, so that members of the entire local community have the opportunity to attend and raise their concerns about this proposal that Alfred Health is proceeding with in respect of its local nursing homes.

Woodend community bus

Mrs MILLAR (Northern Victoria) — My adjournment matter tonight is directed to the Minister for Public Transport, the Honourable Terry Mulder. I raise for the minister's attention a petition with more than 1200 signatures collected in 2012–13 supporting the establishment of a community bus service in Woodend. I raise this matter for the minister because those responsible for collecting the signatures are now unfortunately unable to locate the original petition, meaning it cannot be formally tabled in this place. However, I consider it important that the minister be aware of the views of some 1200 residents in Woodend and the Macedon Ranges who indicated their support for a community bus in Woodend.

Community buses have been very successful in many regional towns, and I acknowledge the success of the popular Gisbus service, which benefited from the minister's decision earlier this year to make this a

permanent service. While there were some initial issues experienced with the revised timetable, I thank the minister and his staff, together with the staff of Public Transport Victoria, for listening to Gisborne locals and promptly identifying and rectifying issues after I passed on the initial concerns of local constituents. This excellent local service is operating very effectively, and I thank all the locals who contacted me about this and who continue to enjoy using this great service.

The government has a proven record in listening to and delivering for this community, and I therefore draw the minister's attention to the petition about establishing a community bus service in Woodend. I also acknowledge the efforts of locals in the Macedon Ranges, including Mrs Betty Barned and Macedon Ranges shire councillor Russell Mowatt, who recognise the importance of a better connected community. I raise this matter for the minister's attention to recognise the efforts of locals in the Macedon Ranges in collecting these signatures.

Costerfield mine

Ms DARVENIZA (Northern Victoria) — I raise a matter for the Minister for Energy and Resources, Russell Northe. Residents of Costerfield have told various media outlets that they are being poisoned by toxic dust from a nearby gold and antimony mine owned by Mandalay Resources. The dust contains antimony, which has properties similar to arsenic and can cause respiratory, reproductive and liver problems and skin irritations. Local sheep farmer Neil Harris told the ABC that the toxic dust from the site has been contaminating the air and local water supplies since March. He said that the dust coming out of the crusher at Mandalay Resources is getting worse and he is worried that the locals will be poisoned. Mr Harris's health has been directly affected, with skin irritations on his legs that need medical treatment. Scott Delmo, a Costerfield father, is considering moving out of his family home because his daughters, aged 5 and 7, have both tested far above the accepted safe levels for antimony.

Residents were angry at the Victorian government's slow reaction to the potential hazards the community is facing. Mr Harris sought help from the environmental disaster manager, Andrew Helps. Urine tests were conducted on 60 residents, including children. Tests were also conducted on local creeks and household water tanks, and they found high levels of antimony, arsenic and other minerals. Mr Helps told the ABC that the figures that came out of the testing were horrible. The specific action that I seek of the minister is that he as a matter of urgency direct his department to

immediately conduct health tests to measure antimony levels in all members of the Costerfield community.

Health funding

Mr MELHEM (Western Metropolitan) — My adjournment matter is for the attention of the Minister for Health, the Honourable David Davis, and it relates to the impact of federal budget cuts on Victorian hospitals. Our health system in Victoria is in crisis. Ambulances are taking hours to arrive, emergency patients are being crammed into hospital corridors, our loved ones are waiting longer than ever to be treated, people's lives are in danger and children are waiting in pain. Things are only going to get worse because of Prime Minister Tony Abbott's federal budget cuts which will impact on Victorian hospitals.

More than \$50 billion will be cut from the health budget over the next decade, with Victoria's share at about \$12.5 billion. Victorian hospitals are going to be slammed by Tony Abbott's budget of broken promises. Over the next four years Tony Abbott will cut nearly \$1 billion from national health reform agreement payments to Victoria, and a further \$400 million is being cut from health and hospital programs such as dental care, preventive health and organ donation. That is on top of the \$7 co-payment for GP visits, X-rays et cetera.

Tony Abbott's budget cuts mean that there will be \$982 million less allocated to Victoria than there was in the 2013–14 federal budget. Now the Minister for Health is attempting to argue that the opposition analysis of federal budget cuts is incorrect, despite them being based on the same formula used on the Department of Health's website. The minister has repeatedly ignored questions about the impact of Tony Abbott's cuts. This is despite the minister producing a hospital-by-hospital analysis when a smaller cut to national health funding was made by the Gillard government in 2012. The minister launched the site www.health.vic.gov.au/facts, which listed a full breakdown of the cuts by hospital. In fact the site outlined 'nominal' figures over the forward estimates. The Labor opposition used the same formula to determine how Tony Abbott's hospital cuts would affect each Victorian hospital from 2013–14 and beyond that to 2017–18. For the minister to dispute these claims shows he has his head buried in the sand and is too scared to stand up to his Liberal mates in Canberra.

I call on the minister to tell me and all Victorians how the federal budget cuts will impact on every Victorian hospital and what action he will take to minimise the

impact on Victorian patients. Victoria deserves better than Tony Abbott and Denis Napthine.

Drysdale sports facilities

Mr KOCH (Western Victoria) — My adjournment matter is for the Minister for Sport and Recreation, the Honourable Damian Drum, and it relates to the need for a second sporting oval in Drysdale. The Drysdale Football Netball Club, taking into account the needs of the local soccer, cricket and netball clubs, has been seeking government support for a proposed second sporting oval in Drysdale as outlined in the City of Greater Geelong's sporting precinct master plan tabled and approved in 2011.

The City of Greater Geelong is committed to the development of a subregional sports precinct at a 45-hectare site bounded by Peninsula Drive, Andersons Road, Grubb Road and Belchers Road in Drysdale. The master plan provides for a range of current and future sporting needs of the Bellarine Peninsula, and its recommendations were prepared after two years of consultation with the community and local sporting clubs. Both Ocean Grove and Leopold, with similar populations, already have a second sports oval in their townships, while Drysdale, with a population exceeding 12 000 residents, has only one sports precinct. Significant growth is currently under way at Drysdale with four major subdivisions that will see a further 2000 homes constructed in the near future.

There is community concern that without access to healthy outdoor activities like a range of sports to occupy their time, children and young adults could turn their attention to antisocial activities. The Drysdale/Clifton Springs Community Association, along with local sporting clubs and schools located near the proposed site, have already expressed considerable concern at the rate of development off Jetty Road and Central Walk and other developments in the area.

There is a clear need to ensure that recreational infrastructure keeps up with current needs and the ever-increasing demand these developments will create. In particular the new housing in the Jetty Road development will drive significant demand for additional sporting facilities. The development of the subregional sporting centre in Andersons Road remains very much on the City of Greater Geelong's list of projects to be completed. However, the absence of funding has been an issue. The cost of stage 1 is expected to be up to \$8 million and will require assistance from the state government. There is wide community support for this project.

My request to the minister is that he visit Drysdale and discuss the ongoing needs of this growing community for an additional sporting hub to accommodate football, netball, soccer and cricket.

Beaufort education regeneration project

Ms PULFORD (Western Victoria) — The matter I wish to raise is for the attention of Minister for Education, Mr Dixon, and it relates to the provision of education in Beaufort, in my electorate. The Beaufort education regeneration project is a very important project. In 2011 funding was allocated to the integration of the primary school and early learning centre onto the site of the secondary school. This came after many years of planning, hard work and advocacy by the community.

Beaufort, as members may be aware, is a town in the Pyrenees shire and is home to almost 7000 residents. Beaufort Secondary College is the only provider of secondary school education in the shire. Beaufort is an expanding and growing town. It is a lovely and vibrant town that I had the pleasure of visiting just last week. A recent release of land by the Pyrenees Shire Council will see the construction of additional housing. It is a very lovely area to live in, but an essential element of attracting new residents to any community is being able to demonstrate quality education and health care. Stage 2 of the Beaufort education regeneration project would see the demolition of current secondary school buildings and the construction of new learning spaces for those incredibly important years 7 to 12.

Daniel McGlone, the Labor Party candidate for the Assembly seat of Ripon, has been meeting with local members of the community and discussing this important need. This project is supported by the local council, and residents have told Daniel and me about its importance and the great need for it.

The cavalier treatment of schoolchildren across regional Victoria by the Baillieu and Napthine governments has been nothing short of a disgrace. The cuts to the Victorian certificate of applied learning and vocational education and training programs and the decimation of TAFE in Victoria have had a profound impact on education in regional communities, and in particular in rural communities, but the government has an opportunity to make good — at least to the children of Beaufort, who have suffered so much at the hands of this government — and provide the much-needed funding for this school.

This is a project that Daniel McGlone supports, and it is very worthy of the government's consideration. I call

on Mr Dixon, the Minister for Education, to provide the urgently needed funding for this project.

Webb Dock development

Mr SOMYUREK (South Eastern Metropolitan) — I raise a matter for the attention of the Minister for Manufacturing, Mr Hodgett. The *Age* of 21 April reported that a group of local manufacturers, including Portland-based Keppel Prince from the Premier's own electorate, had missed out on work from the \$1.6 billion Webb Dock expansion. This work was won by a multinational company, McDonnell Dowell, and the manufacturing work will now go offshore to China and Korea.

The action I seek from the minister is that he explain why these valuable manufacturing jobs are being exported overseas when we have the capability to produce them locally.

Kindergarten funding

Ms TIERNEY (Western Victoria) — My adjournment matter is for the Minister for Children and Early Childhood Development. It is in relation to state and federal funding for Victorian kindergartens and the national agreement of 15 hours of kindergarten for every child. It really is extremely disappointing to have to raise the prospect of the reduction of the current 15 hours of kinder per child per week to 10 hours per week. I know that every member on this side of the chamber shares this sense of disappointment, and it baffles me that those opposite could think differently.

However, this issue is upon us because the federal and state Liberal governments are looking to tear up this important agreement of 15 hours per child and cut kinder hours. It has been reported in news articles on the subject in recent times that many are saying that this possibility of a cutback will compromise the education of young people, leaving them less prepared for their entry into primary school. It will threaten jobs that were created when the hours were increased to 15 last year, and it will undermine the millions of dollars that have been spent upgrading and redeveloping kinders in the recent past to accommodate the increase in hours last year.

A number of stakeholders in my electorate, including parents, kindergarten teachers, school principals and local council representatives, are united in their voice of opposition. They have made their views quite clear locally, with quotes such as:

We are quite devastated that we may be offering only 10 hours a week ...

It is going to significantly affect staff across a lot of centres ...

...

Right across the board, from every angle that you look at it, there are significant disadvantages ...

And:

Any reduction in funding is likely to result in families having to fund the gap or miss out ...

Another person said:

It would a retrograde step — a dumb move — to go back to 10 hours ...

The action I am seeking is for the minister to provide me with information her department must have — namely, the analysis of how kindergarten funding being cut from 15 to 10 hours per week will affect every kindergarten in Western Victoria Region with respect to job cuts and educational outcomes for young people.

Responses

Hon. M. J. GUY (Minister for Planning) — Ms Mikakos raised a matter for the Minister for Ageing, David Davis, and I will pass that on for his response.

Mrs Millar raised a matter for the Minister for Public Transport, Terry Mulder, about a community bus at Woodend, and a written response will be prepared for her.

Ms Darveniza raised a matter for the Minister for Energy and Resources, Mr Northe; I missed the name of the town, but I am sure Hansard will have picked it up. It concerned an issue in relation to toxic dust health tests, and I will pass that on for Mr Northe's written reply.

Mr Melhem raised a matter for the Minister for Health, David Davis, in relation to the federal budget, and he will have a written response coming to him.

Mr Koch raised a matter for the Minister for Sport and Recreation, Damian Drum, in relation to a second sporting oval in Drysdale, a very important matter. Mr Koch has been very prominent on some of these matters, particularly around the Bellarine Peninsula. I thank him for raising the matter, and I am sure the people in Drysdale do so also. He will have a written response coming to him on that important matter.

The Minister for Education, Martin Dixon, had a matter raised for him by Ms Pulford in relation to education facilities in the lovely town of Beaufort, and the minister will have a response prepared for her.

Mr Somyurek raised a matter for the Minister for Manufacturing, David Hodgett, in relation to Keppel Prince Engineering — I think that was one part of it — particularly concerning local jobs and manufacturing jobs. The minister will have a response prepared for Mr Somyurek.

Ms Tierney raised a matter for the Minister for Children and Early Childhood Development, Wendy Lovell, in relation to kindergarten funding, and I will seek a written response from the minister on the matter Ms Tierney raised.

I have seven written responses to adjournment matters: two for Mr Lenders, his matters having been raised on 5 September and 26 November 2013; one for Mr Tarlamis, his matter having been raised on 12 March; one for Mr Leane, his matter having been raised on 1 April — how apt!; one for Mr Tee, his matter having been raised on 2 April; and one each to Mr Finn and to Mr Ramsay, their matters both having been raised on 6 May.

The ACTING PRESIDENT (Mr Ondarchie) — Order! I remind members the Legal and Social Issues Legislation Committee will meet at 8.00 p.m. sharp tonight. Just as importantly, there will be a joint sitting of the two chambers in the Legislative Assembly at 6.15 p.m. The house now stands adjourned.

House adjourned 5.53 p.m.

Wednesday, 11 June 2014

JOINT SITTING OF PARLIAMENT

Legislative Council vacancy

**Honourable members of both houses met in
Assembly chamber at 6.16 p.m.**

The Clerk — Before proceeding with the business of this 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 the nomination.

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

Motion agreed to.

The CHAIR — 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 rules.

Dr NAPTHINE (Premier) — Chair, 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 — 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 Ms Margaret Lewis be chosen to occupy the vacant seat in the Legislative Council.

She is willing to accept the appointment if chosen. In order to satisfy the joint sitting as to the requirements of section 27(4) of the Constitution Act 1975, I also advise the house that Ms Lewis is the selection of the Australian Labor Party, the party previously

represented in the Legislative Council by the Honourable Candy Broad.

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

The CHAIR — Are there any further proposals?

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

Motion agreed to.

The CHAIR — I extend congratulations to Ms Margaret Lewis.

Honourable members applauded.

The CHAIR — I formally declare that Ms Margaret Lewis has been chosen to occupy the vacant seat in the Legislative Council. I will advise the Governor accordingly.

Victorian Responsible Gambling Foundation

The CHAIR — The second purpose of tonight's sitting is to elect a member for appointment to the board of the Victorian Responsible Gambling Foundation.

While joint standing orders 19 to 22 apply to this joint sitting, there is no joint standing order to cover the nomination of a member to the board. Therefore the first matter to consider is the adoption of rules.

Dr NAPTHINE (Premier) — I move:

That the rules for nominations, which are in the hands of members, be adopted.

Motion agreed to.

The CHAIR — I now invite proposals from members with regard to a member to be elected to the board of the Victorian Responsible Gambling Foundation.

Dr NAPTHINE (Premier) — I propose:

That Ms Maree Edwards be elected to the board of the Victorian Responsible Gambling Foundation.

She is willing to accept the appointment if chosen.

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

The CHAIR — Are there any further nominations?

There being no further nominations and as only one member has been proposed, I have pleasure in

declaring that Ms Maree Edwards is elected to the board of the Victorian Responsible Gambling Foundation.

Honourable members applauded.

The CHAIR — As the two matters that the joint sitting was required to deal with have been completed, I close the joint sitting and thank members for their attendance.

Proceedings terminated 6.21 p.m.

