

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE ASSEMBLY**

**FIFTY-SIXTH PARLIAMENT**

**FIRST SESSION**

**Thursday, 10 June 2010**

**(Extract from book 8)**

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## **The Lieutenant-Governor**

The Honourable Justice MARILYN WARREN, AC

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### Legislative Assembly committees

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**Standing Orders Committee** — The Speaker, Ms Barker, Mr Kotsiras, Mr Langdon, Mr McIntosh, Mr Nardella and Mrs Powell.

### Joint committees

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

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

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

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

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

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

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

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

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

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

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*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 Speaker:** Ms A. P. BARKER

**Acting Speakers:** Ms Beattie, Ms Campbell, Mr Eren, Mrs Fyffe, Ms Green, Dr Harkness, Mr Howard, Mr Ingram, Mr Jasper, Mr Kotsiras, Mr Languiller, Ms Munt, Mr Nardella, Mr Seitz, Mr K. Smith, Dr Sykes, Mr Stensholt and Mr Thompson

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**Deputy Leader of the Parliamentary Labor Party and Deputy Premier:**

The Hon. R. J. HULLS

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Mr E. N. BAILLIEU

**Deputy Leader of the Parliamentary Liberal Party and Deputy Leader of the Opposition:**

The Hon. LOUISE ASHER

**Leader of The Nationals:**

Mr P. J. RYAN

**Deputy Leader of The Nationals:**

Mr P. L. WALSH

Member	District	Party	Member	District	Party
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Andrews, Mr Daniel Michael	Mulgrave	ALP	Lindell, Ms Jennifer Margaret	Carrum	ALP
Asher, Ms Louise	Brighton	LP	Lobato, Ms Tamara Louise	Gembrook	ALP
Baillieu, Mr Edward Norman	Hawthorn	LP	Lupton, Mr Anthony Gerard	Prahran	ALP
Barker, Ms Ann Patricia	Oakleigh	ALP	McIntosh, Mr Andrew John	Kew	LP
Batchelor, Mr Peter John	Thomastown	ALP	Maddigan, Mrs Judith Marilyn	Essendon	ALP
Beattie, Ms Elizabeth Jean	Yuroke	ALP	Marshall, Ms Kirstie	Forest Hill	ALP
Blackwood, Mr Gary John	Narracan	LP	Merlino, Mr James Anthony	Monbulk	ALP
Bracks, Mr Stephen Phillip <sup>1</sup>	Williamstown	ALP	Morand, Ms Maxine Veronica	Mount Waverley	ALP
Brooks, Mr Colin William	Bundoora	ALP	Morris, Mr David Charles	Mornington	LP
Brumby, Mr John Mansfield	Broadmeadows	ALP	Mulder, Mr Terence Wynn	Polwarth	LP
Burgess, Mr Neale Ronald	Hastings	LP	Munt, Ms Janice Ruth	Mordialloc	ALP
Cameron, Mr Robert Graham	Bendigo West	ALP	Napthine, Dr Denis Vincent	South-West Coast	LP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Nardella, Mr Donato Antonio	Melton	ALP
Carli, Mr Carlo Domenico	Brunswick	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Clark, Mr Robert William	Box Hill	LP	Noonan, Wade Mathew <sup>7</sup>	Williamstown	ALP
Crisp, Mr Peter Laurence	Mildura	Nats	Northe, Mr Russell John	Morwell	Nats
Crutchfield, Mr Michael Paul	South Barwon	ALP	O'Brien, Mr Michael Anthony	Malvern	LP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Overington, Ms Karen Marie	Ballarat West	ALP
Delahunty, Mr Hugh Francis	Lowan	Nats	Pallas, Mr Timothy Hugh	Tarneit	ALP
Dixon, Mr Martin Francis	Nepean	LP	Pandazopoulos, Mr John	Dandenong	ALP
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Duncan, Ms Joanne Therese	Macedon	ALP	Pike, Ms Bronwyn Jane	Melbourne	ALP
Eren, Mr John Hamdi	Lara	ALP	Powell, Mrs Elizabeth Jeanette	Shepparton	Nats
Foley, Martin Peter <sup>2</sup>	Albert Park	ALP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
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Graley, Ms Judith Ann	Narre Warren South	ALP	Ryan, Mr Peter Julian	Gippsland South	Nats
Green, Ms Danielle Louise	Yan Yean	ALP	Scott, Mr Robin David	Preston	ALP
Haermeyer, Mr André <sup>3</sup>	Kororoit	ALP	Seitz, Mr George	Keilor	ALP
Hardman, Mr Benedict Paul	Seymour	ALP	Shardey, Mrs Helen Jean	Caulfield	LP
Harkness, Dr Alistair Ross	Frankston	ALP	Smith, Mr Kenneth Maurice	Bass	LP
Helper, Mr Jochen	Ripon	ALP	Smith, Mr Ryan	Warrandyte	LP
Hennessy, Ms Jill <sup>4</sup>	Altona	ALP	Stensholt, Mr Robert Einar	Burwood	ALP
Herbert, Mr Steven Ralph	Eltham	ALP	Sykes, Dr William Everett	Benalla	Nats
Hodgett, Mr David John	Kilsyth	LP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Holding, Mr Timothy James	Lyndhurst	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Howard, Mr Geoffrey Kemp	Ballarat East	ALP	Thwaites, Mr Johnstone William <sup>8</sup>	Albert Park	ALP
Hudson, Mr Robert John	Bentleigh	ALP	Tilley, Mr William John	Benambra	LP
Hulls, Mr Rob Justin	Niddrie	ALP	Trezise, Mr Ian Douglas	Geelong	ALP
Ingram, Mr Craig	Gippsland East	Ind	Victoria, Mrs Heidi	Bayswater	LP
Jasper, Mr Kenneth Stephen	Murray Valley	Nats	Wakeling, Mr Nicholas	Ferntree Gully	LP
Kairouz, Ms Marlene <sup>5</sup>	Kororoit	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
Kosky, Ms Lynne Janice <sup>6</sup>	Altona	ALP	Weller, Mr Paul	Rodney	Nats
Kotsiras, Mr Nicholas	Bulleen	LP	Wells, Mr Kimberley Arthur	Scoresby	LP
Langdon, Mr Craig Anthony Cuffe	Ivanhoe	ALP	Wooldridge, Ms Mary Louise Newling	Doncaster	LP
Languiller, Mr Telmo Ramon	Derrimut	ALP	Wynne, Mr Richard William	Richmond	ALP

<sup>1</sup> Resigned 6 August 2007

<sup>2</sup> Elected 15 September 2007

<sup>3</sup> Resigned 2 June 2008

<sup>4</sup> Elected 13 February 2010

<sup>5</sup> Elected 28 June 2008

<sup>6</sup> Resigned 18 January 2010

<sup>7</sup> Elected 15 September 2007

<sup>8</sup> Resigned 6 August 2007



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**Thursday, 10 June 2010**

**The SPEAKER (Hon. Jenny Lindell) took the chair at 9.34 a.m. and read the prayer.**

**BUSINESS OF THE HOUSE****Notices of motion: removal**

**The SPEAKER** — Order! I advise the house that under standing order 144 notices of motion 110 to 115, 152, 153 and 213 to 222 will be removed from the notice paper unless members wishing their notice to remain advise the Clerk in writing before 2.00 p.m. today.

**NOTICES OF MOTION****Notices of motion given.****Mrs POWELL having given notice of motion:**

**The SPEAKER** — Order! I suggest to the member for Shepparton that her last notice of motion contained considerable argument and debate. It will be edited by the clerks.

**Further notices of motion given.****Mr WELLER having given notice of motion:**

**The SPEAKER** — Order! I advise the member for Rodney that his notice of motion will be edited by the Clerks. I am happy to discuss that in my office if the member for Rodney would like some further clarification.

**Further notices of motion given.****Dr SYKES having given notice of motion:**

**Ms Campbell** — On a point of order, Speaker, I draw your attention to your previous rulings in relation to the number of words that may be included in a notice of motion. I request that you examine some of the notices of motion given today, particularly those of the member for Benalla.

**The SPEAKER** — Order! I do not uphold the point of order by the member for Pascoe Vale. The last notice of motion given by the member for Benalla is in order in that it is asking for the Parliament to set up a committee to look into certain things, and under that circumstance a notice of motion can be longer than the maximum 250 words. The clerks always rigorously

review the notices of motion, and daily many of them are edited.

**Further notice of motion given.****PETITIONS****Following petitions presented to house:****Bairnsdale Regional Health Service: consulting suites**

To the Legislative Assembly of Victoria:

The petition of the residents of Gippsland East draws to the attention of the house the current dispute between visiting medical specialists and Bairnsdale Regional Health Service. The petitioners therefore request that the Legislative Assembly of Victoria calls on the state government to mediate and source suitable consulting rooms at minimal cost to ensure that residents continue to have local access to visiting medical specialists.

**By Mr INGRAM (Gippsland East) (4929 signatures).**

**Rail: Clunes service**

To the Legislative Assembly of Victoria:

The petition of the residents of Clunes points out to the house that the community of Clunes desperately requires a regular public transport service to support low-income residents and assist the environment.

The petitioners therefore request that the Legislative Assembly of Victoria instruct the Minister for Public Transport to implement a regular public transport service, by way of having regular stopping of the train, at the Clunes railway station, in the proposed extension of the train to Maryborough.

**By Mr INGRAM (Gippsland East) (364 signatures).**

**Rail: Clunes service**

To the honourable the Speaker and Members of the Legislative Assembly of Victoria in Parliament assembled:

The petition of the undersigned citizens of Clunes and the state of Victoria draws to the attention of the Legislative Assembly the need for the town of Clunes to be included in the reinstated Maryborough to Ballarat passenger rail service.

The petitioners therefore request that the Parliament of Victoria instruct the Minister for Public Transport to ensure that the passenger rail service stops at Clunes railway station and directs the attention of honourable members to the following:

currently there are no plans for Clunes to be included in the rail service;

Clunes, one of the three communities situated on the rail line, is to be bypassed by the new service;

the decision to bypass Clunes is discriminatory and unfairly disadvantages its elderly and low-income residents;

Clunes is already poorly serviced by public transport with no service on Wednesdays;

there is an existing station and platform that, with minor repairs, is available to be used.

**By Mr INGRAM (Gippsland East) (572 signatures).**

### **Electricity: smart meters**

To the Legislative Assembly of Victoria:

The petition of citizens of the state of Victoria draws to the Legislative Assembly'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 Assembly 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 Mr WALSH (Swan Hill) (22 signatures).**

### **Liquor licensing: fees**

To the Legislative Assembly of Victoria:

The petition of residents of Victoria draws to the attention of the house the need to urgently reconsider the massive increases in liquor licence fees in view of the severe financial pressure these are having on country liquor outlets.

Such huge blanket increases in licence fees are impacting on employment, community organisations and sponsorships, and even business survival in a number of cases.

Risk-based fees should actually address the problems which have arisen in 'hot spot' areas, distinguish activities increasing risk of antisocial behaviour, and thus be imposed selectively, to address those issues.

The petitioners therefore request that the Victorian government recognises the damage such across-the-board increases are causing, particularly in many country communities and review the legislation as a matter of urgency.

**By Mr WALSH (Swan Hill) (38 signatures).**

### **Water: charges**

To the Legislative Assembly of Victoria:

This petition of citizens of the state of Victoria draws to the Legislative Assembly's attention the Brumby government's mismanagement of water supply and, in particular, the resultant exorbitant prices being inflicted on the residents of Victoria by water authorities to recoup their losses as a result of this mismanagement and we condemn the Brumby government for its previous lack of attention to the issue of water supply which has led to these price increases.

**By Mr WALSH (Swan Hill) (249 signatures).**

**Tabled.**

**Ordered that petitions presented by honourable member for Swan Hill be considered next day on motion of Mr WALSH (Swan Hill).**

**Ordered that petitions presented by honourable member for East Gippsland be considered next day on motion of Mr INGRAM (East Gippsland).**

## **BUSINESS OF THE HOUSE**

### **Adjournment**

**Ms D'AMBROSIO (Minister for Community Development) — I move:**

That the house, at its rising, adjourn until Tuesday, 22 June 2010.

**Motion agreed to.**

## **MEMBERS STATEMENTS**

### **Water: hose nozzle exchange program**

**Ms ASHER (Brighton) —** On 24 March 2010, the government announced that Melbourne's water restrictions would be changed from level 3a to level 3. At the same time, the government also announced a free trigger nozzle exchange program where 14 000 trigger nozzles could be exchanged. The launch of this program occurred at the Melbourne International Flower and Garden Show — another stunt when the Premier exchanged the Minister for Water's old nozzle for a new one.

On 2 June the minister announced that there were 50 000 nozzles for exchange, and indeed the minister said in his press release:

This is the biggest trigger nozzle exchange we have ever done. These will go like hotcakes ....

I have no doubt that many people will want to swap their old hose nozzles for new ones, but Victorians need

water. This is a very serious issue, and I would hope that the house takes it seriously. Victorians need water, not endless publicity stunts involving shower heads, shower timers and now the latest — trigger nozzles. Victorians have endured harsh water restrictions and are paying significantly increased water bills because the Labor government has failed to act on water supply when it should have. In conclusion, I understand that one person has even produced a rap song called *Nozzle Shemozzle*.

### **Shire of Central Goldfields: no-interest loans scheme**

**Mr HELPER** (Minister for Small Business) — *Nozzle Shemozzle* — that's a good one; I like it! On Friday, 28 May, I joined Maryborough Community House volunteers in launching the new Central Goldfields area no-interest loans scheme (NILS). The NILS initiative is run by the Good Shepherd Youth and Family Service and funded by the Brumby Labor government in conjunction with the National Australia Bank. NILS offers interest-free loans between \$300 and \$1200 to purchase necessary household goods and services including health and education. These loans provide support to people who are unable to access the usual forms of credit from traditional lenders such as the banks.

This, in turn, provides a boost to local economies through increased retail trade for household goods and services. A commendable aspect of the scheme is the fact that it relies on volunteers dedicating their time to help others in the community. This follows on from the highly successful Ararat NILS initiative, which has recorded no defaults on loan repayments so far. Encouraging loan recipients to meet their obligations ensures that an available pool of money remains for future lending. In 2006 the state Labor government provided \$4.7 million in funding towards the NILS initiative and will provide a further \$595 000 funding per annum.

### **Water: northern Victoria projects**

**Mr WALSH** (Swan Hill) — I would like to refer to yesterday's very damning report from the Auditor-General on the Brumby government's mismanagement of water projects in northern Victoria and the fact that its processes lack rigour, documentation, transparency and detailed planning. The issue here is that it did not have to be so.

In my electorate is the Pyramid-Boort Water Services Committee. It has spent a lot of time developing what it calls its 'future management strategy' for the

reconfiguration and, in some cases, rationalisation of assets in that district. This government took no notice of all the work the committee has done with the community — the extensive community consultation — and, instead, implemented a new plan. That group had done all the work that could have been done with the community but without the pain of the current project. When the Pyramid-Boort Water Services Committee dared to ask questions about this, it was actually sacked as a water services committee. The committee does not now register at all on the Goulburn-Murray Water website.

Another water service district in my electorate is administered by the Torrumbarry Water Services Committee, which has spent a number of years developing the Torrumbarry renewal and modernisation program, which, again, involved a lot of community work; but again the government has taken no notice of that in its food bowl modernisation project. The Auditor-General's report would not have been so damning if the government had taken notice of the community.

### **Independent Living Skills: cookbook**

**Ms BARKER** (Oakleigh) — For the past 25 years a group of very dedicated and caring people have produced four easy cookbooks which have assisted thousands of Australians with intellectual disability or low literacy levels to experience the task of preparing and cooking their own nutritional meals. This group of dedicated and caring people are members of the not-for-profit organisation now known as Independent Living Skills (ILS), and I thank the members, particularly the committee of Joy Graves, Sally Kaptein, Vivien Atkins, Jack Carolan, Fiona Wedding and Jodie Eden-Jones.

Their purpose is to produce new resources to support independent living, including promoting healthy lifestyles for people with disability and low literacy and to create a training program which helps support workers and other stakeholders to successfully implement these important lifestyle changes. They have now produced and published *Lifestyle — Easy Cook Book 5* about how to prepare food from the freshest ingredients and a daily lifestyle chart to encourage a healthy lifestyle. The book is accompanied by a DVD called *Let's Grow Vegetables*.

I congratulate Michael Carter, the project coordinator, and thank Lindsay Manns, who has a landscaping business and who gave his time to the production of the DVD and the teaching of gardening. I also acknowledge Dominique Resson, who worked with

Lindsay, and as she noted on her name card at the launch of the book, she is now called the *Let's Grow Vegetables* star.

The Myer Foundation has supported ILS for many years and I thank the foundation for its ongoing support. The Murrumbidgee community branch of the Bendigo Bank is a proud major sponsor of the production of this new cookbook and DVD, and I thank Sue Foley, branch manager, and Dennis Tarrant, chairman of the board, for their willingness to support this great group of volunteers.

### **Clearways: city of Stonnington**

**Mr O'BRIEN** (Malvern) — The latest instalment of the Brumby government's clearways debacle has taken place on the streets of Armadale in my electorate. I was at the corner of High Street and Glenferrie Road in Armadale last week with Cr Tim Smith, the mayor of Stonnington, and we were inspecting the new clearway extensions in operation.

The first thing we noticed was that there is a clearway sign stating that the clearways take effect from 3.00 p.m., with an arrow pointing west from the intersection. A few metres down the road there is a further sign saying the clearways operate from 4.00 p.m., with an arrow pointing east. You would think that since there are two different starting times there might be a dividing line somewhere to indicate to people parking their cars where the 3.00 p.m. clearway starts and where the 4.00 p.m. clearway starts. But under this incompetent government with this incompetent minister there is no such sign. So my constituents are expected to guess whether there is a 3 o'clock start to a clearway or whether there is a 4 o'clock start to the clearway. If they get that wrong, the government will have cars towed away and charge the owners hundreds of dollars to get them back.

If this government is going to try to destroy businesses and inconvenience residents in my electorate, the least it can do is get the signs right and give my constituents a fighting chance to comply with the law.

### **Anne Cox**

**Mr LUPTON** (Pahran) — Today I pay tribute to the life and memory of Anne Cox, who passed away on 23 May. Her funeral at Our Lady of Lourdes Catholic church in Prahran was attended by a large number of her friends from a community in which she spent her 72 years. I thank Fr Brendan Hayes for his very personal and thoughtful service. As was made clear at her funeral, three things dominated Anne's life: her

family, her faith and the Labor Party. She was devoted to her children, Margaret, Damon, Darren and Gerard, her three grandchildren and three great-grandchildren. Young Brittany spoke beautifully at the funeral and Anne would be very proud of her.

Anne had a deep and abiding faith and until recently was a regular reader at Our Lady of Lourdes church. Her commitment was a very practical one and led her to a life of community service. Even while suffering from her illness, until recently she crocheted rugs for a women's refuge. That shows her spirit. The expression of her views about creating a better society was through her membership and work for the Labor Party, in which she held many positions and worked for Clyde Holding, John Thwaites and me, and became our close friend. One of her proudest moments came when she was sworn in as a justice of the peace, and she became renowned as a very hardworking JP, putting in many hours of voluntary community service in that role.

Anne's dedication, irreverent sense of humour and positive outlook endeared her to those who knew her. She will be sadly missed and fondly remembered.

### **Students: support services**

**Ms WOOLDRIDGE** (Doncaster) — I rise to express concern that children who need extra assistance at school are being forced to wait for an unreasonable time. Ashley Ryan, the highly respected principal at Birralee Primary School in my electorate, has contacted me regarding the new student support services saying:

I am extremely disappointed and angry with the new system — it is a retrograde step. The new system is unwieldy, time-consuming and of lower quality than that we previously had.

As a result of this new regime, parents with a child in need are kept waiting to see a therapist, sometimes over a month longer than would have happened previously. This can affect a child's performance and attitude at school. Failures in the new system include a highly bureaucratic process; long waits to even begin the process; multiple covering letters, consent forms, school referral forms and family information forms; and more waiting and administration before the application is finally considered for allocation of support staff to deal with the referral.

Mr Ryan has told me he has had to resort to using the school's money to hire speech therapy services that were once provided by department support staff. The education department officer has admitted there remains work to be done. However, all the officer could suggest was to refer the principal back to the eastern

metropolitan office, which is where he unsuccessfully started in the first place. I call on the Minister for Education to ensure that, rather than principals and teachers getting bogged down in a bureaucratic minefield, we have a system that can respond to the needs of children in an appropriate, timely and flexible manner.

### **Sussex neighbourhood house: facilities**

**Ms CAMPBELL** (Pascoe Vale) — Congratulations to the Sussex neighbourhood house team for its dedication and persistent work to achieve a purpose-built home that meets the range of current and future users and course needs within a 21st century learning and teaching environment of ‘Share, learn, enjoy and grow’.

For over six years Sue Harris, the house coordinator, has endured an endless array of seemingly futile meetings, reports and consultants and yet has continued to hold the vision of better services for our community. I would like to thank Sue, two successive committees of management — particularly the current committee of management, led by chair Ruth Robles — the accommodation team, led by Elizabeth Cleland, and Moreland councillors, especially Cr Kathleen Matthews-Ward, whose inspiring vision for a Pascoe Vale community hub has given impetus to council staff and the Sussex family.

Sussex neighbourhood house is a microcosm of the community because of its welcoming and encouraging staff and volunteers, who ensure that all members of the community are included in the learning and activities which best suit their needs and wishes. It is a community hub for the young, old and all ages in between; mums with children; people with disabilities; new and not-so-new migrants learning or improving their English; health and wellbeing program participants; the computer challenged; and children enjoying the Scallywags children’s centre.

Hopefully the Sussex team members can soon look forward to a new home as they examine plans and talk to potential funding sources that will assist them to better accommodate the current and future range of people and programs. We need a purpose-built home.

### **Shepparton: multipurpose taxis**

**Mrs POWELL** (Shepparton) — I rise to bring to the attention of the Minister for Public Transport the appalling and uncaring way people with a disability are being treated in Shepparton. Mr Rick Madgewick of Greater Shepparton Taxis told me he had submitted an

application to the Victorian Taxi Directorate in November last year for a multipurpose vehicle to cater for the needs of people in wheelchairs or motorised scooters or people with other mobility problems. Mr Madgewick had not received an answer to his application, even though he and his barrister continually phoned the VTD. On 31 May Mr Madgewick met with the VTD and was told to put in another application, even though it had not responded to his first one.

There are only two multipurpose vehicles in Shepparton, both owned by another taxi network. Shepparton is one of the fastest growing regional centres, with a population of 60 000 people. Disabled people in Shepparton are being denied independence. Wangaratta Taxis have four multipurpose vehicles for a population of 12 500, and smaller towns like Euroa, Nagambie and Benalla have two each.

This week Mr Terry Duffy called into my office to complain about the lack of multipurpose taxis in Shepparton. He is 74 years of age and uses a motorised scooter as he suffers from severe arthritis and breathing problems. Mr Duffy recently phoned the VTD to voice concern at the lack of multipurpose taxis, and it was suggested that he should get a small scooter. Mr Duffy visits Goulburn Valley Health twice a week to have treatment and has to wait 2 hours each time after the treatment to be picked up by a multipurpose taxi. This is outrageous. In the Shepparton district people with a disability are being ignored. I call on the minister to increase the number of multipurpose taxis urgently to allow people with a disability to be engaged in the community.

### **Vietnamese community: Journey of Freedom exhibition**

**Mr DONNELLAN** (Narre Warren North) — Last Saturday, 5 June, I was greatly honoured to be the keynote speaker at an exhibition called Journey of Freedom put on by the Archive of Vietnamese Boat People. Firstly, I would like to congratulate the people involved in putting on the exhibition, Mr Dong Tran, Mr Hung Chau, Mr Ching Dang, and Mr Quang Phung. They put on a marvellous exhibition, and there was a very healthy turnout.

The exhibition deals with the celebration of the 35 years of Vietnamese immigration to this country following the fall of Saigon on 30 April 1975. It is a significant milestone in the community, because this was a fight for the one thing the Vietnamese wanted above all else — freedom. This exhibition highlights the struggles, the strain, the difficulties and the bravery of the Vietnamese people in leaving Vietnam and

coming to settle in this country. I think there were some 58 878 Vietnamese people who actually ended up settling in Victoria.

I want to briefly mention the speech by Mr Bon Nguyen, who is the president of the Vietnamese Community in Australia, Victoria chapter. It was a very moving speech about his need to leave his family behind, as the oldest son, to come to Australia; I think it brought many people to tears. I congratulate the organisation for putting on such a marvellous exhibition.

### **Minister for Industrial Relations: performance**

**Mr R. SMITH** (Warrandyte) — Over the last few years Victorians have had to watch in amazement as Labor minister after Labor minister have denied responsibility for many of the failures and much of the inaction within their portfolio areas.

The Minister for Planning has blamed his media adviser for an inappropriate approach to consultation; the Minister for Police and Emergency Services has blamed the chief commissioner for the lack of police available to tackle violence at trouble spots; and the Minister for Community Services has blamed her departmental secretary for just about everything.

There has been one minister, however, who has not sought to blame anyone for the inaction within his portfolio and who has been consistent in his approach to the various issues that have arisen in his portfolio area. That minister is the Minister for Industrial Relations, Martin Pakula. He openly gave evidence during the Public Accounts and Estimates Committee (PAEC) hearings that he believed he was patently not responsible for intervening in any industrial disputes that arise on state government work sites and that he would absolutely not initiate any discussions between public servants and the government in relation to EBA (enterprise bargaining agreement) negotiations.

The minister has clearly and consistently stuck to his guns, refusing to act, speak to his union mates or even publicly make comment on the many industrial disputes that have occurred on government work sites, despite the impact that the subsequent delays have had on Victorians. Whether it has been industrial issues at the Royal Children's Hospital, the West Gate Bridge or the Epping fruit and vegetable market, the minister has absolutely refused to get involved.

Even when illegal behaviour by the unions on public and private sites throughout Victoria have been proven and prosecuted by the courts, the minister does nothing

to condemn the actions of those prosecuted. You know where you stand with this minister. He says he will not do anything — and you can absolutely believe him!

### **St Scholastica's Primary School, Bennettswood: illuminated speed signs**

**Mr STENSHOLT** (Burwood) — Several weeks ago, much to the surprise of locals, the school speed zone lights on Burwood Highway outside the St Scholastica's parish school disappeared. I thank the Digby family for alerting me to this. I talked to the principal, Paul Gleeson; then I contacted VicRoads and asked that the lights be put back in place. Lo and behold, they are back this week, and I thank VicRoads, in particular Ravi Ravichandhira and the contractors, for doing this. This result helps ensure our kids are safer crossing the road.

### **Monash Croquet Club**

**Mr STENSHOLT** — Last week I was delighted to join the president of the Monash Croquet Club, Jean Deacon, committee members Bev Grigg and John van der Touw, and club members to unveil their new honour board, alongside the Pinewood Community Bank manager, Merv Ericson. Located at Electra Reserve in Ashwood, it is a great club; it recently won the 2009 City of Monash Club of the Year award.

### **Markham Reserve, Ashburton: lights**

**Mr STENSHOLT** — I was also delighted recently to announce a Brumby Labor government grant of \$44 000 under the World Game program to upgrade the lights at Markham Reserve in Ashburton, which is used by the largest sporting club in Boroondara, the Ashburton United Soccer Club. That club is ably led by president Derek Cafferty and committee members Mark Gerstel, Graeme Lamb, David Teagle, Alan Jager, Lesley Gemmell and Rob Pettit, among others.

The club has 37 junior teams, and some 200 kids attend Goalkick. Everyone gets a go, and there is great community spirit. Recently I joined with the police and others to hold a community fun day at Markham Reserve. A game of soccer was held between the police club and the locals, and everyone enjoyed themselves. It was a great day and contributed to community spirit in Ashburton.

### **Crime: government claims**

**Mr MORRIS** (Morningside) — As long as I have been in this Parliament I have had to put up with the Minister for Police and Emergency Services making claims that the Victorian crime rate was declining, that

Victoria was the safest state in Australia, that record amounts of money were being spent on policing and that we had more police on the streets than ever before. Yet at the same time we knew people were becoming less and less comfortable about walking our streets, not only in the dark but often even in broad daylight.

It has become increasingly hard to reconcile the utopian claims of a spin-driven government with the reality of an ever-increasing level of vicious and seemingly random and aimless assaults. There has been a daily parade of stories, each one worse than the last. In one of the most recent, a young Mornington Peninsula footballer, who not long ago turned 18, was attacked in Main Street, Mornington. He and a cousin were waiting for a taxi when they were bashed by a group of men. He sustained a dislocated shoulder, a fractured nose and a fractured bone near his eye. The cousin, fortunately, suffered only minor injuries.

It has long been clear that government claims and the reality on our streets are two entirely different things. So I was not at all surprised to see that assaults recorded by 000 on the Mornington Peninsula were 59 per cent higher than the official police statistics. I have frequently said I have an extremely high opinion of the way our local police go about their business, but that there are simply nowhere near enough of them to keep the community safe.

The release of these previously confidential figures has now proved that I was right all along, and that our local police really are incredibly stretched. Until the Brumby government matches its rhetoric to resources, Victorians cannot be confident when they leave home that they can expect to return unharmed.

### **Our Lady of the Sacred Heart College, Bentleigh: performing arts**

**Mr HUDSON** (Bentleigh) — Recently I attended the annual performing arts spectacular at Our Lady of the Sacred Heart College in Bentleigh. This event is a great opportunity for the students of the college to showcase their talents. A highlight of the program was the OLSH Bandstand, where all the students in each school house participated in a rendition of a Disney musical.

Chevalier performed a medley from *Mulan*, Sweeney from *Aladdin*, Hartzler from *The Little Mermaid* and Xavier from the *Lion King*. All of the students put an enormous amount of work into their costumes and performance, creating a vibrant and powerful expression of the themes from these musicals on stage. In addition there were wonderful performances from

the percussion ensemble with *Latinology*, the junior choir with *Can You Feel the Love Tonight*, the senior vocal ensemble with *Don't Stop Believin'* and the jazz ensemble with *Afro Blue*. Fine solos were performed by Chloe Lewis and Erin Renwick.

In the OLSH You've Got Talent quest there were high-quality performances by Kirsten Davey, Natalya Esteves, Lucy Hibbert, Bianka D'Souza, Jessie Stuart, Natasha and Rachel Pinto, Deanna Taylor, Martha O'Hagan, Shannon Durkin, Aleksandra Mazurek, Cristina Cafasso and Jemma Williams. Jessie Stuart won the quest with a beautiful neoclassical dance. However, the overall winners were the students of the college, who gained so much from working as part of a group and developing self-confidence and skills through artistic expression. There is a wonderful array of musical talent that has long been nurtured in the school, and it gets better every year.

### **Rutherglen Winery Walkabout**

**Mr JASPER** (Murray Valley) — I bring to the attention of the house the famous Rutherglen Winery Walkabout, which will again be held during this Queen's Birthday long weekend. Starting from humble beginnings as the Rutherglen Wine Festival in 1966 promoted by the Rutherglen Apex Club, which I was a proud member of, it developed quickly, with huge crowds in attendance.

Because of its continuing development the event was changed in 1974 from being held on the March long weekend to the Queen's Birthday weekend and rebadged the Rutherglen Winery Walkabout, with a broad-ranging committee involved. Since that time the popularity of the festival has exploded, with thousands attending each year. With 20 wineries involved, providing tastings, entertainment and food, the event has won a large number of state and federal awards, recognising its great success.

In 1984 the festival expanded to include the Rutherglen Country Fair, conducted on Sunday in the closed Main Street of Rutherglen. It now includes over 300 stalls, together with food and entertainment such as barrel rolling and grape treading. That is where I fit in. For over 20 years I have promoted the celebrity grape tread, whereby I have issued a challenge to a range of politicians over the years to join me, together with a partner, to press grapes in the championship. This year the Minister for Community Development, Lily D'Ambrosio, and the member for Derrimut, Telmo Languiller, have accepted the challenge to be at Rutherglen this Sunday to press out the grape juice. For a great weekend of wine, food and entertainment you

must be a part of the Rutherglen Winery Walkabout and the country fair.

### **Moonee Valley Youth Services: Step Off dance competition**

**Mr LIM** (Clayton) — On Saturday, 11 April, I attended an event called Step Off. Step Off is a youth hip-hop dance competition run by Moonee Valley Youth Services in conjunction with the Brimbank City Council, funded and sponsored by the FReeZA program of the Office for Youth. Through the local youth-led FReeZA committee a large number of volunteers organised and staffed the hugely successful event. The event hosted over 150 young dancers from 32 dance crews who performed to a sold-out crowd of over 1400 people. The event was a drug, alcohol and smoke-free event and was instrumental in providing youth with a forum to express their creativity, positivity and love for dance.

The event was a highly entertaining night, and I was amazed to experience the passion and dedication amongst everybody in the hall, including all the dancers, the parents, the organisers, the sponsors and even the special guest judge, Jason Coleman from *So You Think You Can Dance*.

I would like to congratulate FReeZA, Moonee Valley Youth Services and Brimbank City Council for running a fantastic show and fulfilling their aim of supporting and empowering our youth by providing a platform for them to lead the planning and staging of music, artistic and cultural events. This is a living example of our youth being capable of having a great time without drug and alcohol-induced violence, thanks to funding from the Brumby Labor government.

### **Hastings: jetty redevelopment**

**Mr BURGESS** (Hastings) — The Brumby government has allowed the Hastings jetty to deteriorate to the point of being dangerous. Refurbishment is no longer enough; it now must be partially rebuilt. I have raised the plight of the iconic Hastings jetty in this place before, concerned about the government's intentions for this historic structure. I was assured that any work would be faithful to the jetty's precious history and surroundings. Not only is the jetty loved by the people of Hastings and surrounding communities, but the visitors and tourists who come from other parts of the state, from across Australia and from around the world are also taken by the beauty of this tribute to the historic fishing village of Hastings. The vast majority of historic photos of Hastings include this majestic icon.

I was extremely disappointed but not surprised to see that plans Parks Victoria recently submitted to council include the complete demolition of the right-hand arm of the jetty and its replacement with a concrete floating pontoon. Whilst a floating pontoon holds attraction for the fishing and boating community, it must be installed as an addition to the jetty and not as a replacement. The government claims to have consulted with the community over its plans; however, I am yet to speak to anyone throughout the area who understands that the plan is to change the entire nature of this local treasure.

The community is of course well acquainted with what the Brumby government means by the word 'consultation'. The people of Crib Point and Baxter, to mention just two places, know it means the government coming and telling you what it is about to do to you. When I approached Parks Victoria on behalf of my community, asking that the jetty be restored to its previous state, I was told that there was not enough money.

The government has been happy to spend many millions on rebuilds of jetties in other communities but intends to again short-change the Western Port community by trying to replace the iconic Hastings jetty with a slab of floating concrete. This is not the design the community wants. I urge the state government to undertake proper consultation and listen to the local community. Once this great icon has been destroyed it will be gone forever.

### **Liberal Party: political advertising**

**Mr PANDAZOPOULOS** (Dandenong) — I rise to condemn the Liberal Party for its misleading campaigns which say one thing to local communities but nothing to the broader Victorian community. We are five months away from an election campaign, and I am reminded that Liberal MPs are saying one thing in their local area, leaving particular impressions, but we never read about them in the mainstream media, particularly if the proposals would cost a lot of money.

I was surprised when I was informed that there was a sign on an electorate office window that had been there for a period of time that said, 'Brumby snubs Rowville rail'. I thought, 'I haven't read about this in the Age — that this is a big Liberal Party or coalition commitment to fund this rail line. You would think with the transport plan, we would all read about it'. So I went out to this particular electorate office, and it happened to be the office of the shadow Treasurer, the member for Scoresby. And, yes, there is this whopping sign on his front window: 'Brumby snubs Rowville rail', leaving an impression for the people of Scoresby and the

eastern suburbs that somehow the shadow Treasurer and the Liberal Party are committed to that project. But no-one else knows about it.

**Mr Burgess** interjected.

**Mr PANDAZOPOULOS** — This is one of the things that really worry me. We saw this happen in the last election campaign: Liberal Party candidates were saying one thing, but it was not reflected in Liberal Party policy. The member for Hastings had some big billboards down along Western Port Highway about duplicating the Western Port Highway to Hastings, but by the end of the election campaign it had never been part of the policy.

What we want is not to be misled by the Liberal Party. With five months to go we want proper policy commitments, not the misleading of the public.

### **Clearways: Kew electorate**

**Mr McINTOSH** (Kew) — The Liberal-Nationals coalition opposes the Brumby Labor government's arbitrary extension of clearway times, and we are committed to returning clearway times when we are in government to what they were. The new clearway times have no demonstrable benefit, are proving disastrous for small business and strip shopping and impact adversely on local residents.

One Kew resident found out just how costly it can be to use local shops. She had parked in one of the new extended clearways that begin at 3 p.m. She had been shopping nearby and was delayed through no fault of her own, returning to her car shortly after 3 p.m. Her car was already being loaded onto a VicRoads-authorized tow truck, bound for Collingwood. She had been on her way to pick up her son for an urgent medical appointment. Her son is undergoing continuing treatment for cancer. This was all explained to the assiduous tow truck driver, who merely replied that none of this mattered. She was at least given a ride to the Collingwood depot, where she paid \$322 for the release of her car. Her sick son waited for over an hour to be picked up and taken hastily to a luckily rescheduled doctor's appointment.

Occasionally — just occasionally — our government needs to provide discretion to these people and to simply be a bit more charitable. This is an indictment of the Brumby Labor government. As I said, there are no demonstrable benefits to the extended clearway times, and they are proving disastrous to local small businesses and impacting on local residents, particularly in the case of this resident with a sick son.

### **Tony Bergen**

**Mr HERBERT** (Eltham) — I would like to congratulate Mr Tony Bergen on recently being elected the new state president of Amnesty International, an important position and one I know he is proud to take up. We all know of the terrific work Amnesty does to highlight and expose human rights violations and torture, but it can only do this through the hard work and dedication of thousands of activists who meet, plan and act in local communities everywhere. Tony Bergen is one of those activists.

Tony joined Amnesty International as a member of the Eltham local group and is committed to promoting Amnesty at the grassroots level. He was convener of the Eltham — now north-east metro — local group from 2003 to 2007 and maintains an active involvement with this group. The Eltham branch of Amnesty is a terrific, well-organised, active group of dedicated and compassionate local residents and in my opinion one of Victoria's leading Amnesty groups.

Tony's efforts go further than Eltham. He has been a member of the Victorian branch committee since 2005, has been convener of the local groups team and served as secretary in 2008 and vice-president in 2009. Tony's main human rights interests are the campaigns against torture, the 'war on terror' and the wider human rights and security context. A physicist by trade, Tony routinely travels overseas for his work and promotes human rights.

**The ACTING SPEAKER (Ms Beattie)** — Order! The time for members statements has expired.

### **ELECTORAL AMENDMENT (ELECTORAL PARTICIPATION) BILL**

#### *Statement of compatibility*

#### **Mr HULLS (Attorney-General) 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, I make this statement of compatibility with respect to the Electoral Amendment (Electoral Participation) Bill 2010.

In my opinion, the Electoral Amendment (Electoral Participation) Bill 2010 (the bill), as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter. I base my opinion on the reasons outlined in this statement.

### Overview of bill

The objectives of the bill are to make amendments to the Electoral Act 2002 (the act) to increase electoral participation and to improve the operation of the act.

In summary, the bill will implement a range of electoral reforms, including:

- enrolment procedures on election day for those electors not on the electoral roll;
- streamlined enrolment procedures whereby the Victorian Electoral Commission (VEC) will have the power to enrol people on its own initiative based on information obtained from sources under section 26(4) of the act;
- expanding the availability of electronic voting to a wider group of electors;
- abolition of the 'three-month rule', which uses the elector's principal place of residence, three months prior to election day, as a measure of the elector's entitlement to vote; and
- requiring the VEC to publish how-to-vote cards on its website.

### Human rights issues

#### 1. *Human rights protected by the charter that are relevant to the bill*

#### Section 18: taking part in public life

Section 18 establishes a right for an individual to, without discrimination, participate in the conduct of public affairs, to vote and be elected at state and municipal elections, and to have access to the Victorian public service and public office.

The right to participate in public affairs is a broad concept, which embraces the exercise of governmental power by all arms of government at all levels. The right to be elected ensures that eligible voters have a free choice of candidates in an election, and as with the right to vote, the right to occupy public office is not conferred on all Victorians; it is limited to eligible persons where the criteria and processes for appointment, promotion, suspension and dismissal are objective, reasonable and non-discriminatory.

A key objective of the bill is to increase electoral participation. The purpose of the new streamlined enrolment procedures in clause 3 of the bill is to assist eligible individuals to meet their obligation to enrol and vote under the act. Under the act, the age requirement for voting is 18 years of age with an entitlement to provisional registration at 17 years of age. Currently, in order to enrol to vote for Victorian state elections an individual must complete the necessary enrolment form and forward it to the VEC. Under the new procedures in clause 3, the VEC may on its own initiative enrol a person who would be entitled to enrol on the register of electors under section 22(5) of the act who has attained 18 years of age but has not made a claim for provisional enrolment under section 23(2) of the act, based on information the VEC already obtains from sources under section 26(4) of the act. The measures contained in clause 3 promote the right to participate in public affairs and the right to vote under section 18 of the charter by assisting individuals

to participate in the electoral system through the alternative mechanism of enrolment and securing the right to vote for all eligible Victorians.

Clause 8 requires the VEC to publish a copy of a registered how-to-vote card on the VEC website, which will allow how-to-vote cards to be more widely accessible so that the right to participate in public affairs and engage in public debate is afforded to all people in Victoria.

Clause 11 abolishes the 'three-month rule' as provided for in the act, which uses the elector's principal residence, three months prior to the election day, as a measure of the elector's entitlement to vote. It is based on the principle that only people who live within an electorate should be able to vote for candidates in that electorate. The modernised practices and programs of the VEC in relation to the maintenance of the electoral roll since the three-month rule was introduced have improved the accuracy and integrity of the roll and mitigated the need for the rule. Further, clause 14 enables a person who is not on the roll on election day to enrol and cast a vote in their electoral district. Therefore, clauses 11 and 14 facilitate electoral participation and enhance the right to participate in public affairs and the right to vote in section 18 of the charter.

Clause 16 of the bill concerns the eligibility to access electronic voting. Section 110D of the act currently restricts access to electronic voting to those electors who otherwise cannot vote without assistance because of a visual impairment. Clause 16 expands the availability of electronic voting to include those who cannot vote without assistance because of a motor impairment, or insufficient literacy skills (whether in the English language or in their primary spoken language). Clause 16 aims to remove a potential impediment to the effective exercise of the right to vote by widening the accessibility of electronic voting to include those electors with a motor impairment or literacy barriers.

These measures are important enhancements to the electoral system and enrolment processes to ensure that all in the community can participate in public affairs and that all eligible Victorians can effectively exercise their right to vote. Therefore, the amendments to the act in clauses 3, 8, 11, 14 and 16 of the bill give greater effect to section 18 of the charter.

#### Section 8: recognition and equality before the law

Section 8 of the charter establishes a series of equality rights. The right to recognition as a person before the law means that the law must recognise that all people have legal rights. The right of every person to equality before the law and to the equal protection of the law without discrimination means that the government ought not to discriminate against any person, and the content of all legislation ought not to be discriminatory. Discrimination means discrimination within the meaning of the Equal Opportunity Act 1995 on the basis of an attribute set out in section 6 of that act.

Clause 16 widens the availability of electronic voting to include those electors who otherwise cannot vote without assistance because of a visual impairment, a motor impairment, or insufficient literacy skills. The clause does not constitute discrimination because it assists disadvantaged electors to cast a ballot when it may not otherwise be possible due to certain barriers. Under section 8(4) of the charter, measures taken for the purpose of assisting or advancing persons or groups of persons who are disadvantaged because

of prior discrimination do not themselves constitute discrimination.

#### Age limitation

The bill gives effect to the eligibility requirements for a person to enrol as an elector under section 22 of the act. Section 22 directs attention to section 48 of the Constitution Act 1975 (Vic) which provides, amongst other matters, that qualification of an elector is dependent on a person attaining 18 years of age. This restriction limits the right to equality on the ground of age. Although the bill itself does not regulate matters relating to the eligibility of electors to enrol under the act, for the sake of completeness, I note that the limitation is reasonable, pursuant to section 7(2) of the charter, on the basis of the following analysis.

#### *(a) The nature of the right being limited*

The prohibition on discrimination is one of the cornerstones of human rights instruments and this is reflected in the preamble to the charter. However, as with all rights protected by the charter, the section 8 right to equality before the law, may be subject to reasonable limitation, pursuant to section 7 of the charter.

#### *(b) The importance of the purpose of the limitation*

The purpose of the differential treatment of those under 18 years of age, reflected in the bill, is to ensure the integrity of the electoral system and prevent the positive obligation under the act to enrol and vote from being imposed on minors. The limitation is important to ensure the maturity of those participating in the electoral process. Internationally, there is general acceptance of the reasonableness of restrictions on voting based upon age.

#### *(c) The nature and extent of the limitation*

The right is limited to the extent that persons under 18 years of age are prevented, in keeping with the existing eligibility requirements under the act, from being placed on the electoral roll and provided the right to vote.

#### *(d) The relationship between the limitation and its purpose*

There is a direct relationship between the limitation and the purpose of exempting persons under 18 years of age from the obligation to enrol and vote, who because of their age, are less likely to have the capacity to fully participate in the electoral system.

#### *(e) Any less restrictive means reasonably available to achieve its purpose*

There are no practicable less restrictive means available to achieve the desired purpose.

For these reasons I consider the limitation on section 8 of the charter to be 'reasonable' in this circumstance.

### **Section 13: right to privacy**

Section 13(a) of the charter recognises a person's right not to have his or her privacy, family, home or correspondence unlawfully or arbitrarily interfered with. Privacy encompasses concepts of personal autonomy and human dignity. It encapsulates the notion that individuals should have an area of autonomous development, interaction and liberty — a

'private sphere' free from government intervention and from excessive unsolicited intervention by other individuals. Privacy comprises bodily, territorial, communications and information privacy.

An interference with privacy will not limit the right if the interference is neither arbitrary nor unlawful. The interference will not be arbitrary if the restriction on privacy accords with the objectives of the charter and is reasonable in the circumstances. The interference will not be unlawful if the law authorising it is circumscribed, precise, and determined on a case-by-case basis.

The information-sharing provisions in clause 3 of the bill may engage the right to privacy. Clause 3 permits the VEC to enrol eligible electors on its own initiative based on information it receives from various sources. The information would include name, address and age data, which constitutes personal information. However, clause 3 concerns the use of personal information rather than its collection and disclosure to the VEC, which is already provided for under section 26(4) of the act. Agencies collecting the information will consider any necessary changes to their processes for collecting and sharing data. Importantly, clause 3 provides that the VEC must advise a person in writing that the VEC proposes to enrol them under the new streamlined enrolment procedures. The person has at least 14 days after the date of the notice to correct any details in the notice or to object to the proposed enrolment in accordance with the objection procedures in the act. Once the period lapses and if the VEC decides to register the person on the register of electors, the VEC must notify the person in writing that the person has been registered as such. The additional use of personal information by the VEC engages the right to privacy. However, any such use is specifically authorised by the bill and is for the important public purpose of facilitating the right to participate in public affairs and the right to vote contained in section 18 of the charter. The measure will assist eligible Victorians to fulfil their obligation under the act to enrol to vote.

Clause 14 provides that for the purposes of enrolment on election day an elector must complete the prescribed enrolment and declaration form and provide a form of prescribed identification or the name of a prescribed service provider to enable identification of the person. The collection of the enrolment information under clause 14 is necessary for the efficient administration of the electoral roll. The additional information regarding proof of identity in relation to enrolments on election day is required to safeguard the integrity of the electoral system and to guard against possible fraud. Currently under the act, those electors who are not on the electoral roll on election day but who present at a voting centre are denied a vote. Therefore, clause 14 will also promote the right to participate in public affairs and the right to vote under section 18 of the charter, to enable those who are not on the roll on election day to enrol and cast a declaration vote.

Further, the VEC is a public authority for the purposes of the charter. The VEC is required to act in a way that is compatible with a human right and, in making a decision, must not fail to give proper consideration to a relevant human right.

Clauses 3 and 14 of the bill therefore do not amount to an unlawful or arbitrary interference with the right to privacy.

**Section 15: freedom of expression**

Section 15 establishes a number of rights relating to freedom of expression. It protects the right to hold an opinion without interference and the right to seek, receive and impart both information and 'ideas of all kinds' anywhere and in any form. The general right is limited by section 15(3) which contains a specific limitation on the right to freedom of expression. This invites consideration of particular matters that are identified as ones which, when satisfied, specifically justify a restriction on the right.

The application of section 15(3) involves satisfying a number of conditions. First, the relevant restriction proposed on the right to freedom of expression must be lawful. Second, the relevant restriction must be imposed for a particular purpose, either to respect the rights and reputation of other persons, or in order to protect national security, public order, public health, or public morality. Third, the relevant restriction must be 'reasonably necessary' for one of these purposes.

Since 1992, the High Court has recognised a freedom of communication on political matters, implied from the system of responsible and representative government established by the Australian Constitution (see *Nationwide News Pty Ltd v. Wills* [1992] 177 CLR 1; *Australian Capital Television v. The Commonwealth* [1992] 177 CLR 106). Political communication includes non-verbal means of expression and is understood to mean discussion relating to matters relevant to voting choices. The High Court has also held that it is not an absolute freedom. Even where a communication can be considered political, its restriction is still permissible if the law which does so is 'reasonably appropriate and adapted to serve a legitimate end in a manner which is compatible with the maintenance of the constitutionally prescribed system of responsible government' (*Coleman v. Power* [2004] 220 CLR 1 at 66). Therefore, the constitutional guarantee of freedom of political communication is, prima facie, more restricted than the generalised guarantee of freedom of speech.

Clause 9 of the bill excludes certain electoral matter, being a letter or card, from the authorisation requirements under section 83(1) of the act. Section 83(1) requires that certain printed electoral matter must include at the end the name and address of the person who authorised the material and the name and place of business of the printer. Freedom of public discussion of political matters is essential to allow people to make their political judgements so as to exercise their right to vote effectively. Clause 9 will promote the expression of political opinion and the right under section 15(2) of the charter by permitting the publication of certain material which bears the name and address of the author, in keeping with the principle that those responsible for electoral material are known and accountable in the interests of a transparent and fair election process.

**Conclusion**

I consider that the bill is compatible with the Charter of Human Rights and Responsibilities because, to the extent that some provisions may limit human rights, those limitations are reasonable and demonstrably justified in a free and democratic society.

Rob Hulls, MP  
Attorney-General

*Second reading*

**Mr HULLS** (Attorney-General) — I move:

That this bill be now read a second time.

Elections are about the future, and everybody who is eligible to vote should have the opportunity to have their say in the future through the ballot box — that is the key aim of this bill.

The bill will amend the Electoral Act 2002 (the act) to implement a range of reforms so that the Victorian electoral system is as accessible and efficient as possible, to maintain the integrity of the electoral roll and to promote a high level of participation by all those in the community who are eligible to vote.

Electoral participation is a key element of a healthy democracy. The Victorian government is committed to ensuring that all eligible Victorians are able to effectively participate in the electoral system. This objective can become frustrated if enrolment processes serve as a barrier to the exercise of an individual's right to vote.

In July 2009, the Electoral Matters Committee (EMC) tabled its report on its inquiry into voter participation and informal voting. Victoria can claim one of the highest voter turnout rates for periodic general elections worldwide, and consistently good enrolment rates in comparison with other states and territories. However, the EMC in its report highlighted some concerning trends in relation to participation in Victorian elections. Both the Victorian Electoral Commission (VEC) and the Australian Electoral Commission (AEC) have acknowledged that traditional enrolment strategies are generally very efficient in taking people off the roll but not necessarily in keeping them on. In this sense, traditional strategies, which rely on people taking the time to enrol and to update their enrolment details, have not kept pace with modern times and rapid advances in technology.

People are living increasingly busy and complex lives and, even with the best of intentions, can struggle to fill in yet another form. In a submission to the Commonwealth Joint Standing Committee on Electoral Matters in 2007, the AEC noted a trend of increasing resistance to direct mail and to doorknocks, and a growing expectation, especially among young people, that government agencies should take the initiative to provide targeted services to individuals.

The bill provides for streamlined enrolment procedures to enable the VEC to enrol eligible electors on its own initiative based on information it already receives from

reliable sources in accordance with section 26(4) of the act. Importantly, the bill will ensure that individuals must be notified by the VEC to be given the opportunity to correct any errors in their proposed enrolment details or to raise any objections before they are enrolled. The VEC must also write to electors to inform them once they are placed on the roll in accordance with the new procedures.

Implementation of streamlined enrolment will be a complex and long-term project that will be subject to a staged approach. Throughout Australia, evidence shows that the electoral participation rates of young people aged 18 to 25 years remain significantly lower than for the rest of the population. In particular, AEC data indicates that while Victoria has one of the highest youth enrolment rates in Australia (84.78 per cent or 3.3 per cent higher than the national average in 2007–08), the number of young Victorians enrolled is still 8 per cent below that of the general eligible population. Given this context, the first phase of streamlined enrolment will capture students aged 18 years and over who are registered with the Victorian Curriculum and Assessment Authority. The bill will simplify the enrolment process for this group of electors and make it easier for them to enrol to vote. The second phase of implementation of the reform will consider widening the group of electors who could benefit from streamlined enrolment. This phased approach has been recommended by the VEC.

At the 2006 Victorian state election, as many as 66 000 eligible Victorians attempted to vote but had their ballots rejected because they were not on the electoral roll. Recent NSW reforms permit election day enrolment. In New Zealand, electors can enrol up to the day before polling day. Canada and nine states in the United States have some form of election day registration. Accordingly, the bill permits enrolment on election day to enable voting by eligible people who present at a voting centre but who are not on the roll. It is anticipated that this will allow a high percentage of declaration votes to be able to be accepted towards the count.

A declaration vote is a vote which requires a written declaration by the voter that is then checked by the VEC to ensure that the relevant requirements have been met.

There will still be a close of the rolls. Enrolment on election day will offer another chance for those electors who slip through the cracks of ordinary enrolment processes and enable those eligible electors to exercise their right to vote.

Election day enrolments will be subject to specific safeguards and proof of identity requirements to protect the security and integrity of the roll. The bill will allow persons eligible to enrol in an electoral district to enrol and cast a declaration vote in an election for that district on polling day provided the person can produce satisfactory identification, such as a drivers licence.

Applicants without a drivers licence will be able to nominate one reliable source from a prescribed list to enable identification of the person, including VicRoads, a municipal council or an electricity provider. The VEC will follow up the source of identification provided by the applicant after election day, and include the votes of those whose identities could be confirmed.

This process is similar to what happens currently in assessing declaration votes. The VEC confirms that given similar numbers regarding current unenrolled votes, such a process will not hold up election results, but will mean that more votes will be able to be admitted. This is a common-sense approach — when someone votes they expect that vote to be counted and we should be doing what we can to make that happen.

Individuals seeking to enrol on election day will also be required to make a declaration that all the information provided is true and correct and that they understand that giving false or misleading information is a serious offence. The combined declaration and proof of identity requirements act as precautions against possible fraud. In fact the requirements to enrol on the day will involve a more stringent testing and verification of a person's enrolment than is currently required under state law and will protect the integrity of the enrolment process.

While some may assert that streamlined enrolment and enabling people to enrol on election day in certain circumstances despite the appropriate verification requirements has the potential to undermine the democratic process, it will actually do the opposite. A vibrant democracy should not put barriers in the way of people exercising their duty to vote.

In line with the EMC recommendation in its report on its inquiry into the provisions of the act relating to misleading or deceptive political advertising, tabled on 11 March 2010, the bill will require the VEC to publish a copy of a registered how-to-vote card on its website. This will enable better access to how-to-vote cards for all Victorians and promote greater accountability and transparency in relation to their registration.

The bill contains a number of amendments to the act, which will improve the overall operation of the act and promote the key objective of the bill to improve

electoral participation. This includes widening the availability of electronic voting to those electors who otherwise cannot vote without assistance because of a visual impairment, a motor impairment or insufficient literacy skills, whether in English or in their spoken language. The expansion will allow for additional trials of electronic voting and seeks to remove any potential impediments to the effective exercise of the right to vote for particular eligible groups in the community.

At the request of the Victorian Electoral Commission the bill abolishes the 'three-month rule'. This is in keeping with the key objective of the bill which is to promote electoral participation.

The three-month rule means that those who have failed to update their electoral address within three months of moving are either taken off the roll or are not able to cast a valid vote.

Under the current laws when an elector presents at a polling booth they are asked a series of questions including 'What is your full name?' and 'Where do you live?'.

If an elector responds with an address that is not their address on the electoral roll, the election official asks if the address on the electoral roll has been the elector's principal place of residence within the period of three months immediately before election day.

If the elector says yes (which means they have moved address within the last three months) they pass the three-month rule and are permitted to cast a vote according to their address on the roll.

If the elector says no (which means they have moved address over three months ago) they fail the three-month rule and are denied a vote. This can have the undesirable effect of denying a Victorian who has been living abroad, or a country student temporarily living in the city for study purposes, the ability to cast a vote.

No other Australian jurisdiction has this restriction. In the report to Parliament on the 2006 Victorian state election, the Victorian Electoral Commissioner said 'it is estimated that around 10 000 people were denied a vote through the application of the three-month rule at the 2006 state election'.

Under these reforms, those electors who present to vote for a Victorian state election who are not on the roll will be able to enrol on the day and those electors whose stated address is different from their address on the roll will receive a ballot and may vote for the address that is on the roll. They will also be given a new form and

asked to update their details so that the roll will reflect their accurate address.

Since the three-month rule was introduced, the VEC has developed modernised processes and practices in relation to the maintenance of the electoral roll. The VEC has also undertaken a range of progressive programs to improve the accuracy of the roll. For example, during 2009–10, the VEC conducted a trial of a combined mail-out and enforcement program. The program involved the VEC conducting a mail-out, which reminded people that enrolment is compulsory, and that those who fail to give a valid reason for failure to enrol or update enrolment eventually face prosecution. In this trial, some 98 per cent of those contacted either enrolled, updated their enrolment details or gave a valid reason for not doing so. This, combined with other VEC measures and programs, has improved the effective maintenance of the roll and reduced the need for the three-month rule. Further, the potential extension of streamlined enrolment to be progressed in the near future will add to the measures aimed at preserving the integrity of the roll.

The Victorian electoral commissioner has also suggested a number of machinery and technical amendments to the act, which are contained in the bill. These include:

clarifying the provisions in the act which relate to the acceptance of postal vote declarations. This will reflect the current practice of the VEC whereby postal vote envelopes postmarked on the Sunday after election day are assessed according to the witness date on the declaration, in the same way as envelopes without a postmark are currently assessed;

providing that Legislative Council candidates who choose to form a group on the ballot paper must register a group voting ticket with the VEC in accordance with the act. This will enable the VEC sufficient time to print the relevant ballot papers and guard against the possibility of inadvertent informal votes being cast in favour of groups who fail to lodge a group voting ticket;

bringing the act into line with commonwealth laws to exempt certain electoral matter, being letters and cards that bear the name and street address of the sender from the normal authorisation requirements. Such letters satisfy the purpose of the authorisation provisions in the act, which is to ensure that those responsible for campaign material are known and accountable in the interests of a transparent and fair election process.

The bill comes at a time of great interest in electoral reform across Australia and it is important to consider the bill in the context of current developments and forthcoming electoral activity. Federal, state and territory governments are currently working together to examine opportunities to harmonise electoral law. Victoria will continue to work closely with the commonwealth and other states and territories to examine options to harmonise electoral law and improve the operation of our electoral system, to provide the best framework for democracy.

In the meantime, the measures in the bill aim to make the Victorian electoral system as accessible as possible to enable all eligible Victorians to participate in the system by enrolling and voting. We have a unique electoral landscape in Australia, in particular, in relation to our system of compulsory voting, which is a special part of our national democratic and political culture. In recent times, the decline in electoral participation rates has highlighted the need to adopt innovative approaches to enrolment mechanisms for the benefit of all potentially eligible voters in the community. The bill strikes an appropriate balance between the need to safeguard the integrity of the roll, while introducing modern and streamlined enrolment procedures so that the franchise is accessible to every Victorian entitled to exercise it.

I commend the bill to the house.

**Debate adjourned on motion of Mr O'BRIEN (Malvern).**

**Debate adjourned until Thursday, 24 June.**

## APPROPRIATION (PARLIAMENT 2010/2011) BILL

*Second reading*

**Debate resumed from 4 May; motion of Mr BRUMBY (Premier).**

**Mr WELLS** (Scoresby) — I rise to speak on the Appropriation (Parliament 2010/2011) Bill and say from the outset that the opposition will not be opposing this bill. But what is crucial in the preparation of any appropriation bill is that the figures are based on fact, and the Parliament appropriation bill provides for \$101.431 million. It is crucial that Parliament can be reassured that the \$101.431 million is based on proper assumptions and calculations. But the problem is: how do we trust the Treasurer? How could the Treasurer of this state so badly bungle basic economic definitions, basic economics 101? Last week with the release of the

national account figures, Treasurer John Lenders confused the state final demand figures with economic growth figures.

**Mr Stensholt** interjected.

**Mr WELLS** — I know that the member for Burwood has read today's article and is squirming in his seat through sheer embarrassment, because I know that he would — —

**The ACTING SPEAKER (Ms Beattie)** — Order! The member for Burwood shall stop interjecting. The member for Scoresby, on the bill.

**Mr WELLS** — I know that the member for Burwood would not make the fundamental mistake that was made by the Treasurer last week. As I said, it is absolutely crucial that the approximately \$101 million that has been committed to the Parliament is based on proper assumptions and calculations, so it is important that I read the Treasurer's press release of last week. In his press release of Wednesday, 2 June 2010, he stated:

... the Australian Bureau of Statistics today ... reported Victoria had the best economic growth of any Australian state. Treasurer John Lenders said Victoria had recorded economic growth (state final demand) —

in other words, he was saying state economic growth and final demand are the same thing —

of 6.4 per cent over the past year ...

But then he went on to make the comment in the same press release:

We have the best economic growth rate in the country and Victoria is the economic engine room of the nation.

Mr Lenders said the positive economic growth throughout the financial year — —

**Ms Richardson** — On a point of order, Acting Speaker, I would like to draw attention to the bill before the house and perhaps encourage the member for Scoresby to refer to it.

**Mr WELLS** — On the point of order, Acting Speaker, on two occasions already I have spoken about the need for the \$101 million that has been allocated to Parliament needing to be based on proper assumptions and calculations, so the point I am making about the economic growth of this state is relevant to the bill.

**The ACTING SPEAKER (Ms Beattie)** — Order! I do not uphold the point of order at this stage; however, I remind the member for Scoresby that it is the Appropriation (Parliament 2010/2011) Bill, and I shall be listening intently.

**Mr WELLS** — Thank you, Acting Speaker. It is crucial that the Treasurer makes sure that the money is available for Parliament. The appropriation figures are correct, but how can we trust the Treasurer to get it right when he does not understand the difference between state final demand and economic growth?

**Mr Stensholt** interjected.

**Mr WELLS** — It is embarrassing. I know the member for Burwood is squirming because he is embarrassed.

**The ACTING SPEAKER (Ms Beattie)** — Order! The member for Scoresby shall not take up interjections. The member for Burwood shall stop interjecting; he will have his turn in a moment. The member for Scoresby, on the bill.

**Mr WELLS** — I am getting used to the member for Burwood interjecting on me all the time.

**The ACTING SPEAKER (Ms Beattie)** — Order! On the Parliament's appropriation bill.

**Mr WELLS** — I refer to Terry McCrann's article in today's *Herald Sun*.

**Mr Stensholt** interjected.

**Mr WELLS** — I am just talking about economic growth. The article states:

So was our state Treasurer, the man with his finger on the fiscal button so to speak, having a 'Kerin moment'? As in John Kerin, the fill-in treasurer in the dying days of the Hawke government who couldn't enumerate what GOS —

gross operating surplus —

meant.

At least he just didn't know, as opposed to our current Treasury boffins who know what the letters stand for, just not what they mean.

Kerin, incidentally, was one of the nicest people ...

Or was Lenders having a 'Keating moment'?

**An honourable member** interjected.

**Mr WELLS** — 'Keating moment' — that is what it says. The article continues:

That 'final demand' measures spending by Victorians. While 'state product' measures what we produce.

They are not the same thing.

The graph that has been provided in the article shows very clearly the significant difference between state final demand and gross state product.

**Ms Richardson** — On a point of order, Acting Speaker, I would like you to draw the member for Scoresby back to the bill before the house. It is about the Parliament's expenses. While the Liberal Party might be prepared to watch the member for Scoresby flaying about and making error after error, I do not think I can take it anymore.

**Mr O'Brien** — On the point of order, Acting Speaker, the member for Scoresby is the lead speaker on this bill, and if the member for Northcote had been in this place a little bit longer — in fact she has been here as long as I have — she would understand that the lead speaker of the bill gets considerable latitude. The member for Scoresby has already flagged how his remarks are directly relevant to the assumptions underlying this bill. If the government cannot count properly, how can we trust what is in this bill?

**The ACTING SPEAKER (Ms Beattie)** — Order! The member will return to the point of order.

**Mr O'Brien** — The shadow Treasurer is clearly making a point about the assumptions that have been made by the government in producing this bill. He is questioning whether we can trust the Treasurer when he says that what is in this bill is based on proper assumptions. The shadow Treasurer is entitled to examine the basis of the sums which have gone into producing this bill. That is what he is doing. As the lead speaker he should be given that latitude.

**The ACTING SPEAKER (Ms Beattie)** — Order! The member seems to be straying from the Appropriation (Parliament 2010/2011) Bill. I do not uphold the point of order at this time, but the member is straying from the bill by quoting former prime ministers. It will assist the house greatly if the member returns to the bill.

**Mr WELLS** — I was concluding my remarks on the Terry McCrann article in today's *Herald Sun*. It is incredibly embarrassing for the Treasurer to get a basic, fundamental economic definition so wrong.

As I said from the outset, the coalition will not be opposing this bill. The purpose of the Appropriation (Parliament 2010/2011) Bill is to provide the necessary funds from consolidated revenue to operate Parliament for the next financial year. The budget provides for \$101.431 million — that is an overall increase of 5.6 per cent compared to 2009–10 figures — from the Consolidated Fund for the ongoing operations of

Parliament for the next financial year. That includes employee entitlements, building maintenance, asset purchases and parliamentary committees.

Funding of \$13.6 million is also provided for the Auditor-General's office. Although this is a 0.4 per cent reduction compared to 2009–10, this net decrease is offset by an increase in forecast revenue from financial audit service fees. In other words there will be an increase in the amount the Auditor-General is able to charge his customers, and that will offset the reduction of 0.4 per cent that Parliament will pay into the account of the Auditor-General's office.

The overall increase in appropriations to Parliament of 5.6 per cent is in comparison to a budget papers forecast of a 2.25 per cent increase in the consumer price index. We will have a population increase of 1.9 per cent and a 6.3 per cent forecast increase in total government sector expenditure in 2010–11 compared to the 2009–10 budget.

With regard to the operation of Parliament, firstly, I would like to once again sincerely thank on behalf of the coalition the entire parliamentary staff for their excellent services and support provided to us as MPs and to the Parliament generally. From catering, to the parliamentary library, the electorate properties group, Hansard, human resources, IT services, through to the accounts staff and attendants, we as MPs are fortunate that we have such a professional team behind us.

As deputy chair of the Public Accounts and Estimates Committee I would also like to acknowledge the hard work and dedication of not only the staff of the PAEC for their excellent work, particularly during the recent budget estimates hearing, but all the parliamentary committees staff for their efforts in keeping Parliament relevant to the community.

I note other funding is made available to Parliament by way of special appropriations, which are not part of the Appropriation (Parliament 2010/2011) Bill. For example, MPs salaries and allowances, including electorate office funding, are budgeted to be \$20.9 million in 2010–11; this is a 6 per cent increase since 2009–10, which is above the government's stated public service wage cap increase of 2.5 per cent. Here I am referring to budget paper 4, page 251, at table 6.4. However, this is more probably an indicator of forecast higher than usual payments to retiring MPs or MPs who lose their seat at the end of the year.

The bill also provides for the carry forward of actual unapplied appropriations from 2009–10, which are

estimated to be \$6.1 million. That figure is listed in budget paper 4 at page 202.

Including receipts credited to appropriations of \$20 million and total special appropriations of \$40.1 million, the total parliamentary authority for 2010–11 is \$167.7 million. That is an increase of 4.2 per cent on 2009–10. Here I refer to budget paper 4 at page 202.

The funding of the Auditor-General's remuneration, which is also by way of special appropriation governed by the Constitution Act and is not part of the Appropriation (Parliament 2010/2011) Bill, was budgeted to be \$461 000 in 2010–11; that is an increase of 2.2 per cent.

The coalition believes that the appropriate ongoing funding of Parliament is fundamental to ensuring that Parliament remains a worthy and effective institution. Parliament must also be properly resourced and managed to allow democracy to work for all Victorians. Whilst the Parliament is to be respected for upholding the democratic principles on which our society is based, we in opposition claim that the same respect cannot be applied to the elected state government. Despite a decade of record revenues of over \$340 billion and spiralling state debt forecast to reach \$31.7 billion by 2014 the Brumby Labor government has not fixed the basic services and infrastructure issues we have in Victoria. When it comes to managing Victoria's economy and delivering on promises to improve basic government services and infrastructure the government simply cannot be trusted.

The Opposition will continue to hold the Brumby government to account. We will not be opposing this bill.

**Ms BARKER** (Oakleigh) — I am delighted to rise to speak on the Appropriation (Parliament 2010/2011) Bill, which provides the funding for the departments of the Parliament of Victoria: the Legislative Council, the Legislative Assembly, the Department of Parliamentary Services and the Victorian Auditor-General's Office. While this is a small bill in terms of the number of pages in comparison to many other bills that come before the Parliament, it is important in terms of what it provides funding for — that is, to allow the effective and efficient management of the Parliament of Victoria and provide for members of Parliament to undertake their work.

The work of a state MP has two components: the work in our electorates and the work we undertake when the Parliament sits, and other duties we may take on such

as membership of all-party parliamentary committees, or in my case, as Deputy Speaker, of which I am very proud.

Parliament's appropriation bill provides the necessary funds for us to operate our electorate offices for the benefit of our constituents and constituent organisations. Importantly it provides funding for our electorate office staff. I do not think any of us would be able to operate as well as we do without our excellent staff. I thank Megan, Caroline and Paul, who work very hard in my office to service constituents and support me in my work.

I thank Samantha Matthews, who heads up the security and electorate properties unit, and Joanna Clarke, who is the one I speak to all the time in terms of issues surrounding my electorate office. Joanna is extremely helpful.

While the work undertaken with our communities in our electorates is very important, the full work of the Parliament should also be recognised, and this bill provides me with the opportunity to record some of that work and to thank the very hardworking staff who ensure we can undertake our work in this place. I thank the Clerk of the Parliaments, Ray Purdey; the Deputy Clerk, Liz Choat; and the Assistant Clerk, Committees, Bridget Noonan. While the clerks assist all MPs with advice and ensure the smooth passage of legislation I particularly thank them in terms of my work as Deputy Speaker, and I know, Speaker, you would want me to record your thanks to the clerks for their excellent work, advice and assistance.

I thank our Serjeant-at-Arms, Anne Sargent, who ensures the smooth running of procedures in this place.

The attendants not only assist us when we are here on parliamentary sitting days in particular but also undertake very important work conducting the tours of the Parliament for both the broader community and schools in particular on sitting and non-sitting days. They have a great deal of knowledge of the history of the building and the procedures and work that is undertaken here. I have been here when the attendants have had role plays for schools in the chamber on non-sitting days. They have developed the education programs in a very beneficial way.

I also note that the attendants now do regional visits, which is a great initiative of the Parliament. They have done five in the last 12 months to Benalla, Echuca, Sale, Warragul and Colac, and that is a great opportunity particularly for schools in rural and regional areas to undertake role plays and gain some

understanding of the procedures and work of the Parliament.

I thank the Hansard staff, who not only record our speeches and help us from time to time but who, importantly, maintain the historical records of both the Legislative Council and the Legislative Assembly.

The dining room staff under the leadership of Luke Jordan are very patient and hardworking, particularly when the Parliament is sitting. I noticed the other day that one of the dining room staff was not here. I asked and have been told that Jackie Mullins retired recently, and I know all members would want me to wish Jackie a great deal of enjoyment in her retirement. I miss her and know that others do.

We have wonderful gardens and engineering staff headed by Paul Gallagher and Brian Bourke, who maintain the best possible working conditions in a very old building which is now being restored.

I thank our security staff, Bill at the back gate and Greg at the back door. We would be nowhere without Greg at the back door. I understand Bill is going to retire. I think he has said that a couple of times, but he is going to retire on 25 June, having spent 25 years and 10 months at the Parliament. We all wish Bill a great deal of enjoyment in his retirement; 25 years and 10 months in this place is a pretty good effort.

I thank the library staff for the research papers they prepare and their willingness always to assist MPs with their many requests for press clippings and information. They are a very professional group of people, and those research papers are just fantastic.

The Parliament website is an invaluable resource not only for MPs but for the broader public. As MPs we thank the IT unit, headed by John Lovell. I have always found them extremely helpful.

A few of the key challenges facing the Parliament in the coming period as listed in budget paper 3 include delivering the video broadcasting of parliamentary sessions in the Legislative Council and Legislative Assembly. The broadcasting of parliamentary proceedings has been a significant ongoing project undertaken by the Parliament. It allows the Victorian public to have greater access to the proceedings of their Parliament. It is the public's Parliament, and it is good they are now able to watch it on the Web.

We do not yet have the video broadcasting of the Council up and running, but I understand that will happen later this year. Getting this implemented has been an extensive undertaking, but it is a great thing to

have it. I am interested, as are many other members, in the feedback from the broader community. People are accessing the site and watching the parliamentary proceedings. They are very interested in the workings of the Parliament, and the aim was to assist that, and that is a very good thing.

A further key challenge as noted in budget paper 3 is expanding the community engagement program, and I want to spend a little time on this very important aspect of the work of the Parliament. We have a very proactive education and community engagement unit. I congratulate and thank Rod Espie and Suzie Luddon for the work they have already done to date, which has seen a quite extensive expansion of the materials available to schools and the broader community on the work of the Parliament.

Five very high-quality DVDs have been produced, and I have had very positive feedback from schools in particular about the two *Inside Parliament* versions for schools that were produced in the first instance; the *Inside Parliament* adult education version; *Making the Law*; and the most recent *From Westminster to Spring Street — Governing Victoria*, which is a very good DVD not only for students but for all members of the public.

As well as producing this material, the education and community engagement unit coordinates the YMCA Youth Parliament and the Victorian Schools State Constitutional Convention program, the latter in partnership with the Department of Education, Employment and Workplace Relations. I have been very pleased to participate in both of those programs, particularly as Deputy Speaker.

The schools convention program is held each year at the Parliament, primarily in the Legislative Assembly. The program is aimed mainly at year 11 students, although some schools encourage students in year 10 to attend. Students are addressed by guest speakers and members of Parliament on constitutional matters. They raise matters for the students to consider. The students then go into groups and have discussions about that, then return to the chamber to put forward the views of the groups; but then they also have an opportunity to express their views and participate in the all-important vote on the issue.

Debate topics have been of a very high quality and since 1999 have included things such as ‘Victorian upper house reform’; ‘Do democratic rights begin at 18?’; ‘Should Victoria have a charter of human rights?’; ‘Future Victorian power generation plans should include a nuclear energy option’; and last year

the topic was that ‘The Australian citizenship test should be abolished’. They are fairly difficult topics to debate and consider, but they are handled very competently by the students. I commend them and all who organise those events on tackling the difficult but very important issues that face our society.

The proceedings of these conventions are readily available on the Parliament’s website. I recommend them not only to MPs but also to the broader community. It is worthwhile reading them and looking at the range of schools that participate and at the way in which students conduct themselves on the day in debating what are difficult but important issues facing our society.

This Parliament serves a range of functions. I think people see us here, particularly at question time, and believe that that is basically the work which is done here, but a great deal of other work goes on in the Parliament both when members of Parliament are here and also when Parliament is not sitting. The Parliament has an open day every year, and you, Speaker, noted that some 4000 people attended the open day this year. The Parliament has come a long way in opening itself up to the broader community within the restrictions imposed by the age of the building and the way it is set up. I know work has been done, or is being done, on a master plan for the building. It is right to say that some things could be improved, but there are limitations given the age of the building and the way it is constructed. This Parliament now takes a much more open and inclusive approach to the people of Victoria, and the staff do a fantastic job in making sure that that is the case. All the things that happen here and the work we do are very important in enabling the community to participate in our democracy and thereby ensuring it remains inclusive and vibrant.

As I said previously, this is a small bill compared with many that come into the place in terms of the number of pages in it, but it is important in that it ensures that our democracy, our Parliament and the ongoing work of the Auditor-General will continue and be funded appropriately. I am very pleased to have been able to speak on this bill, and I commend it to the house.

**Dr SYKES (Benalla)** — I rise to contribute to the debate on the Appropriation (Parliament 2010/2011) Bill 2010. I indicate that I will certainly not be opposing it. I will follow the theme that the Deputy Speaker has led with by acknowledging the excellent work of a wide range of people which is funded by this bill. The people and organisations funded by the bill include the Auditor-General and his office, the parliamentary

committees, electorate office staff and parliamentary staff.

I first turn to look at the Auditor-General's office. As a member of the Public Accounts and Estimates Committee, along with my fellow committee members I have the opportunity to have a close working relationship with the Auditor-General's office. I have found the Auditor-General, his key management team and his staff to be very professional and productive. For example, just yesterday four Auditor-General's reports were tabled, two of which are very significant in holding the government to account. One relates to the failure of government agencies to adequately manage and protect the Victorian public from hazardous waste and the other, which is very dear to my heart and received much publicity yesterday, relates to the irrigation efficiency programs. The findings of the latter report confirm the concerns that have been expressed for over three years by people from Plug the Pipe and many others.

The work of the Auditor-General's office is not easy. The office has to accumulate and sift through a mass of information and at times it has to use coercive powers. This is unusual, but it occurred during the investigations into the food bowl modernisation project, when it had to use those powers to get the Department of Sustainability and Environment to deliver the information that was fundamental to holding the government of the day to account. I am sure we will touch on this more in other debates during the life of this Parliament. With these difficult challenges, the Auditor-General needs to be able to recruit and retain quality staff, so the sizeable budget that goes to the his office in a general sense is in my opinion well spent.

There are quite a few parliamentary committees, all of which do outstanding work. The Public Accounts and Estimates Committee has a lot more staff than other committees and produces quite a few more reports than many others. I think our staff numbers about 10, and we produce 10 or 12 reports each year. We saw the tabling of part 2 of one of those reports just yesterday — this was the post-budget reporting — and already that report exceeds 1100 pages. It was put together through the excellent work of the committee staff. It is unfortunate, given the complexity of the role of the staff servicing the committee, that there is still a general lack of recognition of the skills required, particularly of the executive officer. I should say that at the moment that position is filled very ably by Valerie Cheong. It is disappointing that the fantastic work she does and the expectations of her are not adequately in the salary package that is made available to that position and in this instance to Valerie herself.

Looking further at the issue of some of the frustrations of parliamentary committee work, on occasions we have difficulties with the funding of important inquiries. My colleague Damian Drum, The Nationals member for Northern Victoria Region in the other place, is chair of the Rural and Regional Committee. That committee is conducting an inquiry into regional social disadvantage and inequity in regional Victoria. Regrettably that extremely important inquiry is not being adequately funded because the Melbourne-centric — city-centric — Brumby government does not want it to be revealed that it has neglected regional Victoria in the decade that the current Premier has been either Treasurer or Premier. That is an extremely disappointing situation. When this report is tabled it will highlight the diverging levels of social disadvantage between regional and city people which, in turn, highlights the importance of the committee process.

The other issue that was briefly addressed by the member for Scoresby is the lack of respect, on the part of the government, for committees, particularly in my case the Public Accounts and Estimates Committee. We touched on that yesterday during members statements on parliamentary committee reports where I contended, and I stand by my contention, that the Premier and government ministers have shown contempt for the PAEC process.

If we look at the Environment and Natural Resources Committee (ENRC) we see another example of contempt being demonstrated by the government. It is now two years since that committee made a recommendation, which has been repeatedly endorsed by many experts since then, to increase fuel reduction burns within the state of Victoria. The government has failed, and continues to fail, to implement this basic recommendation to provide greater protection for Victorians. This is another example of contempt by this government for the very important work done, in that case, by the ENRC.

Returning to PAEC, we have also seen contempt in the government's refusal to detail the expenditure for regional Victoria as distinct from provincial cities in Victoria. That was a recommendation put to the government by PAEC three years ago. The government, at the time, said it would consider the proposition. It has dillydallied around and, finally, it rejected that proposal. To me, that shows contempt for the committee process, PAEC and, worst of all, it shows contempt for country Victorians, and that will be remembered.

Another role of the Appropriation (2010/2011) Bill 2010 is to provide the funding of electorate office staff. These are the staff members who are at the coalface. Theirs is a challenging task because they interact with a wide range of people who are often under a lot of stress, a number of whom have overt mental health problems, and many others who are having difficulty making decisions and sorting through issues involving state government. This stress can result from natural events such as the drought, which has been an extremely stressful experience for the people in country Victoria, but it can also result from government action and inaction in dealing with those natural disasters or from other policies that have failed to adequately recognise the importance and the needs of country Victorians.

Through the work of the electorate office the members of my staff have a very close association with key people, such as the well-known outreach worker Ivan Lister, a large man worth every ounce of his weight in gold. Together we work closely with the police because we often share clients, and we work closely with many other support agencies.

My staff deserve special commendation for, in the first instance, having to put up with me and for having had to grapple with an unresponsive, city-centric Brumby government. Kerrie Facey, who has particular skill with the customers we deal with, also has great problem-solving skills. Rowena Sladdin has now been working with me for 18 months; she has great skills in design and communication in general and those skills underpin the work that we do in our electorate offices which is so much about communication. Communication and problem-solving skills enable my staff to contribute and to fulfil the expectations of them as electorate officers. Rowena and Kerrie are ably supported by a part-timer, Peta Clark, to whom I affectionately refer as my 'funding ferret'. Peta has an inherent ability to sniff out where there might be some money or a grant available to help the many volunteer community organisations in my electorate. Peta does an outstanding job. Shirley Swadesir works a couple of hours per week, and she provides a stabilising and soothing influence in an environment which can get hectic at times.

The Deputy Speaker commented on the fantastic work done by the parliamentary staff, and I would like to endorse those comments. Take for example the library staff. I know they do an outstanding job. Their evaluations of draft legislation are particularly useful, and my only regret is that I do not take advantage of their skills often enough.

The Hansard staff are truly amazing. They can turn waffle into what seems to make reasonable sense when you read it 24 hours later, and they will do a great job with this speech! Not only do I acknowledge the Hansard staff now, as they sit there blushing at the moment, but each year I give them jams and preserves that I purchase from the Moyhu Primary School Country Fair and the Edi Upper Primary School Easter Fair.

The dining room staff are also an amazing group, under Luke's leadership. There is only one Shirli! If you talk to these staff members, you cannot but be impressed by their different backgrounds and their contribution to the culture of this place. There is also Cheryl, and Gillian, who reduces the average age a bit! With some disappointment I noted that Jackie has retired. She is an amazing lady; we trekked the Kokoda Trail with her, and it is fair to say that Jackie was battling uphill even when we were going down dale! She demonstrated that she is one tough little lady. I say to Jackie: good luck on your retirement. Enjoy it.

The IT staff provide a wonderful backup, and I can assure you that in dealing with me — I am rather technologically challenged — they show great patience and perseverance. If the IT staff are listening, I will be ringing you up in a moment because I have a problem with my laptop again.

The clerks do a great job, particularly helping me work through my notices of motion. Today I particularly thank Bridget Noonan who, when I presented her with a somewhat lengthy notice of motion, gave me the guidance that enabled it not to be ruled out and to be recorded in full. Of course we have Kate and Ray at the table at the moment. Again, they are very capable people and very supportive.

The attendants also do an excellent job, particularly Chris, who does the backup in my office and does things such as helping to install printer cartridges when my printer breaks down.

I would like to look at another aspect of the parliamentary allowance, and that is the communications allowance and the importance of communicating our messages to the people we represent. In the case of the electorate of Benalla we have a very geographically diverse group of people who live in six major towns and a large number of other smaller communities, and the issues that are of concern to them are diverse. My staff members need very good skills to address those issues and they need to be supported by an adequate communication allowance.

Some of the issues that we continue to deal with are the ongoing issue of youth allowance and the federal government continuing to make it tough for young country people to attain a tertiary education, thereby contributing to the ever-widening social disadvantage gap between young country people and their city counterparts. We do a lot of work informing people about the implications of the outrageous hike in liquor licensing fees courtesy of the Brumby government. The smart meters are another example of where socially disadvantaged country people are being hit in the back pocket as a result of the inept implementation of a program.

In the last 30 seconds I am just going to mention one other program that has consumed a massive amount of my time and the time of my staff and the resourcing of my office, and that is the fight for the retention of a fair share of the water that falls as rain in northern Victoria and contributes to the Murray-Darling Basin. We have been put under enormous pressure by this government for many years. I complete my contribution by calling upon the Premier to plug the pipe.

**Mr STENSHOLT** (Burwood) — I am delighted to strongly support this bill. It is not just a matter of saying we will not oppose it; we on this side of the house are actually supporting it. I know the member for Scoresby talked about some of the measures underpinning the funding of the Parliament as well, but I also wonder about his understanding of economics. We know it has been challenged in the past. He has talked about — —

**Mr Wells** — On a point of order, Acting Speaker, when I made my contribution the Acting Speaker was very strict about what we were speaking about. It had to relate to the Appropriation (Parliament 2010/2011) Bill. I would ask you, Acting Speaker, to apply the same standards to the member for Burwood.

**Mr STENSHOLT** — On the point of order, Acting Speaker, in fact the Acting Speaker allowed the member for Scoresby to proceed several times. I did not take a point of order against him. He did proceed. I am just responding to the measures he discussed in a rather wide-ranging debate, as we have heard from the member for Benalla.

**The ACTING SPEAKER (Mr K. Smith)** — Order! I do not uphold the point of order, but I ask the member for Burwood to stick to the bill, which is the Appropriation (Parliament 2010/2011) Bill.

**Mr STENSHOLT** — I wish to do the same and follow the example of the member for Scoresby. I refer to his press releases in 2007 and 2008 in which he

talked about ‘state final demand’. He does not know anything about economics.

**Mr Wells** — On a point of order, Acting Speaker, when the previous Acting Speaker was in the chair and I referred to ‘state final demand’ the Acting Speaker brought me back to the bill. I would ask that you apply the same standards to the member for Burwood.

**The ACTING SPEAKER (Mr K. Smith)** — Order! I did ask the member for Burwood to refer to the bill, which is the Appropriation (Parliament 2010/2011) Bill. I ask him to stick to that, if he would, please.

**Mr STENSHOLT** — I am delighted to stick to the bill in terms of the parliamentary appropriation and the understanding which goes behind it in terms of making Victoria a very successful state. Victoria is growing and it is in the black. It is not in recession. Who promised a recession? The Leader of the Opposition — who was always talking it down. The budget is in the black, so we can fund the parliamentary appropriation this year, once we pass this bill and it is passed in the upper house.

This is all about economic responsibility and making sure the funds are available for this Parliament, and what a wonderful Parliament we have in Victoria. On this side of the house we support the Parliament. Unlike those on the other side of the house who say they will think about it or they will not oppose the money for the Parliament, we on this side of the house strongly support it because we believe in transparency, honesty and accountability.

There is a lack of respect shown by those on the other side of the house, by the Liberal Party and by The Nationals. We know their form when it comes to the Auditor-General; we know the Kennetts and the McNamaras of this world nobbled the Auditor-General. Now they get up and say, ‘Isn’t the Auditor-General wonderful? We support the Auditor-General’. They nobbled the Auditor-General. The Deputy Leader of the Liberal Party, the member for Brighton, should be sitting there in shame because she was one of the people sitting around the cabinet table when they nobbled the Auditor-General at that time.

We on this side of the house are strongly supporting the funding for the Auditor-General. We are supporting the money for the Parliament. We are not just mealy-mouthed saying, ‘We will not oppose it’.

It is very important for the institution of Parliament that it be strongly supported by all sides of the Parliament. Like others, I consider the work of those who serve the Parliament as very significant. I will not go through the

list because the member for Benalla has provided us with an extensive account of all the wonderful people working in support of Parliament — the clerks, Hansard staff, officers, committee secretariats, attendants, kitchen and dining room staff, guards and gardeners, as well as all those working in our electorates.

I thank those who work in my electorate office, just as other people do: Jarrod, Pat, Christine and Johnno. I thank them for all their work on behalf of local people — helping local people, helping our community, ensuring that the work that we do is all about jobs, community and family. That is what we do through our electorate offices: jobs, community and family. That is what we do and what we deliver through our electorate offices and through our work here in the Parliament.

The bill provides funds for the Council, the Assembly, the committees, the Department of Parliamentary Services and the office of the Auditor-General. As chair of the Public Accounts and Estimates Committee I have had an opportunity to hear from the presiding officers, the clerks and the senior officers about the proposed appropriation for the Parliament. You will find these in the *Report on the 2010–11 Budget Estimates — Part One* in chapter 14 and also the transcript (v) pages 1–14. There is a list of issues which were raised and members can read about them there.

This is all about members of the former Bracks government and now the Brumby government delivering accountability. They actually turn up for the hearings of the Public Accounts and Estimates Committee, as do the presiding officers. They turn up and they answer questions.

**Ms Richardson** — Who didn't?

**Mr STENSHOLT** — Who didn't? I think it was the Kennetts and the McNamaras of this world who did not turn up to answer the questions. The member for Scoresby went on about that. Will we get assurances that any future conservative ministers, be they Liberal or Nationals, will turn up for the budget estimates processes? Will they be accountable? They were not in the past. Will they give assurances that they will not nobble the Auditor-General and the office of the Auditor-General and seek to cut the funding for the Auditor-General?

I was very pleased at the Public Accounts and Estimates Committee to receive assurances from the Speaker that the extra funding provided by the then Bracks government and followed by the Brumby government will be included in the committee's line of

funding. A 50 per cent increase was provided by the former Premier, Steve Bracks, who was once a member of the Public Accounts and Estimates Committee, to make sure that PAEC worked well. With his openness and accountability he made sure that ministers attended and they continue to attend today. We do not even know whether the opposition will attend or not.

I am also very pleased with the funding for the Auditor-General. Last year the Auditor-General asked for an extra \$1.3 million. The Public Accounts and Estimates Committee supported that request, wrote to the Premier, and the Premier put it in last year's budget. That figure is in this year's budget as well. If you look at the forward estimates you will find that that extra money actually goes through to the out years as well. It is not actually in the appropriation bill, but you will find it in the budget papers.

Once again this shows that it is the Brumby government, the Labor government, that delivers accountability and transparency. It is the Labor government that supports the Auditor-General. The Labor government does not nobble the Auditor-General like the Liberals and The Nationals — the conservatives — do. We are very pleased that there is respect for the role of the Auditor-General. The Brumby Labor government has respect for transparency, openness, honesty and accountability. Only Labor can do this; only Labor can support this particular bill. The opposition can merely say, 'We will not oppose it.' I think it is a shame; it is disrespect from the opposition in terms of this bill. I commend this bill to the house.

**Ms ASHER** (Brighton) — I will perhaps first take up the final comment of the very emotional little speech from the member for Burwood. I can assure the honourable member that budget documentation with key performance indicators (KPIs) for the Parliament existed under the previous government as well.

I wish to speak very briefly on the Appropriation (Parliament 2010/2011) Bill 2010. In the first instance I would like to draw to the house's attention the table on page 261 of budget paper 3 where funding for the 2010–11 budget is outlined. There is funding of \$166.1 million for running the Parliament. The Parliament, as can be seen in that table, is comprised of the Legislative Council, the Legislative Assembly, Parliamentary Services, Parliamentary Investigatory Committees and the Victorian Auditor-General's Office. I too wish to make a comment on a couple of those areas.

When most people think of the Parliament, they simply think of these two chambers. But I want to make reference to a couple of KPIs that have been introduced into the Legislative Assembly, where we have seen there have been a number of performance measures that have changed. Traditionally I think members of the public would focus on the KPIs relating to bills and amendments processed accurately through all relevant stages, in compliance with constitutional requirements and standing orders, and the satisfaction of members in our work and so on. But I want to pick up on a couple of new KPIs that have been introduced into the Legislative Assembly for the next financial year.

The first one, which was touched on by the member for Oakleigh, is regional visits to schools to conduct parliamentary information talks and parliamentary role plays. I think much of the work that the Parliament does with schools is very important. There is a new measure called 'Teacher satisfaction with tours of Parliament for school groups'. As I see it, unless young people have a real understanding of the way democracy works, of the way this Parliament works, then I do not think they will grow up into adults with a sufficient understanding of the way Parliament works. We are very lucky in this country to have democratic institutions in the states and the commonwealth, and it is most important that young people understand from an early age that this is just not a norm that occurs across the world, that in fact democracy is a very fragile and cherished thing, and I commend the parliamentary staff for the work that they do with school groups.

I want to touch very briefly on Parliamentary Services again, where there is a \$77.8 million total output cost budgeted, because as I said earlier most people would see the Parliament as the chambers and not necessarily as the work that occurs behind the Parliament. I note with interest that this section aims to provide MPs with a functional electorate office in every area, and I am sure members of Parliament will have varying views about that. But it is here that the parliamentary library and Hansard are picked up in terms of KPIs.

I want to make comment on the fact that in terms of the parliamentary library, the key performance indicator target for 2010–11 is an 85 per cent satisfaction rate — that is, 'Clients satisfied with quality of information provided by library reference desk staff'. In my experience in this Parliament, members' satisfaction is much higher than that, and I think staff have sold themselves short with that target.

In terms of Hansard, the percentage target satisfaction level as laid out in the budget is 90 per cent for 'Indexes, records and speeches and transcripts provided

within agreed time frames'. I note the footnote which basically says that the unpredictability of Parliament and the tardiness of documentation being provided might lead to a reduction of that figure. But it is not my experience of Hansard. I think Hansard is outstanding in its job. I think most members would praise Hansard for its work.

This section of the budget also funds our electorate offices. I will not go through the work that my office does, other than thanking my staff. All electorate offices perform very valuable community work and it is important that they are adequately funded to do so.

This bill also funds the parliamentary committees at a total output cost of \$6.9 million. Many members have made reference to a number of the parliamentary committees. The Public Accounts and Estimates Committee is one that is probably scrutinised by more members of Parliament than any other. This committee provides very valuable work in exposing the government on its inadequacies across a range of portfolio areas.

I was particularly interested in the very valuable report of the Environment and Natural Resources Committee some time ago that was a result of its inquiry into Melbourne's water supply. The inquiry looked at recycling, storm water and a range of policy options. The Minister for Water did not respond to this report in the required time frame under the Parliamentary Committees Act. In terms of the government's late response that was eventually tabled before this Parliament, I urge the minister to look more closely at some of the recommendations of the Environment and Natural Resources Committee with regard to Melbourne's future water supply.

This bill before the house also funds the Auditor-General's office, and many members have spent considerable time talking about this. There is also \$14.1 million for parliamentary reports and services and \$20.3 million for audit reports on financial statements. The Auditor-General, as members have already commented, performs very important work.

An example of the important work the Auditor-General performs is a report tabled before Parliament yesterday entitled *Irrigation Efficiency Programs*. In it the Auditor-General made a range of observations — of course it is this funding that enables the Auditor-General to make these observations — including: that there was no business case for the food bowl and the north–south pipeline, a project which is causing considerable concern in northern Victoria; that many of the savings the government and the Premier

have talked about on the public record were in fact false; and that there was insufficient rigour and analysis of the costs and benefits of these projects before they were frantically embarked on by the government.

If one looks at the funding of the \$14.1 million for parliamentary reports and services, one can see directly the results of that funding before the house at the moment.

In the case of the food bowl modernisation project and the Sugarloaf pipeline the Auditor-General found, as reported on page 16 of the report:

The development of the business cases for the FMP and the Sugarloaf pipeline commenced only after the government had committed to the projects and approved the funding. This process is contrary to the explicit and mandatory business case guidance for projects such as these.

Again I make the point, as so many speakers before me have done, that the work of the Auditor-General is very important for the scrutiny of this government. The Auditor-General made the observation that in this case departmental officers had to be sworn to give testimony. I imagine the government needs to think deeply about that. Because if the Auditor-General cannot be confident that officers in departments will not give full and frank answers to the Auditor-General, we are indeed seeing a government with a complete lack of transparency where ministers, it would seem by implication, are forcing departmental officers to perhaps not disclose the whole truth.

Conclusions of reports of this type will be facilitated by the \$14.1 million of funding for parliamentary reports and services in the bill before the house and the supporting documentation in budget paper 3.

The report came to the following conclusions, and I quote from page vii:

Victorian government decisions to invest around \$2 billion in irrigation efficiency and related projects between 2004 and 2007 were poorly informed.

The report goes on to say:

This was particularly evident for the food bowl modernisation project, where the decision to commit \$1 billion was based on advice of water savings and cost assumptions that had not been verified —

and it goes on —

technology that had not yet proven itself and the feasibility of the project, which was unknown. As a consequence, assumed water losses have been significantly revised down, making the achievement of intended water savings less certain.

So we have information that exposes this government before the Parliament in a report provided by the Auditor-General that was tabled yesterday. We have material before the house that exposes this government for a lack of rigour and for having an appalling approach to a water 'solution'. Given the funding indicated in budget paper 3, we would expect many more reports to be delivered by the Auditor-General.

I noted that the Labor members who have spoken on the parliamentary appropriation bill before the house have made much noise about the Auditor-General. We on this side of the house deeply appreciate the work that has been undertaken by the Auditor-General, including not just the example I gave of the report on irrigation tabled yesterday but another report tabled yesterday on hazardous waste which damns the Environment Protection Authority, which is under the authority of this government. It is interesting to see that the minister in that case simply blamed the EPA. I would have thought, and the minister at the table, the Minister for Children and Early Childhood Development may agree, that there is ministerial responsibility and accountability — I hope — still in this state. For the minister to simply turn around and blame a government instrumentality is inappropriate. It is inappropriate because we should have ministerial responsibility.

These types of documents that the Auditor-General has brought to the house are very important in exposing this government. Yesterday everything the coalition has been saying for years about the food bowl modernisation project and the north-south pipeline was confirmed by the Auditor-General in the report that was tabled before the house. The coalition has queried the basis of this project and has opposed the north-south pipeline itself, and the Auditor-General's valuable report simply confirms everything the coalition has been saying for years. It confirms the fact that the savings, which the Premier himself says will come from this project, were not based on rigorous estimates and analysis. It was simply a knee-jerk reaction to a water problem that the government wanted to deal with. The government of course should have dealt with this problem in 2002, when former Premier Steve Bracks said that water was the no. 1 issue, but he did not even make any announcements on water until 2007. But I digress.

The fact is that we are debating the Appropriation (Parliament 2010/2011) Bill, which is before the house. One component of that bill is, as I said earlier, funding to enable the Victorian Auditor-General's office to continue the valuable work it does to hold this government to account.

Given that earlier I indicated I would not use my full time, I will now add to the comments of the Deputy Speaker earlier by thanking all the parliamentary staff and our electorate officers, who help this place work. As has already been indicated, the opposition is of course not opposing the appropriation to the Parliament.

**Mr BROOKS** (Bundoora) — It is a pleasure to join the debate on the Appropriation (Parliament 2010/2011) Bill, which provides for the ongoing operations of Parliament and new output initiatives and new asset investment. I will not stray into a debate on the political issues that people have tried to take this debate into today. I merely want to, in a short time, indicate that as a member of the government I fully support this bill and the funding allocated to the operation of the Parliament.

Schedule 1 of the bill sets out the funding provided to the Legislative Council and the Legislative Assembly, which have both received modest increases on last year's funding amounts; to parliamentary investigatory committees, which, as many speakers have said, do a great job in serving the Parliament and therefore serving the people of Victoria; and to the Department of Parliamentary Services, which consumes the lion's share of the funding provided in this bill and which will receive just over \$73 million — an increase of around 6.6 per cent; as well as the important funding provided to the Auditor-General, which is maintained.

In terms of the funding provided to Parliamentary Services it is important to remember that within that funding is absorbed the cost of increases in wages and salaries across parliamentary staff, electorate officers and so on. It also includes the important sandstone repair and replacement project, which members would be aware of, taking place around this great heritage building. Regardless of what many Victorians might think of their representatives from time to time, I am sure they are all proud and supportive of the restoration and ongoing maintenance of this beautiful building.

Quickly I would like to acknowledge and thank the clerks and attendants in this building for their efforts; Peter Lochert, the new secretary of parliamentary services and the various staff right through parliamentary services; the people in the organisation development and finance area, who handle things from enterprise bargaining negotiations through to training for staff members and providing a service and advice to electorate officers and members on budgeting, electorate office financial processes and telecommunications; those in the precinct and property management group, who do excellent work in keeping

this building and the grounds in excellent condition for members of the public who come through on tours and school groups who visit this fantastic precinct; and also the people who work in catering. Necessarily the role of members involves meetings and functions, and the catering staff are an important part of that and do a fantastic job.

I also want to mention the people who work in Hansard, the library and information technology. Other members have mentioned the fantastic work of Hansard in reporting the comments that are made in this house, sometimes at very late hours. The fantastic research and general service that is provided in our library is always polite and efficient and courteous and, as I say, sometimes at very late hours. This is a good bill that provides a solid financial basis for the Parliament to continue its operation, and I commend it to the house.

**Debate adjourned on motion of Mr DELAHUNTY (Lowan).**

**Debate adjourned until later this day.**

## APPROPRIATION (2010/2011) BILL

### *Second reading*

**Debate resumed from 9 June; motion of Mr BRUMBY (Premier).**

**Mr BAILLIEU** (Leader of the Opposition) — The Premier recently apologised to Victorians. He apologised for his government's poor performance over the previous couple of months, but it was an apology driven by a media strategy not a genuine appreciation of his government's failure. Victorians do not think the problem is one of two or three months making. The problem is the last 11 years. Victorians have been more than patient with this government, but at some point enough is simply enough. If this government cannot get it right over 11 years, there is no hope it will get it right now.

This government has delivered a cynical election budget. After 11 years in power this budget only serves to highlight the failings of this government. It has been 11 years of neglect. The government has had plenty of opportunities and plenty of money, but basic services continue to deteriorate. Under this government essential services simply get worse, not better.

It is fitting that yesterday the Auditor-General again reminded Victorians how this government has let them down. The Victorian Auditor-General's Office (VAGO) tabled a number of reports. One exposed the

complete mismanagement of the Environment Protection Authority (EPA). That report into hazardous waste management noted:

... there is little assurance that hazardous waste is stored and disposed of appropriately.

Further:

The EPA's management of hazardous waste information is inadequate.

And that there is:

... a lack of data integrity and document controls, and poor record keeping.

It further noted that monitoring, inspection, compliance and enforcement functions have declined. It concluded:

Neither VAGO nor the EPA can provide assurance about the effectiveness of its enforcement activities.

The residents of Casey and Frankston and in particular Brookland Greens would agree. Under this government, the government's environment watchdog has been reduced to a gummy poodle — no teeth, no bite and no friends.

In another report on irrigation efficiency programs the Auditor-General slammed the development and management of the government's key water projects, in particular the food bowl modernisation project, the north-south pipeline and other irrigation projects. He clearly put the lie to the government's claims about savings and the development of business plans. He noted:

None of the projects considered alternative investment options, including evaluation, ranking and detailing the actions required to progress to the business case.

In regard to the north-south pipeline he reported:

... an assessment of the investment need ... did not occur and the project proceeded straight to a business case.

The report then noted that the business case was rejected by the cabinet. The Auditor-General said that the food bowl modernisation project was:

... based on advice of water savings and cost assumptions that had not been verified, technology that had not yet proven itself and the feasibility of the project, which was unknown. As a consequence, assumed water losses have been significantly revised down ...

In other words, the government never did its homework. It ignored warnings, it struck out in panic and was driven more by crisis than credibility. Yesterday the Minister for Water confirmed just that,

hoping the crisis it ignored for years would justify its mismanagement. It does not.

The Auditor-General also noted that in October 2006, just before the last election, the government explicitly rejected some of these projects, only to revive the pipeline in February 2007 after the election in a panic and after it had deceived the electorate. The Auditor-General concluded:

Whether these projects represent the best solution to achieve the government's policy objectives of saving water and securing Victoria's water remains unclear.

In a further report on safety on trains the Auditor-General noted that crime figures on public transport were inconsistent with public perceptions of a real problem with crime and violence. But it is not because the public is wrong; public perceptions are entirely consistent with the Emergency Services Telecommunications Authority and Ombudsman's reports, which have pointed to a massive underreporting of crimes, particularly crimes against the person, as a result of dependence on the use of the LEAP (law enforcement assistance program) database system.

Recent freedom of information figures confirm that in the Geelong and Melbourne regions alone there were some 45 000 assaults last year recorded by ESTA, excluding multiple calls, which required attendance, but only some 25 000 were reported by police. Even with the LEAP figures the Auditor-General in his report noted that crimes against the person on the train system had increased by 34 per cent from 880 to 1190 in 2008-09. That increase is not perception; it is real. It is not a statistical blip, as recently claimed by the Chief Commissioner of Police. It is entirely consistent with recent shocking events and media reports, including the incident last Friday night in which yet another good Samaritan was savagely bashed, this time at the McKinnon railway station.

The Auditor-General notes the need for 'the greater visibility of police, security and other railway staff' and the need to 'better equip authorised officers'. What the government should do is once again follow the lead of the coalition and introduce armed, uniformed protective services officers on every metropolitan and major regional railway station after dark.

When Victorians woke up the morning after the budget was introduced, they knew one thing: nothing had changed. Basic services will still be getting worse not better, myki will still cost a fortune and will not work, trains will still be late, unreliable, unsafe and unclean under this government. Victoria will still have the

lowest number of hospital beds per person of any state. Those endless government ads, spending taxpayers money to prop up the government will still be there.

The extraordinary thing about this budget is the centrepiece. The centrepiece was actually the coalition's plan — or should I say part of the coalition's plan — for additional police! After weeks of bagging the coalition's commitments to introduce 1700 additional front-line police, the government then again moved to steal a coalition policy. After years of denying there was a problem with a rising tide of crime and antisocial behaviour, the government was forced again to follow the coalition's lead.

Since 1999 Labor has seen budget revenues more than double, from around \$20 billion in 1999 to nearly \$46 billion in this budget. In 11 years the government will have collected over \$340 billion. At the same time state debt is expected to increase more than eightfold in only six years to a forecast nearly \$32 billion in 2014. Victorians will be paying \$3 billion in interest every year by 2014.

Taxes are set to increase significantly, with stamp duty up by more than \$550 million in the forward estimates period and land tax up more than \$580 million in that period. Melbourne will have the highest rate of stamp duty of any capital city. On a median-priced home in Melbourne, Victorian non-first home buyers will pay more than \$23 000. Victoria continues to be heavily reliant on property taxes, mainly land tax and stamp duty. Over a decade this dependence has doubled, from 15 per cent of state taxes to almost 35 per cent in 2010–11 — and it is set to rise even further.

A total of 26 new or extended taxes, charges and tolls have been introduced under this government. The huge revenue surge has provided opportunities, but they have not been used to improve basic services such as transport, health, infrastructure and policing, and still the much advertised \$38 billion transport plan remains largely unfunded and dependent on federal funding that is not being provided. This budget will change nothing; and since it has been delivered, nothing has changed.

The Victorian economy has become increasingly reliant on the housing sector and population increases to drive growth. In the last financial year Victoria's population increased by 2.2 per cent — that is around about the jobs growth rate.

Victoria has, as I said, the lowest number of hospital beds per person of any state. Tens of thousands of people — even before they are put on the elective surgery lists — are waiting for outpatient appointments.

Victoria has the highest readmission rate of any state. The government has never met the ambulance target response times for code 1 emergencies; it has failed continually to reach the ambulance target response times, even though the number of emergencies continues to increase.

Emergency departments are overflowing, and a massive number of Victorians are walking out rather than waiting hours for care. The government has failed to meet its own targets of admitting patients within 8 hours or treating and discharging. This budget short-changes the people of Bendigo and Box Hill by failing to fund the new hospitals as originally promised by the Premier. There is almost no money for Bendigo hospital until 2012. Only \$200 million is being provided up to 2014, and the amount provided is around half of what was expected and promised, with the hospital unlikely to be finished until 2016–17, almost 10 years after it was first promised by Labor. The rebuilding of Box Hill Hospital is now the rebuilding of a block, according to the budget papers, not a whole new hospital.

Recently the Premier flew off to Canberra for a showdown with the Prime Minister. It was to be the Premier's great moment. The *Australian* reported:

Thank goodness for John Brumby, the Labor Premier of Victoria. He alone seems to be standing up to a Prime Minister determined to impose on the nation a health plan that is as hollow as hollow men could make it.

The article states further:

... he has stood up to the commonwealth —

and that he was —

not someone to treat as Kevin Rudd would an underling.

The Premier went to Canberra boasting that he was going to secure over the next four years \$4.8 billion in extra funding for Victoria's health system. He said state GST revenue should not be transferred to the commonwealth. So who won the gunfight at the Backflip Corral? Kevin Rudd! The Premier came limping back as Mr 20 Per Cent. He returned with a total of only \$890 million over four years, just a fraction of what he promised.

*Honourable members interjecting.*

**The ACTING SPEAKER (Mr K. Smith)** — Order! All members of the house should show a bit of control, particularly those sitting on the back bench.

**Mr BAILLIEU** — The deal secured only 20 per cent of the funding demanded, it relinquished GST

control, there was minimal capital commitment, it secured only one-third of the current bed shortage identified by the AMA (Australian Medical Association), it failed to even consider beds to cover population growth, it increased the bureaucracy, it did little to address mental health shortfalls and it did not provide for auditing of comparable health data. After weeks of posturing on health, our Premier folded.

Acting Speaker, members should think about this: the Victorian Premier was outgunned by Kevin Rudd! If ever there was a Prime Minister on the nose, it is Kevin Rudd. Kevin Rudd has only had one win in the last six months — and it was the Victorian Premier he did over.

The coalition took the lead on this issue and proposed to reserve all the revenues from the recently completed gaming machine auction — albeit the auction was a disaster — to boost badly needed investment in the whole of Victoria's public health system. The coalition will establish the nearly \$1 billion health infrastructure fund to improve the future health facilities of our state. There can be no better use of these funds than rebuilding our struggling hospitals and health system.

Last week the Proust report was delivered. It was a massive backdown by this Premier after years of denying the problem and explicitly and repeatedly saying that an anticorruption commission was not needed in this state, that it was too expensive and a lawyers picnic and that Labor would not introduce such a commission — and then ridiculing the Opposition's commitment to an anticorruption commission.

Suddenly — under pressure, at the 11th hour — there has been another about-face. After 11 years, and just a few months before the election, the Premier has promised to introduce an anticorruption commission — but a model no-one thinks will work, a model that is complex and confusing, a model that is more about politics than policy.

The Premier's heart is not in it. He received the Proust report on the Monday and would not talk about it; a subcommittee was established on the Tuesday; he announced the commission on the Wednesday; and he could not explain it on the Thursday. It will not come about for 18 months, and it is not even budgeted for. All this was simply yet another example of follow-the-opposition, me-too politics from the government.

I mention some issues in my electorate. Public transport issues remain critical in the electorate of Hawthorn. Crime and violence, even on the streets — for example, on Glenferrie Road — are regularly reported. Planning

issues remain without attention from the minister in Camberwell Junction, on Burwood and Glenferrie roads, in Abbotsford and around the Yarra.

This government is ignoring local communities. It is increasing cost shifting to councils; it is stripping powers from councils; it is approving outer centre developments. The crazy clearway changes will cost business and achieve nothing.

This budget disappeared without a trace within a few days. The Victorian public knows this government is out of touch. People know this government has run out of ideas; they know this government is weary, and what is more — —

**Mr Stensholt** interjected.

**Mr BAILLIEU** — The backbench knows it too. It is ironic that after years of promises the government finally arranged for the internet broadcasting of the Parliament. It has arrived just in time for Victorians to see for themselves the widespread look of disinterest and disbelief on the faces of government backbenchers as they listen to the Premier in question time day after day trying to defend the indefensible, blaming others, denying problems and making empty promises. The Victorian public is fed up. There is a simple message to the Premier and for the government: it is too late to apologise; the public has stopped listening. This government cannot be trusted.

**Ms Green** — On a point of order, Speaker, I could see from this side of the chamber, and probably the cameras would have shown this too, that the Leader of the Opposition appeared to be reading and quoting from a document. I ask him to table it. He was reading his whole contribution.

**The ACTING SPEAKER (Mr K. Smith)** — Order! The Leader of the Opposition was referring to his notes.

**Ms Asher** — On a different point of order, Acting Speaker, during the Leader of the Opposition's speech, the member for Yan Yean was putting on make-up.

*Honourable members interjecting.*

**The ACTING SPEAKER (Mr K. Smith)** — Order! I want to hear this point of order.

**Ms Asher** — I am wondering whether that was in anticipation of making that point of order when she would be on camera or whether we require your guidance, Acting Speaker, to decide whether that behaviour in the Parliament is unparliamentary.

**The ACTING SPEAKER (Mr K. Smith)** — Order! There is no point of order.

**Ms LOBATO (Gembrook)** — It is with great delight that I rise to speak to support this important appropriation bill. It is a wonderful opportunity to speak in support of this bill after the Leader of the Opposition took the opportunity to speak for 15 minutes about negativity; he talked the state of Victoria down, and he stands for nothing. He had a 15-minute opportunity to outline a vision for Victoria and to provide some ideas and positive focus for the state of Victoria from an alternative government's perspective. He failed to do so. We on the government side of the house were eagerly awaiting this vision. It never arrived. He chose instead to continue to talk the state down. I am sure we are all disappointed but not surprised about that.

In contrast to that, I highlight this important appropriation bill firstly by commenting on the success of this budget and the success this government has had in weathering the storm of the global financial crisis. We have done this better than any government just about anywhere in the world, and we have cemented our strong AAA rating position thanks to the sound and strong financial management and good governance of this government, particularly the Premier and the Treasurer. Importantly, this strong position has been secured while the essential services needed by all Victorians, such as health and education, have continued to be delivered to all Victorian families.

One of the most welcome initiatives in this budget for the residents of the Gembrook electorate is the huge and unprecedented investment of \$561.3 million over five years to recruit, train and employ 1700 additional police and redeploy 266 other police into front-line roles. Not only is this budget initiative the biggest one-off boost to police numbers in the state's history but it will make our streets and our communities safer places to live and work — they are places where we can raise our families with the security that comes from knowing there is a professional, dedicated workforce of police officers safeguarding us.

However, we all know that although police numbers and police visibility are important aspects of community safety, especially as a way to curb antisocial behaviour on our streets, there is more insidious violent crime that is occurring away from public view, away from crowds and often in the privacy of people's homes. That violence is what we term 'family violence'. However, even the term 'family violence', which is now used more often than the term

'domestic violence', does not convey the serious nature of this crime, which is a grave abuse of human rights.

Family violence continues to be the leading cause of death and disability in Victorian women aged 15 to 44, as was first reported by VicHealth in its groundbreaking 2004 report. Family violence is responsible for more of the disease burden on women of this age than any other well-known risk factors such as high blood pressure and obesity. Violence that comes within the scope of this term 'family violence' is the type of violence that women are most vulnerable to, leading to wide-ranging, devastating and sometimes fatal effects on women's mental and physical health. It is thought to affect one in five women and takes a devastating toll on these women, as well as their families and friends. It has implications for their employment and ability to function fully in society. It also has a huge economic cost to the state and the nation.

The recent national survey on community attitudes to violence against women, as documented in the 2010 *Changing Cultures Changing Attitudes* report, revealed that although there have been a number of significant and important shifts in the community's attitudes about violence against women, with more people considering it a crime and a serious issue, there are still many in the community who hold beliefs at odds with this evidence. One in three people believe rape results from men's inability to control their need for sex, and one in four think women falsify claims about domestic violence, even though this type of crime is actually vastly underreported. It is clear that more needs to be done in the community, and it is necessary to continue to fund preventive programs that address attitudes to violence.

I am incredibly proud of the Bracks and Brumby governments' commitment to addressing and reducing the crime of domestic violence, and I am pleased that the Minister for Women's Affairs, who has made so much ground in this area is at the table right now. I am also very pleased that in this budget the state government has taken the lead on this issue with its commitment to the respect agenda, to promote respect and tackle antisocial and problem attitudes and behaviours. The 2010 state budget features a package to address sexual and domestic violence against women, improve their financial skills and increase the number of women serving on boards and committees. This includes \$14.1 million for the *A Right to Respect* campaign to tackle sexual and domestic violence and will be delivered in partnership with community organisations such as schools and sporting clubs. There is also \$2.6 million in the state budget for increased staff training across social service sectors such as

mental health and medical services to assist those workers to identify and respond to family violence. This funding is a real indication that this government views family violence crime as a major issue facing our society and which needs a thorough and comprehensive suite of measures to properly address it.

This budget also continues Labor's commitment to education. School refurbishments and upgrades are continuing with \$271.3 million to exceed by 53 schools the pledge to fund the rebuild, renovation or extension of 500 government schools by 2011. Unprecedented levels of funding have been received in the schools within the electorate of Gembrook over the past eight years, including, but not limited to, Gembrook Primary School — just about a complete rebuild; Beaconsfield Primary School and Beaconsfield Upper Primary School, with almost complete rebuilds; Cockatoo Primary School, Upper Yarra Secondary College, Emerald Secondary College, Pakenham Secondary College; and new schools in Berwick Primary School, Pakenham Lakeside Primary School and also Heritage Primary School.

This budget certainly continues that commitment to schools in my electorate with \$500 000 allocated for Emerald Secondary College's performing arts centre. This school has already received \$2.5 million from the federal government, and they required an additional \$500 000 to allow the project to proceed. Now Emerald and the townships in the Dandenong Ranges will have a state-of-the-art performance venue to not only benefit the school but the entire community. This is a tremendous outcome and certainly on my most recent visit to the school the whole school community was incredibly thrilled with that announcement.

This budget also delivers \$300 000 to two important rural schools in my electorate — Don Valley Primary School and Yellingbo Primary School. These schools are crucial to their small but very thriving communities, and this funding will allow substantial and important upgrades to be undertaken. In 2006 the state government committed to purchasing land around Officer for a new primary school to meet the needs of our growing communities. In this 2010–11 budget funds are allocated for land purchase in the Officer region for a new educational facility. Understanding the needs of local families, I know how important it is to provide new primary and secondary school facilities, which is why I have been working closely with the Department of Education and Early Childhood Development.

The department has been working with VicUrban, Cardinia shire and the Growth Areas Authority in

analysing the current and future populations and expected demographics and, based on this analysis, identifying the most appropriate location as to where and when development occurs. I am committed to delivering the most appropriate education facilities, both primary and secondary, for the community and the region and to ensuring that the development of this vital infrastructure is done responsibly and the location is based on thorough expert analysis and on local demand.

I would also like to commend the Treasurer for the allocation in this budget of \$8 million for stage 1 of the Eastern Autistic School to be located in Ferntree Gully. This new school will expand to be a P–12 school and is a tremendous step forward in providing specialist education for children with autism in my electorate. Over the years many families from Melbourne's south-east and the Dandenong Ranges have approached me requesting assistance for their autistic children with regard to meeting their educational needs. This new school will be able to assist many of those families and, with the added money for inclusion support programs for autistic students in mainstream schools, this budget is making enormous inroads into this much-needed specialist education.

As members in this house will be aware, one of my passions is for our environment, and I was pleased to see the budget include \$175 million for green jobs. I also welcome the funding allocated for the parks assets and replacement program and for walking trails. Our parks are obviously a very precious resource, delivering so many recreational benefits for all Victorian families. The announcement that all of Victoria's national and metropolitan parks will enjoy free entry from 1 July will encourage even more families to enjoy our magnificent assets.

Regarding the electorate I was pleased to see \$1 million in funding for the Yarra Ranges National Park for viewing platforms, boardwalks and staircases, plus \$300 000 in the budget for Cardinia Reservoir Park for new walking trails and visitor facilities. To those who have not visited this reservoir park, I recommend they do so as it is frequented by families from the east and south-east, and in summer time is a popular spot to take overseas visitors who are able to see many kangaroos feeding at dusk. Investments in parks such as these are a part of maintaining our quality of life in Victoria and ensuring it remains a great place to live, work and raise a family. With the white paper *Securing Our Natural Assets* identifying 13 priority flagship areas of environmental importance, including the Central Highlands, now under discussion with the climate change bill set to come before the Parliament later this year, it is a critical time for the environment. I am

pleased that this budget is delivering on some of these keys to ensure a sustainable future.

This budget also dedicated additional resources to emergency services. We know about the fire-prone electorate that Gembrook is, so I am very pleased about the \$41.8 million for the Country Fire Authority to help communities prepare for the bushfire season and also very pleased that \$220 000 was allocated to the Upper Yarra State Emergency Service for a medium rescue truck, which will ensure the security of the Upper Yarra.

There are many other budget initiatives for the electorate of Gembrook, and I will go through them very quickly. The \$25.6 million that the Premier announced for the duplication of Clyde Road will ease congestion, together with a \$30 million contribution from the federal government; there is also the signalisation and a pedestrian crossing at the intersection of the Princes Highway. Last week I was pleased that the Minister for Community Development announced \$1 million for Holm Park Road sporting complex, which is an incredibly important new recreational reserve for the Cardinia region. I am very pleased about that. The health initiatives in this budget are commendable also, particularly the additional investments in cancer with the \$10.9 million investment for Monash Children, Australia's third largest children's hospital, which is going to be a terrific asset for all people in the south-east.

In conclusion, as we approach the new financial year, I believe that Victorians can look positively towards a future with a thriving economy, jobs growth and the essential services we need. I congratulate the Treasurer on this budget, which is fiscally responsible but which also continues the proud Labor tradition of delivering services and infrastructure to all residents. I know that all Victorians can feel secure with this budget, particularly the residents of the electorate of Gembrook, despite the negativity that we have heard from the opposite side of this chamber. This is a good budget for all Victorians.

**Mr McIntosh (Kew)** — A very interesting question was posed in today's *Age* in relation to this government's commitment to law and order. As I have said on a number of occasions, and many others have made this comment, one cannot find a more sacred obligation of any government than the protection of the security of its citizens, either at a national level or indeed, in this case, in our own state. As the opposition and many other commentators have been saying, in this state we have a serious problem in relation to crime,

particularly violent crime, that needs to be addressed as quickly as possible.

There is a range of both long-term and short-term solutions to this problem that may be adopted by a government. The most important thing the government needs to do is accept that it has a problem with violent crime. The question posed by Paul Austin in today's *Age* sums up the position this government has got itself into in relation to law and order. The question is that if this state is the safest state and we do not have a problem with violent crime in this state, why has the government just announced a policy exactly similar to the opposition's, of exactly the same quantum of 1700 extra police, to be rolled out over the next five years?

The most important thing about this is: why is it that we now have a government that has finally realised we have to do something about having more police on our beat, protecting us? Has the government finally realised that it has a problem with violent crime, or has it introduced this policy for political expediency? My view is that the government is doing this for political expediency because it has actually known it has had a problem and has been peddling this lie about violent crime in this state to the detriment of the state and the detriment of the protection of our citizens. The citizens of this state have been unable to get their government to undertake its most sacred task of protecting them.

This utter failure to acknowledge that we have a problem is the first issue, but why is it that now, 11 years after the election of the Bracks Labor government in 1999, the government is trying to do something about this problem? I am very cynical about this change. It only came about because some two months earlier the coalition had made exactly the same commitment — 1600 extra Victoria Police and 100 extra transit police to the whole system. Of course we in opposition went further by committing to 940 protective services officers. This change really begs the question: is the government fair dinkum or not? The problem is that the government is not fair dinkum; it still does not admit that it has a problem. It still peddles this idea that we are the safest state in the Commonwealth of Australia. The reality is that is wrong. The government relies upon reports of the Australian Bureau of Statistics to demonstrate that.

We know also that the ABS is at pains to point out in report after report that you cannot compare state-by-state statistics because of the different methodology of collecting those statistics. Yet the government continues to peddle this line that Victoria is the safest state, based upon ABS statistics.

We also know the ABS is now undertaking a review of the collection of statistical data in relation to crime, particularly violent crime, in both Victoria and Queensland because these two states lag behind the other states in this country in the way they collect their data. The data that is preferred by the ABS is based upon the computer-aided dispatch (CAD) system. This government knows that. Indeed Victoria Police acknowledged that many years ago and it has agreed that we want to move towards the CAD system of collection of data rather than the note taking of individual police officers. The reason is that this method of data collection provides a more accurate picture of what is going on. The ABS wants that to occur, Victoria Police wants that to occur and the Ombudsman has indicated there is a problem with the collection of raw data in this state. The Ombudsman indicated this in a report to this Parliament last year after the opposition made a complaint to the Ombudsman a year before. That report of the Ombudsman demonstrated that violent crime, particularly something like assault, is chronically underreported in this state.

The most important thing is that a government has to admit it has a problem before it is prepared to solve the problem. If you do not admit you have a problem, then you cannot solve the problem. A copycat policy is not going to address that particular issue. The reality this government has known is that the ABS says the statistics the government has quoted are false, the Ombudsman says they are false and even Victoria Police say they are false because Victoria Police is moving towards a CAD system and it promised to do so when it introduced the new LINK system, which of course, as always with promises from this government, is now over time and over budget.

It is that failure to admit that it has a problem that has clearly demonstrated the lie of this government's commitment to provide extra police in this state. We know we have a problem with a number of police in this state. Deputy Commissioner of Police Sir Ken Jones from England appreciates the problem we have here in Victoria. He comes from the United Kingdom and he would be well and truly aware that the city of greater London, for example, a diamond shape around the River Thames some 25 miles by 25 miles, has a population of 8 million people. We of course have an area here in Victoria two-thirds the size of the United Kingdom, and there are 5.3 million people in this state. The city of greater London has 35 000 sworn police officers. We have only 11 000 sworn police officers. There is a clear disparity between the numbers there.

I would imagine Sir Ken Jones has had the experience of going from police station to police station all around the state and will have seen that it does not matter whether you look at Wodonga, Orbost, Warrnambool, Portland or Mildura — and I have been to those places; I went not only to the Melbourne CBD but also to the outer suburbs of Melbourne, regional centres and country areas — we have a problem with a lack of police resources. We discovered by way of FOI in November 2007 and in November 2008 that we have a chronic problem.

By speaking to police officers around the state I have found out that these stations are sometimes 10 per cent and sometimes 20 per cent below establishment strength. I have even seen a large number that are 30 per cent below establishment strength, and on two or three occasions I have seen stations that are 40 per cent below establishment strength. This is not caused by short-term absences when someone is ill or otherwise not available but because of long-term absences, where police remain on the police roster as part of the establishment strength of a particular police station. Those long-term absences are due to things such as long service leave, maternity leave and WorkCover claims. These police are still recorded as front-line police officers at their police stations notwithstanding they are not available for duty.

No-one is criticising individual police officers for taking their leave entitlements. They are entitled to take that leave, but there is no provision for backfilling, which leaves our stations desperately below establishment strength. They struggle in many cases to put on a divvy van at some of our 24-hour police stations. I see the member for Hastings in the chamber. He is well and truly aware of the problems that have been created by a lack of front-line police officers in his electorate following the downgrading of the Hastings police station to a 16-hour station because of the impossibility of allowing that station to remain open for 24 hours due to a lack of police numbers.

It is that sort of failure by this government to address this issue which demonstrates a lack of commitment to overcoming a serious problem with violent crime that seems to be getting worse and worse. Even the government's statistical data demonstrates that violent crime is growing rapidly. There has been an increase of over 40 per cent since Labor was elected to government. On the government's figures assaults alone, notwithstanding that they are chronically underreported, have increased by some 70 per cent since this mob was elected to government.

I can also say I am not really enamoured of the model that has been demonstrated in relation to anticorruption. We have a serious problem in this state that needs to be addressed. We have a Minister for the Respect Agenda whom the previous speaker trumpeted about. Let us take the example of the Windsor Hotel. The minister for respect is also the Minister for Planning; he is the decision-maker who can call in that proposal. Whatever else you might say about that redevelopment of the Windsor Hotel — good, bad or indifferent — the thing that strikes you right between the eyes about that redevelopment is its height above the current building, yet this minister, apparently having made his decision and called a press conference, could not even explain to the journalists how tall the building would be. Was it 29, 26, 27 or 28 storeys? I would have thought a minister for planning, if he really wanted to command respect, would know what he was making a decision about — the one thing that would make the difference in that particular matter.

Given the shortness of time I must move on to a number of constituency matters. Firstly, I raise a significant problem that is developing in my electorate in relation to schools, particularly primary schools such as Kew East, Deepdene and Kew primary schools, all of which have enrolments well and truly above the long-term projections and all of which are landlocked. This government is not providing any solutions. Solutions have come up for consideration. For example, at Kew Primary School there was a proposal to purchase the Overington site just next door. The government dismissed that, saying it was too expensive. It was relying on a figure of some \$3 million whereas the property was ultimately sold for only \$1.2 million, showing that the government is completely out of kilter with reality. That was a total failure.

We have a problem with our schools, and we need these matters to be addressed. The government needs to work with schools, but it is failing utterly to provide that sort of support and solutions. They are great schools and great teachers. As I said, the long-term enrolments are well and truly above what the department said they would be, because despite the rhetoric, Kew is a growing suburb. These matters need to be resolved to enable schools to be maintained and built and proper facilities to be provided.

I also mention another thing. I see the member for Northcote behind me. I do not know what she is doing behind me, but she would be well and truly aware of the issue of the Chandler Highway and its single-lane bridge. I raised this matter on the adjournment a couple of weeks ago with the Minister for Local Government,

who is in the chamber. A feasibility study should be undertaken with the prospect of purchasing land in the Amcor redevelopment for the benefit of the people of Victoria to widen that bridge or put in a second bridge. Without the purchase of that land it will not be able to be done. There may be land on the Kew side, perhaps on the Royal Talbot Rehabilitation Centre site or elsewhere — I do not know — or it may be redirected, but unless land is bought on the northern side of the Yarra River it will be completely impossible.

Freeway noise barriers remain an issue in my electorate, and the commitment by this government of some \$20 million this year to address the issue of freeway noise barriers will be a drop in the ocean. I say categorically that the fundamental inequity of the way this government goes about its business in saying there is a difference between noise levels on an existing freeway and on a new freeway is just ridiculous, stupid, unfair and inequitable. The most important thing about this inequity is demonstrated in the case of freeways such as the Eastern Freeway, which in the past was extended to Springvale Road and now connects with EastLink. Each morning all that traffic comes down the freeway to Hoddle Street, where it becomes a car park that extends all the way back to Doncaster Road. Apparently because it was an existing freeway we have to accept 67 decibels of ambient noise on the oldest section, but on the other side of Doncaster Road the level is 62 decibels. I might add that it is an exponential curve, which means we have to tolerate a 50 per cent increase in the ambient noise level. It is that inequity that needs to be addressed by the government, which has totally failed to do it. Clearways remain a huge issue.

I will very briefly mention the issue of Kew Cottages. I have said this before in this place, but with stage 1 house and land packages in Kew selling for \$1.4 million, this government, being the developer, owner and planning authority, must be the only entity in this universe that could sell a land package at a loss.

**Mr WYNNE** (Minister for Housing) — I rise to lend my voice in support of the Appropriation (2010/2011) Bill 2010. In the limited time available to me I want to cover the three portfolios of housing, local government and Aboriginal affairs and then touch briefly upon some excellent announcements in the budget for my electorate. Can I say what a cracker budget it is, particularly in the areas of my portfolio responsibilities.

I will start with the housing portfolio. As the Premier observed at the launch of A Fairer Victoria in May, the record year-on-year investment in housing has frankly

been a hallmark of this government. I remind the house that for every single year of the 11 years we have been in power in this state we have had a commonwealth-state housing agreement and we have committed funds above and beyond our requirements.

Members should also recall the record investment by the Brumby government two budgets ago of \$500 million — the largest amount ever committed to public and social housing by a state government — to achieve better outcomes for low-income and vulnerable people in our community. Those funds are running out at the moment, and I will touch upon that in my contribution today. That investment is supplemented by the extraordinary commitment that has been made by the federal government to public and social housing outcomes — in excess of \$1.16 billion will be going to public and social housing outcomes. This is truly a great time to be the Minister for Housing in Victoria.

**Dr Napthine** — Page 3 of today's *Herald Sun* is about people living in their cars!

**Mr WYNNE** — This government's record in relation to provision of public and social housing is second to none. As a counterpoint if time permits, I may touch in my speech upon the commitment of the previous government. These funds are being split equally between our housing association sector and the direct provision of public housing. We believe that that is an appropriate split of funds, and over the next two years we would expect to deliver in the order of 6000 units of public and social housing through our direct budget for housing and through the record \$500 million investment of the Brumby government.

Let me also indicate our relationship with the federal government and its record investment is making a significant difference to the lives of some of the most vulnerable people in our community. On top of that, wonderful work has been done by the member for Albert Park, as members will find in the Foley report; it examines rooming houses. A commitment of \$77 million, which was announced last year, is being rolled out through this program.

In particular our goal is to ensure that women and children who are living in inappropriate rooming house accommodation are provided with an exit strategy and alternative accommodation; we will be using some of the Nation Building funds to support an exit strategy for those vulnerable women and their children.

The National Rental Affordability Scheme is an excellent partnership, yet again, between the federal and state governments. Over the next couple of years,

we will put 7500 private rental units into the private rental market subsidised at 20 per cent below the market value for the areas in which those houses are placed. Frankly, this is the biggest stimulus that has been provided to the private rental market in decades.

As members will be aware — and I have spoken about this in the house previously — we currently have one of the lowest vacancy rates in the private rental market than has been the case for many years. Indeed, the earlier interjection by the member for South-West Coast relates to a very sad case that was reported in today's newspaper of a woman who was unable to secure housing in the private rental market. I can indicate that we have made contact with that woman. Her case is being actively addressed, and she will certainly not be living in her vehicle this evening. She does not seek to access public housing but there has been an overwhelming response to her particular plight, and she will not be sleeping in such a vulnerable situation with her two young children this evening. We ought to expect that her situation will dramatically improve.

Those 7500 private rental units and the 6000 public and social housing units that will be built make 13 500 units. This is good for the economy and has a great social outcome as well. If you think about the best way to keep the economy stimulated, you realise it is in the area of housing because you get the direct on-site jobs benefit, and the supply chain continues. It is a wonderful social outcome to be able to build housing for the most vulnerable in our community.

We will ensure that, over the next period of time, these houses will be rolled out right across metropolitan Melbourne as well as across regional Victoria to reflect the distribution of our public and social housing stock. A third of our stock is in regional Victoria and two-thirds is in the Melbourne metropolitan area. We want to ensure that all of Victoria benefits from these significant budget commitments by this government.

In the area of local government I am pleased to say that the budget has provided a further \$3 million for the Living Libraries program. This is an incredibly successful program under which we partner local government and philanthropic organisations to ensure that our libraries are contemporary. Libraries of the past were different places to what they are now.

Today they are community hubs — meeting places where councils provide a whole range of services including service desks where you can pay your rates, bills and so forth. Often child-care and maternal and child health facilities are attached to libraries, and there

are meeting rooms and community access points. These are contemporary libraries of the future where we have wonderful partnerships with local government. Under the Living Libraries program the government has funded 124 projects, which support I think is testament to the deep commitment this government has to that program.

The Modernising Neighbourhood Houses program also got an additional \$886 000 to extend that program. There would not be a member in this house who does not have a neighbourhood house in their electorate. Approximately 360 neighbourhood houses are funded. It is a fantastic program and has a wonderful network which provides excellent services at the local level for many people who are often vulnerable and isolated.

We continue our program and partnership with the Municipal Association of Victoria in relation to our Councils Reforming Business program. A further \$1.5 million has been allocated over two years to work with the MAV, and particularly to assist rural and regional areas to improve their financial and resource management capability. We know that some of our smaller rural councils experience difficulty in terms of being able to raise revenue off a limited rate base, and the member for Shepparton touched upon the question in her contribution. A number of councils, of the order of 16 to 18, find themselves in the situation where in some cases up to 50 per cent of their income is derived from state and federal government grants, their capacity to be able to support further rate increases for their municipality is obviously very limited.

As I have said in the house before, some of that goes to the whole question of financial assistance grants from the commonwealth to local government. They have successively gone down from 1.1 per cent of federal government outlays to about 0.6 per cent. That is a significant decrease, and it has a significant impact on local government in Victoria. But it is not just a Victorian problem; it is a national problem. At every opportunity where there are ministerial forums with the commonwealth I continue to advocate for a better arrangement with the commonwealth. We hoped that the Henry review might have addressed this question, because fundamentally these are taxation questions, but to date that has not happened. We will not give up on seeking to find a better outcome for local government, particularly in regional Victoria. As I said, it is not a Victorian problem per se; it is a national problem which requires a national solution.

In relation to neighbourhood safer places, I was aware that the member for Shepparton had also raised the question of neighbourhood safer places. We have a

wonderful partnership with local government, again through the MAV. The Premier announced at a recent ministerial forum on local government a further \$500 000 to support the establishment of neighbourhood safer places in fire-affected communities and to lay out the opportunities to develop further neighbourhood safer places according to the criteria set by the experts at the Department of Sustainability and Environment and the Country Fire Authority. We believe we have provided a crucial investment to local government, and that brings the total amount available through the MAV partnership to \$1 million.

Finally, in relation to Aboriginal affairs, the launch of the *Moonda Wurrin Gree — Pathways to a Better Economic Future* report represented a fantastic commitment by this government, and I want to briefly touch upon a couple of the related issues. Work was undertaken by entrepreneurs in both the Aboriginal community and in the non-indigenous community. It was a wonderful partnership between entrepreneurs, who really have sought to ask, 'What is the future going forward for economic development for Aboriginal people?'. As part of our response to this work, we have put together a fantastic proposition, which includes \$11.3 million for a bridge to work plan that includes 10 Aboriginal employment brokers, \$4.1 million to increase the number of commercially viable Aboriginal businesses, \$7 million to identify economic opportunities for native title agreements, \$2.7 million to grow the pool of Aboriginal mentors and role models, and \$2.2 million to build partnerships with key leaders from the community, philanthropic and private sectors to drive improved access to economic opportunities.

The member for Shepparton was critical of me in relation to Stolen Generations Victoria and indicated that she was not particularly aware of what was happening in the change of auspicing of Stolen Generations Victoria. I indicate two things: one, she was briefed prior to the announcement by the executive director of Aboriginal Affairs Victoria; and two, we have seamlessly transitioned Stolen Generations Victoria to a new organisation.

In relation to the representative Aboriginal parties and cultural heritage more generally, the record shows that the opposition did not support the cultural heritage legislation, but I can indicate that from May 2007 to June 2010 we have had 1302 notifications, 794 plans evaluated and 762 plans approved. There are currently 32 plans being revised. This system is working well to the benefit of the Aboriginal community and to the benefit of the development community. The Urban Development Institute of Australia, as one of the

organisations crucially involved in this area, is a keen, willing and strong supporter of the Aboriginal Heritage Act as it stands.

**Dr Napthine** interjected.

**Mr WYNNE** — I simply say go and talk to Tony De Domenico from the Urban Development Institute of Australia, who will tell you that he supports the cultural heritage plan and he speaks on behalf of the development community.

Locally there have been great outcomes in terms of the Gipps Street steps, which will be a huge improvement for bicyclists along the Yarra trail; the premium station upgrade of the East Richmond station is a wonderful commitment by the government; our great primary schools — Collingwood College and Spensley Street Primary School — have \$1 million between them; and \$3 million for stage 1 of the development to return Circus Oz to its home in Collingwood, where it was originally conceived, is a fantastic outcome for Circus Oz.

**Dr NAPHTHINE** (South-West Coast) — This budget comes after 11 years of Labor government. The total budget has increased from \$19 billion to \$45 billion in those 11 years under Labor, which is characteristic of the high taxing, high spending and mismanagement of spending that occurs under Labor. Indeed one of the most disturbing figures in this budget is that the total debt in Victoria is again on the increase, from \$5 billion in 2000 to \$31.7 billion — nearly \$32 billion — in 2014. The budget predicts that interest payments in 2014 will be over \$3 billion per year — just paid out in straight interest. Imagine how many police officers, teachers, nurses and doctors \$3 billion would pay for to improve services to people in Victoria, but it will be going to pay interest, like in the dark old days of the Cain-Kirner era.

On top of that Victorians have been asked to pay 26 new taxes, charges and levies and there have been record levels of collections of stamp duty, land tax and payroll tax during these 11 years of Labor. We are seeing it wasted on things like myki and smart meters. Of course who could forget the \$2 billion man, the Minister for Gaming, who has mismanaged the sale of electronic gaming machine licences in this state, costing Victorian taxpayers \$2 billion, which would have been really welcome in terms of improving services.

Despite this massive increase in taxes and expenditure, what we are seeing unfortunately is a decline in services, whether it be health services, accident and emergency services, surgical services, public transport

services, community safety or public housing, community safety is a real issue in terms of violence in the community and has deteriorated under this government.

The Minister for Housing just spoke about public housing. On the front page of the *Warrnambool Standard* this week is a story about people who are homeless, who are desperately seeking Office of Housing support and who simply cannot get it. This budget is a city-centric budget.

I will quote from my local papers. The *Portland Observer and Guardian* of 7 May, in an article with the headline 'Budget neglects Portland projects', says:

The Portland region has been neglected in the state budget, with no funding listed for longstanding priority infrastructure projects.

The green triangle freight action plan, Portland Bay coastal infrastructure plan and funding for a fully funded accident and emergency department at Portland District Health all missed out on critical dollars in the budget.

The *Warrnambool Standard* of 5 May, under the headline 'Region misses out in budget — Budget coffers not too kind on south-west', says it is:

... the region's leanest state budget for at least two decades.

...

... there was nothing for further upgrades at Warrnambool and Portland base hospitals or sought-after radiotherapy equipment at Warrnambool.

The much-maligned Princes Highway west of Geelong, a green triangle rail freight plan and a Portland harbour upgrade also missed out.

I want to refer in particular to the lack of commitment to radiotherapy services for south-western Victoria. This is a very important issue, and it is an issue that I am absolutely passionate about.

One of the issues that I fought for shoulder to shoulder with my local community over many years was to get a south-west emergency helicopter for our region. An emergency helicopter is now based in Warrnambool. It is servicing the region, and it is saving lives. I am equally committed, as is my community, to getting an integrated cancer care service system for south-western Victoria based in Warrnambool, and an integral part of that, from the state government's perspective, is funding radiotherapy services.

I want to refer to a particular case study which highlights this issue and which I believe is typical of hundreds of other cases in south-western Victoria and the south-east of South Australia involving people who

face the same situation. The *Standard* ran an article on Monday, 18 April, called ‘Tears for mum — Treatment forces close family apart’. I quote:

Rebecca Hintum is fighting one of the toughest battles of her life and making it even harder is being separated from her loving husband and three young children.

The Warrnambool woman is battling breast cancer and is in her second week of radiotherapy at a Geelong hospital.

...

‘When I kiss (daughter) Maggie goodnight, she kisses me back five times — that’s the number of kisses she misses from me every week I’m in Geelong’, Mrs Hintum said, wiping tears.

The article states that Mrs Hintum’s problem:

... had been compounded by having to live in Geelong while she underwent five weeks of treatment.

It further states:

Radiotherapy treatments only last 10 to 15 minutes —  
a day.

On 2 June there was another article about the same woman and her family. It is headed ‘Mum’s dying wish’, and it says:

After five weeks of intensive cancer treatment in Geelong, the Warrnambool mum was relieved to return home and resume the simple things in life, such as the school pick-up. She also wanted to forget the pain of being separated from her family, husband Jeff, Maggie, seven, Sebe, five, and Tori, two.

Yesterday, Mrs Hintum was bedridden and facing death. In the past few days, her condition has deteriorated badly. She can only get out of bed to shower, and strong painkillers cause her to sleep for much of the day.

She knows she hasn’t got long, but she wants the politicians and health authorities to know this: the south-west needs better cancer care.

She spoke to the *Standard* about her dying wish: to have an integrated cancer centre established in Warrnambool so south-west cancer patients don’t have to endure what she did — being detached from her family for more than a month while she underwent radiotherapy treatment.

‘In the last week I found out that I have only three weeks to live if my treatment is unsuccessful’, the 40-year-old said.

The article states further:

‘Having to leave your family when you’re probably feeling the worst you’ve felt in your life, moving to Geelong for five weeks to receive treatment that lasts less than 15 minutes and then finding out you’re never going to get those five weeks back, it’s just unfair.

‘I don’t want people to read this article and just cry. I want this story to put a bomb underneath them — to make them do

something and get the change we need to make it happen’, Mrs Hintum said.

I can assure Mrs Hintum that I am going to fight and fight until we get radiotherapy in south-western Victoria.

On 5 May, speaking about the budget, the Minister for Health said, and I quote from *Hansard*:

... we are bringing public radiotherapy to the western suburbs for the first time ever.

The minister was talking about an announcement to take radiotherapy to Sunshine. I congratulate the people of Sunshine for getting radiotherapy. It is a good decision. But it is interesting to note that the people in Sunshine can already access radiotherapy at the Western Private Hospital, which is only 10 kilometres away, because of an agreement the Department of Human Services has with the hospital’s private radiotherapy service. They can go to the Alfred hospital, which is 18 kilometres away. They can also go to the Peter MacCallum Cancer Centre, which is 15 kilometres away.

So I support radiotherapy for Sunshine, but it begs the question: why is radiotherapy not in south-western Victoria, in Warrnambool, where people are forced to travel for 2½, 3½ or 4 hours for daily treatments that last 10 or 15 minutes, forcing most people to move away from their families, away from their homes and away from their supports when they most need it during cancer treatment? I will not rest until we have radiotherapy services based in Warrnambool that service south-western Victoria and the south-east of South Australia.

Indeed on 7 May I had an article prepared for the local paper on this very issue about why Sunshine was getting a full radiotherapy service, which I support, but the government was failing to support Warrnambool. The government coincidentally announced at that time, just when my article was about to be published, that we would get a feasibility study for Warrnambool. That was on 8 May. Yet here we are now, a month later, and we still do not know the terms of reference, the time lines, exactly who is going to conduct it or whether local cancer experts and the local community will have any input into that feasibility study. It is little wonder that the south-west is somewhat cynical, particularly when we read an article in the Warrnambool *Standard* of 28 February 2009 which states that Mr Andrews, the Minister for Health, said:

... the number of cancer patients in the region needing radiotherapy was too small to justify the specialised

\$3.5 million machine and support the team of experts who would have to be based in Warrnambool.

I reject that. There are over 700 new patients diagnosed with cancer each year in south-western Victoria and south-east South Australia, and a large percentage of those need radiotherapy treatment. The Warrnambool population is growing at 1.8 per cent. Given the distance and dislocation involved, I think the only fair and reasonable interpretation is that there should be an integrated cancer centre and access to radiotherapy in the Warrnambool area to service south-western Victoria and the south-east of South Australia.

**Sitting suspended 12.58 p.m. until 2.04 p.m.**

**Business interrupted pursuant to standing orders.**

### ABSENCE OF MINISTER

**The SPEAKER** — Order! I advise the house that the Minister for Education is absent from question time today. Any questions for the minister will be answered by the Minister for Children and Early Childhood Development.

### QUESTIONS WITHOUT NOTICE

#### Police: confidential information

**Mr McINTOSH (Kew)** — My question is to the Premier. I refer the Premier again to Mr Overland's affidavit of November 2007, which states at paragraph 46 that the Chief Commissioner of Police would provide:

... advice to the Premier and his cabinet —

about Victoria Police secret investigations involving Mr Mullett and Mr Ashby and including Operation Briars. I ask: can the Premier confirm whether the Minister for Roads and Ports, who is alleged to have tipped off Mr Ashby about these secret investigations during a private meeting on 2 April 2007, had access to this information as a result of briefings by the chief commissioner to the cabinet and the Premier?

**Mr BRUMBY (Premier)** — I thank the member for Kew for his question. He asked me a very similar question yesterday. The Minister for Roads and Ports, in relation to these matters, has already addressed them publicly and has made very clear his position in relation to these matters.

#### Kardinia Park: upgrade

**Mr TREZISE (Geelong)** — My question is to the Premier. I refer the Premier to the government's commitment to make Victoria the best place to live, work and raise a family, and I ask: can the Premier update the house on how the government is creating world-class sporting facilities in Geelong?

**Mr BRUMBY (Premier)** — I thank the member for Geelong for his question; he and other Geelong MPs were with me this morning at Skilled Stadium for what was a great announcement for that stadium, a great announcement for Geelong, and a great announcement for football and for sport generally.

As I have pointed out on many occasions, including in this Parliament, Geelong is now one of Australia's major provincial centres. It is larger than Hobart; it has more people than the whole of the Northern Territory. Our government has been investing in the economy, the services and the infrastructure that are needed for a modern and growing provincial city. Whether it has been the relocation of the Transport Accident Commission and 500 new jobs, whether it has been the ring-road, whether it has been the second hospital, whether it has been the expansion of Deakin University, whether it has been the support we provided for the Ford Motor Company or whether it has been the previous funding that we provided to Skilled Stadium of \$6 million and \$14 million — all of these things have been building a dynamic, vibrant, progressive and growing Geelong community.

Today I was delighted to be, as I have said, together with the Minister for Sport, Recreation and Youth Affairs and Geelong MPs, and with the Geelong Football Club and the club's captain, Cameron Ling — a great footballer; he let me take a mark over him today, for which I am very grateful — to announce that our government will provide a further \$25 million to enable the stage 3 expansion of Skilled Stadium to proceed. What a great announcement this was. How well was it received in the community? I can tell you that it was fantastically well received in the community.

The Geelong Football Club has wanted a stage 3 expansion to take the seating up to 35 000 people, which is entirely consistent with the view we have put about Skilled Stadium being used should Australia be successful with its World Cup soccer bids for 2018 and 2022. The MCG and Skilled Stadium will be the stadiums used, but along the way we will need to upgrade Skilled Stadium.

The Geelong Football Club put this proposal for \$75 million, with \$25 million from us. I am pleased to say that that commitment will not just enable the expansion to a capacity of 35 000 but will provide new training, playing, spectator and change room facilities for the Geelong Cricket Club. It will also provide improved facilities for the Kardinia Park netball complex. There will be a new 1000-seat function room for both private and business functions, there will be a purpose-built community wellness and education centre, there will be a Geelong sports museum to celebrate the region's sporting successes and there will be a new events live site in Kardinia Park to host major events.

Geelong Football Club was quick to respond today, very positively of course. Brian Cook, a great — —

**Mr Ryan** interjected.

**Mr BRUMBY** — I will tell you what he said:

This announcement is a tremendous fillip for the community and the club and will help ensure that Skilled Stadium remains the long-term home of the club.

Here is the important part too for the Leader of The Nationals:

A third redevelopment will result in a \$250 million economic benefit over the next 10 years to the local economy and will increase the opportunity for more people to attend games in comfort —

to see it grow.

We have always been, as I have said, strong supporters of this stadium and the crucial role that it can play in the economic benefit to the whole Geelong area. The Geelong Football Club has been a partner with it under our Make It Happen in Provincial Victoria campaign. There are many great examples there of the way in which it has encouraged strong provincial growth, and today is a further step in that direction.

Finally, this is the right decision for the Geelong economy and for livability — these two things go hand in hand — but it is also a great decision in terms of tourism. Members can think of the growth we now have at Avalon following the announcement we made the other day about Tiger Airways with its third home at Avalon and the additional planes. There is the Great Ocean Road and the additional tourism we have seen in Victoria over the last year, with Victoria having the strongest tourism growth of any state in Australia.

When you put all that together, you see it builds on the Transport Accident Commission, the Geelong Ring Road, Deakin University, the second site for a new

Geelong hospital and that this is an unambiguously good news announcement for Geelong. We are delighted. I thank our members for Geelong who have been such great supporters of this and the Deputy Premier for his great support of this project. This is the right decision for Aussie Rules, it is the right decision for soccer, it is the right decision for livability and it is the right decision for the economy of Geelong.

### **Police: confidential information**

**Mr McINTOSH** (Kew) — My question is to the Premier. I refer the Premier to evidence from the Office of Police Integrity hearings of 9 November 2007 during which Mr Ashby admitted that the member for Albert Park, Martin Foley, who was then chief of staff to the Minister for Police and Emergency Services, discussed with him during a telephone conversation on 9 August 2007 the details of Mr Overland travelling to France to undertake a course at Fontainebleau. I ask: is it not a fact that leaked details about Mr Overland's study trip to Fontainebleau came from the office of the Minister for Police and Emergency Services? Will the Premier now explain why the now member for Albert Park was leaking details to Mr Ashby about Mr Overland's trip?

**Mr BRUMBY** (Premier) — The member for Kew makes up things as he goes along. All of these matters, as I have indicated publicly, were investigated by His Honour Justice Murray Wilcox through 2007. All of the affidavits, all of the documents, all of the information was considered by him as part of that investigation. He is a highly respected and esteemed former Federal Court judge. He said in relation to all of those individuals who the member for Kew has named that there was no case to answer.

### **Sport: major events promotion**

**Ms MUNT** (Mordialloc) — My question is to the Minister for Sport, Recreation and Youth Affairs. I refer to the Brumby Labor government's commitment to make Victoria the best place to live, work and raise a family, and I ask: can the minister outline to the house the steps the Brumby Labor government is taking to promote major sporting events in Victoria, and is he aware of any challenges?

**Mr MERLINO** (Minister for Sport, Recreation and Youth Affairs) — I thank the member for Mordialloc for her question. She is a great supporter of major events. Last year her electorate hosted the Australian Masters.

Victorians know that our calendar of major events sets us apart from the rest of the world. Yesterday the

Premier and the Minister for Tourism and Major Events outlined Victoria's latest tourism statistics. We are rivalling Queensland. A large part of this is due to our strategy of major sporting events. This does not come about by accident: it takes commitment and it takes hard work. We are competing not only against the pretenders up north but against cities across the globe. We need the best stars to draw the best crowds and create the best events.

When the government supports a major sporting event, part of that support covers sponsorship and branding of Victoria. Another part is based on the talent that will attend and showcase their expertise to the crowds. For example, our support for the Masters competition was based on the talent that will be provided at that event. It was based on the international stars who will compete in that event.

Not everyone believes our investment in major events like the Australian Masters is worthwhile. If I can quote from one such commentator about the Masters, he said:

... they turn a profit, and the state government and taxpayers don't need to chip in.

He also said:

... it's a great tournament, it's going to be a success, it's been a success in the past with Greg Norman.

Greg Norman won his titles at the Australian Masters in the 1980s. A respected commentator, Gerard Healy, said this in response on 3AW:

This tournament was dead and buried until the government put their hand in their pocket and breathed some life back into it by getting Tiger there ... Ted Baillieu, the Leader of the Opposition, has got this one wrong.

I was asked about challenges. For a start there is this absurd notion that successful sporting events which turn a profit should not be supported by the government. This would destroy our calendar of major sporting events in Victoria.

Many of our major events are successful and profitable; that is precisely why they are so highly prized and sought after. I refer to a number of annual reports. I refer to Cricket Australia's annual report. The Boxing Day test turns a profit; it is a successful event.

**The SPEAKER** — Order! The minister knows not to use props.

**Mr MERLINO** — I refer to Tennis Australia's annual report: the Australian Open, our most successful major sporting event, with record crowds of well over 600 000, is an event that turns a profit. I refer to the

Australian Football League annual report. The AFL finals series is a highly successful major event, turning a profit. The Australian Rugby Union —

*Honourable members interjecting.*

**The SPEAKER** — Order! I ask the Attorney-General not to use the props.

**Mr MERLINO** — I refer to the Australian Rugby Union annual report. The Bledisloe Cup is a highly successful major sporting event, and that event turns a profit. I refer to the Victoria Racing Club annual report. The Spring Racing Carnival is a highly successful major sporting event for this state; it turns a profit.

The Liberal Party's message for these events is, 'You're too successful — go fend for yourself!'

**The SPEAKER** — Order! The minister will come back to government business.

**Mr MERLINO** — If that proposal were adopted by government, those events would indeed go fend for themselves — interstate and overseas. There is another event —

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for Forest Hill is not helping! The minister, to conclude his answer without debate.

**Mr MERLINO** — In conclusion, there is another event that would fit into this category, an event run by a very profitable company: the Red Bull air race. Under this absurd policy you would not even be able to bid for the events you have previously promised to secure. I can assure the house we will not sacrifice the Spring Racing Carnival, to be replaced by sailing in Sorrento; we will not sacrifice our Boxing Day test, to be replaced by polo in Portsea; and we will not sacrifice support for the Masters golf tournament, to be replaced by croquet in Kew.

We support sport from the grassroots to the grandstand. Only the Brumby Labor government will deliver major events for Victoria.

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for Forest Hill is warned.

### **Police: confidential information**

**Mr BAILLIEU** (Leader of the Opposition) — My question is to the Premier. I refer the Premier to the

evidence from the OPI (Office of Police Integrity) hearings of 9 November 2007 during which Mr Ashby admitted that after speaking to the then chief of staff to the Minister for Police and Emergency Services, the now member for Albert Park, on the afternoon of 9 August 2007, he then called Mr Mullett to tell him about Mr Overland's trip to the Fontainebleau business school in Paris, and I ask: is it not a fact that the Premier will not establish an independent judicial inquiry into this affair because it involves actions of members of this government who have been involved in activities that led to a chain of events which may have compromised and undermined anticorruption and murder investigations by Victoria Police?

**Mr BRUMBY** (Premier) — This is a choice between Justice Murray Wilcox and Ted Baillieu. All of this information — —

*Honourable members interjecting.*

**Mr BRUMBY** — That is the fact of the matter.

**The SPEAKER** — Order! The members for Kew and South-West Coast will stop interjecting in that manner or they will cease to stay in question time.

**Mr BRUMBY** — As I have said now a number of times in answer to the earlier question today and questions earlier this week, all of this information was before Justice Murray Wilcox — all the affidavits and all the information. He examined that, heard all of that, made his judgement and in relation to other persons stated they had no case to answer.

### **Community Support Fund: grants**

**Ms THOMSON** (Footscray) — My question is to the Minister for Community Development. I refer to the Brumby Labor government's commitment to making Victoria the best place to live, work and raise a family, and I ask: can the minister update the house on how the government is using the Community Support Fund to build strong communities, and is she aware of any alternative ways in which the CSF could be used?

**Ms D'AMBROSIO** (Minister for Community Development) — I thank the member for Footscray for her question, and I acknowledge the terrific work she does to support her local community. The Community Support Fund is a source of funding for programs which build stronger and more resilient communities right across Victoria. The community support grants program, for example, helps communities to become stronger, better resourced and more inclusive places in which to live and work. Essentially it is local communities that drive the projects that are funded.

Between June 2004 and May 2010 some 583 projects to a value of \$99 million were approved right across Victoria. These projects create new facilities and community spaces, revitalise valued heritage assets and provide opportunities for people to get involved in their local communities. A great example is the new community hub in Frankston called Karingal PLACE. PLACE stands for people, learning, activities, community and education. I had great pleasure in opening that facility earlier this year on behalf of the Premier. Karingal PLACE is a fantastic new centre that provides a raft of important services and opportunities for involvement, which include occasional care, playgroups and other children's services; specialist children and family support services; specific activities for young people and seniors; multipurpose spaces that can be used by community groups and individuals for meetings and social gatherings; and facilities to help people gain computer and other IT skills.

Another great example is the Inverloch Community Hub. This project involved the redevelopment of an existing stadium and community hall into one complex, resulting in an all-purpose centre that brings together sporting, learning, medical services and community function and meeting rooms under the one roof. It also includes a visitor information centre, a library and a space for the Inverloch community house and maternal child health services. In just 10 months since the upgrade of the visitor information centre, 23 000 people have accessed it. Over 700 people use the library every single week. This tells us that community facilities like this are more than just buildings; they locate many programs under one roof that bring people of all ages and all abilities together right across Victoria and they provide spaces for community groups to meet and carry out their activities. That is what strong communities are all about, and our government supports strong communities.

We have used the Community Support Fund to provide funding to community projects across the state that help build strong communities and get people involved. I have been asked about alternatives for how the Community Support Fund could be used. You could give \$1.5 million to a consortium to sink a yacht off the coast of San Diego, which is something that happened under the previous government and which might appeal to some people who like sailing in Sorrento; or indeed you could have no policy on the Community Support Fund at all, which is currently the case for this opposition. This government is ensuring that local communities right across Victoria continue to enjoy the benefits made available through the Community Support Fund so that Victoria remains the best place to live, work and raise a family.

**Water: northern Victoria projects**

**Mr RYAN** (Leader of The Nationals) — My question is to the Premier. I refer to the fact that the option of developing a north–south pipeline was explicitly excluded from the government’s final sustainable water strategy released in October 2006, yet the project was submitted to cabinet in February 2007 — barely four months later — as an investment option, and I ask: why is it that no evidence to explain the changed position could be produced to the Auditor-General and that the government subsequently committed \$1.75 billion of taxpayers money to the project without even a business case or feasibility study being undertaken?

**Mr BRUMBY** (Premier) — I thank the Leader of The Nationals for his question. I think it is fair to conclude from his question that he is of a like mind to the member for Swan Hill, the Deputy Leader of The Nationals, who has described the food bowl as an ill-conceived project and program. It is on the front page of today’s *Age*. I am happy for the public to understand that The Nationals — let us be clear about this — including its leader and its deputy leader, totally oppose this project.

**The SPEAKER** — Order! The Premier will come back to the question, without debate.

**Mr BRUMBY** — Yesterday in relation to this matter a number of farmers who actually make a living in this area — —

**Mr Hulls** — Real farmers.

**Mr BRUMBY** — Real farmers made some comments about this project. One of those farmers was Dudley Bryant — —

*Honourable members interjecting.*

**Mr BRUMBY** — We don’t like Dudley?

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for Benalla!

**Mr BRUMBY** — You don’t like anybody who disagrees with you, do you?

*Honourable members interjecting.*

**The SPEAKER** — Order! I call the Premier and ask him not to debate the question.

**Mr BRUMBY** — Here is what Dudley Bryant said:

I think a big thing that’s been criticised is the doubt on the savings, and I can assure you ... that the savings really are there, and in fact they’re significantly more than what we are allowing for.

He later said:

When you’re investing a billion dollars in a community that was really in a lot of trouble, I’m more than happy to support that government.

He later said:

You have got a small group of ‘Plug-the-Pipers’ that actually would do anything in their power to stop the project ...

**Mr Ryan** — On a point of order, Speaker, the Premier is debating the question. I am not sure as to whether this is supposed to be the evidence that was not produced to the Auditor-General, but be that as it may, I have asked a question of very narrow scope and I would have you have the Premier answer that question.

**Mr Batchelor** — On the point of order, Speaker, the Leader of The Nationals asked a question which he now tries to characterise as being narrow, but it was very broad. It was about the food bowl project, and the Premier is entitled to contain within his answer elements about the food bowl project, which is what he was doing. The Leader of The Nationals makes these points of order just to interrupt the flow of the Premier and they should not be allowed.

**The SPEAKER** — Order! I believe that the Leader of The Nationals’ question started with commentary around the option of the north–south pipeline, which is what I think the Premier is being relevant to, so I do not uphold the point of order.

**Mr BRUMBY** — The Leader of The Nationals asked in essence why we supported this project.

**Mr Ryan** interjected.

**Mr BRUMBY** — Yes, you did, and that is exactly what I am answering. We supported this project, as I said yesterday, and here is another quote today, for the benefit of the Leader of The Nationals, from Andrew Broad of the Victorian Farmers Federation, who rejects the claims that this investment is ‘a waste of money’. He is reported as having said that ‘farmers have long called for irrigation infrastructure upgrades across the state’. He is quoted as saying:

Water is critical to the farm communities of northern Victoria. Victoria’s water management approach is arguably the most conservative and effective in Australia, but our irrigation

infrastructure has suffered from decades of underinvestment ...

...

Water buyback is not the alternative to investment. The VFF has always maintained that governments should invest in irrigation infrastructure to obtain efficiency and share savings ...

I will tell the house what he was saying; I will translate it for The Nationals. He was saying that the food bowl is a great project.

**The SPEAKER** — Order! The Premier, without debate.

**Mr BRUMBY** — In 2007 we were faced with a situation in this state where not only did we have decades and decades of underinvestment in irrigation programs, we had also gone through the best part of a decade of below average rainfall with large parts of the state critically short of water, and our government at the time made the decision to invest in the biggest infrastructure upgrade in the history of our state.

History will show, as I said yesterday, that despite years of procrastination and delays under former conservative governments on the Wimmera–Mallee pipeline, our government funded it, and this has given water security to our state — water security that is securing the future of those towns and country communities — and having concluded that project successfully we are now embarked on the biggest water savings irrigation project in Australia’s history.

As Dudley Bryant and the VFF say, this is exactly the right thing to do, and we are happy to be judged on this, we are happy to say on this part: the people of Swan Hill and the electorate of Swan Hill will never forgive or forget the local member who turned his back on his irrigators and this \$1 billion investment.

### Renewable energy: consultation

**Mr CRUTCHFIELD** (South Barwon) — My question is to the Minister for Energy and Resources. I refer to the Brumby Labor government’s commitment to make Victoria the best place to live, work and raise a family, and I ask: can the minister update the house on how the Brumby government is working to ensure that the views of communities, local councils and industry are all sought and considered when developing detailed and practical policies to bring more renewable energy and jobs to regional Victoria?

**Mr BATCHELOR** (Minister for Energy and Resources) — As you would know, Speaker, I have said many times in this house that the Brumby

government is proud to support renewable energy and the renewable energy industry in Victoria. We do that because we know that wind farms mean extra and regular income for farmers, that wind farms make clean renewable electricity, that wind farms mean jobs and investment for regional Victoria, and that wind farms provide higher rates for local councils, which means more money for local communities. Political leaders cannot get policies right to support the renewable energy industry if they do not talk to the renewable energy industry.

This government and I are prepared to talk to the renewable industry. That is why I regularly meet with the leaders from the industry. That is why the Premier, the Minister for Environment and Climate Change, the Minister for Regional and Rural Development and I hosted a round table recently with industry representatives. The renewable energy industry wants to be involved in policy development because it knows better than anyone else — it certainly knows better than politicians — the impact that policies are going to have on their businesses in their attempts to change the energy mix here in Victoria.

It would be irresponsible to release a policy that claims to help the renewable energy industry without talking to the industry, and in particular, when invited by the Committee for Portland to address their dinner and explain your policy on renewable energy, to refuse to attend would be extremely gutless. So if political leaders will not even try to explain their policies, this is really an admission —

**The SPEAKER** — Order! The minister, without debate.

**Mr BATCHELOR** — that the policy is useless, that it is antijobs, anti-investment, anti the environment and anti-regional Victoria.

But it is not just the industry that we should be talking to when we are developing renewable energy policy. Local councils are important here. Local councils are interested in what happens in their areas and are interested in the development roles. We need to hear their views to be able to develop a credible and effective policy. Local councils, such as Glenelg and the surrounding councils in the south-west, acknowledge that local renewable energy is important because it brings jobs and it brings investment.

However, it would be irresponsible to release a renewable energy policy that shifts all the responsibilities back to local councils, particularly when you know that is what the local councils do not want to

happen. It would be even more irresponsible if you did not listen to residents and communities. I have listened to those communities — I have listened to people who support renewable energy, and I have listened to those who are opposed to renewable energy.

We are not afraid to put our policy to the test out in the electorate. I have spoken to people in places like Colac, Oaklands, Ballarat and other places, and to local residents who have an interest both in supporting and in raising issues about renewable energy. It would be irresponsible to develop and release a policy that you claim is going to benefit Victoria if you are not prepared to meet with industry, local communities and local councils — and if you are going to get your views from some odd group that is totally opposed to renewable energy and totally opposed to —

**Mr Ryan** interjected.

**Mr BATCHELOR** — The Leader of The Nationals has interjected and asked what we are talking about.

**The SPEAKER** — Order! I ask the minister to ignore interjections, and I ask the Leader of The Nationals not to interject. I suggest to the member for Bass that if he has no interest in question time, he is free to leave. I ask the minister to conclude his answer.

**Mr BATCHELOR** — In conclusion, we are talking about the policy process that was used to develop the Liberal Party policy on renewable energy, when it rejected industry, councils and communities.

### **Water: northern Victoria projects**

**Mr WALSH** (Swan Hill) — My question is to the Premier. I refer to the Auditor-General's report regarding Victoria's water projects, and I ask: why did the government ignore repeated advice from Treasury officials between March and May 2007 to conduct a comprehensive feasibility study into the food bowl modernisation project and the north-south pipeline, and then commit \$1.75 billion of public funds without that critical task having been undertaken?

**Mr BRUMBY** (Premier) — I thank the Craig Bildstein of the Parliament for his question! At the end of the day in politics, when you have governments investing huge amounts in new infrastructure, opportunities and innovation in your electorate, my experience is that you are best to get behind it. As I indicated with Dudley Bryant's quotes yesterday, he said:

... for every one ... irrigator that would speak against it I could find you 100 that are really happy with it.

The member for Swan Hill is one — —

**Mr Walsh** — On a point of order, Speaker, the Premier is clearly debating the question. It was a very narrow question about receiving Treasury advice on the project and then ignoring it.

**The SPEAKER** — Order! I uphold the point of order, and I ask the Premier to complete his answer without further debate.

**Mr BRUMBY** — As I have said, in contrast to the member for Swan Hill, there are many members of this house who are on the public record wanting to see this project fast-tracked. On 7 October 2008 the member for South-West Coast said it should be fast-tracked, that we should do it quicker, do it faster!

The member for Rodney is actually on the record on 20 December 2006 — —

**Mr Ryan** — On a point of order, Speaker, the Premier is clearly defying your ruling. He is debating the question. I ask you to have him answer the question.

**The SPEAKER** — Order! As I reminded the Leader of The Nationals yesterday, it is not in the Chair's authority to direct the Premier or any minister to answer a question. That is actually not in the standing orders, as the Leader of The Nationals well knows. However, the Premier does need to respond to the question as asked without debate. I ask him to do so.

**Mr BRUMBY** — In late 2006 and into 2007 we were continuing to go through a very dry period in the state; in fact the in-flows into the system were the lowest ever. On 20 December 2006, in his contribution to the debate on the address-in-reply to the Governor's speech, the member for Rodney said:

We strongly believe that urban users should only be permitted to secure water from rural systems if they first invest in water infrastructure that will generate equivalent water savings.

If you were to say that in two words — —

**Mr McIntosh** — On a point of order, Speaker, the Premier is debating the question. I ask you to bring him back to the question and not otherwise allow him to relate his answer to government business.

**The SPEAKER** — Order! I uphold the point of order. I ask the Premier to conclude his answer without further debate.

**Mr BRUMBY** — If you wanted to shorten the member for Rodney's sentence to two words, they

would be 'food bowl'. That is what the project is all about. I repeat for the benefit of the member for Swan Hill: we had a crisis in Victoria because of the lowest ever in-flows, not just in the metropolitan storages but into so many storages right across the state.

Responsible government required decisive action, and we took it. We took the right action for the long-term future of the state.

As for the comments in relation to preliminary work and business case that the member refers to, I repeat the point that I made yesterday.

**An honourable member** interjected.

**Mr BRUMBY** — Yes, I did. When the business case came to government there was no issue about the savings — there has never been an issue about the savings. As I pointed out yesterday the Victorian Farmers Federation has been putting argument to us about savings in excess of 225 giganalitres. The only issue with the business case was whether the business case would have achieved 225 at that cost. The original business case was not on the basis of savings, because it was \$1.048 billion, which used a 7 per cent escalation factor. I sent it back to get it on cost and budget, and it came in on cost and budget.

This has never been an issue about savings, and the member for Rodney would know from his personal experience that savings are being achieved. Hundreds of farms throughout this area have already been upgraded — hundreds of kilometres of channel. There are 6300 kilometres of open channel. The fact is you could run it to north Queensland and back. All of that water is lost to evaporation, seepage and leakage — all of that. We are improving the efficiency of this system and investing \$1 billion into the future of farmers in our state because we want to grow the whole state — and unlike those opposite we do not call country Victorians the toenails.

### **Health: government initiatives**

**Mr STENSHOLT** (Burwood) — I refer to the Brumby Labor government's commitment to make Victoria the best place to live, the best place to work — with 113 000 new jobs in the last 12 months — and the best place to raise a family, and I ask: can the Minister for Health outline how the Brumby government is investing in better health services for communities right across Victoria, make any commentary on these investments?

**Mr ANDREWS** (Minister for Health) — I thank the member for Burwood for his question and his

longstanding commitment to health service provision in his community. We as a government are very pleased and proud to partner with health services right across the length and breadth of our state to provide additional recurrent funding and to provide very strong support for capital works in terms of new buildings, upgrades to buildings and the very best of modern medical technology right across the spectrum of the system. We are very pleased to partner with health services right across Victoria — in every part of Victoria — to boost services and to provide those dedicated clinicians with the tools they need to look after patients and to meet the challenges that undoubtedly face our health system.

With that strong track record of investment — and I was asked about comments on our government's investment — you can imagine my surprise when I saw a comment in a recent publication that said there has not been an investment in hospitals under this government. That was a comment that was made recently. I saw this comment, and I thought to myself, 'What a very strange comment', because what that comment says is that 10 516 extra nurses — and that is how many are in the system today compared to our first day in office — apparently all work for free, a bit like the 1200 extra hospital doctors in our system today compared to our first day in office. They all work for free as well. Apparently the additional paramedics in our system work for free as well.

Apparently the \$7.5 billion capital works program this government has put in place is a bit like a mushroom: it just comes out of the ground. It just happens by accident; it is not real. It is a \$7.5 billion program — more money invested in health infrastructure than at any time in the history of this state — and yet according to one commentator there has not been an investment in hospitals under this government. That comment is absolutely wrong. I do not often provide advice, but I would just say to this commentator that perhaps if he spent less time collecting and studying street directories and more time studying budget papers, he might know that this government has invested in ongoing funding as no government has ever done, and in capital works, including equipment and infrastructure, as no government has ever done.

This government has a record of investment right across the state, and this commentator shows through this ill-informed commentary —

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for Caulfield knows better than to interject in that manner.

**Mr ANDREWS** — This commentator shows through this commentary a galloping ignorance of our health system, which rules him unfit to lead this state.

**APPROPRIATION (2010/2011) BILL**

*Second reading*

**Debate resumed.**

**Dr NAPHTHINE** (South-West Coast) — I wish to correct the Minister for Energy and Resources on his remarks in question time. The Leader of the Opposition has never been invited to the Committee for Portland — —

**Mr Batchelor** — On a point of order, Acting Speaker, the member for South-West Coast is speaking on something that is not before the Chair. It is not a point of order, and I would ask you — —

*Honourable members interjecting.*

**The ACTING SPEAKER (Ms Munt)** — Order! The member for South-West Coast on the point of order?

**Dr NAPHTHINE** — No, on the budget. Stop the clock; I am losing my time.

**The ACTING SPEAKER (Ms Munt)** — Order! Stop the clock. There is no point of order, but I ask the member for South-West Coast to be relevant to the bill that is being debated.

**Dr NAPHTHINE** — It is on the budget. The minister accused the Leader of the Opposition of not accepting an invitation that was never extended to the Leader of the Opposition. Scott Paterson, the head of the Committee for Portland, approached me saying, ‘Would the Leader of the Opposition be available on 24 June?’. I said, ‘No, it’s a parliamentary sitting day. Look for another day’. No invitation was ever extended to the Leader of the Opposition. The minister for energy deliberately misled the house, and it is an absolute disgrace.

I am pleased to be the final speaker from the opposition to speak on the budget. Most people in the government have spoken on the budget, but there is one person who has not spoken on the budget; one person who refused to stand up and defend the budget; one person who, despite the member for Melton offering to help him out by writing his speech, has refused to stand up and speak on the budget. He has between now and 4 o’clock to

come in here and make a speech in favour of this budget.

**An honourable member** — Who?

**Dr NAPHTHINE** — Who?

*Honourable members interjecting.*

**Dr NAPHTHINE** — It is the Premier of Victoria. He has not been in here to defend his budget. It is an absolute and utter disgrace. The Premier is the person who in 2003, as Treasurer, attacked other members for failing to take the opportunity to speak on the budget. He specifically attacked members of Parliament for being inadequate in that they failed to speak on the budget; yet as Premier this year, an election year, he refuses to come in and back the budget — to speak on the budget. I challenge the Premier to come in here and speak on the budget — and the member for Melton will help write his speech! It is just another case of inaction and pure laziness by the Brumby Labor government.

The same inaction and laziness is putting 30 jobs at risk in Warrnambool today. In December 2009 a planning panel recommended to the Warrnambool City Council that it adopt planning scheme amendment C63 to allow a wider range of retail outlets in the newer shopping centres on the outskirts of the city. In February the council adopted the panel report and in March it sent it to the minister for approval, but the minister has sat on it. A retail business has employed and trained 30 people, bought stock, produced catalogues and painted its premises, but it cannot start trading because the minister is still sitting on the approval of the planning scheme amendment. This will cause those 30 people to be stood down, and there will be a loss of economic benefit to the area. The operator of the business, Cheap As Chips, has said it is much easier to get such permits — to get businesses running and providing jobs — in South Australia than in Victoria under this government.

I also refer to the green triangle freight action plan. This plan was announced by the government in April 2009. It was to make \$340 million worth of improvements to road and rail to service the port of Portland. However, this budget does not provide one extra dollar for that plan. The government said it has committed \$5 million for the project, but under the questioning of the Public Accounts and Estimates Committee the minister admitted that that \$5 million was announced in February this year, well before the budget, so there is no new money for this \$340 million plan.

In 2001, 2002, 2003 and 2004, and all the way through the term of this government — the Brumby government

and the Bracks government — it has said it wants to increase the proportion of freight transported by rail to ports from 10 per cent to 30 per cent. Last year it was 12.3 per cent; it has gone down from 20 per cent in 2000. In this year's budget, as set out on page 380 of budget paper 3, we see that promise has been dropped.

Similarly, nothing has been delivered for the Woolsthorpe Primary School, which was promised funding under the rural replacement program. Finally, the budget commits no money for a new police residence in Heywood. No wonder we have problems with hooning and vandalism in that area.

**Motion agreed to.**

**Read second time; by leave, proceeded to third reading.**

*Third reading*

**Motion agreed to.**

**Read third time.**

## PHARMACY REGULATION BILL

*Second reading*

**Debate resumed from 8 June; motion of Mr ANDREWS (Minister for Health).**

**Mr STENSHOLT** (Burwood) — I am happy to speak in support of the Pharmacy Regulation Bill, which seeks to create an ongoing framework for the regulation of the ownership and operation of pharmacy businesses, pharmacy departments and pharmacy depots. We already have national regulation in regard to professions. In 2008 parties to the Council of Australian Governments signed an intergovernmental agreement to establish a national registration and accreditation scheme for health professionals — the national scheme. This house had discussions about the national scheme, which is due to come in on 1 July.

The government signalled its intention to introduce this particular bill during the debate on the Statute Law Amendment (National Health Practitioner Regulation) Act 2010 in February this year. I am a strong supporter of national regulation of the health professions. I have seen, working in both the federal government as well as here in the state, that harmonisation in a range of areas — including professional areas, particularly with the health professions — is important rather than having a range of registration schemes, which causes people difficulty when they move between states.

The intergovernmental agreement did not cover the licensing of pharmacy premises and restriction of pharmacy ownership. Members will recall that we had some debate on the ownership rules for pharmacies several years ago.

The bill sets up the Victorian Pharmacy Authority, a statutory body to oversee and administer the scheme for the regulation of pharmacy businesses. I am pleased to say that there has been broad consultation in regard to this. A consultation paper was produced, and quite a number of people and organisations have commented on it. There is broad agreement, with only occasional dissenting views questioning the appropriateness of a particular scheme. A range of key players representing almost all pharmacists agree this is appropriate legislation.

There were, for example, submissions from the Pharmacy Guild of Australia; the Australian Friendly Societies Pharmacies Association; the pharmacists division of the Association of Professional Engineers, Scientists and Managers Australia; Medicare Australia, and the Victorian branch of the Pharmaceutical Society of Australia. All these stakeholders were supportive of the establishment of a new statutory authority to regulate pharmacy premises and ownership restrictions. Those are the areas in which the authority will have a role; it will not have a role in the registration of individuals or in relation to the notification about the conduct of health professionals including, in this case, pharmacists. It will carry out its role in the ordinary manner of such a board. It will have regular committees and have in place other government arrangements, and just like the current board, it will issue standards for pharmacy owners.

One relevant issue which I am sure other members have already addressed is the provisions governing ownership and operation. This was the focus of discussion a number of years ago, and I am happy to assure the house and the pharmacy profession that the bill maintains the status quo in relation to provisions that are currently contained in the Health Professions Registration Act 2005. We had a discussion about that some five years ago. Only registered pharmacists, either individually or in partnership, and friendly society-type companies are permitted to own pharmacies. That is consistent with arrangements that operate elsewhere across Australia. There have been many studies over the years. The numerous reviews of pharmacy legislation include the 2000 report of a national review entitled *National Competition Policy Review of Pharmacy*, otherwise known as the Wilkinson report, which recommended there be legislative restrictions on who may own and operate community pharmacies, that

the then current restrictions be retained and that the existing exceptions continue to be confined to registered pharmacists.

A Council of Australian Governments senior officials working group investigated whether there was a net public benefit or whether there was likely to be a diminution of service levels in relation to existing ownership provisions. There was consensus among senior officials and the pharmacy community that the ownership of pharmacies by pharmacists is integral to the future of the community pharmacy industry in Australia.

We all know about our local pharmacy, and many of us walk down the road to visit it. In my case it can be the Jim Wong Pharmacy or Friends Pharmacy in Ashburton or the Bennettswood Pharmacy or one of many other pharmacies in my local area. They are local, and they are providing a service. People in Ashburton know Jimmy Wong, who has been there for a number of years. People also know Peter at Friends Pharmacy in Ashburton. These people are part of the community, and they are very much engaged in the local community. I know that they support local schools and organisations. They also help people with their advice. You can drop into a pharmacy to talk to somebody and you will get good, sensible and practical advice from people who are part of the community. Those people will have been known for a number of years, and you can have confidence in them. That is what the ownership of pharmacies by pharmacists is about.

Community pharmacy industry bodies have offices in Victoria and throughout Australia, and at this stage the Victorian government does not intend to change that arrangement at all. Indeed if there was any momentum for change, I suspect that it would be considered nationally in the context of a review of all regulation of the pharmacy sector. However, for the time being, because this was examined five years ago, the status quo is reinforced in this bill.

I am always keen to examine the costs of regulatory change, and I am very pleased that there will be minimal change in costs. There will be annual fees rather than one-off payments, but the change will be implemented on a cost-recovery basis. I am reassured by that, and I am sure that pharmacists will be assured that these are sensible arrangements designed to achieve a good result. Of course there will be transitional arrangements. Under this legislation premises that are currently registered will be taken to be licensed until 30 September, at which time the licence may be renewed, and similar provisions apply for approved premises. This is a sensible bill in the context

of the national regulation of pharmacists' premises. I commend the bill to the house.

**Mr THOMPSON** (Sandringham) — In commenting on the Pharmacy Regulation Bill 2010, firstly, I would like to acknowledge the contribution made to the other place by pharmacist member the Honourable Geoffrey Connard, who served this Parliament between 1982 and 1996. The Liberal Party has had a range of pharmacists who have served in the Victorian Parliament, including Graeme Weideman, William Templeton and a person who served as the Speaker in this place, John Delzoppo. They all brought to this place insights from their prior life experience, their oversight of health issues in Victoria and their service at local community level.

I was interested earlier to read the bill definitions and note that 'pharmacy services' include not only supply, compounding or dispensing of medicines but also advice and counselling on the effective and safe use of medicines. Across the Sandringham electorate — in Sandringham, Highett, which is well known to the Acting Speaker, Black Rock, Seaview, Beaumaris and Mentone — advice has been wisely dispensed by local pharmacists for decades.

An important issue that the chamber has confronted in previous times, and that has also been part of a national review, is how we might respond to national competition policy processes which may have seen a significant deregulation in the provision of pharmaceutical services and the role of larger places on a par perhaps with Boots in the United Kingdom, where there was not the same provision of advice and there were perhaps incentives given for the dispensing of certain pharmaceuticals which may not necessarily have been in the best interests of the health system overall, nor in the best interests of the patients, where outcomes were measured by volume rather than the quality of advice conveyed.

In addition, not only did Geoff Connard contribute to health issues during his time in Parliament, he made a most valuable contribution after his parliamentary career in his role with the International Diabetes Institute and the excellent work of Professor Paul Zimmet, in the epidemiological research that he undertook in Australia and overseas in improving the health of the nation. Geoff Connard also contributed to the work of the Macfarlane Burnet Centre for Medical Research and work involved in immunological research and other areas of medical research and undertaking.

The bill before the house has the support of the opposition. It comes in the context where local

pharmacists see the position for pharmacies across Australia today as being one which supports the mum and dad pharmacists. It has given them some level of security. Pharmacists are also small business people, and in addition to their investment in the goodwill of a business and their leasehold or freehold arrangements with the premises from which they operate, they also have a number of regulatory commitments. It was only back in the 1980s where in the event of a person acquiring a business such as a pharmacy they would have been subjected to an onerous tax by the then Cain and Kirner administrations on the goodwill component of the purchase price of the business. So after a pharmacist might have paid for the goodwill of the business, the legal costs, the accounting fees, the stock and the electricity bond, they would also have been liable to an ad valorem stamp duty to prop up the then crumbling Victorian economy. That would have been an unjust impost, perhaps not dissimilar to the Eureka cries across the nation at the moment in relation to the resource rent tax, where there has been a tax on entrepreneurship and investment in other spheres.

The bill before the house embarks upon a number of purposes, which include to provide for the regulation of pharmacy businesses, pharmacy departments and pharmacy depots, and to establish the Victorian Pharmacy Authority. It then has as a key issue the ownership of pharmacy businesses, where in terms of ownership it provides in clause 5:

- (1) A person must not own or have a proprietary interest in a pharmacy business unless the person is —
  - (a) a registered pharmacist; or
  - (b) a company registered under the Corporations Act —
    - (i) whose directors are all registered pharmacists; and
    - (ii) in which all the shares and the beneficial and legal interest in those shares are held by registered pharmacists ...

That is a very important point, because it goes to the quality of care where pharmacists have an investment in their business. They provide a lot of pro bono advice as a first point of community health care and advice. I know the pharmacists in the immediate Sandringham district, being Paul Senior and also Simon Rankin, are very highly regarded for the time that they contribute in servicing the people who come in for initial advice and also the supply of prescriptions. Their work is mirrored across my electorate in other pharmacies, such as the Beaumaris Pharmacy, with Malcolm Coscriff, who has been a long-serving pharmacist, together with his wife.

They have provided excellent advice in the local district — unpaid advice and unpaid time — as a guide for members of both the ageing community and also the young community on the issues they might confront. They are a transition point between patients and the local medical practitioners, and they also provide local people with the opportunity to save their time resources if a matter is able to be addressed promptly and swiftly.

Then there is Paul Krassar in the Seaview Shopping Centre, who again is a younger pharmacist and a person for whom legislation of this nature provides some level of security for the family-owned businesses where he has made a significant investment. So there are some good stories to be told in relation to pharmacies.

So wide ranging is the view of pharmacists on community matters that I would like to draw the attention of the house to the views of Patrick Devine, who is a pharmacist in another part of Melbourne. He is a leading swimmer and a long-serving lifesaver in Victoria who has won many masters championships. He approached me a number of years ago in relation to the sports precinct over near the Rod Laver Arena, AAMI Park and what used to be the Lexus Centre — or Olympic Park, which is perhaps a better way to describe it. He had the wise vision of enclosing Swan Street in that area and converting the area into an aggregate sports precinct without the thoroughfare of traffic.

Regrettably there are some major pipelines and sewerage trunk lines that traverse that area, but I think Patrick Devine, through his vision, may have articulated something that could well happen down the track. We have not only an existing world-class precinct but one which in the future could become a world-class precinct through its development as an open space and recreational area, as there is now a higher premium on public open space. Through the undergrounding of the tram, which already deviates around the tennis centre, and the redirection of some of the traffic in that area, there is the possibility of it being an outstanding area. I just illustrate that as one particular point.

Another issue that pharmacists confront at the moment is their obligation in their justice of the peace (JP) role to witness many documents in the local community. It has been raised with me that this is a demand on their services that they are not always as readily in a position to meet as they are in fulfilling their script obligations, and I think there could be more work done in guiding pharmacists to have a list of other JPs who might be able to fulfil those roles without necessarily disrupting their immediate business demands. The education

department requires some documents to be certified, and in these days when it is easy to duplicate documents there has been a higher obligation for certification. But it is important that these demands do not place onerous obligations upon pharmacists in Victoria.

From my point of view, having consulted with a number of local pharmacists from the perspective of the opposition, I support the bill, the regulatory regime and the continuing outstanding work of pharmacists in this state, noting the valuable contribution made to the parliamentary Liberal Party by a number of pharmacists who have served this place and the other place in the last 25 years.

**Mr LANGUILLER** (Derrimut) — It gives me pleasure to rise in support of the Pharmacy Regulation Bill 2010. May I say before I make remarks on the bill that it is a genuine pleasure to follow the member for Sandringham, because you have to grant him two things: irrespective of the policy differences that we have, the member for Sandringham knows his electorate well, as I know, and he has an exemplary memory. Many of us wish we could mirror that.

I say from the outset that this is good legislation. The Pharmacy Regulation Bill 2010 provides for the regulation of pharmacy businesses and pharmacy departments and establishes the Victorian Pharmacy Authority (VPA). By way of background, as you would be aware, Acting Speaker, in your other capacity as Parliamentary Secretary for Health, the national registration and accreditation scheme for the health professions was established in the context of the intergovernmental agreement (IGA) for that purpose, and in 2005 the commonwealth government asked the Productivity Commission to undertake research to examine the issues impacting on the health workforce, including the supply of and demand for health workforce professionals, and to propose solutions to ensure the continued delivery of quality health care over the next 10 years. This report and framework provide the context for the legislation, the agreement and the harmonisation across the nation of the good services, as many members of this house have outlined very well, that are provided by the industry.

The Pharmacy Regulation Bill 2010 will create an ongoing framework for the regulation of ownership and the operation of pharmacy businesses, departments and depots. The bill will establish a new Victorian Pharmacy Authority to deliver the regulatory function, which will ensure continued public protection. As indicated on 26 March 2008, the Council of Australian

Governments meeting signed an agreement to establish the national registration and accreditation scheme.

I have had the pleasure on a number of occasions over the last 12 months of attending functions organised by pharmacists, so I know they welcome this arrangement; they think it is good — at least, that is my anecdotal observation from my discussions with pharmacists in the western suburbs, particularly in the electorate of Derrimut.

The national scheme will commence on 1 July 2010 for 10 health professions, including pharmacists. The IGA does not, however, cover the licensing of pharmacy premises and pharmacy ownership restrictions. The IGA states that these matters will continue to be the responsibility of the states and territories. The Pharmacy Board of Victoria currently performs this regulatory role under the Health Professions Registration Act 2005.

It is important to also put on the record that in the course of the consultation, submissions were made by stakeholders within the pharmacy sector, including the Pharmacy Guild of Victoria; the Australian Friendly Societies Pharmacies Association; the Pharmacists Division of the Association of Professional Engineers, Scientists and Managers, Australia; Medicare Australia; the Pharmaceutical Society of Australia; and others. I must place on the record that everybody was very supportive of the establishment of the new statutory authority, which will continue to regulate pharmacy premises and ownership restrictions. The VPA will consist of a five-member board to be comprised of three registered pharmacists, a lawyer and a community member. Of the five members of the VPA, it is intended that the chair will be a registered pharmacist.

I think this is good legislation that will assist in the improvement of the provision of services to the community. As outlined earlier, pharmacists provide very good, wide-ranging services to the community, including preliminary advice, justice of the peace work and a range of other services, and communities welcome that. Pharmacists are on the ground, and on many occasions they are the first point of contact for residents and constituents. They advise residents if they should go to see a doctor or go to a hospital. They are on the front line, out there in the real world, providing important services on a day-to-day basis to the community. With those few remarks, I commend the Pharmacy Regulation Bill 2010 to the house.

**Dr SYKES** (Benalla) — I wish to make a brief contribution to the Pharmacy Regulation Bill 2010, particularly acknowledging that the member for

Benambra has some issues that he would like to get before the Parliament. I will concentrate on the general context in which the provision of pharmacy services in my electorate operates now and how it will further benefit from this bill.

The Benalla electorate is generally well serviced by pharmacists. Historically in Benalla we have had people such as Chris Bridgeland, Phillip Messenger and Bob Ashton, who provided a fantastic service for decades. We currently have people like Jenny Milner and Marsha Watson, Gareth Patterson and Lisa Marta and also the pharmacists in Priceline.

As has already been indicated, pharmacies are not only about dispensing therapeutic goods, drugs and other products, but a pharmacist like Jenny Milner, for example, has been a great community citizen and has done a lot to help people deal with drug addictions. She has also been a pioneer of the methadone program in Benalla. So pharmacists, as a general comment, are an integral part of our rural communities.

Interestingly, the older pharmacists I mentioned before, who have now retired, have seen many changes in their lifetime and during their professional working lives. As the member for Sandringham mentioned before, as small business operators, pharmacists face challenges that are forever evolving. One of their ongoing challenges is dealing with layer upon layer of red tape, and there is also the commercial challenge they face from the supermarkets.

In times gone by pharmacists' competitors were people such as snake oil salesmen and the Rawleigh men who used to go around door to door and dispense various products. In times gone by, pharmacies were also involved in the dispensing of veterinary products. For the information of members, there was a particularly well regarded veterinary product called Sykes's Drench, which, if taken, had a wonderful effect on cleansing the gut. If members think about that, they might think nothing has changed on what Sykes does to people! In relation to other current issues —

**Mr Noonan** interjected.

**Dr SYKES** — Without help from the member for Williamstown, in relation to other current issues there is the ongoing issue of recruitment and retention of pharmacists in rural Victoria — and it is certainly an issue in a larger town such as Benalla, which is an absolutely fantastic place to live — as some of our smaller communities really struggle to recruit and retain people.

For example, at Violet Town, which is a small community in north-eastern Victoria, we are very fortunate to have Jenny Milner and Marsha Watson from the Benalla pharmacies providing a part-time service, which links in extremely well with the local community efforts to have a Violet Town community health service. Violet Town now has a pharmacy, a GP, aged-care services, allied health services and an outreach worker. There has been a fantastic result in the delivery of an almost complete community health service as a result of the efforts of the community, the contribution of pharmacists such as Jenny Milner and Marsha Watson, and the outstanding contribution from Felipe Rodriguez, the CEO of Violet Town community health.

The other small town that continues to be under pressure with pharmacists and medical services in general is Eildon. From a pharmacy perspective it is supported by the Alexandra pharmacy, which provides an outpost at Eildon a few days a week and provides a rapid turnaround time for prescriptions. I was at Eildon just last week. Another important aspect of the delivery of medical services to Eildon — that is, the GP services — had temporarily ceased there, but as I mentioned in my member's statement yesterday, now Remi and Kenny Kehinde are there to provide GP services. So Eildon, albeit a small community, is benefiting from the provision of pharmacy and GP services.

In closing, I could not let pass the opportunity to also reflect on the other important aspect of the wellbeing of the people of Eildon and of all people in northern Victoria — that is, the continued access to a reliable supply of safe, potable water for human consumption, for the irrigation of food and for fibre production. I again call upon the Premier to plug the pipe!

**Ms BEATTIE** (Yuroke) — It gives me great pleasure to speak on the Pharmacy Regulation Bill 2010, which creates the ongoing framework for the regulation of ownership and the operation of pharmacy businesses, pharmacy departments and pharmacy depots.

As previous speakers have alluded to, we all know the important place a pharmacy holds in a community. Often for people who have a minor medical problem the pharmacy will be the first port of call. They will go into the pharmacist and say, 'My child has this problem; can you look at it?', and the pharmacist will say, 'You've got to go to a doctor for that', and refer them on. If it is something minor, the pharmacist might prescribe something then and there. The bill will have a

regulatory function and will ensure continued public protection.

It comes about through an intergovernmental agreement (IGA) to establish a national registration and accreditation scheme for health professionals. The new scheme will begin on 1 July for 10 health professions, including pharmacists.

The IGA does not go into the licensing of pharmacy premises and pharmacy ownership restrictions. The intergovernmental agreement states that these matters will continue to be the responsibility of the states and territories. The Pharmacy Board of Victoria currently performs this regulatory role under the Health Professions Registration Act.

The public consultation with the pharmacy stakeholders was quite extensive. I am sure many members were lobbied by their pharmacists. I have to say that sometimes when people lobby you, you are not convinced, but the pharmacists are very convincing, and anybody who has a good, reliable pharmacist in their area knows the important role that the pharmacist and the pharmacy play.

The regulation will take place from 1 July 2010; the public consultation with the pharmacy stakeholders took place in July 2009. There are a number of important key stakeholders, and the 10 written submissions included those from the Pharmacy Guild of Australia, Victoria branch; the Australian Friendly Societies Pharmacies Association; the pharmacists division of the Association of Professional Engineers, Scientists and Managers, Australia; Medicare Australia; and the Pharmaceutical Society of Australia, Victorian branch. All the stakeholders were supportive of the establishment of the new statutory authority. They are in violent agreement that this is a good idea.

The Victorian Pharmacy Authority (VPA) board will consist of five members, which will comprise three registered pharmacists, a lawyer and a community member. Of the five members of the board it is intended that the chair be a registered pharmacist. The role of the VPA in relation to pharmacy ownership and premises regulation will be similar to that of the current Pharmacy Board of Victoria.

I want to talk a little about this issue, because every now and again we see a push from the supermarkets into the area of pharmacists. While I am sure supermarkets would like that, a pharmacist does not just hand drugs over a counter. I see it as being really important that, even though there is no specific provision prohibiting pharmacists from being located in

supermarkets, the VPA has the power to refuse an application to approve a premises as a pharmacy business if the premises is freely accessible to persons from premises where a business or activity other than that of providing a pharmacy service is carried out. I think we would all dread the situation of having a supermarket where in one section you have the bakery and the fish, and then you have the liquor outlet, and then you have the pharmacy. I cannot imagine anything worse.

I will not speak for long because I know a number of members want to make a contribution. A number of members have talked already about the very important work that their local pharmacists do. I echo that. My local pharmacist, Joe Cichello in Craigieburn, has certainly put a lot of effort into the local community. Joe and his team at Craigieburn Amcal Pharmacy sponsor a lot of the football clubs. They always have their hands in their pockets for prizes for the local schools, are always willing and available to sign documents or provide services as JPs, and always have a friendly smile.

As well as that — and from looking around the chamber I know that no-one else here would be reliant on these services — sometimes the pharmacists might give a bit of advice about which brand of make-up to buy or perhaps even about some hair care products. They offer myriad services — all of which are of great benefit to the community. My pharmacist — and I see the member for South-West Coast is in the chamber — has even dispensed drugs for my dog when I have had a prescription. Myriad services are provided by the local pharmacist. More power to the arm of the local pharmacist! This is a terrific bill, and I commend it to the house.

**Mr TILLEY** (Benambra) — I rise to make a brief contribution to debate on the Pharmacy Regulation Bill 2010. As the member for South-West Coast indicated in his contribution on the bill, the coalition supports the legislation.

The member for South-West Coast detailed the contents of the bill and the views of practising pharmacists. For the sake of expediency I will not retread the same ground.

As the minister stated in his second-reading speech, attendees at a Council of Australian Governments meeting signed an intergovernmental agreement to establish a national registration and accreditation scheme for 10 health professions. From having reviewed the COAG agreement which has led to the introduction of this bill, I can say it is clear the intention

of the agreement is to provide flexibility for the health workforce throughout the nation and to ensure a consistent standard of care and professionalism from health professionals.

In his contribution the member for South-West Coast said the coalition thinks this is legislation that warrants support, but he urged there be a national approach to the licensing and registration of premises so that we do not have in this case the state-by-state anomalies that have bedevilled us since federation.

There is one further point I would add to the call by the member for South-West Coast for the reduction of cross-border anomalies: pharmaceutical prescriptions.

As the minister said in his second-reading speech, this bill is to set up a national registration scheme for pharmacists. The electorate of Benambra and the community throughout north-eastern Victoria face quite a unique challenge in the sense that after many years of campaigning Albury and Wodonga finally saw their health services merge. For almost 12 months an integrated single health service has been set up, and it has been running by and large as a Victorian health service. It is led quite ably by the chief executive officer, Dr Stuart Spring, who has a wonderful staff of health professionals who are doing an absolutely top job. So far the integrated health service is proving quite a great success in the local community. In order to assist members with a better understanding of the health service, we have two campuses, one in Victoria and one in New South Wales, under a single administration. The whole community is divided by the Murray River. From time to time residents of my electorate cross the river and have to rely on the services provided at the campus in New South Wales.

This week my office was contacted by constituents about an inability to fill prescriptions written at the Albury Base Hospital — the New South Wales campus of the health service — at their local pharmacy in Wodonga, which is in Victoria. I am indebted to the Australian Pharmacy Council and the registrar of the Pharmacy Board of Victoria for their advice on this matter. It seems as we pursue harmony in relation to pharmacists' registration and accreditation similar attempts should be made to harmonise the various provisions of the Drugs, Poisons and Controlled Substances Act as part of this reform. It is great to see the minister in the chamber because hopefully he can respond to some of the questions I have. Anecdotally it has been described to me that, despite current reforms and under current law, interstate prescription filling is a grey area. It is paramount that rigorous safeguards remain in place to ensure the prescription narcotics and

other such drugs are not abused. However, certainty for health professions in border areas in regard to prescription dispensing is absolutely vital. I raise the issue of state-by-state discrepancies in health services as something that is very important to my local community.

I would be indebted to the minister if he could come back to the Assembly with some advice on the matter of interstate prescriptions, as I believe it will further the national accreditation scheme and clear up a number of those headaches in my local community of Wodonga and in Albury. I certainly rely on my local pharmacist. In fact I have relied on my local pharmacist to get me through this week. We certainly have some great pharmacy practices in this state.

**Mr HOWARD** (Ballarat East) — I am pleased to add my comments to the debate on the Pharmacy Regulation Bill. As we have heard from other members, this bill recognises that because of the intergovernmental agreement signed recently by the Council of Australian Governments whereby a range of health professionals, including pharmacists, will now be covered as part of a national scheme, the existing Pharmacy Board of Victoria's role is no longer going to be needed. However, the intergovernmental agreement did not specify issues other than accreditation of pharmacists that need to be followed up under the national scheme, so issues associated with pharmacy ownership and management of pharmacy premises are still something that the state will need to oversee. It is for that reason the government has sought to establish a new authority called the Victorian Pharmacy Authority (VPA), which will replace the outgoing pharmacy board, to look just at the issues associated with the ownership and management of pharmacies to ensure ongoing protection of the public and that the interests of the public are looked after in terms of the way pharmacies are managed.

Other than that, there is not really major change in the way pharmacy ownership should operate. This government reviewed that some years ago and introduced further legislation last year which set out rules in regard to pharmacy ownership. Before moving across to the Victorian Pharmacy Authority we have consulted broadly and had feedback from a number of authorities, whether that be the Pharmacy Guild of Australia, the Australian Friendly Societies Pharmacies Association or the pharmacists division of the Association of Professional Engineers, Scientists and Managers, Australia. A range of other bodies have responded, and all have been supportive of the changes and have not seen any problem with it. Essentially the VPA will take over the functions the pharmacy board

has performed in regard to pharmacy premises, and therefore it is simply a sound variation. I think this will work very well without much in the way of change occurring other than simply ensuring that we continue a sound regime of overseeing the ownership and management of pharmacies.

Across my electorate we have a number of pharmacies operating. Some are members of the pharmacy guild, but within Ballarat we also have the remarkable situation where we have a very large friendly society pharmacy, UFS Dispensaries, which operates numerous branches across Ballarat and even in some of the towns beyond Ballarat. It has been very successful. There have been some issues associated with differences of view between the pharmacy guild and the friendly societies as to whether they threaten each other, but they form part of a healthy pharmacy system operating in our region.

The pharmacies I have had reason to deal with do a very good job in providing information to people who go there, in supporting them with a range of needs and in being very service oriented. That is a very good thing. They certainly serve the people of Ballarat and my broader region right across the Ballarat East electorate well. I think this bill will see them continue to operate well in the interests of consumers who are residents of my electorate. I am very supportive of the changes.

**Mr PERERA** (Cranbourne) — I wish to speak in support of the Pharmacy Regulation Bill 2010. Effective from 1 July 2010 this bill will establish the new entity in the Victorian Pharmacy Authority (VPA). The national body, the Pharmacy Board of Australia, will be established simultaneously. These two entities will together take over the functions of the Pharmacy Board of Victoria, which served Victoria for 133 years.

Currently registration in another Australian state or territory entitles a pharmacist to lodge an application for equivalent registration under the mutual registration arrangements of the commonwealth, states and territories of Australia. The applicants have to follow a procedure outlined on the application for registration form which includes providing a suitable form of identification and evidence of current equivalent registration in Australia. This is for pharmacists who have registered in a different state of Australia. Overseas qualified pharmacists from countries other than New Zealand should have their credentials assessed by the national Australian Pharmacy Council after completing all APC requirements. That is too much bureaucratic red tape, duplicating registration

through an unwanted, tedious process that results from having different registration regimes in different states.

It therefore makes real sense to streamline the process and have a national body regulating the registration regime. In 2005 the commonwealth government asked the Productivity Commission to undertake a research study to examine the issues impacting on the health workforce and to recommend a solution to ensure the continued delivery of quality health care over the next 10 years.

The report, delivered in January 2006, recommended there should be a single national registration board for health professionals. On 26 March 2008 the Council of Australian Governments signed the intergovernmental agreement to establish a national registration and accreditation scheme for health professionals. Other roles such as licensing of pharmacy premises and pharmacy ownership restrictions will continue to be the responsibility of the states and territories. In Victoria these roles will be administered by the newly established Victorian Pharmacy Authority. Some other states will follow Victoria or pursue some other arrangement.

The new regime was established after identification of the best arrangements for pharmacy regulation in Victoria following an extensive public consultation exercise involving pharmacy stakeholders in July 2009. A total of 10 written submissions were received from a range of stakeholders within the pharmacy sector, including the Victorian branch of the Pharmacy Guild of Australia, the national peak body representing 5000 community pharmacies across Australia and dispensing around 250 million prescriptions annually. All stakeholders were supportive of the establishment of the VPA.

Turning to my electorate I note that Cranbourne West recorded one of the highest growth rates in my electorate within the past 10 years, yet the Sandhurst Pharmacy, located in the Cranbourne West shopping centre, does not have the authority to dispense prescription medications under the pharmaceutical benefits scheme. The pharmacists are more or less reduced to signing statutory declarations. My constituents either have to travel a couple of kilometres to the nearest pharmacy or leave prescriptions at the Sandhurst Pharmacy and wait at least a couple of days until the medication is dispensed through an approved pharmacy. This is really a hassle for retired or frail constituents, especially those who rely on public transport.

The Pharmacy Regulation Bill 2010 is an important piece of legislation that will continue to protect the public as the Pharmacy Board of Victoria has done for many years. I commend the bill to the house.

**Mr ANDREWS** (Minister for Health) — I am very pleased to provide some brief concluding remarks in relation to this important bill, a bill which puts in place necessary common-sense arrangements in light of the transition to the national registration and accreditation scheme on 1 July this year. That in itself represents a very important set of reforms that are about more consistent service delivery, standards, quality, safety and the portability of skills, with health professionals, pharmacists and others now being able to take their skills and work in a national health industry rather than being restricted by state and territory boundaries.

This is an important bill, because whilst we are supportive of a national pharmacy board, we as a government — and I think more broadly as a Victorian community — are very keen to see the unique arrangements around pharmacy ownership that we have in place in Victoria remain. We are not supportive of changing those particular arrangements. To have gone to a national scheme for ownership and other regulatory matters could have placed at risk the unique arrangements we have in place in Victoria, arrangements which in my judgement and I think in the judgement of fair-minded Victorians, strike the appropriate balance.

It is on that basis that this important bill, with its practical and sensible arrangements proposed in light of the transition to the new scheme, has been put before the Parliament. I am very pleased to see that there is broad and bipartisan support for the bill.

I thank the members for South-West Coast, Mordialloc, Mildura, Essendon, Lowan, Burwood, Sandringham, Derrimut, Benalla, Yuroke, Benambra, Ballarat East and Cranbourne for their contributions and support for the bill. The member for South-West Coast, on behalf of pharmacists in his local community — community pharmacists in the south-west of the state — raised a number of issues, and I will briefly indicate to him that they are important issues and that I propose to correspond with the honourable member while the bill is between houses so that he can be comforted in the answers I will provide him.

I am confident this bill has broad support in the community and is supported by major stakeholders in this industry. I understand and I am confident they are supportive of these arrangements. But I am still more

than happy to respond to some of the detailed questions the member has asked.

The member for Benambra raised a question about interstate issues and border anomalies. I think the member for Mildura may have asked a question about the same matter. We know of his interest in these cross-border issues. I am more than happy to provide information to him as well. On that basis I am more than happy to respond to the member for Mildura and also the member for South-West Coast regarding these important issues.

I again make the point I made earlier in the context of some questions raised by the member for South-West Coast. Whilst we always look for national consistency, national consistency in this industry needs to be seen in the context of the unique and special arrangements we have in place in Victoria. These arrangements were endorsed on two separate occasions by this Parliament in recent times. This was an accommodation that was both sympathetic to — —

**Dr Napthine** interjected.

**Mr ANDREWS** — They are arrangements that are both sympathetic to national competition policy and our obligations under that framework, and which safeguard the important place a community pharmacy has in health service provision in large and small communities right across Victoria. The government, the Parliament and the community all support the work of community pharmacists and pharmacists working in other parts of our health system, including in hospitals and other settings.

I think the national scheme in one respect will lead to better arrangements for pharmacists' professional practice. These arrangements before the house will also put in place a proper regulatory framework at a state level where we think we have the balance right to benefit consumers, to benefit world-class practice and to benefit this profession to go from strength to strength as we look forward.

I thank all those members for their contributions. I thank all members for the broadbased support these arrangements have secured at this point. I will correspond with those who have raised questions and issues. On that basis I commend the bill to the house.

**Business interrupted pursuant to standing orders.**

**The DEPUTY SPEAKER** — Order! The time set down for consideration of items on the government business program has expired.

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

### SUPERANNUATION LEGISLATION AMENDMENT BILL

*Second reading*

**Debate resumed from 8 June; motion of Mr HOLDING (Minister for Finance, WorkCover and the Transport Accident Commission).**

**Motion agreed to.**

**Read second time.**

*Third reading*

**The DEPUTY SPEAKER** — Order! I am of the opinion that the third reading of this bill requires to be passed by an absolute majority. As there is not an absolute majority of the members of the house present, I ask the Clerk to ring the bells.

**Bells rung.**

**Members having assembled in chamber:**

**Motion agreed to by absolute majority.**

**Read third time.**

### APPROPRIATION (PARLIAMENT 2010/2011) BILL

*Second reading*

**Debate resumed from earlier this day; motion of Mr BRUMBY (Premier).**

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**Remaining business postponed on motion of Mr WYNNE (Minister for Housing).**

### ADJOURNMENT

**The SPEAKER** — Order! The question is:

That the house do now adjourn.

#### **Brighton Secondary College: funding**

**Ms ASHER** (Brighton) — The issue I have is with the Minister for Education, and the action I am asking of her is to fund Brighton Secondary College for its much-needed upgrade. I have raised this issue of funding for Brighton Secondary College on multiple occasions since 2001.

Brighton Secondary College is an excellent school that has dedicated teachers and an outstanding principal, but the school should be funded by this government, which, in 2006, promised that every government school would be rebuilt or renovated by 2016. The government has now had 11 years in office — 11 years in good economic times.

An amount of \$271 million was allocated to school upgrades for 93 schools, but not one cent was allocated for Brighton Secondary College. I note that the member for Bentleigh is in the chamber at the moment, and he should be familiar with this issue, because many of his constituents attend this school.

In the first instance, the school needs a new science facility. The existing science facility building dates from the 1950s and, at the risk of dating myself, the science facilities at Brighton Secondary College are exactly the same as those at a government school I attended in the late 1960s and the early 1970s.

This school needs a significant upgrade, and the science facility is just the beginning of what it needs. The school itself has contributed \$2.9 million from its own resources to school improvements; I note, and I am delighted, that surrounding schools have received very significant resources from this government. I call on the minister to stop her aversion to the word ‘Brighton’, which seems to offend the Labor Party, and to fund this school.

I know that people like to hear about newspaper clippings, and I draw the minister’s attention to the *Bayside Leader* of this week, where an article is headed ‘Talk to us Minister’; it says:

*Bayside Leader* has been requesting an interview with education minister Bronwyn Pike for 7 weeks — —

The requested interview with the minister is to allow the school to have the minister explain why it has not received funding, but the minister has refused to answer questions.

I also refer the minister to the front page of the *Bayside Leader* of 11 April. Under a not very flattering photograph of the Premier an article says:

Dear Mr Brumby, you gave \$271 million to Victorian schools in the state budget ... but not one cent will go to Brighton Secondary College ...

Please explain.

So the *Bayside Leader* is on a campaign to get funding, I am on a campaign to get funding — and the minister should deliver!

### **Cliff Sambell Pavilion, Parkdale: facilities**

**Ms MUNT (Mordialloc)** — The matter I wish to raise tonight is for the attention and action of the Minister for Sport, Recreation and Youth Affairs. I ask the minister to consider funding a toilet renovation for the Cliff Sambell Pavilion, home of the Parkdale Football Club and the Parkdale Cricket Club.

I was contacted by the clubs in regard to the very poor condition of their pavilion toilets. I subsequently visited the clubs with the minister for sport to inspect the toilet facilities. They were certainly very poor. Despite the efforts of the clubs' volunteers, including member plumbers, it is now impossible to keep these toilets in any sort of acceptable order.

The toilets are located inside the pavilion building next to the bar, close to the sitting areas and in proximity to where people try to sit, talk, drink and eat, and the stench is overpowering. The children of the club also have to use these toilets as do any visitors or people who attend functions.

The clubs were told by Kingston council officers that they were not on the council's 10-year plan for upgrade. As the toilets are in such poor repair already, in 10 years they will be unbelievable and unusable.

Subsequent to the minister's visit, correspondence was received by the president of the Parkdale Vultures Amateur Football Club. In this letter, dated 25 May this year, some more positive news is contained. The letter, addressed to Mr George Clarke, says:

Re: Cliff Sambell Pavilion — proposed toilet renovations

Thank you for your recent correspondence dated 19 May 2010, in which you outline the club's desire to undertake

renovation of the male social room toilets at Cliff Sambell Pavilion-Gerry Green Reserve.

I note that in your recent discussions with the state government, they were supportive of your proposal and have indicated that potential funding for the project may be available should the project receive council support. I would like to confirm that council supports the proposal in principle and would be supportive of a funding contribution should state government funding also be made available.

That is very good news for the clubs.

I thank the committees of the Parkdale football and cricket clubs for their support in this matter, and I also thank Cr Ron Brownlees for his great assistance. When I spoke with Ron, he immediately supported this proposal. He went to Kingston council and the Kingston council offices to give his support for this proposal, so I am very hopeful that once support is given by Kingston council, after the support of the local councillor, Cr Ron Brownlees, the minister would consider the funding for this toilet upgrade.

It really does need to be done. It is integral to the functioning of this pavilion for both the Parkdale Football Club and the Parkdale Cricket Club.

### **Disability services: Matthew King**

**Dr SYKES (Benalla)** — My issue is for the attention of the Minister for Community Services. I request that the minister immediately investigate the circumstances surrounding Nagambie resident Matthew King's totally inadequate wheelchair, which has put his wellbeing and the wellbeing of his loving mother, Dale, at risk, and having investigated the matter to immediately have the problem resolved.

Last week I attended a meeting of carers at Nagambie, this meeting having been organised by a local resident, Amanda Bortok. On arrival I noticed a slip of a lady attempting to manually retract a wheelchair platform back into her vehicle. I assisted her and found that retraction quite difficult. The lady, Dale King, then pushed her wheelchair-bound son Matthew up a rough gravel track and up a steep incline into the meeting area.

I again assisted Mrs King and, with some difficulty, pushed the wheelchair up the slope and through the doorway. At that stage Mrs King stopped me as Matthew's leg was about to be wedged between the wheelchair and the door frame. I repositioned his leg, proceeded to push the wheelchair, only to have Matthew throw his head sideways and nearly knock himself out against the doorway. Once safely through the doorway, Mrs King explained to me the nature of

Matthew's disability and these involuntary movements, and she also explained that she had been engaged in a three-year battle to get adequate support, including an appropriate wheelchair to safely contain him as he is moved from A to B.

It was extremely distressing to hear Mrs King's story. Matthew weighs 44 kilograms and is prone to involuntary muscle spasm contractions, which can cause great difficulty. Mrs King weighs only 43 kilograms and is in a situation of needing to look after this young boy. She weighs less than him, and he is prone to involuntary muscle spasms. As we know, occupational health and safety requirements would be such that she should be lifting only about 20 kilograms. In addition Mrs King, who had an aggressive breast cancer diagnosed three years ago, deferred radical emergency surgery for her condition because she could not get adequate respite care for Matthew. It is a serious situation with Mrs King and her son.

I ask the minister to start addressing the issue by investigating the situation around the inadequate wheelchair and having that immediately fixed, and then to move on and look at other aspects of the care package for young Matthew King. I should say that the local community is about to start a community support group based on the Benalla Trust Foundation. That will also be very helpful for Matthew and others.

### **Housing: Ashwood Chadstone Gateway project**

**Mr STENSHOLT** (Burwood) — The issue that I bring to the attention of the house relates to the progress of a very significant housing project in my electorate. I call on the Minister for Housing to ensure that progress is made on the Ashwood Chadstone Gateway project in a way that gives the best possible result in terms of affordable housing. I ask the minister to ensure that the Port Phillip Housing Association delivers high-quality homes and apartments and that it works with the community to ensure safe and secure housing for new residents. Last September the Premier announced this \$140 million project which will deliver over 400 new affordable homes through the Port Phillip Housing Association, some 270 of which will be in my electorate with the remainder spread throughout a number of sites in Melbourne.

There is a real and immediate need for good-quality, affordable housing in our community. Ashwood and Chadstone are priority areas for housing because they have great communities and are well located with respect to health and community services, transport, employment and education. It is expected that this project will significantly enhance our local area. I

argued that there was a need to pull down some long and outdated accommodation in the area and build new housing and that vacant blocks also needed to be turned into new housing. Tenders were sought from housing associations with the specific requirement to provide a mix of public and private housing. The housing associations were encouraged to achieve a high yield using good planning and design principles at a competitive cost to government. The Port Phillip Housing Association won that particular tender.

The housing association developed plans that provide for a mix of public and private housing, including open spaces and community facilities. These sites are a mix of low and medium-density housing. Medium-density living is becoming more and more common throughout Melbourne. It allows for more affordable and quality apartments. Importantly there will be no difference between the private and public apartments in this particular development. The development plan was subject to a lot of consultation. It has been approved by the Minister for Planning. The design is in line with the previously approved development plan overlay. Monash City Council unanimously supported the appropriateness of the plan.

The other day, with the Minister for Housing, I visited the Power Avenue site, which will provide top-quality housing for older residents. The Port Phillip Housing Association will manage the complex and is keen to ensure that people living there have access to appropriate facilities on the ground floor as well as linking with local service providers to enable effective 'ageing in place'.

Unfortunately not everyone is supportive of this. In the upper house David Davis, a member for Southern Metropolitan Region, claimed that he supported 'social and public housing in the right context', but not in Ashwood! His statements do not reflect the work that has happened on the ground to ensure that the community is informed and engaged in the process.

I was accused by David Davis of not standing up for the community. I can assure him that I have stood up for my community by delivering over 400 units of new housing in areas of need — that is a roof over the head of around 1000 people. What has David Davis done for those in need of affordable housing? Nothing. Where is the policy commitment? Not there! Before the last election the opposition promised \$5 million for social housing. This is a bloke whose own side says he is an inveterate branch stacker and someone who has not done a day's policy work in his life. His speciality is running fear and loathing campaigns. He is a pretender and a divider.

I ask the Minister for Housing to ensure that the people of Ashwood and Chadstone receive housing that they need and want, that it is of the highest possible quality and that the Port Phillip Housing Association takes account in its final designs the issues raised by the community liaison committee, including the lifts, better frontage designs and the provision of air conditioners for pensioners.

### **Rail: crime statistics audit**

**Mr MULDER** (Polwarth) — The matter I wish to raise is for the Minister for Police and Emergency Services. There is an anomaly in crime statistics put together by Public Transport Safety Victoria (PTSV) and what appears in the Auditor-General's report *Personal Safety and Security on the Metropolitan Train System* that was tabled yesterday. In an article in today's *Age* it was reported that Metro Trains Melbourne calculated that annually there are approximately 12 000 incidents of antisocial behaviour and vandalism on the train network. That differs from Victoria Police figures of 7055 incidents for 2008–09. Something is terribly wrong. Either Metro trains is overreporting or Victoria Police is underreporting.

The action I seek from the minister is to support the Victorian coalition's request to Public Transport Safety Victoria to conduct a cross-reference audit with Victoria Police to establish where the discrepancy lies. I ask that the minister liaises with the Minister for Public Transport so that this audit occurs. I will be writing to Public Transport Safety Victoria asking it to conduct this cross-reference audit.

It may be a case of a station staff member having a person present at a booking office window claiming they have been punched or kicked; the alleged victim then gets sick of waiting around for our undermanned police force to arrive and leaves the scene. It may be a case of thugs kicking in doors and terrorising people and then, once again, leaving the scene before the matter is officially reported. For instance, the PTSV's rail occurrences database shows that on 30 December 2009 at 6.51 p.m. at South Yarra, unruly passengers delayed the 6.35 p.m. Flinders Street to Frankston train for 14 minutes. At 9.58 p.m. on the same day at Mentone, rocks were thrown, smashing windows on a Frankston-bound train. The journey between Mentone and Frankston was cancelled and the train was shunted off to the stabling sidings at Mordialloc.

I want to establish whether these and other similar incidents are recorded in the LEAP (law enforcement assistance program) database as well as in the PTSV database. The concern that the opposition has is that the

matter of the underreporting of crime, as it was raised earlier this week with a number of calls to 000 not being reflected in the LEAP database records. Now we have this anomaly on top of that.

Our railway stations are not safe places, especially late at night. The Premier confirmed that this week when he failed to endorse the government's personal safety strategies around railway stations. Addressing perceptions of safety and turning your back on reality will not stop incidents such as the disgusting attack that occurred at McKinnon railway station on Friday, 4 June, and the other reports of assault that followed the weekend's events.

When you look at Public Transport Safety Victoria's incident report it is a horror; there are sexual assaults, assaults, assaults with knives, unruly behaviour, rock throwing and people riding home on the couplings on the backs of trains. Right across the network there is a complete and total lack of regard for the people who use the public transport network. Gangs and thugs are running the train stations.

**The SPEAKER** — Order! Before calling the member for Cranbourne I refer the member for Burwood to standing order 118 regarding imputations and personal reflections. I believe he has made an imputation and personal reflection on a member of the upper house. I ask him to withdraw those comments.

**Mr Stensholt** — I was admittedly referring to an article in the *Herald Sun* of 24 January 2008, where — —

**The SPEAKER** — Order! I ask the member to simply withdraw any imputations that he has made against the member of the upper house.

**Mr Stensholt** — I am happy to withdraw an imputation that may have occurred.

### **Cranbourne West: pharmacy services**

**Mr PERERA** (Cranbourne) — I raise a matter with the Minister for Health. Currently under the Pharmacy Board of Victoria, and after 1 July this year under the Victorian Pharmacy Authority, the licensing of pharmacy premises and pharmacy ownership restrictions will continue to be the responsibility of the Victorian government. I hold frequent mobile office sessions around the Cranbourne electorate, including in Cranbourne West. The Cranbourne West area is home to the Sandhurst Pharmacy, which is located in the Cranbourne West shopping complex.

After much discussion with many residents and further investigation I note that this pharmacy simply does not have the authority to dispense medication for prescriptions under the pharmaceutical benefits scheme. I wonder whether the pharmacy ownership restrictions have anything to do with this situation. I call on the minister to take this matter up with the national Health Insurance Commission, which subsequently could grant authority to the Sandhurst Pharmacy to dispense prescription medication and investigate to see if it is an ownership issue or anything else that may result in this kind of restriction. Attending to this request may make it possible to rectify this matter, which would clearly benefit many of my constituents.

During the past 10 years the Cranbourne West area has recorded growth among the highest of any area in the electorate of Cranbourne. The recent opening of a new shopping centre in Cranbourne West was warmly welcomed to support the enormous growth in population experienced there. People of all ages from low to middle income groups are attracted to the area as a result of the moderately priced properties. Young families, single parents, retirees and people from other low to middle income groups have moved and keep moving to the area.

The Brumby Labor government recently approved the Cranbourne West precinct structure plan, which will support further residential and business growth as well as a good mix of employment opportunities. Currently many seniors with health care cards patronise the Cranbourne West shopping centre, given its location. Cranbourne West Primary School is located across the road from the shopping centre, and many parents who drop their kids off and pick them up from school shop there and unfortunately have to travel to another place to buy their prescription medication. Parents and other constituents in the Cranbourne West area have to travel a couple of kilometres to the nearest pharmacy or leave their prescriptions at the Sandhurst Pharmacy and wait for at least a couple of days to pick up their medication — —

**The SPEAKER** — Order! The member's time has expired.

### **Kingston Centre: patient care**

**Mr BURGESS** (Hastings) — I raise a matter for the Minister for Health. The action I seek is an urgent investigation into the Kingston Centre following very serious accusations of mismanagement and neglect by staff at that facility. I refer to the case of an 80-year-old stroke victim who is currently in care at the Kingston Centre, which was brought to my attention by his

daughter, who is a constituent of mine. After initially suffering a stroke, this 80-year-old, who is 6 feet 2 inches tall and otherwise physically fit, spent two days on a small trolley in the emergency department of the Dandenong Hospital waiting for a bed. Because he was unable to urinate, a catheter was inserted, nicking his bladder and causing clotting and bleeding.

The patient was making good progress at Dandenong Hospital and staff discussed with the family the Kingston Centre being a good option for rehabilitation. Unfortunately the experience has not lived up to expectations. At Kingston the family was charged with the responsibility of providing the patient with speech therapy. The speech therapist also informed them that because he was not a private patient there was only a certain allocation of funding and that that had been reached. There have also been poor management processes put in place with regard to the patient's physiotherapy, with treatment being a maximum of only once a day but intermittent, badly timed and without adequate records being kept. The management at Kingston has continually insisted that the patient be moved to the transition area. My constituent believes this pressure has been applied because funding for where the patient currently is comes from the state, whereas funding in the transition area comes from the commonwealth and the patient's pension. Management has taken opportunities to get the patient alone and pressure him to have his family move him to transition.

My constituent's father has been in Kingston since early April. During that period there have been weeks in which no physiotherapy has been provided, and of course my constituent's father struggled to make progress during that time. The management of the centre has used this lack of progress as a reason that the family should give up treating him and send him to a nursing home. Where physiotherapy has been performed over consecutive days the therapists have made very positive comments about how much progress has been made. My constituent feels that her family has been bullied throughout this whole process.

Additional complaints made have included staff giving the patient Phenegan when his medical records indicate that should not happen; a division 2 nurse leaving the patient's toothbrush on a dirty toilet seat while showering him; the patient being left cold for a long period of time in the shower without being dried off; the patient not being showered at all because of a lack of staff; the patient not getting physiotherapy due to a lack of staff to prepare the patient; the patient's physiotherapy glove, which is required to reduce swelling, not being put back on; provision of inadequate meals, requiring the patient's wife to

supplement them; and the patient being unable to use a hearing aid because his ear needed syringing, with no staff to do so. These accusations are chilling and serve as a warning to everyone in the community.

Perhaps one of the most disturbing incidents during this man's treatment came when he was discharged to Monash Medical Centre for the treatment of a bladder infection which arose from the initial insertion of the catheter and its not being changed for 80 days. The family had been telling staff at Kingston that the patient was in obvious pain and suffering from a very obvious infection with swelling and associated odour, but nothing was done.

During a meeting called to discuss the patient's future, the head of physiotherapy summed up the way the family felt they were being treated when he told them that when they receive an 80-year-old stroke patient they consider the patient is 'ready for the scrap heap'. This issue has been raised with the management of the Kingston Centre and has to date been met with denial and little else. I will be following this patient's progress very closely and will vigorously pursue any perceived mistreatment or lack of care in every way open to me. I call on the minister to urgently investigate this situation and report to me on his findings.

### **Federation Trail: Williamstown electorate**

**Mr NOONAN** (Williamstown) — I wish to raise a matter for the Minister for Roads and Ports. The action I seek from the minister is that he visit my electorate of Williamstown to inspect firsthand the progress of the extension of the Federation Trail off-road shared bike path which is being constructed between Millers Road in Brooklyn and Williamstown Road in Yarraville and is a wonderfully exciting project for cyclists, walkers and joggers alike. The project was originally recommended in the report on the east-west link needs assessment, which was prepared by Sir Rod Eddington and his team for the state government back in 2008.

I might add that I supported this project in the joint submission the member for Footscray and I made to the assessment. I followed up that support by raising the matter of the extension of the Federation Trail on the adjournment on 3 February 2009. I was thrilled when the Minister for Roads and Ports, together with the Premier, announced the \$115 million Victorian cycling strategy in March last year. The report noted the massive growth in cycling and committed at least \$18 million per year for seven years to fund cycling infrastructure and programs. Importantly the \$115 million allocated by this government is the largest commitment to cycling in the state's history.

The extension of the Federation Trail between Brooklyn and Yarraville is the largest single project under the Victorian cycling strategy and will be built at a cost of \$9.2 million. As I said in my adjournment contribution back in February last year:

Cyclists in my electorate have already benefited from the state government's commitment to build another missing off-road link from between the Hobsons Bay coastal trail and Footscray Road path. This is already a popular bike route, which I know the minister has used quite a bit himself. When completed the \$3.7 million upgrade of the Hyde Street to Footscray Road corridor will allow for bikes and pedestrians to travel off-road all the way from Williamstown to the Docklands, a great commuting option for cyclists.

I am pleased to inform the house that the Federation Trail extension is already starting to take shape. The project is being managed by VicRoads, and I take this opportunity to acknowledge the north-west regional team, led by Nial Finegan, for the work it is doing to deliver this important project. I understand that the project has delivered some challenges for the designers, but these seemed to have been worked through and construction is now proceeding very well. Given this progress, it might be timely to inspect the works to date and, importantly, thank and acknowledge the workers who are delivering this project.

Therefore I seek action from the Minister for Roads and Ports, who has been a great champion not just of this project but also of other cycling projects around Melbourne, to visit the electorate of Williamstown and inspect firsthand the work on this extremely exciting extension to the Federation Trail.

### **Planning: Box Hill development**

**Mr CLARK** (Box Hill) — I raise for the Minister for Planning the issue of the proposed 38-storey tower in Station Street, Box Hill. I ask the minister to arrange that the working party he announced in his media release of 1 June be a working party convened by and which will report to the City of Whitehorse on behalf of the local community and not one run by his department.

On 8 January this year the minister called in the proposal for this tower, even though it was listed for appeal before the Victorian Civil and Administrative Tribunal and the case was expected to be heard within a month. The minister's media release carried the headline '\$100 million Box Hill proposal fast-tracked'. The release cited the potential to create hundreds of jobs and said the proposal was 'consistent with the Whitehorse planning scheme'. However, far from fast-tracking the proposal, the minister took five months to make up his mind and then announced that the proposal had been rejected because it did not support

the policy objectives of Melbourne @ 5 Million and was 'not in keeping with the Whitehorse planning scheme'. The minister went on to say:

A working party including council representatives, architects, urban designers, government representatives and the developer will be established to address the outstanding matters related to design, public transport access and community concerns.

At one level the minister's announcement of 1 June is a vindication of the concerns raised by many in the community about the need to address issues including traffic congestion, parking, overshadowing, overlooking, pedestrian movements, public transport integration, wind effects and the precedent for future building heights.

However, the 8 January announcement clearly signalled that the government was calling in the proposal in order to approve it rather than to reject it, so the 1 June announcement seems to owe as much to the subsequent Windsor Hotel scandal and the exposure of the government's abuse of call-in powers as it does to good planning. It must not be forgotten that the Box Hill tower was one of the issues listed for future spin doctoring on the infamous Peta Duke media plan.

In light of the government's record of manipulation and abuse of planning processes, the community is entitled to be very concerned that the minister's establishment of a working party is simply an attempt to buy time until after the election, and that if the Brumby government is re-elected, this proposal will simply be resurrected and imposed on the community despite all the unresolved issues I have mentioned.

If the minister truly wants to make sure that no proposal is approved for this site unless those issues can be sorted out first, he should not set up yet another behind-closed-doors process, with a working party run by his department that keeps the community in the dark and will not let the issues and the evidence be publicly debated and scrutinised. Instead he should arrange for the working party to be convened by and report to Whitehorse council so that the issues and evidence can be addressed openly and with community input, and so that any subsequent planning applications are handled by the council in accordance with usual planning processes. The minister should also ensure that the government fully cooperates with such a council-convened working party and in particular makes available officers from the departments of planning and transport so that a proper integration of any development involving the Centro Box Hill shopping complex, the bus terminus and the Box Hill train station can be worked out.

### **Plenty Road, Reservoir: tram stop**

**Mr SCOTT** (Preston) — The matter I raise tonight on the adjournment is for the attention of the Minister for Public Transport. It relates to the difficulties that some public transport users experience in accessing stop 57 on tram route 86 in my electorate. The action I seek is for the minister to initiate an investigation into the most effective way to improve access to the stop for residents of local retirement villages. Tram stop 57, which is located close to the corner of Gremel Road and Plenty Road, Reservoir, is the closest stop for several important groups of users. These include the residents of the Latrobe Retirement Village and the Summerhill Residential Park.

The stop was upgraded a few years ago under the accessible tram stop program to improve disability access. However, residents of the Latrobe Retirement Village and the Summerhill Residential Park are still experiencing difficulty in using the stop due to the steepness of Plenty Road at that point making it difficult to walk uphill to the Gremel Road intersection.

A range of suggestions have been put forward as possible solutions to the problem, and I request that the minister ask his department to investigate what would be the best option to improve access for the elderly residents of the Latrobe Retirement Village and the Summerhill Residential Park.

### **Responses**

**Mr WYNNE** (Minister for Housing) — I am responding, initially, to the matter raised by the member for Burwood, who I thank for bringing this matter to my attention. Indeed the member for Burwood's great advocacy has been shown in relation to the Ashwood Chadstone Gateway project. The member is correct in pointing out that this project is of great significance. In fact it is the biggest social housing project undertaken in Victoria by a housing association.

As many members of the house would know, the Port Phillip Housing Association has an excellent track record of providing high-quality, affordable housing for low-income and vulnerable Victorians. There is no doubt that this project fits that bill. Last month there was a great day for the people of Ashwood and Chadstone when, in the company of the member for Burwood, I drove the excavator — now, that is a bit of fun — to turn the first sod on the \$140 million project. I look forward to being able to go back in the future to welcome new tenants to this wonderful development.

The government contributed \$70 million to this project from the record \$500 million that the state has invested in public and social housing. Over 500 new social housing homes will be delivered through this project as a result of this investment. Port Phillip will also build additional affordable rental homes through the national rental affordability scheme and receive a subsidy that can be reinvested in social housing. This is a creative and innovative way to take advantage of state and federal government funding opportunities that will benefit low-income Victorians.

I am concerned to hear that not all members of the community are supportive of the project, as the member's quotation from *Hansard* indicates. I am also concerned that the house may have been provided with misleading information about the level of consultation that has been undertaken, and I want to correct any misinformation or concerns that people may have. The Port Phillip Housing Association, the Office of Housing and the local council have done an extensive amount of consultation over the past four months. In fact I can say with confidence that consultation undertaken on this project — this is a road map for consultation — has included, since last November, distribution of over 4000 brochures, doorknocking of around 250 homes, direct correspondence with 322 households and two open and broadly marketed community information sessions. These sessions provided an opportunity for residents to make comment and ask questions about the project. I think any fair-minded person would say that this is very extensive, open and transparent consultation, which the member for Burwood in his capacity as chair of the community liaison committee (CLC) for the project has insisted upon.

The community liaison committee also includes representatives from the Monash City Council; Power Neighbourhood House; the Ashburton, Ashwood, Chadstone Public Tenants Group; the St Mary Magdalene Church; Amaroo Neighbourhood House; Holmesglen TAFE; and Mount Waverley police station — all of the key players, I would submit, who you would expect to have on a CLC. Indeed I think it represents the broad thrust of views of people in that community. The development plan for the Ashwood-Chadstone project was approved by the Minister for Planning in May 2010.

The design is in line with the previously approved development plan overlay. The Monash City Council — and I will stress this point — unanimously supported the appropriateness of the height and density of the Power Avenue buildings with the neighbourhood character. This four-month consultation process established that there was strong community support for

the inclusion of affordable rental housing in the Ashwood-Chadstone area. Details of the consultation were posted on the Port Phillip Housing Association website along with other documents on the project, including a very valuable social impact assessment document and further information as well.

You would have to say that this has been an excellent consultative process and one that has been fully transparent and inclusive. Many issues were raised and considered within the consultation, including parking, traffic management, density, height, location, mix of buildings, local services, access, design and environmental issues. Substantial changes were made in response to issues raised by the community liaison committee and the broader community. Port Phillip council agreed to enhanced design outcomes, air conditioning for the older persons units, softening of the front design, a second lift in the Elliot Street building and additional landscaping.

I would say that this is clear and concrete evidence that the community has been broadly consulted, thoroughly and inclusively consulted, and it has been listened to. The community has impacted upon the design and features of the project in a very productive way, and in my view has made this development a better development than the one we started with.

Finally, the Ashwood Chadstone Gateway project is, in my view, a hallmark project. It is a \$140 million project that will build 500 houses for those in need.

I want to thank the member for Burwood for the extraordinary leadership he has shown in relation to what I think is a project that will change the face of the Ashwood-Chadstone area, and say that that community owes a debt of gratitude to the member for Burwood, who has been a tireless campaigner for this project. This is a huge investment. It is the biggest housing association investment that we have undertaken to date, and I cannot think of a better area and a more decent group of people who will be housed in this project going forward.

The member for Brighton raised a matter for the Minister for Education seeking support for the upgrade of the Brighton Secondary College, and I will make sure that matter is brought to the minister's attention.

The member for Mordialloc raised a matter for the Minister for Sport, Recreation and Youth Affairs in relation to support for a toilet renovation project at the Parkdale cricket and football club complex, and I will make sure that matter is brought to the attention of the minister.

The member for Benalla raised a matter for the Minister for Community Services seeking the support of the minister for a Nagambie resident, Mr Matthew King, who requires further support — I would suggest for a new wheelchair — to manage some issues that he has to confront and further support by way of a care package for him.

The member for Polwarth raised a matter for the Minister for Police and Emergency Services seeking a cross-referencing and auditing of assault data between Public Transport Safety Victoria and Victoria Police.

The member for Cranbourne raised a matter for the Minister for Health seeking the minister's support for the Sandhurst Pharmacy, located in the Cranbourne West shopping complex, which I understand is unable to provide prescription medicines from within that facility. I will make sure that matter is brought to the attention of the Minister for Health.

The member for Hastings raised a matter for the Minister for Health also, seeking the minister's intervention in relation to a patient of the Kingston Centre and a number of matters that were raised in the member's adjournment matter pertaining to the treatment of a particular patient there. I will make sure that matter is brought to the attention of the minister.

The member for Williamstown raised a matter for the Minister for Roads and Ports seeking a visit by the minister to the Federation Trail off-road bike and walking track, and I am sure the minister will take up that offer at the earliest possible opportunity.

The member for Box Hill raised a matter for the Minister for Planning seeking that the minister support a working party being convened by the Whitehorse council and reporting back through the Whitehorse council in relation to a planning application for a 38-storey development in the Box Hill shopping precinct. I will make sure the Minister for Planning is made aware of that matter.

Finally, the member for Preston raised a matter for the Minister for Public Transport seeking his support for better public access for residents at stop 57 on tram route 86 within his electorate. I will make sure that matter is brought to the attention of the Minister for Public Transport.

**The SPEAKER** — Order! The house is now adjourned.

**House adjourned 4.46 p.m. until Tuesday, 22 June.**

