

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

**LEGISLATIVE COUNCIL
FIFTY-SIXTH PARLIAMENT
FIRST SESSION**

Wednesday, 5 May 2010

(Extract from book 6)

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By authority of the Victorian Government Printer

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The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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Legislation Committee — Mr Atkinson, Ms Broad, Mrs Coote, Mr Drum, Ms Mikakos, Ms Pennicuik and Ms Pulford.

Privileges Committee — Ms Darveniza, Mr D. Davis, Mr Drum, Mr Jennings, Ms Mikakos, Ms Pennicuik and Mr Rich-Phillips.

Select Committee on Train Services — Mr Atkinson, Mr Barber, Mr Drum, Ms Huppert, Mr Leane, Mr O'Donohue and Mr Viney.

Standing Committee on Finance and Public Administration — Mr Barber, Ms Broad, Mr Guy, Mr Hall, Mr Kavanagh, Mr Rich-Phillips and Mr Viney.

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

Joint committees

Dispute Resolution Committee — (*Council*): Mr D. Davis, Mr Hall, Mr Jennings, Mr Lenders and Ms Pennicuik. (*Assembly*): Mr Batchelor, Mr Cameron, Mr Clark, Mr Holding, Mr Lupton, Mr McIntosh and Mr Walsh.

Drugs and Crime Prevention Committee — (*Council*): Mrs Coote, Mr Leane and Ms Mikakos. (*Assembly*): Ms Beattie, Mr Delahunty, Mrs Maddigan and Mr Morris.

Economic Development and Infrastructure Committee — (*Council*): Mr Atkinson, Mr D. Davis and Mr Tee. (*Assembly*): Ms Campbell, Mr Crisp, Mr Lim and Ms Thomson.

Education and Training Committee — (*Council*): Mr Elasmarr and Mr Hall. (*Assembly*): Mr Dixon, Dr Harkness, Mr Herbert, Mr Howard and Mr Kotsiras.

Electoral Matters Committee — (*Council*): Ms Broad, Mr P. Davis and Mr Somyurek. (*Assembly*): Ms Campbell, Mr O'Brien, Mr Scott and Mr Thompson.

Environment and Natural Resources Committee — (*Council*): Mr Murphy and Mrs Petrovich. (*Assembly*): Ms Duncan, Mrs Fyffe, Mr Ingram, Ms Lobato, Mr Pandazopoulos and Mr Walsh.

Family and Community Development Committee — (*Council*): Mr Finn and Mr Scheffer. (*Assembly*): Ms Kairouz, Mr Noonan, Mr Perera, Mrs Powell and Mrs Shardey.

House Committee — (*Council*): The President (*ex officio*), Mr Atkinson, Ms Darveniza, Mr Drum, Mr Eideh and Ms Hartland. (*Assembly*): The Speaker (*ex officio*), Ms Beattie, Mr Delahunty, Mr Howard, Mr Kotsiras, Mr Scott and Mr K. Smith.

Law Reform Committee — (*Council*): Mrs Kronberg and Mr Scheffer. (*Assembly*): Mr Brooks, Mr Clark, Mr Donnellan, Mr Foley and Mrs Victoria.

Outer Suburban/Interface Services and Development Committee — (*Council*): Mr Elasmarr, Mr Guy and Ms Hartland. (*Assembly*): Mr Hodgett, Mr Langdon, Mr Nardella, Mr Seitz and Mr K. Smith.

Public Accounts and Estimates Committee — (*Council*): Mr Dalla-Riva, Ms Huppert, Ms Pennicuik and Mr Rich-Phillips. (*Assembly*): Ms Graley, Mr Noonan, Mr Scott, Mr Stensholt, Dr Sykes and Mr Wells.

Road Safety Committee — (*Council*): Mr Koch and Mr Leane. (*Assembly*): Mr Eren, Mr Langdon, Mr Tilley, Mr Trezise and Mr Weller.

Rural and Regional Committee — (*Council*): Ms Darveniza, Mr Drum, Ms Lovell, Ms Tierney and Mr Vogels. (*Assembly*): Mr Nardella and Mr Northe.

Scrutiny of Acts and Regulations Committee — (*Council*): Mr Eideh, Mr O'Donohue, Mrs Peulich and Ms Pulford. (*Assembly*): Mr Brooks, Mr Burgess, Mr Carli, Mr Jasper and Mr Languiller.

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-SIXTH PARLIAMENT — FIRST SESSION

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Deputy Leader of the Opposition:
Ms WENDY LOVELL

Leader of The Nationals:
Mr PETER HALL

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Mr DAMIAN DRUM

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Coote, Mrs Andrea	Southern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Dalla-Riva, Mr Richard Alex Gordon	Eastern Metropolitan	LP	Murphy, Mr Nathan ²	Northern Metropolitan	ALP
Darveniza, Ms Kaye Mary	Northern Victoria	ALP	O'Donohue, Mr Edward John	Eastern Victoria	LP
Davis, Mr David McLean	Southern Metropolitan	LP	Pakula, Hon. Martin Philip	Western Metropolitan	ALP
Davis, Mr Philip Rivers	Eastern Victoria	LP	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
Drum, Mr Damian Kevin	Northern Victoria	Nats	Petrovich, Mrs Donna-Lee	Northern Victoria	LP
Eideh, Mr Khalil M.	Western Metropolitan	ALP	Peulich, Mrs Inga	South Eastern Metropolitan	LP
Elasmar, Mr Nazih	Northern Metropolitan	ALP	Pulford, Ms Jaala Lee	Western Victoria	ALP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Guy, Mr Matthew Jason	Northern Metropolitan	LP	Scheffer, Mr Johan Emiel	Eastern Victoria	ALP
Hall, Mr Peter Ronald	Eastern Victoria	Nats	Smith, Hon. Robert Frederick	South Eastern Metropolitan	ALP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Huppert, Ms Jennifer Sue ¹	Southern Metropolitan	ALP	Tee, Mr Brian Lennox	Eastern Metropolitan	ALP
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Theophanous, Hon. Theo Charles ³	Northern Metropolitan	ALP
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Kronberg, Mrs Janice Susan	Eastern Metropolitan	LP	Viney, Mr Matthew Shaw	Eastern Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Vogels, Mr John Adrian	Western Victoria	LP

¹ Appointed 3 February 2009

² Appointed 9 March 2010

³ Resigned 1 March 2010

⁴ Resigned 9 January 2009

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Wednesday, 5 May 2010

The **PRESIDENT (Hon. R. F. Smith)** took the chair at 9.34 a.m. and read the prayer.

ROYAL ASSENT

Message read advising royal assent to:

20 April

Livestock Management Act

27 April

Equal Opportunity Act.

PLANNING AND ENVIRONMENT AMENDMENT (GROWTH AREAS INFRASTRUCTURE CONTRIBUTION) BILL

Introduction

Received from Assembly:

The **PRESIDENT** — Order! I have a message from the Speaker of the Assembly. It reads:

The Legislative Assembly informs the Legislative Council that the Legislative Assembly has agreed to a bill 'for an act to amend the Planning and Environment Act 1987 to provide for growth areas infrastructure contributions and to make related amendments to the Building Act 1993, the Project Development and Construction Management Act 1994, the Sale of Land Act 1962, the Subdivision Act 1988, the Taxation Administration Act 1997 and the Victorian Civil and Administrative Tribunal Act 1998 and for other purposes' with the amendments recommended by the Dispute Resolution Committee in its resolution of 22 April 2010 and requests confirmation that the Legislative Council has agreed to the bill with such amendments.

I wish to remind the house that a bill of this nature was introduced and debated and the second reading negated in the chamber in February this year. A standing order of this house effectively states that it cannot, within six months of the same session, debate two bills of similar content. Standing order 7.06 states:

No question will be proposed in the Council which is the same in substance as any question which has been resolved during the previous six months in the same session.

I note that the message from the Assembly contains both the bill and the schedule of amendments which have now been made by the Assembly, but in my view the substance is still the same. I therefore indicate that I

cannot accept a motion for the first reading of this bill at this stage.

PETITIONS

Following petitions presented to house:

Electricity: smart meters

To the Legislative Council of Victoria:

The petition of citizens of the state of Victoria draws to the Legislative Council's attention the Brumby government's mismanagement of smart meters, in particular:

the Auditor-General's finding that the project cost has blown out from \$800 million to \$2.25 billion, all of which will be paid for in higher bills;

the Auditor-General's finding that the electricity industry may benefit from smart meters at the expense of the consumers who pay for them;

the unfairness of many consumers and small businesses having to pay for smart meters before they are installed; and

findings by Melbourne University that many families will have to pay around \$300 per annum in higher electricity bills as a result of Labor's smart meters.

The petitioners therefore request that the Legislative Council require the Brumby Labor government to immediately freeze the rollout of smart meters across Victoria until it can be independently demonstrated that consumers will not be forced to pay for the Brumby government mistakes in the smart meter project.

**By Ms LOVELL (Northern Victoria)
(30 signatures).**

Laid on table.

Monash Freeway: noise barriers

To the Honourable the President and members of the Legislative Council assembled in Parliament:

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Council the Victorian government's continued failure to upgrade sound barriers along the Monash Freeway between the end of the CityLink freeway and Warrigal Road as part of the current expansion of the current expansion of the Monash Freeway.

We note that the upgrade of the Monash Freeway is nearing completion and that this is the last chance for the Brumby government to provide for the upgrade of noise barriers to reduce the impact of increased traffic volumes and noise on residents whose properties are impacted by the widening of the Monash Freeway.

The petitioners therefore request that the Victorian government take immediate action to reduce the increased noise impact on local residents of the Monash Freeway

expansion by the installation of state-of-the-art noise barriers to a standard equivalent to that required of CityLink and EastLink.

By Mr D. DAVIS (Southern Metropolitan)
(30 signatures).

Laid on table.

Computer games: classification

To the Legislative Council of Victoria:

The petition of citizens of the state of Victoria draws to the Legislative Council's attention community concern about the inadequacy of the current classification system used for computer games.

As games are frequently purchased and/or played by teenagers under 18 years of age and at varied levels of maturity, the petitioners urge the adoption of a more rigorous classification to regulate games that include violence, explicit sexual material, depict the use of drugs, criminal activities or cruelty.

Your petitioners request that the Legislative Council urge the Victorian Attorney-General to support the introduction of a classification system that would prevent minors from seeing or playing games that are offensive or that include content that is dangerous or objectionable.

By Mr ATKINSON (Eastern Metropolitan)
(461 signatures).

Laid on table.

Planning: height controls

To the Legislative Council of Victoria:

The petition of citizens of the state of Victoria draws to the Legislative Council's attention community concern about the failure of the Minister for Planning and the Brumby government to provide planning certainty to residents, businesses and property owners in regard to limits on the height of new developments and redevelopments following the expiration of interim height controls.

The petitioners note that the Minister for Planning has established a pattern of calling in and determining significant development proposals, including high-rise projects, overriding local municipal planning assessments, limiting consultation and ignoring community objections on projects that are out of character with local neighbourhoods and business centres.

Your petitioners request that the Legislative Council call on the Minister for Planning and the state government immediately to provide planning certainty to the community by re-establishing height controls.

By Mr ATKINSON (Eastern Metropolitan)
(215 signatures).

Laid on table.

BUDGET PAPERS 2010–11

Mr LENDERS (Treasurer) — By leave, I move:

That there be laid before this house a copy of the following 2010–11 budget papers:

- (a) Treasurer's speech (budget paper 1);
- (b) strategy and outlook (budget paper 2);
- (c) service delivery (budget paper 3);
- (d) statement of finances (incorporating quarterly financial report 3) (budget paper 4);
- (e) public sector asset investment program (budget information paper 1); and
- (f) Putting Patients First (budget information paper 2).

Motion agreed to.

Laid on table.

Ordered to be considered next day on motion of Mr LENDERS (Treasurer).

PARTNERSHIPS VICTORIA

Peninsula Link project

Hon. M. P. PAKULA (Minister for Public Transport), by leave, presented project summary.

Laid on table.

AUSTRALIAN CATHOLIC UNIVERSITY

Report 2009

Hon. M. P. PAKULA (Minister for Public Transport), by leave, presented report.

Laid on table.

MELBOURNE COLLEGE OF DIVINITY

Report 2009

Hon. M. P. PAKULA (Minister for Public Transport), by leave, presented report.

Laid on table.

STANDING ORDERS COMMITTEE

Standing committees

Mr DALLA-RIVA (Eastern Metropolitan) presented final report, including appendices.

Laid on table.

Ordered that report be printed.

Mr DALLA-RIVA (Eastern Metropolitan) — I move:

That the Council take note of the report.

This is a significant report, and I think members on all sides of this chamber should be aware of what the Standing Orders Committee has been undertaking. There was an initial request for a review of the way the committees are being run within the Legislative Council, given the changes that had occurred. Whilst it was anticipated from a resolution of this chamber on 17 April 2007 that the committee was to report by 30 November 2008, clearly the amount of work that was necessary included a number of extensions to the reporting date contained in that resolution.

I am very pleased that the final report on the establishment of new standing committees for the Legislative Council has now been presented. This will establish a proposal for the chamber to consider, outlining the recommendations that are proposed on page 7 of that report dealing with the structure of proposed standing committees.

In a sense what the committee reviewed was the overarching capacity of the Legislative Council as a house of review to ensure that it is able to detail or review certain aspects of legislation and also references that may be applicable. The committee looked at various structures that were in place not only in various state parliaments but also in the Senate.

At point 11 in the report the committee recommended that a structure similar to that of the Australian Senate be established in the Victorian Legislative Council. The only difference would be that the Senate has many more senators than this house has members. The recommendation is that each pair of committees consist of a legislation and references committee, and be structured essentially into three parts: the first one being the economy and infrastructure committee; second, the environment and planning committee; and third, the legal and social issues committee. The issues about composition are outlined in recommendation 16, as is

the issue of proportionality outlined on page 9 of the report, which I would suggest members read.

The recommended structure will allow the chamber to be more engaged in the process of how it deals with legislation, how legislation is referred to committees for review and how the chamber can reference particular issues that may be of interest to all members. I recommend the report to the chamber.

Ms PENNICUIK (Southern Metropolitan) — It is with great pleasure that I rise to speak on the presentation of this report to the Council because it was on my motion of 7 September 2008, some 19 months ago that the house resolved that the Legislative Council's Standing Orders Committee inquire into the establishment of new standing committees for the Legislative Council. Over that time the committee has looked into what was put to it by that resolution — that is, the number, composition, structure and functions of those committees and the staffing and resources required for the effective operation of those committees.

The reason I originally moved the motion that the Council have the standing committee look into these issues is that although the system by which the Legislative Council is elected was reformed before the 2006 election — after the 2006 election the new Legislative Council comprised members from different parties elected by proportional representation — the Council itself does not have the type of standing committee arrangement as do upper houses in other parts of Australia. The Senate in particular has a longstanding Senate committee structure, the New South Wales Parliament has quite a comprehensive upper house committee structure, and Western Australia and South Australia also have very comprehensive standing committee structures. That is obviously lacking at the moment in the Legislative Council in Victoria.

A new structure of standing committees is needed for the Victorian Legislative Council — that is, the upper house of the Victorian Parliament — to function as a true house of review, as it should. The committee made that recommendation in its interim report. On reading this final report members should refer back to the interim report, which went into some detail on the activities of the committee in looking at the committee structures around the country, including visiting the Australian Senate and the upper house of the New South Wales Parliament.

I made the comment, as did others at the time, that one thing that stood out from our observations during that

visit was the value of those committees. Members of the different parties from all sides in the parliaments of the upper house of New South Wales and the Senate valued those committees and their work highly, as well as valuing their own work on them and the contribution of the inquiries of those committees to the public interest and the public good.

At one stage Mr Viney went to Western Australia; the committee had resolved not to send a subcommittee there, but Mr Viney happened to be in Western Australia. He visited the upper house and furnished the committee with report on his investigations, so we were able to look at those three models. Following its tour and investigations into committee structures around Australia the committee found there were a lot of things to take into account, including, as Mr Dalla-Riva mentioned, the size of the Senate, which is twice the size of the Victorian upper house, so an exact replica of the Senate structures could not be set up here.

The New South Wales committee structure is also quite comprehensive, with a lot of committees: five standing committees which basically follow government departments, some other standing committees and quite a few select committees. A lot of the time of members of the New South Wales upper house is taken up by their committee work. It is also worth mentioning that the members of the New South Wales upper house, as is the case with the Senate, do not tend to concentrate on constituent work because they are elected through Senate-style elections across the state, so they are not representing a geographical region as we are as upper house members. They do not have a requirement to work with constituents to any great degree; that is really left to members in the lower house.

In the upper house of New South Wales they are very much focused on being a house of review. Even though their committee work is very extensive and takes up a lot of their time, they do not actually have to be members for, for example, Southern Metropolitan Region, Northern Metropolitan Region or anywhere else. That is something to bear in mind. We had to take all of these things into account and also the number of members who are available to serve on committees in the Legislative Council in Victoria. There are four ministers in the Legislative Council, so the number of members who are available to serve on committees is quite limited.

After much deliberation, the report recommends that the Legislative Council set up three standing committees covering the areas of economy and infrastructure, environment and planning, and legal and social issues, and that those committees be modelled on

the Senate committee structure whereby the members perform two different functions: a legislation committee function and a references committee function. The Standing Orders Committee has recommended that the model the Senate uses be replicated in the Victorian Legislative Council — that is, that the legislation committee be chaired by a government member and that it examine legislation in a similar way to the way in which the Legislation Committee we already have in the upper house looks at legislation that is referred to it. However, in this case legislation would be referred to a particular committee depending on the subject matter of the bill referred to it — that is, depending on whether it had to do with the economy, infrastructure, environment, planning, legal or social issues.

The references function of the committee will have the same members but will be chaired by a non-government member, as is the case in the Senate. The references committee would look at issues and areas of public interest referred to it by the Legislative Council according to the broad topics under which the committees would be set up.

In broad terms the committee envisages that the Standing Committee on the Economy and Infrastructure would encompass policy areas including agriculture, commerce, infrastructure, industry, major projects, public sector finances and transport. The Standing Committee on the Environment and Planning would focus on policy areas including arts, coordination of government, environment and the planning, use, development and protection of land. The Standing Committee on Legal and Social Issues would inquire into matters including community services, education, gaming, health, the law and justice.

The Standing Orders Committee's report also contains a draft motion concerning the establishment of the Legislative Council committee structure. That draft motion recommends that at the commencement of the 57th Parliament of Victoria and of each Parliament subsequently, legislative and reference standing committees shall be appointed as follows: committee A, economy and infrastructure, committee B, environment and planning and committee C, legal and social issues, as already described. Each committee will consist of eight members with four members from the government party nominated by the Leader of the Government in the Council, three members from the opposition nominated by the Leader of the Opposition in the Council, and one member from among the remaining members of the council nominated jointly by minority groups and independent members.

I am pleased that the Standing Orders Committee has come to a resolution to at least start the next Parliament with a sound structure of standing committees based on the committee structure that is used successfully in the Senate. Hopefully that will see this upper house start to operate as a true house of review and scrutiny.

Mr HALL (Eastern Victoria) — I want to make a couple of quick comments on this report. Firstly, I want to say that the upper house of the 56th Parliament — that is, the current upper house — is distinctively different from previous upper houses because changes to the Constitution Act which became effective at the last election and which changed the way in which members were elected to this chamber and therefore the nature of their role. In this 56th Parliament we have seen a greater use of upper house committees for investigatory purposes.

What we are seeking to do by way of this report and the consideration by the committee is to look at a way in which we might formalise some of the committee work undertaken by the Victorian upper house. Over the previous two parliaments there have been some experiments with different sorts of upper house committees. We have had things like the Legislation Committee, and we have also had committees like the Standing Committee on Finance and Public Administration and various other investigatory committees set up for particular purposes. While this report and this proposed structure of committees for the 57th Parliament does not exclude the establishment of select committees for particular purposes, it is expected that it will result in less use of those specifically established committees, and therefore we will have some consistency in the way committees operate in this house.

I have never claimed to be a great fan of all these changes. So long as we are elected representatives in this Parliament I believe our time should be spent predominantly in our electorates rather than down here attending committee meetings. But if it is the will of the Parliament that we have an established committee structure as proposed in this report, there need to be some arrangements for those committees to meet on a regular and permanent basis and not to impose further on the time members should be spending on their electorate work. I think that is a debate the chamber will have another day.

I was part of the committee that looked into the proposed committee structure, and I look forward to the opportunity for a more fulsome debate on what might apply in the 57th Parliament.

Mr D. DAVIS (Southern Metropolitan) — I too wish to make some brief comments on the final report of the Standing Orders Committee on the establishment of new standing committees for the Legislative Council. I want to record the fact that this committee has worked well and cooperatively on the motion of Ms Pennicuik. The need to look to the future of the chamber, given its different construction these days, meant the committee had important work to do.

The committee has attempted to look at this matter in a non-partisan and broad way and also to look at Canberra, New South Wales and other similar jurisdictions around the country. It has come to the point where there are a number of matters on which the house can find broad agreement. I think the model recommended here is one that is to be commended to the house. It has significant advantages. The structure is fundamentally founded on the Senate approach, leaving available the ability for the arrangements that would obviously reflect the size of the chamber to be individualised. But the idea of combining references and legislation committees is a sensible one, and the agreements that have been reached over a long period in the proportionally elected Senate are a guide, I think, that is well accepted. I think there is great merit in what the committee has recommended, and it offers a way forward.

I make the point, as I have done all the way through this process, that the process of committee work needs financial support to ensure that it can occur. I am not in favour of massively expanded budgets for parliamentary committees, but given the importance of this chamber and the amount of work our committees undertake now and would undertake into the future under the proposed structure, I think there is a legitimate argument for additional resources. Resources are a significant part of the equation, but the actual model that is suggested in this report has much to commend it.

Mr VINEY (Eastern Victoria) — I wish to make a few brief comments. The government is appreciative of the spirit in which all parties entered into these discussions in relation to the proposed committee structure of the Legislative Council for the next Parliament. As other speakers have mentioned, what was decided was that we should essentially follow a model that has been working fairly successfully in the Australian Senate, with three committees covering the various aspects of the operations of government, and with each committee having both a reference committee and an investigations committee. We are certainly appreciative of the spirit in which these discussions were approached.

We have always taken the view that this house can work most effectively as a house of review, and that is why the government went down the path of reforming the Legislative Council in the last term of Parliament. We think what has been agreed in the structure is essentially a commitment to the principle that has been the hallmark and at the centre of the government's position on these things — that is, that there should be some sense of proportionality in the way that committees are structured and that they should essentially reflect the structure and make-up of the chamber. That has not been the case with some of the committees established under this current Parliament. The government has always expressed that view at each opportunity. There is now a commitment to reflect the make-up of the house, and that has been a positive and welcome change.

We also recognise the point that for those committees to be effective they need to be reasonably resourced. We point out that the committee structures of this Parliament, the joint committee systems that have been working here for a number of years, have some significant advantages. There have been previous investigations into the Victorian Parliament joint committee structure that have found it to be positive. That will be a decision for the next Parliament: to determine the impact of the proposed structure of the upper house on the joint committee system in Victoria.

Those joint committees have provided some significant benefits. Apart from the good work they have done, they have also provided benefits in the way they create links between the two houses and between members of the two houses of the Victorian Parliament that do not exist in other parliaments. We should work to ensure that there is some protection of those joint committee structures in the future. That is a matter for the next Parliament.

In relation to resources, we point out that if you look at the level of resources that have been provided to committees in Victoria, you see it is roughly equivalent to the level of resources provided to the committees, say, in New South Wales. The question will be: how will resources provided to committees get allocated in the context of there being joint committees or committees of the lower house and committees of the upper house? We think it is likely to be more a question for the next Parliament by looking at the allocation of resources across the structures rather than seeking additional funds for the Legislative Council committees. But, of course, that will be a matter for the next Parliament.

I welcome the support of other members of the committee and appreciate the spirit in which this committee was approached. There was a determination that to get the best possible outcome for the committee structure of the next Parliament we should try to replicate fairly closely the Australian Senate model, which the committee's investigations found to be successful, for the Legislative Council of Victoria.

That will continue and further the process of review. This is something in which I have had considerable interest for some time. I had the privilege of being the inaugural chair of the Legislation Committee in the last Parliament, which was established as a mechanism to see how committee structures might work in the Legislative Council from that Parliament into the next.

Good lessons have been learnt from that review. Some models from the Legislation Committee process and some things we learnt in that first three or four months of the Legislation Committee in the last Parliament have been continued, such as substitution of members for particular inquiries. They have been good developments. If you like, this is an evolution to another stage, and I appreciate the work of all members of the committee in getting to this point.

Motion agreed to.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Findings and recommendations of Auditor-General's reports 2008

Mr RICH-PHILLIPS (South Eastern Metropolitan) presented report, including appendices, together with transcripts of evidence.

Laid on table.

Ordered that report be printed.

Mr RICH-PHILLIPS (South Eastern Metropolitan) — I move:

That the Council take note of the report.

This report is one of a series that the Public Accounts and Estimates Committee has done to follow up reports from the Auditor-General. In this case the reports were tabled in 2008, and the purpose of the committee's inquiry is to report on the way in which government agencies are implementing recommendations that arose from the Auditor-General's recommendations and the

way they are addressing concerns that were raised by the Auditor-General.

The committee has divided its work into two categories — priority 1 and priority 2 reviews. The priority 1 audits which the committee looked at were, firstly, planning for water infrastructure in Victoria, and secondly, patient safety in public hospitals. With respect to those two priority 1 audits, the committee undertook an extensive review of the outcomes from the auditor's work, including holding a series of public hearings with the audit office as well as with relevant departmental officers to ascertain what progress had been made in implementing the Auditor-General's recommendations and addressing concerns that had been raised by the Auditor-General.

With respect to the review of planning for water infrastructure in Victoria an audit report which was particularly critical of the government, the committee has made a further 13 recommendations arising from the way those auditor's findings and recommendations have been picked up.

With respect to the second priority audit, which was on patient safety in public hospitals, the committee has made five recommendations. One of the issues that had to be dealt with as part of that second priority 1 audit related to the shift from the Department of Human Services to a separate Department of Health and the consequential structural issues that arose.

The committee also undertook a number of what are described as priority 2 reviews. These were undertaken without the benefit of public hearings — they were largely done on a correspondence basis between the relevant agencies and the committee staff — following up, primarily, the implementation of recommendations from the Auditor-General.

The matters covered in the priority 2 reviews included records management in the Victorian public sector, delivering HealthSMART, Victoria's planning framework for land use and development, coordinating services and initiatives for Aboriginal people, and the implementation of the criminal justice enhancement program. Five category 2 audits were followed up, and the committee has made a further 30 recommendations on the further implementation of the Auditor-General's recommendations.

This series of reports is an important mechanism in closing the loop on the work undertaken by the Auditor-General. It provides the house with an indication on how the government is implementing, after an appropriate period of time, recommendations

that have come from the Auditor-General, and it provides guidance to the relevant agencies on how they can further meet the expectations and address concerns raised by the Auditor-General. I encourage all members to consider these reports in the context of the original audit findings when they are following up matters raised by the Auditor-General.

In closing, I thank committee executive officer Valerie Cheong and her staff for the work they have undertaken in putting this report together. Conducting a review of seven audit reports obviously requires a substantial amount of work, particularly when it involves a series of public hearings. The committee is very appreciative of the work that its staff have done in putting this report together. I commend the report to the house.

Ms HUPPERT (Southern Metropolitan) — I also rise to make a few brief comments on the Public Accounts and Estimates Committee report, *Review of the Findings and Recommendations of the Auditor-General's Reports 2008*. As we have already heard, this represents a significant body of work that has been carried out by the Public Accounts and Estimates Committee, well managed by the chair, the member for Burwood in the other place, and with the significant support of the executive officer, Valerie Cheong, and various research officers and support staff. The committee thanks the secretariat for the long hours they have put into producing this very important piece of work.

This report is important because it follows up on the work of the Auditor-General both in the priority 1 reports and the priority 2 reports. The two priority 1 reports that were examined were *Planning for Water Infrastructure in Victoria* and *Patient Safety in Public Hospitals*. These were selected because of the public interest in these areas as well as the risk, social impact, materiality and opportunities to enhance the accountability of government departments and agencies. These two reports are significant because of the drought conditions facing Victoria and the need to ensure that we continue to have a strong public health system. It is important to follow up on the recommendations of the Auditor-General and ensure that agencies and departments are paying due regard to the recommendations. It was pleasing to see the responses of departments and agencies to these recommendations. The committee has made a number of further recommendations, and it looks forward to seeing the response of the government to these recommendations in due course.

The recommendations made in relation to improvements in government and operational matters

are important not only for the departments and agencies being reviewed but also for other departments and agencies that could learn from some of the general comments so that we can continue to ensure that Victorian government departments and agencies deliver services in a timely, appropriate and efficient manner. I suggest that all members would gain a lot from a review of this report, and I commend it to the house.

Ms PENNICUIK (Southern Metropolitan) — I would like to make some comments on the report before us today, *Review of the Findings and Recommendations of the Auditor-General's Reports 2008*. As the previous speakers, Mr Rich-Phillips and Ms Huppert, who are members of the Public Accounts and Estimates Committee, have said, this report is the result of a project that PAEC routinely undertakes — that is, to follow up the Auditor-General's reports and recommendations regarding certain areas.

It is a valuable role that the Public Accounts and Estimates Committee undertakes in following up reviews of the Auditor-General's inquiries into particular areas of public interest and, in some cases, public controversy. The priority 1 reviews covered by this report are into planning for water infrastructure and patient safety in public hospitals.

There are 13 recommendations attached to PAEC's review regarding planning for water infrastructure. It is worth putting some of those recommendations on the record here, because the 13 recommendations, if I can encapsulate them, relate to the Department of Sustainability and Environment improving its collection of data regarding water infrastructure in Victoria and providing the public with an accurate and reliable collection of data and information about water infrastructure in Victoria to the public.

The recommendations include the following:

- Recommendation 3: The Department of Sustainability and Environment should determine an appropriate time frame for the public release of accurate and reliable information relating to major water infrastructure projects and activities to ensure that the Parliament and the public is informed in a more timely manner and to allow for meaningful input and feedback.
- Recommendation 4: The Department of Sustainability and Environment should provide information in its annual report on sustainable water strategies to meet its legislative requirements under section 22J of the Water Act 1989.

Recommendation 5: The Department of Sustainability and Environment should provide meaningful reporting on the outcomes and achievements of the Victorian Water Trust and its main component project against stated objectives.

Recommendation 6: The Department of Sustainability and Environment should provide, where feasible, links on its website to detailed information regarding the compliance of catchment management authorities with environmental flow obligations stipulated under the environmental water reserve or stated in other relevant environmental management plans.

Those four particular recommendations have been made because the review found that despite the Auditor-General recommending that these things happen, they are not happening. Information and data about what is going on with Victoria's planning for water infrastructure is of great interest to the community of Victoria. The way the government is going about the provision of water infrastructure not only is of great interest to the people of Victoria but is very controversial as well.

The recommendations continue:

Recommendation 7: The Department of Sustainability and Environment should investigate ways to improve water data collection processes associated with the preparation of the Victorian water accounts.

Recommendation 8: The Department of Sustainability and Environment should seek to improve the timeliness of its reporting on the overall monitoring of environmental flows.

Recommendation 9: The Department of Sustainability and Environment investigate independent verification of flow compliance information provided by catchment management authorities in line with the recommendation made by the Auditor-General.

Recommendation 10: The Department of Sustainability and Environment should provide further information to the public on the status of stream flow management plans in Victoria's priority unregulated rivers either on its website or in its annual report.

Recommendation 11: The Department of Sustainability and Environment ensure timely information to the Parliament and the public in relation to the detailed analysis underpinning decisions on the

allocation of resources to major water infrastructure projects.

Recommendation 12: The Department of Sustainability and Environment finalise proposals for improvements to the governance and operational arrangements of water authorities, as recommended by the Victorian Competition and Efficiency Commission in February 2008, as a matter of urgency.

February 2008, as we all know, was some 27 months ago. I think that is of concern, and anybody who is interested in planning for water infrastructure in Victoria should read the Public Accounts and Estimates Committee's review of the Auditor-General's inquiry into this area, because as members can see from the 10 PAEC recommendations I have read out, there is great room for improvement in terms of the collection of data and information and the publication of that for the public and the Parliament. That is of concern.

The report also reviewed the Auditor-General's report on patient safety in public hospitals, and of course that is also an area of great interest to the public, because people need to know that when they go to hospital they are going to be safe and not become the victim of an adverse event.

There are five recommendations that the Public Accounts and Estimates Committee has made in its review of the Auditor-General's findings and the Auditor-General's recommendations, and they are: that the Department of Health should provide appropriate benchmarked training on clinical risk management; that it should develop guidelines on the recommended content of training for staff in clinical risk management; that it should use the data collected from the Victorian Health Incident Management System to identify better practice initiatives and ensure that health services are using the system; that it should work with the Victorian Managed Insurance Authority to engage health services on clinical incidents, with a view to strengthening processes for better practice in health services; and that it should, with the introduction of the Victorian Health Incident Management System, develop strong performance measures relating to patient safety.

While the review is not scathingly critical of what the Department of Health is up to in this area, it finds that there is room for improvement. It is of concern that we still have areas outstanding in terms of action by the Department of Health in this particularly concerning and important area.

The priority 2 reviews that are covered in this report relate to records management in the public sector, the

HealthSMART project, Victoria's planning framework for land use and development, coordinating services and initiatives for Aboriginal people, and the criminal justice enhancement program. I recommend that members look at the review chapters relevant to areas of interest to them or their responsibilities.

In closing, I say that as a member of the committee I never pass up the opportunity to remind everybody that the Public Accounts and Estimates Committee is the committee that reviews the expenditure of public moneys, runs the estimates process and works to develop a program of work with the Auditor-General for the audit office's independent oversight of public expenditure, but it is a government-controlled committee. As the only member of the Greens on the committee, I often find it a struggle to make sure that publications that come out under the committee's name are not just merely saying that the government is doing a fine job. Often we have to spend some time going through the text of these reviews to make sure that the statements made in them are objective, not subjective, and are not just singing the praises of the government. That is not how it should be.

The Public Accounts and Estimates Committee should not be a government-controlled committee. Its membership should have a majority of non-government members to really do the job of scrutinising the expenditure of public moneys. Having said that, I once again echo the comments of other members of the committee and thank the committee secretariat for its huge efforts and great work and its support to members of the committee.

Mr DALLA-RIVA (Eastern Metropolitan) — As a member of the Public Accounts and Estimates Committee, I am also pleased to make a brief contribution on the latest of a number of reports, *Review of the Findings and Recommendations of the Auditor-General's Reports 2008*. While this is a May 2010 report, it signifies the extent to which the Public Accounts and Estimates Committee reviews recommendations previously made. The committee investigates with rigour whether departments have followed up on the Auditor-General's reports and undertakes further public hearings, which were held in September last year. As Mr Rich-Phillips correctly pointed out, the review relates to priority 1 and 2 reports.

Priority 1 reports are obviously those we believe ought to be the subject of a more rigorous review of the recommendations that were made by the Auditor-General. They involve a public hearing process and a bit more detail than would ordinarily apply.

Priority 1 reports concerned the planning for water infrastructure in Victoria and patient safety in public hospitals. There are 13 more recommendations for the former review and there are 5 recommendations in relation to the latter, and these are outlined at the front of the report.

There were also additional recommendations made on the priority 2 reports. As I said, whilst not diminishing those reviews, they did not have such detailed work other than the extent to which the work was undertaken by the secretariat and oversighted by the committee. Those priority 2 reports concerned records management in the Victorian public sector, delivering HealthSMART, Victoria's planning framework for land use and development — which is very topical still — coordinating services and initiatives for Aboriginal people, and the implementation of the criminal justice enhancement program. There was a range of reviews.

Most of the extent by which the report was done is thanks to the secretariat comprising Valerie Cheong, the executive officer, overseeing senior research officers Vicky Delgos, Leah Brohm and Christopher Gribbin — who was acting in that role — research officers Ian Claessen and Julie Gould, supported by Melanie Hondros, and the desktop publishing orchestrated by Mitch Marks.

We have undertaken quite a few reports over the years that the Public Accounts and Estimates Committee has been operating. This is yet another one and there are more to come. I think that demonstrates the purpose of the committee. We now have two weeks of hearings following the budget and that will again be a rigorous process for committee members and hopefully for the ministers who are presenting before us.

Motion agreed to.

EDUCATION AND TRAINING COMMITTEE

Skills shortages in the rail industry

Mr ELASMAR (Northern Metropolitan) presented report, including appendices, together with transcripts of evidence.

Laid on table.

Ordered to be printed.

Mr ELASMAR (Northern Metropolitan) — I move:

That the Council take note of the report.

Our rail industry investigation was a unique facet of the inquiry process for the committee from the perspective that it involved a specific industry and its skills needs, rather than dealing mainly with the education sector. The committee welcomed the opportunity to consult with industry representatives to identify skills shortages and gaps within their workforces. The committee recognises the considerable amount of work already done by the Australasian Railway Association and Engineers Australia, who have championed the need to position the rail industry as an employer of choice. During this inquiry I was particularly interested in the opportunity to visit various manufacturing and maintenance facilities.

The rail industry is a critical part of Victoria's economic and social infrastructure, contributing to the overall living standards of all members of the community. Victorians in metropolitan and regional areas depend on passenger rail services to go about their daily lives, while rail freight helps to deliver many different goods and services across the state. It is therefore important that the industry has a skilled and enthusiastic workforce that is capable of responding to the wide range of social, economic and environmental challenges facing the industry. A highly skilled workforce will assist in ensuring that the benefits of current government investment in rail infrastructure and assets across the state can be fully realised.

The committee has therefore recommended a range of measures aimed at attracting and retaining young and talented people in key roles across all parts of the industry. Strategies to assist these people into specialist trades and engineering roles will be particularly important in re-energising the rail workforce.

The committee believes a comprehensive audit of the industry workforce should be undertaken to ensure that rail operators, government departments and other important stakeholders have the information they need to effectively plan and develop the rail workforce.

The committee also believes that the Department of Transport, in consultation with Skills Victoria and the industry, should develop a comprehensive industry-wide workforce development plan for the next 10 years.

One of the most important recommendations of the committee is the development of a state-of-the-art Victorian centre of excellence in rail skills. The committee had the opportunity during the inquiry to visit the Newport rail precinct and believes that this site could be transformed to provide the base for a facility

which would provide international best practice in training delivery. The committee believes that in future this site could see the use of simulators and other emerging technologies to ensure that Victorian train drivers, controllers and other safety-critical personnel receive the very best training available.

One of the most significant findings of the committee was in relation to the lack of apprentices currently being trained in the rail industry, including the rail operations and rail manufacturing segments. The committee urges the Victorian government to take a lead role in encouraging industry to rapidly increase the number of apprenticeships to ensure that Victoria maintains its position with other states.

In summing up, I commend this report to the house. The report supports a strengthening of existing and new training programs, qualifications and career paths for the rail workforce. The benefits of implementing the committee's recommendations will be a safe and reliable rail network which operates as part of a greener, more environmentally friendly public transport system.

I wish to acknowledge the work of all my fellow committee members — Mr Hall in this chamber, and others in the other house. I also thank the staff of the committee: Karen Ellingford, the committee's executive officer; Natalie Tyler, the office manager; Catherine Rule, a research officer who has recently joined the team; and Peter Thomson, whose expertise and knowledge of the rail industry was of great assistance in drafting the committee's final report.

Mr HALL (Eastern Victoria) — I join with my colleague Mr Elasmr in recommending to the Parliament the Education and Training Committee's report on its inquiry into skills shortages in the rail industry. Like Mr Elasmr, I enjoyed the work undertaken by the committee on this inquiry.

As young boys we all wanted to drive either a train or a fire engine. Unfortunately, as we get older our choices tend to change somewhat, and we do not always get enough people later in life who want to be train drivers or indeed operators of other rail infrastructure, leading to the present skill shortages in the rail industry.

The inquiry found very clearly that there are quite a number of areas in the rail industry where there are skills shortages, both in the operation and manufacture of rail infrastructure. It is pleasing that in recent years we have seen significant amounts of rolling stock being manufactured in Victoria, but the task of making sure that we have a workforce that is sufficiently skilled to

undertake the job is a real challenge. It is the same with maintenance of rail infrastructure across Victoria. Again, significant work needs to be undertaken for the maintenance of rail infrastructure, and there are some skills shortages in that area as well.

The committee's inquiry validated the concerns that many people have about a skilled workforce that is capable of responding to the needs of the rail industry in Victoria, and the committee has made recommendations as to how some of those issues might be addressed. I encourage government members, and particularly the Minister for Public Transport, to act upon some of these recommendations.

I also thank those on the committee who have helped in the formation of this report, particularly the committee staff, including Karen Ellingford and Natalie Tyler, who have been with the committee for some time and who are both very capable women. Recently they have been joined by Catherine Rule. In particular I would like to thank Peter Thomson who has been seconded purely for this project because of his expertise in this area. His knowledge and support were invaluable in the formation of this report.

Motion agreed to.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 6

Mr EIDEH (Western Metropolitan) presented *Alert Digest No. 6 of 2010, including appendices.*

Laid on table.

Ordered to be printed.

DISPUTE RESOLUTION COMMITTEE

Planning and Environment Amendment (Growth Areas Infrastructure Contribution) Bill

The Clerk, pursuant to section 65C(2) of the Constitution Act, tabled dispute resolution.

PAPERS

Laid on table by Clerk:

Adult Multicultural Education Services — Report, 2009 (two papers).

Auditor-General's Office — Annual Plan, 2010–11.

Auditor-General — Report on Performance Reporting by Departments, May 2010.

Bendigo Regional Institute of TAFE — Report, 2009 (two papers).

Box Hill Institute of TAFE — Report, 2009.

Central Gippsland Institute of TAFE — Report, 2009.

Centre for Adult Education — Report, 2009.

Chisholm Institute of TAFE — Report, 2009.

Crown Land (Reserves) Act 1978 —

Minister's Order of 6 March 2010 giving approval to the granting of a lease at Torquay Foreshore Reserve.

Minister's Order of 16 April 2010 giving approval to the granting of licences at Seville Public Park Reserve.

Deakin University — Report, 2009.

Driver Education Centre of Australia Ltd — Report, 2009.

East Gippsland Institute of TAFE — Report, 2009.

EastLink Project Act 2004 —

Order under section 7 varying the project area, 23 March 2010.

Order under section 7 varying the extended project area, 23 March 2010.

Fisheries Act 1995 — Review of the operation of Section 151 of the Act, December 2009.

Gordon Institute of TAFE — Report, 2009.

Goulburn Ovens Institute of TAFE — Report, 2009 (two papers).

Holmesglen Institute of TAFE — Report, 2009.

Interpretation of Legislation Act 1984 — Notice pursuant to section 32(3) in relation to Statutory Rule No. 21.

Kangan Batman Institute of TAFE — Report, 2009.

La Trobe University — Report, 2009.

Monash University — Report, 2009.

Northern Melbourne Institute of TAFE — Report, 2009.

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

Greater Geelong Planning Scheme — Amendment C150.

Hepburn Planning Scheme — Amendment C50.

Hume Planning Scheme — Amendment C139.

Indigo Planning Scheme — Amendments C36 and C49.

Knox Planning Scheme — Amendment C88.

Maribymong Planning Scheme — Amendment C88.

Melbourne Planning Scheme — Amendments C155 and C159.

Murrindindi Planning Scheme — Amendment C26.

Northern Grampians Planning Scheme — Amendment C34.

Port Phillip Planning Scheme — Amendments C83 and C101.

South Gippsland Planning Scheme — Amendments C49 and C51.

Stonnington Planning Scheme — Amendment C119.

Warrnambool Planning Scheme — Amendment C48.

Whitehorse Planning Scheme — Amendments C119 and C120.

Whittlesea Planning Scheme — Amendment C121.

Yarra Ranges Planning Scheme — Amendment C92.

Royal Melbourne Institute of Technology — Report, 2009.

South West Institute of TAFE — Report, 2009.

Statutory Rules under the following Acts of Parliament:

Electricity Safety Act 1998 — No. 21.

Occupational Health and Safety Act 2004 — No. 18.

Subordinate Legislation Act 1994 — Nos. 19 and 20.

Subordinate Legislation Act 1994 —

Minister's infringements offence consultation certificate under section 6A(3) in respect of Statutory Rule No. 21.

Minister's exception certificates under section 8(4) in respect of Statutory Rule Nos. 19 and 20.

Sunraysia Institute of TAFE — Report, 2009.

Swinburne University of Technology — Report, 2009.

University of Ballarat — Report, 2009 (two papers).

University of Melbourne — Report, 2009.

Victoria University — Report, 2009 (two papers).

William Angliss Institute of TAFE — Report, 2009.

Wodonga Institute of TAFE — Report, 2009.

Proclamation of the Governor in Council fixing an operative date in respect of the following act:

Magistrates' Court Amendment (Assessment and Referral Court List) Act 2010 — except for section 8 — 21 April 2010 (*Gazette No. S135, 20 April 2010*).

HEALTH SERVICES: PRODUCTION OF DOCUMENTS

The Clerk tabled *Your Hospitals — A Report on Victoria's Public Hospitals July to December 2009* received in accordance with the resolution of the Council of 24 March 2010.

MEMBERS STATEMENTS

Dr Bill Yates

Ms LOVELL (Northern Victoria) — It is with much sadness that I acknowledge the passing of Dr Bill Yates, who passed away on 18 April in Tallangatta at the age of 88. I express my deepest condolences to Bill's wife, Camilla; sons Tom, Peter, Mark and Oliver; daughter, Angela; and their families.

Bill Yates was a remarkable man. He is the only person to have served in both the British House of Commons and the Australian House of Representatives, and he was also responsible for one of the most telling points of order in the history of the Westminster system that led to the resignation of the then British Prime Minister, Sir Anthony Eden.

Bill represented the electorate of The Wreken in the House of Commons from 1955 to 1966, and after migrating to Australia in 1967 Bill was elected to the Australian House of Representatives as the Liberal member for Holt from 1975 to 1980.

Bill also enjoyed a distinguished career in education as a teacher at Karingal High School, Brighton Grammar School, Wodonga High School and Tallangatta High School. Just the other day I was talking to a former student of Bill's from Wodonga who expressed to me that at school he had not fully appreciated what an extraordinary man Bill Yates was and how fortunate he was to have had him as a teacher. Bill also served as the administrator of Christmas Island, and at the age of 82 earned a PhD from Melbourne University.

A lifetime interest in beekeeping became one of the great pleasures of Bill's later life. One of the more interesting tales about Bill is that during his term in the Australian Parliament he was able to convince the Speaker to allow him to keep a hive of bees in the Speaker's Garden at Old Parliament House. I feel honoured to have known Bill Yates.

Statements interrupted.

BUSINESS OF THE HOUSE

General business

Mr D. DAVIS (Southern Metropolitan) — By leave, I move:

That precedence be given to the following general business this day:

- (1) notice of motion 69 of 2010, standing in my name, relating to the production of documents from the Department of Human Services;
- (2) notice of motion 70 of 2010, standing in my name, relating to the production of documents from the Department of Health;
- (3) notice of motion 65 of 2010, standing in my name, relating to the production of documents and the appointment of a legal arbiter;
- (4) order of the day 13, relating to police numbers;
- (5) order of the day 12, the second reading of the Drug, Poisons and Controlled Substances Amendment (Prohibition on the Display and Sale of Bongs) Bill 2010;
- (6) notice of motion 72 of 2010, standing in my name, relating to government services; and
- (7) notice of motion 64 of 2010, standing in the name of Mr Vogels, relating to the smart meters project.

I also advise the house that I will seek leave later today to move a motion relating to amendments to the terms of reference and reporting date of the Select Committee on Train Services.

Motion agreed to.

MEMBERS STATEMENTS

Statements resumed.

Talbot: farmers market

Ms PULFORD (Western Victoria) — On Sunday, 18 April, I attended the monthly Talbot market to launch the Central Goldfields Shire Council's 10-year tourism strategy, Destination Central Goldfields. The market is a drawcard for industrious locals and fresh food enthusiasts from all over the state. It is a showcase of the region's glorious produce including farm-fresh organic fruit and vegetables, honey, wine, pasta, puddings, olives, organic meat, continental cakes, local flaxseed oil, homemade cheeses and live produce.

The original custodians of the lands in the Talbot area were the Jajawurrong people. Major Mitchell passed through in 1836, and gold was discovered in the area in

1852. Many of the buildings in the town were constructed shortly thereafter and during the gold rush. Then the population drifted away. Today Talbot's 300-strong community is being joined by new members, who are bringing new energy and ideas to the town. Being less than 2 hours from Melbourne, 40 minutes from Ballarat and 30 minutes from Avoca, Talbot has huge tourism potential.

I would like to acknowledge the great work done by Central Goldfields Shire Council mayor Chris Meddows-Taylor; Max Kau, president of Talbot Action; and also Tiffany Titshall and Rose Hardress from Talbot Tourism.

Each month up to 4000 people visit this market, generating around \$1 million for the region each year. Many visitors are out-of-towners who spend their money in the local shops as well as at the market. Congratulations to this vibrant community that maintains an event that is hugely popular not just with those who reside in the region but also with those who travel from afar, all the while providing a fabulous boost to the local economy.

Technical and further education: funding

Mr HALL (Eastern Victoria) — Over the last month or so I have visited most of Victoria's 18 TAFE institutes. I have used the opportunity to discuss with them matters of current interest. The topic causing most debate concerns the changes brought about by the government's skills reforms, in particular the increased fees applying to diploma and advanced diploma enrolments, the changes to eligibility for a government-supported place in diplomas and advanced diplomas, the dropping of concessional fees at that level as well, and, moreover, the probable extension of such policies into all qualification areas in TAFE.

The changes have caused some major alterations in the enrolment patterns in vocational education and training courses. I must say I was therefore not surprised to read an article in this morning's Ballarat *Courier* entitled 'Too many walking away from TAFE'. That article, along with a number of other articles which have appeared in statewide newspapers, confirms that because of these changes, there are significant decreases in the enrolment numbers in diploma and advanced diploma courses. It is the government itself that has argued in the past that it is at that level where we definitely have skill shortages and a lack of qualified workers. I was particularly disappointed therefore that yesterday's budget had no commitment whatsoever to vocational education and training. In

fact, the budget brought down a \$197 million decrease in funding for training.

Racing: Geelong training facilities

Mr KOCH (Western Victoria) — The Minister for Racing, Rob Hulls, and Racing Victoria Ltd need to be more involved if Geelong Racing Club is to become a major provincial thoroughbred training centre. Rural Victoria is the nursery of thoroughbred racing, and Geelong, our major provincial city, has all the attributes to become a leading training centre, albeit with the injection of further resources. Racing is about owners, horses, trainers and jockeys, and if satisfactory facilities are in place, the rest will follow.

Unfortunately considerable frustration exists for trainers located off site in the nearby training stables at Haworth Court. Until three years ago trainers were able to walk their horses to the Geelong racecourse across Fellmongers Road at the purpose-designed and well-lit crossing. This crossing was installed after the intervention of the then racing minister and former member for Geelong North, Neil Trezise, who recognised the need to grow Geelong racing by having increased stabling in Haworth Court.

After many years of successful operation without mishap VicRoads closed this access on occupational health and safety grounds. The now underutilised Haworth Court stables accommodate about 100 horses but have capacity to house over 200. Due to rising costs associated with transporting horses to the track, it is becoming unviable for trainers to use these stables. The solution is to construct an underpass at the crossing site on Fellmongers Road for thoroughbred access to the racecourse. I urge the racing minister to visit Geelong trainers and make greater training opportunities available, so they can regain that earlier viability.

Yarraville community centre: reopening

Ms HARTLAND (Western Metropolitan) — It was with great pleasure that I attended the reopening of the Yarraville community centre. The building in which the centre was housed was in a state of disrepair and the committee of management and workers were told they would have to move out, but they refused. I remember the day that Chris McCall, who was the executive officer, rang and told me that they would not move, because they knew if they did, they would lose the building, which would be just boarded up.

They mounted a very successful community campaign, which forced the three levels of government to work together cooperatively. The campaign had the

cross-party support of local MPs. The new building is evidence that that support can be effective.

The refurbishment of the building has been fantastic. It is one of those rare buildings that has been used as a primary school before it became a community centre, and it has one of the few freestanding bluestone staircases in the state. In fact, it is a building I would urge all members of Parliament to go and look at, because they would see what can be done with an old crumbling building — it can be made new and vibrant, with really good access for everybody in the community. I congratulate Chris McCall, the staff and the committee of management for their great job in saving this building.

Wonthaggi: May Day celebrations

Mr SCHEFFER (Eastern Victoria) — I congratulate the Wonthaggi community, the Wonthaggi and District Historical Society, the Friends of the State Coal Mine and the Gippsland Trades and Labour Council on a memorable May Day last Saturday, 1 May. The day started with tours of the reopened underground coalmine, funded to the tune of \$3 million by federal and state Labor governments. Walking tours of the historical above-ground site were conducted from 10.30 a.m. and a community lunch was held in the Old Rescue Station at midday.

The lunch audience was addressed by historian Sam Gatto, who gave a brilliant presentation on the cooperative approach Wonthaggi's citizens took to build and operate the town hospital, medical benefit funds, a cooperative store, a cinema and a working man's club. At 3.00 p.m. there was a screening of Richard Lowenstein's 1986 film *Strikebound*, about the Korumburra coal dispute during the Great Depression.

I congratulate everyone who worked to make the day the success it was, and I commend the efforts of the Gippsland Trades and Labour Council in raising community awareness of the great contribution that working men and women have made to the improvement of working conditions and community wellbeing throughout Victoria. It is important that through town commemorations such as May Day in Wonthaggi we acknowledge the immense contribution that the labour movement has made to shaping the history of this country. Universal suffrage, the 40-hour week, the basic wage, universal health care, and compulsory, free and secular education were all achievements in which the labour movement made a pivotal contribution.

Members: residential addresses

Mrs COOTE (Southern Metropolitan) — There is an old saying, and I am not sure who to attribute it to, that the Liberal Party and the Labor Party are in furious agreement about one thing: Labor Party members like to live in Liberal electorates. An article by John Ferguson in the *Herald Sun* of 16 April carries the heading 'Anger at MPs living outside electorates'. He says:

Fourteen Labor MPs live up to 40 kilometres from their electorates and offices in a trend that will anger voters in the run-up to the election.

Some of the MPs he mentions are: the Premier; Candy Broad and Johan Scheffer from this house; Minister Jennings; the President; Minister Pakula; Minister Holding; and John Pandazopoulos and Kirstie Marshall members for Dandenong and Forest Hill, respectively; and there are others as well. However, people expect members in this place to live in their electorates, to shop there, to work there and to participate in their local communities. We are here to represent the people. How can you represent the people if you do not actually live with the people you are representing?

I would like to make a clarification in relation to the first edition article by John Ferguson. The article incorrectly states that Michael O'Brien, the member for Malvern in the other place, does not live in his electorate. Michael O'Brien lives in East Malvern, which is in the heart of the electorate of Malvern. This article is incorrect: Michael O'Brien does live in his electorate. I suggest that members not living in their electorates look at the real estate pages in the newspapers and move into their electorates.

Labor Party: post-budget breakfast

Mr DRUM (Northern Victoria) — In the wake of yesterday's budget I have become aware of an invitation to a post-budget breakfast to be held in Bendigo on Friday. The invitation in question was sent out jointly by Jacinta Allan, the Minister for Regional and Rural Development, and her friend and Minister for Police and Emergency Services, Bob Cameron. In this instance councillors from the Mount Alexander Shire Council have been invited to attend a budget breakfast with Premier John Brumby as guest speaker. The issue I have is that the official invitation specifically states that one councillor is to be excluded. The invitation by Ministers Allan and Cameron specifically states that Cr Robin Taylor is not to be invited to the post-budget briefing.

I do not know if it is standard Labor Party practice to hand-pick the audience for the Premier to deliver his homily in front of. Cr Taylor, who has subsequently resigned from the Mount Alexander shire, has given decades of service to the Mount Alexander community and is genuinely considered to be one of the real leaders in and around Castlemaine. The only crime Robin Taylor has committed is that he dared to stand as a candidate for the National Party at the 2002 state election.

I call on Ministers Allan and Cameron to explain to the community why they have specifically excluded one councillor from attending a post-budget briefing. I cannot believe how childish and petty this behaviour is from senior members of the Labor Party in excluding anyone from an audience who may have a different political view to their own, even if that view is very moderate.

The government in its spin continues to emphasise that it governs for all Victorians, but we know that is a lie.

H. E. Parker Reserve Tennis Club

Mr LEANE (Eastern Metropolitan) — I was very pleased to be present when James Merlino, the Minister for Sport, Recreation and Youth Affairs, officially switched on the new lights at the tennis club at the H. E. Parker Reserve. This great tennis club provides a range of social and competitive tennis for juniors right through to veterans. The club has a very competent resident full-time coach, with whom I had a long discussion on that occasion.

The Brumby government is proud to support the installation of the lights at a cost of \$28 000. This will markedly increase the scope of the club, as it will be able to hold tournaments at night and be able to do more coaching of juniors well into the dark hours of the night.

Dutch community: Koninginne Bal

Mr LEANE — On another matter I was very pleased to represent the Premier at the Dutch community's Koninginne Bal, which celebrated the birthday of the Queen of the Netherlands. I was honoured to attend that function and be able to propose a toast to Queen Beatrix.

Wantirna College: funding

Mr LEANE — On a further matter, I recently visited Wantirna College and talked with its principal, Sue Bell, who showed me the school community's vision for the school. I was pleased to see that the state

budget allocated \$8 million for the school to fulfil that vision.

Shire of Cardinia: schools

Mr O'DONOHUE (Eastern Victoria) — The Berwick–Pakenham corridor is experiencing a population explosion. Notwithstanding this growth, the state government has failed to invest in public education for the many young families moving into the area. Indeed it has been 25 years since a new secondary college was built in the shire of Cardinia.

The Berwick, Pakenham and Koo Wee Rup secondary colleges do a great job, but on their own they cannot cope with the population growth these communities are experiencing. Cardinia's current population of 70 000 will double over the next 20 years to 140 000, requiring significant investment by the state in infrastructure and services. The coalition understands this, and I would like to congratulate and thank the Leader of the Opposition, Ted Baillieu, for committing \$20 million, if elected, to buy land and design and build a new secondary college in Officer. This will be a great community hub and asset which will complement and add to the growing educational options in Officer and the growth corridor. It is disappointing that in the budget this Labor government has not matched the opposition's commitment and has failed, despite the words of the member for Gembrook, to deliver this critical community infrastructure.

The future demand for secondary education in the area can be seen with the two relatively new primary schools in Pakenham, which between them have over 200 prep students. In a few short years the parents of those students will be considering their secondary school options. I call on the government to match the fantastic commitment made by the coalition.

Anzac Day: Pakenham

Mr O'DONOHUE — I would like to congratulate Ray Caldwell and the Pakenham RSL for their work in organising the Anzac Day dawn service and gunfire breakfast. It was terrific to see so many people attending, particularly young people.

Anzac Day: Ivanhoe

Mr ELASMAR (Northern Metropolitan) — I rise to speak about a pre-Anzac Day service I attended on 18 April 2010 at the Ivanhoe RSL. I proudly marched to the war memorial with members of the RSL to commemorate Anzac Day. We paid tribute to the men and women who made the ultimate sacrifice for us all,

and laid a wreath in honour of the memory of those brave soldiers. Lest we forget.

Mernda Village Community Activity Centre

Mr ELASMAR — On Thursday, 29 April, I was invited to attend the official opening of the Mernda Village Community Activity Centre located in the city of Whittlesea. The mayor of the city, Cr Lalios, officiated, and invited guests were shown a first-class community facility in Mernda, which will accommodate preschool-aged groups and which also has excellent meeting facilities. This meeting place is a classic example of sustainable environmental design, and in my view it represents money well spent in the long term for the community.

Coptic Orthodox Church: celebration

Mr ELASMAR — I was very proud to represent the Premier at the annual Resurrection Dinner at the Coptic Orthodox Church Diocese of Melbourne on Sunday, 2 May 2010. The function was well attended by parliamentary colleagues from all sides of the political spectrum. Bishop Suriel made us all very welcome, and I congratulate the organisers on a most enjoyable evening.

Koroit and District Primary School: redevelopment

Ms TIERNEY (Western Victoria) — Last Friday I had the pleasure of officially opening the \$2.1 million redevelopment of the Koroit and District Primary School. The Brumby Labor government contributed \$1.4 million to this redevelopment, and the federal government contributed \$600 000.

The 200-strong audience heard a heartfelt and emotional speech by the principal, Ms Michelle Bickley, outlining the enormous amount of hard work and cooperation by the staff, the children, their families, the builders, the architects, the school council members and the Koroit community to bring about what truly is a magnificent educational facility.

On the day I was escorted around the school by school captains Sophie Webster, Thomas Heaysman, Liam Boyle and Ruby Halliday, whose faces beamed with pride for their new school and for the work they had done to create a great local school. I thank them for their leadership. Because of the sheer number of people who made this redevelopment possible I will not mention all involved individually. However, this project would not have been possible without their input. I particularly want to acknowledge and

congratulate the Koroit and District School council and the principal, Michelle Bickley, for all of their hard work, patience, endurance and organisation skills.

Koroit: sports stadium

Ms TIERNEY — On the same day I had the great pleasure of officially opening the Victoria Park sports stadium in Koroit. Again, it was a great community event chaired by the Moyne shire mayor, Cr James Purcell. I visited this complex during its construction with Cr Ken Gale, who deserves the highest praise for his work and dedication to this project. I would also like to congratulate the Koroit community for raising over \$100 000 for this facility — —

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

Ambulance services: response times

Mr VOGELS (Western Victoria) — An article on the front page of the *Sunday Herald Sun* of 2 May is headed '65 minutes' and the subheading is 'Grieving dad. Why was my dying boy left waiting?'. That is how long it took a mobile intensive care ambulance unit to attend the incident, which resulted in the tragic death of a five-year-old boy. Nobody should have to go through the anguish and pain that will be with this family forever.

I have been concerned for a number of years that Ambulance Victoria calculate response times from the call-out to an emergency to the arrival at the scene of either a fully qualified paramedic or a community emergency response team (CERT). CERT does a wonderful job in stabilising patients, et cetera, but its members are first aid officers only. They are not qualified to carry the necessary life-saving equipment or drugs which are vital if a true emergency exists. What occurs is that Ambulance Victoria logs the time the CERT arrives at the scene of an emergency, and this therefore makes the safety benchmark for response times look much better than the times really are.

In my opinion the response time for emergency call-outs should be calculated from when a paramedic team arrives. We know there are paramedic stations right across the state, and they do a fantastic job despite being understaffed and therefore overworked. Propping up ambulance services with CERT volunteers is not the answer. CERT provides a fantastic service in supporting our paramedics, and its members often arrive at the scene of an emergency first, especially in country Victoria. They help to stabilise a patient. However, the CERT response times should not be used

by Ambulance Victoria to enhance its safety benchmarks for a call-out. Unless we address this issue more lives will be lost.

Italian Senior Citizens of Preston Club

Ms MIKAKOS (Northern Metropolitan) — On 8 April I attended the Italian Senior Citizens of Preston Club's Easter lunch and 25th anniversary celebrations at the Furlan Club in Thornbury. The Italian Senior Citizens of Preston Club is the largest Italian seniors club in Australia with over 600 members. I applaud them on their strong presence in Melbourne's Italian community. I commend their contribution to our successful multicultural society through the sharing of their cultural heritage, traditions and customs and through alleviating social isolation experienced by the elderly. I congratulate the club, its president, Mr Armando Viotto, its secretary, Ms Tety Fontana, who has put in an incredible 23 years to the organisation, its members, volunteers and supporters on the work they do.

Housing: Reservoir development

Ms MIKAKOS — On 14 April I was pleased to attend with the Minister for Housing, the member for Preston in the other place and the mayor of Darebin, Cr Fontana, the turning of the sod for the Cheddar McMahan housing redevelopment in Reservoir. When completed the estate will house 53 new environmentally friendly public housing units, with some specifically designed for people with a disability.

CERES EcoHouse

Ms MIKAKOS — On 21 April I was pleased to attend with the Minister for Environment and Climate Change, the member for Brunswick in the other place, and Jane Garrett, who is Labor's candidate for Brunswick, the opening of the newly renovated CERES EcoHouse at CERES Environmental Park in Brunswick. The EcoHouse is a renovated Californian bungalow that showcases how local homes can be upgraded to include more sustainable living features such as energy and water efficiency, new technologies and a more modern appearance. The house will be used for community and school education programs highlighting sustainable living.

St Vincent's Hospital: orthopaedic surgery centre

Ms MIKAKOS — On 27 April I attended with the Minister for Health and Archbishop Denis Hart a ceremony to bless and officially open the new

\$7 million orthopaedic surgery centre at St Vincent's Hospital.

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

Members: residential addresses

Mr DALLA-RIVA (Eastern Metropolitan) — As you know, Acting President, the opposition has been following the issue of where members reside and where their electorates are. I am very pleased to know that at least Ms Mikakos lives in her electorate and is able to get out to see it.

As upper house members we have very large regions, and so it is probably not hard to find somewhere to live within our own region. We know that the member for Forest Hill in the other place finds it very difficult to see where Forest Hill is, and in fact we know she does not make it out there very often. When I raised the issue it was countered by an upper house member from Eastern Metropolitan Region, Mr Leane, who defended the member for her hard work. Where does Mr Leane reside? He does not reside in the Eastern Metropolitan Region, which is a very large region. He resides something like 40 kilometres away in Langwarrin. It is a long way away. Not to be outdone, the other Labor member for Eastern Metropolitan Region, Mr Tee, resides not in the region but in Macleod. While I think Macleod is a very good suburb, having been brought up there — —

Mr Finn interjected.

Mr DALLA-RIVA — I was, Mr Finn. It just shows the hypocrisy of the government — —

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

Syrian Arab Republic: 64th anniversary

Mr EIDEH (Western Metropolitan) — It was with great pleasure that I attended the celebration for the 64th anniversary of the National Day of the Syrian Arab Republic in Canberra on 19 April. This important event commemorated 64 years since the people of Syria gained independence, as well as celebrating the ever-strong relationship which exists between Australia and Syria today.

This celebration, hosted by His Excellency Mr Tammam Sulaiman, and the Syrian Embassy of Australia, was held for the first time in the Great Hall of Parliament House in Canberra, which was an exceptional setting for the 600 guests who attended.

They came from all corners of Australia, in particular Victoria, New South Wales, South Australia and Queensland. We were all entertained by the Duntroon Royal Military Band, which played both Syrian and Australian national anthems. It was an honour to be in the presence of many distinguished guests, including the chief of protocol of the Department of Foreign Affairs and Trade, Mrs Anne Plunkett, as well as Australian senators, members of Parliament, the diplomatic corps in Canberra, together with many senior bureaucrats and academics from many ethnic backgrounds.

The Syrian community is a large part of our community in Victoria. The first Syrian immigrants arrived in Australia in the late 1800s and brought with them a culture rich in good values and positive influence. Today the Syrian community has become an important part of Victoria's multicultural society, and I am very proud to say the Victorian and commonwealth government's commitment to improve understanding among our culturally diverse communities has built trust and harmony. Once again I take this opportunity to commend the Syrian Ambassador, His Excellency Mr Tammam Sulaiman, and all who were involved in planing this most successful event.

Members: residential addresses

Mr FINN (Western Metropolitan) — It has often been said that the Labor Party likes to claim the west as its own, and I think it is only fair and reasonable that we examine that statement to discover just where Western Metropolitan Region members actually live. To look at the list of some of the members of Parliament that I have discovered of recent times is a fascinating thing indeed — for example, The Minister for Public Transport, Mr Pakula, who I understand is going to be no. 1 on the ALP ticket in the Western Metropolitan Region at the next election, lives so far away from the west that he needs a cut lunch and a sleeping bag to get there. He lives down in a beachside suburb somewhere.

The member for Derrimut in the other place lives in the southern leafy suburbs by the bay. I understand that Labor Party members are very keen on beach houses. The Minister for Roads and Ports, who is also the member for Tarneit in the other place, lives nowhere near Tarneit. He lives in Williamstown, which again is by the bay. It is lovely to have a beach house on the bay. The member for Altona in the other place, who has recently been elected, does not live in Altona. Of course the Attorney-General, who is also the member for Niddrie in the other place, would not be seen in Niddrie in a pink fit. As for the member for Pascoe Vale in the other place, not on your nelly would she be seen living

in Pascoe Vale. I am not quite sure, but I have a feeling that Mr Eideh is just a little bit out of his electorate as well.

We might have a situation where at the next election none of the nos 1, 2 and 3 position holders for the ALP in Western Metropolitan Region will live in the western suburbs. None will be able to vote for themselves, and I cannot blame them: I would not vote for them either!

Lalor Football Club: KidSup fundraising

Mr MURPHY (Northern Metropolitan) — On 17 April I attended the first home game for 2010 of the Lalor Football Club. The opening home game for a football club is traditionally a big event that allows supporters to get together for the first time after the long summer break. Lalor Football Club used the opportunity to raise awareness and support for KidSup, an organisation dedicated to raising funds to support families with children with disabilities to purchase equipment that is always very expensive.

Along with support from Cr Rex Griffin, a committee member of KidSup, and Cr Norm Kelly from the City of Whittlesea, Lalor Football Club brought together various local community groups and local businesses to raise awareness and funding for KidSup, including \$50 from local businesses at Carlingford for every goal kicked by the Lalor seniors.

The game kicked off with a KidSup member tossing the coin and being given a warm greeting by the captains of Lalor and Macleod football clubs and officiating umpires. At half-time wheelchair races were organised in front of the club pavilion, and supporters of both clubs participated. This provided great exposure of KidSup and increased awareness of issues faced by children with disabilities and their families.

During the game various fundraising events were held, including best player awards and winning margin tickets as well as face painting for the kids. It was a great family-friendly initiative that provided a welcoming environment for supporters at the game. It was a pleasure to see various elements of the community coming together in support of a common cause. It reminds us of the importance of community when it comes to tackling the challenges that individuals and families face every day. I congratulate all involved in the event and pay tribute to the way in which it raised both much-needed funds for and awareness of KidSup.

Monash Freeway: noise barriers

Mr D. DAVIS (Southern Metropolitan) — My matter today concerns the Monash Freeway upgrade and the decision of the government not to upgrade noise barrier walls along the section in Glen Iris and Ashburton. This is a mistake of significant proportions that will have an impact for a long period on the lives of families living near that section of freeway.

Everyone supports the upgrade of the Monash Freeway; it is an important piece of infrastructure for the state. But the reality is that as we do those upgrades and undertake significant projects of this nature we need to build for the future and provide a standard of noise abatement that protects the community into the future.

During the early period of this government's time in office — around 2002 — it watered down the previously existing 63-decibel maximum to control freeway noise in that area. The control was consistent with what still applies to the CityLink and EastLink private roads. Now this government has increased the maximum level to 68 decibels, which is a higher standard; it is a more than 30 per cent higher noise level on government roads.

It is a tragic mistake that Bob Stensholt, the Labor member for Burwood in the other place, has been silent on this; he has been mute. He has allowed the Minister for Roads and Ports, Mr Pallas, and the Premier, John Brumby, to run roughshod over him and his residents. He deserves to go. People do not deserve the noise that he has imposed on them.

Members: residential addresses

Mrs PEULICH (South Eastern Metropolitan) — I would also like to express my concerns about the number of local members of Parliament who do not live in their electorates despite the fact that our system is one of a representative nature. Clearly candidates may not necessarily live in their electorates, but one would expect that once they are elected they would see fit to live among the people they deign to represent. It is only by living with a community that you can appreciate its concerns, whether they are concerns about basic services, infrastructure or about corruption and lack of transparency.

Across the South Eastern Metropolitan Region we have a number of Legislative Assembly MPs who do not live in their electorates. They include Luke Donnellan, the member for Narre Warren North. Although he is not on the roll, I understand he lives in an inner metropolitan seat, but he may also have a local residence. The

Minister for Water, who is the member for Lyndhurst, lives some 45 kilometres away from his electorate. The member for Dandenong in the other place, John Pandazopoulos, lives in Southbank. I understand the Minister for Children and Early Childhood Development, Maxine Morand, lives in Hawthorn, although she is not on the roll and may own property in Mount Waverley. There is a lack of clarity about where she lives precisely. Until recently the member for Mordialloc did not live in her electorate.

I would also like to make mention of Judith Graley, the member for Narre Warren South. A front page article in the *Berwick News* of last week reports she could not honour her promise to move from Mount Martha to the local electorate because of her cancer fight. Whilst I respected her right to recover, cancer certainly did not prevent her from travelling to Paris. In a report — —

The ACTING PRESIDENT (Mr Elasmarr) — Order! The member's time has expired. The time for members statements has expired.

DEPARTMENT OF HUMAN SERVICES: PRODUCTION OF DOCUMENTS

Mr D. DAVIS (Southern Metropolitan) — I move:

That in accordance with sessional order 21, there be tabled in the Council by 12 noon on 25 May 2010 a copy of the following reports commissioned by the Department of Human Services:

- (1) Economic and social costs of out of home care in Victoria (Deloitte);
- (2) Evaluation of the implementation of the Disability Act 2006 (Plexus Consulting);
- (3) Evaluation — quality of life outcomes following Kew Residential Services redevelopment (La Trobe University);
- (4) Respite provision for people with disability in southern metropolitan region (Nucleus Consulting Group);
- (5) Respite provision for people with disability in Gippsland region (Nucleus Consulting Group); and
- (6) Phase 1 of the statewide project to develop a strategic plan for respite services (Nucleus Consulting Group).

These are all consultancy reports commissioned by the Department of Human Services in recent times. They all go to relevant and important matters of public policy which are administered by that department and for which the relevant ministers have responsibility. These reports have been paid for by the Victorian taxpayer. They are designed to assist the department in its deliberations and policy development and in theory to

provide better service and care to a number of vulnerable Victorians.

It is in the public interest that these documents be made available through this motion. That will ensure that the community and members of this house, as the community's representatives, are able to assess the significance of the recommendations and methodologies in these particular reports. They will place the community in a position to more broadly understand the development of the government's policy and ensure that alternative proposals are also available, which is in the public interest.

This is an important motion under sessional order 21. It is a straightforward motion for the government to comply with, and I urge the chamber to support this important motion.

Mr LEANE (Eastern Metropolitan) — Mr David Davis's motion is the same as all the other motions for the production of documents that have been moved on Wednesdays in Parliament, and the government's position is that, unless the documents are internal cabinet documents or commercial-in-confidence and tender-type documents, the government will be more than happy to hand them over.

Ms HARTLAND (Western Metropolitan) — The Greens also support this motion.

Motion agreed to.

DEPARTMENT OF HEALTH: PRODUCTION OF DOCUMENTS

Mr D. DAVIS (Southern Metropolitan) — I move:

That in accordance with sessional order 21, there be tabled in the Council by 12 noon on 25 May 2010 a copy of the following reports commissioned by the Department of Health (formerly the Department of Human Services):

- (1) Formative research for the development of a Victorian alcohol social marketing initiative (the Social Research Centre); and
- (2) Victorian youth alcohol and drug survey 2009 (the Social Research Centre).

These reports commissioned by the former Department of Human Services — now the Department of Health, which is responsible for the drug and alcohol output groups — are a set of consultancy reports that would assist public policy development in this state.

Obviously the department has commissioned these reports, again at taxpayers expense. In so doing it has

developed this set of information which, through the documents motion before us, we seek to have in the public domain. I think it is in the interests of the community to have these documents in the public domain. I believe they will shed light on the government's policy development approach and also inform alternative policy development approaches.

This documents motion is a reasonable one; it is a motion that the government can easily comply with by providing the documents. I urge the chamber's support of the motion before it.

Mr LEANE (Eastern Metropolitan) — As I stated in the debate on the previous motion, and as Mr Viney has outlined a number of times in debates regarding requests for documents during the general business that is dealt with on Wednesdays, the government's position is that unless the paperwork that is requested is an internal cabinet or commercial-in-confidence-type document, the government is more than happy to deliver the paperwork to the Parliament.

Ms HARTLAND (Western Metropolitan) — The Greens support this motion.

Motion agreed to.

SELECT COMMITTEE ON TRAIN SERVICES

Reference and reporting date

Mr D. DAVIS (Southern Metropolitan) — By leave, I move:

That the resolution adopted by the Council on 11 March 2009, as amended on 4 February 2010, establishing the Select Committee on Train Services be now amended as follows:

- (1) in paragraph 1, after 'services' insert ', including the impact on those services as a result of the purchase, operation and implementation and oversight by government of the myki ticketing system in Victoria, including an examination of performance, costs and integration of the myki ticketing system.'; and
- (2) in paragraph 10, delete 'its final report to the Council no later than May 2010' and insert 'regular progress reports to the Council up to 30 September 2010.'

This is an important motion. Mr Barber's motion establishing this committee on 11 March 2009 was an important step supported by this chamber. In establishing that select committee of seven members this chamber put out a very sensible set of orders for that committee, and it has done good work.

I understand the committee is working towards its reports, but as the chamber will understand, these matters of train services are very significant matters. They go to not only the immediate terms of reference that the committee had under Mr Barber's motion but also the matters that surround myki. We need go no further than the terribly tragic events of yesterday to see that there are serious problems with the management and history of train services in this state but I will leave the matters behind that accident to the committee to establish, research and report upon.

In doing this I make the point that Mr Barber in his initial speech made points about myki. In a sense this motion seeks to do several things, one of which is to extend the time for reporting. The reporting time extension that is part of this motion has a slightly different form from the one I initially put forward. I have taken on board the comments of both Mr Kavanagh from the Democratic Labor Party and Mr Barber from the Greens and taken a simpler approach to the reporting date; also, as I understand it, the minister wished a simpler reporting approach in the second part of the motion.

The motion is in a straightforward form, with a reporting date of 30 September; it is in a form that will enable the committee to report as it sees fit, and that is entirely appropriate. Part of the reason for extending the terms of reference for the train services committee — and I think it has had very productive hearings and discussions in its period of operation — is that there are still issues unresolved more generally on train services and in particular on the continuing issue of myki and its implementation and its impact on those services.

There is no question that there needs to be close oversight by Parliament and this chamber of the matters surrounding train services and the impact of myki on those services. The need to monitor this issue closely is something of great importance to the community, because the impact of the government's mismanagement of train services has been significant and the impact on commuters in particular is highly significant in terms of both the actual mechanical delivery of those services and also its timing and the impact on people in terms of the confusion surrounding it.

It is not an uncommon step to extend the reporting time of committees, and there is a precedent for the matters surrounding the sharpening of aspects of the terms of reference. I think this is a very sensible motion. It gives the committee, the government and the community the opportunity to scrutinise this issue more closely. The house is in a position to give its select committee the

opportunity to extend its inquiries and to sharpen those terms of reference a little to ensure that this myki aspect is a central aspect, but not the only aspect, as it moves forward.

Mr TEE (Eastern Metropolitan) — I am concerned about this motion. I am concerned about the direction in which it takes this house, and I am also concerned about the approach that is being proposed by this motion. More generally though, I am concerned about the politicisation of our committee process.

Committees play a very important part in our democracy in providing an avenue into government decision making. If done properly, their work adds value to government decision making because committees are able to harness the ideas of committee members, the community and experts, and they are able to work with government. However, they do so because they are, in a sense, almost apolitical, and they certainly operate effectively when they operate not in a petty, party political-type fashion. Working at its best, the committee process provides members of Parliament with an opportunity to make an effective contribution to a public debate and to government policies, and I think the power and effectiveness of that contribution relies on the committee process being genuine, being about inquiry and being, as much as possible, objective in trying to uncover a way forward for Parliament and indeed for government.

Committees work best when they adopt that approach — when they put aside petty political party biases and objectively examine issues. I think we debase the committee system if we politicise committees. If we cross that line, we compromise the process and we compromise the outcomes. We compromise the status that is given to any of the outcomes if they become political footballs.

I think that is unfair to committee staff and to those members of the community who see committees as an important way of participating in the democratic process. Using the committee in this crass political way betrays those members of the community who make time to give evidence and tender submissions. We ought to guard the practice that has evolved over many years whereby our committees work well because they are genuine, effective and not petty political.

I am very concerned about the politicisation inherent in this motion. When you look at it, you see that at every level it is opportunistic and crass. It is a betrayal of those who, you would hope, would participate effectively in the committee processes. I am concerned about that.

This amendment seeks to piggyback the reference the committee has already been given. In March 2009 — 12 months ago — the committee was given a reference, and it has been working diligently, I assume, through that reference. I think the committee was due to report in March this year, and I assume that it will report very shortly. The committee has come to the end of its process — the end of the road — but now the opposition wants to tack on this new inquiry to the old one.

When the original motion was proposed last year, Mr Davis emphasised the importance of having a 12-month period and of allowing the committee to debate and take evidence. The crassness of tacking on at this late stage a very different reference and exercise concerns me, and it speaks volumes about what is motivating this, when you consider that the myki process and the Transport Ticketing Authority (TTA) are already the subject of enormous scrutiny.

The Auditor-General has conducted a detailed performance audit, a thorough examination, of the new tracking system tender, and a report was released in 2006. Each year the TTA is accountable to the Auditor-General, who scrutinises its accounts and its financial performance. There is already independent oversight by those with expertise in looking at these issues. Mr Davis's motion is not because the committee could do a better job — indeed, I would have thought it would be difficult to do so — but clearly goes to the rank political opportunism that the motion is all about.

I suppose my fundamental concern is that this is not how you run a process. It is unprofessional to add a new term of reference 5 minutes after the report of the committee on the original inquiry. It is a terrible way in which to conduct business.

Mr Davis's original motion, where he effectively proposed requiring a monthly report to this house, was inconsistent with the rigour you would hope for from a committee process but very much consistent with the desire to use this as an exercise in grabbing newspaper headlines. That is at the heart of my concern around this issue.

If you look at Mr Davis's amendment to his original motion, you see that he seeks to claw back the rank opportunism that was in his original motion to have the committee report monthly, by now suggesting that the committee provides 'regular' progress reports. That is his current amendment.

His intention is still the same — that is, to make this very much a political exercise. I will be moving an

amendment that would not necessarily rectify the exercise but which accepts the political reality that, while there is a lot wrong with the motion, politics is the art of the possible. I will be moving a motion to amend Mr Davis's motion, and I ask that it be circulated now.

I move:

That the words 'regular progress reports to the Council up to 30 September 2010' be omitted with a view to inserting in their place 'a final report to the Council by 30 September 2010'.

As I said, by no means do I think that the motion, if amended in that way, would be an ideal outcome, but it is a better one. It refers to the final point in terms of the blatant political nature of it — that is, this motion is moved today. We have had the myki debate for some time, yet the opposition turns up with its motion today, which would lead to a report date that is effectively very much on the eve of the next state election.

I understand the reality of politics but I would very much caution this house against turning its committee investigative processes into political processes. I think that would be doing ourselves no favours and doing the community no favours. My concern, again, about the motion is its political overlay — it would lead into the eve of an election and would be causing a distraction. The house really ought to be focusing on the public transport report, and we ought to make sure that the government is focusing on public transport.

The ACTING PRESIDENT (Mr Vogels) — Order! Mr Barber, the next speaker, will be debating Mr Tee's amendment as well as Mr David Davis's motion.

Mr BARBER (Northern Metropolitan) — The Greens will support the motion and will also support the amendment. But Mr Tee, in making his argument in this place, came pretty close, as he often does, to achieving the opposite effect and convincing me to go the other way. I do not know if he was directly accusing us of being political, of rank opportunism and all the rest of it, but he was certainly suggesting that if I voted for this motion, I would be guilty of those allegations.

In fact I disagree somewhat with his characterisation of the job of a committee. I think the first job and in fact responsibility of a committee is to find the truth. Certainly the objectivity that he calls for is of great assistance in that, but right now all we are debating is whether a committee should inquire into a particular matter.

Mr Tee points out that the Auditor-General previously reviewed the myki system, or at least the tender that was put out for it. Mr Tee did not take the opportunity to share with us what some of the findings of that particular Auditor-General's report were. If we were debating this thing for real, we would have gone back and had a look at those. As a member of the Public Accounts and Estimates Committee I also took part in the review of the Auditor-General's report. I did not think at that stage myki would still be a subject of public debate at this particular point of the electoral cycle.

I thought we had learnt something interesting from the tendering process and there probably was not going to be that much more to learn about myki, but in fact it is a multibillion-dollar project, seemingly costing Victoria more and more all the time, with continuous extensions to its introductory time lines and in some ways changes to its scope. So Mr Tee would have had no hope in arguing — and he did not try to argue — that this is not a matter of public interest. Clearly it is a matter of huge public interest — and not just media interest. It is a project that affects many people in their daily lives as they watch it being rolled out before their eyes.

Ticketing systems are actually quite crucial to the operation of public transport. That has been detailed in this very excellent, just-published book called *Transport for Suburbia — Beyond the Automobile Age* by Paul Mees, which is available in good bookshops. It talks about the role of ticketing systems in revolutionising transport in particular cities. Paul Mees points out that the introduction of a multimodal ticketing system is the main reform that has led to those benefits. Certainly myki is a multimodal system, but the elements of how exactly that system is going to work are still in play, as far as I am aware.

It would not be giving too much away in relation to the deliberations of the committee to say that the committee is coming very close to the end of its original deadline. It is my view that the report we are working on, or what would have represented the final report, should certainly not be knocked off track by this proposed extension to the reference, and that we should continue and provide that report, which will represent the body of the committee's work.

If this motion passes, the report will effectively become an interim report, but in my view it should be a very detailed one dealing with all the matters that we have covered so far. It would then be possible within the remaining time that we have in this Parliament to have some sort of short, sharp inquiry into myki. I do not believe the demands the committee would make on the

government's resources are particularly onerous. In fact we will probably be asking the same sorts of questions that the government will be preparing answers to for the Public Accounts and Estimates Committee (PAEC) budget estimates process in any case. I cannot see how there would be any additional burden, and if there were, it would be in relation to matters which are of great public interest right now.

As an aside to that, I think the Public Accounts and Estimates Committee at the moment is a disaster. We cannot ask the questions we want answered. When we try to ask those questions we get the chair of the committee running interference, and we are lucky to get the answers. We find ourselves back in this space, either attempting to ask the Treasurer questions in debate on the appropriation bill in order to get answers to questions that either the committee cannot have answered or cannot have answered in a timely fashion via the PAEC, or setting up ad hoc select committees.

It is gratifying to see the report of the Standing Orders Committee in relation to a new committee structure, which I think will be welcomed and will probably cause Mr Tee to relax a little bit more when we normalise some of these processes.

In his contribution Mr Tee also sought to contrast David Davis's draft motion with the one that he actually moved this morning. Mr Davis's draft motion was circulated to all parties as a courtesy and as an inter-party informal discussion for the benefit of all parties responding, and there have already been some negotiations on that. I think it was inappropriate of Mr Tee to start comparing Mr Davis's actual motion with his draft motion, which was circulated for courtesy purposes, and to use that as part of weaving the story of a conspiracy about what the real intention behind this thing was. If it is going to be the practice of making a comparison between the finished product and a piece of communication between the parties made for the purposes of not only smoothing out business but also in some cases allowing for some limited compromises to occur before we debate, it is going to get a lot harder to do that. I think Mr Tee just got a little bit punchy there.

In relation to Mr Tee's amendment, the Greens think the second part of Mr Davis's motion that seems to note that the committee can report regularly is, at worst, redundant. The committee can already report regularly; that is totally in the hands of the committee and we do not really need that embedded in the motion. Removing that would not be fatal to the motion because it is not breaking any new ground and it is not attempting to constrain the committee in any way; it is merely a redundant provision, in our view. If Mr Tee's

amendment removes that, it will not change one jot the way the committee operates. As a matter of form and not wanting to really start setting any precedents different from the way committees have operated in the past — at least in relation to the way that I have been a part of them — we will support Mr Tee's amendment. We do not think either version is particularly material when it comes to what this committee will do.

Mr ATKINSON (Eastern Metropolitan) — The opposition will accept the amendment in the spirit of cooperation with the chamber. As Mr Barber touched on in his concluding remarks, the motion put forward by David Davis sought to ensure that the chamber had the ability to understand the deliberations of the committee, and it also took into account the fact that a considerable body of work has already been completed. In fact I am able to advise the chamber that in the next two weeks the committee will be going through the draft report in regard to the matters initially referred to the committee. We will debate that report, reach some conclusions and make any recommendations in respect of those matters initially referred. I think the spirit of Mr Davis's original draft also took into account the body of work that had already been completed by the committee. As Mr Barber says, the committee is not prevented from making an interim report, and I concur with Mr Barber's position that it would be in the interests of the house if the committee were to make available its initial work and consideration of the matters referred last year.

As has been indicated in the debate, I think it is appropriate that an existing committee should take on an extra area of work, provided it is in the same sort of context. I believe the examination of the myki ticketing system proposed in Mr Davis's motion is in the same context. What we were really talking about in this committee and what this committee was convened to discuss or to examine was very much the services that are provided to the Victorian public by the transport system and disruptions to those services, including concerns about train cancellations and the issues that have led to that system not fulfilling the needs and expectations of Victorians.

Members would not be surprised to hear that the myki ticketing system was mentioned in the evidence that was presented to the committee. While it was perhaps not central to the deliberations that the committee has had to this point in time, there is no doubt that it also goes to the convenience, effectiveness and reliability of the train service that is provided to Victorians and is central to their expectations and needs. I think it is appropriate that we look into this project. Myki has generated an enormous number of headlines. Even in

the discussion of the budget brought down yesterday, myki was one of the topic areas that came up, because the failure of the government to get this system up and running has been of great concern to commuters who use our public transport system. I think it is appropriate that this whole ticketing system receive full and proper scrutiny by the Parliament.

Obviously there are other committees like the Public Accounts and Estimates Committee that have no doubt asked questions in respect of the myki ticketing system in their convened hearings. Having established relationships with a range of people, including the minister and the department, having established an understanding of the rail services network and aspects such as the approach to ticketing and trying to deliver a more convenient system, and having established an understanding of the information systems that are to be used to assist commuters who are using the system, it is appropriate for this committee to use the body of knowledge that has been accumulated by members of the committee and apply that to consideration of this further matter.

As I said, I believe that is in the context and the remit of the original inquiry, notwithstanding that the sanction of this house is needed to both extend the time line for the committee's work and to formally ask the committee to inquire into matters relating to the myki ticketing system and to provide that scrutiny. It is not just appropriate for members of this house and Parliament to understand the processes; it is crucial for Victorians to understand what is going on, why this system has cost so much more money than was ever budgeted for originally and why it is still not in place.

I note Mr Tee's speech and his almost paranoid concerns about the process that has been suggested. I note his descriptions of what the committee process should be, what it should do and how it in effect should help the government — that was the short form of what he said. I do not subscribe to that view at all. I think that while the work of committees might well inform governments, as indeed it informs oppositions and other parties, it is very much about the scrutiny of executive government actions and activities, events, processes and service delivery that impact upon Victorians. In that context it is quite crucial that this house support this type of inquiry by a committee of this house, recognising that it is a house of scrutiny, recognising the capacity that it has, and recognising the integrity, I believe, that has been shown by the committees in a series of inquiries over a number of years that have been convened by this house under its powers and responsibilities.

I do not think there is a need to go on at length about this particular reference. I have had the privilege of chairing this committee and I can assure the house that the committee has worked very cooperatively and has had some very good and constructive hearings.

In due course the committee will bring to the house matters referred to it last year — in the form of an interim report, I would expect — which will show its diligence in addressing a number of issues that have been of concern to Victorian commuters and the Victorian public more widely. The remit of the committee then was simply to make sure that in future we get the system working better and that we do not repeat the sorts of mistakes or have a repeat of the shortcomings of the system that we have seen to this point. In that context I am sure that will be the approach we will take regarding the myki ticketing system.

Mr LEANE (Eastern Metropolitan) — In the few minutes left before question time I would like to speak on Mr Davis's motion and on Mr Tee's proposed amendment to it, and perhaps I will be able to continue my comments after lunch.

It is good to hear the opposition and the Greens say they will support Mr Tee's amendment. I think it is pretty much in line with discussions that the committee had. The committee was due to report in March but, without divulging too much, it was non-government members of the committee who requested that the report date be extended to enable the committee to re-examine some of the witnesses who had already appeared before it. The committee agreed to put the date back. As far as the opposition and the Greens are concerned, that is pretty much in line with their agreement to support Mr Tee's amendment. As far as this particular motion — —

Business interrupted pursuant to sessional orders.

QUESTIONS WITHOUT NOTICE

Economy: government performance

Mr D. DAVIS (Southern Metropolitan) — My question is for the Treasurer. I refer to the Auditor-General's report on performance reporting by departments tabled today. The report states that overall there is a lack of effective outcomes in performance reporting across departments and that the effective use of this funding, equating to \$31 billion over two years, has not been demonstrated. I ask the Treasurer, as custodian of the state's finances and as the lead minister in the Department of Treasury and Finance, if he

accepts responsibility for the state's shambolic performance measures and the Brumby government's cover-up of its mismanagement and non-performance as rated by these measures?

Mr LENDERS (Treasurer) — Mr David Davis does not change. Firstly, for Mr David Davis's information, I will let him know that the output measures in budget paper 3 were inserted there by the minister for finance, so I will take — —

Mr D. Davis — I understand that.

Mr LENDERS — Obviously Mr David Davis has worked himself up. He has had a drink of Red Bull and he is a bit excited, but if he lets me finish answering the question I will give it a good go.

Firstly, the outcomes in budget paper 3 were inserted by the minister for finance, as is appropriate under the Financial Management Act, but I will certainly take on notice those aspects for him.

I have not had a chance yet to read in full the Auditor-General's report on this, but I certainly will make myself briefed on that over the coming days. But what I will say to Mr David Davis — unambiguously, because he is talking of accountability — is firstly that this government has just tabled 1138 pages of budget documents. Budget paper 3 is full of outcome measures and performances, and if any of them have changed he will find in the appendix where the changes have been made, so we are fully open, transparent and accountable. The fact is that the Auditor-General has made a comment on these measures under powers given to him by this government that enable him to do these reports, and we always welcome the Auditor-General's reports.

If Mr Davis wants to talk in general terms about the outcome of the state of Victoria, I suggest firstly he ring his friend Mr Baird, the shadow Treasurer in New South Wales, and ask him what he thought about the Victorian government budget. He gave it ticks as the best performing in the country and wished New South Wales would learn from it. If Mr David Davis wants to look to some outcomes, I suggest he go and read the releases from the Victorian Employers Chamber of Commerce and Industry, the Australian Industry Group and other business groups about this being a good place to do business.

And finally, if Mr David Davis wants to have a performance measure as to how well this state and this government perform, I suggest he just look to the figure for full-time jobs created in Australia in the last year,

and he will find that 92 per cent of those were created in the state of Victoria.

Honourable members interjecting.

Mr LENDERS — Yes, President, those on the opposition back bench are all talking because they are just dying to hear what their leader has to say.

Supplementary question

Mr D. DAVIS (Southern Metropolitan) — I refer to the extraordinary comments tendered by the secretaries of the Department of Treasury and Finance and the Department of Premier and Cabinet on behalf of all Victorian departments in their commentary on the Auditor-General's work, which was essentially critical, and I therefore ask: does the Treasurer support the surprising attack by his secretaries on the Auditor-General and thereby join the attacks on the Auditor-General?

Mr LENDERS (Treasurer) — The only sustained attack on the Auditor-General in the last 15 years in this Parliament was from the Kennett government, which voted to neuter his powers, cut his powers and make him a pawn of the executive government. It took the next step of getting in the parliamentary secretary to the Premier — the chair of the Public Accounts and Estimates Committee — so it had the Auditor-General absolutely on the leash doing the bidding of the Kennett government. That is what it sought to do, and it was little surprise that Ches Baragwanath jacked up, and it was little surprise that the people of Victoria actually turned on the Kennett government. I might say that that legislation to neuter the Auditor-General actually got — surprise, surprise! — 29 votes in this house, including that of Mr David Davis, when it went through.

Hon. M. P. Pakula interjected.

Mr LENDERS — That's right, Mr Pakula — not Roger Pescott. He actually resigned and caused a by-election. We are a mature government. We work with the Auditor-General. The Auditor-General — —

Honourable members interjecting.

Mr LENDERS — I will leave it to others to judge, including Mr Baird, the shadow Treasurer in New South Wales, which is the mature government. But what I will say to Mr David Davis is: we have a mature relationship. We have given the Auditor-General unparalleled powers. The Auditor-General reports on things we do. We look at his reports and we act on his reports. The very fact that as part of the process the Auditor-General engages government departments as to

the methodologies he is using — are they appropriate? — and departmental secretaries respond to the Auditor-General in that dialogue shows that it is a mature dialogue. If Mr David Davis actually thinks dialogue on positive improvement in how government operates is a bad thing, then perhaps he should say so.

I will back what this government has done to give the Auditor-General more powers. I will back what this government has done in budget paper 3 with the outcome measures to actually report to the Parliament and to the public what we were doing. I will back the Auditor-General and the secretaries of the central agencies having a mature, robust relationship which improves democracy and accountability in Victoria. I will back the Auditor-General and those two secretaries any day ahead of Mr David Davis.

Budget: regional Victoria

Ms DARVENIZA (Northern Victoria) — My question is to the Treasurer, Mr Lenders. I ask the Treasurer to inform the house of how the Brumby Labor government's budget delivers for regional Victoria, with specific reference to the regional rail link and the boost for home buyers in regional Victoria.

Mr LENDERS (Treasurer) — I thank Ms Darveniza for her question and for her abiding interest in regional Victoria. She asked about two specific issues, and I will refer to them. The second one she asked about, which I will answer first, is the regional first home owners bonus. Two budgets ago this government introduced a bonus for building a new home in regional Victoria of \$4000 extra to what the grant would be in a metropolitan area. Last budget we increased that, and in this budget we are recommending to the Parliament that it be increased by a further \$2500.

What that means is that a first home buyer building a new home in Ms Darveniza's electorate — whether it be in Shepparton, in Bendigo or in many of the other communities in her electorate — will get a contribution of \$26 500 from this government. Firstly, that helps them reach their aspiration to own their own home, which is something we on this side of the house empathise with completely. Secondly, it creates jobs. As the Housing Industry Association said last year, we created 19 000 jobs in Victoria — that is, the government bonus across metropolitan Melbourne and rural Victoria created 19 000 jobs in Victoria last year. Thirdly, it actually takes pressure off the rental market by boosting housing stock.

It is a good outcome. It is focused on regional Victoria more so than anywhere else because we want to grow

the population of our regional towns and take pressure off Melbourne. Every young person who buys in Wangaratta, Wodonga, Murchison or other towns in regional Victoria is another person who can be a Country Fire Authority volunteer, another person who can play in the local netball team, another person who will send a child to the local school or another person who will support the local shop.

Growth in country Victoria is what people look forward to, and this bonus is working. It is interesting to note that when this was introduced two years ago those opposite mocked it, with even a thousand people taking it up. I can say that last year more than 5000 young families in regional Victoria took up this option.

The second matter Ms Darveniza asked about was the regional rail link.

Mr Guy interjected.

Mr LENDERS — What I will say to the house — and Mr Guy might learn from this — is that in November 2008 this government in the Victorian transport plan announced a plan for a regional rail link. In 2009 we got the commonwealth on board as a partner to help fund the plan, and in this budget we are announcing the funding to build the plan.

Mr Drum interjected.

Mr LENDERS — Mr Drum may laugh, but this plan is a symbol of everything this government stands for. This plan is, firstly, about building infrastructure that has not been built for a long time; secondly, those fast growing regional cities of Bendigo, Ballarat and Geelong will have express freeway train access — in effect trains that will run express from the city to the regional city and back. Those opposite who mocked the regional fast rail proposal should appreciate that we have delivered the rail services and that we are now delivering infrastructure to make them express services. This will be fantastic for people travelling from Bendigo to Melbourne and people travelling from Melbourne to Bendigo, and it will boost both economies.

But there is more. As Ms Darveniza will know, the 50 kilometres of extra rail — and I will not even talk about the jobs being created — will not only mean an express service for people from the regional cities to come in and out of Melbourne but also allow 9000 more passengers per hour to use the rail services in metropolitan Melbourne, which takes pressure off the roads and saves time for families, workers and businesses and boosts the economy. The regional rail link is what this government is about. It is a plan; we

deliver on the plan; we deliver it into the future; and it delivers results for all Victorians. These are the things that make regional Victoria a much better place to live, work and raise a family.

Bendigo hospital: redevelopment

Mr D. DAVIS (Southern Metropolitan) — My question is for the Treasurer. On 9 October 2009 the *Bendigo Advertiser* quoted the Bendigo Health buildings and infrastructure executive director, David Walker, as saying in relation to the business case for the redevelopment of the Bendigo hospital:

That the business case will go into the budget estimates for inclusion in the 2010–11 budget.

And:

That is where the major project works will be documented.

I ask the Treasurer to immediately make available to the house the full business case documentation and any other associated documents relating to the redevelopment of the Bendigo hospital.

Mr LENDERS (Treasurer) — I would have hoped that the leader of an opposition that includes Mr Drum and Mrs Petrovich, who have been calling for the Bendigo hospital redevelopment for as long as I can remember, and who leads — let me look, who is the other member over there? — Ms Lovell, his deputy leader, who also represents Northern Victoria Region, all of whom have hoped, have asked for and have sought in adjournments information about when we are going to do something about the Bendigo hospital, on the day after the Premier, the Minister for Industry and Trade, Jacinta Allan, and the Minister for Police and Emergency Services, Bob Cameron, got up in Bendigo and announced the hospital, would have got up and said, in a bipartisan fashion, ‘Treasurer, we think it has taken you a long time to do it, but we are pleased you are going to build the new Bendigo hospital that will deliver increased services to people in Bendigo and the entire north-west of the state’. This has been welcomed by Ms Broad and Ms Darveniza, but what do we get from the Leader of the Opposition? He asks: ‘What can I find about this project to whinge about?’.

What do we get from the party that closed hospitals, privatised hospitals and sold them off? When a government actually delivers the largest single health project in the history of regional Victoria, we get a story saying, ‘What are you doing? What’s wrong with it? Where is it working?’. I say to Mr David Davis that I am grievously disappointed. I would have thought someone who claims to lead a coalition representing

regional Victoria would have said, 'Welcome. What can we do to help?'. No. They do not care about Bendigo and they do not care about treating patients. All they are looking for is a cheap pot shot in this Parliament.

What I say to Mr David Davis is this: if you want these services, be consistent. Your shadow Treasurer runs around like Henny Penny saying, 'The global recession is upon us; we are going to be destroyed'. Now we have a project, it is not, 'Isn't this good. How can we get on board?', it is just as a typical opposition trying to trash anything good in the state of Victoria. We believe in good things in Victoria, like delivering a good health system. He is talking not only as Leader of the Opposition, but also as shadow Minister for Health. It beggars belief that Mr Davis cannot even bring himself to say, 'Finally there is more investment. We think we have invested more than you ever have, but finally you are delivering what we called for. Thank goodness. What more can we do?'. But no, it is just about whingeing, whining and carping, and destroying Victoria. It is not dissimilar to the actions of Henny Penny and the run he caused on the Members Equity Bank.

Supplementary question

Mr D. DAVIS (Southern Metropolitan) — The opposition strongly supports a state-of-the-art, modern hospital in Bendigo and region that enables the community to go forward, and I therefore ask: can the Treasurer confirm that the business case was for more than \$700 million?

Mr LENDERS (Treasurer) — This is a bit like sitting in a dental surgery and watching teeth being drawn. The patient has — reluctantly, because he is right under the spotlight — actually acknowledged that the government is building Bendigo hospital.

Mr D. Davis interjected.

Mr LENDERS — He says he has always said it. The first time the shadow health minister gets to his feet on this in this Parliament, the first thing he has to say about the biggest health investment in regional Victorian history is a whinge trying to find out how he can rip down the project before even the first brick is laid. I do not think the Leader of the Opposition in the Legislative Council, the shadow health minister, has a skerrick of credibility about caring for regional health.

His question on the business case is a legitimate question. I will take that on notice. I am not about to — —

Mr Drum interjected.

Mr LENDERS — Mr Drum says, 'Oh, yeah!'. I say this to Mr Drum: we have delivered on the Bendigo hospital, which the Liberal and National parties never did.

Ms Lovell — It's just words, words, words.

Mr LENDERS — Ms Lovell has not said anything good about it either. We have a plan. Let us just look at what this budget is doing on capital works and regional hospitals. For the benefit of the opposition, not only in December last year did we announce Box Hill and deliver the funding in this budget — —

Mr D. Davis — You cut it in half.

Mr LENDERS — David Davis, who never delivered a thing, says it is not good enough that we are building a \$400 million-plus hospital in Box Hill. It is just a monte, isn't it! The government delivers a hospital for the people of the eastern suburbs, and all the opposition can do is complain. In this budget there is \$2.3 billion of health infrastructure investment. It is not only the cancer centre, Box Hill Hospital and others that we announced last year and are now delivering but also in regional Victoria. Beyond Bendigo, I will stray a little bit to the west, to Coleraine.

Ms Lovell — Tell us about Coleraine.

Mr LENDERS — Let us stray across to Coleraine, Ms Lovell: we find we have investment in the Coleraine hospital. Let us just then move across to Leongatha: we find we have an investment in the Leongatha hospital. Let us just go to Wonthaggi; let us just go to Healesville; let us just go to Geelong — more capital works in the existing hospital and also land acquisition for a future hospital in the southern suburbs.

We build hospitals so we can deliver better health services across regional Victoria. I sincerely hoped we could have at least got something other than the grudging, insincere comment from the opposition, welcoming something after the first words spoken in the Parliament of Victoria by the shadow Minister for Health are ripping down a project before it is even built.

Budget: employment

Ms MIKAKOS (Northern Metropolitan) — My question is to the Treasurer, John Lenders. Can the Treasurer inform the house on how the Brumby Labor government's budget is supporting business, with specific reference to cutting taxes and providing currency support?

Mr LENDERS (Treasurer) — I thank Ms Mikakos for her question and her understanding of the link between a sound environment for creating jobs and the creation of jobs. The Brumby Labor government is pleased that as part of this budget it can offer more support for business to create jobs. It is no coincidence that 99 300 jobs have been created in Victoria in the last year. We claimed that our investment in last year's budget would deliver 35 000. I have no doubt the Housing Industry Association credits this government with another 19 000 through the construction done as a result of the first home buyers grant.

A reason Victoria has been the centre of jobs growth in Australia is that it has been a better business environment. That is good, because it means businesses that in the global financial crisis would otherwise have laid off their workforce have been less willing to do so. It means they have kept on workers. That is good for the workers who have not lost their jobs and their families, that is good for the businesses because it means they do not have to reskill people going forward and it is very good for the Victorian economy because it generates more jobs coming through.

Victoria has not been immune from the global financial crisis, and that is why I have been working to create new jobs to assist workers who have been laid off. What we are seeing is that 99 300 more jobs have been created. As I said earlier, 92 per cent of the full-time jobs in Australia have been created in Victoria. We have been willing to invest in tax cuts, whether it be payroll tax — bringing it down to the lowest levels since 1975 — or a further reduction in WorkCover premiums by 3.5 per cent.

Since I have been in this house we have managed to bring WorkCover premiums down from 2.22 per cent of an average salary to 1.34 per cent. If you paid \$100 in premiums then, you pay about \$60 and a few cents now. What makes me even prouder as Treasurer in the Labor government is that during that same period we have seen the number of injuries and claims coming down. This takes pressure off business.

I say to Ms Mikakos: this package is what we need to assist business, to keep people employed, to put more people on and to create jobs in Victoria, but it is always a balance. You need the balance between a balanced budget, which the opposition calls for; managing your debt, which the opposition calls for; delivering support for business, which the opposition calls for; and delivering better services to more Victorians, which the opposition calls for.

The opposition does not have any balance in this. Ms Mikakos's question is good. The opposition seeks to be all things to all people, but this government has brought down a balanced, measured, fiscally responsible budget that delivers better services, helps bring down Victoria's debt levels and sets an environment that will encourage business to keep creating jobs in Victoria. For a Labor government jobs are the no. 1 priority in what it can do to assist working families.

Jobs assist working families, and I am delighted to be part of the government that has brought about the best employment results in Australia. Those jobs are critical to making Victoria a better place to live, work and raise a family.

Budget: stamp duty

Mr RICH-PHILLIPS (South Eastern Metropolitan) — My question is to the Treasurer. Given that land transfer duty on a house bought for the March quarter Melbourne median price is now \$23 410, why did the government fail to provide duty relief to home buyers in yesterday's budget?

Mr LENDERS (Treasurer) — I thank Mr Rich-Phillips for his question. I know this is not a committee stage, so I would only rhetorically pose the question, but if we are seeking to be all things to all people and Mr Rich-Phillips believes we should have cut stamp duty, it is imperative for him to say what service we would not have delivered. Would we have put the state into more debt? Would we have not provided payroll tax cuts? They are the sorts of questions I would ask.

In response to his question — and again his is a party that seeks to be all things to all people — let us first put on the record that in 2008 we adjusted all the thresholds for stamp duty up by 10 per cent. It was a comprehensive reduction for every single stamp duty payer in Victoria, something I might add that the coalition never did. Firstly, in 2008 we did that, but in this budget we have focused on what we think are the job creation aspects of taxation: payroll tax — unquestionably job creation; WorkCover premiums — unquestionably job creation. There are also minor adjustments to the land tax base so that for retirement villages and aged-care facilities there is a land tax holiday of two years. That is to encourage the private sector to build, because that is an area where the market needs a bit of a push; we need more services in that area.

If Mr Rich-Phillips is talking about first home buyers — he will understand this; I think he has selectively not used the information — he should go back to the 2007–08 financial year and look at the revenue from stamp duty and at the forecast for the 2010–11 year, and he will find that government receipts for stamp duty have dropped by 0.9 per cent. If Mr Rich-Phillips thinks this is the time to put more pressure on the budget or to cut services, cut capital works, build debt or not cut payroll tax, he should say so.

Regarding homes and housing affordability, this government is acutely aware that the single major thing we can do for housing affordability is the work my friend Mr Madden, the Minister for Planning, is doing, and that is increasing housing supply through the planning system. I am also delighted, and I will be gracious here, that the Dispute Resolution Committee is also suggesting a way forward on the growth areas infrastructure contribution legislation that is a compromise from everyone's point of view. It lets us deal with the urban growth boundary issues, which also deals with the housing supply and affordability issues. It is a credit to all involved that we collectively got ourselves through a very difficult situation, and I pay tribute to all who were involved in that.

Supply is the biggest issue, but on the demand side — and again I come back to stamp duty — we are seeking, and this goes to my earlier response to Ms Darveniza regarding regional Victoria, to encourage the development of more housing stock. Therefore, if you are a first home buyer who is buying a home off the plan in, say, Warragul — an area I am very familiar with, because it is my old stamping ground, and also Mr Viney's home town — you are probably paying \$1000 to \$1500 in stamp duty if it is a median level home and you are getting back from the Victorian government a cheque for \$26 500.

Mr Drum interjected.

Mr LENDERS — Mr Drum displays his ignorance; there is off-the-plan purchasing in Warragul. If he goes to Warragul, he will see it.

I say to Mr Rich-Phillips that we are targeting assistance to boost the housing stock and to get new people into the market as part of a balanced budget which is a plan going forward. I also say to Mr Rich-Phillips: good on you for trying to be all things to all people and to make the Real Estate Institute of Victoria happy — or whoever he is seeking to make happy — but our objective is to have a balanced, prudent budget that delivers services and infrastructure

for now and in the future. We have made a lot of calls. There was relief two years ago; there is targeted assistance this year, and we think that is the way forward.

The PRESIDENT — Order! I wish to remind not just members of the house but particularly visitors in the gallery that it is unacceptable to attempt to make any form of contact with members in the house while the house is sitting. That includes the passing of notes. I am not suggesting that any member was encouraging that; I just make the point. I ask visitors in the gallery to be aware of that.

Supplementary question

Mr RICH-PHILLIPS (South Eastern Metropolitan) — I take the Treasurer's point about stamp duty receipts being back to virtually parallel with the peak prior to the global financial crisis, but I also note that the government's other source revenue is now far in excess of that forecast in the estimates for 2008. I take the Treasurer's point about bonuses for non-regional development, but the reality is that most of the properties being purchased in Victoria are established homes in metropolitan Melbourne. I therefore ask: can the Treasurer confirm that while the median house price in Melbourne has surged by over 20 per cent in the last 12 months the stamp duty bill commensurate with that property has surged by over 37 per cent for the same period?

Mr LENDERS (Treasurer) — Mr Rich-Phillips asked a question about median house prices, and he is correct: the median price has gone up here. As I was saying earlier, the single most effective thing that we can do and that is within our control as a state to deal with housing affordability — obviously the Reserve Bank and others have a whole range of measures available to them — is to boost supply. The single largest element of boosting supply is the planning measures my colleague Mr Madden has introduced. As I said earlier, I congratulate members of the chamber for finding a way through the gridlock we were in. What I hope this house will do later this week will do more for housing affordability than any other measure any other state or federal government will take. Let us put that into perspective.

The second part of housing affordability goes to supply. We know that in Victoria — my colleague the Minister for Housing, Mr Wynne, constantly reminds me about what is happening — there is pressure on the housing rental market. Again the biggest thing we can do to take pressure off the housing rental market is to boost supply. From our perspective we are focusing — and

this is what budgets are all about: making difficult choices — our efforts on the supply side. Mr Madden has the key carriage of that in government, and we are all behind him, but on the demand side we are focusing on looking at how we get more new homes built. Generally, across the board the off-the-plan concession, which we are the only jurisdiction in Australia to apply, helps to boost housing stock, whether that be in Docklands or Warragul or wherever it is that you are making an off-the-plan purchase. But also — going back to my earlier response — if we want to encourage first home buying as well, we target assistance to first home buyers to get them in.

I understand what Mr Rich-Phillips is saying: he is describing a progressive tax system. Our income tax is a progressive tax system, our land tax is a progressive tax system and our stamp duty is a progressive tax system. There is nothing unusual about a progressive tax system. They are systems that have been applied, upheld and implemented by Labor governments and Liberal governments. They are a part of the Australian taxation system. Yes, it is a progressive tax system; Mr Rich-Phillips knows that. But I repeat what I said in my substantive answer: this is about targeting greater supply. We can do more by delivering greater supply and by adopting these targeted measures than by adopting any universal scheme that others may be proposing.

Climate change: government initiatives

Mr VINEY (Eastern Victoria) — My question is to the Minister for Environment and Climate Change, Gavin Jennings. Can the minister inform the house about actions taken by the Brumby Labor government to position Victoria not only to reduce its impact on climate change but to secure new jobs and investment for Victoria?

Mr JENNINGS (Minister for Environment and Climate Change) — I thank Mr Viney for his question and for an opportunity to talk about very important policy and program commitments made by the Brumby government in the lead-up to the 2010 budget. I had the good fortune to be in the company of the Premier and the Minister for Skills and Workforce Participation when we announced a policy measure known as Jobs for the Future Economy: Green Jobs Action Plan, which gave commitments of \$175 million from the state of Victoria to try to maintain the momentum in relation to opportunities in sustainability and particularly in relation to job growth in these important sectors of our economy.

Over a number of years the Victorian government has shown that it is committed to addressing the climate change challenge, and it continues to be committed to meeting that challenge. In fact we are unabashed supporters of emission trading schemes — we have been, we are and we will be — in terms of the transformation of the Australian economy to make sure that we introduce a carbon-based economy to reduce emissions and to provide job opportunities that may derive from the economic transformation of our goods and services industries, particularly in relation to construction, where many jobs can be created now and into the future in sustainability as an essential building block of our economy. Certainly that is our view in Victoria.

The \$175 million package concentrates on a number of areas, particularly in construction, whether it be in the existing built form, where we can drive greater innovations and greater efficiencies in retrofitting and making sure we reduce our environmental footprint by making those buildings more efficient, or whether it be in applying new building standards to the new domestic buildings and renovations that take place across Victoria, of which somewhere in the order of 35 000 are built every year. These areas continue to be supported by the reforms that my colleague the Treasurer has been identifying in relation to a combination of the reductions in stamp duty and, most importantly, the first home owners bonus scheme that applies throughout Victoria, which is driving that investment.

We anticipate that from 2011 onwards these buildings will meet a 6-star standard, and indeed this is part of a national momentum for a 6-star standard to apply to new buildings — new homes and renovations — in Australia and Victoria into the future. That is an essential part of our story. We recognise that there may be requirements to assist in the — —

Mrs Peulich — Lots of stories; not enough action!

Mr JENNINGS — In fact there might be a very small chorus on the other side about these matters today, but it is very interesting because after the Victorian government's initiatives about jobs for the future, the federal member for Wentworth, Malcolm Turnbull, decided on a resurrection. He decided that after our initiative and our momentum there may be a reason for him to stay in politics. It may be a reason for some of the opposition to leave, but it may be a cumulative reason for Mr Turnbull to make a comeback.

On this side of the house we understand it is important to grow jobs and to build skills. Indeed it is an essential part of the Victorian government's approach to job creation in this area that we associate it with skill development. Quality assurance is part of our programs. We understand people need to be trained to take up job opportunities to make sure that when they actually do the retrofitting, when they are involved in construction and when they are introducing new technologies that are based upon sustainability they have the skills to undertake the work. That is an essential part of our story and our commitment.

It is also part of a very significant commitment we have made to resource recovery and to the reduction of waste. In Victoria it is an essential part of our journey to understand that we drive resource recovery and greater recycling rates beyond the ones we already have. We understand that the multiplier or the job benefit between whether something in the waste stream ends up in landfill compared to it ending up in resource recovery and recycling is 9 to 1, and that is something that we as a government are committed to support and will continue to support through our action plan. We will continue to try to diversify our energy sources and to support the community taking up community-based solutions to energy, whether it be through solar hubs or whether it be through the piloting of new technologies such as ceramic fuel cells. We are interested in the diversification of our energy sources and their community application.

Whether it is through those specific programs or through the Climate Communities program, we will be supporting our communities in making the adjustment — the transition — and taking initiative in the sustainability field. We see this as an essential part not only of community building but of our economy into the future. The Victorian government is absolutely determined to see the climate change challenge as a climate of opportunity for jobs. We will support that through the \$175 million worth of investments and the associated programs with this package.

Schools: building program

Mrs PEULICH (South Eastern Metropolitan) — I direct my question to the Treasurer, Mr Lenders. I refer to an email sent by a principal in the South Eastern Metropolitan Region to a local community organisation in response to concerns expressed about a local BER (Building the Education Revolution) school project, which states:

The school is the recipient of the facility but has no role in the project ... The department is overseeing all government school projects — not the school. They manage all planning

and development of the project from beginning to end. The school has had minimal discussions as all project work is overseen by the project managers appointed by the department.

I ask: as the custodian of the state's finances, can the Treasurer advise what mechanisms are in place to ensure that the waste and mismanagement of the Building the Education Revolution program seen around Australia is not taking place in Victoria?

Mr LENDERS (Treasurer) — I am happy to give a serious answer to a question as the minister representing the Minister for Education, but if Mrs Peulich is talking about the custodian of the finances of the Building the Education Revolution, I suggest she send a letter to federal Treasurer Wayne Swan.

Supplementary question

Mrs PEULICH (South Eastern Metropolitan) — I thank the Treasurer for his answer and for squibbing it. I ask: what will the Treasurer do to fulfil his responsibility as Treasurer, given the federal Auditor-General found today that the Brumby government is responsible for ensuring that individual projects achieve value for money, and will he now ensure that the Victorian Auditor-General conducts an audit into the waste and mismanagement of Victoria's share of the BER program?

Mr LENDERS (Treasurer) — Firstly, the Building the Education Revolution money is money from the commonwealth that it acquires. We as a state have cooperated; the Department of Education and Early Childhood Development and the Minister for Planning seek to facilitate it so communities can get the money the commonwealth wishes to spend in their area. The commonwealth wanted it to be done quickly as part of the stimulus, and it wanted communities to help.

What I will say here — and the extraordinary thing is that you would have hoped Mr David Davis and Mrs Peulich would have got their lines a bit closer together in relation to the custodian of the finances; given they are two of only three people in the one faction, you would think they would get it right — is that the Victorian Auditor-General can of his own motion inquire into this whenever he chooses to do so.

If Mrs Peulich is reverting back to her days as the member for Bentleigh in the Assembly, when she voted to gut the powers of the Auditor-General, and thinks the executive government should tell the Auditor-General what to do, that amounts to an amazing dichotomy of views among those opposite. Of the two members in

different houses who voted to gut the powers of the Auditor-General, one says, 'Do everything the Auditor-General does — —

Mrs Peulich — On a point of order, President, my supplementary question stated that according to the federal Auditor-General the Treasurer has the responsibility for ensuring that individual projects are not wasteful.

The PRESIDENT — Order! Does Mrs Peulich have a point of order?

Mrs Peulich — Yes.

The PRESIDENT — Order! Then she should make her point of order. She should not restate or re-ask her question.

Mrs Peulich — My supplementary question went to the precise responsibility of the Treasurer for financial stewardship of the finances of the state of Victoria and finances made available to Victoria.

The PRESIDENT — Order! That is clearly not a point of order.

Mr LENDERS — In conclusion, the funding the member refers to is commonwealth funding. The oversight of our compliance network is dealt with by my colleague the Minister for Finance, WorkCover and the Transport Accident Commission. I will take it on notice for him.

I note that I am absolutely confident that if the opposition wanted us to take action and had thought about it, it would ask the minister to do something rather than asking the minister to ask the Auditor-General. The Auditor-General is big enough and courageous enough to initiate his own inquiry if he feels there is the need to do so.

Rail: station upgrades

Ms HUPPERT (Southern Metropolitan) — My question is to the Minister for Public Transport, Martin Pakula. Can the minister advise the house of the Brumby Labor government's budget commitment to improve metropolitan train stations across the network?

Hon. M. P. PAKULA (Minister for Public Transport) — I thank Ms Huppert for her question, and I congratulate the Treasurer on an outstanding budget. Yesterday I took great pleasure in announcing that as part of this year's budget 20 metropolitan train stations will receive an upgrade to premium station status.

Yesterday I caught the train out to Newmarket station, where I was joined by the member for Melbourne in the other place, Bronwyn Pike, as well as the Metro chief executive officer, Andrew Lezala, to make the announcement. The funding commitment will deliver more staff and more stations across the metropolitan network.

The 2010–11 state budget allocates \$83.7 million over the next four years to upgrade 20 stations to premium status. That includes capital funding and funding for 100 new jobs for station staff. That means those stations will be staffed from first train to last train, seven days a week.

Mr Guy interjected.

Hon. M. P. PAKULA — For the benefit of Mr Guy, although I fear he is not inclined to listen, the stations to be upgraded are Seaford, Parkdale, Hallam, Prahran, Holmesglen, Upwey, Ormond, Westall, Chelsea, Windsor, Newmarket, Moonee Ponds, Hoppers Crossing, Carnegie, North Brighton, Lalor, Ginifer, East Richmond, Northcote and Highett.

Mrs Coote — What about Moorabbin?

Hon. M. P. PAKULA — Moorabbin? That will increase the number of premium stations to 97, and when Williams Landing station is finished, the total will be 98. That means that almost 50 per cent of all Melbourne's train stations will be staffed from first to last train. Increasing staffing at stations provides passengers with better security, better information, more capacity to buy tickets and better revenue protection, as well as providing better assistance for drivers to ensure that they are able to depart on time, and quicker and more convenient sharing of information.

Premium stations typically include features like an enclosed waiting room, open toilets, better closed-circuit television, better passenger information displays, clocks on platforms, better seating, real-time service information, a ticket-selling window and staffing from the first to the last trains.

As part of that announcement there was also an announcement by Metro that as part of the franchise with the government it will also staff another 22 stations for 4 hours each day. I will not go through them all, but they include Spotswood, West Footscray, Glenbervie, Strathmore, Tottenham, Burwood, Toorak, Hughesdale, Sandown Park, McKinnon and a number of others. A total of 42 stations will either have more staffing or be staffed from first to last trains.

We are taking action to ensure that we have the best public transport network in the country. We know that passengers like a staffing presence at stations — and that is what is being delivered as part of this budget.

Planning: Geelong development

Mr KAVANAGH (Western Victoria) — My question is for the Minister for Planning, Mr Madden. It relates to a proposed Aldi supermarket development in West Geelong. The minister's decision to call in the proposed development despite its rejection by the Geelong council on heritage grounds has confirmed suspicions that Aldi is being granted special treatment in the planning process. The plans, as they are at present, will cause nuisance and noise for the residents of the houses immediately adjacent to the site along its southern boundary. That nuisance would be caused by truck traffic and also by the installation and operation of a large commercial compacter. This nuisance may only be ameliorated by a planned 2.4-metre acoustic fence, which experience suggests would be ineffective. The present plan will also involve the destruction of a former Anglican church and vicarage, both of which are under the Ashby heritage overlay.

Aldi also presently owns about 2000 square metres of land on the northern end of the site, which it refers to as surplus and intends to sell off after the development. If this land were to be retained, however, and used in the development rather than sold off, it would allow for the compacter to be sited further away from the houses, it would allow the truck traffic to be re-routed further away from the existing houses and it would also allow for the retention of the church and vicarage. Would this not be a much better result than allowing the present plans to proceed?

Hon. J. M. MADDEN (Minister for Planning) — I welcome Mr Kavanagh's interest in these matters, particularly around matters that relate to Aldi. As background for Mr Kavanagh, the call-in of these projects has been done as a block approach to a number of retail proposals by Aldi and also a series of proposals by Woolworths in terms of its hardware-type stores. These stores are all of a similar format because they all relate to a particular franchise arrangement.

My department and I have intervened in this process for a number of reasons. One is the prospect of economic activity or jobs. Another is to resolve these matters en masse through a particular process rather than to have each of the proposals filter into the planning systems in their local areas when in many ways they need to be dealt with by a group of experts. Basically what I have done with these projects is refer them to an independent

panel so it can make recommendations in relation to each of them. I look forward to its advice and recommendations. Its advice and recommendations will also be combined with advice from the department in relation to these matters.

I encourage Mr Kavanagh, community members, the local council and anybody who feels strongly, including any other local members who feel strongly about this, to make their representations directly to the independent panel so it can make recommendations in its independent reports.

I also point out to Mr Kavanagh that it will consider many of these sorts of issues. I would expect it would consider the impact on the surrounding amenity, the impact on traffic and all those sorts of things that experts in this area would need to consider in relation to these projects. The fact that these projects have been called in does not guarantee that they will be given approval. There is no guarantee at all that a project will get approval or that it will get approval for the format that the applicants may wish.

I am looking forward to the recommendations from these experts in relation to these matters. They will sit alongside advice from the department, and on that basis a decision will be made. It is important to resolve these matters as quickly as possible and to take pressure off the local planning systems in the local government areas.

I have made this point on a number of occasions, and I will make it again: what you often have with these sorts of approaches in terms of the planning system is that councils such as the City of Greater Geelong may have one of these applications every three or four years — they may have more — and often you have a relatively inexperienced planner. Many young planners have to deal with these sorts of projects for the first time, and it might be the only time at a local government level, so it is sometimes quite a lengthy process. But the advantage commercially to the state, to these organisations and to the local communities is that these matters get dealt with very quickly by experts in the field, particularly under the independent panel process.

As I said, I look forward to seeing those recommendations, I look forward to reading the advice of the department, and I look forward to making a decision on that advice. Again I encourage Mr Kavanagh to advise any community representatives, local government representatives or local members here who feel strongly to express their concerns to the independent panel process.

Questions interrupted.

DISTINGUISHED VISITOR

The PRESIDENT — Order! I draw the attention of the house to the presence in the gallery of a former member for Templestowe Province, Mr John Miles.

QUESTIONS WITHOUT NOTICE

Planning: Geelong development

Questions resumed.

Supplementary question

Mr KAVANAGH (Western Victoria) — I thank the minister for his answer, and I ask whether, in respect of the independent panel reviewing the Aldi proposal, he will suggest to its members that they consider the recommendation that I have brought up today, which would have many benefits, including reducing the noise and nuisance to existing residents and also retaining two buildings that are presently subject to a heritage overlay.

Hon. J. M. MADDEN (Minister for Planning) — Again, not wanting to repeat myself, I would recommend that the member relay that information to the independent panel. I ask him to also provide that information to the department or to anybody he is representing in terms of local community members and to reflect that view to the panel either in writing or by seeking to make a verbal submission to the panel if they so desire.

As I am now briefed from Mr Kavanagh's point of view in terms of that information, I will no doubt in considering the advice from either the independent panel or the department want to see that the recommendations have dealt with these matters. Just by asking his question Mr Kavanagh has put it onto my agenda and onto my desk in a sense, but I also suggest that he make approaches to the independent panel and to the department in relation to these matters so that he has covered all of the areas for people who might be considering these matters in a technical sense.

I say that because while he has brought the matter to my attention, if there are specific technical matters such as the height of the barrier or the type of acoustic treatment, whether those individuals feel that is sufficient or insufficient and whether the placement of the footprint of the building is located accordingly, I advise him that some of those matters need further

technical consideration, as well as the heritage matters. I hear Mr Guy mention the heritage provisions, and they need to be considered in the context of the local overlays in relation to heritage, and also where the buildings are located in the hierarchy in terms of heritage listing or zoning. I would encourage Mr Kavanagh to make submissions to those parties. Certainly I am aware of his concerns, and they will factor into the sorts of questions I ask when the advice is presented to me.

Budget: planning initiatives

Mr TEE (Eastern Metropolitan) — Can the Minister for Planning outline how this year's state budget will continue to support employment and urban improvement in central activity districts, particularly in light of the Melbourne @ 5 Million planning update?

Honourable members interjecting.

Hon. J. M. MADDEN (Minister for Planning) — I welcome Mr Tee's interest in these matters. I heard Mr Guy interjecting, 'What about 2030?'. Just in case Mr Guy was not sure of where Melbourne @ 5 Million sits with Melbourne 2030, one of the great things about Melbourne 2030 is that it is a plan up until the year 2030, and one of the things we have highlighted in the updated Melbourne @ 5 Million plan is that the population demand or settlement demand in Melbourne is such that we are likely to see that extra million people arrive before the year 2030. Knowing that it is likely that we will need more housing before 2030, we have developed the Melbourne @ 5 Million update, with the point being made that we will reach 5 million people sooner or later, but we have a plan regardless of when we meet that population projection.

The issue there, which I point out to Mr Guy, is that of course one of the great things about Victoria which is attracting and encouraging population growth in Victoria and also in Melbourne in particular is the affordability, accessibility and availability of dwellings, and we want to continue to ensure that that underpins family life in Victoria.

What is important, though, is that Melbourne @ 5 Million provides a very broad plan, and one of the critical components of that plan is what is known as the central activity districts (CADs) in particular and the role they will have in providing for this growth. Those central activity districts are, in a sense, the equivalent of localised CBDs and they will have similar functions and a range of housing opportunities, with the view of providing more jobs closer to where people live, to minimise congestion

flows in and out of the Melbourne CBD but also to provide a diversity of housing stock.

Not only are we seeing a population increase, even if we did not have a population increase we would still need more dwellings because we are living longer and prevalingly people are spending more of their lives living on their own or in smaller dwellings. I would encourage people to also acknowledge that it is not only about housing for people coming to Melbourne, it is also about additional housing for people who already live in Melbourne, whether it is younger people or older people who seek to have different types of lifestyle settlement patterns. I would encourage people to consider and recognise that fact.

That is why we need that diversity of stock, particularly in these central activity districts, and this year's state budget has delivered \$10.4 million over four years for urban development strategies and urban improvements, in particular, to the six designated central activity districts: Box Hill, Broadmeadows, Dandenong, Footscray, Frankston and Ringwood. These funds are basically about business and project cases and streetscape improvements, and the funds will be used to increase employment opportunities, particularly along priority employment corridors that link the CADs themselves with universities and research, technology and medical precincts and other areas of high employment, and we want to continue to encourage that.

In Footscray our budget will deliver \$9.5 million over five years for urban renewal projects, including planning support for a residential, office and commercial development within the McNab Avenue precinct. We are building Footscray to be the capital of the west, particularly because of the transport connections and the links, and certainly my colleague the Minister for Public Transport would appreciate the significance of Footscray in broader terms over and above just the urban settlement patterns but also the strategic location in terms of public transport.

We are committed to these CADs. We want to see continued improvement. It will not happen overnight, but it will happen over time. It is part of our broader plan to ensure that these centres are and continue to be attractive as places to live, work and invest and to make Victoria and Melbourne the best place to live, work and raise a family.

QUESTIONS ON NOTICE

Answers

Mr LENDERS (Treasurer) — I have answers to the following questions on notice: 10 547, 10 589, 10 630, 10 672, 10 713, 10 872, 10 913, 10 955, 10 997, 11 079, 11 121, 11 163, 11 205, 11 247, 11 289, 11 330, 11 371, 11 436, 11 478, 11 581, 11 760.

Sitting suspended 12.59 p.m. until 2.05 p.m.

SELECT COMMITTEE ON TRAIN SERVICES

Reference and reporting date

Debate resumed.

Mr LEANE (Eastern Metropolitan) — I will briefly continue my contribution from before the lunchbreak regarding the motion moved by Mr David Davis. As I said, the opposition and the Greens are happy to support Mr Tee's amendment. I touch on the fact that the committee — and this is not breaking any privilege — has a number of deliberative meetings on a draft report coming up over the next few weeks. I am concerned that although we have not even started those meetings Mr Davis, in his contribution when moving this motion, said the fact that there are several unresolved issues had been foreshadowed to him. I am not sure what he is basing that claim on. Given that we have not been through our deliberations, how can he foreshadow that we have unresolved issues in regard to our work on the report and the witnesses we have seen? Maybe he would like to clear that up when he wraps up on this motion.

Members of committees are privileged to have access to many experts and learn a lot about whatever subject they are looking into. It is interesting that a lot of the advice we heard in terms of train services, and also public transport services overall, reflected something that the Minister for Public Transport, Mr Pakula, stated in a debate on public transport a few weeks ago — that is, there are 500 million successful boardings on the Victorian public transport system every year. This is an amazing number, when you think about it. The percentage of services that have not run is a lot smaller than I think Mr Davis hoped would be unearthed by this committee. Perhaps his moving this new motion is an indication that his original motion did not cause the government the political damage he was hoping for, so he has decided he needs to change the debate.

The committee, as I said, is only going to deliberate on the report. I know some speakers have said that this motion should not affect the delivery of the report the committee is working on now. I am not too sure about that. That is something that would have to be discussed, because a lot of it may be intertwined with what we are looking into.

Mr O'DONOHUE (Eastern Victoria) — I am pleased to make a few brief comments in contribution to this debate. I endorse the motion moved by Mr Davis and note that the opposition will not oppose the amendment moved by Mr Tee.

Government members are jumpy. The two government members who have spoken on this motion so far appear to be jumping at shadows with their allegations about the political motives of the opposition and their questioning of the role of select committees. Mr Tee made a range of baseless allegations about the politicisation of the committee process. Perhaps Mr Tee and Mr Leane have forgotten just what a shambles the myki system has become. During the committee's public hearings it has taken a great deal of evidence from a range of people and, as Mr Leane flagged, it will be considering that material over the next few weeks. It is a logical and sensible adjunct for a committee that has been given a brief to look into train services to have that brief extended to look at the ticketing system, given the ongoing problems that have been exposed since the resolution was initially adopted by the committee on 11 March 2009.

The Treasurer is fond of telling us — indeed he lectured Mr Rich-Phillips on this today — that where allocations of funds are made, either decisions have to be made about the withdrawal or reprioritisation of other funds or outside sources of funding have to be sought. Myki is a great example of opportunities lost in other parts of transport and in other parts of service delivery by the government, because what we do know is that the cost of myki has blown out by hundreds of millions of dollars. It is an example of gross mismanagement, and there are serious issues to be considered and serious questions to be asked.

The train committee, notwithstanding the comments of Mr Tee, thus far has operated effectively. It has heard from many experts and it has taken some very good evidence, and I hope that with the passing of this motion we can continue the work we have begun. Looking into the ticketing system for train services is a logical next step for this committee.

Mr Tee made a big song and dance about extending the reporting date. It is not unusual for committees to

extend their reporting dates. This is not something that only happens with select committees; there are many examples of the government-controlled joint committees having to extend their reporting dates for one reason or another. That is not surprising when you consider that when you commence looking at the sorts of issues that committees examine, you often find the data to be reviewed is broader than initially contemplated. As with many things, once you start to look into them, the more you look, the more you find. I welcome this motion by Mr Davis, and I look forward to working as a member of this committee if the motion is passed.

Mr GUY (Northern Metropolitan) — I rise to make some brief comments on the motion moved by Mr Davis today and on the substantive issue of the committee that the motion relates to. As we know, the substantive issue of the motion in relation to the committee is around the causes of failure in the provision of rail services in the state of Victoria at this present time. Before we look at that we actually have to go back to the crux of the issue and the crux of this motion — and that is, why are rail services in Victoria today in such a state that this inquiry needs to be called and this motion needs to be before this chamber today?

All Victorians and all members of this chamber realise that the government has categorically, in fact completely, mismanaged public transport in this state for the last 10 years. A population boom and minimal investment in public transport over that time has got us to this situation. It is not due to population growth, as some people like to put forward, or a problem with franchise agreements that were put in place. It is due to the mismanagement of infrastructure to match population growth. That has been a key feature of this government for the nearly 11 years that it will have been in office by the end of the year. It is a key reason for the establishment of this committee and for the amending of the terms of reference which we are debating here today.

I remember a number of years ago looking at the then Minister for Transport, Peter Batchelor, standing on the steps of Parliament House with someone dressed up in a big polystyrene suit shaped like a ticket, trumpeting the third media stunt for a new ticketing system that the government was engaged in developing. Peter Batchelor — the person who is really responsible for the dilapidation of our system in the last decade — stood there in the third media stunt in a row.

That is what public transport has really been about for the last 10 years. It is not surprising that we are in the situation we are in today, and it is not surprising that the

select committee was established, and that today we are again amending its terms of reference, because the government has been addicted to spin ahead of substance over the last 10 years. Where is the triplication of the rail lines to Dandenong that was promised in *Meeting Our Transport Challenges*? That triplication was shortened so that it would end at Oakleigh, I think, but is now off the agenda altogether.

Where is the Cranbourne East railway extension? A big promise by the Labor Party at the 1999 election was for a rail extension to Cranbourne East in Melbourne's fastest-growing area the south-eastern suburbs but it is now off the agenda. What about the return of rail services to Leongatha and Mildura, which this government, when in opposition in 1999 trumpeted around the countryside it would do? Where are those projects today?

They are about as likely to be sighted in a government budget as a yeti, because they are completely non-existent. They will not be realised under this government. It shows that from the time it came to office, this government and the Labor Party has been addicted to spin over substance when it comes to public transport, and now we are paying the price for it.

Where is the promise that was made in 1998–99 to standardise our country rail network for \$96 million?

Mr Drum — They didn't do away with that promise, they just froze it.

Mr GUY — I remember that one, Mr Drum. The promise of the Labor Party was to standardise the entire country rail network for the astounding sum of \$96 million. I am not sure if it was a cash job done by a couple of mates, but whoever gave the Labor Party that cost estimate was clearly on another planet, because it was going to cost a lot more than \$96 million to standardise the second-largest rail network in Australia. That promise was made by the party opposite, but of course it has not been done; it is a long way off.

Where is the South Morang railway station that Action Man John Brumby, on becoming Premier three years ago, said was one of his first priorities? Where is the Action Man's promise today? Not a single dog spike has been driven because not a single sleeper or piece of track has been laid; only the preplanning has been done. The government will no doubt have bulldozers at South Morang before the election as another stunt, but the reality is that the job has not been done. That is why the house is debating this amendment to the terms of reference today.

As David Davis mentioned before, the issue of myki is central to most Victorians — and why would it not be, because it is over \$1 billion of expenditure for something we do not have. It is \$1 billion of expenditure for nothing. Victorians are entitled to ask about Hong Kong, which has an operative and electronic ticketing system, and about Singapore, which has a perfectly reasonable system for multimodal methods of transport. Warsaw has an electronic system. Twenty years ago Poland was a communist country. The rest of us in the Western world looked on and poured scorn upon countries and economies coming out of 70 years of communism, yet there are operative electronic systems in countries in Eastern Europe that 20 years ago were under communist dictatorships. Why is it that we cannot get a \$1 billion system operative in Melbourne?

It is a simple question, and a good one, because what could \$1 billion buy? If the state had invested in other transport initiatives rather than a failed public transport ticketing system, what could \$1 billion have bought? In Northern Metropolitan Region it could have duplicated the rail line from Heidelberg to Rosanna and from Greensborough to Eltham. Had myki not been introduced the line from Jolimont to Eltham could have been duplicated for \$1 billion so those two massive bottlenecks on the Hurstbridge line would have been removed.

On the Epping rail line we could have eliminated level crossings on Bell Street, at Cramer Street in Preston, in Reservoir and in Merri. We could have eliminated a number of key bottlenecks on the Epping line and actually improved east-west traffic flow in Melbourne's northern suburbs and the operation of our metropolitan rail network, which slows at some of those level crossings, particularly in peak hour. We could have invested in laying concrete sleepers from Merri to Reservoir and could have eliminated level crossings — and all that could have been done for less than the cost of myki, yet myki has not even been delivered. Victorians are entitled to ask what we could have achieved for \$1 billion worth of investment had the government not wanted to introduce myki.

Outside my electorate what would we have got for \$1 billion in the electrification of the rail line to Sunbury? I would have thought a good deal, if not the whole project, would have been done. We could have had a metropolitan system extending 45 kilometres from Watergardens out to Sunbury. We could have had high-capacity trains taking people from an outer growth area into the city, not having them rely on V/Line trains any more.

What could \$1 billion have done for people living in Melton? We could have been looking at almost the completion of the duplication and electrification of the line from Sunshine to Melton, and freeing up V/Line passenger trains for interurban traffic from Bacchus Marsh and beyond; we would have had a serious public transport system then. If we are going to grow the Melton growth corridor, which is what the government wants to do, the \$1 billion that has been wasted on a ticketing system that has not been delivered could have been used to duplicate and electrify the line to Melton — getting people off the road network and into trains.

The \$1 billion the government had could have been seriously invested in providing exceptionally good infrastructure. Instead it has been wasted on a ticketing system which the vast majority of people agree was not broken. The ticketing system is not like the government's mate Jim Kennan's tickets.

Mr D. Davis — In fact, they were given bonuses because it was working well.

Mr GUY — That is correct, Mr Davis — the operators were given bonuses.

This is not a scratch ticket situation. I know members opposite have a history with rail ticketing in this state. This is not a lotto ticket or a keno ticket situation, where you scratch the dates off; it is not a scratch ticket system, it is not as incompetent as that.

As Mr Davis correctly said, under the current ticketing system the operators were given bonuses for their operations. Why are we looking at \$1 billion in wasted possible investment in Melbourne and regional Victoria's rail infrastructure that could have gone towards duplication, triplication, electrification and railway level crossing elimination? This \$1 billion has been wasted at a time when our infrastructure needs it the most.

I simply say that this motion should be supported, because this inquiry is exceptionally important if we are to ascertain whether the failures of the current government — in the seven months it has left in office — are likely to happen again or if more are possibly to be uncovered in what has been a gross mismanagement of taxpayers money.

Mr DRUM (Northern Victoria) — I too want to make a few comments on the motion. For the last 6 to 12 months, as a member of this committee I have been working through a number of the issues in relation to some of the failures with our public transport system, particularly our trains.

We started off with an extensive inquiry into the rail service fiasco that happened on Oaks Day; I was caught up in that fiasco, as I told the committee. A maintenance issue on that day escalated into a problem, which could have become dangerous.

The evidence received by the committee was that we were very lucky that people were not killed on that day. Out of sheer frustration at the lack of action by the rail staff, people started to leave the trains in between stations and walk up and down the tracks. I am not talking about 1, 2 or 10 people; I am talking about literally hundreds or thousands of commuters who just took action into their own hands and started walking down the tracks, trying to find a bus or a taxi to get them home.

The evidence shows that there was a real failure on that day to handle the situation in a more orderly fashion. I do not know why somebody did not take control and keep patrons at the racetrack in relative comfort so that they could have had an opportunity to find their way home in a more orderly fashion rather than simply just letting them walk where they had no hope of getting a taxi or a tram home.

We have also heard about the system capabilities. Key witnesses have insisted that the current system can be run better. It is very easy for the government and for everybody to walk in and say, 'The system is old and worn out, and we are simply doing the best we can'. However, key witnesses have given evidence that there are many older systems around the world that are run significantly better and harder with greater regularity of services. It puts into doubt the question of this government's ability to run the system to its optimum level. What we heard was that the bureaucrats found it all too convenient to blame Connex for all the issues that have faced public transport commuters in the last two years. The attitude seems to be, 'Let's throw the blame at Connex and some of the unions that were acting in a militant fashion at that particular time'.

The evidence was very clear that Connex expected the performance of the public transport system to improve dramatically throughout the summer we have just had because the unions were no longer chasing a better pay deal and had decided to pull their heads in and stop cancelling services for a whole range of minor infringements. Trains were taken out of service for minor faults, such as having scratched side windows, loose mirrors or torn seats.

The committee heard evidence indicating that for those reasons peak-hour trains were cancelled day after day in the middle of peak hour and it was believed that once

the unions had received the pay deal they were looking for the workers were going to jump back in their box and start driving the trains in the manner in which they were supposed to. We were told that on top of that improvement we would be able to look forward to the better running of the system with the introduction of the Metro organisation as the rail operator. As we have seen, there has been an increase in cancelled and delayed services, and last night there was a scary and serious accident which throws into doubt the ability of Metro not only to run the system to its optimum level but also to run the system in a manner that in any way, shape or form is safe.

The ongoing inquiry by the committee has also unearthed some of the maintenance programs that have been run, including the so-called fast rail programs and systems throughout the Victoria. Whilst we appreciate the fact that there have been upgrades, the truth about those upgrades is that they have been achieved by replacing one in three sleepers — or one in four or one in five — which leaves our recently upgraded so-called fast rail system so far behind new rail systems in other states. Because rail systems in other states have concrete sleepers and high-tension rail they are able to operate on days of extreme heat at speed and at a level of assuredness for commuters that means they are able to run regularly and on time. Trains in those systems can maintain their place within those systems so that the systems do not get thrown out of whack in the way the Victorian system does.

I continually hear complaints from commuters in the Geelong region. Literally thousands of Geelong residents commute daily to Melbourne, and those people have no idea whether to take a chance on driving a vehicle over the West Gate Bridge or to try their luck on the train services and hope they will be able to get to their meetings and their workplaces within a time frame that will enable them to conduct their business. It is an absolute raffle, and I am sure that if the opposition is hearing such complaints, then ministers and government members are hearing them loud and clear as well.

All we heard from the government is that it has a \$42 billion plan. We all know that when you drill down into that plan you find that the vast majority of it is unfunded and is not timed, yet the government continues to hide behind its line and campaign that it is all part of the plan — ‘We have got it all under control. We have got the \$42 billion plan over 185 years, and we will pay it off at some stage and implement it at another. Do not worry about it; we have got it under control’.

We also understand there is a move towards studying, investigating and inquiring into the myki proposal. We are looking forward to that, because we should be able to unearth some of the technicalities that are involved in why we needed to design, develop and integrate our own individual and specific system for Bendigo rather than buying one off the shelf that seems to be operating quite adequately in many other cities around the world, cities which have more than one mode of transport — and sometimes up to three — which is similar to what we have here in Melbourne.

We find ourselves in an interesting situation. Unfortunately we have a government that tends to govern by reaction. An enormous amount of roadwork was undertaken and many railway crossings were fixed up immediately following the rail disaster at Kerang, which again highlights the fact that this government only reacts to fixing up the system and taking action when a disaster happens. We want Victorians to know that the coalition would do things better. We want Victorians to know that we understand what commuters are going through. We look forward to identifying some of these issues and ironing out some problems. Hopefully we will be able to get to the bottom of why over \$1 billion so far has been wasted on the myki ticketing system. We want to give Victorians some idea of when myki will be introduced in a working fashion. Hopefully we will be able to put an end to the disaster that currently is the myki ticketing system.

Mr D. DAVIS (Southern Metropolitan) — In conclusion, I indicate that this is an important motion. As has been pointed out by many speakers, the rail situation in Victoria is serious. This committee has done good work, and its reference is proposed to be extended by this motion. The motion also sharpens the terms of reference to clarify and strengthen the direction the chamber might take by making myki part of the consideration. As we have discussed, myki has already been part of the consideration by this committee, but there is every reason to think that the committee can do further good work. It has already had important public hearings and, as we have heard today, it has some reports in the offing.

The second part of the motion has been modified at the request of members of the chamber to satisfy the Minister for Transport’s claim that the reporting arrangements are too prescriptive, and the government has indicated that it will move an amendment to make a further minor modification. We are quite happy to accept that amendment; I think it is a reasonable amendment. In that spirit it will enable the committee to go forward. The point to make here is that the committee will have its destiny in its own hands and

will be able to hold hearings as required on matters concerning train services. For goodness sake, the tragic events of the last 24 hours indicate that there are still very serious problems with our rail services in this state.

Equally the committee will be able to continue its work in areas such as the myki ticketing system and provide reports to the Parliament. If necessary the committee will provide reports as it sees fit, as it is able to do under the normal standing and sessional orders of this chamber. I encourage the committee to keep a close watch on the work of the installation of myki and the impact that installation has on train services. As Mr Guy has pointed out, it is very clear that a huge amount of money has been wasted and huge inconvenience has already been caused to many commuters. Myki is an important project, and we need to get it right. The Parliament has an important oversight role and a significant role in ensuring that the implementation of this ticketing system is watched carefully. For those reasons I commend the committee's further work and this motion to the chamber.

Amendment agreed to; amended motion agreed to.

GOVERNMENT: PRODUCTION OF DOCUMENTS

Mr D. DAVIS (Southern Metropolitan) — I move:

That this house —

- (1) notes the continued failure of the Leader of the Government to provide documents sought by the Legislative Council under sessional order 21;
- (2) notes in particular the failure of the government to fully comply with:
 - (a) the Council's resolution of 28 May 2008 seeking access to the document used by the Auditor-General in his report on planning for water infrastructure in Victoria;
 - (b) the Council's resolution of 11 March 2009 seeking a copy of information relating to renewable energy feed-in tariffs and subsequent resolutions of 16 September 2009 and 24 February 2010;
 - (c) the Council's resolution of 29 October 2008 seeking a copy of ministerial briefings on transport and subsequent resolutions of 11 March 2009 and 24 February 2010;
 - (d) the Council's resolution of 1 April 2009 seeking a copy of documents relating to the impact of the carbon pollution reduction scheme on the Victorian economy held by the Department of Premier and Cabinet, the Department of Sustainability and

Environment and the Department of Primary Industries, and subsequent resolutions of 11 November 2009 and 24 February 2010;

- (e) the Council's resolution of 1 April 2009 seeking a copy of documents relating to the Victorian state government's policy of extending clearway times and the subsequent resolution of 16 September 2009;
- (f) the Council's resolution of 6 May 2009 seeking a copy of documents relating to the impact of the carbon pollution reduction scheme on the Victorian economy held by the Department of Treasury and Finance and subsequent resolutions of 11 November 2009 and 24 February 2010;
- (g) the Council's resolution of 6 May 2009 seeking a copy of documents relating to the company Better Place and subsequent resolutions of 16 September 2009 and 24 October 2009;
- (h) the Council's resolution of 7 May 2009 seeking a copy of all submissions made to the review of alpine resorts and subsequent resolutions of 16 October 2009 and 24 February 2010;
- (i) the Council's resolution of 24 June 2009 seeking copies of all gateway review documents related to the desalination plant project and subsequent resolution of 24 February 2010 and notes the dispute over the number of documents relevant to the request;
- (j) the Council's resolution of 24 June 2009 seeking copies of all documents and communications held by the government in relation to the extension of licence for the number of gaming tables at Crown Casino and subsequent resolutions of 16 September 2009 and 24 February 2010;
- (k) the Council's resolution of 29 July 2009 seeking copies of all documents relating to the placement of carbon trading institutes or institutions in Victoria and subsequent resolutions of 16 September 2009 and 24 February 2010;
- (l) the Council's resolution of 12 August 2009 seeking a copy of all meeting notes, minutes of meetings and diary notes of government ministers and senior bureaucrats in the departments of Treasury and Finance, Sustainability and Environment (including the Office of Water) and Innovation, Industry and Regional Development (including Major Projects Victoria) concerning tenders for the desalination project and lobbyists, including staff of Hawker Britton, including Mr David White, and InsideOut Strategic, including Mr Philip Staindl, and including briefings on water projects and desalination (including speech notes for ministers appearing at or visiting the Progressive Business organisation) and subsequent resolutions of 16 September 2009 and 24 February 2010;
- (m) the Council's resolution of 14 October 2009 seeking copies of all documents relating to the Working Victoria and Shine advertising campaigns

and subsequent resolutions of 16 September 2009 and 24 February 2010;

- (n) the Council's resolution of 11 November 2009 seeking copies of all documents relating to government consideration of proposals for the export of brown coal and subsequent resolution of 24 February 2010;
 - (o) the Council's resolution of 25 November 2009 seeking copies of minutes and agendas of financial/audit and/or investment committees of 132 Victorian health services and subsequent resolution of 24 February 2010; and
 - (p) the Council's resolution of 9 December 2009 seeking a copy of the monthly and quarterly integrated performance reports for the 2008–09 financial year and the first quarter of 2010 and subsequent resolution of 24 February 2010 which the government claims it is not in possession of despite these being the official financial data of state-owned and operated health services;
- (3) demands that the Leader of the Government, as the representative of the government in the Legislative Council, lodge with the Clerk by 25 May 2010 all the outstanding documents referred to in this resolution for examination by an independent legal arbiter;
- (4) requests the President to appoint an independent legal arbiter as required by sessional order 21 to examine each individual document and assess each document on the evidence available to him or her to determine whether the government's refusal to produce the documents is valid or not, and report to the Council by 7 July 2010; and
- (5) insists that the Leader of the Government, as the representative of the government in the Legislative Council, provide the documents referred to in this resolution to enable the arbiter to undertake his role without impediment.

In moving this motion I do not propose to read out the whole motion on the advice of the clerks, but I propose to read out some sections of it and to make some comments on the way. Paragraph (1) notes the continued failure of the Leader of the Government to provide documents sought by the Legislative Council under sessional order 21. Paragraph (2) notes the particular failures, and these have been well documented, in this case from subparagraphs (a) to (p). On the way through I draw the attention of the house to subparagraph (g) as it appears on the notice paper, where the year should be 2009 and not 2010 for both 6 May and 24 October. Those are typographical points.

I also draw the attention of the house to those subparagraphs between subparagraphs (a) and (p) which lay out the series of resolutions and matters that have been dealt with by this chamber as document motions under sessional order 21 in recent times. What

is particularly clear is that whilst some documents have been provided under sessional order 21 — and the house is thankful to the Leader of the Government for providing those — there are many that have not been provided. This house has debated those matters. The house has made the point that these documents are important. In some cases the house has censured the Leader of the Government for his failure to provide those documents and has made the point that the documents should be provided under that sessional order and insisted upon its rights.

Further, each of these individual subparagraphs that refer to motions that have been passed in the chamber relate to documents that in my view and the house's view should be provided. They are documents that are not overt cabinet documents, where a document has been claimed as a cabinet document. I have not brought to the attention of the house any motion insisting on documents where they are clearly cabinet documents, but where documents are departmental documents, documents that are provided in communication or in a ministerial briefing, or other such documents, we have insisted that those documents be provided to the house.

The Leader of the Government has not behaved in the way he should, and under sessional order 21 there is an opportunity for the chamber, or the mover of the motion, to insist on the appointment of an independent legal arbiter, who would be appointed by the President. This motion, through its paragraphs (3), (4) and (5), lays out some of those steps. We ask first of all that the documents be lodged and that the President appoint an independent legal arbiter as required and envisaged by sessional order 21 to examine each individual document, assess each document on the evidence available to him or her to determine whether the government's refusal to produce the document is valid or not and report to the Council. We have laid out a reasonable time schedule that would enable this to occur.

It is clear that the government must have worked its way through these documents, because in each case it has indicated that it will not provide the documents. Somebody no doubt has looked carefully at the documents and catalogued them, and we have a list of those. The government should produce them for the arbiter.

Who would the arbiter be? It must be a Queen's Counsel, a Senior Counsel or a retired Supreme Court judge. I understand there may be some legal advice that retired Supreme Court judges may have difficulties with their superannuation and other arrangements in Victoria. It may be that a retired Supreme Court judge

from another jurisdiction could well be an option for the President to appoint. Knowing how this chamber works, I presume the advice of the clerks would be valuable. I suggest that this is a very reasonable process.

The chamber is entitled to insist on these documents. There is no doubt that the opinion of Bret Walker, QC, in the Egan case makes it incredibly clear that the chamber has the power to insist on persons and documents as it sees fit and that the only restrictions on that relate to executive privilege and related matters. The definition of those matters may from time to time be in dispute, and that is precisely why this procedure of appointing an independent arbiter has been envisaged by sessional order 21.

I note that this order has been modelled in its instigation on the sessional orders of the New South Wales Legislative Council. I would suggest to the clerks — if I may be so bold and in a sense generous in seeking to step through this — that the experiences of the New South Wales Legislative Council, a jurisdiction with which we have natural affinities, might well serve as a useful guide.

It also is important because the Egan case comes from that jurisdiction, and whilst the constitutions of the two states are somewhat different, the Walker opinion makes clear — —

Mr Viney interjected.

Mr D. DAVIS — The Walker opinion — which I remember quite clearly that Mr Viney sought — is a useful guide and relies at its depth on principles going back to the 1850s and earlier and on the decisions in the Egan case that have been made by the courts.

This motion is a reasonable step and is a very moderate step. The house has been extremely patient. We have a sessional order that envisages these steps. It is modelled on the jurisdiction of New South Wales. It sensibly moves this forward, and each of the subparagraphs laid out in paragraph(2) of the motion relate to motions passed and resolutions made by the chamber over time. I do not believe I need to read those out again, because each of them has been the subject of debate. The debates are on the public record, and the chamber has taken a position on each of those motions on a previous occasion. With those comments, I urge the chamber to support this motion.

Mr VINEY (Eastern Victoria) — This debate is based on some flawed understandings and premises. The first thing I want to go over is the government's cooperation with this process of demanding documents.

On each occasion that the house has requested documents from the government there have been thorough and diligent investigations to identify all the relevant documents, and, as I have advised the house before, the documents now number in the millions of pages.

First of all there is a thorough and diligent review of the relevant documents and then the necessary executive privilege test is applied to each of the documents. The government has released thousands and thousands of pages of documents under this procedure which the house has adopted in relation to the production of documents — sessional order 21.

Some documents have not been released because they were found to be subject to executive privilege and would be prejudicial to the public interest if they were to be released. Those documents are defined as follows: those that would reveal directly or indirectly the deliberative processes of cabinet, those that would reveal the high-level confidential deliberative processes of executive government or those that would otherwise genuinely jeopardise the necessary relationship and confidentiality between a minister and a government officer. I will touch on some of these things in more detail in a moment.

Alternatively, the documents may have been ruled out because they could reveal information obtained by the executive government on the basis that it would be kept confidential, including documents subject to statutory confidentiality provisions that apply to Parliament or because they reveal confidential legal advice to the executive government or because they would otherwise jeopardise the public interest on an established basis, in particular where disclosure would prejudice national security or public safety, prejudice law enforcement investigations, materially damage the state's financial or commercial interests — such as ongoing tender processes or changes in taxation policy — or prejudice intergovernmental and diplomatic relations, or of course they could be rejected on the grounds that they could prejudice legal proceedings.

The documents Mr Davis has listed in each of the 16 items in his motion, which he believes the government has not provided, have not been delivered to the Council because they have a claim of executive privilege for one of the reasons I have mentioned. It is not because the government is resisting or refusing to comply with reasonable requests. Those requests for documents have been taking up considerable amounts of government time — and an extraordinary amount of parliamentary time.

I want to go through some of the issues in relation to the decision to appoint a legal arbiter. First of all the house needs to be aware of the potential cost of this. Others in this chamber might be more familiar with legal fees but, as I understand it, for people at this level fees in the order of \$5000 to \$10 000 a day would not be unexpected. There is a considerable potential cost implication for the house to proceed down this path.

I have discussed many times before the reasons for executive privilege and the basis on which the principles of executive privilege operate in this place. It is pretty solidly bound on the principles of good governance. Often with good governance there are conflicts between good competing principles and values. The government and I have always argued that the sound principles of openness and reasonable access to documents and the processes of government decision making are important principles for good governance and the strength of the democratic system, but that has to be measured against some of the sound reasons for the claim of executive privilege.

The issue that is particularly pertinent — and I get the sense that there has not been a decent understanding of this issue on the other side of this house — is the need for the public service to be able in a fearless way to provide frank advice to a minister. This is something that has stood the test in many democratic systems but was established in particular in the British Westminster system. In my view it is unquestionable that good governance is based on sound advice coming from the public service to the executive.

The basis on which that sound advice is provided by the public service — in order to provide executive government or, more pertinently, ministers with the opportunity to consider a whole range of issues in making their decision — needs to be confidential, otherwise the frankness of that advice can be compromised. If a public servant is in any way fearful or concerned that the advice they might give a minister could be used in a political context and exposed in the media, then it follows that it is potentially quite likely that that advice will be compromised. It follows that the person providing that written advice will temper their words, will be more cautious or will be less inclined to advise the minister on the benefits and disbenefits of a particular course of action.

Having been a parliamentary secretary for 7 of our 11 years in government I can assure members of the house that advice is given in those terms. It is frequently given in terms of a series of options that the minister can take, and the advice from the public service usually includes the advantages and

disadvantages of those various options. If we are to start to expose these documents of advice, given in a frank and apolitical manner that is not influenced by political considerations, to the political processes that occur in this chamber and outside it, the real risk is that the frankness of that advice will be broken down. The fundamental tenet of the frankness of the advice is that it needs to be given fearlessly. Public servants understand that their advice to cabinet can be exposed after 30 years. To make it possible for that advice to be exposed after 30 days makes a considerable difference to the quality, frankness and boldness, if you like, of that advice.

What the house has to consider here is the potential to break down one of the very solid fundamentals of good governance that has well served the Victorian and Australian governments and the British democratic system prior to our adoption of it in the 1850s. I am sure that over the 150 years or more of democracy in Victoria there have been countless examples of governments making mistakes, errors of judgement and bad decisions. But I put to the house that there are thousands more examples of good decision making, of good governance and of good policy based on good advice. That system of governance has served not only Labor governments but also conservative governments in Victoria for 150 years.

It is a very serious and dangerous precedent for this house to start to break down the principle of the public service being able to give frank and fearless advice to the executive, knowing that that advice will not be released for 30 years. To release that advice in 30 hours, 30 days or 30 months will significantly break down that principle of good governance and frank and fearless advice.

I opened my remarks by saying that much of this discussion is based on a flawed misunderstanding of the issues around executive privilege that operate as a principle in the Victorian Parliament, and I note Mr Davis's reference to previous legal advice from a New South Wales barrister. That advice does not deal with the fundamental case we have put, that in the Victorian Parliament under the Victorian constitution the issue of executive privilege is quite different to that in New South Wales.

In the Victorian parliamentary system we adopted section 19(1) of the Constitution Act. We adopted the principle that the privileges, immunities and powers of the Legislative Council of the Victorian Parliament will be the same as they were as at 21 July 1855. Therefore to understand this issue one needs to look at the status of executive privilege on 21 July 1855 because that is

the point where these powers and privileges started in this Parliament.

In relation to executive privilege, in the House of Commons in 1855 all that was required was for a minister of the Crown to indicate to the house that the matter was privileged in relation to the executive and that position was accepted. That goes to the heart of protecting all the issues I raised earlier. It goes to the heart of saying that, obviously, it requires the integrity of the minister at the table to actually say that these matters cannot be revealed because of executive privilege, and there has not been a question about the integrity of ministers claiming that privilege until now. There is no question about that.

It is not a matter of questioning the integrity of the minister but of the minister making, again on the advice of his own department, an assessment that a matter would breach executive privilege in terms of the provisions I outlined earlier in my contribution in relation to revealing cabinet considerations — the high-level deliberative work of executive government — or breaching confidentiality, based on the statutory provisions of the Parliament or legal advice, or jeopardising the public interest, or prejudicing national or public safety matters or legal investigations et cetera. On 21 July 1855 the position was that a minister made that declaration. The integrity of the minister was not questioned, and on 21 July 1855 the House of Commons accepted that declaration.

Mr Barber — You are wrong.

Mr VINEY — I simply am not wrong.

Mr Barber — You are wrong.

Mr VINEY — No, I am not wrong. There are plenty of examples I could give that go to that. That was the position, Mr Barber, on 21 July 1855. The fundamental reason for that, which Mr Barber has not been able to understand, is because to not do that breaks down the whole process of frank and fearless advice to the executive government. If you break down that fundamental process, then the whole system of frank and fearless advice to executive government starts to fall away.

What the house is proposing to do here, and has already resolved to do in relation to the production of documents under sessional order 21, is this: that a member of this house gets up and gets 21 votes to call for particular documents to be submitted. In the instance where an executive says, ‘Those particular documents or some group or subset of those documents cannot be revealed because they breach executive

privilege’, what is then proposed under these sessional orders is that the documents claimed to be subject to executive privilege will be provided to the mover of the motion.

At that very moment executive privilege is broken, because the whole point of executive privilege is that no-one other than members of the executive and the people producing the advice can see the documents. If you break that down — and Mr Barber is a lawyer; he should understand this fully — and if anyone other than the relevant people sees the documents, then the whole system of privilege is gone; the whole system is broken down.

What are we supposed to say? What is proposed in the motion? That the minister who makes the declaration of executive privilege cannot be trusted to do so properly, but the mover of the motion can be trusted not to reveal them? Come on! Let’s get real! Is that for real in the political environment? How long will it take before the process is abused?

People will be able to get up, call for documents and have those documents revealed to them. Do members think they will never be used in a political context in this chamber? Give me a break! There is a shower of rain outside, but I did not come down in it!

The moment the documents are revealed to anyone outside the people who are supposed to see them, then executive privilege is breached. It is broken even in the provision of documents to your so-called legal arbiter, because the whole principle is based on the fact that advice given needs to be frank and fearless, and documents cannot be presented that reveal the high-level deliberations of cabinet or of executive government. Documents cannot be revealed if they breach legal professional privilege or in any way compromise national security or legal or police investigations.

This drives a truck through the principles of executive privilege. This sessional order, which apparently the opposition and the Greens are proposing to now proceed to adopt, drives a truck through those fundamental principles. Believe me, this will start a process of serious breakdown in good governance. You cannot have a system of good governance in this state if you start to break down that principle, and if members of the public service fear their advice to ministers — which goes through all the issues that a minister might need to consider in making a decision and all the pros and all the cons — can be taken hold of in a political context and misused.

Mr Barber interjected.

Mr VINEY — Mr Barber has obviously never been in executive government, and he does not understand the way it works. In my role as a parliamentary secretary I happen to have had the privilege of seeing the sort of advice that goes to ministers. The sort of advice that goes to ministers covers a broad range of things that a minister ought consider in making a decision and in arguing a case before cabinet.

We say this whole process has a fundamental flaw in that it does not reflect an understanding of the principles that applied on 21 July 1855 in the House of Commons, and which subsequently applied to the Legislative Council. There may be lots of cynical views on the other side. In government you have to withstand that from the opposition benches. There may be cynical views about governments not releasing documents and all the rest of it.

This is a government that has released more documents than almost any other in history. This is a very open government. It is a government that set up a house of review here in the Legislative Council, unlike in the previous 150 years of the Legislative Council when conservatives had control of this house for the entire time except, I think, for three or four days. Following the 2002 election we implemented the reforms that have provided the Greens with an opportunity to be here.

If this principle of executive privilege is broken in the way that is proposed today by the opposition parties and the crossbenchers, it will be a very bad development for good governance in this state. As I said, in government there is often a conflict between competing principles. There is no question this is a conflict between competing principles — the principle of providing documents for public scrutiny and the principle of ensuring the accountability of the executive. In my view that has to be tempered with the other important principles. If we want to maintain good governance in this state, we have to make sure the advice ministers get is frank and fearless.

As much confidence as I have in the ministers of this government, no minister has all knowledge and no minister is able to make decisions like a god. No minister is able to make a decision knowing everything. I can see Mr Madden is in the chamber. He is up there with the gods, but I do not think he has all the wisdom necessary to make all the decisions that come across his desk. Therefore he, like all ministers, needs advice.

All ministers need advice, and they need that advice to be frank. They need it to say, 'These are the consequences of that decision'. There are difficulties with that decision'. Or, in the *Yes, Minister* tradition, 'Minister, that would be a very brave decision', may be said from time to time.

The point is that ministers need that advice to be frank. If that advice is going to be exposed after anything less than 30 years, which is the principle that has served Australia well — you might argue for it to be exposed in 20 years or 15 years or 10 years, but I do not believe it should be exposed in 30 days or 30 months — that would be a serious flaw. The moment we go down that path we will break down the principles of good governance. There is on the one hand the principle of being open and providing appropriate documents to the public and to your opponents in politics so that there can be executive accountability. That has to be tempered by the fundamental principle of making sure that there is good advice to the minister and the executive. That is dependent upon that advice staying confidential; otherwise it will not be frank and cannot be given in a fearless manner.

We do not support this proposal to start implementing the balance of the orders in relation to sessional order 21. I do not for a minute believe a member of this house should get access to documents simply because they have moved a motion requesting it. If they were to get access, it would break down the principles I have enunciated.

I do not believe you can on one hand say that a minister does not have the integrity to properly declare whether documents have executive privilege and then on the other hand say, 'But of course, even though they don't have that integrity, other members of this house have all the integrity needed not to reveal those documents in a political context'. I do not believe that for a minute. This will break down the principles of executive government. This will be a bad development for the people of Victoria because it will mean that we will not get the advice that is necessary for good government decision making, and the people of Victoria will be disadvantaged as a result.

Mr BARBER (Northern Metropolitan) — Mr Viney spent quite a bit of time groping around in the dark looking for the truth but he did not find it, although towards the end he did come to one realisation that I certainly agree with: there is an inherent conflict between governmental or executive decision making being conducted in secret and the need for transparency. It is certainly true that there is an inherent conflict. The problem Mr Viney has is that he believes

it is the executive's job to decide for itself where to strike the balance. We have a different view. Our view is that it is the Parliament's job.

Mr Viney was equally wrong when he said I am a lawyer. In fact, I am a biologist. Mr Viney was wrong when he said that in 1855 all a minister had to do was claim executive privilege and that would be the end of the matter. That is incorrect historically. If Mr Viney wants to know more about it — that is, if he genuinely has an inquiring mind as opposed to being someone who is simply handed a brief and pushed through the door after being told to go in and flog it for all it is worth — he can read a recent publication by Dr Greg Taylor, who even went as far as to consult the historical record of the House of Commons. Whatever you say about him, Greg Taylor is not a partisan political player; he is an academic or a scholar who has specialised in an area of law that almost nobody gives a rat's about on a good day. Suddenly Dr Greg Taylor is somebody whom everybody wants to consult. Dr Greg Taylor says that, as a matter of historical record, what Mr Viney says is wrong.

In any case the view might be taken that the purpose of the reference in our constitution to 1855 was simply to import to this jurisdiction the powers and privileges as they existed and were necessary in the House of Commons at the time. That is not to suggest that somehow Victoria has become frozen — a bit like what Jabba the Hutt did to Han Solo — while every other Westminster jurisdiction continues to move on and innovate while sticking to the original principles, and those original principles have to be about the whole structure of a democracy, with the judiciary, the executive and the Parliament to oversee them.

Mr Viney has not been keeping up with current events. He needs to log on and read the *Canadian Globe and Mail*. Canada has a democracy which is recognised as having the same origin as ours, and its high court in general pays due regard to the decisions of our High Court of Australia and vice versa. In Canada much more serious matters, some might say, are under way. Mr Viney is blissfully ignorant of that. What is happening there is that the Canadian democracy is deeply concerned with the fate of people who were sent out of Canada and may have become victims of torture at the hands of other governments.

The Canadian Parliament has requested all relevant documents that expose what might have happened in regard to those matters. Those documents involve the highest degree of national security that anyone would want to claim. What is notable is a decision of the Speaker of the lower house in Canada, and which

would normally be the house of the government, but in this instance it is a house of government where the government does not have the majority. The Speaker has taken the view that the Parliament has the right to those documents on his own ruling. Without going any more into the details of that ruling, I am simply saying to members that they need to be aware that is what is happening and that the only debate is about the most effective and balanced way to make those documents available to members and not whether members will receive them.

It is quite clear that Mr Viney's running checklist of things that we are not allowed to have is illusory. It is just a list that the government made up for itself. Only the Parliament could make that decision, and Mr Viney was quite right when he said that the Parliament would have to carefully balance the considerations of one public interest versus another — the public interest of allowing governments to go on and do their business with some degree of confidentiality versus the public interest of knowing what the hell those governments have been up to.

He makes out that advice to ministers is something sacred, but I have seen plenty of it. I have put in FOI requests for the advice that was given to the Minister for Environment and Climate Change, Mr Jennings, in his role with the Minister for Water in being consulted about the proposal to drill more groundwater out of the Otways. I have seen the advice that went to Mr Jennings, who then had to give advice to the Minister for Water. There was nothing fancy about it; it was a page and a half of dot points. I do not think it exactly set the world on fire, but it was brought forward and made available even under the FOI act.

I will give another example of where Mr Viney's argument collapses. Advice to the Minister for Local Government from the municipal inspector — the inspectorate dealing with integrity in local government — has been handed to the Minister for Local Government, who has chosen to table it in the lower house. When this chamber requested a similar report in relation to another council we were told we could not have it.

Therefore, at its least Mr Viney's argument is self-serving, because he tries to make out that if the law says we do not have to give it to you, it means we cannot give it to you. Even if the law said that, which I do not agree it does, he could still give it to us if he wanted to. The proof is in the fact that he does do that when it suits him. Certain types of advice get released at different times, according to when it suits the minister's purpose to say, 'Look how I was advised; I

am supporting that'. Yet at other times that information is considered to be a closely guarded secret.

Interestingly, the Canadians in their deliberations were looking to the decision of the Australian High Court in *Egan v. Willis* to guide their own considerations.

In relation to Mr Davis's motion specifically, at points (3) and (5) he 'demands' and 'insists' that the documents be provided. Beyond that, not willing to take any further coercive action at this point, it is quite possible that we will lead that horse to water but it will not actually drink. At point (4) he makes a request of the President to appoint an independent legal arbiter, as required by sessional order 21, to examine each document. The Greens have no problem with that arbiter being appointed. Mr Viney thinks it is inadequate, but it is a mechanism to ensure some careful balancing of the considerations that he himself raised before inevitably the documents become public. It seems that the government is going to be unwilling to cooperate with that halfway house. In any case, that is for them. The Greens will support this motion.

Mr D. DAVIS (Southern Metropolitan) — In response, I believe this is an important motion. The shrill and disjointed contribution of Mr Viney did little to make a plausible case. He ran many of his usual arguments about documents, but what he showed is that increasingly this government is out of touch; it does not understand that it is there to govern for the community. It believes it has some sort of absolute right to determine what will and what will not be released.

A very simple set of principles operates here. This is, in a sense, an important debate between the executive and the Parliament, and in my view the executive must give way to a chamber of the Parliament in these matters. It is absolutely critical that the executive not be allowed to dictate to the Parliament, to refuse in this way to follow the requests and directions of the chamber to provide documents.

Mr Viney talked about the powers of the House of Commons in July 1855 and the embedding of those powers in the Victorian constitution, from the beginning. He fails to understand that there is evolution and development. Mr Barber eloquently made the point that Westminster jurisdictions across the world have not stood still since 1855; there has been considerable development since then.

Importantly, he pointed to a recent Speaker's ruling in Canada, where the Speaker in the lower house made it very clear that the Parliament does have the right to obtain documents. When you think about it more

deeply, it must be that way. There is obviously a small class of what one would call 'true cabinet documents' that ought to be kept as part of cabinet activities, but beyond that there is so much in the activities of ministers and governments that is not inherently so secret.

Mr Viney says that making public advice from public servants will in some way impede or block the activities of government. In many respects the opposite is true. Public exposure of these matters — that is, openness and transparency — may in fact improve the operation of government. The whole freedom of information approach is based on that concept and on the concept that, in the end, Parliament is sovereign and the chambers are able to make decisions about the necessity of important documents. That is hard to refute.

Mr Viney does his case very little credit with his extreme responses and repeated refusal to concede that these are important matters. Today we are taking an important and moderate step. All the matters that are the subject of this motion have been debated extensively in the chamber, and I take it as a given that the chamber has made a decision that those documents should be made available.

The question is: how do we further insist on the chamber's rights? How do we do that in a balanced and reasonable way? We have stepped forward here with the use of sessional order 21 and said the government must deliver these documents and we respectfully request that the President step forward to ensure that there is an appointment of an arbiter under that sessional order and that these matters are then independently determined.

I think it is an important step. It is a moderate step, one that improves transparency and accountability, and one that ultimately will strengthen our democratic system.

House divided on motion:

Ayes, 20

Atkinson, Mr	Kavanagh, Mr
Barber, Mr (<i>Teller</i>)	Koch, Mr
Coote, Mrs	Kronberg, Mrs
Dalla-Riva, Mr	Lovell, Ms
Davis, Mr D.	O'Donohue, Mr
Davis, Mr P.	Pennicuik, Ms
Drum, Mr	Petrovich, Mrs (<i>Teller</i>)
Finn, Mr	Peulich, Mrs
Hall, Mr	Rich-Phillips, Mr
Hartland, Ms	Vogels, Mr

Noes, 18

Broad, Ms (<i>Teller</i>)	Murphy, Mr
Darveniza, Ms	Pakula, Mr (<i>Teller</i>)

Eideh, Mr
 Elasmr, Mr
 Huppert, Ms
 Jennings, Mr
 Leane, Mr
 Madden, Mr
 Mikakos, Ms

Pulford, Ms
 Scheffer, Mr
 Smith, Mr
 Somyurek, Mr
 Tee, Mr
 Tierney, Ms
 Viney, Mr

Pair

Guy, Mr

Lenders, Mr

Motion agreed to.

CRIME: GOVERNMENT PERFORMANCE

Debate resumed from 14 April; motion of Mr DALLA-RIVA (Eastern Metropolitan):

That this house —

- (1) notes with concern the Productivity Commission's report on government services 2010 showing:
 - (a) that Victoria now has fewer operational police per capita than any other state in Australia, with the number of police per capita in Victoria decreasing every year since 2006–07; and
 - (b) that there has only been a 1 per cent increase in government expenditure per capita on Victorian policing in the past five years, compared to the average increase Australia-wide of almost 9 per cent;
- (2) notes with concern that statewide violent crime (crime against the person) has increased from 31 372 in 1999–2000 to 43 971 in the year 2008–09, a 40.2 per cent increase under the Labor government;
- (3) notes that due to the rampant level of crime in metropolitan Melbourne, municipalities such as Frankston are now being forced to hire private police;
- (4) notes that regional cities such as Geelong, Ballarat and Bendigo are not coping with violence on the streets;
- (5) expresses its disappointment at the ongoing lack of response by the Premier and the police minister to Victoria's lack of urgency dealing with the level of police shortage and rising violent crime rates;
- (6) congratulates the Victorian coalition's policy announcement on 6 April 2010 of its \$344 million plan, Making Our Streets Safe Again, by boosting front-line police by an additional 1600 recruits in the first term of government; and
- (7) also congratulates the Victorian coalition's complementary \$200 million Stopping Crime in its Tracks policy announcement of 8 November 2009 to establish a dedicated unit of 940 uniformed and trained Victoria Police protective services officers that will be permanently stationed on every train station in metropolitan Melbourne and the major regional centres from 6.00 p.m. until last train, seven days a week, and an additional 100 Victoria Police officers to be recruited to

the transit safety division to patrol train, tram and bus networks.

Mrs PETROVICH (Northern Victoria) — I rise to continue my response to the motion on police numbers and the Productivity Commission's report on that. Over the last 10 years Victoria has had the unfortunate reputation of having the lowest number of front-line police officers per capita and spending less on police resources per capita than any other state in Australia. The government has failed to provide Victoria Police with the resources required to protect communities, and unfortunately Victoria's front-line police numbers have fallen well behind population growth and police numbers in other states. As a consequence, families feel unsafe in the streets. The Brumby government's soft-on-crime approach and its lack of funding and support have undermined the capacity of Victoria's finest to effectively police — to do their jobs as police officers in Victoria.

The only way to overcome that is through increasing police numbers, particularly operational police numbers. Unfortunately over the last 10 years there has been a steady decline in the provision of operational police members. We have seen big problems in the CBD, with increased liquor licences, increased late licences, a lack of security, a lack of police and a steady rise in the rate of violent crime.

In many areas, particularly in rural and regional Victoria, police figures on violent crime are not reflected in the statistics because victims of crime have decided that it is not even worth reporting crimes, that it is futile, because in many cases there are no police available to attend. In the Northern Victoria Region in places like Bendigo, Sunbury and Seymour — there are very often only one or two police vans on the road. If one van is held up on the road, there is a fair chance that no-one is coming.

The coalition has made a commitment to policing. It will provide an additional 1600 police recruits as well as protective services officers (PSOs) on public transport. Interestingly, our policy was plagiarised in yesterday's state budget. Unfortunately there is a shortfall in the government's announcement. The coalition has pledged to provide 2640 additional police and PSOs, and the government has fallen well short of that with a pledge to provide 1600 additional police officers.

We are committed to increasing police numbers and the police presence on our streets because that is the only proactive way we can deter criminal action. In so many cases we have seen police frustrated because of the red tape that is tying them up in police stations and back

rooms. Mismanagement of the police department is in epidemic proportions.

I cite a case that has recently been brought to my attention of a crew from the ethical standards department (ESD) that is trawling through Facebook and other social networking sites for police officers who are twittering or blogging on those social networking sites. The key reason they are doing this is to identify officers who are in any way critical of the government, Victoria Police, the Chief Commissioner of Police, Simon Overland or the previous police commissioner, Christine Nixon, who interestingly is now not even a member of the police force in Victoria. Why on earth — this is a rhetorical question — when we have an underresourced police department have we got the ESD wasting resources on this? And what sort of country or state are we living in when officers cannot have an opinion in their own time?

I am very concerned that we have a Big Brother system, a very bad culture, in our police department in which people cannot tell the truth, cannot have an opinion and cannot criticise the department or the government. If something is wrong, they cannot articulate that. I have been told that punitive measures will be imposed on those officers. There is a real possibility that these members will be charged under section 95 of the constitution. This charge would relate to causing disaffection. Unfortunately this cyberstalking by officers is going on in the state of Victoria. What a travesty that is — that we have a police command that is so insecure about its abilities and about the possibility of the truth being told about an underresourced police force that these officers are being cyberstalked by their own employer. I do not know!

Simon Overland has denied any knowledge of this. When asked about it on a cyberchat forum that was set up by police command as a link with its officers Mr Overland denied any knowledge of an ESD investigation. If he does not know about it, he should know, and if he does know, he is being untruthful with his own members. What is wrong with telling the truth anyway? If members of the police force have an issue, what avenue do they now have to feed it to the department? None, because the current culture of the Victorian police department is a culture of underreporting, lies and punitive management. I think that is a very sad state of affairs for Victoria.

Unfortunately we have a culture of non-operational command. What I mean by that is that a number of senior police have never been on the beat, have never been operational, including our current chief commissioner, Simon Overland. He has never faced an

angry man. One of the problems with that management system is a misunderstanding of what our officers are confronting every day. Whilst we need additional police — we need at least an extra 1600 police officers — the culture that is operating at the moment is not a safe one for these people to be in, and I would be encouraging dramatic change. If we are to have an effective police force, it needs to be a much more open and transparent police force.

One of the issues I think we have a problem with is that we actually have a politicised Victoria Police. That was never more clearly demonstrated than when Simon Overland was appointed, with epaulettes being pinned on by police minister Bob Cameron on one side and Premier John Brumby on the other. We have also had evidence of the irony of that politicisation of our police force and the lack of distance between the force and the current government. In an internal document, which I have in my hand, Simon Overland congratulated John Brumby on his budgetary announcement of additional police and talked about conversations with the government about requirements for additional police. I think that is quite interesting, because until recently we had the police minister, Bob Cameron, in complete denial about the fact that we needed additional police in some key areas. This document clearly states:

... it is appropriate for Victoria Police to be commenting on this issue today — it is not part of any election commitment.

Interestingly when the coalition made an announcement — and it made that announcement first — about a commitment to additional operational police in Victoria, Deputy Police Commissioner Kieran Walshe was very quick to criticise it on that evening's news. Apparently if a party makes an election promise, the police department will not support that, but if it is a budget announcement, it will. Let us see closer to the election whether that rule continues to be applied.

It is obviously all right for force command to be uncomplimentary about announcements made by the coalition. I believe ours was a very good announcement that was plagiarised. Ten years on and this government has not acted to increase police numbers. I would like to reinforce that our announcement adds up to 2640 additional police officers. It not only addresses the out-of-control violence in our metropolitan area but its flow-on effects would also benefit rural and regional Victoria because we also committed to PSOs for public transport.

Many people who travel on public transport have told me that they do not feel safe, and as I said earlier in my contribution, I have teenage children who often travel at night on public transport, and I must admit I have

anxious moments waiting at train stations sometimes late at night to make sure that they get home safely. As a parent I take some comfort in the additional numbers of officers there will be on our railway stations and our trains.

The big problem with the announcement in yesterday's budget of the 1600 or 1700 police officers and public servants that the government is recommending work in police stations is that police officers in watch-houses are there for a reason: they are trained police officers and they are used to dealing with the situations that are there. In many instances the scope of that work is outside that of a public servant. The reason you have police in watch-houses is to watch people in the cells; that is a specialised type of work, and I think we have perhaps underestimated what our officers do in a whole range of ways.

I spoke briefly about the figures on the member activity sheets, which should have been released. Kieran Walshe has already been briefed on that data, but unfortunately there has been no release of the information. It appears that 10 years of lies and real patrol times are clearly articulated in that data, but the only way we will get that is if we put in an FOI request. I am disappointed that it is not being released. The data identifies patrol times and shows something like 400 000 hours is in fact 300 000 patrol hours. We really need to ask what the actual operational time is, and these figures will clearly show that.

Our community is deserving of a strong, independent and transparent police force, but currently we have a very bad culture of distrust and fear. We now have a police force that has lost its confidence, and crime and violence are out of control. With this government's introduction of the respect agenda I hope Victoria Police develops similar policies on the treatment of its members and its hierarchy. I could cite many instances of the disrespect shown to police members: people being stood down without any real reason and people requisitioning equipment and having to wait months. One police officer showed me his boots, which had a hole in them. He had been waiting nearly three months for a new pair of boots. That is not a good sign, because it comes down to either an economic issue or a lack of care for people. There is a culture of stress and overwork. Police officers do not want to talk openly about what is going on because of their fear of reprisal.

There is a whole range of issues to do with hierarchy — for example, inspectors now have a very limited tenure in a particular area. After four years they are moved on, and they do not know where they are going. Usually by the time they reach that rank they are in their mid-50s,

most of them have children either at university or doing their VCE (Victorian certificate of education) and they have to make some very real decisions about whether they will stay in the police department.

We are losing a lot of very good and experienced operational police officers because of this tenure situation, where police are moved out of their district into another area. They have no say in that. It often separates families in which kids are doing their VCE. I wonder whether — and the concern has been raised with me — this is due to an insecure higher echelon, members of which are fearful of police officers who have experience and understanding. It seems to me that there is a desire for cultural change in the hierarchy. They do not want people who have that experience. They want a complete shift in that, because many in the upper echelon now have not been operational.

Mrs Peulich — It is a reflection of the leadership.

Mrs PETROVICH — It is a poor reflection on the current leadership, Mrs Peulich, and I think it is a bad culture that leads back to Christine Nixon's tenure — another political appointment; Simon Overland was also a political appointment. There needs to be a very clear shift from that culture and an opening up of what we have. It would be good to see some transparency and real openness in our police department.

Let us get away from this punitive culture of fear of reprisals and understaffing, and fear of exposure of that, because the police force would then be a much more positive place for young recruits to start a new career. It used to be a place which young men and women aspired to work in, but currently it is not a safe place. I hope we can change that to encourage the very best people to apply for these positions.

In Sunbury we have an issue with closed-circuit television cameras that are being requested by a senior member of police there and the local traders association. It would be a very small amount of money to fix a very big problem. I hope we can see that in the near future, because unless we get some police on the ground, we have no other way of addressing those issues.

I will be watching with very close attention the delivery of the numbers that were promised in yesterday's budget. I want to see some real outcomes for the communities that are currently drastically understaffed.

Ms TIERNEY (Western Victoria) — I am pleased to make a contribution on this issue and to put the government's initiatives on the record. As members are aware, last week the Minister for Police and Emergency

Services, along with the Premier, made a number of announcements, which essentially involved the single biggest boost to police numbers in this state's history. The government will deliver 1966 additional front-line police over five years to make our streets and our communities safer. It is investing \$561.3 million over five years to recruit, train and employ an additional 1700 front-line police.

The government is also investing \$73.9 million to redeploy 200 police to the front line and \$38.4 million to release 66 police officers from telephone answering services into front-line roles by consolidating in Ballarat a statewide rural emergency services dispatch centre. The government's announcement has been warmly welcomed by the community and, of course by the police as well.

As an aside, I can testify that when I went through the announcement with the Surf Coast Shire councillors last Wednesday night in Torquay — one of those councillors just happens to be a member of Victoria Police — the response was overwhelmingly in support of it.

For the record it is important to go back to the basics, because a lot of the black-and-white facts get a bit muddled when we talk about police numbers, but they are there for all to see. I will refer to this government's record. In 1999 we promised 800 additional police officers and we delivered 800; in 2002 we promised 600 additional police officers and we delivered 600; and in 2006 we promised an extra 350 police officers, and we will have delivered over 470. More than 5000 recruits have graduated from the police academy since Labor came to government. There are more police in Victoria than ever before, and we have increased our police-per-population ratio. By the end of this term of government, police numbers will have grown by 22 per cent since 1999, which outstrips the population growth of around 16 per cent.

This government is not one that wants to interfere in operational matters when it comes to Victoria Police. We believe that operational matters and the allocation or location of police is a matter for Victoria Police. We believe that allocation and location of police should be based on factors such as crime and population growth rather than on trying to scaremonger, bolster people's political stocks within the media and attract their traditional political allies.

However, when we talk about making sure that we have a safer community we are not just talking about police numbers. It is also about ensuring that our police are properly trained, adequately resourced and have

workplaces that are safe, modern and efficient. We also need to have police stations that can cater for ongoing growth in our communities.

On the subject of equipment we have made sure that many items of equipment have been provided to police in recent times. The police have 100 new vehicles, and we have seen the rollout of the new police divvy van fleet. I am sure many people would have seen reference to that in their local papers in recent times. New facial recognition technology has been installed in police stations, and the recently announced rollout of new integrated ballistic vests for police members will ensure that police members are provided with both superior protection in the field and greater practicality and comfort in carrying their equipment. Other equipment includes in-car radios and new forensic robots to speed up testing through automation.

That gives a quick indication of the sorts of things we have put in place to increase the effectiveness of our police force, but we have also invested a massive \$450 million to rebuild or significantly refurbish almost 160 police stations across Victoria.

Ms Pulford interjected.

Ms TIERNEY — Many members in this chamber, even over the last four years that I have been here, will have often seen new police stations opened in towns in their electorates. Ms Pulford made a point just a moment ago, and the facts stack up. Of the 160 police stations that have been rebuilt or significantly refurbished, 126 are in country Victoria — that is 81 per cent. This government has invested quite heavily in making sure that we have the most up-to-date police facilities and that they are spread throughout the state.

However, this sort of investment has also been made in outer suburban growth areas, and there is a fairly impressive list when it comes to that investment. For example, new facilities have been built at Cranbourne at a cost of \$6.2 million; at Diamond Creek, \$6.9 million; at Hurstbridge, nearly \$1 million; at Endeavour Hills, \$4.1 million; at Yarra Junction, \$1.3 million; at Fawkner, \$14.12 million; at Wyndham North, \$7 million; at Springvale, \$9.7 million; and at the Pakenham Emergency Services Complex, \$12 million, with police, the Country Fire Authority and State Emergency Services on the same site to meet the demands of population growth in Cardinia, which I understand is expected to rise to 78 000 by 2011. I could go on and talk about Carrum Downs and the Lilydale police station, but I do not think there is sufficient time to go through them all.

Government support has involved providing training, resources, police numbers, police stations and multi-use complex sites, but there was also an announcement made late last year of an additional \$47 million boost for the new operational response unit, which is to provide an extra 120 police officers over and above the previous commitment of 350 that the government made just prior to the last election. That boost enabled the Chief Commissioner of Police, Simon Overland, to establish a new operational response unit. This unit is up and running. It is a specialist unit of highly trained Victoria Police officers who go into the streets across the state to carry out targeted operations. This unit will be the latest weapon for Victoria Police to use in its fight against street crime and to keep Victoria's streets safe.

The unit is made up of police officers who are specifically recruited and trained to undertake targeted law enforcement operations. The number of police in the unit is expected to grow to 200 members by the end of the year, which will significantly boost police capacity to crack down on assaults, the use of weapons and alcohol-related street crime.

The announcement of the new operational unit has not been met with support from all parts of the community. Unfortunately those opposite have already said they plan to sack the additional 120 police who will be employed by the unit. In a statement made last Wednesday the government announced not only a significant increase in police numbers but also a range of other infrastructure matters. One matter that has not received as much coverage as it should and that I know would be of interest to the wider community is an allocation of \$22 million to employ 55 on-the-ground youth workers to introduce new behaviour change programs for young people who carry knives and to implement a supervised bail pilot project. Those youth workers will be working with young people to change their behaviour before they offend. Obviously they will be working very closely with Victoria Police. This is part and parcel of the front-line strategy that Labor is putting in place.

At the time the statement was made last Wednesday the police minister said:

These new police announced today are not an election promise — they will be written into the 2010 state budget.

That happened yesterday.

He went on to say:

The Brumby Labor government is determined to recruit more police, pass tough laws and work with the community to turn around alcohol-related crime and antisocial behaviour.

The announcement was not only from the Minister for Police and Emergency Services and the Premier, but the Deputy Premier, who is also the Attorney-General, also made some announcements at the same time, which provided other aspects to the package. He announced \$129.4 million to provide Victorians with greater and swifter access to justice, which included \$62.3 million over five years to reduce delays in the Victorian court system. There was also an announcement of two additional trial judges in the County Court and two extra magistrates, including one for the Children's Court. A number of other programs were mentioned: \$4 million for the Magistrates Court to implement the government's proposed personal safety intervention orders, which will replace the stalking intervention orders; \$11.2 million for the Children's Court to fund a new mediation pilot in child protection cases; and an additional \$49.9 million over two years to Victoria Legal Aid to provide legal representation to underprivileged members of the community. These are, by any measure, significant investments in our antisocial behaviour and judicial infrastructure and will take us forward into the future.

We have all of that, but on the other side we have a situation where those opposite, when they were in government on the last occasion, and when Mr Baillieu was president of the Liberal Party, promised 1000 additional police but cut their numbers by 800. Last year they promised that if re-elected they would appoint 940 protective services officers (PSOs) to work at train stations after dark. Then a month later they voted against a move to remove the current cap of 150 on the existing number of PSOs, making it illegal for the Chief Commissioner of Police to employ any more. Now they say they will recruit another 1600 police over the next four years, and they want the public to believe them. Leopards do not change their spots. No-one believes they will deliver what they are saying. Opposition members also say they are going to fund their proposals by cutting advertising expenditure. I want to know what they are going to do to fund their national recruitment campaign that they say they are going to run to recruit police officers.

The other aspect I touched on initially in my opening remarks is that those opposite want to have it not just both ways but in a number of ways. They spray off in all directions in terms of where they think police officers should, would, can or will not be allocated or located. They have in the past claimed that they would not put specific numbers of police in certain electorates. Last week some said it would be left up to the Chief Commissioner of Police. Peter Ryan, the Leader of The Nationals in the other place, who is also the shadow Minister for Police and Emergency Services, was

reported in the *Bendigo Advertiser* of 8 April 2010 as saying that the country would only get additional police after the city was first looked after. Others have said the country should be given more police. What they do not get is that politicians should not be deciding where police are placed. That decision should remain the domain of police command, based on operational need.

I put to the house today that this government has provided adequate and appropriate front-line policing. The announcement on Wednesday is welcomed by every quarter of the Victorian community. This government properly resources and provides training for its police force. It has put in a massive investment in work stations and police stations. It has also invested heavily in a support structure, whether it be youth workers, an increase in the number of magistrates in the judicial system, or the \$14 million announced in yesterday's budget that supports our plan to prevent domestic violence. These are just a number of points that I wish to raise today in order, hopefully, to provide clarity in terms of what the facts are and what this government has delivered.

This government's record is clear. It is committed to having a properly resourced police force, as opposed to the opposition's complete lack of commitment and its record when it comes to Victoria Police. The only consistency from the opposition is its demonstrated constant meddling in operational matters which is generated by their need for political interference and political relevance. I urge members of this house to vote against this motion.

Mrs PEULICH (South Eastern Metropolitan) — It is agonising having to follow an address of that nature. It so typifies why the government is in the mess that it is. Its whole notion of policy and administration is the shopping-list approach. It does not look at what ingredients it might need for a complete meal. Let us just list it, let us just put it in a bag and pray to God that it might all hang together. But it does not because first of all there is no policy integrity on the other side. There is an ideological divide between the left and the right; there are those who believe the crims ought to be let loose in the community and those who believe they ought to be locked up. Unfortunately the Attorney-General, Rob Hulls, is winning the debate.

In terms of policy, government members have lost the plot. That is demonstrated by a whole cluster of failings and policy debacles that the government has been responsible for: the absolute mismanagement of the alcohol liquor licensing regime, the bungled 2.00 a.m. lockout, the dismantling of Neighbourhood Watch by the removal of the street-by-street statistics, the removal

of the police in schools program, the lack of action on a promised policy on knives; the debacles in the justice system; and the lack of respect for due process, which is absolutely symptomatic of this government and its malaise. If you have no respect for due process and no respect for the community, then that is going to bring about a cultural shift in the community, and that is exactly what we have seen.

There is no stronger symbol of where the government has lost the plot than the road safety campaign targeting young people, calling them dickheads. As a former schoolteacher of mostly year 11 and 12 students, I think it is inappropriate to say the least. I am absolutely appalled, as most parents are, that that comes out of a government-sanctioned campaign paid for by our taxes.

The government has lost the plot in terms of policy. There is an ideological confusion and divide because of the structure of the Labor Party, but even more there is absolute incompetence when it comes to administration. I attended today's Auditor-General's briefing on the report that was tabled today, *Performance Reporting by Departments*. The revelation that Victorian departments only meet 3 out of 19 key indicators of best practice for reporting and performance and the lack of any clarity about objectives — if you do not have clear objectives for a department, how in hell can you measure outputs? — demonstrates why this government can spend all the money it has but cannot deliver the results.

The government has its shopping-list approach to policy. It puts out its press releases, but it has no clues about how to manage or put together well-thought-out and well-considered policy because it does it on the hop and because there is ideological conflict within its own party. The government has ideological conflict and appalling administrative incompetence, and its party is dominated by people such as the previous speaker — basically union hacks and political advisers with no real-life experience — who read a department-prepared speech on areas she would not know about.

Today we heard opposition member after opposition member talk about how most of the government members do not even bother to live in their own electorates. They have contempt for the electorates that they represent. People who live in glass houses should not throw stones.

The government has these law and order issues in an absolute mess. Anyone who has done psychology 101 knows the importance of a community's need to feel safe. Apart from food and shelter, which is the no. 1

priority, the need to feel safe is the second most important need on Maslow's hierarchy of needs.

The government has failed. Is it spin on our part? No, it is not. If it is spin, why is it that Labor member after Labor member in my electorate is pumping out each week glossy brochures and material addressing real-life community concerns about law and order? This is the PR (public relations) and glossy brochures that we are talking about. Why are they doing it? It is because this government cannot accept criticism. It resorts to spin and PR. However, it is not just spin and PR, it is plain lies and propaganda. It is not just the spin cycle; the government has swallowed the entire washing machine. It is completely wearing thin in the electorate. When politicians now use spin and PR, voters are getting the bucket ready. They are over it, and they are over the government.

The government vilifies anyone who disagrees. If the government's ministers were competent ministers, as they have been in the past, then they would take note of concerns raised by members of Parliament who have been duly elected, whether they were members of their party or any other, and they would actually address those issues. They would not stomp over them, they would not deliberately snub them or deliberately show contempt. Some government ministers are vindictive, and unfortunately the Minister for Planning is one such person. As we speak today, my favourite hobbyhorse, the Kingston town hall, is being absolutely — —

Hon. J. M. Madden — On a point of order, Acting President, the member opposite has just referred to me as vindictive, and I ask her to withdraw.

Mrs PEULICH — On the point of order, Acting President, I would suggest that if 'vindictive' is unparliamentary and I am asked to withdraw, then it does not augur well for the robust nature of debate that this chamber requires.

The ACTING PRESIDENT (Mr Somyurek) — Order! The minister has found the term to be offensive, so I will ask the member to withdraw.

Mrs PEULICH — Out of deference to the Chair, Acting President, I withdraw. However, let me say that the actions of this government show that it is vindictive, that it vilifies, treats with contempt, stomps on and shows no respect towards the community it is supposed to be leading, and that is why — —

Hon. J. M. Madden — On a point of order, Acting President, you gave the member a direction to withdraw, and I am yet to hear her withdraw.

The ACTING PRESIDENT (Mr Somyurek) — Order! I think she did withdraw. I ask Mrs Peulich to continue.

Mrs PEULICH — Thank you, Acting President. I withdrew and then ascribed the action to the government. The government cannot take offence at unparliamentary language. It would be a precedent of enormous proportions. I suggest that Mr Madden reads his standing orders or at least has a little flick through *Erskine May* over there and learns a bit more about the institution of which he is supposed to be a part.

Mr Finn — Or get somebody to read it to him.

Mrs PEULICH — Yes, perhaps a colour-in version. We wonder why we have a problem. This government continues to stick its head in the sand. It resorts to spin, PR, vilification and attack and basically hides the truth. We see serious failings of the government on top of the ideological handicap it has, the administrative incompetence I have just alluded to and the reliance on spin, lies and vilification of critics. There is deliberate manipulation of data, even more so when we come to law and order and policing in the community. There is a lot of anecdotal evidence of police being reluctant to take complaints in writing because they then become statistics. Police officers will turn up, they may even have a look at the evidence, but they refuse to take a statement or process a complaint.

Just last week a resident of Airlie Grove in Seaford came to see me. She is a young woman aged 28 or 29 years and she came to me, with a baby in a pram, and told me there had been enormous safety concerns in relation to the occupants of a couple of rooming houses. She said that despite a meeting being held in the city of Frankston convened by the Speaker in the other place, Jenny Lindell, with other government members and the mayor, and despite 70 people turning up to that meeting, the police still have not taken any action against some of the occupants of those rooming houses, including those who have threatened to run over this resident's husband. You cannot have a community in which people respect each other if you are not prepared to demonstrate due process, lead by example and enforce the rules that hold society together. You have to do that.

Another example is the Frankston council having to adopt a policy to hire additional security offices in order to address the problems of law and order in its city. The reason the council has had to take that action is that it found in talking to its stakeholders that the local hospital cannot get the medical personnel it needs. They will not come to Frankston because it is unsafe. The

local university cannot get teaching staff to come to its institution because they are concerned about their safety. I have taken a number of walks through the city of Frankston, and I can see why a more visible police presence is needed. Clearly that has not been provided.

There has been a manipulation of the process of reporting crime, there has been an exposed manipulation of data and there has been a turning of a blind eye to low levels of crime. Some of the figures may show that there has been an overall reduction in crime, but this government is winning the battle against stolen bicycles while losing the battle against serious crime against the person. That is the difference; that is where the government has lost the plot and let down the community. I must commend the Leader of the Opposition, Ted Baillieu, on making a series of policy announcements that address these issues.

To get the proof you just have to look at the cold, hard facts. The Productivity Commission's *Report on Government Services 2010* shows that Victoria has fewer operational police per capita than any other state in Australia. The number of police per capita in Victoria has decreased every year since 2006–07. Only today I learned that in the city of Kingston there has been a 23 per cent increase in crime, affecting the seat of Mordialloc, part of the seat of Bentleigh and the seat of Carrum in the other place. I also learned that if one police officer does not turn up — I think it is to do with the PAM, the people allocation model, used by police — it means the divisional van cannot go out and respond to any matters that might arise in all of the suburbs from Chelsea to Cheltenham.

My next-door neighbour witnessed a friend of his being stabbed while on an outing in Mordialloc. The friend had inadvertently given a look to a fellow who misinterpreted it, pulled out a Stanley knife and slashed the man's throat. This is what is happening. It is happening at the railway stations; it is happening at entertainment venues; it is happening everywhere.

We note with serious concern the level of statewide crimes against the person, which as I said before should be the government's focus, not stolen bicycles. Yes, that is important, but addressing crimes against the person is where this government has failed and needs to focus. There has been a 40.2 per cent increase in crimes against the person — from 31 372 in 1999–2000 to 43 971 in 2008–09 — under the Labor government. There is a rampant level of crime in metropolitan Melbourne. Members of this government stuck their heads in the sand for a long time and then tried the bungled 2 o'clock lockout.

The Productivity Commission report expresses its enormous disappointment at the lack of urgency in dealing with the level of police shortages and the rise in violent crime in the suburbs.

I would like to congratulate the Victorian coalition on its announcement on 6 April of the \$344 million Making Our Streets Safe Again plan. This is an agenda-setting policy, and the government has scrambled to copy it in order to make up ground because for 10 years it has not been making inroads on crime. The Making our Streets Safe Again plan will boost the number of front-line police by an additional 1600 recruits in the coalition's first term of government as well as the number of protective services officers, as announced earlier. I congratulate the coalition on its complementary \$200 million Stopping Crime in its Tracks policy announcement of 8 November 2009, which will establish that dedicated unit of 940 uniformed and trained Victoria Police protective services officers who will be permanently stationed at railway stations in metropolitan Melbourne.

We heard the government announcing that a number of stations, mostly in key marginal seats, will be manned. That is all very well, but that will not provide the protection that many of these railway stations require because of the unfortunate cultural degradation and deterioration this government has been instrumental in creating and which it has lost control of.

In closing, I look forward to the opportunity of being part of a government that can actually be loyal to the community it represents and offer it one of the most important services it can — that is, to make the community feel safe again. With those few words, I commend the motion to the house.

Mr SCHEFFER (Eastern Victoria) — I speak against this motion. Mr Dalla-Riva's motion has four broad parts. In the first part of his motion he has some comments on police numbers. In the second part he notes with concern the rise in violent crime in Victoria and then goes on to express disappointment in the lack of government action. The motion concludes with congratulations to the Liberal Party on some recent policy statements. I will confine my remarks to the actual motion that is before the house.

The difference between the government and the opposition is that the government has been working consistently on improving community safety and policing since its election in 1999 and I believe it has a very good story to tell, whereas the opposition, after emerging from its poor record when it was last in government, has said in my view very little that has

been constructive. I know that is going back a very long way, but the fact is that there is no evidence to rely on other than the actions of the previous Liberal incumbency.

Ms Tierney drew attention to the fact — and I feel compelled to repeat it in the house because it is an important statistic, one of the few we have left over from those years — that even though the Kennett government promised to increase police numbers by some 1000, it subsequently cut that number by something like 800.

By contrast, since 1999 Labor promised and then delivered 1400 new police; in the current round the government is adding a further 470 police to the force. This point was endorsed last month by no lesser person than the Leader of The Nationals in the other place. On 14 April he said:

I accept what government members say. They have delivered on what they have said they would. They have even done a little bit more ... I have no challenge to that.

I congratulate the Brumby Labor government on its recent announcement that it will add an extra 1966 front-line police to the police force, which will be the single biggest boost to police numbers in Victoria's history. An additional 1700 officers will be deployed to front-line policing and an additional 266 police officers will be redeployed to other operational roles. As I understand it, the rollout will start this year and, as Ms Tierney said, it is in the present budget commitment. It is not an election promise for the next period; it is set in the government's current commitment.

Since 1999 the number of sworn police in Victoria has increased by over 3500. The decision to move 266 sworn police from desk jobs — from taking calls and dispatch in regional areas — into front-line roles, with new jobs for public servants backfilling these positions, has been, without dispute, very widely welcomed.

Going to the second part of Mr Dalla-Riva's motion, I turn to the figures for some of the local government areas in my electorate of Eastern Victoria Region. Since 1999 police numbers on the Mornington Peninsula have increased by 42.33 per cent and the crime rate has been reduced by 22.55 per cent; in Bass Coast the numbers have increased by 22.09 per cent while the crime rate has been reduced by 20.5 per cent; in Baw Baw police numbers have increased by 19.76 per cent while the crime rate has decreased by 26.6 per cent; in Wellington shire the police numbers have increased by 11.19 per cent and the crime rate has decreased by

19.5 per cent; in Latrobe police numbers have increased by nearly 26 per cent while the crime rate has been reduced by 25.1 per cent; in East Gippsland police numbers have increased by just over 8 per cent while the crime rate has reduced by just under 17 per cent.

This data has been released publicly by Victoria Police and the government, and it is the data I rely on. It must lend the lie to the data that has been retold by some members in debate in this house.

People have asked me where the police are going to be allocated. The allocation to particular locations is an operational matter for Victoria Police, and I expect those allocations will be made on the basis of need. I was pleased to read that the Chief Commissioner of Police, Simon Overland, has said he would like to send more police to the regions, and he expects to be able to do this with the extra police numbers now available to him.

In his budget speech yesterday the Treasurer said Victoria's crime rate is declining and the rate is now at its lowest since computerised crime recording began in 1993. The figures I gave previously certainly attest to the Treasurer's assertion. He drew attention to the fact that street violence and drunken behaviour make many people feel less safe, and obviously that is a problem.

In her contribution to this debate Mrs Peulich made much of that aspect. There is some truth in what she says, and we all agree with that. The government has been working with Victoria Police to crack down on crimes such as drunken and disorderly behaviour, and hoon driving and graffitiing in order to help keep communities safe. It is important to this government that communities are safe. What Mrs Peulich asserts is not true — that is, there is a carelessness about the way the Brumby government regards how secure people feel in their homes.

Since we introduced tough new laws in late 2009 a total of 272 fines, each of \$234, have been handed out to troublemakers in Eastern Victoria Region, but, of course, police numbers are only part of the story. The government has rebuilt or refurbished more than 160 police stations and residences as part of a \$450 million police station building program, which is the largest program in the state's history.

In Eastern Victoria Region the government has built or upgraded police stations in Koo Wee Rup, Lang Lang, Bunyip, Inverloch, Pakenham, San Remo, Bendoc, Bairnsdale, Bruthen, Cann River, Stratford, Buchan, Swifts Creek, Meeniyan, Leongatha, Toora, Mirboo North, Foster, Korumburra, Hastings, Churchill,

Boolarra, Morwell, Moe, Warragul, Rawson and Rye — a good record by any measure.

Honourable members interjecting.

Mr SCHEFFER — It is a good record by any measure.

Ms Pulford — Can you run us through the list again, Mr Scheffer?

Mr SCHEFFER — No, you can read it in *Hansard* tomorrow. It is very good news and, as Mr Viney knows, the people right across Eastern Victoria Region are very pleased about it. Many towns have benefited from those investments.

I want to conclude by going back to Mr Dalla-Riva's motion. He notes at the beginning of it a Productivity Commission report that, he says, shows Victoria has fewer operational police than any other state. In saying that, the implication is that that must in itself be a bad thing. I am not an expert on policing, but as I understand it, historically Victoria has had lower numbers of police per head of population, the reason being that the number of police needed in Victoria to deliver the same level of service as exists in some other states is fewer.

We only need to think about the fact that Victoria is a smaller state in size than Western Australia or Queensland, for example. By national standards Victoria does not have the dispersion of communities that other states have. It does not have similar great distances between towns. However, the Productivity Commission will have taken those sorts of variables into account. I have not read its report, but I am confident it will have gone into that detail, and it will have worked out those balances so that we have a truer story. Mr Dalla-Riva's motion does not take that into account.

Victoria also has some demographic differences to some other states that have an impact on how on-the-ground policing is managed. I would have thought that it is not so much how many police there are but what it is they are doing on the ground. I think the opposition should probably put some focus on the situation in Victoria, on how police are being deployed and on how well they are doing; I think they are doing a fantastic job.

Since 1999 the Labor government has applied itself in a consistent and methodical way to deliver increases to the number of front-line police. We have invested in the delivery of new equipment to ensure Victoria Police is able to deliver modern policing. As I said, we have

invested in infrastructure — in new police stations — right across regional and rural Victoria on the basis of need and effectiveness. I conclude by congratulating the government, including the Minister for Police and Emergency Services, as well as members of Victoria Police on the excellent work they do. I reject the motion before the house.

Mr FINN (Western Metropolitan) — As members of this house would be aware, I have raised issues relating to policing in the western suburbs on a number of occasions over the past three and a half years because the problems with regard to our police in the western suburbs have been going on for a decade.

At this point I would like to pay tribute to a woman by the name of Lori McLean. She has done a tremendous amount of work. Many members would be aware of the work Lori has done at Wyndham and in the Werribee area to bring to light the issues surrounding the lack of police and law and orders matters. She has been battling away for a very long time without any support at all from the government, but that has not deterred her — in fact I think it has probably spurred her on to even greater heights. We certainly need in our community more people like Lori McLean, who is prepared to take on a government that just does not care — and that is the bottom line: when it comes to the real problems and real people in Victoria, the Brumby Labor government just does not care.

Having mentioned the problems in Werribee — the lack of police in Werribee; the enormous understaffing of police in Werribee — I should also mention the men and women of the Sunshine police station. They have my enormous admiration. They are working in extraordinary circumstances. They are very much understaffed and working under the pump on a daily basis. I do not know how they get up and go to work every day. It is a tribute to their commitment, it is a tribute to their professionalism and it is a tribute to them as outstanding members of Victoria Police. I commend them for the work they do in protecting us on a daily basis.

Last Wednesday afternoon — unfortunately I had to miss it — at about 2 o'clock there was the opening of a new police station in Tarneit. The Chief Commissioner of Police was there. I was particularly looking forward to having a chat with the chief commissioner, but unfortunately I was urgently called away on another matter, so I missed the opportunity. What the minister did not tell us at the opening, before the opening or indeed after the opening is that whilst there is a new police station in Tarneit we do not have the police to

man it. We do not have the police required to make this station what we need to protect the people of Tarneit.

The Minister for Public Transport, Mr Pakula, may have heard of Tarneit; it is in the Western Metropolitan Region and it is growing at an extraordinarily rapid rate. Just about every time I go down there, which is regularly, I see that a new subdivision has been created. Literally thousands of people are establishing their homes and starting their families down there, and they are very much in need of protection from the police. They would look at that police station and say, 'Oh gee, the Brumby government is doing a marvellous job'. I have news for them: the Brumby government is not doing a marvellous job. The Brumby government has built a police station in Tarneit but does not have the police to man it properly.

That reminds me of an episode of *Yes, Minister* which many in the house would be aware of. The minister, Jim Hacker, visited the best hospital in Britain; the most efficient hospital in Britain. It was the most efficient hospital in Britain because it did not have any patients! We have a similar situation in Tarneit with this police station. We have a brand-spanking-new police station — and it is very impressive — but we do not have the number of police that should be there to open it.

We have a situation in the Western Metropolitan Region where serious crime is up, and non-serious crime is probably up also, but the figures do not necessarily bear that out because there are a lot of people, not just in the west but right across Melbourne and across Victoria, who have given up calling the police to report what they regard as non-serious crimes because they believe doing so is a waste of time. Too many times we have heard from police those magical words: 'There is nothing we can do about it'. Unfortunately that has resonated with a lot of people in Victoria, and they have given up reporting what we might describe as non-serious crime.

Crime is up in this state; there is no doubt about it. Serious crime is up — we are talking about bashings, muggings and robberies. In Moonee Valley — just pulling figures from memory — the homicide rate is up by 300 per cent. That is from the latest figures to be released. We do have a serious crime problem, but we do not have the police to tackle the problem. The government has been telling us for some years now that everything is fine. The government has been telling us that it has spent X amount of dollars on police; that it has extra police here and extra police there and that it has done a marvellous job. It has asked, 'What is the opposition on about? What is the Police Association on

about?'. People like Lori McLean in Wyndham complain they are not properly protected because there are not enough police, but the government says, 'What are these people on about?'. It said that up until about last week, then all of a sudden it did an Ernie Sigley and said, 'We're only jokin'!'.

That situation has completely turned around. We have an election looming on the horizon and the polls showing that it is becoming very close indeed, and the government is now saying, 'Maybe we do have a problem'. The government has said, 'Yes, we probably should do something about it', and it has. With an election on the horizon the government has pinched the opposition's policy — to an extent I have to say because the opposition's policy will trump the government's policy hands down. With the new protective services officers and the transit police, as well as the extra police that we have committed ourselves to providing if we win the November election, there will be an extra 2640 police on the beat by the end of our first term in government. That is something we on this side of the house are particularly proud of because we take law and order very seriously, which is something that cannot be said for the government.

It is not just the issue of police numbers that has let the government down on law and order; we have also had the Attorney-General, Rob Hulls, working furiously to undermine the authority of the police in this state for the past 11 years. He is a major threat to law and order in this state. If there is anybody who has worked harder than the current Minister for Police and Emergency Services to shatter the morale of the Victorian police force, it would have to be the Attorney-General. The history of Victoria Police under Labor over the last 11 years has not been a happy one. We have not just Rob Hulls, Premier Brumby or those who have had authority in political circles over the past 11 years — such as former Premier Bracks and others — to blame, because really the nightmare that Victoria Police is going through began with the appointment by the Bracks government of a little-known academic with practically no operational experience and from possibly the most corrupt police force in Australia to the position of Chief Commissioner of Police some 10 years ago.

We remember only too well that the new Chief Commissioner of Police, Christine Nixon, at what I believe was her first press conference, said that Victoria Police was no less or no more corrupt than the police force in New South Wales. This was an outrageous statement to make and an outrageous slander against every Victorian policeman and policewoman. It was, to my way of thinking, an insult to those men and women

who protect us — officers who put on their uniforms and go out there and put their lives on the line to protect us. They were slandered by their new boss. I have to wonder exactly how they must have felt when they heard the new chief commissioner utter those words. What hope did they have? With a start like that, what hope did the Victoria Police have under the new chief commissioner?

What ensued was an era of spite, of payback and factional warfare which I suppose became a culture of persecution in this state. God help anyone whom Chief Commissioner Nixon perceived was an enemy or who she believed had said or done the wrong thing because she would go after them. In fact she created, with the help of this government, a group within the police force called the Office of Police Integrity. The OPI became well known, the length and breadth of this state, as Christine Nixon's own personal police force within the police force. It has a great deal to answer for.

Unfortunately this culture of persecution created by Christine Nixon has continued under the new chief commissioner, Simon Overland, and that is tragic for Victoria Police. Over the past decade police command has become a branch of the executive arm of government in this state. The lines between Labor and police command have blurred to the point where they are indistinguishable. We do not know where police command finishes and the Labor Party starts, and that has not changed under the new chief commissioner, Son of Christine, as he is known throughout Victoria.

That is deeply tragic for Victorians and for the police force in Victoria. Only a couple of weeks ago Mrs Petrovich commented on a release issued by the Chief Commissioner of Police on the intranet, within the Victoria police force, backing the Brumby government's announcement of new police and saying that this was what he had been after all along. He said the government was listening and that it was doing a great job. If you are a Labor appointee, and if you are dependent upon the patronage of the Labor Party to retain your job, of course you are going to say that. I suppose it is reasonable, in a situation where the police force has been totally politicised in this state, that you would expect the Chief Commissioner of Police to say that. But again it is a tragedy for Victorians and a tragedy for the police force that we have a Chief Commissioner of Police involving himself in party politics to the extent that both the current chief commissioner and his predecessor have done.

I hope we will see the day — and that that day is not too far away — when we will have a chief commissioner who will distance himself or herself from

the political process and run the police force in an independent way, caring for the police force first and foremost. I think that is something we all have to aim for.

The greatest tragedy of all over the past 11 years is that the public of Victoria has lost confidence in the Victoria police force. I remember as a lad that I looked up to every policeman and policewoman. I had a great deal of confidence in the police and I think we all had a great deal of confidence in our police, and if there is one legacy that this government will leave when it goes in November, it is the lack of confidence shown in the police by the public.

What has happened to Victoria Police? Some people in the government will be pretty happy about this, but what they have done is to destroy the credibility of the Victoria Police and undermine the confidence of the Victoria Police by the general community. This will be forever to the shame of the Labor Party in this state, and forever to the shame of the Bracks and Brumby governments, and when they go into the history books on 27 November this year, that is something for which they should forever hang their heads in shame.

Mr MURPHY (Northern Metropolitan) — When it comes to investing in our police force, this government has a good record. We have invested significantly in resources that have resulted in real change with respect to increasing safety in our community. Crime rates in Victoria are now 25.5 per cent lower than in 2000–01. This is because we have delivered record police numbers. In 1999 we promised 800 police and delivered 800; in 2002 we promised 600 police and delivered 600; and in 2006 we promised 350 and we will deliver over 470.

The community knows Labor delivers when it comes to investing in our police force and making Victoria a safer place to live, work, invest and raise a family. That is why our announcement to boost police numbers by 1966 additional front-line police over five years, making our streets and our communities even safer, has met with such community support and enthusiasm.

Further, we are providing our hardworking police members with the equipment and training they need to do their work. I will name just a few: a recently announced rollout is under way for new integrated ballistic vests for our police members, providing both superior protection for our members in the field as well as greater practicality and comfort for members in carrying their equipment; new semi-automatic firearms for our police to protect themselves; new thigh holsters; 100 new police vehicles; a rollout of a new police divvy

van fleet; in-car video; in-car moving mode radar speed detection to tackle the road toll, along with new radar guns and breath-testing equipment; new bomb robots and protective suits for the bomb squad; new facial recognition technology in police stations; and new forensics robots to speed up testing through automation.

When it comes to the community placing trust in who will make their streets and communities safe, they know those opposite cannot be trusted. When last in government the Liberal Party promised 1000 additional police, but it cut their numbers by 800. That is why this government's announcement has been met with such enthusiasm, because the community knows that Labor will deliver.

In my electorate alone our investment in policing has seen significant reductions in crime rates. In Darebin there has been a reduction in crime of 30.9 per cent in the period from 2000–01 to 2008–09, in Melbourne there has been a reduction of 59.2 per cent. Since 1999 the state government has invested a massive \$450 million to rebuild or upgrade almost 160 stations across Victoria. As previous speakers have noted, 81 per cent of these are located in country Victoria.

Importantly we have also invested in rebuilding facilities in our outer suburban growth areas and have planned for entirely new facilities to meet future growth. It is an impressive list. We have rebuilt facilities in all of those growth areas for the benefit of local communities: Cranbourne, at a cost of \$6.2 million; Diamond Creek, \$6.9 million; Hurstbridge, \$0.93 million; Endeavour Hills, \$4.1 million; Yarra Junction, \$1.3 million; Fawkner, \$14.12 million; Wyndham North, \$7 million; Springvale, \$9.7 million; and the \$12.5 million Pakenham emergency services complex, with police, the Country Fire Authority and the State Emergency Service all on site, meeting the demand of the population growth in Cardinia, which is expected to rise to 78 000 by 2011.

Our record is clear. This government has delivered the greatest increase in police resourcing in Victoria's history. The government has committed to the delivery of 1870 new police members by the end of its current term, and also an increase of 50 transit police. The investment in transit police has seen the crime rate on public transport decline by 43.6 per cent.

I support our hardworking police force and do not think it is appropriate to disregard the loyal service of the force from the top down. Victoria Police should not be politicised in any way. The Victorian police force has been supported by this government to make Victoria a

safe place to live, work, invest and raise a family. I therefore urge the house to oppose the motion before it.

Mr KOCH (Western Victoria) — This motion, moved by Richard Dalla-Riva, is an important motion in relation to policing in Victoria, and I congratulate him on putting it forward.

There is little doubt that there is much community concern about policing right across Victoria. Such concern is not the province of only the metropolitan area or only regional Victoria. However, I have to say that in regional Victoria policing is a major issue. Anyone who thinks it is an issue only in the larger centres is kidding themselves. In the past those in regional Victoria — away from the provincial cities and particularly in smaller communities — have been very fortunate to be well serviced by one-officer police stations. They have offered many of these communities greater security and provided them with great benefits through the contribution policemen and policewomen have made to sporting clubs, local government or other community service clubs and organisations over the years.

These stations have cost Victorian taxpayers a lot of money over the last 20 years. Initially there was a very good program, started by the Kennett government, that saw the replacement of many one-man police stations and their residences. The early years of the Bracks government saw a continuation of that program, but under the Brumby government we are now seeing some stations being replaced. In many cases this is most regrettable, because all of a sudden these opportunities will become unattractive to police officers who would move to single-officer stations if they were available. We are a little concerned about that.

Regrettably, as we all know, Victoria has the lowest rate of police per 100 000 of population, and Victoria's police resourcing is the lowest of any state, including Tasmania. Victorians across the board are calling out for greater security and for less bashings, knife attacks and drug-induced crime. Another downside of not having enough police, particularly front-line police, is that many emergency services officers now do not have the confidence to assist victims of bashings. Unfortunately these blokes hunt in mobs, and they are quite happy to take on ambulance officers, State Emergency Service officers and others who come to assist members of the community with their every need.

We have had years of people on the other side of the house saying, 'The opposition has no policies; it does not know what it is talking about', but we have two policies on this issue. The first policy initiative, floated

for \$200 million in November 2009, Stopping Crime in Its Tracks, was for the engagement of 940 protective services officers and 100 transit safety police from Victoria Police. The transit police would be engaged from 6.00 p.m. until the last train on all metropolitan stations — and I repeat, all metropolitan stations — and 13 provincial city stations. It is a fantastic policy. It will offer protection that the Victorian community has not seen in relation to — —

Hon. M. P. Pakula — It is not your policy; your policy is for PSOs.

Mr KOCH — I think the minister is a little disturbed. Yet again, he has been rounded up and run down at the last corner. The government continues to lack policy in this area, and when someone else puts a good policy on the table it becomes very critical of it. This earlier policy, Stopping Crime in Its Tracks, was followed in April 2010 by a further policy, Making Our Streets Safe Again, putting forward a further \$344 million which will see the employment of 1600 new police officers over the four-year period of our first term in government. In all, that is 2640 new police on the beat. I assure members this has been extremely well received across the metropolitan area and the major provincial cities. Hopefully there will be a trickle-down effect and police command will see fit to send some of the officers from this recruitment drive further out into regional Victoria, where we certainly need them.

Geelong, including the Bellarine Peninsula, remains 136 officers short and its crime rate continues to grow, although the *Geelong Advertiser's* Just Think campaign has played an important role in containing crime on the streets of Geelong, particularly of an evening, in club life and after dark. It has been truly an embarrassment to the police force and the government. More closed-circuit television cameras have been installed. Taxi drivers have been very responsive in terms of making sure they know who is travelling in their cabs and where they are getting out, and if anything happens it is all recorded. Peer group pressure, leadership, and particularly the leadership shown by the football community of the Geelong Football Club, have all been of great assistance to the police on the beat in these situations.

The Surf Coast remains 12 officers short; and Ballarat, like Geelong, continues to be 96 officers short. It has also been brought to our attention that regrettably on some occasions the Ballarat police station is unable to man divisional vans within the town. That is a critical situation, and we certainly look forward to restoring those services, but it will take a change of government

for that to happen. We have seen a lot of spin from the Labor government in the last 11 years but a lot of opportunity has been lost. Nothing will happen to restore these numbers until such time as there is a change of government.

In western Victoria officers have been transferred from Portland and Hamilton police stations to Warrnambool, where obviously the needs are greater — I guess there is a busier night-life down there — and further security has been provided by those two stations to manage the situation in Warrnambool.

While all of this has been going on, Victoria's crime statistics continue to grow. I do not think there is any doubt that it is only through greater resourcing and police numbers that we will overcome this predicament. Unfortunately we are now seeing police working much longer hours, many of them away from their home stations — this is particularly the case in country Victoria, where officers are doing all they can to support their metropolitan colleagues — and we also find that many of our single-officer police stations are supporting our larger provincial cities. There is no doubt that the extra travel, the overtime and the stress are taking their toll on officers statewide, which will only be retired in the event that we are able to recruit more officers, particularly front-line police.

It is also worth noting that police in regional Victoria are certainly battling, particularly given we do not have the police presence on our highways that we have had historically. There is little doubt that a police presence is probably one of the most sacred things in policing; it certainly keeps our communities on their toes. People very much appreciate that if police are moving through their community, greater security is afforded and obviously less criminal activity takes place.

Also fewer divisional vans are on patrol after dark; and fewer police are moving through our hotels, sporting clubs and other areas that are high use of an evening, particularly for younger members of our community. As I said before, a police presence is probably one of the most important deterrents to crime and misconduct within communities right across Victoria.

From talking with police across our electorates — and obviously members of the upper house have plenty of lower house electorates within their big patches — we get a pretty clear picture of what is going on in those electorates. I regret that the recent announcement by this government is just another instance of a catch-up policy. It has little credibility, and frankly I do not think it matters how much the Premier tries to spin his yarn; it just will not wash.

The community realises the Premier has had plenty of time — some 11 years — to restore law and order across Victoria, yet none of his positions to date have achieved the outcomes the community would have anticipated, given the amount of taxpayer money which has been expended in this area. The recent announcement of the recruitment of 1700 new police and the manning of 42 railway stations — and the Minister for Public Transport, who is in the house, might correct me — represents only about 25 per cent of metropolitan rail stations, which is in clear contrast to what the opposition policy offers.

As I said earlier, that policy is to man all stations from 6.00 p.m. until the last trains in metropolitan areas and in 13 of our provincial cities. I think there is a clear difference between what is being proposed by the government and the opposition. The government's proposal is reactive, and I do not think the community is in the mood any more to believe what the government is saying about law and order, particularly the policing of this state.

We also note that those 1700 police would be put forward over a five-year period, not a four-year term of government. I think the Premier's credibility will continue to be on the line with this effort to try to trump the opposition's policy. What credibility he has that has not yet evaporated will evaporate in the next six months, and Victorians will go out of their way to correct the situation at the November election.

In closing, again I will say I support the motion moved by my colleague Richard Dalla-Riva. It certainly deserves the support of the house, and I hope every member supports it, because if there is one thing Victorians depend on — and seriously depend on — it is law and order and the security of the person.

Ms PULFORD (Western Victoria) — Here is a news flash: the opposition gets stuck into the government for listening to the community and responding — shock horror! — and reacting to the needs of the community. This has been an interesting debate; we have had it over a number of sitting weeks, and the debate has moved on quite a bit since Mr Dalla-Riva moved his motion some weeks ago.

In commencing I will say that Parliament really is not the place for motions congratulating political parties on policy. That the Liberal Party had a visit from the policy fairy, as Mr Pakula described it at one time, probably does not make for a motion of the house of this Parliament congratulating the Liberal Party on having a policy; that really diminishes the job we are elected to do here.

The debate has moved on; at the time it commenced the Liberal Party had announced its policy of an additional 1600 police recruits in what it hoped would be the first term of its government. In the intervening weeks and in fact in very recent days the government has announced an additional 1966 front-line police. As members would be well aware, this is comprised of 1700 additional front-line police, another 200 redeployed from office duties and a further 66 police officers who are currently answering the phones. This will create greater flexibility and will mean more police officers will be on the street, which is where people want to see them.

This is in addition to the 1400 police officers that the government has boosted Victoria Police numbers by between 1999 and the end of 2006. The government is well on the way to delivering the 350 police officers that it committed to during the election campaign in 2006. In addition to those, the government has boosted the ranks of the police force with a further 120 officers and 50 transit police specifically to react and respond to community concerns about alcohol-related crime and to ensure that commuters feel safe on public transport.

The results of a better way of approaching all law and order issues are clear to be seen, with a 25 per cent reduction in crime in the life of this government. This is a study in contrast with the efforts of the previous Liberal government, which slashed some 800 police, as previous government members have reminded the house; this happened after it had promised to deliver 1000. Mr Koch comes in here and speaks of credibility — and it really is a question of credibility.

On that question I will refer to items 6 and 7 of Mr Dalla-Riva's congratulatory motion. Item 6 addresses the additional 1600 recruits in what would be the opposition's first term of government. It also asks the house to congratulate the Victorian coalition on its announcement that it will establish a dedicated unit of 940 uniformed and trained Victoria Police protective services officers (PSOs) to be placed at stations, as Mr Koch said.

Hon. M. P. Pakula — Mr Koch said transit police.

Ms PULFORD — Yes, Mr Koch did say transit police, but I think Mr Dalla-Riva was more accurate in the drafting of his motion when he referred to them as protective services officers, which is the Liberal Party's commitment.

Both these promises are to be funded by the cutting of government advertising, as is the Liberal Party's recruitment campaign to attract these new police officers. The opposition wants to cut government

advertising to pay for the PSOs at the train stations, it wants to cut government advertising to fund 1600 additional police officers, and then it wants to use the same much-depleted government advertising budget to advertise for police. That is starting to sound a little bit like a magic pudding. I think the Victorian public knows it is the Labor Party that can be believed and that has credibility on police numbers.

Another thing I would draw to the attention of the house is that overall crime against the person is down ever so slightly, by 0.2 per cent. Over the past year the rate of assaults increased by 5.4 per cent, with a similar increase in both family violence and assaults not related to family violence; the rate of those assaults rose by 2.2 per cent. When we consider the crime rates recorded as assaults and crimes against the person, it is important to remember that in 2004 police dramatically changed the way in which family violence incidents were approached. The consequence of this — and a good one — is that there has been an active encouragement of greater reporting of family violence-related crimes. This is an incredibly important thing, because unless we know where these assaults are happening and that these assaults are happening in the home, it is not possible to respond to them and to provide the support that is required by families that are in this terrible predicament.

I note that Minister Morand, in the lead-up to the budget, announced additional resources and a \$14 million commitment to tackle domestic and sexual violence against women, which I hope will go some way to raising awareness of domestic violence, ensuring that people know where they can go for support and assistance and ensuring that our services are adequately equipped to respond to family violence.

An article in the *Age* of 2 May states:

According to Victoria Police, reporting of family violence incidents to police rose 22 per cent in six years. The number of charges laid as a result of the reports increased from 3004 to 8346 in the same period.

We know that family violence affects all socioeconomic groups, all corners of the state and all parts of the population — the full spectrum of our Victorian communities — and that intimate partner violence is still the leading contributor to death and disability for women aged between 15 and 44. I welcome the additional funding in the budget and urge members to consider the impact of changed reporting around domestic violence when bandying about figures about assaults, because assaults in the home by persons known to the victim are a very real and large part of the challenge we face in this area.

Mr Koch said it would take a Liberal government to restore police numbers and he specifically referred to 136 officers in Geelong and 96 officers in Ballarat. Mr Tilley, the member for Benambra in the other place, has said he would deliver an extra 14 police to Wodonga; and Mrs Powell, the member for Shepparton in the Assembly, has also championed 50 more police for Shepparton. This is at odds with the statements that have been made by other members of the opposition that are consistent with the government's view that politicians are really not the people most qualified to determine where police officers best be deployed.

Mr Drum — The Premier does it. The Premier says he can do it.

Ms PULFORD — The government has been absolutely consistent in saying that it is a matter for police command to determine where police resources are best allocated. Liberal Party members are getting around in their local papers all over the state saying, '136 here, 96 here, 50 here, 14 here', but of course that is really a matter for Simon Overland. The Liberal Party has no credibility on this issue.

In fairness to Mr Dalla-Riva and the motion of self-congratulation that he is asking the Parliament to support to help coalition members feel good about their policy announcements, this debate has moved quite some way since this motion was first debated in this house a number of weeks ago. I am concerned that the Liberal Party is prepared to fund PSOs on railway stations by using money from the magic pudding that is the government public information budget of around \$114 million.

The combined commitments — that is, putting PSOs on railway stations and the provision of additional police officers — which the Liberal Party has put in its policy, come to around \$85 million a year, which rips the guts out of the public advertising campaign that the Liberal Party would also use to recruit police officers. However, we know that this is the money that is now spent on saving lives through public health campaigns, through workplace safety campaigns and through Victoria's award-winning transport accident campaigns.

Members of the Liberal Party have no credibility on this matter, and frankly I think the house could probably be doing things more worthy of debate. Whilst the question of law and order and police resourcing is a very important subject for the house to be debating, I think debating the question of whether or not the coalition ought be congratulated is a trifling matter for this house.

Mr DRUM (Northern Victoria) — It is a great privilege and a great pleasure to stand up and acknowledge Mr Dalla-Riva's motion. I am not one for self-congratulation; however, you have to acknowledge an instance where it is the opposition that leads the government on policy.

I will quickly mention a couple of major policies that have happened in the last 18 months where the opposition has also led this government. Firstly, I refer to this government's no. 1 priority. The Treasurer, who is in the chamber, used to be the Minister for Education, and time and again he used to trumpet that education is this government's no. 1 priority. While he would always trumpet that, he would also know that the Victorian government was paying less to teachers in government schools in Victoria than any other state in Australia.

We were so far below the national average until — that is right, you guessed it, Acting President — the opposition in this Parliament decided to put out a policy indicating that a \$400 million package would be used to take our teachers to the top of the tree. It took this government less than a month to follow the lead of Ted Baillieu, the Leader of the opposition in the Assembly, and all of a sudden start bringing together a decent pay package for teachers in this state. Education is this government's no. 1 priority, yet again this government has been led by the opposition.

About a month ago Ted Baillieu stood up at a Liberal conference and spoke about a billion-dollar health infrastructure package for this state. It has taken less than a month for this government to follow the lead of the coalition once again. A highlighted aspect of the budget that was handed down yesterday is health infrastructure straight along the lines of the coalition opposition.

If we want to talk about the big three, the big trifecta — the chalkies, the nurses and now the cops — the government has done it again. On the subject of police numbers in this state, it was the Leader of The Nationals in the Assembly, Peter Ryan, who came up with the proposal to have 940 protective services officers patrol railway stations. He was ridiculed by both the Premier and the Minister for Police and Emergency Services. They asked, 'What are these blokes going to do if there is any trouble? Are they going to call the cops?'. Those were the comments that came out of the other chamber. They absolutely ridiculed the fact that The Nationals were proposing to make railway station safe once again for the people of Victoria.

On the proposal to employ 1600 more police, Premier Brumby said, 'You have got to be kidding! You cannot fund it, and you cannot train that number of police. We are already delivering, and we have been delivering for 10 or 11 years'. I would like Victorians who are involved in this debate or even interested in this debate to ask themselves one question: how do the police in Victoria feel when a mob like the one we have had in control for 11 years says, 'It is under control. We have enough police and we have enough resources for police in Victoria to do the job and control the crime rate'? How do those police feel today when we have a reactionary government that all of a sudden gets led by the opposition and is forced to come along and play catch-up, do backflips and show the most gutless style of leadership and governance imaginable? Government members have said one thing for 11 years, and when opposition members proposed something that they think may give them an electoral edge, all of a sudden members of this gutless government go cartwheeling backwards as fast as they possibly can to the extent where they then come along and copy the opposition's policies nearly to the letter. I want everybody to think for a second about how the police in this state feel about the way this government is treating them.

Having said those few words, I think we have more than a perception of violence, which the Premier keeps talking about. He says, 'We are going to increase policing so that we can at least deal with the perception of violence'. I tell the Premier that it is more than a 'perception' of violence. The streets are not safe in the CBD of Melbourne, nor are they safe in Ballarat, Bendigo or Geelong, or any of the other major regional centres around Victoria. It is more than a perception. The Treasurer knows it, and he has the ability to move in and stop this. It is an absolute shame that it has taken the coalition to lead the Premier and the Treasurer towards providing resources to Victoria Police to get this issue under control.

Members of this government are very quick to tell us that crime rates are falling and on the decrease, but we know that is absolute rubbish. The petty crimes of kids committing acts of burglary or vandalism — kids stealing pushbikes — may be on the decrease, but we know that crimes against the person and serious assaults have been trending upwards for four or five years, and this government prefers to look away from those figures and pretend that those figures do not exist. They know that assaults are up, that serious assaults are up and that crimes against the individual are up and have been trending up for years, yet we still have a Premier who tends to talk about the 'perception' of violence in this state. It is a joke, and the way this government is governing is a joke.

The three major planks on which any state government operates are education, health, and law and order. Government members have been led to the table on each of those three main planks, and they should be disgusted with what they have done. I wish we had a government with some courage that had the ability to lead rather than follow the opposition at every opportunity.

Mrs KRONBERG (Eastern Metropolitan) — It is with considerable pride that I stand here to support the motion of my colleague, Richard Dalla-Riva, who has brought this motion to this chamber with the full authority of the statistics that were revealed by the Productivity Commission's *Report on Government Services 2010*. However uncomfortable the government and its contributors are with the highlighting of aspects of this report, it is very important that we continue to shine light on the government's misdeeds, malfeasance and pathetic performance. When it comes to police numbers in Victoria, the rise in the number of violent crimes to 40 per cent and the rise in the number of assaults in general to 70 per cent, it becomes a very difficult proposition for people who want to invest in Victoria by conducting sports, theatre and outdoor events, including wine and food festivals, or for people who want to take their children to a playground or catch the train home from the tennis. People think twice about doing these sorts of things nowadays.

My interface with Victoria Police across the length and breadth of my region over the time that I have been an MP has been substantial. Many times I have been privileged to have quite detailed and intimate conversations with members of the police force. What they are able to say in an unfettered and unbridled fashion to me — about their concerns, their workload, about rostering, about the lack of resources, and their sheer lack of numbers — is something that they can demonstrate in other sorts of ways only by rolling their eyes towards heaven and demonstrating with quite clear body language what the problem is.

As my colleague Mr Drum has recently pointed out, we have led the way with the promise of an increase of 1600 police numbers over the four-year term of a Liberal-Nationals coalition government. We have led the way in saying that people will feel safe and secure from 6.00 p.m. on metropolitan and major regional stations throughout the state by having protective service officers guard people as they go about their business on stations and by removing the palpable element of fear.

The fear around railway stations is something that you can literally taste and feel. I can speak with enormous

authority because not so long ago my son was robbed at knife point at the Box Hill railway station. I can remember the state that he was in and how I felt when he was assaulted in such a way and had goods stolen, because they said, 'If you don't give us this, that and the other thing, we are going to kill you'. That is a bit of a motivator when somebody is standing there with a knife in your ribs.

From that point on I will always remain disgusted with the performance of this government. It is so tardy; it has taken so long to respond. It had to be the Liberal-Nationals coalition that led the way with the new police numbers, literally shaming this government into some form of action.

Government members have been asleep on their watch. They have covered up numbers; they have instituted smoke and mirror techniques. The debate in the house today is important, because it removes and demystifies all of the mumbo jumbo that this government puts around the stark reality. Everybody in Victoria knows that this government is a fraud; that its statistics are a fraud; that everything is massaged and manipulated. This motion has been moved by the opposition — from the erstwhile members of the Liberal-Nationals coalition — and we will spell out the truth and the reality with great pride.

We have a response to what Victorians want and need. When this Liberal-Nationals coalition government is elected in November it will provide 2640 new members of the police force and protective service officers to protect the people of Victoria. They can then safely go about the business of having a happy and safe life. They will not have to be huddled in corners worrying about who is going to attack them. Even when they are out here walking from Little Lonsdale Street to the Princess Theatre, they can be assaulted by people, because there is no means of protection.

That sort of thing goes on within spitting distance of Parliament House. It is up close and personal, and this government must stand condemned. Where has it been for the last 11 years? It is guilty of believing its own falsehoods. The Liberal-Nationals coalition has brought forward a viable answer to ensure the safety of Victorians once and for all, and importantly given them some hope that people are listening and that we will act.

Ms LOVELL (Northern Victoria) — I rise to join the debate and congratulate Richard Dalla-Riva on moving his motion. The productivity commission report highlighted the fact that when it comes to police, this government has neglected the needs of Victoria over the past 11 years. For some time now — in fact,

over the whole term of this Parliament — the opposition has been telling the government that it is not safe on the streets of Victoria.

We have been telling it that we need an additional police presence, but it has been saying, 'No, there are enough police. No, we have enough police, it is just the allocation of resources, and that is a matter for the Chief Commissioner of Police'. We know the former Chief Commissioner of Police was probably too busy doing other things than to worry about the deployment of police, just as she too busy was on 7 February to be fulfilling her role as deputy coordinator-in chief during the response to the fires.

Some time ago the opposition announced its policy on police. Firstly, it announced that it would recruit 100 transport police to man the trains at night, plus an additional 940 uniformed and trained protective service officers to man the stations in metropolitan Melbourne and in regional centres until the last train. This would ensure that people were safe on railway stations, because opposition members could see, and the community could see, that the railway stations had become unsafe; people were being bashed and stabbed. Unfortunately, public transport, and in particular railway stations, had become places where people were targeted with these types of crimes.

The opposition secondly announced the second tranche of its law enforcement policy: that was an additional 1600 front-line police. So the total is now 1700 police — that is, 1600 plus the 100 transport police, in addition to the 940 uniformed and trained Victoria Police protective service officers. That makes an additional 2640 law enforcement officers for Victoria.

This sent the Brumby government into a spin. First the government tried to say it could not be funded, the extra police could not be trained, they were not needed and we were being irresponsible; there were all sorts of excuses about our policy. Then what did the government do? A backflip: it adopted part of our policy — 1700 additional police — which was an admission that what it had been doing was below par, that it had been underresourcing our police force for some time.

The government endorsed the Liberal Party position; it endorsed the good work that has been done, firstly, by our former shadow Minister for Police and Emergency Services, Andrew McIntosh, and his parliamentary secretary, Bill Tilley — the members for Kew and Benambra in the Assembly — who did fantastic work towards this policy, and also our current shadow

Minister for Police and Emergency Services, Peter Ryan who is also the Leader of The Nationals and, who released the policy some weeks ago.

In this week's budget the government has matched the opposition's commitment to recruit 1700 additional police, but it still has not matched the 940 additional protective services officers, nor has it matched the time line for the delivery of those police. The Liberal-Nationals coalition has said it will deliver its police policy over four years.

The Police Association came out and said, 'This is a good policy, and, yes, we accept that. Although we think we need 3000 additional police, this is probably the most police we could put through the police academy and train in that time frame'. When the government came out and matched those 1700 police it said it would deliver them over five years. Even though the government has matched part of our policy, it has not matched it within the same time frame. It certainly is not going to deliver for the people of Victoria as quickly as the coalition's policy would do.

I would like to mention a couple of areas within my electorate where violent crime has escalated and where we are also particularly short on police numbers. We are short in the city of Greater Bendigo, where we are told by the Police Association we need an additional 81 police officers. In Greater Bendigo between 2000–01 and 2008–09 the incidence of rape increased by 300 per cent, sexual assault increased by 55.6 per cent and assault increased by 67.1 per cent. These are pretty damning figures for the city of Greater Bendigo, and it is also fairly damning that the Police Association is saying we are short 81 police officers in Bendigo.

In Bendigo we have only two patrols that service a city of over 100 000 people on a Thursday, Friday and Saturday night. We have had two patrols since the mid-1980s when the city of Greater Bendigo, or the shires that made up what is now the city of Greater Bendigo, had a population of about 67 000 people. Two patrols is four police officers for over 100 000 people; it is hardly adequate. In fact, on most Saturday nights the police in Bendigo cannot even man the brawler van, as there are not enough of them. The city of Greater Bendigo is desperately short of police.

I conducted a survey with the banner 'Making Victoria safe again'. A response from a constituent who lives in Bendigo says:

On three separate occasions in Bendigo recently I have called 000 for police attendance. Each time D24 has said, 'What do you want us to do about it?'. One incident was a death threat

in a car park. The D24 man hung up on my daughter three times after her boyfriend was bashed at the marketplace in Bendigo.

I do not have any confidence in police any more. I feel they just don't care.

I feel that last part about not having any confidence in the police and the police not caring is unfortunate. The problem is that our police are underresourced, and they cannot respond because of a shortage of numbers.

We know this also happened in Bendigo in September last year when a constituent of mine, Carol, who lives in Napier Street, Bendigo, experienced a very frightening incident. Her front gate was kicked off its hinges, as was her security front door, and drunken louts were banging on her front door so hard that they loosened the stained-glass window pane in the door. Whilst this was happening, Carol was on the phone to D24. The advice from the person on the phone, a female officer, was 'I'm sorry. I do not have anyone to send to help you. Just go and turn on the front light and perhaps they will go away'.

When I spoke with our district inspector on the Monday following the incident, he was most apologetic. He listened to the tape, he could hear what was going on, but the reality is the police in Bendigo are so underresourced they just do not have anyone to send to these types of incidents.

We value the work of the police in our electorates. We think they do sensational work considering they are so underresourced. It is an indictment of this government that these things are happening in anybody's electorate. When it happens in the police minister's own electorate and there is no response, it is a fairly sad indictment of the police minister as well as the government.

In my hometown of Greater Shepparton we have also had some very unfortunate incidents. MPs never like to speak about their electorates, and in particular their hometowns, in a light that might badly reflect on that community, but we have had incidents in Shepparton, particularly in our nightclubs, where people have been stabbed. We have seen guns brandished in the nightclubs, and we have had some very serious antisocial behaviour happening on the streets. In Shepparton we now find we have a problem with gangs — groups of young people who are roaming the streets looking to cause trouble.

The Police Association tells us that we are 50 police officers short in Greater Shepparton. I personally know many of the police officers in Shepparton, so I know how dedicated they are to their work. I know what great work they do. I have been out with them from midnight

to 5.00 a.m. to observe exactly what happens on a Friday and Saturday night in the nightclubs. I have seen how hard they work, and I have also seen what a difference a police presence on the street makes. When a police car drives into a street where antisocial behaviour is happening, that behaviour soon stops; people pick themselves up and behave better just because of that police presence. If we were to have adequate police in Shepparton, we know we could improve behaviour on our streets.

Some other areas in my electorate that are short on police are Campaspe where they are 47 police officers short. In Mildura the figure is 42; in Swan Hill, 9; in Wangaratta, 20; in Wodonga, 37; and in the Yarra Ranges, 26. There is a lot of work to be done to provide adequate police resources in this state to make up for the neglect that has happened under this government over the past 11 years, to make Victoria safe again and to give Victorians the confidence that they are safe in their communities.

As I said earlier, I congratulate Richard Dalla-Riva on bringing this motion before the house. I also congratulate Andrew McIntosh and Bill Tilley, the members for Kew and Benambra in the other place respectively, and the Leader of The Nationals in the other place, Peter Ryan, for their involvement in the writing of the coalition's policy that the government has now partially copied. Perhaps I should congratulate the government as well for recognising what a good policy the coalition has put forward and for picking it up, so that at least part of it can be implemented six months prior to the November election.

I am sure the people of Victoria join me in hoping for a change of government in November so that we can see the full coalition policy implemented and see our communities become much safer again.

Mrs COOTE (Southern Metropolitan) — I wish to congratulate Richard Dalla-Riva for moving the motion and for bringing this problem to the notice of the chamber. I commend him for listening to the community, for understanding what the issues are out there on the ground and for formalising what is a major problem for all Victorians.

Quite a lot of water has flowed under the bridge since this motion first appeared on the notice paper. Noticeably we have seen an excellent policy put out by the Liberal Party, to put an additional 1600 police onto the streets. There will be a visible presence; these police will not be just sitting behind a desk or relieving other staff, they will be physically out on the beat. We have also seen the Liberal Party say it is going to put

protective services officers on all railway stations and give them the authority to make certain that all stations are safe for public transport users.

We have also seen what the government has done. As many previous speakers have said, the government has come up with a policy of employing 1700 additional police. I think all of us would welcome that, but we have to be very careful that those police are used in the proper way: not just behind a desk, not to relieve someone on maternity leave or holiday leave or for something else that involves pushing a pen behind a desk. That is not the way it needs to be. Everybody in this place will have had constituents saying to them, 'Put the police on the beat. Put them on the streets. Show people that there is a police presence'.

I am on record in this chamber as having many times drawn attention to issues in Prahran and St Kilda, and in the Southbank part of my electorate. This is particularly so at the weekend when people come to those areas with the specific purpose of belting up or king-hitting people who are trying to enjoy a civilised evening out in the terrific nightspots in those areas.

The Stonnington Accord has been promulgated by the joining together of the council, the traders, the residents, the police and the nightclub owners. It is an attempt to try to make the Chapel Street area safe at night so that revellers can come and enjoy a good night out without being glassed, bashed or king hit. All of us will remember the horrendous television footage filmed at Hungry Jack's on the corner of Commercial Road and Chapel Street, where a young man was literally beaten to a pulp. The fact that the perpetrators of this crime were let off with a slap on the wrist says an enormous amount about this government's attitude to proper sentencing for crimes that have been committed.

The situation was atrocious. This young man, an aspiring footballer, was violently assaulted. His life was changed irreparably and his potential football career damaged as well. It is not just about this young man: it is about the community, his family and his friends. One violent assault against anybody in any community — for example, in Bendigo, which my colleague Wendy Lovell mentioned; in Shepparton; in Prahran; in Albert Park; or wherever it happens to be — has ramifications for the community and for the families of the victims. It is important for us to understand and to know that we need to do something about this problem.

I commend the police in Stonnington; they are an integral part of the Stonnington Accord, and there is a very visible police presence in Chapel Street on a Saturday night. The police do great work there, but the

tragedy is that they are being redeployed from other suburbs such as Malvern and further afield. This means that if crimes are being committed in those areas on a Saturday night, there are no police to support them. Furthermore, if there is a major incident happening in another hot spot in or around Southbank, those police are redirected there. This does not give our community a sense of security.

People in my communities tell me all the time that they are concerned about safety on the streets. An inspired woman by the name of Margaret McLean has formed a very good group called Reclaim Chapel Street. This group is made up of old and young people, people from different ethnic groups who are all residents in the Chapel Street vicinity. They just want to feel they can live in a safe environment. They are not prudish; they do not want people not to have a good time, they just want everybody who comes into that vicinity to have a safe time. I hear the same story in Fitzroy Street and in the Southbank region as well. We have to address this night culture and make it safe for people to go out at night.

But it is not just at night that people are unsafe. Last year in my electorate there was the tragedy of an elderly man who went on a final walk around his community to say goodbye before going to a nursing home. He was beaten to death by a woman in broad daylight on a Friday afternoon. This is absolutely unacceptable. If the woman who perpetrated the crime had felt concerned that there would be a police presence and someone there to watch what she was doing, then perhaps she might have had other thoughts. But we will never know, and it is a tragedy for our community and a tragedy for that poor man and his family.

One of the crime statistics for St Kilda shows it is now one of the top 40 suburbs where residents are most likely to be burgled. The statistic is from an RACV home security analysis. Assaults in the shire of Stonnington have increased by 40.2 per cent. Each one of the 732 people who have been attacked have a story to tell. They have a life that has been changed and damaged. Assaults in the shire of Port Phillip are up by 42 per cent, but more worrying is the 10.8 per cent increase in violent crime, including glassing. These things have a long-term impact. Imagine if you were a young person going about your business in Fitzroy Street on a Saturday night and for whatever reason someone decided they were going to glass you, so they smashed a bottle and glassed your face, and physically you ended up with damage for the rest of your life and psychologically your life was altered also.

It is good to see 1700 additional police being put on the beat by the Brumby government, but I would have to say it seems to be political expediency. The Bracks and Brumby governments have been in office for over 10 years, and now that we have an epidemic of violence on streets right around Melbourne we are finally getting sufficient police on the beat. That is also a direct result of the success the Liberal Party has had in announcing its policy of having an additional 1600 police on the beat and protective services officers on railway stations.

The Brumby government has announced a one-off initiative of 1700 new police, but the Liberal Party has a concerted approach to crime in the state with 1600 additional police on the beat and protective services officers on train stations. The other coalition law and order policies we have already flagged include having a safer train network, having protective services officers at every station, abolishing suspended sentences, introducing tough new anti-hoon laws, crushing offenders' cars, banning violent drunks from licensed premises, banning the sale of knives to minors, having a shake-up of liquor licensing laws, strengthening Neighbourhood Watch, establishing a new anticorruption watchdog, ending home detention and outlawing criminal bkie gangs. We are on the record with a whole package of very good and well-thought-through grassroots policies that will reflect safety on our streets and in our communities.

I want to finish by reading an email I received from a young woman, which says:

... I read that Labor blames 'alcohol-fuelled violence' for the result in Altona.

Take off the first two words (alcohol-fuelled) and then you might see what Victorians are really angry about.

Victorians are sick of violence, whether it's spite fuelled, drug fuelled, alcohol fuelled, stupidity fuelled, racially fuelled, anger fuelled — whatever!

...

Violence is violence — and it is increasing.

You're not safe in Hungry Jacks, at the footy, walking down the street, driving a cab, on trains, if you're Indian, if you're a spouse, if you're an ambo or nurse, in the schoolyard, when you're driving, and in a whole list of other places.

We have to change our behaviour. I believe the government should wake up and look at this entire debate, because some very good elements have been brought out in it. I commend Mr Dalla-Riva for bringing the debate to this place, and I encourage the government to go back to the drawing board and to increase safety on our streets.

Mr DALLA-RIVA (Eastern Metropolitan) — I am pleased to speak in reply on the motion. I want to express my appreciation to all members for their detailed contributions. The motion was moved and debated on 14 April; I do not propose to go through the contributions of each of the members who spoke. In the early stages of the debate the general theme from government members was one of rhetoric. They said the motion was hopeless and could not work. We put forward a suggestion in relation to the continuing increase in violence against the person and noted with concern the Productivity Commission's report on government services which referred to Victoria having fewer operational police per capita than any other state in Australia. We indicated that at the next election we would be committing, through our Making Our Streets Safe Again policy, \$344 million to establish an additional 1600 recruits in our first term of government, in addition to the \$200 million commitment through our Stopping Crime in Its Tracks policy, which was released on 8 November 2009, to establish a dedicated unit of 940 uniformed and trained Victoria Police protective services officers plus the additional 100 Victoria Police officers to work in the transit safety division.

We can see a clear difference between the debate on 14 April and the government's subsequent announcement in the budget. How its tune has changed! In the early stages of the debate the government did not believe our motion should be supported, yet it has just announced a policy to support what it is it thinks it should not be supporting — —

Mr Barber — Should we congratulate them?

Mr DALLA-RIVA — We should probably congratulate them.

Mr Barber — Move a motion!

Mr DALLA-RIVA — It is a bit late. I am just speaking in reply. I could have done that, Mr Barber; it is a very good point.

Mr Barber — You can all hold hands and skip off together.

Mr DALLA-RIVA — Mr Barber says we can all hold hands and skip off together. The issue is the government has followed our policy announcement, which shows that the motion before the house is sound and which acknowledges the increase in violence in this state and the fact there are not enough police on our streets. The government has even acknowledged that in its budget announcement. It is a budget in reaction to our policy announcements. It is a reaction to the fact

that there are significant issues in relation to violence on our streets and that people do not feel safe on trains, trams or buses in our state. They do not feel safe walking down the street.

The government says it cannot believe what the coalition in government will do, but it says, 'Coincidentally, we are going to do the same'. As has been pointed out by a number of members, it smacks of opportunism. Following on from the budget all government members have been reading from the same hymn sheet. The first person to read from the hymn sheet was Mr Tee, and each of the government members has continued the process.

I was interested to hear Mr Barber's contribution. He said he understood about policing and its complexity; as he said, a complex mix of measures is necessary. We have that process in place, and that is why our motion talks about another policy announcement. We understand policing is not just about putting in numbers; I understand that. That is why we have our Stopping Crime in Its Tracks policy. We have spoken about dealing with sentencing provisions. We have made our position very clear — as opposed to the position of the government. There is a clear difference between the way we believe law and order ought be delivered in this state and the way the government views it.

Despite being in office for years, the government now decides — something like 15, 16 or 20 days after our policy announcement — that it will replicate our policy. This is catch-up policy by this government. We know that from the policy after policy that we have produced.

Mr Kavanagh in his contribution spoke about knife attacks, population density, public policy, education, jobs, which is what Mr Barber talked about, and the issue of pokies breeding crime. There is a whole raft of issues. As I said, this is a multileveled issue that we need to be aware of. Fundamentally it is about understanding the facts, and the facts are that we have the least number of police per capita of any state in Australia. One government member said that because it has always been like that it will continue to be like that. I thought the rhetoric from the government was pretty shallow.

There has been a consistent increase in crime against the person under this government; it has increased by something like 40.2 per cent. That is a figure that we as a community should not accept. We should not accept that that is the case. We note that crime is rampant. A number of members have talked about the crime rate in metropolitan areas and in regional and rural areas of

Victoria, and we have heard about the lack of response from the Premier and the minister. This is another example of the government throwing money out to try and do some catch-up. When there is a significant policy announcement to deal with the problem of crime and violence, such as this one, it is important for the chamber to acknowledge that the police have been raising the need for more police officers year after year. We understand the concerns about those who travel on our public transport, and we deal with that in our policy. The chamber should acknowledge that.

As Mr Barber said, we could have a motion that covers a whole raft of things. I agree with that, but this motion was moved in April this year because of what we knew at the time, and the fact is that the government is continuing to play catch-up.

I want to make one change to what I said in my earlier speech. I admit I could not add it up correctly. Page 1347 of *Hansard* of 14 April quotes me as referring to 2300 additional law enforcement officers, but 1600 plus 940 plus 100 equals the great number of 2640. It shows that even I can make a mistake on that particular count! The bottom line is that under our policy there will be 2640 additional law enforcement officers, which far outstrips that proposed by the mob on the other side. I commend the motion to the chamber.

House divided on motion:

Ayes, 18

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

Noes, 22

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

Motion negatived.

**DRUGS, POISONS AND CONTROLLED
SUBSTANCES AMENDMENT
(PROHIBITION ON DISPLAY AND SALE
OF BONGS) BILL**

Statement of compatibility

**Mr KAVANAGH (Western Victoria) tabled
following statement in accordance with Charter of
Human Rights and Responsibilities Act:**

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006, I make this statement of compatibility with respect to the Drugs, Poisons and Controlled Substances Amendment (prohibition of Display and Sale of Bonges) Bill 2010.

In my opinion, the Drugs, Poisons and Controlled Substances Amendment (prohibition of Display and Sale of Bonges) Bill 2010 is compatible with the human rights that are protected by the charter.

The purpose of this bill is to amend the Drugs, Poisons and Controlled Substances Act 1981 to prohibit the display and sale of bonges and to limit the display of hookahs.

There is at least one human rights issue addressed in the charter which is possibly raised by the bill. Property rights are dealt with under division 2 of the bill which provides for the seizure of bonges and hookahs and their components in certain circumstances.

Under section 20 of the charter, 'A person must not be deprived of his or her property other than in accordance with law'.

If the bill is passed, any seizure of bonges, hookahs or their components will be allowed only according to law and would therefore would not be contrary to the charter.

Second reading

Mr KAVANAGH (Western Victoria) — I move:

That the bill be now read a second time.

The purpose of the Drugs, Poisons and Controlled Substances Amendment (Prohibition of Display and Sale of Bonges) Bill 2010 is to discourage the public display and sale of bonges in Victoria. No doubt, even if this bill is passed it will not completely end the sale and display of bonges, but there are still very good reasons for its enactment. Those reasons include curtailing the harm to physical and mental health done by marijuana, limiting the power of this drug to lead to other even more destructive and addictive drugs and reducing the encouragement that the open display and sale of bonges gives to young people to begin consuming cannabis.

Opponents of marijuana have long been ridiculed by its proponents. Many of us have probably watched the film *Reefer Madness* at university, for example. *Reefer*

Madness, made in 1936, presented the case against marijuana in ways that seemed absurd to later generations. It has often been shown in more recent times in order to ridicule the film's basic contentions that marijuana is harmful and properly illegal. The style of that film made its warnings appear nonsensical to audiences of the 60s and beyond, but its basic message — that marijuana consumption is harmful — is even truer today than it was when the film was made.

The debate in Australia over marijuana has hardly changed in more than 40 years even though, over that period of time, the drug itself has changed dramatically. Marijuana is no longer the relatively mild drug that it was in the 1960s. Its active component, THC, has increased dramatically. Some researchers claim that, through genetic engineering, the THC content of marijuana has increased from about 1 per cent around 1970 to more than 30 per cent in some cases today. During the first quarter of 2009, University of Mississippi researchers reported that the THC content of 'super pot' seized during the period was 27.3 per cent, and some samples had up to 37.2 per cent THC content (quarterly report — potency monitoring project, National Institute on Drug Abuse, 15 March 2009, page 6). Some dispute this degree of increase in the potency of cannabis, but it is clear that whatever the precise degree of increase, marijuana is now much more powerful than it was a few decades ago, even though the public debate and assumptions about marijuana being a soft drug have hardly changed at all.

Marijuana consumption is clearly very dangerous to physical and mental health. In respect of mental health there is an obvious and very strong link between marijuana use and the development of mental illnesses including schizophrenia and paranoia. This is so easily observed among regular marijuana users that it hardly needs elucidation here.

In the face of a huge preponderance of evidence, those who defend cannabis argue that people who are prone to mental problems are the very people who smoke marijuana in the first place. Some proponents of marijuana argue that cannabis merely brings out mental problems among those who have pre-existing dispositions; but is that not being a bit too clever? Does it not amount to playing with words?

The fact is that many young people who are developing mental illnesses would never have manifested or developed such problems if they had never smoked marijuana. Yesterday three ladies visited me in my office here in Parliament House. They told me that among their children they have a total of four or five

sons who now have severe drug dependency problems. Those men are now all aged in their early 30s. Those ladies fear that all of their sons will die very soon as a result of drug addiction. They told me that their sons began their many years of drug abuse by using marijuana in their teens and that the majority of them showed clear signs of marijuana consumption by an obvious deterioration in their behaviour, including uncharacteristic aggression and in some cases violence.

In 2002 the *British Medical Journal* published the results of a study undertaken on cannabis use and mental health in young people (*BMJ* volume 325, 23 November 2002). The study was based on a review of 1601 middle school students in 44 schools right here in Victoria, undertaken by a team led by George C. Patton, professor of adolescent health at the Centre for Adolescent Health, Murdoch Children's Research Institute, Parkville. The study showed that some 60 per cent of participants had used cannabis by the age of 20, and 7 per cent were daily users at that point. Daily use in young women was associated with an over fivefold increase in the odds of reporting a state of depression and anxiety after adjustment for intercurrent use of other substances. Weekly or more frequent cannabis use in teenagers predicted an approximately twofold increase in risk for later depression and anxiety after adjustment for potential baseline confounders.

In addition to problems that we all know about resulting from marijuana use, being schizophrenia and paranoia, depression and anxiety are also long-term problems for marijuana users.

The damage being done by cannabis is not limited to the brain. In 2008 Dr Richard Beasley, director of the Medical Research Institute of New Zealand, and his colleagues reported their findings on the cancer risk of pot smoking in the *European Respiratory Journal*. They warned of an impending, 'Epidemic of cancer caused by cannabis'. Their research showed that each joint had the effective carcinogenic power of 20 cigarettes.

On 23 January 2000 the *Observer* newspaper in the United Kingdom ran an article by health editor Anthony Browne 'US research says cancer more than twice as likely for cannabis smokers'. It stated that for decades it has been the retort of cannabis smokers that dope is not as bad for you as cigarettes or alcohol. But after years of ambiguous research, US scientists now claim it is worse. Regular smokers of cannabis can be more than 30 times as likely to get cancer of the neck, throat, mouth and larynx as those who have never

inhaled. Nor does giving up the weed cut the risk. According to the research, quitting does not reduce the damage. This study, carried out in New York, was the first to definitely link the smoking of joints to full cancers of the head and neck.

There are mixed views about the effects of using bongos compared with consuming marijuana without bongos. It is claimed on the one hand that the water in bongos removes some impurities, making the drug less harmful per puff, but that water in bongos also simultaneously removes some of the THC, causing users to take more puffs to achieve the same high.

It is also often passionately claimed that in some circumstances cannabis can have health benefits. There is some evidence that cannabis can also be used in some forms to treat some diseases. This is possibly true. No doubt the introduction of new, effective drugs would be a very welcome development, regardless of their botanical source. It is also true, however, that passage of this bill would not prevent the medicinal use of cannabis in the event that it is found to have therapeutic value in particular cases.

My main problem, however, is the effect that the open display and sale of bongos in Victoria has on the attitudes of vulnerable people. A young person in this situation will observe that the very implements that are specifically designed and manufactured to consume marijuana are openly sold in shops. Surely teenagers who are tempted to use marijuana by the desire to rebel at their age and by claims that it is fun and pleasurable — which no doubt it is — take encouragement to use cannabis from seeing bongos openly displayed in Victorian shops. Who could blame that teenager for concluding, when they see shops full of bongos, that Victoria's laws against marijuana consumption are a joke?

Indeed, from this building one can walk not very far at all down Bourke Street, to the second shop after Russell Street, to see this. Two weeks ago I did this and counted more than 200 bongos in the front window, including probably more than 50 different types of bongos, some of which were in the shape of a human skull, for example.

If that young person is encouraged by the open sale of bongos to use marijuana and goes on to develop some or all of the effects of cannabis use, like addictions to other drugs, mental illnesses and physical problems such as tumours in the head, might he be somewhat justified in feeling that his politicians had let him down? Might he not reasonably feel that by allowing

the open display of bonges and sale of bonges, members of Parliament had actually suggested to him that there was nothing harmful or wrong about cannabis?

It was widely argued in the past that marijuana leads to the consumption of other drugs of addiction. The three ladies who visited me yesterday told me that all of their sons who are now addicted to drugs began their lifetimes of addiction to a range of drugs, including heroin and ice, by using marijuana. One of my cousins, whom I loved dearly and who was younger than me, died prematurely after a lifetime of using prescription drugs. His father told me recently that my cousin began his drug problems by using cannabis when he was a teenager. He feels sure that his son would be alive today if he had not begun smoking marijuana when he was a teenager.

I understand the passage of this bill will not suddenly put an end to all our drug problems and it will probably not even have a very large impact on the rate of cannabis use in Victoria. Experience in other states suggests that it is difficult to entirely eliminate commercial bonges. It is also not very difficult to manufacture a homemade bong if commercially made bonges become unavailable. Passage of this bill would nevertheless bring some significant benefits.

Allowing the open display and sale of bonges creates commercial establishments that have a strong financial interest in getting young people to use marijuana. This can obviously lead to a marijuana habit, if not addiction, and a progression to addiction to other drugs.

After announcing my intention to propose this bill, one of my brothers told me a story involving his son that I had never heard before. When he was about 14 years old, my nephew told his parents that after he had got off the train on his way home from school, while wearing his school uniform, the female owner of a shop in a shopping centre approached him and his friends in the vicinity of the train station. She told them that cannabis was a lot of fun but to really enjoy it, they should buy a bong from her nearby shop. This is what she said to a group of 14-year-olds. My sister-in-law and brother were both furious when they were told what had happened. They are people with resources and of intelligence and determination in unusual abundance. They pursued this matter, which resulted in some, though limited, action against the would-be bong seller. Unfortunately a majority of Victorians whose children are abused in this way — and I think it is abuse of an under-age person — do not have the wherewithal to take effective action, even in the fairly unlikely event that they ever find out about it.

The three ladies who visited me yesterday told me something that I have heard from many other people — their sense of helplessness when they realised that their sons were addicted to drugs. They said they find it outrageous that bonges are sold openly. They are frustrated and angry when they hear people suggesting that marijuana is harmless. One of the ladies said it would be less harmful if heroin were legalised than marijuana. These ladies try to help other parents who are beginning to experience what they have been going through for nearly 20 years. They are angry that although they have been dealing with the effects of illicit drugs for nearly 20 years, they say that there have been no significant improvements in the way we deal with drugs during that whole period.

Clearly there are other actions apart from banning the display and sale of bonges that could be taken to effectively deal with drugs, that we are not doing now. One of the ladies yesterday suggested that a system of linking databases of pharmacists and doctors is necessary to prevent addicts shopping around for prescription drugs that are provided at no cost or almost no cost to users who have health-care cards — that is, almost everyone who is unemployed, among others.

In my opinion the system instituted in Sweden that compulsorily detoxifies and rehabilitates those with drug habits is the only effective strategy. In the case of teenagers who are found to be consuming marijuana, attendance at a non-custodial, anti-marijuana course like that provided for drink drivers in America could provide an option for desperate parents who presently feel helpless to help their children.

It would be expensive to introduce such measures but one look at our criminal justice system will immediately reveal the costs of not taking such action. Compulsory detoxification and rehabilitation are the basis of the correct approach, partly because they involve intervention at the earliest stage possible — the point in time at which intervention is most likely to be effective. Unlike the banning of the display and sale of bonges, such a systematic change to our approach to illegal drugs would require not merely a single bill. It would require changes to dozens of pieces of legislation and to the policies of varied departments — clearly a task for a government rather than a private member.

Marijuana consumption is extremely harmful to both the mind and to the body. It not infrequently leads its often young consumers to other drugs. It entices those who may not know much better and ends up killing some and robbing others of their mental health. If we fail in our duty to protect the public, especially the

young, do we not share in responsibility for the harm it eventually does, particularly to those who were not yet adults when they began to consume this drug?

It seems to me that a person now in his 30s or 40s, for example, who has been addicted to various drugs since his adolescence might reasonably be able to claim that when he was a teenager he knew there were laws against marijuana, but at the same time he also saw bongs openly and legally for sale. He might feel and indeed contend that in making the laws against this dangerous drug seem like a joke by allowing bongs to be openly displayed and sold, politicians failed him when he was a teenager, just when he needed the benefits of the guidance and advice of those who were older and those who knew better — when he needed our help and advice and guidance.

Might he not be justified in saying that when he was young and inexperienced and perhaps somewhat foolish, those who were elected to use their experience and their wisdom for the benefit of the community, including his benefit, failed to do so? Could he not reasonably say that leaders of his society declined to effectively warn those in need by banning the public display and sale of instruments that clearly have no other purpose than to facilitate the consumption of marijuana?

I commend the bill to the house.

Debate adjourned on motion of Mr SCHEFFER (Eastern Victoria).

Debate adjourned until Wednesday, 12 May.

Sitting suspended 6.31 p.m. until 8.05 p.m.

GOVERNMENT: SERVICE DELIVERY

Mr O'DONOHUE (Eastern Victoria) — I move:

That with the Victorian Labor government now in its 11th year, this house expresses its concern —

- (1) at the deterioration of critical services provided to the Victorian community, including health, policing and community safety, transport, education and community services;
- (2) that Victoria's taxpayers are not receiving value for money from the Brumby government; and
- (3) at the serious decline in transparency and reporting under this current Victorian Labor government, and believes the Victorian people deserve better.

I am pleased to lead the debate on this motion for the coalition. It follows previous debates this afternoon and

on previous Wednesdays about the very important issue of service delivery, which is at the heart of the responsibility of a state government. We have seen that as various regulatory responsibilities for areas such as industrial relations and separate corporations powers migrate to the commonwealth, service delivery has become more and more the clear focus and responsibility of the states.

To deliver good services, a government needs revenue. Together with productivity, revenue determines the output of a government. With that in mind, it is worth noting that in the budget handed down by the Treasurer yesterday, and in the current financial year, the commonwealth will provide over 50 per cent of the revenue for the state. I mention this because the fortunes of the state are therefore now connected to the health of the federal government. During the period of the Howard government this suited the Labor states, including this one, because they could rail against their political opponents on the one hand whilst enjoying the stability, economic growth and revenue provided by the macro policies of the commonwealth. What concerns me now that we have a different regime in Canberra, a regime that arguably is falling apart at the seams, is that that stability and growth can no longer be guaranteed for the state.

The Treasurer on many occasions has supported the federal government's stimulus program. In response to a question without notice from Mr Scheffer in February the Treasurer spoke about projects funded in Gippsland by federal stimulus money. Today, after a question from Mrs Peulich, the Treasurer backed away from endorsing the Building the Education Revolution program, which is very different from the material that we see Labor MPs putting out in their electorates containing photos of them with hard hats on at BER project site.

I suppose the point of the matter is that we have seen the waste of billions of dollars under the Rudd government. Prime Minister Rudd would have been better off having the good old Keynesian program of digging a hole and filling it in again than the home insulation program, because digging holes and filling them in again does not leave electrified roofs and all the other problems associated with the BER program.

Hon. M. P. Pakula — What? You are mixing up the BER with home insulation.

Mr O'DONOHUE — Sorry, I meant home insulation. I thank the minister.

The Treasurer talks about vertical fiscal imbalance and the challenges to the states when they do not have responsibility for levying the revenue which they have the responsibility for spending. The recent health deal agreed to by the Premier, the Treasurer, the Minister for Health and the Brumby government will just reinforce that vertical fiscal imbalance. Thirty per cent of the GST is now quarantined for health in a joint fund administered by the commonwealth. We are only one crisis away from another 10, 20 or 30 per cent of the GST being siphoned off some other program administered and managed by the commonwealth, further reducing the ability of the states to have responsibility for their own finances.

I see very dark days ahead and uncertain times for the Victorian economy and the Victorian government going forward with such a dependence on the commonwealth, which is now borrowing money at a rapid rate and has shown an enormous propensity for waste. That creates challenges going forward. That is the macro environment in which we currently find ourselves.

I would like to say one last thing on the macro picture, and in particular about the new resources tax that has been proposed by the commonwealth. I note that the Treasurer in his press release of Sunday, 2 May, stated:

The Brumby Labor government has welcomed the Rudd government's response to the Henry tax review which will help Victorian businesses capitalise on the emerging global economic recovery.

I do not know how a 40 per cent tax on the revenue of the world's largest miner, which has its headquarters a few hundred metres from here, will help Victoria and economic growth in Victoria. Hundreds of thousands of Victorians are members of superannuation funds which would hold enormous numbers of BHP shares, Rio Tinto shares, Xtrada shares and other mining stocks that will be hit by the new resources super tax. I had forwarded to me a briefing note issued by an investment bank, which states:

We believe that global resources markets will suffer from a global synchronised post-restocking 'hangover' this summer as we now anticipate negative sequential demand for resources in the developed world by Q410 —

that is, the fourth quarter of 2010 —

following the most aggressive restocking since 1984.

The briefing note goes on:

Proposals to hike tax paid on Australian resources is likely to unsettle Australian investment and m and a —

that is, mergers and acquisitions —

prompt similar higher tax fears in other mining environments undercutting confidence —

in Australia.

Of course much of the mergers and acquisitions work which companies like BHP Billiton are involved in use the services of Melbourne-based lawyers, Melbourne-based accountants, Melbourne-based mining engineers and other Melbourne-based specialists — investment bankers and the like. A new super tax on mining will not just affect Western Australia and Queensland; it will affect Victoria, and it undermines confidence in Australia as a place to do business.

I turn to the three limbs of the motion. The first details issues associated with deterioration of critical services. We debated a motion before the dinner break on policing and community safety, so I do not want to reiterate what was discussed previously. However, it would be fair to say that following the lead of the opposition the government has come out and announced a new policy on policing. This announcement proves that the statements made by government members over the last decade have been false. For the government to come out and make the commitment it has to providing more police underlines that Victoria faces a crisis because of the current numbers of police, and this issue must be addressed going forward. Moreover, as Mrs Coote, Mr Dalla-Riva and others have said, at the heart of the law and order crisis in Victoria is more than just the lack of police. It needs a complete response, such as the coalition's proposal in relation to such issues as the abolition of suspended sentences, changes to liquor licensing laws and the like.

Even today we face great challenges in public transport. The issues associated with the Siemens trains in particular have been the subject of much debate over the last 12 or 18-months to two years. For some reason the problem of trains overshooting railway platforms has not been fixed and does not appear to be able to be fixed. I call on the Minister for Public Transport to deal with this issue and to take a hands-on approach to this problem so that the grave and serious issue of train overshoots is addressed once and for all.

Earlier today we had a debate about train services and more generally about public transport. It is good that the Select Committee on Train Services will have the opportunity to look into the issue of the myki ticketing system. The Minister for Public Transport, who is in the chamber, continues to state that it is not possible to buy an off-the-shelf system and that it is not possible to customise an existing system. We have been down the

farcical route of waste and extended time delays, which has cost the Victorian taxpayer hundreds of millions of dollars. There must be a better way, and I look forward to being part of the committee which will examine that issue.

In his response to the annual statement of government intentions the Leader of the Opposition issued a document entitled *Victorian Families — An Economic and Social Analysis of Labor's Policies*. Amongst other things that document demonstrates the deterioration of average commute times and speeds travelled by trains throughout metropolitan Melbourne during the morning and afternoon peak. The document also shows a slow and gradual deterioration in customer satisfaction with the train system. Metro Trains Melbourne has failed to substantially improve services as promised by the Premier when Metro took over the franchise from Connex, and a number of challenges in public transport and road transport have not been dealt with as promised.

I turn to the issue of education. There has been a gross underinvestment in public secondary education in the growth corridors of Melbourne. As I said earlier today, I am pleased that the coalition has committed to building the new Officer secondary college in the growing Berwick to Pakenham growth corridor. The growth corridor will grow by 70 000 people over the next 20 years, and the government must provide adequate education for young families who choose public education.

When the government proposed to introduce up-front TAFE fees the opposition, the Greens and others warned the government that this would lead to declining enrolments and access issues for people with a low disposable income. What we see in the budget and in TAFE enrolments for this year is that those predictions have come true. At a time when construction is more and more critical to the Victorian economy as the economic base of Victoria has narrowed, and as we rely more and more on the housing sector for jobs, to be limiting the supply of qualified tradespeople through the TAFE system and to be limiting the supply of other qualified people through the TAFE system not only is reprehensible for individuals but makes no sense for the economic wellbeing of Victoria. A number of challenges in the education system confront the government.

The last component mentioned in the first paragraph of the motion is about community services. Since being elected to this place I have been amazed at the way in which carers in our community have to deal with the challenges of a disabled relative, friend or child. There

has been much debate on the issue in this place. I recall a previous debate during which Mr Hall said that he has been debating these matters for 20 years, but sadly the plight of carers does not seem to improve, notwithstanding the debates we have had and the advocacy of people such as Jean Tops from Gippsland Carers Association and the advocacy of others in our community.

I will quote from a press release issued yesterday by the Gippsland Carers Association. The press release is headed 'Big Brumby budget fails disabled and carers and ignores government inquiry findings' and it states:

Today's big budget, Brumby government announcements aimed at big voter blocks for the next election, fails people with disabilities, and ignores the key recommendations of their own inquiry into disability accommodation services. The recommendation to fund the 2300 places needed for those waiting years on the high-priority disability waiting list for supported accommodation and support to live in the community go into the dustbin of wasted taxpayer-funded resources along with the 100 others the inquiry put forward.

Speaking for the Gippsland Carers Association, president Jean Tops said: 'Long-suffering Victorian families caring for a loved one with a dependent disability are entitled to be as mad as hell at the never-ending short-changing of urgent disability support services'.

And so it goes on, and indeed it is true.

It is very sad that people such as Ms Tops and others who care for a child with a disability are still left with the question of what will happen when they go. To me, that is emblematic of the challenges confronting community services. There has been a range of issues associated with child protection, and those issues deal with the most vulnerable in our society. Notwithstanding the investigations, the issue of child protection is a significant one, with vast numbers of unallocated cases and children not being given the care and protection they desperately need.

Paragraph (2) of the motion states that 'Victoria's taxpayers are not receiving value for money from the Brumby government'. The M1 upgrade was supposed to cost \$1 billion, but overnight we were told that it is going to cost \$1.4 billion; this is a project that is supposedly undertaken by the private sector, and projects undertaken by the private sector are supposed to deliver a sharing of risk. For the additional \$400 million that the Victorian taxpayer will pay for that project, there will not be 1 square metre of additional bitumen road than was planned in the original project.

We have seen the cost blow-outs with the desalination project. The original cost estimate was \$3.1 billion, and

then \$3.5 billion. With financing costs we now have a figure closer to \$5 billion. We learnt the other week that the cost to incorporate desalinated water into the existing water supply system will be \$50 million. That was not part of the desalination cost project, but it is a cost associated with the desalination plant.

Where will the costs for this project end? As a public-private partnership (PPP), why is the taxpayer wearing the risk for delivery of this project? Why has this Labor government been unable in its dealings with the private sector in commissioning PPP projects to spread the risk or move the risk from the public sector to the private sector? After all, that is supposed to be one of the major benefits of a PPP project. Is it because the government does not have the capacity or the people who know how to negotiate with the private sector? It does not have people who have been in the private sector or those who have dealt with the private sector. These are serious issues when we have cost blow-out after cost blow-out. Again, I go back to the example of myki. How can it be that we have such a disgraceful cost overrun that affects other sectors of the service delivery component of the Victorian government by reducing investments they could otherwise have?

We also see with this government an enormous cost escalation when it comes to projects. The Cranbourne East rail extension was proposed in 1999 at a cost of a few million dollars. It is now in the transport plan at a cost of \$200 million. How can a project like that go from a few million dollars in 1999 to \$200 million now? After much campaigning the Premier finally announced last week that all of Clyde Road in Berwick between Kangan Drive and High Street will be duplicated, but the government has failed to deal with the issue of grade separation. It has walked away from dealing with this project in its totality. Notwithstanding the fact that the government has squibbed on the grade separation, the project is going to cost \$55.6 million. How can it be that it will cost \$55.6 million to duplicate a couple of kilometres of road? We have seen enormous cost escalations for projects under this government.

Finally, the motion deals with the issue of transparency. This chamber previously passed a motion with regard to the need for an anticorruption commission in Victoria. The government has dragged the chain on this issue, and the Premier has been brought kicking and screaming to have a review of the current transparency arrangements that exist in Victoria. It is fair to say that the current arrangements we have are a hotchpotch which do not cover the field. The Liberal-Nationals

coalition has been very clear on this issue for a significant period of time.

Today the Auditor-General attacked the Brumby government for its failure to properly account for where taxpayers money has been spent, and whether it has been spent effectively. It demonstrates Labor's incompetence and failures on issues such as hospital waiting lists, police hours spent fighting crime and train punctuality. There is much in the Auditor-General's report released today. It demonstrates again a lack of accountability and a lack of transparency, both in value for money and how outputs are accounted for by this government.

This is a very important motion. As I said, it goes to the heart of the responsibilities of a state government. After 11 years, after rivers of gold in revenue, this Labor government has failed. It is a great tragedy, given the challenges facing Victoria going forward, with its reliance upon a federal government that has shown a great propensity for wasting money. As we have an ageing population that will place increasing challenges on the taxation base, the last decade is an opportunity lost, of wasted opportunities, and that will create great challenges going forward. I commend the motion.

Mr TEE (Eastern Metropolitan) — I welcome the opportunity to speak on the motion. It is timely in the sense that we have just recently had an overview in the budget of how well Victoria is travelling and how well this government has delivered for Victorians. The starkest figure in my mind in terms of how well we can judge the performance of this government is the employment growth we have seen in Victoria. The budget projections in the last budget predicted growth of some 35 000 jobs. The government delivered 35 000; in fact it delivered a lot more through the stimulus in the budget. It is interesting to remember that at the time the opposition said the budget was a house of cards and pooh-poohed the prediction of 35 000 jobs. Instead, looking at the budget outcomes, the government well and truly delivered on those 35 000 jobs; in fact it delivered almost 100 000 jobs. When the motion talks about the value for money that this government has delivered it does not for a moment recognise that Victorian families are much better off in terms of security and employment security because of the initiatives that have been put in place by this government through its infrastructure spending, which has allowed Victorian families to escape some of the worst excesses of the global financial crisis.

We can then look at some of the other areas referred to, such as health. In the recent federal health debate the Premier took a role that showed national leadership in

standing up for Victorians and making sure Victorians received a fair share of the health outcomes and a significant increase in health funding. I think Victoria went from receiving federal funding of 41 per cent of its health budget to receiving 45 per cent, so we have a significant increase in the federal government contribution towards the health budget. When you think back to that debate and the publicity it received, what was interesting was the way that observers came out and almost unanimously noted that the Victorian health system is by a long way the best in the country. People like Michelle Grattan, whose comments were on the front page of the *Age*, were out there talking about how Victoria really leads the country in its provision of health services.

It is simply not accurate to make the sorts of spurious allegations that are set out in this motion. We have employment growth, we have health growth, and in terms of home ownership Victoria consistently has the highest proportion of first home buyer activity in the owner-occupier finance of all states. In home ownership and home affordability Victoria is very much the place to be, and that explains in large part why we have over 1000 people a week moving to Victoria. It is a great place to live and work. It is a great place because you can afford a house.

In this budget we have seen a particular emphasis on regional Victoria and on making it easier and more accessible for people to obtain a home in regional centres. In the last 10 years under this government we have seen significant growth in the populations of those regional centres. That has been an important initiative because it has enlivened those communities and has made sure those communities are growing, vibrant and expanding. That has been an important legacy of the last 10 years of this government, and it has been in large part because of the policy initiatives of this government and the rail infrastructure that this government has provided to regional Victoria. It is also in part because of some of the reductions in taxation that this government has put in place, making Victoria much more attractive in terms of employment.

When you look at this budget and when you look back at the last 10 years you see this government's critical legacy. When you look forward to the work that needs to be done and you look at the blueprint for change that is the \$38 billion transport plan you see a vision for the next decade or so. It is a vision that is very much forward-looking, but it is also a vision that this last budget has gone a long way towards implementing.

There was the announcement of funding for 50 new trams and the provision of 20 premium railway stations.

What those premium stations will mean is that nearly 50 per cent of our railway stations will be serviced from first to last train. That is a great transformation of our transport system, which is evolving through the transport plan. It is an evolution that is responding and contributing to the massive growth we have seen in public transport usage; in the last 10 years it has increased by some 80 per cent — almost a doubling. Melbourne is changing, and it is changing its habits on public transport usage. The government has a plan, and that plan has in large part been implemented.

I conclude by talking about the other important aspect of the infrastructure and the service that has been provided by this government, by focusing on the issue of regional rail. The opposition has had two responses: firstly, it never supported it. It always said that we would not deliver it, yet we have.

Hon. M. P. Pakula — They said we would never fund it.

Mr TEE — They said we would never fund it and in the end, despite the fact that members of the opposition do not support it, we funded it, we have delivered it and in large part that has made those regional communities much more accessible to Melbourne. It has made living there much more attractive, and that is in large part why we see regional Victoria becoming such a vibrant and dynamic part of our country.

Mr Davis's motion is completely out of touch with what is occurring. It is an old-fashioned political bowling up, and I urge the house to oppose the motion.

Mrs KRONBERG (Eastern Metropolitan) — I am very pleased and proud to rise to support the carefully crafted motion by one of my colleagues, on this occasion Mr David Davis.

There has never been a more important time, particularly with the release of the government's intentions surrounding yesterday's budget, to underscore the problems that the state of Victoria still has with this Labor government, now in its 11th year; and how we have suffered in the passage of that period.

Hon. M. P. Pakula — It sounds like we are in Zimbabwe or somewhere.

Mrs KRONBERG — It is interesting that Mr Pakula says that. There could have been a leaf or two taken out of Mr Mugabe's book by this government. I am sure dog-eared versions of his writings are lying around offices in this Parliament. He is an extreme example of a dictatorship running amok.

Hon. M. P. Pakula interjected.

Mrs KRONBERG — I always enjoy Mr Pakula's contributions from opposite; they are usually highly entertaining, but the debate on this motion is a serious one.

I am thinking of a conversation I had with the treasurer and school president of a primary school in my electorate two weeks ago. These very hardworking volunteer members of the community, devoted parents who support school activities, wanted to talk to me about how their primary school is being choked of funds and they feel monstered in the aftermath of discussions around a forced merger of schools.

It is really important to highlight on-the-ground bully boy tactics by this government and its departments when it is interfacing with members of school councils. This is in such stark contrast to all the Julia Gillard pin-up movie star hoardings that are tacked up over the length and breadth of this country to champion all the construction activity under the federal government's Building the Education Revolution (BER), which we know is all just ostensibly to provide education facilities and to ensure that tradespeople around this country are gainfully employed. That is all very hard to argue against but the subtext and subplot to all of this is overt and crude political gain.

Mr O'Donohue — Moscow on the Molonglo.

Mrs KRONBERG — It is a bit like Moscow on the Molonglo. It is a very good time to bring alliteration into the debate, Mr O'Donohue.

We need to focus on the dark underbelly of this government beyond the big hoardings and beyond the building programs. I remind the house that the building programs have again trammelled the rights of individuals who live next to the projects. I have highlighted examples of that in my contributions to debate in the past. The bully boy, the standover tactics, the high-pressure gain is still alive and well in this state, hidden by all of these things that people would not argue against, because they look like really honourable and good things to do. We should never forget the dark underbelly and the bully-boy tactics.

When we look at trains and this government at its zenith, we see the scandalous aspects of the myki ticketing disaster. I think the myki disaster probably now warrants a royal commission, because I am sure that if we look at the dark underbelly of everything attached to the ticketing authority and why this system cannot and will never be delivered — we know the

system cannot be operated on buses and trams — I am sure there is a big story there.

I am thinking about the money that has been squandered on the myki ticketing system that cannot be delivered currently. It will certainly not be demonstrated as a viable offering for the travelling public this side of the election. I am thinking of the money that has been squandered on that and what it could have done in the Liberal-held seat of Box Hill by rebuilding the Box Hill Hospital.

Why is that important? If we have a look at the recently released *Your Hospitals* report we see that from July to December last year 560 people — 1 in 18 people — had to walk out of the emergency department of the Box Hill Hospital without being treated. Part of the catchment for the Box Hill Hospital — the overflow for it — is the Maroondah Hospital where for the same period 695 people — again 1 in 18 people — walked out of the emergency department without being treated. It is important to highlight these facts.

I commend the government, and resoundingly so, for its commitment to build a hospital in Bendigo. I know my parliamentary colleagues on this side, especially Ms Lovell, have been highlighting the desperate need for the Bendigo hospital during the whole time I have been sitting in this chamber. It is interesting that in these times when there are political challenges ahead in Bendigo, and there are two ministers representing that city, the government has stumped up an amount of money for the hospital. I think that is cynical even though the need is acute and overdue.

I would like to return to a couple of points in terms of what is revealed in the recently released *Your Hospitals* report. It is important that people taking in elements of the debate tonight remember that because the staff of the Box Hill Hospital are working in buildings designed and erected in the 1950s they literally keep the plaster on the ceiling with elaplast so it does not fall on patients. The hospital failed five out of nine benchmarks, and I think it is important to record those benchmarks. Sometimes numbers can be skirted over, but I would like to shine a light on them. In 2009 from July to December 2905 patients were found to be on the elective surgery waiting list. I imagine those people facing up to elective surgery need knee and hip replacements and perhaps interventions such as surgery for prostate cancer and other things that are not seen to be absolutely life threatening. But it would be creating a lot of stress and those people would be living with an ongoing regime of constant pain 24/7.

The next figure to focus on is that 44 per cent of category 3 emergency department patients were not seen within 30 minutes. I think the stress that would cause for the patients, the people who brought them in and the people sitting in the department would be at the zenith. Thirty-three per cent of patients waited more than 8 hours in the emergency department before being transferred to a hospital bed. I suspect, and I will say this parenthetically, that being transferred to a hospital bed may not have been a bed; it could well have been a trolley in a corridor where any intravenous installation in their arm could be bumped every time somebody went past.

Forty-two per cent of non-admitted patients waited longer than 4 hours in the emergency department before being treated; 50 per cent of semi-urgent category 2 patients were not admitted within 90 days, so one in two people who needed to be admitted under category 2 regimes were not admitted within 90 days. That is a pretty open-ended issue. It does not say when they were admitted, but it was at least 90 days or 3 months. Members should think about that. Twenty-two per cent of non-urgent category 3 patients were not admitted within one year. It is really painful to read these numbers, especially when lots of those people and their families roll on down the Maroondah Highway and knock on my office door to tell me firsthand about their suffering, how many sleepless nights they have and how they are despairing.

When we look at the issue of community services, and we look at the need for approximately 1300 supported accommodation places, they are not there. How much longer do people have to wait for supported accommodation? The regime that the carers of the disabled have to go through on an endless basis, sometimes without any respite on the horizon, is crushing and adds to a situation where the carers themselves end up needing care because they are worn out; they are exhausted. Of course older carers are very fearful about the prospects for their children, some of whom are middle aged. They wonder what will happen because people who are in their 70s, 80s and even in their early 90s are still having to care for a disabled member of their family. This is criminal neglect.

The government has not moved on the issue. It is one of the issues I highlighted when I was first elected to this Parliament, and there is still no movement on it. What needs to be said and done to see these places funded? Last Friday I was speaking to a person who represents people with acquired brain injuries. We were talking about issues to do with the accommodation of young men and women who amazingly are still in great abundance and being cared for in geriatric centres. It is

really important to remember that somebody with an acquired brain injury could be aged between 16 and 35 years and they could be a quadriplegic. In these settings they experience social isolation because their friends drop away. A geriatric environment is an inappropriate setting for young people to engage in their socialisation. That is really cruel, and I think the fact the government glides over the issue is appalling.

The government tunes out from what we say from time to time. Government members come into the chamber when they want to prove they are not totally comatose, and they come in and make little interjections that they think are clever. However, with all the authority that the Victorian Auditor-General could muster, and with all the clarity that his reporting style provides us, he has presented something that provides an enormous amount of discomfort for this government and in particular for the Premier. There was a very hostile reaction from the Premier when the Auditor-General pointed out the government is still failing to account properly for whether \$31 billion of taxpayers money has been spent effectively on programs.

This government is squirming under that gaze or examination, and it has no answer for it other than to start to criticise and castigate the Auditor-General. We cannot make the office of the Auditor-General into a thing of whim and fancy of this government. If it is going to selectively accept the recommendations of the Auditor-General, when they get to be too difficult, too uncomfortable and too close to the mark the government will reject them. The government cannot have it both ways.

It has been said that Labor continues to cover up its incompetence and failures on things such as hospital waiting lists and the precise hours that the Victorian police force spends fighting crime, and it even goes to the extent of manipulating the data on the punctuality of trains. How pathetic! Is the government so desperate that it cannot face up to its responsibilities?

Hon. M. P. Pakula — What are you talking about?

Mrs KRONBERG — This is a report of the Auditor-General. For the record, I am addressing my comments to the Minister for Public Transport, Mr Pakula.

This government is looking so much like the Rudd federal government. It is hopelessly out of its depth. It was never really meant to govern; it is governing on a wing and a prayer. All of the decision making is propped up by expensive third party advisers. This makes the government easy meat for predatory players.

We have seen the failure of all of the IT systems, the failure of programs to be delivered efficiently and effectively and the failures on every point of measure that you want to name over the government's sad history — this odyssey of this government over the last 11 years. Is it ignorance, is it incompetence or is it corruption? I am sure that if we have a broadbased commission of inquiry — an ICAC (independent commission against corruption) — established in this state, not only would there be much to answer for as this government is held truly to account by such an authority but we would see again the dark underbelly highlighted for all Victorians.

This motion moved by Mr David Davis is timely and important. I hope what I have had to say resonates with the people of Victoria. What I have quoted is fresh in my mind, because it has come from the conversations I have had with people in recent weeks. I have provided the real numbers as taken from a sound analysis of the government's own reporting. These are the truths, and the government cannot avoid it.

Mrs Peulich — They don't like to listen to it.

Mrs KRONBERG — The government does not like to listen. As I have been making important points, Mr Pakula has been theatrically looking at his watch: I would like that to be recorded as well. These are important points. I am saving the government the trouble of market research and save government MPs from spending time in their electorate offices listening to these stories. I am representing the people of Eastern Metropolitan Region, who want a better form of government. This government needs to lift its game, to recognise its failings and do something to stop the rot.

Ms HARTLAND (Western Metropolitan) — Where does one begin? I want to respond to one or two issues from Mrs Kronberg's contribution. We need to be careful about comparing this government to the Zimbabwean government, which is a genocidal dictatorship, and as many faults as the current Labor Party in Victoria may have, I do not think it can be equated with a genocidal dictatorship.

I intend to speak only briefly to this motion mainly because the house seems to have debated it several times already. Each time it comes back before the house with slightly different wording, but basically it has the same purpose.

I am concerned that while I agree there are a number of faults with this government, I do not ever seem to hear anything from the opposition about what it intends to do about these issues. I have asked on a number of

occasions whether the opposition will repudiate the behaviour of the Kennett years, when many community services underwent slash and burn.

However, there is nothing in this motion about the environment. Does that mean the environment is of no concern to the opposition? When I talk about the environment I talk about a number of things, such as water. Does that mean the opposition supports the desalination plant? What will the opposition do about river health and other waterways? Does it mean the opposition has a policy to install water tanks at people's houses?

What does the opposition intend to do about renewable energy? If it comes to government, will it introduce a private members bill or a bill on feed-in tariffs? What is the position on public transport spending versus freeways and road tunnels? Footscray is about to be inflicted with a major tunnel through that suburb, yet I have heard no objections from the opposition on that issue.

What is the opposition intending to do about, for example, contaminated sites or toxic spills by multinationals, especially Mobil in the western suburbs? What is its position on old-growth forests, especially the court case around Brown Mountain, which is ongoing; or about the protection of grasslands and endangered species?

As I said earlier, the house has debated this motion several times already, so I will not spend a lot of time on it. However, at some stage I would like to hear what the opposition's plans are for services in general, in particular what its concerns are and what it intends to do about environmental issues.

Mr LEANE (Eastern Metropolitan) — I rise to speak against the motion. Having listened to some of the opposition members' contributions, members would think there are no services in any area of this state — or if there are, they are failing.

Mrs Peulich — You're obviously not in touch with the community. You live too far away from your electorate to know.

Mr LEANE — It is only a short drive; I am happy to carpool with Kim Wells and David Hodgett, the members for Scoresby and Kilsyth in the other place, if they want to take up that offer.

Mr Koch — They live in their electorates.

Mr LEANE — No, they do not; Kim Wells and David Hodgett live outside their electorates. Let us talk

about what is getting done in the electorate rather than be distracted, which is the best the opposition can do.

As far as services are concerned, recently there was debate on an opposition motion about police services, but it was negated. I was interested that the announcement on law and order made by this government was complemented by the announcement that there will be funding for 55 extra youth service officers. This is an important initiative.

We are never going to get to the stage where there will be a policeman for every one or two members of the population. The important way to reduce crime is to work on culture and assist people where they need it so they do not find themselves in situations where they can indulge in antisocial behaviour or crime. I was pleased to hear Les Twentyman say on the radio that he is rapt that the government has provided funding for this initiative. He is very positive about it and thinks it will make a positive difference.

There is a lot of discussion around problems of violence in the CBD, but people need to go into the CBD at night and witness it for themselves. The overarching approach of attacking all young people on this issue is wrong. The clear majority of young people in the CBD in the early hours of Saturday and Sunday in particular are just having a good time. There is a small element, as occurs in every group, that likes to carry on. Even in this chamber there is a small element that likes to carry on and be noticed — ‘Look at me, look at me!’. So far as services are concerned it is easy to be critical because not every corner of our society can be serviced by government, and it would be false for people to promise that, but when I have been out and about I have noticed that the government has introduced and maintained some very good services and initiatives.

I want to touch on the services available for people with disabilities. I am very happy about the number of announcements we have made around disabilities and education, particularly with the announcement of the autism-specific school that will be located in Ferntree Gully on a previous education department site.

When you deal with parents and families of children with disabilities you find there are certain things that can change their lives for the better, and after dealing with those parents out in the east I know that the particular announcement made in yesterday’s budget will change their lives. I have had discussions with them in the last few days, and it is really pleasing when the government can provide a service that will change people’s lives for the better.

So far as education services as a whole go, the opposition has the view that school communities hate getting new buildings built. The opposition hates the new building plan. I think it has to say that because that might justify its closing and selling off of all the schools that it did when it was in government. If opposition members honestly believe the electorate thinks the opposition would be better at supplying services in this state after its last go at it, they are dreaming.

Opposition members usually use the argument that they are much better at managing the economy, but I suppose that argument has also been taken away from them this time around, given that Victoria as a jurisdiction — according to third-party comments — has probably come through the global financial crisis better than anywhere else in the world. That has taken away the economic argument, and I know opposition members have gone down the law and order track, but I am a bit surprised that they would now go down a services track and suggest that they are better at delivering services.

Even on the law and order argument opposition members usually stand pretty strongly, but after their last record of promising a net gain of 1000 police and then taking away 800 police you have to wonder what formula they will apply to their new promise of 1700 additional police. Will it mean they will deliver 900 police when they take away the 800, or will they take away a lot more? Somebody who is good at algebra could probably work that out, but it is very surprising that the opposition would try to say it will be better able to deliver services to this state than the government, because the government has a proven record on delivering services and the opposition has a proven record on taking them away.

But then again, this is wacky Wednesday — a day on which opposition members believe they can get some political mileage out of the motions they present to the house, which I think is a desperate path. We will get a waft of desperation coming from that side of the chamber if the opposition comes in here and moves a motion suggesting it will be better at delivering services than this government. But you cannot knock the opposition for trying; it has to try, but it will have to try harder than moving this particular motion.

Ms LOVELL (Northern Victoria) — I rise to contribute to the debate this evening on the motion on government services that my colleague Mr David Davis has brought forward. And what a joke government services are in this state! In fact we are seeing government services failing at every level, whether it be in health, education or law and order.

I would like to talk on a couple of the inclusions, or non-inclusions, in yesterday's budget. In my shadow portfolio area of housing it was a great disappointment to see this government demonstrating that Victoria's housing crisis is such a low priority for it that its lazy Minister for Housing did not even issue a single press release on the budget. In fact if we look at page 126 of budget information paper 1, it gives us an idea as to why he did not release a press release, because it shows that the Office of Housing plans to start just a handful of new projects in 2010–11 that will add just 32 dwellings statewide to Victoria's public housing stock.

When we have a list of almost 40 000 families waiting for public housing, 32 new public housing units is a fairly poor number. We also see from the budget papers that waiting times for public housing have blown out yet again, as they have nearly every year since this government has been in power. When this government came to power in 1999 waiting times for urgent early housing were at 2.8 months. In 2008–09 it had blown out to 7.1 months. The expected outcome for the 2009–10 year is 8 months, with a projected figure for the 2010–11 year also being 8 months, which shows that the government is happy to have families who are at risk of recurring homelessness, people with a disability and people with housing needs waiting for long periods of time to obtain housing.

We talk about eight months, but that is the average wait time. That time can be shorter in some areas, particularly in some of the country areas, but it can also be a hell of a lot longer in most of the metropolitan areas. I am constantly being told of people who have been on the urgent early housing waiting list for two or three years, and when we are talking of people who are at risk of recurring homelessness or people with a disability, that is a sad indictment of this government.

The Premier, John Brumby, and the lazy housing minister have created a housing crisis at all levels of housing in Victoria, and now they are washing their hands of their responsibilities and leaving thousands of Victorian families struggling to put a roof over their children's heads.

Last week I was out in Heidelberg West and met with members of Residents Group 3081. The group had made a submission to the Family and Community Development Committee's inquiry into public housing. I have to say, when I first read the submission the group lodged and the submission of the Banyule community health centre, I was appalled and disappointed that people could be treated so poorly in this state. In the submission public housing residents talked about long

waiting lists for maintenance, overcrowding and mildew in their homes that was making them and their children sick, and also about very poor treatment by this government and the Office of Housing.

I was appalled and disappointed, as I said, but unfortunately I was not shocked because I constantly hear stories from housing tenants around the state about how poorly they are treated by the government. Some serious issues have been raised with us in our office by housing tenants, and after raising them with the minister's office we understand what they are saying about the poor treatment they get because the minister's office is often very dismissive of what are serious concerns for Office of Housing tenants.

Regarding my other portfolio area of children and early childhood development, the government has put a good spin on its budget announcements. It went out early and announced it would fund all these extra kindergarten places. Unfortunately they are not really additional kindergarten places; this is just required funding. Every child accepted into a kindergarten program in the state is entitled to a government-funded place, and the government's funding of additional places this year is just because of Victoria's baby boom. The government knew that the baby boom was coming; it knew it would have to fund additional places. It is a bit like going out and saying, 'We are going to fund additional primary school places' or 'We are going to fund additional secondary school places'. The increase in the number of funded kindergarten places is required to keep pace with Victoria's increasing birth rate; they are not an initiative of the government.

The real test for the provision of kindergarten services in this state is the kindergarten participation rate, which was 97.2 per cent in 2002–03. This has fallen under this government, and it has been prepared to accept it falling. We have an expected outcome for 2009–10 of just 92.7 per cent and a target for 2010–11 of just 92 per cent. This means thousands of Victorian four-year-old children will miss out on a kindergarten program, and Premier Brumby is prepared to accept that. He and his Minister for Children and Early Childhood Development, Maxine Morand, have not aspired even to lift that rate from 92 per cent back to where it was at 97.2 per cent, let alone to have 100 per cent of four-year-olds attending a four-year-old kindergarten program.

One of the reasons some children do not attend a four-year-old program is the cost of the parental fees. The government's per capita funding provides a proportion of the cost of the program, but parents are being asked to dig deeper and deeper into their pockets

for parental fees, which fund an ever-growing share of the cost of the program. If the government were serious about increasing participation rates, it would lift the per capita funding to make fees less onerous and less of a burden on young families or provide kindergarten fee relief across the board, as it does for some of Victoria's families who are on health-care cards, are indigenous or are known to child protection services.

I support the increase in the intensity of early childhood intervention services (ECIS) that was announced in the budget. This is a good thing; however, the government did not provide one additional place to assist more disabled youngsters and their families. That is particularly disappointing given that the Victorian chapter of Early Childhood Intervention Australia called for 500 additional ECIS places to be funded in 2010–11 and a further 500 in the following year. In May 2009 there were 1170 children waiting for early childhood intervention services, but the Brumby government's budget has failed to address Victoria's growing population of children in need of these services.

The budget also failed to allocate any funds to provide additional kindergarten inclusion support service (KISS) packages. These packages support severely disabled children to gain access to and benefit from a kindergarten program. There is a severe shortage of these places, and without them students with disabilities miss out on a proper kindergarten experience, which of course is a very important stage of their lives and is very important to their educational development.

A small amount of funding was provided for capital works for kindergartens, but this certainly will not be enough to provide the additional capacity that will be needed in kindergartens across Victoria. At the moment local governments have been preparing capacity reports which have shown there is a widespread need for the expansion of existing kindergartens and the establishment of new services if Victoria is to meet the government's target of providing 15 hours per week of kindergarten per child by 2013. If we are to meet that target in 2013, the investment needs to be made now so that services are ready to provide those hours.

The majority of the funds in the budget were just recurrent funding for existing programs, for the kindergarten places that the government is required to provide, and the budget includes very little new investment in kindergartens and the early childhood sector. Families waiting for ECIS and KISS will be disappointed with the government's failure to commit funds for any additional places.

There are still a lot of questions that need to be asked about the government's commitments to my local area, Bendigo. Over the past 11 years the government has completely neglected Bendigo Senior Secondary College. We have children being taught in portables, some of which date back to the 1950s. We have children, or young people — they are not really children; they are senior secondary students, so they are 16 to 18 years of age — who are being taught behind razor wire in the old Bendigo jail. The old Bendigo jail, which was decommissioned in 2004, was handed over to the school but has never been refurbished. It still has the razor wire on it; these students are being taught behind razor wire. The fury that went through the Labor Party about refugees being kept behind razor wire seems to have been lost on the Brumby government, which is expecting the students of Bendigo Senior Secondary College to be taught behind razor wire. I call on the government to remove that razor wire as a matter of urgency.

The government has made a series of unfunded promises to this school. In 2001 it promised \$1.5 million to replace the 25 portables. The school has never seen that. In 2002 it promised to upgrade and replace Bendigo Senior Secondary College. That has never been done. And of course in 2005, when the school expanded into the decommissioned jail, the government promised \$4 million, and the school has never received a cent of that. The real test of whether the Brumby government is going to upgrade the senior secondary college will be when the works actually begin. That is when the people of Bendigo will believe it, because we have had so many promises that have not been fulfilled.

The Bendigo community is 81 police officers short. Yes, the Brumby government has gone some way towards matching the coalition's promise for additional law enforcement officers in Victoria, and we are still waiting to hear how many of those officers will be allocated to Bendigo. We certainly hope it will be a significant number, that will allow police patrols to be increased on Thursday, Friday and Saturday nights beyond two patrols, which has meant that we have had only four police on duty for a city of over 100 000 people.

The budget also included a claim that the government was providing funding of \$473 million for a new hospital in Bendigo. That was rather a joke, because if you look at the forward estimates for the hospital you see there was only \$8 million allocated in the coming financial year, 2010–11; \$15 million the year after that; \$35 million the year after that; and \$138 million in the fourth year. That is a total of \$196 million, so there is

still \$277 million outstanding. There is a black hole left in funding for the new hospital that is beyond the forward estimates of this budget. But even \$473 million will not deliver the state-of-the-art hospital this government promised the Bendigo community. There is a business case that I believe included a figure somewhere in the vicinity of between \$800 million and \$900 million for that hospital, and the government of course is refusing to release that business case. We would like to see that business case. We would like to see what was proposed for Bendigo and how the government has cut back on the hospital in Bendigo to reach this figure.

We know the government originally promised a new allied health building and a new hospital to be built on the Anne Caudle site. We now believe there is only going to be one building built on the Anne Caudle site, there is going to be an overpass built between the old hospital site and the Anne Caudle site, and some sections of the old hospital — the Peter MacCallum area, the Hyett block and the emergency department — will be used as part of what is supposedly a new hospital, but will really just be a refurbishment of the old hospital.

The Premier was in Bendigo yesterday morning talking up this investment as being the biggest regional hospital project ever in the history of our state. I do not know that it really is. If we could see the business case we would know what really should have been proposed for the Bendigo hospital. The Bendigo *Advertiser* reported this morning that Mr Brumby acknowledged the efforts of the local state Liberal MPs, and I would like to thank him for doing that, because, yes, the local state Liberal MPs have advocated for a new hospital for Bendigo. For a long time I was a lone voice out there saying that Bendigo needed a new hospital; probably for more than two a half years I was on my own, the only voice saying that the state of the Bendigo hospital was a disgrace and putting political pressure on this government, which has come to bear, I guess, and at least some money has been allocated for some new services in Bendigo.

We know that the current Bendigo hospital is struggling, and it is struggling largely because of the mismanagement of health by the Brumby government. We have seen hundreds of patients walk out of the emergency department in the last year. In fact over a three-month period last year, from 1 July to 30 September, 666 people, or 1 in 16 people, who presented to the emergency department walked out without being treated.

More than 10 years ago John Brumby and Labor promised to fix our hospitals and focus on the basics, but since then John Brumby has closed hundreds of beds. The Australian Medical Association calculates that Victoria urgently needs hundreds of new beds just to meet the current demand. This crisis will only worsen with Victoria's growing and ageing population. The families of Bendigo need an effective emergency department. They do not need long waits that force them to walk out in despair.

We also saw 37 patients wait longer than 24 hours for emergency department treatment at Bendigo Health in the year leading up to 30 June 2009. That is also a sad indictment. The government set a zero target for people waiting excessive times for treatment at emergency departments, and yet 37 people waited longer than 24 hours for emergency department treatment at Bendigo Health. It is just not good enough.

The *Your Hospitals* report also revealed that Bendigo Health failed four of the eight benchmarks that were set as part of that report. The statistics for Bendigo Health for July to December 2009 reveal that it had 785 patients on its elective surgery waiting list, 26 per cent of category 2 emergency department patients were not seen within 10 minutes, 45 per cent of category 3 emergency department patients were not seen within 30 minutes, 33 per cent of patients waited more than 8 hours in the emergency department before being transferred to a hospital bed, 25 per cent of non-admitted patients waited longer than 4 hours in the emergency department before being treated, and the hospital failed to meet four out of eight benchmarks in key critical areas in emergency department performance.

I know this hospital is managed well at a local level, but it can only work with the infrastructure it is provided with by this government. This hospital has well below the level of infrastructure that we would expect to see in Victoria in the year 2010. I remember one day visiting the hospital when I had Ted Baillieu, the Leader of the Opposition in the Assembly, with me. We walked through the hospital and visited some of the patients. There were two ladies in the maternity ward who had been confined for the last weeks of their pregnancies, and they had not had a shower for two days because there was no running water in the maternity department of the hospital. Those are Third World conditions, and the people of Bendigo deserve better. The government must bring forward funding — \$8 million this year is not enough — and ensure that that hospital is built as quickly as possible.

The Goulburn and Murray regions in my electorate were also snubbed in the Brumby government's budget. Those regions had hoped for investment in their hospitals at Goulburn Valley Health in Shepparton, Echuca Regional Health, and Numurkah and District War Memorial Hospital, but they all missed out on their much-needed funding in the budget.

The state of Echuca hospital has attracted a lot of media attention recently. I took Helen Shardey, the member for Caulfield in the Assembly, there when she was shadow Minister for Health. There was a shared bathroom; one bathroom was shared by the maternity ward, the children's ward and the men's surgical ward. Women who have just delivered babies are sharing a bathroom with little children and elderly men. When we were there and were standing in what was the children's ward and Helen looked into the bathroom, an elderly gentleman in his pyjamas came out with his shirt undone. When I told her this was a shared bathroom, she was absolutely appalled at the conditions at Echuca Regional Health. I will not even go into the problems with white ants and the old infrastructure that exists there.

Goulburn Valley Health in Shepparton went through master planning a few years ago. That produced an 11-stage master plan which never progressed beyond stage 1. It was sent back to do further master planning this year. Master planning costs millions of dollars. If this government just got on with implementing the master plan that it had in a timely fashion, it would not have to be going back and doing master planning all over again, but the people of Shepparton have been forced to wait longer because this government did not get on and implement the 11-stage master plan when it was first produced.

In the meantime the helipad at the hospital has had to be moved out to the airport because a new car park was built next to the helipad. The helicopter now cannot land at the hospital because the car park has some lights that make it dangerous for the helicopter to land and also because the downdraft from the helicopter would blow the windscreen wipers off the cars. The local paramedics are saying it is taking up to an additional 40 minutes to do a transfer if they have to go out to the airport rather than just landing directly at the hospital. The reason for this is that the chopper flies into the airport, the ambos have to leave the ambulance station to drive out to the airport to pick the paramedics up from the chopper and ferry them back to the hospital, do a transfer of the patient at the hospital and then ferry them back out to the chopper at the airport. That is an additional 40 minutes when we are talking about

conditions where minutes can mean lives. That is particularly disappointing for the people of Shepparton.

Numurkah and District War Memorial Hospital has been waiting for its stage 2 for some years now and again it was very disappointed that it has missed out on funding in this year's budget. In 1999 Labor promised Shepparton that we would have a 24-hour mobile intensive care ambulance (MICA) paramedic service, but we are still waiting. This government has been in power for 11 years, and we still do not have that 24-hour MICA service in Shepparton.

We also know that we are short 50 police officers in the Shepparton area and 47 in the Campaspe shire. We are waiting to see how many of the police the government announced in the budget will actually be allocated to those two regions that have had significant problems and need additional police manpower. The police who are working locally are doing a tremendous job but are severely underresourced and need additional recruits to assist them to provide the level of safety that our communities deserve.

At Goulburn Valley Health we have had hundreds of patients walk out of the emergency department. Between 1 July and 30 September 2009, 449 people or 1 in 18 walked out without being seen, and 81 desperately ill patients were forced to wait more than 24 hours for treatment in Goulburn Valley Health's emergency department or for a hospital bed. This is another symptom of the mismanagement of the health system by the Brumby government.

The local Liberal and National MPs advocate for our communities. We advocate strongly because we live in our communities and we want to see good services provided for our constituents and for our region. Labor's local MPs do not have that same feeling about those communities because they do not live there. Candy Broad represents Northern Victoria Region but lives in Daylesford, which is not in the electorate. Northern Victoria Region covers 48 per cent of the land mass of Victoria and has some of the most historic, picturesque and productive areas of the state. If she could not find somewhere in the electorate where she wanted to live, why is she bothering to try and represent it? People in northern Victoria never see Candy Broad. It is a sad indictment of this government that people from metropolitan Melbourne are elected to represent country communities, because those people do not understand country communities.

The other so-called local member, Kaye Darveniza, very rarely visits the electorate. She has a second residence in Shepparton but she is very rarely there.

People do not know who the local Labor MPs are and people do not get to meet with them. Labor members of Parliament provide very little representation to the people of northern Victoria.

Ms HUPPERT (Southern Metropolitan) — I rise to make a few brief comments on the motion proposed by Mr David Davis. We have heard a great deal from the opposition on a number of the matters raised in this motion, but I want to address the third paragraph of the motion, which relates to a so-called ‘serious decline in transparency and reporting under this current Labor government’.

I find this quite hypocritical, because it comes from an opposition which, when in government, tried to nobble the power of the Auditor-General, which is one of the major planks in ensuring transparency and accountability of government in the state of Victoria. It is the Labor government which enshrined the role of the Auditor-General in the constitution, ensuring that the Auditor-General will continue to play an important role in ensuring transparency. As a member of the Public Accounts and Estimates Committee, which has a role in reviewing the work of the Auditor-General, I can attest to the fearless manner in which Auditor-General will comment on any issues that he finds when reviewing the operations of government agencies and departments. We have all seen the number of reports tabled in Parliament, the response of government departments and agencies to the recommendations made by the Auditor-General and the impact that has had on improving the level of service delivery over the last 11 years.

I also want to comment on this motion because, as everyone here will know, we are currently approaching two weeks of estimates hearings during which the Public Accounts and Estimates Committee will have the opportunity to question ministers about their budgets. Each minister will appear before the estimates hearing, and opposition members, those members sitting on the crossbenches and government members will have the opportunity to ask questions. Ministers are accountable for their budgets.

I understand this was not the case under the previous government. I am told that in previous times it was very unusual for ministers to appear before estimates hearings, so I find it difficult to see how there has been a decline in transparency and reporting. In fact there has been an increase in transparency and reporting, which is evidenced by the number of reports published by the Auditor-General and by the Ombudsman which inquire into the manner in which government operates in this

state. For this reason I urge everyone to vote against this motion.

Mr FINN (Western Metropolitan) — As members of this house would be aware — in fact I think most people in Victoria would also be aware — the western suburbs is an area that has suffered enormous neglect under this government and under the previous Bracks government. There is a saying out in the west that we just have to cop it, but I am of the view that we no longer just have to cop it. We have been neglected for years. Labor has used and abused the western suburbs for generations. Labor has dragged the western suburbs into the pits and has kept the western suburbs there, and it is about time that changed. Unfortunately at this point it has not, and it comes down to the basic fact that Labor just does not care. The only time that you get Labor caring about anything is when its parliamentary majority is being challenged. We have seen that with police. The only time we could actually get this government to do anything about the police was when the opposition came out with a policy about which the Victorian public said, ‘Hey, that works! I like that’. It made John Brumby and the Labor Party sit back and take notice.

We have a situation in the western suburbs that has been going on for a long time. Earlier today I spoke about the problems with police throughout the western suburbs. I spoke about the officers at Sunshine, who work under extraordinarily difficult circumstances — appalling circumstances, and circumstances under which most members of this house would arc up and refuse to continue. In Werribee there has been a huge degree of understaffing of police for a long time. At Williamstown police were pulled out of their 24-hour station. It is no longer a 24-hour station, and those police were sent to Footscray where there was a shortage. We have problems in Keilor Downs, where the station is up against it as well, and of course at Craigieburn we have had problems over recent years — and I have reported on that to the house. Police have had to come from Broadmeadows and other places because the Craigieburn police station was either not open or just did not have the manpower to do the job they were required to do at that time of the night.

People in Craigieburn have suffered some vicious assaults. They have been the victims of some pretty heinous crimes, and those victims were unable to reach the services of the police because the police at that time were just too far away. That is not good enough at all. When you talk about Sunshine, Werribee, Williamstown, Keilor Downs and Craigieburn — right across the western suburbs — it is the same old story: Labor just does not care. Labor does not care about the

west, and it never has cared about it because, as I have explained to many people throughout the western suburbs over the last four years, Labor takes the western suburbs for granted. It is only going to change when the people of the western suburbs change their habits. It is only going to change when the people of the western suburbs get a few marginal seats out there.

We in the west look at the eastern suburbs, and sometimes we drool. When we see the schools, the hospitals and all the marvellous resources that are provided to people in the eastern suburbs we are green with envy, because we do not get any of that. We just do not get any of it, because the Labor Party says, 'Why should we give anything to the people of the western suburbs; they are going to vote for us anyway', and as a result the west gets nothing. That situation has got to change.

A classic example of what I am talking about is the Western Hospital in Footscray. You would have to say that that hospital is pretty close to being of Third World standard. When I speak to such people as Les Twentyman, who had a very serious injury about 18 months or two years ago, I hear that he waited on a trolley for nearly three days before some friends rallied and got him into a private hospital. It makes us realise just how bad the situation is at some of these health facilities, not just in the western suburbs but particularly in the western suburbs, and it is not good enough. I do not see why people in the western suburbs should have to put up with this. I do not see why the people in the western suburbs should have to put with substandard health services as we do at the moment.

I have to say that I did not quite realise just how bad our health system was until I backed the Premier of Victoria on an issue, and that was the issue of standing up to Kevin Rudd's takeover of the Victorian health system — of all the states health systems in fact. As a result of discovering how bad our health service was, we had a situation where our Premier went to Canberra a brumby and came back a gelding. That is the tragedy of the matter. Jellyback Jack went to Canberra and caved in at the first sign of pressure from the Prime Minister.

Our Premier is probably the only one who pays any attention to the Prime Minister these days. The Prime Minister is not going to be there very much longer, so it is probably something that we do not have to worry about. However, it is a great pity that the Premier of Victoria, who had the support of this side of the house in his standing up to the Prime Minister on protecting the health service, as substandard as it is, from takeover by Canberra, let his own side down. He let us down and

he let Victorians down. That is something that will be his political epitaph. He will carry that around on his back like a giant rock for the rest of his political life, because what we have now in Victoria is not a good health system. It is a very bad health system that is poorly run. But how is that going to be made better by it being transferred to the control of faceless bureaucrats in Canberra? Nothing is improved by the transfer of the health system to Canberra.

Over recent months what we have seen with regard to the health systems is not about whether the states should control their health systems and hospitals. What it is saying is that Labor governments around this country — every state up until Western Australia relatively recently — totally and miserably failed to administer properly the health services in their states. We see that in New South Wales, we see it in Queensland in particular and we see it here in Victoria.

As I said, Jellyback Jack went to Canberra and caved in, and now we have a situation where, if by some extraordinary circumstance Kevin Rudd happens to be re-elected in the next few months, our health services are going to be run from some building in the back blocks of Canberra. If people think that getting some notice and attention is difficult now, wait until it is administered from Canberra. Canberra knows bureaucracy. Canberra is bureaucracy. Once that transfer of power goes to Canberra we are in a great deal of trouble.

Every Victorian should be aware that this is the Premier's fault. The Premier did this; he was all hairy-chested. He went up there, beating his chest, telling us all how tough he was. Within days he was a crumbling mess on the ground. That is a very sad reflection of the sort of leadership — if that is what you want to call it — that we have in this state in 2010.

In 2011 it will be very different. There will be very different leadership in this state. The majority of Victorians are waking up to exactly what we have in this state, and come November of this year out it will go.

I have spoken at length about the problems associated with some of the roads, and transport and traffic issues in the western suburbs. We see a fair bit of money spent and splashed around in the eastern suburbs. We do not see much of it in the west and, as I have explained to members of the house, we know why. We have a massive problem in the western suburbs called the West Gate Freeway. The government does not seem to be prepared or interested to do anything about it. This is a daily nightmare for the people of the western suburbs,

and not just those from the western suburbs. I am sure Mr Koch will back me up when I say it is also a daily nightmare for the people of Geelong and Ballarat as they try to wend their way into the city of Melbourne.

On the West Gate Freeway we have a daily nightmare of epic proportions. As a result of that nightmare, as a result of probably the millions of hours of manpower tied up every day stuck in traffic, the Brumby government has been very generous and thoughtful. It has planned ahead. It is giving us some blue lights on the side. I am sure that is going to make a huge difference! What else could you expect from this government? When you have a major problem, the government will not face it. It will throw you some bread and hope that you find a circus for yourself.

Mr Koch — Crumbs!

Mr FINN — Indeed crumbs, Mr Koch! The people of the western suburbs have had enough of the traffic congestion. They have had enough of this — I can assure you the West Gate Freeway is more than a nuisance — and come November they will make their views known at the ballot box. I can tell the house that after November nobody will ever again take the western suburbs for granted. If you do not believe me, have a talk to the people of Altona, because they spoke not so long ago. The Minister for Planning is in the chamber. He was out there in the lead-up to the by-election, at least for half an hour — he did a good job — and he knows. I saw a few people chewing his ear because I happened to be on the prepoll booth with him for a period of time. He knows exactly what the people of Altona were saying when they delivered a close to 13 per cent swing to the Liberal Party earlier this year.

Mr Koch — How many?

Mr FINN — Close to 13 per cent, Mr Koch. It was an outstanding effort. Having been in Altona and doorknocking just about every day of that by-election campaign, I can tell the house that the people of Altona, who it would be safe to say are not natural Liberal voters, do not like the Premier. They expressed that to me in good old-fashioned western suburbs terminology, some of which I cannot relate to the house. They let those views be known to me very clearly: they do not like John Brumby, they do not like his government, and they cannot wait for November of this year to vote against him again. They think 2010 is a great year because they get to vote against the Labor Party twice! That is something probably pretty special to them; that is something they are celebrating. They have had the opportunity to vote against Labor once. They have

delivered, as I said, a close to 13 per cent swing against the ALP in the by-election, and they cannot wait — they are lining up already — for November to vote against the Labor Party again.

It is not just in Altona. Last week I was speaking to a group in Footscray that is organising a ‘put Labor last’ campaign. This is the Asian community and the business community; this is a wide range of people right through Footscray. Who would have thought it possible that this would be happening in Footscray? The Labor Party thought it had the keys to Footscray. Not any more! It is all changing. The people of Sunshine are doing the same thing. ‘Put Labor last’ is the campaign they are preparing for November this year.

The Labor Party better snap out of it. The Labor Party better wake up. The Labor Party better realise that we in the western suburbs have had more than enough. The policy that the ALP has and the policy that John Brumby has of not caring about the west better change, and it better change very soon, because the government is running out of time. What is coming in November is unheard of; it is something we would not even have dreamt of in years gone by. As I said, the western suburbs have been treated very shabbily and badly by this government. We will no longer tolerate that; we will no longer put up with that. I say to the government that in the few remaining months it has, it should get its act together, get a few things into the western suburbs, get its presence and activity rate up throughout the western suburbs, or come November it will suffer the consequences.

Ms MIKAKOS (Northern Metropolitan) — I rise to speak against this motion. I find it very odd that this debate has come on 24 hours after the state budget was handed down. I think there is a bit of time warp going on here, where the opposition clearly has not registered any of the very significant initiatives and funding commitments delivered by the state Treasurer in yesterday’s budget.

In the very short time I have available to me I want to put on record some of those important commitments, because they go to the heart of why this motion is a nonsense. I wish to demonstrate very clearly that the Brumby Labor government, and previously the Bracks Labor government, has delivered a great deal of critical services to the Victorian people in the areas of health, policing and community safety, transport, education and community services, as well as many other services not mentioned in this motion.

In relation to health — and it is an issue that Ms Lovell spent a great deal of time on in her speech — yesterday the government announced in the budget a record \$4 billion boost to Victoria's health system, and in fact a commitment was made to the people of the electorate that Ms Lovell represents for the construction of a brand-new hospital in Bendigo. She spoke at some length about the issues in relation to that, so I would have thought Ms Lovell would have welcomed that announcement and the improvements it will make to the lives of the people of Bendigo in the future.

I am pleased with the commitments to the health system that affect the people of Northern Metropolitan Region, in particular the additional \$426.1 million allocated to the Parkville Comprehensive Cancer Centre and the further \$68.9 million for stage 2A of the Olivia Newton-John Cancer and Wellness Centre. The Premier visited that very important centre earlier today. Olivia Newton-John made her feelings very clear in serenading the Premier, indicating to the Victorian people how significant that commitment will be in the future for people suffering from cancer. It will benefit not only the people of the northern suburbs but in fact everybody who may unfortunately suffer from cancer in their lives.

There are many other funding initiatives in the health budget which relate to the northern suburbs: \$10 million to redevelop allied health facilities at the Royal Melbourne Hospital and \$5 million to support increased surgical capacity and open 10 new intensive care beds at a number of hospitals, including the Austin, St Vincent's and Northern hospitals, which all service my constituents. I welcome those commitments; I think they are very important in improving the health budget.

In relation to what Mr Finn had to say about the Premier and the Council of Australian Governments negotiations, I think all Australians should be extremely grateful for the fact the Premier was able to achieve a great outcome that will benefit not only this state but in fact everybody around the country. The Premier has described the funding as Victoria having achieved two health budgets this year — not only the funding that we were developing through our own budget process but also some additional funding commitments that will be provided by Canberra. I would have expected the opposition would welcome that.

In relation to other areas, in policing there are very important commitments in the budget, including 1700 additional front-line police, redeployment of 266 police from administrative work to front-line roles

and 55 on-the-ground youth workers to work with young people at risk.

Business interrupted pursuant to standing orders.

PRAHRAN MECHANICS' INSTITUTE AMENDMENT BILL

Introduction and first reading

Received from Assembly.

**Read first time on motion of Hon. J. M. MADDEN
(Minister for Planning).**

FAIR TRADING AMENDMENT (UNFAIR CONTRACT TERMS) BILL

Introduction and first reading

Received from Assembly.

**Read first time on motion of Hon. J. M. MADDEN
(Minister for Planning).**

ADJOURNMENT

The PRESIDENT — Order! The question is:

That the house do now adjourn.

Lake Charm Primary School: building program

Ms LOVELL (Northern Victoria) — The matter I wish to raise is for the attention of the Minister for Education and regards Lake Charm Primary School and the problems it is experiencing due to the federal government's Building the Education Revolution program. Earlier this year I raised the issue of Lake Charm Primary School's inability to start the school term on time due to the state of its buildings which were undergoing renovation. Unfortunately, due to slow progress and other complications, the school continues to experience problems and is unable to operate effectively. My request of the minister is that she investigate the state of Lake Charm Primary School and make sure that works are completed as soon as possible and to the highest possible standard.

In her response to my earlier concern about works at Lake Charm Primary School the minister acknowledged that classrooms were not ready for the first day of term 1 and the school's start to the 2010 school year was delayed. The school principal arrived

at the school on 21 January to find all the classrooms completely empty and a horrific mess where all classroom resources had been thrown randomly into the school office and throughout the school. There was no carpet in any classrooms and there were holes in the flooring. There was dust everywhere, there were old nails scattered on the floor and there was no space where students could effectively be taught.

Now we find that in the middle of term 2 the contractor still has not completed the job. The school's art room has not yet been renovated or painted, and the canopy between the school building and the toilet block has only just been completed. The school had to push for its kitchen to be completed so the teachers had somewhere to make a cup of tea or coffee and wash their dishes. This delay forced the teachers to wash their dishes in the toilet block. The school is also outraged that a new electronic whiteboard and projector do not line up properly, rendering the whiteboard useless. Unfortunately the warranty is no longer valid due to some adjustment having been made to the whiteboard. Other jobs have been botched, like the installation of new carpet which had to be pulled up and glued down again because it was not done correctly the first time. The school is so fed up with its treatment that it has made a submission to the Senate inquiry into the Building the Education Revolution program.

My request is that the minister investigate the state of Lake Charm Primary School and make sure that works are completed as soon as possible to the highest possible standard.

Ambulance services: western Victoria

Mr KOCH (Western Victoria) — My issue is for the Minister for Police and Emergency Services and relates to the cost-cutting measures imposed on the ambulance system in western Victoria. Lives in Geelong, Hamilton, Ballarat, Horsham, the Grampians, Bellarine Peninsula and the Surf Coast are being put at risk on a daily basis. Last week a man suffering a heart attack was left with no choice other than to make his own way to hospital after the only ambulance in Hamilton was called out to Coleraine.

Recently in Geelong two men, one suffering bleeding to the brain, were rushed to hospital by police as no ambulance was available. On the night in question only three ambulances were available to attend emergency situations in Geelong, the Surf Coast and the Bellarine Peninsula. Staff shortages in Geelong have forced paramedics to advise people with broken bones to make their own way to the emergency ward. Recently one ambulance turned out to an accident involving five

injured people. I was advised that it took more than an hour to have all five people transported safely to hospital.

Horsham has the only 24-hour ambulance station between Ararat and the South Australian border. It is expected to provide additional support to 12 stations in a 3000-kilometre area, and yet the Horsham station is so poorly resourced only one ambulance is available to address emergencies at night. The station is forced to rely on off-duty officers from its own ranks or from nearby regional stations to fill this gap.

This patchwork system has resulted in unacceptable response times that have blown out by 53 per cent. The resource issues restricting the ambulance service in western Victoria were further highlighted recently with 000 calls made from far western Victoria being transferred to Geelong. Call centre staff in Geelong are struggling to meet the demands placed on them by the extra 260 000 people they now service. Despite the best efforts of staff, any delay in quickly and accurately dispatching ambulances to far western regions will impact on the ability of paramedics to save lives.

When the Hamilton resident who was forced to make his own way to hospital last week called for an ambulance call centre staff could not comprehend that there was no 'nearest crossroad or intersection' near his home. They had no knowledge of the rural environment around Hamilton and treated his call as though it originated from metropolitan Melbourne.

My request is for the minister to resource ambulance services, particularly in western Victoria, with the infrastructure and staffing required to respond to emergencies within the government-set standard response time of 15 minutes. This will not only build community confidence and save lives but will also make the service equivalent to that experienced by those who live in metropolitan areas.

Disability services: respite care policy

Mr DRUM (Northern Victoria) — My adjournment matter is for the Minister for Community Services, Lisa Neville. In November last year I raised the ridiculous issue of the Mantons from Strathfieldsaye. They were attempting to have a night out with the help of some respite workers who were called in to help with the care of their two boys who suffer from autism. The respite workers from the city of Greater Bendigo are only prepared to look after one child each on any given night so the Mantons then had to get two respite workers to look after their boys. The Mantons were prepared to do this; however, when the respite workers arrived they

indicated that they were not prepared to look after the two younger girls who are also part of the family. In the end the Mantons had to get two respite workers as well as a babysitter. It has got to the point where if the Mantons want to go out for the night, they have to engage three workers to look after their family.

This issue has been raised before. The minister's response was that her department had no knowledge of these arrangements, and I reiterate that. In itself that is an issue, because these respite workers come from the city of Greater Bendigo and not from the Department of Human Services, so the problem does not come under the jurisdiction of the minister. However, the issue I am most concerned about is that when I asked the Mantons what sort of package they were on in relation to the two boys with autism, all I received in answer was a blank stare, which virtually meant, 'What do you mean what sort of package are we on?'. Here we have a family with two boys with autism — a 6-year-old and an 8-year-old — and two younger children. This diagnosis was made a number of years ago, but the mum and dad do not even realise they are entitled to a support package.

My question to the minister is: what sort of filtering system, or processes are in place to ensure that families bringing up children with disabilities know what type of assistance they are entitled to? Whether it is called a 'support and choice package', an 'individual choice package' or an 'individual support package' what sort of system does the relevant government department have in place to ensure that all families who qualify for assistance know they are eligible? Here is a clear example of a family that should have had myriad support, choice and opportunities available to it — and they have been paying for it out of their own pockets. There has been an absolute truckload of instances where they have needed support and not realised they were eligible for financial support, and that they have been for a number of years.

When we contacted the Department of Human Services in Bendigo we were told that the Mantons were entitled to support. However, just because they are entitled to a support package does not mean they are actually going to get one. I ask the minister to respond and tell me how the government goes about ensuring that people who are eligible receive support.

Parks Victoria: management

Mr P. DAVIS (Eastern Victoria) — I raise a matter for the attention of the Minister for Environment and Climate Change in relation to a media release of 11 April in which the Premier announced the

government's intention to provide free entry to Victoria's national parks. I point out that all this means is that the car parking fees at parks will be forgone. This alone will hardly achieve the objective mentioned by the Premier in his press release of encouraging people to get active in the great outdoors.

In the budget the government has shown its disdain for the development of walking trails and the encouragement of growth in nature-based tourism by allocating only \$3.4 million to upgrade trails and produce new maps. This means no new trails. To give one example, it leaves the proposed Orbost to Marlo trail, a centrepiece of the Orbost community plan, on ice.

Further, I draw a sinister inference from the very last paragraph of the release, which reads:

To ensure that we continue to fund parks sustainably in the future, we will conduct a review of all the revenue streams and costs associated with parks management, including tourism and recreational activities, weeds and pest control and essential infrastructure.

The release refers interested groups that might want to have input into the review to the Parks Victoria website, but its only offering is a brief news statement welcoming the Premier's statement. No indication has been provided as to what organisation will conduct the review or when it will be conducted.

I suggest two likely implications: the first is that by being able to point to an ongoing review the government will conveniently be able to sweep aside any discussion or criticism about public land management until after the state election this year. The government's poor record on public land management is every reason for it to devise such a means of avoiding scrutiny on an issue of primary importance in country areas such as East Gippsland.

The second is that the review of revenue streams and costs associated with Parks Victoria management suggests the government is seeking an avenue to disinvest in the maintenance and development of facilities in national parks. This would accelerate a trend that has been evident over the past 10 years and lead to the further deterioration of our national parks and their visitor facilities. Its effect would be the exact opposite of what the Premier spoke of in his media release. Therefore, I ask that the minister act to make available detailed information on the review, its objectives or guidelines, its form and the time line.

Weeds: control

Mr KAVANAGH (Western Victoria) — My adjournment matter is for the Minister for Environment and Climate Change and relates to weed control around Tea Tree Creek, which is also known as Stoney Creek, in the vicinity of the Moorabool catchment area. Some landowners have been ordered by the Department of Sustainability and Environment (DSE) to remove gorse from areas, including some areas which these landowners have claimed for years they do not own. It has now been determined that indeed the landowners are correct and they are not the owners of the land in question.

The landowners say the DSE will not acknowledge it has no power to make people remove gorse or other weeds from land they do not own. They also complain that the very great efforts and expense they go to to rid their own land of gorse and other weeds is frequently wasted because of the ineffective weeding of adjoining land and properties by DSE.

The action I seek from the minister is twofold. First, I ask that he instructs the DSE to publicly acknowledge that it does not have any legal power to force landowners to weed land that does not belong to them under the Catchment and Land Protection Act 1994, or by any other legal mechanism. Second, I ask that the minister undertake to improve the quality of weeding undertaken by DSE in the vicinity of the Moorabool catchment area to prevent the efforts and expense of adjoining landowners being wasted by weeds that are not properly eradicated encroaching onto their land.

Graffiti: Bentleigh

Mrs COOTE (Southern Metropolitan) — My adjournment matter is for the Minister for Local Government and is to do with graffiti in Bentleigh. I travel around Bentleigh on a very regular basis, and I see an increasing amount of graffiti everywhere. It is on shopfronts, trees, letterboxes and on private houses. It is on railway stations, especially the Moorabbin railway station, which is absolutely appalling. It is on surfaces everywhere and is increasing at a rapid rate.

In the city of Melbourne we have just had a debate on what constitutes graffiti and what constitutes street art. I can tell members there is graffiti in Bentleigh — there is no Banksy there! The graffiti there is absolutely atrocious.

There is evidence to show graffiti is the very soft end of a life of crime. Young children, usually young boys, who are bored start off thinking they are going to do

something that is just a little bit risqué, something that is going to be a little bit illegal. They start by tagging things on a regular basis. They then photograph it and put it onto a website and begin to become more and more involved with it. It leads to a whole range of issues. There is anecdotal evidence to suggest it leads to involvement with drug gangs, and on it goes. They get onto trains, graffiti the seats and become more and more daring.

There is an enormous amount of this happening in Bentleigh. My constituents are very concerned about it, to the extent that the traders in Centre Road, Bentleigh, have joined together to provide an anti-graffiti squad which cleans shopfronts every week. I commend the City of Glen Eira, which has a graffiti program; it encourages residents and community members alike to go out and clean off unacceptable graffiti.

My concern is twofold. One is for the young people, although that is not the issue of my adjournment matter this evening, but I do think that as a community we need to look at what is driving these young people to do this. The action I seek from the minister is: will he as a matter of extreme urgency introduce a holistic program to address the spread of the graffiti scourge in Bentleigh, and will he consider the introduction of graffiti flying squads?

Little Yarra Road–Warburton Highway: signage

Mr O'DONOHUE (Eastern Victoria) — I raise a matter this evening for the attention of the Minister for Roads and Ports. It concerns road signage from Yarra Junction to Warragul. The intersection of the Warburton Highway and Little Yarra Road is where tourists and others who wish to travel from the highway through to Warragul turn off. There used to be signage at that intersection indicating that at that turn off on the way to Warragul is the town of Powelltown. It also indicated this was the route to take to get to Mt Baw Baw.

The signage was removed some time ago, and I am advised by the owner of the Powelltown licensed general store that as a result of its removal, the number of tourists travelling through has fallen away, affecting not only his business but also other businesses along the route.

As the minister would be aware, this is a beautiful part of Victoria, and it is an area frequented by tourists, but many of the attractions along the route are not well known and signage indicating 'The historic township of Powelltown is along this way' would be beneficial for

tourists who are looking for that township and also for those who are meandering and perhaps looking for the best way to go.

The action I seek is for the minister to consider allowing new signage to be placed at the intersection of Little Yarra Road and the Warburton Highway to allow for greater explanation of the attractions on the way to Warragul.

The issue of signage on VicRoads roads is a contentious one. I have had previous correspondence with the minister about some of the heavy-handed tactics of VicRoads in removing signagery without consultation with those affected. I ask the minister to examine the issue. The tourism industry is very important, and I look forward to his response.

Water: Lake Wendouree

Mr VOGELS (Western Victoria) — I raise an issue for the Minister for Water concerning the wastewater treatment plant upgrade in Ballarat North and Creswick. The public sector asset investment program — budget information paper 1 — at page 95 states that the total expenditure to date on this project is \$44.887 million, with \$779 000 to be spent in 2010–11 and the remaining expenditure of \$6.723 million to come some time into the future. This is all funding previously announced by Central Highlands Water. It is not a new budget measure; it has all been announced in the past.

For four years now the Labor government has promised that water from the wastewater treatment plant would supplement run-off water, ensuring Lake Wendouree was restored to its full glory by 2010. We all know that Lake Wendouree is basically still empty; it is dry. With the commissioning of the treatment plant it has become evident the diluted water has too much salt content to be put into the lake unless it can be shandied down with fresh water. The action I seek from the minister is to bring the treatment plant up to world standard so the treated water can be deposited into Lake Wendouree. I want to know whether the expenditure of another \$6.723 million will allow this to occur.

Planning: Dandenong development

Mr RICH-PHILLIPS (South Eastern Metropolitan) — I wish to raise a matter for the attention of the Minister for Planning as the minister responsible for VicUrban. In particular it relates to the redevelopment of central Dandenong which is currently under way. It is a substantial project, that is restructuring a lot of the key roads through Dandenong,

including an upgrade and redevelopment of Lonsdale Street through central Dandenong. The matter I wish to raise with the minister relates to the immediate impact of that redevelopment on traders with businesses on Lonsdale Street and also on some of the surrounding roads, which have also been substantially disrupted by the works that are taking place.

The issue that has arisen is that because of the works a lot of the parking in Lonsdale Street has been removed and a lot of temporary barricades have been erected along Lonsdale Street, which has greatly reduced the capacity of pedestrian traffic to reach a lot of the businesses. This has particularly impacted on many small retail businesses, small independent supermarkets, bakers, butchers and delicatessens that are dependent on passing pedestrian traffic because it affects the ability of people to park close to their businesses. In fact a number of the businesses have advised that their turnover has gone down by 30 to 40 per cent since the works started in Lonsdale Street.

This matter has been raised with VicUrban, but unfortunately VicUrban has not been able to assist to any great extent with this matter. Its attitude is basically that once the works are finished these traders will benefit from the upgrade of Lonsdale Street. We certainly hope that is the case. However, in the short term these businesses are facing a cash-flow crisis, and there is no guarantee that they will survive to see the works finished. What I seek from the Minister for Planning is his intervention with VicUrban to ensure that some appropriate short-term support mechanisms can be put in place to ensure that these businesses have the cash flow and the ability to survive until the VicUrban works are completed.

Rail: Craigieburn accident

Mr FINN (Western Metropolitan) — I wish to raise a matter for the attention of the Minister for Public Transport. It concerns the train crash at Craigieburn last night. I am sure all members were horrified to hear that news on the radio this morning when they awoke, as I was. I understand the minister was at the scene of that incident until midnight. I commend the minister for that. I am pleased that somebody in this government is taking their responsibility seriously.

I understand there is an inquiry under way — at least one but perhaps even two or three inquiries are under way — as to how this could happen and presumably to make sure that it never happens again. My concern this evening is particularly with those who were injured. My understanding via media reports is that five or six people were taken to hospital and at least two or three

of them had serious injuries. I certainly wish them a speedy recovery and wish them well. I imagine that the immediate medical expenses of those people who were injured in this incident will be looked after by the government; I imagine that would be automatic. But I have a worry about the long-term treatment or therapy that these people will need in the months or perhaps even years ahead. These treatments can be expensive. I do not believe anybody who was injured on that train as a result of the crash last night should be out of pocket. It is equally as important — and we have heard some horror stories in the past about people who have lost their homes and businesses as a result of injuries suffered in similar accidents — that the loss of wages or earnings as a result of the crash is not an issue because after all it was a government service.

I ask the minister to guarantee victims of the Craigieburn crash last night will be properly supported by the government to ensure that they suffer no financial loss as a result of the injuries that they have had inflicted upon them due to the dreadful collision last night. These people have suffered enough. Unfortunately many of them will still be suffering for quite some time to come. The government owes them at the least some peace of mind that they will have some financial security in the months and years ahead.

Housing: Seaford rooming houses

Mrs PEULICH (South Eastern Metropolitan) — I wish to raise a matter for the attention of the Minister for Housing, Mr Richard Wynne. It is in relation to two rooming houses in Airlie Grove, Seaford. No doubt the President himself would be well aware of the problems that have been experienced by residents of Airlie Grove for a long period of time. In particular at the end of the street there is a primary school, so the street gets quite a bit of through traffic. Unfortunately there are two rooming houses that have one house separating them. Those residents are probably some of the more vulnerable. There may be mental health issues involved, they may be people who have no alternative accommodation or they may be Department of Justice clients and so forth. However, because they are too close together and there is inadequate control of their activities, unfortunately residents are often having to put up with the sort of behaviour that they should not have to put up with.

The police appear to have pretty much given up and are not following through with action that needs to be taken probably because they are underresourced and it monopolises their time — for example, threats to firebomb houses have been made against residents. A local resident, Melissa Ross, who is an accountant,

came to me with her little daughter, Hanna, in a pram and told me that one of the residents had tried to run over her husband, who is a medic working in one of our major hospitals. There was a meeting of 70 people with the mayor of Frankston, who is a diligent and hardworking mayor, and the member for Carrum in the Assembly, Jenny Lindell. However, it appears that nothing further is being done. I ask the minister to see what he can do to resolve some of the ongoing issues facing the residents as a result of the proximity of these two rooming houses and the lack of oversight. I understand the owner, Marie Bourke — her maiden name — may have been blacklisted for further referrals. Clearly there needs to be some more serious intervention. The police need to have full involvement to make sure that residents are properly protected and that people like Melissa Ross and her daughter are safe in the street where they have decided to make their home.

It is disappointing that the local member appears to be prepared to take no further action. I now call on the minister to do what he can in his capacity to make sure that rooming houses on Airlie Grove and the residents in particular are managed more effectively, and if they cannot be managed, that they are relocated. Certainly the police also need to be brought in to make sure that there is a sense of safety in that street, not just for residents but also for schoolchildren who walk to and from that school.

Physiotherapy: national registration and accreditation scheme

Mr D. DAVIS (Southern Metropolitan) — My matter for the adjournment debate tonight is for the attention of the Minister for Health. It concerns the recognition of specialist physiotherapy. As the minister is well aware and as members will remember, bills have passed through this place and parliaments in other states to set up a national registration and accreditation scheme for health professionals. Physiotherapy is one of those professions, and as part of that process from 1 July a new system will be in place in Australia. We will have a Physiotherapy Board of Australia, which will have regional bodies to undertake local liaison and so forth. But the Physiotherapy Board of Australia will be in the position to recommend — and I understand it has already done so — that specialist registration occur for physiotherapists who have attained certain standards and additional qualifications and are able to offer genuine speciality services in particular areas.

The final decision in this matter rests with the Australian Health Workforce Ministerial Council, and that group of luminaries includes our very own state

health minister, Daniel Andrews. Many of us were curious as to how many of these registration matters would work at a national level, but this all-powerful body has the capacity to make decisions to either recognise or not recognise, and it appears that it made the decision at its recent meeting in late April not to recognise specialist physiotherapy.

This is obviously of great concern to the Australian Physiotherapy Association, and I have met with a number of physiotherapists in recent weeks. There are other professions that have not had the appropriate recognition by the health ministers workforce council in its recent set of decisions, but the decision of the council was not to recognise specialist physiotherapy qualifications despite the recommendation of the Physiotherapy Board of Australia.

One of the resistant health ministers — and in fact some have said the leader of the resistance — was the Victorian Minister for Health, I am well informed by people from other states who are aware of what occurred at that meeting. I understand he is a key obstacle.

Therefore, I ask him to meet with the Australian Physiotherapy Association and, if necessary, the physiotherapy board and reverse his stance of opposing specialist physiotherapy arrangements at the next meeting of the health ministers workforce council.

Planning: regional and rural Victoria

Mrs PETROVICH (Northern Victoria) — My matter today is for the Minister for Planning, and it concerns developer contributions for regional areas. A representative of local council has raised the issue of problems faced by regional local government in paying for infrastructure improvements as a result of new subdivisions due to the inability to request developer contributions.

Regional councils experience great difficulty in the provision of infrastructure to new communities, as we all know. Coordinating infrastructure provision by local and state government is a key challenge but we must focus on reducing delays.

The Growth Areas Authority has set up a new group specialising in infrastructure coordination to work with councils, state authorities and developers on identifying needs and recommending priorities to government for long-term planning. Our needs, however, are immediate. There is currently a developer levy of \$1100 per housing allotment available to areas within the urban growth boundary (UGB). This levy allows

councils with land inside the UGB access to a levy but regional councils are denied this without developing a costly, detailed and time-consuming development contributions plan (DCP).

Whilst a levy of up to \$1100 per allotment would not cover all infrastructure costs, it would at least enable local government to secure some funds without having to always embark on the DCP process and provide a more equitable outcome across the state. Without a DCP, councils can attempt to enter into voluntary agreements with developers, but the Victorian Civil and Administrative Tribunal has ruled that councils cannot charge developer levies without a DCP.

Councils can charge an open space levy of up to 5 per cent of property values when subdivisions occur, but these are within the Subdivision Act, not the planning act, and can be cash or in kind. We recognise that the provision of infrastructure in regional areas is often more expensive than in metropolitan areas, yet regional councils are forced to use other income streams to cover their new infrastructure costs.

Representatives from a council within my electorate have met with the Minister for Planning, Justin Madden, and we seek feedback from this meeting without further delay. The action I seek is that the minister address this outstanding issue which, I am told, can be easily remedied to ease the cost impost on regional councils.

Responses

Hon. J. M. MADDEN (Minister for Planning) — I have a number responses to adjournment debate matters between the dates of 11 September 2008 and 25 March 2010. There are 30 responses for tabling tonight.

In relation to the matters raised in the adjournment debate, Wendy Lovell raised a matter of the Lake Charm Primary School, and I will refer the matter to the Minister for Education.

David Koch raised the matter of the ambulance system in western Victoria, and I will refer this matter to the Minister for Police and Emergency Services.

Damian Drum raised the matter of respite service workers in the city of Bendigo and various entitlements for those who may want to receive assistance, and I will refer this to the Minister for Community Services.

Philip Davis raised the matter of free entry to national parks and reviews of national parks across his region, and I will refer this matter to the Minister for Environment and Climate Change.

Peter Kavanagh raised the matter of Tea Tree Creek weed control and landowners adjoining Department of Sustainability and Environment land and associated discussions in relation to who should be responsible for the clean-up of weeds and various weed control. I will refer this to the Minister for Environment and Climate Change.

Andrea Coote raised a matter of graffiti control in Bentleigh, and I will refer this matter to the Minister for Local Government.

Edward O'Donohue raised a matter of the lack of signage at the intersection of the Warburton Highway and Little Yarra Road, which signage used to show the way to Powelltown and Warragul. I will refer this matter to the Minister for Roads and Ports.

John Vogels raised a matter of Lake Wendouree and the wastewater treatment plant for Ballarat North and Creswick. I will refer this to the Minister for Water.

Gordon Rich-Phillips raised a matter for me about central Dandenong and the various upgrades being undertaken by VicUrban. I was only recently in Dandenong and speaking with one of the business proprietors there, who pointed out that his business was suffering from a loss of turnover. He associated that with the building and roadworks being undertaken in central Dandenong, particularly because he was in one of the side streets. He felt that access into that side street was being hampered by some of the roadworks. I am very conscious of those matters and I will raise them with VicUrban, which can examine how it might be able to assist those businesses in terms of the associated complexities around the building work.

I know the building works are proposed to be completed around August, but I am conscious, having had that conversation with one of the business proprietors, that August might seem a long time off, given the impact on their respective turnovers.

Bernie Finn raised the matter of a Craigieburn rail incident and long-term support for those involved, and I will refer this to the Minister for Public Transport.

Inga Peulich raised a matter of the two rooming houses in Airlie Grove, Seaford. I will refer that to the Minister for Housing.

David Davis raised the matter of specialist physiotherapy. I understand Mr Davis was a physiotherapist —

Mr D. Davis — No, I wasn't.

Mrs Peulich — He was a chiropractor.

Hon. J. M. MADDEN — A chiropractor? I was going to say that as the Leader of the Opposition in this chamber, he makes a very good chiropractor, but given that he raised that matter, I will refer it to the Minister for Health for his attention.

Donna Petrovich raised a matter of infrastructure contributions for regional councils, particularly around levies and developer contributions. I am conscious of this matter because of some of those issues raised by Mrs Petrovich. I am concerned, though, that only recently in relation to the growth area infrastructure bill contributions that will come before the chamber there was a bit of scaremongering out in the regions, with people saying that that charge would extend into regional centres. That was not and has never been the case, but I am conscious of the need for local councils to have complementary systems of levies that do justice to the infrastructure that those local communities need.

We are having conversations with regional councils. Currently the vast majority tend to use section 173 agreements. Those agreements are cumbersome. Sometimes they are not only complex in implementation and negotiation with respective developers but as well they do not necessarily completely resolve the issues that councils have, particularly because more often than not they have to be negotiated rather than mandated. We are having conversations with regional councils in particular about these matters.

The Shire of Mitchell has raised the matter with me directly. I am conscious of its needs, particularly in some of the town centres which will be located beyond the anticipated changes to the urban growth boundary. Given that there may be additional pressures in those areas, I am conscious of finding a complementary solution to their needs but also developing some sort of uniform system that works not only for the Shire of Mitchell but for other regional councils across the state.

I look forward to continuing to have discussions with councils and to working on that issue so that we find the right balance between meeting the needs of the community by not increasing the cost of housing and doing justice to those who want to develop and continue to develop housing in regional centres. I am very conscious of those matters, and I look forward to perhaps presenting to the chamber a body of work around those issues if the opportunity arises in the future.

I am conscious of the importance of not undermining housing development or making housing less affordable. Given that the government has just recently put a significant amount of money into budget allocations to make housing in regional areas more affordable, I am conscious of the need to come up with a solution that does justice to the needs of all parties in a measured and sensible way and that does not undermine the ability of people to choose to develop their housing and live in regional centres.

The PRESIDENT — Order! The house now stands adjourned.

House adjourned 10.41 p.m.