

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE ASSEMBLY**

**FIFTY-SIXTH PARLIAMENT**

**FIRST SESSION**

**Wednesday, 3 February 2010**

**(Extract from book 1)**

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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*): Mrs Petrovich and Mr Viney.

**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.

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

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

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

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

**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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*Council* — Clerk of the Legislative Council: Mr W. R. Tunnecliffe

*Parliamentary Services* — Secretary: Dr S. O'Kane

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**FIFTY-SIXTH PARLIAMENT — FIRST SESSION**

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**Deputy Speaker:** Ms A. P. BARKER

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

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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

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Asher, Ms Louise	Brighton	LP	Lupton, Mr Anthony Gerard	Prahran	ALP
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Brooks, Mr Colin William	Bundoora	ALP	Mulder, Mr Terence Wynn	Polwarth	LP
Brumby, Mr John Mansfield	Broadmeadows	ALP	Munt, Ms Janice Ruth	Mordialloc	ALP
Burgess, Mr Neale Ronald	Hastings	LP	Napthine, Dr Denis Vincent	South-West Coast	LP
Cameron, Mr Robert Graham	Bendigo West	ALP	Nardella, Mr Donato Antonio	Melton	ALP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Carli, Mr Carlo Domenico	Brunswick	ALP	Noonan, Wade Mathew <sup>6</sup>	Williamstown	ALP
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Crisp, Mr Peter Laurence	Mildura	Nats	O'Brien, Mr Michael Anthony	Malvern	LP
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Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Pike, Ms Bronwyn Jane	Melbourne	ALP
Duncan, Ms Joanne Therese	Macedon	ALP	Powell, Mrs Elizabeth Jeanette	Shepparton	Nats
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Harkness, Dr Alistair Ross	Frankston	ALP	Smith, Mr Ryan	Warrandyte	LP
Helper, Mr Jochen	Ripon	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>7</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>4</sup>	Kororoit	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
Kosky, Ms Lynne Janice <sup>5</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
Lim, Mr Muy Hong	Clayton	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 28 June 2008

<sup>5</sup> Resigned 18 January 2010

<sup>6</sup> Elected 15 September 2007

<sup>7</sup> Resigned 6 August 2007



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**Wednesday, 3 February 2010**

**The SPEAKER (Hon. Jenny Lindell) took the chair at 9.35 a.m. and read the prayer.**

**LIQUOR CONTROL REFORM  
AMENDMENT (ANZAC DAY) BILL**

*Introduction and first reading*

**Mr ROBINSON (Minister for Consumer Affairs) introduced a bill for an act to amend the Liquor Control Reform Act 1998 in relation to the supply of liquor on Anzac Day and for other purposes.**

**Read first time.**

**BUSINESS OF THE HOUSE**

**Notices of motion: removal**

**The SPEAKER** — Order! I advise the house that, under standing order 144, notices of motion 84 to 87, 157, 193 to 197 and 249 to 254 will be removed from the notice paper on the next sitting day. A member who requires the notice standing in his or her name to be continued must advise the Clerk in writing before 6.00 p.m. today.

**PETITIONS**

**Following petitions presented to house:**

**General practitioners: King Valley**

To the Legislative Assembly of Victoria:

The petition of residents of Victoria draws to the attention of the house our grave concern about the possible loss of the one day per week general practitioner services at Whitfield and Moyhu.

The petitioners therefore request that the Victorian government acts immediately to ensure the continuation of this much appreciated service to the citizens of the King Valley in North Eastern Victoria.

**By Dr SYKES (Benalla) (538 signatures).**

**Shire of Hindmarsh: roadside vegetation**

To the Legislative Assembly of Victoria:

The petition of the residents and land-holders of the Hindmarsh shire, in particular community members of Dimboola, draws to the attention of the house our strong objection to the plans the Hindmarsh shire has to force the Minyip Road farmers to cease their roadside cropping program in favour of planting native grasses and trees.

The roadside cropping program controls weeds which threaten crops and most importantly, provides property and livelihood with a level of protection from fire danger.

Ceasing this program could jeopardise the safety and livelihoods of the farmers and their families adjoining this road and possibly the wider Dimboola community.

Furthermore, over \$170 000 has been donated to the Dimboola swimming pool for improving infrastructure through profits of the crops grown through the roadside cropping program. We do not wish to see this large source of community income jeopardised or ceased.

The petitioners therefore request that the Legislative Assembly of Victoria prevent the Hindmarsh shire from planting native grasses and trees and allow the farmers to continue cropping the Minyip Road for the main reasons of fire safety, weed control and community financial benefit.

**By Mr DELAHUNTY (Lowan) (124 signatures).**

**Rail: Mildura line**

To the Legislative Assembly of Victoria:

This petition of residents of Victoria draws to the attention of the house the reinstatement of the Mildura–Melbourne passenger train.

The petitioners register their request that the passenger service be suitable for the long distance needs of the aged and disabled who need to travel for medical treatment, for whom travelling by coach or car is not a comfort option, and for whom flying is financially and logistically prohibitive.

The petitioners therefore request that the Legislative Assembly of Victoria reinstate the passenger train to service the needs of residents in the state's far north who are disadvantaged by distance.

**By Mr CRISP (Mildura) (56 signatures).**

**Tabled.**

**Ordered that petition presented by honourable member for Mildura be considered next day on motion of Mr CRISP (Mildura).**

**Ordered that petition presented by honourable member for Lowan be considered next day on motion of Mr DELAHUNTY (Lowan).**

**Ordered that petition presented by honourable member for Benalla be considered next day on motion of Dr SYKES (Benalla).**

**DOCUMENTS**

**Tabled by Clerk:**

Auditor-General — The Effectiveness of Student Wellbeing Programs and Services — Ordered to be printed.

*Gambling Regulation Act 2003* — Report of the Review Panel to the Minister in Relation to Registrations of Interest in

the Grant of the Keno Licence under s 10.2A.11 — Ordered to be printed.

## MEMBERS STATEMENTS

### Water: eastern treatment plant upgrade

**Ms ASHER** (Brighton) — I wish to advise the house that the government has refused to release the eastern treatment plant upgrade business case, which has been asked for under FOI by the opposition. This is yet another example of the government hiding important documentation from the public.

The upgrade of the eastern treatment plant is a vital project, and the government should be condemned for delay on this particular project. It was first announced in 2002, and in my opinion this should have been the first project delivered, not the last project delivered, in the government's water project supply augmentation.

Further information has also recently come to light. Under a time line published in a document called *Eastern Treatment Plant — Information in Support of a Works Approval Application*, while completion of the project is still scheduled to take place in 2012, Department of Human Services accreditation is scheduled to occur between November 2012 and January 2013. That means class A water will not be available until 2013 under a project that the government first announced in 2002.

On top of that, budget information paper 1 reveals a cost blow-out on this project which is now up to \$380 million. In that budget paper this is referred to as a revision of the cost. It is in fact a cost blow-out, and when this project was first announced in 2002 the cost was \$170 million. I call on the government to release the business case for the upgrade of the eastern treatment plant.

### Joe Hopkins and Elizabeth Adnams

**Ms MORAND** (Minister for Children and Early Childhood Development) — I would like to take this opportunity to add my congratulations to members of the Waverley community honoured with Australia Day honours.

Joe Hopkins of Glen Waverley was awarded the medal of the Order of Australia. Mr Hopkins was recognised for his work in leading the Monash-Aires vocal group, which has been providing musical performances at nursing homes and retirement villages for 15 years.

Mount Waverley resident Elizabeth Adnams was awarded the medal of the Order of Australia for her work over many years with Girl Guides Victoria. Elizabeth is currently the chairwoman of Girl Guides Victoria. It is particularly significant that Elizabeth was recognised on Australia Day this year as it is also the Centenary of Guiding and the Year of the Girl Guide. Girl Guides Victoria has played an important role in supporting the successful development of accomplished young women and future female leaders. I commend the work of Elizabeth Adnams and Girl Guides Victoria and look forward to joining in the centenary celebrations this year.

### Professor Bob Jones

**Ms MORAND** — Another recipient of an Australia Day honour, although not from the Waverley community, was someone I was very pleased to see honoured — namely, Bob Jones, a surgeon at the Austin Hospital. I worked with Bob when he first came to the Austin Hospital to begin the liver transplant program in Victoria. One of his outstanding features is his compassion for and care of his patients. He is a surgeon who is respected by all those who work with him. What I observed was an extremely genuine man who deeply cared for his patients.

I congratulate all Victorians who were honoured on Australia Day this year.

### Lake Charm Primary School: building program

**Mr WALSH** (Swan Hill) — I draw the attention of the house to the appalling management of the school upgrade at Lake Charm Primary School by the Department of Education and Early Childhood Development. The regional office and the project management consultant, Incoll, have been deliberately vague in communications with the school and written documentation is limited to comments like, 'As per our phone conversation', giving the school few facts about what stage the project is at.

The Bendigo regional office of the department has effectively forced the female staff at the school to act as removalists. They have been moving furniture and equipment between rooms so the project can progress, the builders saying that is not their job. No-one appears to be taking responsibility for the delivery of the project and as a result, the school was not ready for the start of the school year last Monday.

When the regional office was contacted by the principal about the fact that the school would not be ready, she

was told, 'Why don't you take the kids swimming for a couple of days?'. It is an appalling indictment of the Department of Education and Early Childhood Development that regional office staff should make that suggestion, and it reflects how a number of Building the Education Revolution school projects in my electorate are being managed.

Taxpayers money is being wasted and should be better spent. The staff and the students of Lake Charm Primary School deserve better.

### **Australian Open Tennis Championships 2010**

**Mr MERLINO** (Minister for Sport, Recreation and Youth Affairs) — Melbourne has again showed the world why it is the global sporting capital with a record crowd of more than 653 000 people flocking to Melbourne Park for another incredibly successful Australian Open. Attendance was up almost 50 000 on last year, setting a new record for a single day/night attendance for any grand slam event, with 77 000 people attending the mid-tournament Saturday.

It gave me great pleasure to join the Premier during the open championships to announce that the grand slam event will remain in Melbourne until at least 2036. Melbourne Park will undergo a \$363 million redevelopment, which will see a retractable roof installed over the Margaret Court arena and the construction of a new eastern plaza which will house 21 new courts.

### **Geoff Pollard**

**Mr MERLINO** — My congratulations to outgoing Tennis Australia president Geoff Pollard for his dedicated and tireless work in growing tennis over 21 years in that position. Geoff has been instrumental in the sport's development and through his leadership the Australian Open truly leads the world in tennis events.

### **Fiona Bilton**

**Mr MERLINO** — Congratulations are extended to Kallista's Fiona Bilton, who is the 2010 Shire of Yarra Ranges Young Citizen of the Year. At just 16 years of age, Fiona has a strong passion for helping children and young people who have a parent with a mental illness.

Fiona has contributed to a number of activities and projects in the region specifically around mental health, including Mental Health Week activities, the council's Paying Attention to Self (PATS) program, the Vic Champs program with Eastern Health, and the Looking Out for You program with the Austin Hospital.

Fiona is already highly sought after by agencies in the eastern region for her skills in peer leadership and her friendly, helpful nature. On top of this she is a member of the junior fire brigade, achieving all of this while completing her year 9 studies. Congratulations, Fiona.

### **Education: international students**

**Mr KOTSIRAS** (Bulleen) — Australia is a tolerant and open-minded nation; it is not a racist nation. Our cultural and linguistic diversity is one of Australia's and indeed Victoria's greatest asset, but the Brumby government has failed to utilise and promote our cultural diversity. I therefore condemn the Brumby Labor government for jeopardising our billion-dollar international student sector through its inaction.

The vast majority of Victorians value and celebrate our cultural diversity. Multiculturalism is good for Victoria. However, there is a minority of people who oppose multiculturalism and an even smaller group that seeks to use violence as an excuse to convey their opposition to it. The recent violence towards Indian students is damaging our reputation. Combine this violence with the sudden closure of a number of international colleges in Victoria as a result of this government's inaction, and we have a crisis on our hands.

The Brumby Labor government must stop blaming the victims, stop looking for scapegoats, stop its hollow rhetoric and do something to stop racist attacks and restore confidence in our international student sector. Other countries are using the reported violence against international students in Victoria as a selling point in encouraging those students to bypass Australia and in particular Victoria.

International colleges are facing closure, teachers are losing their jobs, students are facing uncertainty, and this government is relying on spin and rhetoric. Yes, we need more police in uniform on the beat and an end to soft sentencing but we also need a better and more focused multicultural policy.

### **Professor Patrick McGorry**

**Mrs MADDIGAN** (Essendon) — Today I would like to pay tribute to one of my constituents, Professor Patrick McGorry, who was named not only Victorian of the Year but also Australian of the Year. He is a worthy winner and has many good qualities. He does barrack for North Melbourne, but I do not hold that against him!

Professor McGorry has been a real champion of people suffering from mental illness and has done some incredible work over the years he has been involved in

this area. Currently he is the professor of youth mental health at the University of Melbourne, the executive director of Orygen Youth Health — and I know some members have had the opportunity to see his work — and, more recently, the director of the National Youth Mental Health Foundation. Its program, headspace, which was pioneered in Victoria, is now being copied all over the world. I think that says a great deal about Patrick McGorry and his team. He is a very worthy winner and someone of whom all Australians and all Victorians can be proud. He works tirelessly for those with mental illness and has a passion for assisting disabled people, which should make us all feel very proud of him. I congratulate Professor McGorry and his team and wish him and his staff all the best for the future.

### **International Holocaust Remembrance Day**

**Mrs SHARDEY** (Caulfield) — Today I give recognition to International Holocaust Remembrance Day, which was held last week. In particular I recognise the survivors of the Shoa, many of whom live within my electorate. This important day marks the 65th anniversary of the liberation of Auschwitz.

In November 2005 the United Nations passed a motion designating 27 January as an annual international day of commemoration in memory of the victims of the Holocaust. This resolution further rejected any denial of the Holocaust as a historical event, either in full or in part. The United Nations also urged member states to develop educational programs that will inculcate future generations with the lessons of the Holocaust in order to help prevent further acts of genocide.

In this regard I acknowledge the outstanding work done by the Jewish Holocaust Museum and Research Centre in my electorate of Caulfield. This centre is dedicated to the memory of the 6 million Jews who perished in the Holocaust. The centre considers the finest memorial to all victims of racist policies to be an educational program which aims to combat anti-Semitism, racism and prejudice in the community and foster understanding between people.

In 2007 the United Nations General Assembly also passed a motion condemning any denial of the Holocaust and urging all member states to unreservedly reject any denial of the Holocaust as a historical event. In total about 35 000 prewar Jewish refugees and post-war Holocaust survivors had come to Australia by 1961.

### **Oakleigh Recreation Centre: aquatic precinct**

**Ms BARKER** (Oakleigh) — I was very pleased to join with the mayor of Monash, Cr Charlotte Baines, to officially open the new-look Oakleigh aquatic centre on Sunday, 24 January.

The Oakleigh pool has been a cherished community asset since it opened in 1958, and it is fantastic to see the pool's facilities upgraded to suit the needs of local people. I am very proud to represent such a strong local community who fought very hard to save the Oakleigh pool. On two occasions the Monash council voted to close the pool, and on both occasions the community fought those decisions. I thank Monash council for not only reversing the decision to close the Oakleigh pool but also committing just over \$8 million to refurbish the complex, which has seen the development of a great new area. I am also very pleased that the Brumby government was able to provide \$2 million for the project.

There is absolutely no doubt that it was the community that saved the Oakleigh pool, and it did this with a well organised and responsible campaign, ensuring that the pressure remained sustained and intensive. With all campaigns, leadership is very important, and I very much thank local resident Julie Clearwater, who took on that leadership role without hesitation and with great effort and commitment. I also thank the many local residents from all age groups, local schools and sporting organisations as well as many local community leaders, who never gave up in their efforts to save our local pool.

This is a fantastic outcome and clearly shows what can be achieved when state and local government and the community work together to benefit the community. The Minister for Sport, Recreation and Youth Affairs was not able to attend on that day, but I welcome him down at the Oakleigh pool at any time.

### **Rail: Shepparton–Numurkah–Cobram service**

**Mr JASPER** (Murray Valley) — As a long-time supporter of passenger rail services in country Victoria, I again bring to the attention of the house and the new Minister for Public Transport the need for the reinstatement of the Shepparton–Numurkah–Cobram passenger rail service. Some members would be aware that the service was curtailed in the early 1980s but was reinstated in the late 1980s with the support of the Labor transport minister at that time, Steve Crabb, only to be discontinued during the 1990s against my strong opposition.

It is extremely disappointing that despite my strongest representations to the government it does not support the reinstatement of the passenger rail service to Cobram on a once-per-day basis in conjunction with the current bus service. The government's Department of Transport and the former transport minister were hanging their opposition to its reinstatement on an outdated report from the year 2000.

Recently I have mounted a campaign for the reopening of this service, which on a local level has been highly successful. I have presented petitions to the Parliament signed by over 3000 people from Cobram, Numurkah and surrounding areas supporting my actions. I now also have the strong support of the Moira Shire Council and other local organisations. Given the increasing patronage on country passenger rail services I call on the new Minister for Public Transport to undertake a new assessment of the need for a Cobram rail service and support its reinstatement, recognising that passengers from the Cobram and Numurkah areas wish to join the train at these centres and travel directly to and from Melbourne without having to change at Shepparton between buses and trains.

### **Dr Rob Carson and Dr David Tynan**

**Mr HELPER** (Minister for Small Business) — Dr Rob Carson and Dr David Tynan have been announced as the joint winners of the Central Goldfields Shire Council Citizen of the Year Award on Australia Day. Dr Carson and Dr Tynan were nominated for saving 12-year-old Nicholas Rossi's life by drilling a hole in his skull using a household drill from the maintenance room at the Maryborough and District Health Service. I warn that this should not be tried at home.

On Friday 15 May 2009 Nicholas Rossi presented to hospital with a severe cerebral haemorrhage following a fall from a bike. Nicholas had fractured his skull and torn a tiny artery. Dr Carson, with the assistance over the phone of Melbourne neurosurgeon David Wallace, used an electric drill to release the pressure building on Nicholas's brain, while Dr Tynan administered anaesthetic. Without the quick intervention death would have been imminent for young Nick. A leading Melbourne neurological surgeon praised the actions of Dr Carson and Dr Tynan, saying at the time that it had taken real courage and had made the difference in saving Nicholas Rossi's life.

Dr Carson and Dr Tynan have served the Maryborough and Central Goldfields shire communities with dedication over a long period of time. We commend

their swift actions, incredible skill and dedication to the wellbeing of the community.

### **Liquor licensing: fees**

**Mr HODGETT** (Kilsyth) — The Brumby government's unfair liquor licensing laws have hit businesses hard, with the issue of renewal notices seeing local clubs and small businesses slugged with significant increases in their fees. Small businesses and local sporting clubs in the Kilsyth electorate are being asked to pay massive fee increases, all because the Premier has failed to clean up King Street nightclubs and continues with his soft-on-crime approach.

There are many ridiculous examples of this \$20 million fee hike hitting thousands of not-for-profit sporting and community clubs across Victoria as well as costing many people their jobs. In my local area the Mooroolbark Bowls Club was hit with a 300 per cent increase in its licence fee. The bowls club is one of the finest venues in Melbourne; it has a modern spacious clubhouse with a full range of facilities to meet the needs of its members and visitors. It is a responsible and well-run licensed venue.

Why does the Premier not respect the right of members to belong to their local bowls club and enjoy all the facilities that it offers? This is the same club the Brumby government slapped with a land tax bill last year — a not-for-profit local bowls club supported by volunteers and a strong social committee. Labor seems hell-bent on destroying local clubs that contribute so much to our community. The local winter baseball league, which represents 25 clubs, has written to the Premier protesting against the massive increases imposed on its members. These clubs operate during the winter months for 6 months but have to pay a 12-month fee.

These are grossly unfair laws and are part of the Premier's greedy \$20 million tax grab. The Minister for Consumer Affairs stated in Parliament last year in relation to the liquor licence fee increases, 'We make absolutely no apologies'. This is typical of the Brumby government. It is out of touch and arrogant and takes Victorians for granted; Labor's heartless attitude shows the government is more concerned with revenue raising and with its greedy and ridiculous licensing policies.

### **Returned and Services League: Australian and Turkish friendship memorial**

**Ms KAIROUZ** (Kororoit) — I would like to take this opportunity to voice my disappointment with the Melbourne City Council's reluctance to support the

proposal by the Turkish RSL sub-branch to build an Australian and Turkish friendship memorial in Melbourne. The year 2015 will mark 100 years since Gallipoli, and what a wonderful opportunity it presents to celebrate this event with a new Melbourne memorial.

The Gallipoli story is one that touches the heart of both the Australian and Turkish people. It is a unique story as these brave soldiers, whilst being enemies, not only showed mutual respect during their battles but also became friends. No battle is regarded to have formed in its aftermath such strong friendships and such a sense of peace. This monument would therefore stand symbolically as a reflection of the loss of precious lives, whilst also celebrating a strong friendship between two countries. This monument would also stand as a lesson for our future generations to consider the events and experiences our fallen heroes endured so we can enjoy our freedoms today.

I urge Melbourne City Council to allow a memorial that celebrates bravery and comradeship to be erected in time for the Gallipoli centenary in 2015.

### **Rail: Bungower Road level crossing**

**Mr BURGESS** (Hastings) — I rise today to call on the Minister for Public Transport to immediately complete upgrades of the Bungower Road level crossing. The upgrade required includes both the installation of the boom gates that are so badly needed to provide a safety measure between cars and trains and completion of the footpath that currently leads to nowhere to prevent pedestrians from having to run the gauntlet of both cars and trains just to cross the track.

The Bungower Road level crossing has long been the subject of community safety concerns. Local resident Jeff Young died at this crossing in 2007. After a long campaign by my community, the government agreed to install boom barriers; however, true to form, nothing has happened. The Mornington Peninsula Shire Council has recently extended the footpath along Bungower Road but has not been able to provide pedestrians any safe way of crossing the railway line.

Three years ago the cost stated by the government to do similar work at another crossing was \$61 000. Now it is asking the council for \$250 000 to get people safely across this track. The footpath simply stops at the crossing and then continues on the other side. Locals have voiced their outrage that pedestrians are now being forced onto the road and directly onto the tracks in order to cross at the railway line. There is a genuine fear that more people will die at this crossing.

It is a ridiculous situation to build footpaths up to a proven death trap railway crossing and then stop, forcing pedestrians, including children and elderly people often on motorised wheelchairs, to go out onto the roadway and risk their lives to cross the track. Bungower Road has recently received a major upgrade, meaning that a much higher volume of traffic uses it. The frequency and speed of trains along the Stony Point line has also recently been increased.

### **Bundoora Extended Care Centre: 25th anniversary**

**Mr BROOKS** (Bundoora) — I would like to congratulate Bundoora Extended Care Centre on its 25th anniversary celebration on 11 December 2009. The centre held a morning tea and historical display to mark the anniversary, and I was delighted to attend and learn more about the history of the centre as well as to meet staff, volunteers, patients and their families.

The Bundoora Extended Care Centre is located in the heart of my electorate of Bundoora. It is one of the five campuses of Northern Health providing high-quality health-care services to older and disabled members of our community. The centre has over 140 beds and provides a full range of medical, nursing, allied health and psychosocial services. It is a fine example of state and federal governments working together with the community to deliver quality health services.

The centre was officially opened by the Honourable John Cain, former Premier of Victoria and member for Bundoora, on 11 December 1984. Back then it comprised 44 beds across two wards as well as consulting rooms, radiology and allied health services. Since then it has grown in many ways — for example, with the establishment of a psychogeriatric facility, therapeutic mobility garden and pastoral care program and the recent establishment of the Old Blokes Shed through the support of Bundoora Rotary.

A special part of the centre is the Busy Fingers Craft and Gift Shop. The shop was first built in 1993 with funds raised by the auxiliary. The relocated shop is still staffed by members of the auxiliary, and I congratulate them for their dedicated, long-term fundraising work for the centre.

One of the fantastic auxiliary volunteers I met was Olive Wall, who not only attended the original launch of the centre back in 1984 but still plays an active role in its fundraising activities today.

### **Schools: speech therapy**

**Mr THOMPSON** (Sandringham) — I wish to express concern in relation to the lack of access to speech therapy services for primary school students in the Sandringham electorate. The ability to communicate clearly is a gift that is of great assistance to people in their daily lives. Those who have learning difficulties or, for example, a cleft palate in early life struggle to achieve what most of us in this chamber take for granted.

According to a local speech pathologist there is a student in the Sandringham electorate whose expressive language index score indicates she is likely to have considerable difficulty using oral language in order to communicate her ideas, thoughts and needs adequately in everyday communication situations. In a school setting she may find expressing ideas and opinions, asking questions, requesting clarification, participating effectively in class discussions and interacting with others in the playground extremely challenging. It is recommended that she continue to be supported in developing communication skills to ensure she can successfully access the curriculum and participate effectively in all areas of school life. Unfortunately access to speech therapy services for this young student has been declined for the current educational year.

More needs to be done to give every student the opportunity to start their life with the ability to communicate clearly and effectively.

### **Australia Day: Yan Yean electorate**

**Ms GREEN** (Yan Yean) — Today I want to pay tribute to the Australia Day award recipients in my electorate who were given these awards in ceremonies hosted by the Whittlesea and Nillumbik councils, Jenny Macklin's Australia Day awards and the Whittlesea Australia Day celebrations committee. Volunteers are the backbone of my community, never more seen since the terrible events of Black Saturday.

It is not possible for me to name all the fantastic people who were worthy recipients of Australia Day awards, but I want to single out in particular those who did so much since Black Saturday: Wally Spezza, who is the Whittlesea Citizen of the Year; Peter Towt, who is the Whittlesea Australia Day Celebrations Committee Citizen of the Year; Barry Henwood, who is the Nillumbik Citizen of the Year; Lenny Pritchard, who is the Nillumbik Youth Citizen of the Year; and David Norden. Both Lenny and David are members of the Diamond Creek CFA (Country Fire Authority).

I want to mention June Warburton and Helen Legg for their fantastic work in bushfire relief efforts. I also want to mention Alex and Julie Sutherland for their longstanding work for the CFA, the Whittlesea Country Music Festival and the Whittlesea Agricultural Society and for their fantastic work in coordinating Fence Aid for affected land-holders since those terrible fires. Nillumbik council had an additional 40-odd awards this year that went to every single CFA brigade in my community and all the wonderful church groups and individuals who I do not have time to name but who did so much. I also want to single out Stephen O'Malley who was awarded the Australian Fire Services Medal.

### **Juvenile justice: rehabilitation services**

**Mr WAKELING** (Ferntree Gully) — I wish to draw the attention of the house to the poor performance by the Brumby Labor government in juvenile justice, as highlighted by the Australian government Productivity Commission's latest report on government services, which was released on 29 January 2010. The report shows that only 88.4 per cent of eligible young people in detention who were not of compulsory school age attended education or training, well below the national average of 94 per cent, making Victoria the second-worst state in the country.

Further, only 93.2 per cent of offenders sentenced to a detention order had a case plan prepared or reviewed within six weeks, compared to a national average of 98.2 per cent. The Brumby Labor government is clearly dropping the ball when it comes to ensuring young offenders receive the best chance at rehabilitation.

### **Australia Day: City of Knox**

**Mr WAKELING** — I would like to pay tribute to and congratulate the recipients of the 2010 Knox council Australia Day awards, particularly those in my electorate: Mr James Azzam, who was awarded the Local Hero of the Year award; Mr Mike Kerr, named Volunteer of the Year for his work with the Knox Little Athletics Centre; and Ms Amy Philipsen, the Young Citizen of the Year.

### **Lysterfield–Wellington roads, Lysterfield: traffic lights**

**Mr WAKELING** — I am also pleased to see that work has finally commenced on the construction of traffic lights at the corner of Lysterfield and Wellington roads in Lysterfield. However, my community is bitterly disappointed that it took over three years to get this project started, despite the fact that the former roads minister said it was the worst intersection he had seen. I

now only hope that my community does not have to wait another three years before these traffic lights become operational.

### **Peninsula Link: construction**

**Dr HARKNESS** (Frankston) — Congratulations to the Southern Way consortium which has been awarded the contract to build and deliver the \$759 million toll-free Peninsula Link project. This major new toll-free road link will deliver improved road safety, environmental sustainability and unique urban design, and it will allow people to travel from Carrum Downs to Mount Martha in just 17 minutes — a massive saving of up to 40 minutes.

When completed in 2013, Peninsula Link will make life easier for more than a quarter of a million people living in Frankston and the Mornington Peninsula and for the thousands of tourists who visit the popular holiday spots on the peninsula each year. Peninsula Link will also free up other busy roads in the area, including the Frankston Freeway and Moorooduc Highway, as well as eliminating the Frankston freeway bottleneck. With vital projects like Peninsula Link, the Brumby Labor government is building a better transport system for Victoria to allow people to spend more time with family and less time in traffic.

### **Children: water safety**

**Dr HARKNESS** — Laurie Lawrence is not only an Australian legend but also one of our foremost proponents of water safety for children. It was a pleasure to meet up with him recently. It is startling to reflect on the fact that over 300 Australian children under five years of age have drowned since 2000. With more hot days ahead, it is crucial that families take extra care around water.

In conjunction with water safety experts and the commonwealth government, Laurie has produced an excellent DVD designed for parents, such as me, with children aged under five. The DVD is a very valuable resource and Frankston mums and dads can collect a free copy from my office. I certainly applaud Laurie for his magnificent efforts in reducing child drowning through educating parents. Laurie's message is very simple, it is 'Kids alive — do the five!'. The five points are: fence the pool; shut the gate; teach your kids to swim — it's great; supervise — watch your mate; and learn how to resuscitate.

### **Dairy industry: water licences**

**Mr BLACKWOOD** (Narracan) — I call on the Minister for Agriculture to intervene in the current dairy shed water licensing process and have the licence fee waived for farmers who take advantage of the moratorium period to obtain a licence. The farmers who are currently unlicensed for the water used in dairy wash down will have the expense of installing a meter and paying an annual management fee to comply with the act. Given the very difficult financial situation most dairy farmers are facing at the moment, I believe it is most appropriate for the minister to use some discretion. Milk prices are at record lows and input costs are very high, and rising.

A dairy farmer's viability has rarely been more compromised than at this present time. If you throw into the mix the devastating bushfires of Black Saturday that affected so many dairy farmers in the Labertouche, Drouin West and Jindivick areas, you find that many farming families have a debt burden that is going to take years to wipe out.

This could not be a worse time to impose more financial pressure on our battling dairy farmers. The licence fee of \$701.20 should be waived for those who apply before the end of the moratorium. What does this fee really cover? The farmer has to supply all the information in the application. There are no site visits to conduct, and processing of each application surely should not take a day's work for a departmental bureaucrat even if they were being paid \$100 per hour. Minister Helper must step in and assist our dairy farmers through this very difficult time and costly process.

### **Falls Music and Arts Festival**

**Mr HUDSON** (Bentleigh) — At the end of December I attended the Falls Music and Arts Festival at Lorne with my two young teenage children, Elliot and Freya. The falls festival is a major Australian festival recognised around the world and now in its 17th year. It attracts a world-class line-up of local and overseas performers and is attended by up to 16 000 patrons each day.

This year the festival was headlined by such well-known acts as the Yeah Yeah Yeahs, Moby, Wolfmother, Emiliana Torrini, Art Vs Science, the Hilltop Hoods and many more. It also featured a village arts precinct with additional performance groups and comedians.

The falls festival is held in a magnificent natural setting and has developed great facilities and amenities for those attending, with over 2000 personnel working at the event as staff, volunteers, performers, media and emergency services.

What struck me about the event was the warm and friendly atmosphere. The mostly young people attending were there to enjoy themselves and the music. I saw no aggressive behaviour, and patrons who consumed alcohol did so responsibly. It was a timely reminder that despite a lot of bad publicity given to young people, the vast majority behave themselves responsibly at well organised events that cater to their needs.

I would like to congratulate the festival director, Simon Daly, and his family for the incredible work they have undertaken to develop their farm into the site of an internationally recognised music festival. It is a great credit to them that my two teenagers, together with 16 000 other patrons, thoroughly enjoyed the experience.

### **Macedon electorate: Go for Your Life program**

**Ms DUNCAN** (Macedon) — I would like to congratulate Killara Primary School and Sunbury and Macedon Ranges Specialist School for their successful applications to the Go for Your Life healthy start in schools program. Each school will receive \$6000 to help with funding to revamp school canteens, purchase new sporting and fitness equipment — —

**The DEPUTY SPEAKER** — Order! The time for members to make statements has now concluded.

## **GRIEVANCES**

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

That grievances be noted.

### **Crime: government performance**

**Mr RYAN** (Leader of The Nationals) — I grieve today on behalf of all Victorians in relation to issues of law and order in the great state of Victoria. I do so in circumstances where we seem to be subjected to an almost daily litany of bashings, assaults and different forms of criminal activity across our community. Over the last few years, and as recently as late last year in reports provided by the Ombudsman, we have heard even more about the imbroglio over business information technology services and the difficulties in the forensics services laboratory, particularly with

regard to DNA testing and the consequent impact on the judicial system in Victoria, most specifically in the conduct of criminal trials.

I have beside me here the member for Shepparton, and I regret to say that last night a man was bashed in Shepparton. I understand that this morning he is on life support. This is on top of recent events where we saw the escape from Ararat of a person who was ostensibly imprisoned there and was the subject of an extended supervision order. He escaped and we had all the commentary that went with his recapture and the uncertainty that applied in the mind of the police minister around the background to that fellow having been given the orders he was serving at the time he escaped.

Let me make it clear that the police in Victoria do a great job. I am unashamedly a copper's man. When I practised law I came to know the police well from the other end of the bar table and I worked with them a lot. I represented people who were charged with different offences and so I came to know the police very well. I have great admiration for what they do. Policing is a difficult gig and I have enormous regard for those who wear the blue. All the many men and women who do it are regarded by Victorians at large as being vital to the way in which we live our lives.

However, the practical fact is that the police are being let down by the government. This arrogant, out of touch government, which has grown fat on the trappings of government over the past 10 years, has lost its way generally speaking and very particularly in relation to our police. This government is either blind to what is happening around it or worse still, it is ignoring what is happening around it. On either count it is to be condemned. So it is that I grieve today on behalf of all Victorians.

The police minister is displaying incompetence in his role. I am sure all members will have seen the absolute backhander he copped from the Premier last night on television. The Premier's comment was extraordinary, when he said, in essence, that, 'This is a minister who is capable; it is just that he does not quite know how to sell the message'.

Circumstances surrounding the matters that I am speaking of today confirm the fact that that is simply not the case. The minister is not competent to do his job. This is not just a case of the minister being short of a word in conveying the message. I might say I have shared this chamber with the minister over many years. Of all the things that might be said about him, I have

never struck the situation where he was short of a word; I do not believe that is an issue.

This is a question of competence to do the job. Make no mistake, the Premier's comment was calculated; I have not seen or heard the like of it in my 17 years in this place. The Premier was trying to send a message to the people of Victoria that the minister he has in charge of this important area is able, that it is just that he struggles when he gets in front of the cameras. Nobody need be under any misapprehension at all; this is a fundamental issue of ministerial competence, or more particularly the lack of it.

I know the commentary itself earned an article on, I think, page 21 of one of our major dailies today. I have no doubt that those of us who inhabit the halls of this place had an intake of breath when we saw and heard what the Premier had to say. Make no mistake, I say again that this is a stray cat. This is the Premier trying to sell a fact which is not a fact at all. The problem here is ministerial competence, or more particularly, ministerial incompetence. Either the minister should resign or he should be sacked by the Premier, who so fiercely assaulted him last night.

The 2010 Productivity Commission report on government services, which was released last week, tells the story. It is a compelling read but one of the troublesome features of this report is that it is more of the same. We have seen and we have heard the sorts of stories conveyed by the report over a period of years, yet the government does nothing about it. Some of the outstanding figures in relation to that report bear consideration in the context of this grievance.

Victoria has the lowest number of sworn police officers per capita of all the Australian states, and that has been the case for at least the last five years. That fact in itself is a disgrace. Victoria has the lowest number of front-line police per capita of all Australian states, which has been the case for about the last five years. That is just a lamentable state of affairs.

Victorian expenditure per capita on police services is significantly below every other state in Australia. We are lagging behind Tasmania and all the others; in fact, we are even lagging behind New South Wales, for heaven's sake! As I have said before in this place, if it comes to the point where we are using New South Wales as a benchmark of performance, then all is lost. Victoria's increase in spending on policing services is the lowest of all the states in the last five years.

This is an absolutely disgraceful state of affairs, and is also reflected in other elements of the material

produced in that report; for example, the satisfaction ratings of the public at large with police services are a cause of great concern. The level of general community satisfaction with services provided by the police is recorded in the course of this report; the figure for those rated as 'very satisfied or satisfied' has dropped from 77.8 per cent in 2005–06 down to 67.2 per cent in 2008–09. On the other hand, the percentage of people 'very dissatisfied or dissatisfied' has risen from 5.2 per cent in 2005–06 to 10.2 per cent in 2008–09. How can that conceivably be so?

It is absolutely unacceptable that these sorts of circumstances should arise in this great state of Victoria, and all of this is occurring while policemen and policewomen collectively are doing everything they can — busting their guts, if you will forgive the expression, Deputy Speaker — to provide the services that they are sworn to provide to Victorians. The simple fact is that they are not being supported by the government in what they are sworn to do. The government of the state of Victoria has turned away from providing the all-important financial support for the provision of troops on the front line and the support services that the police need to do their jobs. It is an utterly unacceptable state of affairs. All too tragically, as I said, it is now playing out in an environment where we seem to have a daily recipe of people being subjected to all sorts of assaults and bashings and the different style of criminal behaviour to which I have already referred — something that occurred just last night in Shepparton.

On top of all this we have a Premier in denial. Yesterday the Premier was asked a question about this critical issue by the Leader of the Opposition. We had the unedifying spectacle of the Premier throwing a hissy fit when he was pressed by the opposition as to why these factors are so. The Premier should own up to the plain fact the 2010 productivity report is telling him — that is, that the government he leads is simply not providing support to the people of Victoria by way of funding and resourcing of police.

Into the bargain we have a Minister for Police and Emergency Services who is incompetent in the task he is supposed to undertake at the cabinet table. Last night the Premier tried to protect that minister in a backhanded fashion by portraying an image of competence when history and the facts tell us that it is simply not accurate. The Premier's state of denial extends to extraordinary lengths. The Premier gave a backhander to Peter Cosgrove, a decorated soldier of the Australian nation, because in an address Mr Cosgrove recently gave in Sydney he saw fit to speak out about matters to which the Premier took

exception. Yet to this day, as I understand it, the Premier has not been able to point out the problem with Mr Cosgrove's comments. This is all indicative of the fact that the state of Victoria, particularly Victoria Police, is not getting the support from government that it should and, even worse, that the government and the Premier who leads it are in denial with regard to the problems we have.

The government is pouring money into advertising, as we know. Night after night on our television screens we see the government assailing Victorians with all sorts of advertisements calculated to try to tell people what the government is doing to better the state of Victoria. People see through this nonsense, they know it is rubbish; and yet the government persists with it. The tens of millions of dollars that have been devoted to this appalling effort to raise the government's status with people in an election year through this advertising campaign could more appropriately have been directed to the support of our police in Victoria.

We need more troops on the ground. If you roam the state — and I do so as much as or more than most — and call in at different police stations, you do not have to scratch the surface very far before the main plea the police make to you is that they need more people in police stations. They need to have more troops on the ground to do the job. They want to be out there on patrol, but often local councils have to provide vehicles for police so that they can do the job they need to do. I have seen this happen in the Shire of Wellington in my electorate of Gippsland South.

It is a disgraceful state of affairs that local government is trying to prop up the delivery of police services while the state government is led by a Premier in denial who is spending a fortune on self-advertising. It is absolutely unacceptable. I do not think people can trust the Victorian Labor government to do what it says it will do any longer. Members of the government said again in the chamber yesterday that they have provided appropriate resourcing for the police force. History and the facts tell a very different story. We need a government that is committed to proper policing levels in Victoria. We need a government that is properly committed to ensuring that the people of Victoria can stay safe. We need a government that will ensure that people can again walk the streets without having to be in fear and dread for their personal safety.

That is why the opposition has proposed amongst other measures a sensible solution to the worry about violence on our transport system — that is, employing more than 900 protective service officers for railway stations across the state, 215 in the metropolitan area

and 11 in the major regional centres, so that we can have them on platforms from 6.00 p.m. until the last train runs to make sure people on those platforms are secure. That is why we have included in this package an extra 100 police to go into the transit police force. That is why the opposition is going to deal with the critical issues of violence on our streets and the safety and security to which Victorians are entitled as a matter of right and to which this government is paying no heed, as you can see if you look at the facts and circumstances surrounding all this.

People cannot trust the Brumby government to deliver these services. As we have seen across a range of the government's activities, over the last years it has simply got out of touch with what is happening. People should not have to put up with this sort of behaviour, and if we are successful at the election on 27 November this year, we intend to address this. We intend to take the steps that people reasonably expect of us as a government to address these issues. It is unacceptable that we should have the persistence of the circumstances I outlined this morning, where people are at threat on the streets and in their homes, where levels of assault in particular and violent crime in general have risen substantially over the course of the past 10 years and where the government has lost touch with the people whom it is supposed to govern in Victoria. It is not good enough.

The Premier himself needs to wake up to the fact that this is an issue of enormous concern to the people of Victoria. The first and foremost thing he needs to do is recognise that despite what he had to say last evening, the reality is that it is not just an issue of public presentation with the minister; it is a fact of ministerial incompetence. That minister should resign, or he should be sacked, and the government should get someone who will do the job.

### **Western suburbs: government initiatives**

**Mr NOONAN** (Williamstown) — Today I grieve for the Liberal-Nationals coalition as it portrays itself as a friend of working families in Melbourne's west. But in grieving for the opposition today I will commence my contribution by paying its leader a compliment — yes, a compliment!

When asked whether the Liberal Party could win the seat of Altona in the forthcoming by-election the Leader of the Opposition said, 'I don't think anybody expects us to win that seat'. Yes, there he was, calling the election result as early as 22 January. I certainly compliment the leader on his boldness.

Presumably when the Leader of the Opposition was referring to 'us' in that sentence he was also referring to himself. So there we have it, the Leader of the Opposition gets the Altona by-election campaign off to a flyer by telling the world the Liberals cannot win. I wonder how the Liberal candidate for Altona, Mark Rose, feels about that. I hope he is an optimist, because the opposition leader sure is not.

Mr Rose is probably out there right now, pounding the pavement and running under the Liberal Party's hollow claim of 'a fairer deal for Melbourne's west'. But the people of Altona will not be fooled by such an extravagant claim. The working families of Melbourne's west will not be fooled by an opposition that they know introduced WorkChoices into every Australian workplace. Before those opposites start pointing the finger at Canberra or the forgotten era of John Howard, they should look to *Hansard* from 10 August 2006, when the Leader of the Opposition said in this house:

WorkChoices offers Victorians the capacity to control their working relationships.

The opposition leader supported the anti working families laws back then, and we all know he still supports them now.

But working families have long memories. The problem for the opposition leader is that he simply does not understand the needs of working families. And how could he? He could not get his families statement released as he promised yesterday.

Melbourne's west has a proud working history, built by generations of migrants and families who proudly call suburbs like Newport, Yarraville, Footscray, Hoppers Crossing, Werribee and even Altona their home. Indeed, generations of my own family were born and raised in the west. They worked hard to make good, and make good they did for their families. Those values have not changed much today.

The western suburbs of Melbourne are booming and will continue to boom for many years yet. In fact, the current growth in the west has been described as a rebirth. Working families are voting with their feet. The growth rates of Wyndham and Melton combined are rising more rapidly than those of the Gold Coast.

At current levels the west is expected to significantly increase its share of the metropolitan population of Melbourne, from 16 per cent in 2005 to 26 per cent in 2031. The region's resident population will increase by 38 per cent, from 616 000 persons in 2005 to an expected 850 000 persons by 2031.

According to prominent demographer Bernard Salt, the western suburbs will be transformed. He is very much right. I am proud to be part of a Labor government which is delivering for the people of Melbourne's west; a Labor government that assists working families and creates local jobs; a Labor government that invests in education; a Labor government that is building better roads and investing in public transport; a Labor government that invests in the west's health services; a Labor government that invests in community buildings; a Labor government that builds social housing; and a Labor government that has made local communities safer by investing in police and driving down crime rates.

Of course, the Liberal Party paints a dark picture of the west and suggests that locals somehow are not getting a fair go. Nothing could be further from the truth. If you take education as an example, since 1999 the Bracks and Brumby Labor governments have invested \$44 million in government schools in the Williamstown electorate alone.

The two government secondary schools in my electorate have experienced transformational projects. Williamstown High School's junior campus received \$11.5 million in the 2005–06 budget to rebuild a junior campus that has now won so many awards for its environmental design that the school is contemplating building a trophy room. It is a truly inspiring school.

Likewise, Bayside P–12 College, which has campuses in Williamstown, Newport and Altona North, now offers families a prep to year 12 education. The Altona North campus is the Cinderella story in all of this. Having not had any investment during the Kennett era, the campus is now undergoing an \$11 million rebuild and modernisation, which is incorporating bright new learning spaces, art and craft facilities, music and drama spaces and a new physical education centre.

The icing on the cake with this development is the new multimillion-dollar library being built on the Altona North campus by the Hobsons Bay City Council. Again, the Brumby Labor government has invested in this library by providing grants totalling \$750 000 to the local council — money that would never have been invested under a Liberal-Nationals coalition government.

Similarly, in the Altona electorate the Labor government is upgrading and building new schools like the Point Cook Prep–Year 9 College and the Carranballac College, and this year the government's School Start bonus will go to the parents and carers of over 2200 local prep and year 7 children.

Labor continues to invest in teachers and school staff too. Again, in my electorate the number of teachers and administrative staff in government schools has increased by 32.3 per cent over the last ten years. The working families of Melbourne's west know the Labor government will continue to invest in education, as it has done already.

Labor also invests in the western region's health services. Since 1999 funding for Western Health, which operates the Williamstown, Sunshine and Western General hospitals, has increased by a whopping 148 per cent. During that same period the number of nurses across the Western Health network has increased from 834 in 1999 to 1537 in 2009 — an 84.3 per cent increase.

Labor has invested enormously in each of the three hospitals: \$3.2 million to upgrade the emergency department at Williamstown Hospital — a hospital that was earmarked for closure under the Kennett government; a further \$24.8 million for the stage 1 redevelopment of the Western Hospital in Footscray; and a staggering \$100 million-plus redevelopment and expansion of the facilities at the Sunshine Hospital. The most recent funding for the Sunshine Hospital has resulted in the first public radiotherapy service to be located in the western suburbs of Melbourne. The funding has also provided for new teaching, training and research facilities — a first of their kind. Labor has also invested in a new emergency department, new operating theatre and the expansion of maternity services at the Werribee Mercy Hospital.

Labor is also investing in better roads and public transport in the west. There is the \$1.39 billion upgrade, in one package, for the west on the Monash and West Gate arterials, which is very much taking shape as we speak. Also the Kororoit Creek Road, which links the Williamstown and Altona electorates, is in the process of being duplicated. This important \$48.5 million road duplication from Grieve Parade to Millers Road includes a grade separation of the railway crossing and a new on-road bicycle lane. This investment creates local jobs, and I am sure it will help further stimulate commercial investment in the local area.

On rail, last year Labor added 225 new services each week to the Werribee line during the inter-peak period. This also resulted in more services on the Williamstown line. The Brumby Labor government has also invested \$92 million to build a third track and extra platform at Laverton station. Once completed this will allow three additional morning peak services and reduce waiting times on the Werribee line.

Labor will also be delivering the massive regional rail link project in Melbourne's west, following an enormous commitment by the Rudd federal government last year of \$3.2 billion for this particular project. The project will deliver up to 50 kilometres of new rail track, two new platforms at Southern Cross station, a reconfiguration of Sunshine station, with extra platforms, and the construction of a new rail bridge over the Maribyrnong River.

Once complete, the regional rail link will deliver capacity for an extra 9000 regional and suburban passengers every hour. Importantly, the new link will allow regional trains from Geelong, Ballarat and Bendigo to run express into Melbourne and free up capacity on our suburban trains on the western and northern sides of Melbourne.

This massive and transformational project is the largest public transport infrastructure project anywhere in the country and will support up to 2800 direct jobs during the construction phase. Many of those jobs will go to working families in Melbourne's west.

It is not just rail that the Labor government is investing in. Last year the Labor government introduced the red orbital SmartBus route 903. The new route orbits the city from Altona to Mordialloc — I see the member for Mordialloc, who is a great advocate for government services in her electorate, is in the chamber.

That service is already the city's most popular bus route, carrying more than 16 000 people every weekday. In addition, the locally popular NightRider service out to Werribee, which runs through my electorate, has had its services doubled on a Friday and Saturday night. We also now have more local buses scheduled for late-night and weekend travellers.

The Labor government also introduced a new bus route linking Tarneit, Hoppers Crossing, Truganina, Werribee Plaza, Werribee and Laverton stations. This complements a new service which connects the growing suburb of Point Cook to Hoppers Crossing. These investments have all been made by a Labor government.

So, too, has Labor been investing in community safety. The simple facts are that there are more uniformed police in our area, and crime rates have fallen since 1999. This is an inconvenient truth for the Liberals and The Nationals — there are more police and less crime. Here are the facts from our part of the world: in the Hobsons Bay police service area the number of front-line police has increased by 23.4 per cent since

1999, whilst in Wyndham that figure is even higher, at 63.9 per cent.

Crime rates are down, too. Here are the facts: since 2000–01 the crime rates in the Hobsons Bay police service area have fallen by 25.3 per cent, whilst rates in the Wyndham police service area have fallen by 10.7 per cent. Whilst Liberal Party members are out there in the Altona by-election campaign beating their chests on law and order, the facts are simple: Labor has delivered on police numbers, and crime rates are down.

But, surprisingly, the opposition does have a policy on law and order in the west. I picked this up in the *Star* newspaper of 1 September 2009. It would seem that the opposition believes cameras are the key to reducing crime. The article states:

Opposition leader Ted Baillieu said part of his vision for the west would include installing CCTV cameras across the suburbs to deter criminals from committing offences.

The revelation follows a promise by the opposition last month to increase the number of police on the beat in the west if elected to government.

There we have it, the Baillieu-style candid camera approach to law and order. The fact is — and people of the west understand this — the Liberal Party has no credibility on law and order, nor does it care about the people in Melbourne's west. During the Kennett years the Liberal Party ripped the heart out of the police force by promising 1000 extra police but instead slashing the force by 800. Contrast that with the Brumby Labor government, which has employed an extra 1400 police since 1999 and will add another 520 in this term.

Overall crime reduction in Hobsons Bay and Wyndham is a testament to the hard work of our local police. We must continue to support the police in their operational work. The facts are clear: this support will come from a Labor government.

Labor continues to deliver on jobs. For example, the Brumby Labor government offers the most generous first home buyer assistance scheme in Australia, which so far has helped about 12 000 local families purchase their first home. Many of these homes are being built by local carpenters, builders, plumbers, electricians and allied tradespeople.

In turn, the small businesses which are operating right across the west are helping stimulate our local economy. Labor has also helped secure local jobs by providing support for the manufacture of Australia's first hybrid car, which is being built by Toyota in Altona, which in turn is helping to maintain the employment of some 3200 working families. The same

goes for local Williamstown shipbuilders at BAE. Labor has helped secure about 180 jobs at that site in Nelson Place, whilst creating a further 220 jobs as part of BAE's successful Australian warfare destroyer contract.

State Labor has also assisted in supporting and funding the creation of the Community Chef regional kitchen. This is a great success story of local, state and federal governments working together to create a super kitchen which will have the capacity to prepare up to 1.5 million meals each year for those who receive the Meals on Wheels service to their homes. That project is being led by the Hobsons Bay City Council and is in the process of being constructed in the Altona electorate.

I could go on, but I will not. I will simply issue an invitation to members opposite to cross over both rivers — in this case, the Yarra and the Maribyrnong — and to come to see the prospering western suburbs for themselves. Some may need their electronic navigators to find their way there, but when they arrive in Melbourne's west they will see that people are already voting with their feet. The Brumby Labor government will continue to deliver for those communities long after the Liberal Party retreats from the streets of Altona in the coming weeks.

### Hospitals: waiting lists

**Mr BLACKWOOD** (Narracan) — Today I grieve for all Victorians and particularly the people of Geelong because of the Brumby government's continuing failure to meet its own benchmarks for the provision of health care and for the Brumby government's ongoing manipulation of hospital data in its desperate effort to dupe Victorians into believing government spin and rhetoric.

As we go back to when this Labor government was in opposition, over 10 years ago, Victorians were given firm commitments by the Premier, then the Leader of the Opposition. He pledged:

A better health system so every Victorian gets timely quality health care.

He also pledged that a Labor government would 'get the basics right' in health. I quote from the Labor Party policy leading up to the 1999 election:

A Labor government will make sure that people don't have to wait for a hospital bed ...

Labor will ensure all Victorians have accessed to a world-class public health system ...

Labor's plan to fix our health system will:

make our hospitals cleaner and reduce emergency waiting times ...

The following facts will indicate that despite 10 years of record income and increases in health expenditure, Victorians are still being let down unacceptably by the mismanagement by the Brumby government of Victoria's health system. Between 1999 and 2010 expenditure on the health system increased significantly, with spending on acute service health services more than doubling from \$3.2 billion to \$7.6 billion. By contrast, over the same period — because the population increased by only 14.5 per cent and the Victorian economy by 47 per cent — it would be reasonable to expect improved performance from these additional resources devoted to health way above that required to match either population or economic growth.

Many of the performance measures reported on by the previous coalition government have been discontinued by Labor in a deliberate decision to avoid comparisons between performance then and now. However, some telling comparisons of performance are still possible.

At the end of 1999 there were just 347 Victorians waiting for urgent surgery. In mid-2009 the number of people waiting had blown out to almost 1400 — a 300 per cent increase. At the end of 1999 the proportion of people in an emergency department for less than 4 hours was 73 per cent; in 2009 it was 74 per cent, and not once in the whole decade did the figure reach the government's target of 80 per cent.

The performance reports of many of our hospitals show they are still performing below benchmarks despite the systematic, deliberate and widespread manipulation of hospital waiting list data to artificially enhance their performance report cards. Given this appalling situation, it is impossible to get a handle on the actual position. Do we really know what our hospitals are actually dealing with? Do we understand how many Victorians are being denied timely access to treatment?

The opposition spokesperson for health, the member for Caulfield, first raised this issue in October 2007. In 2008 the Minister for Health consistently denied the practice was taking place and refused to investigate. After many months of research, freedom of information requests and finally the *Your Hospitals* report for 2008–09 the coalition was able to substantiate that the Brumby government, including the Minister for Health, was knowingly presiding over the rorting of hospital data, stimulated by a funding bonus pool used to reward hospital performance.

It is my firm belief that the Brumby government deliberately allowed this to occur to assist in this systematic cover-up of its failure to manage the

Victorian health system in a manner that Victorians are entitled to expect.

In a moment I will quote from a series of press releases which indicate clearly that the Minister for Health and the Premier were more interested in trying to maintain a false sense of integrity than ensuring the most vulnerable in our communities — the elderly, the terminal ill, those waiting for life-saving surgery — were able to obtain the health care they desperately needed and deserved.

The article that appeared in the *Age* of 31 March 2009, headed 'Hospital lied over waiting lists', reported that the minister was forced into a backflip over funding:

The Royal Women's Hospital has been systematically lying about its surgery waiting list for about a decade, says a damning report that has forced the government to overhaul Victoria's health funding system.

Health minister Daniel Andrews yesterday apologised to patients who waited months longer for surgery than the Women's has claimed since the late 1990s.

Patients in need of semi-urgent surgery waiting an average of 95 days longer than the hospital was reporting, the audit found.

The finding comes after the *Age* revealed allegations last May that hospitals were manipulating data to meet benchmarks for bonus funding. Mr Andrews consistently denied the practice was taking place and refused to investigate.

The *Age* of Wednesday, 1 April contains an article headed 'Hospital waiting lists scandal grows' and states, in part:

More Victorian hospitals have been dragged into the waiting list rorts scandal after government records revealed suspicious anomalies across many health services and a whistleblower described how the Austin Hospital was allegedly falsifying data.

The records, obtained by the state opposition under freedom of information, implicate the Austin Hospital as the most likely to have improperly manipulated surgery waiting lists.

But they also point the finger at the Royal Melbourne, the Angliss, Royal Children's, Sunshine and Western hospitals.

Most were part of a government scheme that gave hospitals extra money for reaching waiting list targets.

The opposition said this was strong evidence the hospitals were "warehousing" patients on the secret list to make waiting times for surgery appear less.

An article that appeared in the *Australian* of 1 April 2009 is headed 'Hospital audits tipped amid claims of waiting list fraud'; it states, in part:

Opposition frontbenchers raised recent claims from the Australian Medical Association and veteran doctor Peter Lazzari about hospital data fraud.

The AMA said last month ‘hospital data are subject to manipulation’ such as ‘the use of phantom wards or ghost admissions ... reclassification of elected surgical waiting list patients, using inconsistent definitions of time to treatment, or simply falsifying data’.

Dr Lazzari was sacked from his job as head of the acute medical unit at Angliss Hospital after warning that ‘fraudulent activities are widespread in the public hospital system’.

The list goes on to show even worse examples. An article entitled ‘Five years of hell seeking surgery in state hospitals: 2356 died waiting’ states:

More than 2300 Victorians have died while on surgery waiting lists in the past five years.

...

The government yesterday appointed a director of data integrity to oversee its massive audit review of every public hospital in the state.

Mr Andrews admitted that, without believable data, it may be hard to ensure Victoria gets its share of the federal government’s planned \$64.4 billion health spending over the next five years.

The minister admitted that he had compromised Victoria’s chances of getting much-needed federal assistance in the health area. The article further states:

Opposition leader Ted Baillieu said the Auditor-General’s report made it clear the state’s hospital waiting list systems were ‘dodgy’.

Even Neil Mitchell got into the debate with his article entitled ‘Health boss has to go’, which appeared in the *Herald Sun* of 2 April 2009:

The bandaied approach to our hospital system is simply not good enough. Patients are suffering while Daniel Andrews dithers. He should be sacked.

The list goes on and on. An article that appeared in the *Age* of 2 April 2009 is entitled ‘Scandal nets second hospital’ and another that appeared in the *Age* of 4 April 2009 is entitled ‘Andrews knew: union chief’. A union chief was prepared to come out and say that the Minister for Health knew that the rorting was occurring a year ago. Another article that appeared in the *Age* of 4 April 2009, entitled ‘In sickness and in health’, states that the Minister for Health is in the firing line, thanks to the scandal over hospital waiting list rorting but points out that:

those looking for a ministerial hanging though won’t find a lynch mob within Brumby government ranks.

There was a continuing cover-up of what was happening to vulnerable Victorians and mismanagement.

**The DEPUTY SPEAKER** — Order! If a member is quoting from an article, he should mention which article he is quoting from for Hansard.

**Mr BLACKWOOD** — This is a quote from an article by David Rood, which appeared in the *Age* of 4 April 2009. It highlights the fact that the government continued to cover up the mismanagement of the health system, putting vulnerable Victorians at risk.

In the *Age* of Saturday, 18 July 2009 an article by Paul Austin, headed ‘Andrews rejects rort claims’, reports that the minister continues to reject and deny that rorting was occurring and that he knew about it at the time.

This leads me to the hospital data integrity manipulation, which is a major breach of trust by the Brumby government. The data is used for planning and allocation of funds, but, most importantly, the cynical manipulation fails to recognise the plight of patients in desperate need of surgery and emergency treatment. The Auditor-General has said:

Effort towards data quality and validation of indicators is disproportionately low in comparison to the resources and effort put into collecting and reporting access indicators, and to the importance placed on their results. These conditions have opened the way for inappropriate practices such as data manipulation, which undermine the integrity of hospital performance monitoring.

He goes on to say:

Due to current inconsistencies and errors, the extent to which the majority of access indicators fairly represent performance at these hospitals is questionable. There is no reason to suggest that the finding of this audit of four hospitals is not representative of problems with data capture across hospitals. The current level of effort and control directed towards accurate data capture does not match the importance placed on the role of the access indicators.

It is another manner in which this government is prepared to allow, or encourage even, hospitals to manipulate data. That is why there is the establishment of virtual wards. Dr Eddey, chair of the Victorian faculty, Australasian College for Emergency Medicine, said in a report that he presented to the Standing Committee on Finance and Public Administration:

The issue with a virtual ward is when the patient is actually in a cubicle in the ED —

emergency department —

but counted as being in a ward so they are off the books from the point of view of staying in the ED. There have been some creative solutions around that — like intensive care beds in some hospitals and just rebadging cubicles and calling them another unit. From the accounting point of view they are

effectively counted as being admitted to an inpatient bed whilst they have remained in the ED.

I will talk further on virtual wards. This hospital data manipulation by the Brumby government has not stopped. Recently a Geelong Hospital doctor spoke out about the manipulation of data at Barwon Health and elsewhere:

Surgical outpatients are suspended so patients cannot be placed on waiting lists for surgery, thereby making official waiting times less but 'unofficial' — that is, those waiting to be seen in a clinic — are just getting longer, and elective surgery is often cancelled because of lack of beds. Hospitals are resorting to data manipulation and 'virtual wards' to make their numbers look good for the government.

This situation is not limited to Geelong Hospital only; it is endemic within the health-care system, all hospitals around the state are doing the same thing.

Those remarks were reported as having been made by Dr Candice Simpson in a letter to the *Geelong Advertiser* on 15 January 2010. Dr Simpson is also reported as saying in the same letter that:

... 19 beds were closed over Christmas and New Year, creating a bottleneck in the hospital's emergency department.

'The ED is overrun with patients, often with holiday-makers who take longer to assess because one doesn't have access to previous medical history and investigation results. And to add insult to injury a whole ward is in 'lockdown' because of a gastroenteritis outbreak'. Dr Simpson said.

The problems revealed by Dr Simpson of Barwon Health indicate quite clearly that despite the promises of the Minister for Health, Daniel Andrews, systemic manipulation of hospital data continues. Despite the appointment of a director of data integrity, the health care of Victorians continues to be compromised by a government that refuses to take responsibility for its ongoing incompetence. Ultimately, the health minister must accept responsibility for the state of our health system, in particular for the great difficulties currently being experienced by Geelong Hospital. The people of Geelong are entitled to ask why they continue to be exposed to health-related risk because of the failures of the Minister for Health. They are also entitled to demand and receive an explanation from Premier John Brumby as to why he continues to support a minister who is blatantly incompetent.

History has shown that criticism of the Brumby government over the situation at Barwon Health is not a good career move. The former long-serving chief executive officer of Barwon Health was fired for being honest about the appalling situation at Geelong Hospital. It is to Dr Simpson's credit that she had the courage to go public because of her intimate knowledge

of the gravity of the situation and her genuine concern for the people of Geelong.

In closing I would like to draw attention to the very difficult situation of the West Gippsland Healthcare Group. For over two years the West Gippsland Healthcare Group board of management and I have been lobbying for funding for a level 2 nursery and an urgent upgrade of the emergency department. These requests for assistance have been ignored by the minister.

Minister Andrews continues to let my community down, continues to expose vulnerable Victorians to unacceptable risk and continues to try to cover up his ongoing failure to manage the Victorian health system. The minister has no option; he must resign for his lack of care, his lack of concern and his ongoing refusal to admit that data manipulation is still occurring. It is just not good enough.

### Western suburbs: government initiatives

**Ms KAIROUZ** (Kororoit) — Members of the Liberal-National coalition are grieving today because their leader, the Leader of the Opposition — or as some people call him, the Leader of the Flopposition — has broken another promise. He broke that promise on the first day of the 2010 parliamentary sitting calendar. In a speech delivered at the Liberal Party state conference on 23 May 2009 the Leader of the Opposition promised Victorian families:

On the first sitting day of 2010 we will seek leave to deliver a statement to the Parliament on the state of Victorian families. It's their hopes, their dreams and their intentions that are our concern. I will lay out the key facts and trends around the economic and social wellbeing of Victorian families. Where they are making progress, where they are slipping behind.

He says, 'It's their hopes, their dreams, and their intentions that are our concern'. It is very clear that the Leader of the Opposition does not really give a damn about the hopes, dreams and intentions of Victorian families. He proved this when he was president of the Liberal Party in the 1990s and his business sold off schools that had been shut down by the Liberal government.

However, it gives me great pleasure to stand here and to speak about the Labor government's outstanding track record on public transport and building better and safer roads. While the Liberal government busily sacked nurses and police officers, closed down schools and raised taxes the Labor government has been investing in vital infrastructure and policies that protect and enhance the safety and lifestyle of working Victorians.

In my western suburbs electorate of Kororoit, one of the Brumby government's main focuses has been on building better roads and investing in safe and reliable public transport. We, as opposed to the Liberal Party, understand the importance of creating safe and accessible communities. Unlike our Liberal and National opponents we are not full of empty promises. Labor is working towards ensuring, protecting and initiating vital services to make Victoria the best place to live, work and raise a family.

My electorate of Kororoit sees me representing one of the most disadvantaged but also one of the most developing areas in Victoria. I am proud to be part of the Brumby government's mission to ensure that communities in the western suburbs are not only safe when using their roads and travelling on public transport but also that they live in an accessible community.

As the Acting Speaker is aware, I was elected in a by-election in June 2008, and during that period we saw the Leader of the Opposition on a road show around the electorate promising projects and money to anyone who asked for it. These promises were opportunistic lies; he was hoping he could trick the people of the western suburbs into believing that he could deliver on his empty promises. He also promised that he would come back to the western suburbs and my electorate of Kororoit. Guess what? He has not come back. This failure should serve as a timely reminder to families in the Altona electorate in the lead-up to the by-election on 13 February. The people of Kororoit and indeed the people of the western suburbs will remember those lies and remember that the only interest the Leader of the Opposition ever had in the western suburbs during that period was the free publicity he received.

The Brumby government cares about Victorian families. It cares about the people of the west, unlike the Leader of the Opposition and the Liberal Party. In late 2009 we delivered on our promise to complete a \$39 million upgrade of North Melbourne railway station. The station is a key interchange point for a growing number of people travelling on the rail network from the western suburbs. It is now a safer, more secure and accessible station. New features include a new concourse connected to all six platforms by lifts and escalators, new passenger information displays, new sheltered areas for all six platforms, resurfaced platforms and digital closed-circuit television cameras.

Closer to home, work is well under way at the busy Deer Park railway station with a \$5 million upgrade funded by the Labor government. This promise was

made by the Brumby government and it has been delivered. As well as other infrastructure changes, improvements include new shelters, security closed-circuit television, lighting, signage and pedestrian access, assuring that the safety of our residents is paramount. The \$92 million Laverton station upgrade includes more car parking space and a new platform and footbridge. Due to the prospering western suburbs we have also started the process for the development of crucial train stations at Caroline Springs and Williams Landing to connect these communities. They are just two of the four new railway stations in Melbourne's growth areas, which Labor has funded at a cost of \$220 million.

Our enduring mission to connect working families can be seen through the regional rail link project, which is a major new line running from west of Werribee to Deer Park then through to Southern Cross station. This is a \$4.3 billion project. It will free up capacity for more trains on the busy Werribee, Sydenham and Craigieburn lines and provide more services and better reliability for the Geelong, Ballarat and Bendigo services.

The \$270 million Sunbury electrification project will ultimately double the daily services for Sunbury and Diggers Rest passengers and improve the reliability on the Sunbury–Sydenham corridor. Sunbury and Diggers Rest stations will be upgraded to ensure that they are compliant with the commonwealth Disability Discrimination Act (DDA). Diggers Rest train station will receive an extra 500 parking spaces, and an additional 100 spaces will be dedicated for commuters at Sunbury station.

The Brumby government is planning for the future, unlike the opposition, which has no plans or policies at all. The Melbourne metro rail tunnel will be a major new link between Dynon Road in the west and St Kilda Road near the Domain. This new underground link will benefit the entire metropolitan rail network by creating more rail capacity in the inner city.

Whilst these new projects are under development the Labor government has maintained its promise to constantly improve services for Victorians. Action is happening now, with an additional 270 weekly services on the Werribee line, as well as new peak time services on the Sydenham line. There is also funding of \$650.6 million for an additional 20 new metropolitan trains.

Some \$55 million has been allocated to our metropolitan bus improvement program. Part of this allocation includes a revised bus service starting early

this year to link outer suburbs like Tarneit, Hoppers Crossing, Truganina, Werribee and Laverton, as well as Werribee Plaza. Many of these routes have extended timetables and new services on Sundays and public holidays.

The highly successful route 401 shuttle bus, which travels from North Melbourne train station to the Parkville hospital and university district, started in 2008 and has been praised by passengers for its effective link. It has given people commuting from Melbourne's west and north as well as from Geelong, Ballarat and Bendigo an alternative mode of public transport which is quicker and more direct because they no longer have to go through the city loop to get to Parkville. Passengers have had their journey times cut by 30 minutes per day as a result of route 401. The service carries up to 4000 passengers a day during university semester times and connects working Victorians to vital public services such as hospitals and universities.

Whilst opposition members have been sitting on their backsides, twiddling their thumbs, flip-flopping on and breaking their policies, the Labor government has been constantly reviewing standards of public transport in Victoria, ensuring that the safety, reliability and accessibility of transport networks are met in all our communities.

In the west the areas of Hobsons Bay, Maribyrnong, Moonee Valley and Wyndham have been thoroughly reviewed, resulting in the successful incorporation of 6 new bus routes and the upgrade of 21 existing routes. The government is currently reviewing bus services in Brimbank, Melton and Hume so that it can continue to create better coverage, longer hours of operation and more frequent services across this growing area. Some \$4.6 million has been announced for the Hobsons Bay–Wyndham bus review alone. As I mentioned before, the new bus route will link Tarneit, Hoppers Crossing, Truganina and Werribee Plaza. It will operate seven days a week up to 9.00 p.m., including public holidays. Other Brumby government initiatives include new Sunday and public holiday services for Seabrook and Point Cook residents and a new bus service to areas of the Laverton North industrial area.

The Brumby government is investing in new, innovative ways of transport, unlike the Liberals, who found this all too hard to do and sold the system to the private sector. The SmartBus is a premium bus service designed to complement Melbourne's radial train network by providing cross-town routes to important public services such as schools, hospitals and shopping centres as well as train stations and tramlines. In

April 2009 we introduced the route 903 SmartBus, which travels approximately 86 kilometres from Mordialloc to Altona. It is already the most popular bus route in Melbourne, carrying 16 000 passengers each weekday. Two other SmartBus routes have been funded. The first one connects Chelsea to Airport West via Springvale, Nunawading, Doncaster, Eltham, Greensborough and Broadmeadows; the other is running from Frankston to Melbourne Airport.

While the Leader of the Opposition thinks that everyone enjoys the same lifestyle as people in Toorak, the Brumby government understands the diversity in the lifestyles of Victorians and has funded bike cages for Werribee, Hoppers Crossing, Newport, Sunshine and Watergardens stations, each with secure, weather-protected shelters for 26 bikes. The Labor government not only strives to achieve such important, innovative and secure infrastructure across the western suburbs, but it also makes every effort to ensure that our community's safety comes first. That is why our new developments are designed to the DDA standard, ensuring that public transport facilities are safe, secure and accessible for all.

We understand our communities and the diversity in them. We understand the importance of accessing our hospitals, schools and universities, and have thus incorporated extra services at peak times. We understand some passengers arrive on their bikes, others have prams or are in wheelchairs: we strive to assure safety for all.

We understand the nature of working night shifts, and we have doubled the frequency of many of our NightRider services. For example, the Werribee NightRider started in November 2008. Services now run every 30 minutes instead of hourly on the Werribee route, meaning there are 28 late-night trips between the Melbourne central business district and Werribee each weekend. The Brumby government has also doubled the frequency of the St Albans–Melton–Sunbury NightRider service. This service also started in November 2008 and runs every 30 minutes as well.

The government understands that Melbourne is growing, and that it is growing fast, particularly in the west. We are preparing for the development of four new train stations. We are connecting people not only in the west but all over Melbourne, and we are doing this not only through the \$38 billion invested in public transport but also through building better, safer and more reliable roads. The West Gate Monash improvement package, funded at \$1.4 billion, is coupled with Labor's Geelong Road upgrade at a cost of \$188.8 million.

I do not claim we have a perfect public transport system, and we are very honest about that; however, I know the Brumby government is doing everything it can to support working families, particularly in the western suburbs, by upgrading and improving public transport. Through the incentives I have mentioned we aim to create safe and accessible communities. The Labor Party understands and delivers what is important to working families in the western suburbs.

Let me remind the house of the 82 promises the Liberal Party made during the last election. Not one of those 82 commitments was made to the western suburbs. We might ask what has changed. Absolutely nothing has changed. The Liberal Party does not care about the west. It has been in opposition for 10 years and has not come up with one promise or one policy to benefit the west. It does not have any new ideas or policies to improve public transport. The only policy it has is to stand for nothing. In 2008 that was clear to the Kororoit electorate that I proudly represent today, and it will no doubt be very clear to the Altona electorate in the lead-up to its by-election on 13 February.

### **Government: advertising**

**Mr McINTOSH (Kew)** — I grieve for the people of Victoria over the wastage of resources by this government in relation to advertising. At the start I ask members in the chamber to see if they can guess who said this:

I make it absolutely clear to the Parliament and the people of Victoria that we will not tolerate the sort of abuse of taxpayers' money that has been occurring in the funding of political advertisements under the government. We will introduce this legislation when in government. It will be the first piece of legislation we put through.

I have no doubt that the person who said that back in 1995 was standing exactly where I am standing now. It was none other than the then Leader of the Opposition, one John Mansfield Brumby. The then Leader of the Opposition made a strong argument against government advertising and promised that the first piece of legislation a Labor government would introduce in this place would deal with the issue of abuse of government advertising.

Most importantly the present Premier has had 10 years to fulfil that promise. Even if we make the concession that sitting around the cabinet table, initially as the Minister for Finance and then for eight years as Treasurer, he may have been browbeaten by the former Premier into not raising this matter, he has been the Premier of this state for over 18 months. I would have thought it could have been the first piece of legislation

we dealt with in this place following the 1999 election. We could have done it in any subsequent year if he had spoken up in cabinet about this matter that he was apparently so passionate about in 1995. Again and again right through the 1990s he apparently railed against the abuse of government advertising.

He also went so far as to say there should be no government advertising during a by-election. In the lead-up to the Mitcham by-election in 1997 he reiterated his call for the government to stop all government advertising. The person who made that promise to introduce this as an incoming Labor government's first piece of legislation did not do it in 1999. Even if we concede that he was obsequious and browbeaten by his shadow cabinet colleagues — not that we can breach cabinet solidarity — like the Minister for Agriculture, who is at the table and who could have argued against this legislation in cabinet, this man is now the Premier of this state and has refused to introduce it. Notwithstanding consistent calls by the opposition to do so, he has refused to adhere to his clear and unequivocal commitment in 1995 to introduce legislation to stop the apparent abuse by governments in relation to government advertising.

We know the Brumby government will spend \$214 million this financial year on government advertising, much of it on self-promotion, on self-congratulation and on demonstrating that it apparently has a plan to have a plan. There is nothing said about concrete things such as transport, but there is a plan going right off into the ether which is basically unfunded and just a proposal. We know the Brumby government is now among the top 10 advertisers in this country. It spends more on advertising every financial year than McDonald's, Village Cinemas, Qantas and the banks. We also know it spends twice as much as the New South Wales government does on government advertising. All that money is taken away from things like police, hospitals, transport and schools.

The Leader of The Nationals demonstrated this quite categorically this morning. We know from the Australian Productivity Commission that for the fifth year straight Victoria has spent the least on police resources of any state in this country, including New South Wales. The government is prepared to waste money on government advertising rather than spending it on government services, particularly police. It would be good if we could see even half of that \$214 million being used for some legitimate purpose; \$100 million spent on police would train, equip and put onto our streets over 500 police officers. Somewhere between 500 and 700 police officers could go straight onto our

streets if half of what is spent on government advertising was spent on police.

I accept that in some cases it is necessary for the government to expend money to ensure that we get behavioural change, whether we are talking about reducing water use, smoking, road trauma and gambling addiction or promoting safe workplaces. I accept that there is a need for some part of the budget to be spent on government advertising, but what do we get? We get transport ads. To June last year \$5.5 million was spent on promoting a plan to have a plan. Promotion of that plan for a plan inundates TV, newspapers and local and metropolitan radio. There are no concrete outcomes, there is no behavioural change; the government just tells the people of Victoria that it apparently has a plan for a plan.

There are 24 huge billboards around metropolitan Melbourne promoting the fact that the trains are coming. They came for one day, and they left. They went back to the workshops to be fixed. We do not see the ads promoting that. We do not see the government saying, 'We got it wrong. We spent all this money and made all these promises, but we got it wrong, and we are sorry'. There is none of that. The billboards are still up. There is a plan for a plan. The trains are coming.

We even have \$190 000 being spent on a transport information centre at Footscray and another at Frankston to be rolled out later this year to promote a plan for a plan. The government spent \$1 million to build a new cancer clinic, the details of which were in the statement of government intentions only yesterday — again, a plan for a plan. We are not talking about behavioural change; we are not talking about something that is going to provide information to the public. This demonstrates that this government is prepared to waste money on self-promotion.

There are education ads. The Shine campaign saw \$4 million spent on television ads with Shannon Noll's song playing in the background. This is not about changing behaviour or providing real information; it is self-promotion by this government.

The \$6 million water ad campaign is also not about the issue of saving water but about self-promotion. It is not just the opposition saying this, because on 30 July last year the *Age* actually editorialised about the matter. Regarding the water ad campaign, the article says that:

A campaign on the need to save water is justified, but if the government wishes to tout its own actions, the ALP should pay for that. Water policy is a matter of fierce debate, which is likely to be a factor in next year's election, as is transport

policy — the subject of a \$2 billion campaign that also casts the government in a flattering light.

The water campaign draws on money raised from bills levied on the public. The cost is almost as much as the \$7.3 million that the state ALP raised in donations in 2007–08. But why get the ALP to pay for promoting its image in government when the public can be billed? As the Auditor-General told Mr Hulls a decade ago, Parliament has failed to enact strict rules on government advertising. As a result, all Victorians can do is consistently condemn advertising that reeks of propaganda, in the hope that one day they will have leaders with the integrity to end this abuse of office.

That is not just the opposition, that is the *Age* newspaper condemning this government for its water ads, saying at the end of the day that they are about self-promotion, not about informing the public or actual behavioural change. The article also identifies the Auditor-General's report on government advertising which was picked up on by the then Leader of the Opposition, now the Premier, in spruiking his proposition that we so urgently needed this legislation, that it would be the first thing he would do when in government.

Up to this date, with Labor in government we have not seen anything. He has been the Premier, controlling the agenda, yet he still has not implemented it. The hypocrisy of this is palpable, and the hypocrisy of this government is even more palpable: it stands condemned.

In 1995 as the then Leader of the Opposition the Premier said he would introduce the legislation. He came into this chamber and spoke about a bill that he proposed to introduce. He went into great detail about the whys and wherefores of how we should not be using government moneys to promote the government, and he condemned the former government. The hypocrisy of all of that is palpable.

In his speech he indicated that the primary purpose of the legislation he proposed to introduce would be to prevent the government from misusing taxpayers' money on political advertising. He said that in this place, probably while standing on this very spot, on 8 March 1995. He has been Premier now for 18 months but has done nothing about that matter.

The opposition understands that there is certainly a need in some cases to ensure that there is behavioural change. As the now Premier indicated back in 1995, what he was proposing to do with this legislation was to bring an end to:

... so-called information campaigns by government departments and authorities, especially during election periods.

But the hypocrisy of this Premier does not end there. When he was still the Leader of the Opposition in 1997 he called upon the government to stop all government advertising in the lead-up to the 1997 Mitcham by-election. I understand the caretaker provisions prior to a general election when you cannot test the confidence of the house because the house has been dissolved, and perhaps the caretaker provisions do not apply during a by-election. It is most important to recall that in 1997 the Premier said it is a matter of fairness, that you cannot use government advertising during a by-election.

A rock-solid convention that has operated federally for a number of years is that during by-elections the government will not undertake any advertising. The exception to that was during the height of concerns about the terrorism issue. During a by-election it was agreed by both the Prime Minister and the federal Leader of the Opposition at the time that the government could continue its advertising about antiterrorism. There was an agreement to do it in that circumstance, but what we have here is a Premier when in opposition doing one thing but doing completely the opposite when in government. The most flagrantly hypocritical statement he could ever make is that during a by-election the government has to stop advertising.

The member for Box Hill has written to the Premier's department, calling upon the Premier to stop advertising during the current by-election in Altona. Members may like to know the Premier's response: no! There is a bucket of money that could potentially put an extra 500 police officers back onto the street immediately, but the government will not do that. It will continue its government advertising campaigns during the Altona by-election, notwithstanding that when in opposition the Premier said one thing but now in government he does the complete opposite. As I said, it is the most palpable case of hypocrisy.

Not only has the government broken its promise during its whole term in office by not introducing legislation to prevent a government abusing its advertising budget but also the former Leader of the Opposition called upon the former Liberal government not to advertise during the Mitcham by-election, saying it was inherently unfair and quoting the convention that exists federally, yet now he is in government and Premier he just ignores it.

He has been Premier for 18 months. He has been a minister for more than 10 years, first as finance minister, then as the Treasurer and now as Premier. He has sat in cabinet, obsequiously stewing, not saying a word, not raising this issue; he gets into the main seat

and he has done nothing to end this abuse. This abuse is not just abuse of money; it demonstrates that he is totally unfit to hold the office of Premier, because he said one thing when in opposition and now he is in government he does nothing. Even as Premier when he has control of the agenda, he has done nothing.

### Health: western suburbs

**Ms MUNT (Mordialloc)** — I have just heard a lot about hypocrisy; it is something that I too wish to speak about in this grievance debate. I wish to grieve about the absolute hypocrisy of the Liberal Party with regard to the provision of health services in the western suburbs of Melbourne. In a best case scenario the Liberal Party would do nothing; in a worst case scenario, however, it would act to formulate and implement cuts. Best case, nothing; worst case, cuts. We see the crocodile tears of the opposition about our western suburbs, but opposition members do not care, and they probably only drive through them on their way to somewhere else. They continue to show that they have no plan for the health services in Melbourne's western suburbs, just as they have no plan for Victoria's health system that I have been able to ascertain just yet.

The 5855-word policy document entitled *A Liberal Government Plan for Victoria's Public Hospital System* that was taken to the people of Victoria during the 2006 election campaign in fact contained not one specific health commitment for people of the western suburbs.

**Ms Beattie** — How many?

**Ms MUNT** — Not one. In 5855 words of a policy document provided to the people of Victoria not one commitment was made to people in the western suburbs. The opposition is just pretending to care.

Let us look at the record, and it is a very sad record. Let us look at the legacy for health left by the Liberal-Nationals coalition the last time it was in government. Twelve hospitals were closed, including the Altona and Essendon hospitals serving Melbourne's western suburbs. In my own electorate the Mordialloc hospital was closed, and I know the devastation that wreaked on my local community. That particular hospital was built with community support and involvement, but it was closed. Twelve hospitals were closed in the western suburbs and 3500 nurses were sacked. The coalition government stood by and did nothing while the Howard government refused to fund its share of hospital and health costs.

The western suburbs is an area and community of great need, and I find it astonishing that not one commitment

was made in that policy document of 2006. Communities in the western suburbs comprise some of our most vulnerable people — people who have complex needs and diverse health complications. The opposition has shown by its deeds that the people of the western suburbs under any Liberal-Nationals government can expect to receive in the best case nothing and in the worst case savage cuts to their health services.

Contrast this grim record with the record of the Bracks and Brumby Labor governments since 1999. We are proud to continue to support the communities of the western suburbs. We are proud to provide record funding for health in the western suburbs and to all Victorians throughout the health systems.

I would just like to go through the health services that this government has provided to the west since 1999, and it is a pretty impressive record. Every hospital in the west has received a funding boost in every budget. Contrast that with the closure of 12 hospitals. Funding for Victoria's hospitals is now 130 per cent greater than in 1999. Western Health alone received \$378.2 million in recurrent funding in the 2009–10 budget. Amazingly, this is \$225.8 million more than when this government took office in 1999. That means that in 1998 recurrent funding for the whole of Western Health was around \$120 million per year — a paltry sum in anyone's language.

There are now 10 516 additional full-time nurses to care for Victorians. Compare that with the sacking of 3500 nurses by the previous government. Western Health alone now employs 703 full-time nursing staff to care for the people of the west — 84.3 per cent more than in 1999. There is much more to report: there is more good news about investment in the health services of the west.

Instead of closing hospitals and sacking nurses we are investing in hospitals. Since 1999 the Bracks and Brumby governments have invested \$147.72 million in capital works alone at Western Health. I commend the local Labor MPs for their tireless hard work on behalf of local residents. The members for Derrimut, Keilor, Footscray and Williamstown are just a few of the members who have worked tirelessly to advocate for Western Health. I know that our candidate for Altona, Jill Hennessy, will also be a wonderful advocate on behalf of the families and residents of the west because she truly cares for those communities.

**Mr Dixon** — I didn't see her this morning when I was out there.

**Ms MUNT** — There is an interjection from the opposition; I am sure the member was driving through the west on his way to somewhere else.

Sunshine Hospital has received \$107.02 million for expansion and development. Stage 1 had \$20 million funded in the 2007–08 budget. Stage 2 had \$73.5 million funded in the 2008–09 budget to deliver improved emergency services and facilities. Very importantly, the first radiotherapy service in Melbourne's west has been funded, and I know the member for Footscray is especially happy about that. It will reduce the need for cancer patients to travel long distances for treatment while they are unwell. There are also new clinical training facilities for doctors, nurses and other allied health professionals.

Importantly, these initiatives and this record investment by this Labor government will lead to Sunshine Hospital becoming a major provider of acute and specialist care. This is critical for the disadvantaged communities of the west, where we know that public health service provision is absolutely vital. For acute care Sunshine Hospital also received \$8 million to fund the fit-out of the 60-bed medical and surgical wards, the construction of two operating theatres and the completion of the imaging department.

The Western Hospital Footscray redevelopment was funded in the 2007–08 budget with \$24.8 million provided for upgrades, expanded wards, an increase in surgical beds from 94 to 97 and four new renal dialysis units, which are becoming increasingly important not just in the west but all across Victoria as the incidence of diabetes in our population increases.

Also vital has been funding to the Western Hospital for mental health services for children and young people. Seven million dollars has been provided by this government to tackle youth mental health issues and give timely and professional treatment and support to young people. Together with \$5.3 million for infrastructure replacement this is a total investment of \$37.1 million for Western Hospital.

Williamstown Hospital has also received a \$2 million emergency department upgrade and \$1.6 million for infrastructure replacement.

Wyndham Community Health Service has been provided with \$11 million for a new purpose-built facility for its new community health service auspiced by ISIS Primary Care.

Werribee Mercy Hospital received \$14 million in the 2008–09 budget for the first stage of its expansion. This expansion will allow for over 900 births to take place at

this service by 2016. Once again, this is vitally important in a growth area such as the west, where many young families — families that we care for in the west — are having children and need maternity and hospital services for their new and growing families. The expansion includes eight additional obstetric beds and four extra special-care nursery cots. Eighty-four workers will be employed during the 18-month construction phase of the project.

Werribee Mercy Hospital has already seen a redevelopment of \$10 million, which included a new emergency department, a new operating theatre, a 4-bed high-dependency unit and a new 12-bed palliative care unit.

Ambulance service investments in Victoria have also continued to be increased. In 2008–09 we delivered the single biggest investment, of \$186 million, into ambulance services. This will provide additional paramedics in Laverton, Hillside and Bacchus Marsh. Facilities have also been upgraded in Melton, Sunbury and Altona, with new services in Brimbank and Hoppers Crossing.

All this investment is about ensuring that people in our hardworking medical workforce have the tools and resources they need to continue to provide the very best care to Victorian patients.

Western Health continues to treat hundreds of thousands of patients close to their homes and families. In 2008–09 Western Health conducted 103 953 treatments, including 3000 births, 118 095 emergency department attendances and 13 848 elective admissions.

These are huge numbers of services that the public health system is providing to our community. We know, particularly in the disadvantaged communities of the west, that the provision of public health services is absolutely vital for the health and wellbeing of those communities. This government puts its major focus on health, education and providing and caring for families. That is what we have focused on in the west. Rather than implementing cuts, rather than destroying services, we invest in them with record investment.

Ted Baillieu said last May at the 149th Liberal Party conference — —

**The ACTING SPEAKER (Mrs Fyffe)** — Order! I ask the member to refer to other members by their correct titles.

**Ms MUNT** — The Leader of the Opposition said at the 149th Liberal Party conference that on the first day

of sitting he would be providing a statement that was directed at families, directed at ‘their hopes, their dreams, their intentions, that are our concern’. That concern seems to be a shallow concern. The first day of Parliament came and went yesterday and we saw no indication of any statement of concern or policy for the families of Victoria. We on this side of the house do not say we are going to show concern; we actually walk the walk. We put in place services for families. Families are at the cornerstone of the work that we are trying to do to provide for Victorians. We will continue to provide record investment in health, particularly in the western suburbs, where we will govern for those communities to the very best of our abilities.

### **Schools: western suburbs**

**Mr DIXON (Nepean)** — I grieve for the state of education in Victoria during 2010. I would like to begin my remarks today by saying that I was out in the western suburbs this morning visiting the community of Altona College. The reason I was out there was that in 2007 a model of school merger was put onto that community that it did not really want. It was not the community’s preferred option when Altona West Primary School and Altona Secondary College were merged and told to form a P–9 school.

The government put money into the actual construction, and the parents said to me at the time, as they said to me today, that they had been told if they did not take it then, they would never have got it. Twelve million dollars to go along with the government’s plan was quite a bribe. This plan came straight out of the office of the then education minister, the former member for Altona. In fact a member of her staff was on the school council and made sure that the merger went through the way the government wanted it.

The brand-new school was built, the new Altona College P–9. There were 370 students in total between the two schools that were merged. Out there today it was incredible. Before school, when you would expect to see cars everywhere, children everywhere and parents everywhere, the place was deserted, the reason being that there are now only 170 students at that school. That is because you cannot force a model onto a community that does not want that model. The main reason the school has lost so many students over the last few years is that the community wanted a prep to year 12 school campus if the schools were going to be merged.

What is happening now is that once students hit year 10 they have to go right out of the area. I was talking to parents today who have to drive 50 kilometres a day to

the nearest secondary college that their child can go to. There is no public transport, there is no school bus there. They have to drive their child there each day. What they wanted was for their child to stay at that school, with the same uniform and the same friends in their local community and finish their secondary education there. But this government said, 'No; this is the model we want, and you have no say in it'. Rightly, those parents were upset and obviously the locals are voting with their feet by moving away from that school. It is a great facility. It is a school that has tremendous potential, and it should be extended to encompass year 12. As I said today at the school, this government should do it this year, and if it does not do it, we will do it next year.

We have had other mergers. In the life of this government we have seen 150 schools close down; the government produced that list late last year. And there will be more. There have been more school closures since that list was released in August last year, and there will be more of them this year. There will be fewer government schools in Victoria by the end of this year than there were last year.

A merger that provides another example of how this is working is the Lakeside Secondary College merger as part of the Reservoir education regeneration project. This has been dragging on and on, and we now have a farcical situation involving the land for the project. The government wants the school to be built on one site, but the community has legitimate reasons for preferring other sites. There was a review of the merger; the government carried out a review of that review; then, because the community was still not happy, an independent reviewer has reviewed the review of the review; but still nothing is happening. Children are still studying in substandard conditions, and parents do not know what will happen in the future. There is so much uncertainty.

Children are coming up from primary school without knowing where they will go to secondary school. No wonder parents are walking away: there is no certainty. It has been an absolute farce. Hopefully that will be settled this year. We do not need a further review of the review of the review of the review; we need a decision to be made, a school to be built and certainty to be provided to parents and students in Reservoir.

One thing will not change in 2010. According to the Productivity Commission, up to 2009 Victoria was the lowest funder per student in both government and non-government education. These are the facts according to the Productivity Commission. We are a long way behind every other state and territory. That

will continue in 2010. That is what school communities, both government and non-government, will face this year from this government.

In 2010 the maintenance needs of schools will worsen. Conservatively — this is according to the government's own figures, from freedom of information requests — there is \$150 million worth of outstanding maintenance still to be done in government schools. As I said, that estimate is conservative; I am sure there is much more to be done. An audit is being carried out at the moment.

I implore the government to release the updated figures so that every school community knows how much maintenance is yet to be done on their school, especially the critical maintenance that is necessary for a school to be functional, to look good and to be safe for parents and students, and also to be a safe workplace for teachers. The government needs to inject a lot of money into school maintenance.

It is all well and good to have brand-new buildings provided by the federal government and say, 'We are looking after our schools'. Such a building is only part of a school; the rest of the school has been there for 10, 20, 30 or 100 years and may not have been maintained. That maintenance has to occur. To say, 'We are spending so much money building new schools or totally renovating schools' does not paper over the massive cracks in school maintenance throughout Victoria.

What will we see in terms of literacy and numeracy standards in schools this year? This time last year the Auditor-General released a report that said despite \$1.2 billion being spent by the government on specific literacy and numeracy programs, there has been no measurable increase in the standard of literacy and numeracy in Victoria. In fact he said the longer students remain at school, the worse the standard becomes. That is an incredible indictment. It shows that if you impose government literacy and numeracy programs on schools from the top down rather than having them come from the bottom up, these programs will not have the effect they should. The funding is fine, but the programs should be coming from the schools, which know the needs of their local communities.

The government says, 'We are on top of the tables with the National Assessment Program — Literacy and Numeracy (NAPLAN)', but that is a very low standard. Just about anybody could pass a NAPLAN test. You would need to have real learning difficulties not to pass it. In fact many parents of children with learning disabilities, autism or other disabilities have told me that their children were asked not to come to school on

the day of testing. That is appalling. Victoria says, 'We are on the top of the table', but it is a very low table and there is 0.1 or 0.2 per cent difference between the states, so it is hardly something to be crowing about. I hope the government puts money into literacy and numeracy in a way that is usable and that addresses the needs of schools in the form of bottom-up projects, not top-down projects.

Unfortunately 2010 will see more violence and crime in schools. Many students come from families with complex needs, which is so often manifested in their behaviour in schools. Last year the government's answer was to cut back on the number of suspensions and expulsions, to tell school principals, 'You are not to do that. We know best. It all has to go through the central office'. Such a process takes weeks, and in the meantime the school and its principal would have lost all credibility with everyone else in the school, including the victim and the perpetrator.

Perpetrators would think they can get away with it, because nothing will happen — it is all on the long finger. The government was forced to back down on that, but principals still have to meet accountability measures and go through regional offices. They do not have the power to do the things that they need to do in their schools to build up discipline and values, and to act on issues in their schools straightaway in the way that best suits the situation, the children involved and the values of the school.

In 2010 local schools will see a lot more emails from the government, a lot more projects and programs handed down centrally, a lot more demands on principals and a lot more testing. The balance of testing to teaching has gotten way out of kilter. Classroom teachers are spending more time testing than teaching in the last few weeks and early weeks of school.

We need to have testing in schools. Teachers need to be accountable and parents need to know how their children are going, but when you get to the stage when teachers are testing more than they are teaching, it has just gone crazy — it is over the top. The English Online Interview that happens at the end of the year, which the government brought forward without telling schools last year, takes teachers a good 20 minutes, and sometimes up to half an hour, for each child in their class. Multiply that over a class or over a school, and you will see how much time a classroom teacher will be out of their class, doing that individual testing. Schools have to pay for an emergency teacher to come in. Real teaching is not going on; it just seems to be testing that is going on. We have to get the balance right.

The compliance list that principals have to follow will hit a three-figure mark this year — it will go over 100 items. It is a list of things that principals have to do that the department used to do. No more resources will be provided to schools to do all those extra things they are being asked to do. All these bright ideas come from the government, but there is never any support and no more money. All those emergency teachers have to be paid to do that testing, or to cover the classes while the testing is done, but there is no money from the government for that. Here is a bright idea: you do it, you pay for it. The government will continue to pocket the \$100 per primary student that Julia Gillard promised all primary schools in late 2008. The Victorian government is actually pocketing that. The money is not going out to the schools. The schools expected it in their budgets last year; they did not receive it. I will bet they do not receive it this year.

This year we will see the ultranet rolled out. It has been a long time coming. It will be just a show of what we were told it was going to do. It is a great concept, but it is only a shadow of what it was going to do, and the cost has blown out from \$60 million to \$76 million. I will believe it when I see it, and it certainly will not meet the expectations we were led to believe it would meet.

What we will see also in 2010 is a further sell-out to the federal government. This Minister for Education is now a part-time minister. She has other portfolio responsibilities. She has a very marginal seat that she needs to look after. Her eye will not be on the game. So she has been made a part-time minister. The reason is that the national takeover of education in Australia is quite incredible. This government and all the other state governments are selling out to the federal government. The federal government says, 'Here is a bucket of money. You have to do A, B, C and D'. You would not want to stand between those ministers and that bucket of money. They are all signing up to it, and they are all handing education over to the federal government.

We have the 'My school' website, which certainly has its advantages, but that has been a federal government initiative. We have national testing. We have national curriculum coming on. We have national partnerships in literacy. We have national partnerships in numeracy. We have national partnerships in teacher performance. We have national teacher registration coming. We have the national BER (Building the Education Revolution) program. Every single facet of school education, slowly but surely, is being taken over by the federal government, and this minister is just standing idly by and saying, 'Go for it, Julia. I am not interested. You look after it. We do not care any more'.

What we have seen over the past 10 years highlights a disturbing trend. Ten years ago our schools had — and still have compared to some other states — a certain degree of autonomy. But we have seen that starting to go now. More and more is becoming centralised. I talked about all the programs, ideas and compliance issues that are being handed down to schools. More and more is becoming centralised, and now we are moving away from the state to the federal government. Local communities are losing control over education. They are losing contact with education. It has been a disturbing trend over the last 10 years.

Things are coming to a head this year for many schools regarding the BER program. Round 3 schools especially have been told, ‘You have to cut your budget. You are not going to have this much money to spend’, or ‘You still have this amount of money’, but the costs have gone up incredibly and money is going to all other places except the actual construction of the new building program, so many schools will have to settle for a project only half or three-quarters the size of what they originally thought they would get.

The chickens are coming home to roost in 2010 in terms of curriculum, school organisation, maintenance and building construction costs. It is a very tough year for schools here in Victoria.

Finally, I wish to address three issues, one of which is to do with fires in schools. Marysville Primary School is being rebuilt, but it is not being rebuilt the way it was before, with all the facilities. It will be part of a community facility, but the community has had to go out to local benefactors to get the money for a library because, whereas the old school had a library, the new school will not have one. Heaney Park Primary School had a fire recently. It lost two portable classrooms. The government said, ‘No. You are not getting them back. You are only getting one back’. I think that is incredibly mean to that school community, and short-sighted. Today we had a fire out at the Toolamba Primary School. Hopefully this government will replace what that school had. This is not an opportunity to cut back on facilities for schools and to take advantage of school communities. Toolamba Primary School must be given back the facilities that it had before the fire.

### **Western suburbs: government initiatives**

**Ms BEATTIE** (Yuroke) — I grieve for Liberal voters in the seat of Altona, because really the Liberal Party has given these voters nowhere to go.

I have heard some of my colleagues outline the things that Labor has done for the western suburbs. Of course

I know the western suburbs very well. My own seat is in the western metropolitan region, so I do not come in here today, like the previous speaker did, to say, ‘I went for a drive in the western suburbs today’. I live in those western suburbs, and I commute from those suburbs, so I know what I am talking about.

As I have just said, my colleagues have outlined the tremendous work that has been done in the western suburbs after seven years of neglect from the Kennett government, which I do not think even knew where the western suburbs were! But behind all that there is an overarching quality and an overarching policy that must drive all those infrastructure projects — the transport and hospital projects that have been outlined — and that is to have a strong economy and to have people employed, people in jobs. That is what the Brumby Labor government has done.

I congratulate the Premier and of course the Treasurer, the quiet achiever, John Lenders from the other place, who have steered Victoria through the global financial crisis. I would like to go through some of the things that have been achieved. The Brumby Labor government has invested a record \$11.5 billion in job-creating infrastructure. That has created 35 000 full-time Victorian jobs this year. I am not saying that: the Australian Bureau of Statistics figures show that we created over 75 000 jobs in Victoria last year, which is more than two-thirds of the number of jobs created in Australia in the same period. That is a fantastic record. This includes delivering essential water infrastructure, schools, trains and roads. Those projects provide jobs now and they make our economy competitive, provide jobs for people, provide the infrastructure, and put bread and butter on the table.

The opposition hates hearing this, because it likes to talk Victoria down all the time. But we have continued to post a budget surplus, with the AAA credit rating. We all know what that AAA credit rating means. It means investment in Victoria.

**Mr Delahunty** interjected.

**Ms BEATTIE** — I am pleased the member for Lowan agrees with me on that. No other Australian state has a budget surplus now and into the future. So again, there are steady hands on the wheel, steering Victoria through the global financial crisis, and of course there are tax cuts. Again, the Liberal opposition hates to hear this, but we brought in the biggest tax cuts in a decade. When we saw the global financial crisis coming, we provided in the 2008–09 budget savings to businesses and households of \$1.4 billion, and in all of that the Brumby government did not raise taxes, as the

other states have done. Also we capped public sector wage increases, which allowed us to keep Victorians in public sector jobs, despite the pressure the budget has been under.

At the same time, members would have heard the Premier calling for the private sector to keep workers on the payroll. Sometimes workers agreed to cut their hours to stay on the payroll; if they were under pressure they did that, and now you see many of those businesses really back in town, going gangbusters. Again, that was through the Premier talking to businesses in the private sector and encouraging them.

There is a cloud on the horizon there, because today we heard Senator Barnaby Joyce, the federal shadow finance minister, saying that one of the things he has flagged is cutting public service jobs in the federal sector to pay for some Liberal-Nationals policies in the federal arena. So we can see the cloak-and-dagger business happening there — that the Liberals, whether nationally or locally, are about cutting the public service. Which public sector jobs will be cut? Who knows what is coming? Will it be the police this time? If we are unfortunate enough to have a Liberal government getting in, will it be teachers? Will it be nurses? We do not know, but the Liberal Party has certainly flagged that. The shadow finance minister at the federal level has let the cat out of the bag, and I suppose the federal opposition leader, Mr Abbott, will have to rein him in again.

The Brumby Labor government has embarked on a high-profile campaign to restore confidence in the Victorian economy. If people have started to have any doubts, we have had the Premier out there showing leadership. That is what it is about — leadership. The campaign included — and we have heard a bit of criticism about it — the successful Working Victoria television advertisements, which have led to an increase in business and consumer confidence in Victoria. But the Liberal Party is saying it is a waste of money to have these advertisements to restore business and consumer confidence. People disagree with that, because we have come through the global financial crisis.

We have invested \$240 million in targeted assistance to Victorian industry to help employers through the global financial crisis. Certainly that has been appreciated by employers in the private sector. We have created 173 000 new skills training places, so when we come out of the financial crisis we will not have a skills shortage; we can upskill straightaway. We all know that that will prepare young Victorians and certainly our businesses for strong economic growth in Victoria.

We have also successfully partnered and attracted investment from the commonwealth government. A mark of the leadership shown in Victoria by the Premier, John Brumby, is that he can go straight to Canberra, talk to the Prime Minister and get that investment into Victoria. Some of that successful investment has been the \$4.3 billion for the regional rail link and the Parkville comprehensive cancer centre. Again it was because the planning had been done. We had projects that were shovel ready, so we could get on with the job, get those projects going and attract that commonwealth investment.

We have also increased our investment in A Fairer Victoria. It is the first time we have provided over \$1 billion to help vulnerable Victorians at the time they need it most. It is something that is very near and dear to my heart, because I am in a growth suburb. We have retargeted our first home buyer assistance package to help first home buyers who are hoping to build their new homes. I invite members of the house to come out to my area to see how successful that first home buyer assistance has been. It has created homes for people. Not only do we have first home buyers in the market but that assistance package has enabled 19 000 jobs in the construction and related industries to go ahead. We have had the most generous first home buyer assistance of any state, and we helped a record 53 730 Victorians buy their homes last year despite the global financial crisis.

Through the Brumby government's plans we have put food on the table and we have put people in homes. That is the sort of thing Victorians want. They do not want airy-fairy words about delivering a statement on the first day of Parliament and then forgetting about it, like the Leader of the Opposition has done. He said in 2009 that on the first sitting day of Parliament in 2010 he would seek leave to deliver a statement in the Parliament on the state of Victorian families. 'It's their hopes, their dreams and their intentions that are our concern', he said. Of course they are our concern too, but we follow it up with action and not just words about what we would do on the first day of Parliament. I can only think that the Leader of the Opposition thought we had a training day in Parliament on the first day and that he did not really regard yesterday as the first day of Parliament. Perhaps his head was still at Portsea. But yesterday was the first day, and he did not do what he had promised to do.

The Liberals never do what they promise to do. We know about the Altona by-election to be held on 13 February. In June 2008 at the Kororoit by-election the Leader of the Opposition was out there doing various stunts. He has not been back to Kororoit since

2008. He has had nearly two years to show his face again in Kororoit, and he has not done that. Again they are empty words and empty promises — empty rhetoric.

I just want to go to some of the key figures that have been so good for Victoria, because I am focusing on an economic viewpoint. Total employment in Victoria in 2009 increased by 75 236. As I said before, that is over two-thirds of the jobs created nationally for the year and nearly three times the national growth rate. The unemployment in Victoria dropped to 5.2 per cent, which is below the national average and the second lowest of all the states. But we know the tricks of the Liberal Party. Liberal Party members do not like the western suburbs; they would rather be in Western Australia, because they love talking down the economy. Let us see what the Liberals do when they are in power, because in Western Australia — —

**Mr Wells** interjected.

**Ms BEATTIE** — I have warned people about Barnaby Joyce, and I hear the member for Scoresby saying what the Liberal Party would do. It lost 9000 jobs in Western Australia last year. It delivered a budget update late last year which showed a blow-out in expenditure and an expanding deficit. Western Australia has the only Liberal government in the country. We can see what happens under a Liberal government: the first thing it does is cut jobs. I warn public sector employees that if there is a Liberal government — I do not know whether it will be teachers, I do not know whether it will be nurses, I do not know whether it will be the police — it will be coming after you.

In conclusion, the people of the western suburbs are awake to the Liberal Party. They know about flying visits. We have heard about the Leader of the Opposition going out to Kororoit and then not going out there for another two years. They know that the Liberal Party going to the western suburbs is a fly in, fly out operation. Opposition members think they are in a mining town — they fly in and fly out. They go to the western suburbs and key in the streets on their satellite navigation device but they do not give a damn.

I see the member for Essendon sitting here. She represents people in the western metropolitan region of Melbourne, but what did the Liberals do in the seat of Essendon? We all know — people will never forget it — that the Essendon community raised money to have a hospital but the Liberals shut it down. They shut down the hospital and put nurses in that area out of work — and they did it all with the money the

community had raised. It was a case of sleight of hand, where they said, 'Raise money for a hospital and then we will close it down and sell it' — and that is exactly what they did.

In conclusion, the people of Altona will have a choice to make on 13 February, and they will make the right choice. I am confident that they will see the outstanding qualities of the Labor candidate, Jill Hennessy. She has a long history in that area.

**Question agreed to.**

## STATEMENTS ON REPORTS

### **Public Accounts and Estimates Committee: new directions in accountability — Victoria's public finance practices and legislation**

**Mr WELLS** (Scoresby) — I would like to comment on the Public Accounts and Estimates Committee's 85th report to Parliament dated June 2009 and entitled *New Directions in Accountability — Inquiry into Victoria's Public Finance Practices and Legislation*.

Before I comment on this report I point out that I was interested to read, as it is directly related to the report I am about to comment on, what is in the annual statement of government intentions, which the Premier referred to yesterday. At page 72, under the heading 'Legislative and regulatory reform', it states:

The Victorian government is committed to responsible legislative and regulatory reform to ensure that government operates as efficiently as possible and maintains high levels of accountability. Over the last decade, the government has conducted a large number of legislative reviews to ensure that Victorian legislation remains relevant, efficient and reflects contemporary community standards and needs.

The statement goes on to say under the subheading 'Clarification of audit powers bill':

This bill has been delayed pending the passage of the new Public Finance and Accountability Bill (see section 1.5).

**An honourable member** interjected.

**Mr WELLS** — That is what I am referring to, that bill. The report and the final outcome were delayed, as is stated in the annual statement of government intentions. The statement says in appendix 1 under the subheading 'The Audit Amendment (Clarification of Powers) Bill':

This bill has been delayed pending the passage of the new Financial Management Act. The Public Accounts and Estimates Committee is currently conducting its own inquiry into similar issues and is expected to report in late 2010. The

bill is therefore unlikely to be finalised until the next Parliament.

The member for Box Hill, with his brilliant mind — —

**The ACTING SPEAKER (Mr K. Smith)** — A good man!

**Mr WELLS** — He is actually in the chamber behind me. The member for Box Hill happened to make the observation yesterday that the government has put in the wrong legislation. It says the Public Finance and Accountability Bill will be delayed because of the Public Accounts and Estimates Committee but has blamed it on the review of the new Financial Management Act. That legislation was debated back in 1994. How out of touch, how sloppy and how irrelevant has this government become? What an absolute disgrace. It is embarrassing that it cannot get even the Premier's own annual statement of government intentions right. It has put in the wrong legislation, the Financial Management Act, when it should have been the Public Finance and Accountability Bill. What an embarrassment! Who proofreads it? Who understands? The government does not have a clue.

I want to get on to the government response to the Public Accounts and Estimates Committee's report entitled *New Directions in Accountability — Inquiry into Victoria's Public Finance Practices and Legislation*. The concern is that when the government uses the term 'Accept', we expect it will be then put into the legislation, but I wonder what it actually means when the government puts in its response 'Accept in principle'. What does it mean when the government states, 'We will accept this in principle'? What it really means is, 'No, we do not like the idea of this. We are not going to put it in legislation, but we need to spin our way out of this, so we are going to say we accept it in principle'.

Recommendation 6 on page 29 in relation to public-private partnerships — and the desalination plant is an obvious example — is:

To facilitate more timely disclosure of budget information, the budget papers should disclose not only the asset investment initiatives for the budget year but also information relating to ongoing capital asset construction projects and PPP arrangements for the budget, general government sector. Such disclosure should include not only projected data for the budget year and three forward years but for the life of the construction project of the PPP arrangements.

The government has said it will accept it in principle, but then in its proposed reforms to the budget papers covering the appropriations bill it says it will include the asset investment project information, which is

currently published secretly in budget paper 1. This will provide more timely disclosure of asset investment data for the budget year but it does not cover the costs for the life of the project.

**The ACTING SPEAKER (Mr K. Smith)** — Order! The member's time has expired.

### **Drugs and Crime Prevention Committee: strategies to prevent high-volume offending and recidivism by young people**

**Mrs MADDIGAN (Essendon)** — I would like today to refer to the government response to the Victorian Drug and Crime Prevention Committee's final report on its inquiry into strategies to prevent high-volume offending and recidivism by young people, which was tabled yesterday. This investigation by the committee took a long time, extending over two parliamentary sessions, starting in March 2007 and ending during this session. During that time the committee received 34 written submissions and evidence from 82 witnesses.

The good thing about the government response is that it makes it clear it is strongly of the view that juvenile justice is a social problem that has to be looked at over a number of years, not just when people get into the juvenile justice system, which had been the position under previous governments. The government says clearly in its response:

The government recognises that youth offending is not just a legal problem. It is also a social problem with social causes and effects. As the committee notes, a variety of intersecting and overlapping factors contribute to the complex issue of youth offending. The government's policies reflect that there is no one quick fix, and that a range of different approaches are required to address youth offending.

The government in assessing the report thanked the committee for its work. I would like to also thank the committee for the work. It is an extremely good committee, and all members of it, regardless of their political backgrounds, worked well together in a cooperative manner. I thank all members of the Liberal Party, The Nationals and the Labor Party who were part of that committee.

The government supported 33 of the 41 recommendations. Of the remaining 8, 4 have been noted and 4 have not been supported. In relation to the 4 that have been noted — it can sometimes be a bit confusing — it means in this context that the government is either in the middle of implementing a system that will have the result that is required by the committee or it is looking at the issue in a different way. One of the good things in the report, which we are

pleased about, is the introduction of the system whereby school students will be able to be tracked easily on the Net, not only by the schools but also by their parents — and indeed by themselves.

We found that every one of the young people we spoke to who had ended up in the juvenile justice system — most of them were in their late teens — had dropped out of school at a very young age, sometimes as early as years 5 and 6, and there has certainly been a significant problem in the past with children dropping out of school at years 7 and 8.

The ultranet system which is being introduced and will be available by the end of the third quarter of this school year will provide schools with the facility to immediately track which children are not at school. It will also give parents the opportunity to see that their children are attending school. One of the members of this Parliament who is on the committee told me about a situation in their electorate where a mother and father both worked and were under the impression their child was attending school but found out after some months that the child had missed many days at school. The ultranet will be a really good tool in enabling schools and parents to assess where children are. It will also mean that schools can immediately find those children and work with them.

If children have dropped out of school it is essential that they get back into the school system as soon as possible. If you think about it you will realise that if you dropped out of school for three or four months it would be extremely hard to get back into the school routine. If a child can be picked up as an unexplained absentee straightaway the chances are that rehabilitating them back into the school system and continuing their education will be much easier. I think the ultranet will be a valuable tool in ensuring that children who have been missing school can be tracked more easily in the future.

The government refers in the report to a number of programs it has put in place in relation to children at school and in the area the committee also made many recommendations about, and that is early childhood intervention and maternal health services. It is important that there is an understanding by the government and the community that these problems can often be overcome at an early age if we have successful maternal and child welfare services for the very young. Not only does this mean that a person has a much more useful life and keeps out of our prison system, but it is much cheaper for the community as well.

I commend the government on these programs. I am glad it agrees with the committee's recommendations and I congratulate all members of the committee on their great cooperative work.

### **Family and Community Development Committee: supported accommodation for Victorians with a disability and/or mental illness**

**Mrs POWELL** (Shepparton) — I would like to make some brief comments on the Family and Community Development Committee's inquiry into supported accommodation for Victorians with a disability and/or mental illness which was tabled in December 2009.

Firstly, I thank the committee staff for their hard work, often through some very trying times during the inquiry. I also acknowledge the hard work of members of the committee. I was proud to be deputy chair of the Family and Community Development Committee, and I notice that the chair of the committee, the member for Cranbourne, is also in the house.

The terms of reference for our committee were to inquire into the standard and range of accommodation currently available; the different models of service delivery and funding; the methods for measuring unmet demand for accommodation and how these can be improved; the process for managing service quality; and access and service issues for groups such as rural communities, culturally and linguistically diverse communities and indigenous Australians. We also had to look at the impact on families of the current provision of accommodation. We found that issue had quite a high impact on families and they were in quite stressful situations.

This inquiry was initiated by the Liberal-National coalition, and while the coalition supported many of the committee's recommendations, the non-government members felt the need to submit a minority report. The committee heard evidence from a number of groups — service providers, carers and community groups — as well as from people who had a disability or mental illness. Evidence to the committee showed that the system is in crisis. We heard time and again from the carers, from the families and from service providers that the supported accommodation system for people with a mental disability or an illness is certainly in crisis.

While we agreed with the chair's foreword to the report we were quite concerned that some things had been left out. The foreword stated that 'there are improvements

to be achieved'. The committee heard evidence that the situation is well beyond that statement. It heard that there were some issues that needed to be dealt with urgently and some issues that need to be solved as soon as possible.

We heard evidence that there was not enough accommodation, particularly in rural and regional Victoria, and that there were certainly gaps in services for indigenous people with a disability. We also heard that there is very limited data available on the needs of indigenous people. If you do not have the data, how are you going to be able to service the needs of the indigenous people? We also heard evidence from the Aboriginal community that people with special needs are not segregated; families look after their own. A huge amount of stress is experienced by Aboriginal families and their community because they do not segregate their people with a disability. They are not on the relevant lists and are not aware of the support that is available for them. The government needs to do much more in this area.

We found that there was not enough respite care. Again, this applied particularly in rural areas but it was happening right across the system. Respite care beds were just not there. Information is not collected to ascertain the true figures on people who need support. We heard information and evidence that staff were insufficiently skilled. This does not apply to all staff, but quite a number of accommodation providers do not have the skilled staff and they acknowledge that they are not able to provide the service they believe is required.

We were also told that families are left out of the decision making and the planning or they are not treated with respect. This caused huge concern to members of the committee because we believe that families should be involved in the decision making, particularly if plans are being made for the future of the person with a disability.

One of the issues the committee heard evidence about was ageing parents who had an adult child with a disability. In their evidence they said that they felt they would have to abandon their child to be able to get them into supported accommodation because they would then be seen as homeless. We had a number of instances where ageing parents had to continue looking after their loved one with a disability even though they probably felt that person needed to be in supported accommodation and be supported by this government. We heard that this is going to be an urgent need into the future.

We also heard evidence about vulnerable people living in unsuitable accommodation and about these people being at risk, whether they were in rooming houses, on the streets or in caravan parks. We heard that the government needs to take account of those people who are living on the streets and in inappropriate accommodation.

We did a number of site visits and had a number of public hearings. I would like to urge the government to act on the committee's recommendations to improve the lives of our most vulnerable people and their carers and families.

### **Scrutiny of Acts and Regulations Committee: Equal Opportunity Act**

**Mr BROOKS** (Bundoora) — I wish to make comment on the report by the Scrutiny of Acts and Regulations Committee (SARC) titled *Exceptions and Exemptions to the Equal Opportunity Act 1995 — Final Report, November 2009*. At the outset I want to thank the committee chair, the member for Brunswick, and the deputy chair, the member for Murray Valley, for their leadership in the production of the report, and also acknowledge the contribution of the committee staff, in particular Associate Professor Beth Gaze, who was the specific project officer for this report, the executive officer, Andrew Homer, and Simon Dinsbergs and Victoria Kalapac for their work.

I do not want to spend too much time on the minority report to this report, which was submitted by opposition members, which is a very negative, narrow and paltry minority report. I think the reason it is fairly narrow is that the committee process that was followed, with the number of public hearings and the open and transparent nature of the committee process, drew out a lot of input from the community and that has led to a good, solid report that will help to guide the government when it considers law reform in this area.

One of the important parts of this review deals with the religious exemptions and the balancing of those against freedom from discrimination. It was a very difficult area for the committee to grapple with, particularly sections 75 to 77 of the act.

I was concerned, as a member of the committee, by a submission the committee received from the Uniting Church in Australia. At the front of its submission it raised concerns essentially about the behaviour of members of the Liberal Party in stirring up Christian communities and getting them to make political submissions to the inquiry. That is a shame, and it is an indictment of those members and in particular of the

Liberal Party itself that members of its party have been going out effectively misleading members of Christian communities. When I raised the matter, which was reported in the *Sunday Age* of 9 August, a few days later the member for Warrandyte ran into this place and essentially defended the Liberal Party members' actions by suggesting that it was their job to inform communities about what was in the options paper. He said they had mentioned to Christian communities one of eight options that were in the options paper. What those members have done is wrap up one of the options with a whole lot of misleading information essentially to stir up concern in the community for political mileage. I think that is a shameful act, and those members involved should hang their heads in shame.

The member for Warrandyte also suggested that I should be in contact with Northside Christian College, which is a Christian college in my electorate of Bundoora. For his benefit I confirm that I have been to the school a number of times. It is a great local school with a great local principal in Stephen Leslie. The member could check *Hansard* and see an adjournment matter I raised calling on the government to provide funding for capital works at that school. In fact that funding has been provided thanks to the Brumby government, and I acknowledge the minister at the table, the Minister for Education, who has helped to secure \$350 000 for that great local school. I should also point out that the principal of Northside Christian College is on the Christian Schools Australia committee that essentially prepared the position of the Christian schools organisation for the committee review process.

In discussion with the principal, he suggested that that was the appropriate process for Christian schools to feed into the legislation review process — not the one suggested by the member for Warrandyte, which is for members of Parliament to go out and push their own barrows and try to stir up political angst within those communities.

Just before Christmas, on 1 December last year, I received an unsolicited letter from Northside Christian College — a very nice letter. Aside from talking about some of the great work that that school is doing in bushfire-affected communities, which I will talk about in this place at another time, it states:

I also want to acknowledge your work for the community as a member of the review panel for the equal opportunity legislation (SARC). Christian Schools Australia and other individual schools deeply appreciated the opportunity to speak to the panel and for the recommendations of it which see faith-based groups like ours able to retain the right to employ people who not only give a token assent to the beliefs

and values of the organisation but model them in word and deed. Thank you for your thorough and fair review of the act and the outcomes.

I think members can tell from what those Christian schools have said — and I know that Stephen Elder, the head of the Catholic Education Office, has written in support of the recommendations that SARC has come up with — that the government has shown great leadership by handing this issue to SARC and that SARC has done a great job, through its inquiry, of managing healthy public debate about the freedom of religion as balanced against freedom from discrimination.

**Family and Community Development  
Committee: supported accommodation for  
Victorians with a disability and/or mental  
illness**

**Ms WOOLDRIDGE** (Doncaster) — I am very pleased to speak on the Family and Community Development Committee's report following its inquiry into the provision of supported accommodation for Victorians with a disability and/or a mental illness. I was very pleased that this inquiry was initiated by the Liberal-Nationals coalition, based on very clear messages from the Victorian community about the failure of the government to provide appropriate accommodation for people with a mental illness and a disability.

It was interesting that the committee ended up with two references, because the minister jumped on the bandwagon very quickly, not wanting to be seen as not acting on this issue, and ended up moving in this house for a reference in addition to the one the coalition initiated in the other place.

The committee worked for nearly two years on this inquiry, with a high level of commitment to the issue. We all worked very well together to identify the needs and identify what needed to change for people with a mental illness and a disability. I want to thank the many individuals and organisations that contributed to this inquiry. Hundreds of people were involved in one way or another, in many cases putting themselves out in terms of relating very personal circumstances they have had so that the committee could genuinely understand the challenges and concerns they face in relation to this issue.

The committee had challenges with a number of staff changes; it had three executive officers during the period of the inquiry, but over the last 12 months it was good to settle with its executive officer Janine Bush, who did an excellent job pulling it together, with the

help of Dr Tanya Caulfield, Lara Howe and David Critchley in administration roles. I particularly want to recognise Bridget Noonan for the work she did to make sure that during the changes the process was kept on track and the committee was able to continue the work as best it could.

The committee was very frustrated by the Department of Human Services (DHS). It required a lot of committee time to get the department to provide the data requested; it was a very frustrating part of the process. The committee did not get the data it requested until the report was finally being produced. The minister unfortunately declined to appear in front of the committee. She failed to ensure that DHS would help us get the information we needed, and she excluded key witnesses from public hearings. It was very disappointing, given that the minister had initiated an inquiry in the lower house.

There is no doubt that all the committee members were affected by the stories of the families, individuals and carers and what they faced: the real desperation they have dealing with an uncaring government, the Department of Human Services and the system in general. Community organisations said they were frustrated because nothing was changing; they were not able to get traction on the issue or the focus needed to bring about change for supported accommodation.

We heard about exceptionally long waiting lists and the inability to plan for the future. Ageing parents described being too afraid to die because they did not know what would happen to their adult child who had a disability or a mental illness. A real sense of crisis was conveyed by those families, including the fact that families and carers are unable to get respite so that they can have a bit of a break from their very gruelling caring role. Also conveyed was the lack of respect both from the department and the government, and the sense of being excluded from involvement in decision making about their family member or about the system as a whole.

The good thing is that the committee had many very positive recommendations: 107 in total. The key recommendations were that we need more supported accommodation beds, respite care and individual support packages. We need greater reform, and we need to ensure that there is long-term planning in place. A very comprehensive set of recommendations was made that says clearly the government is not doing enough; there are massive gaps, and a lot more needs to be achieved.

But the report did not convey the sense of urgency of the crisis that we heard about from the families or the

action that is needed from the government as a result of this crisis. I would like to quote a couple of things from a media release from the peak group, National Disability Services, in relation to its response to the inquiry. The chair said:

The Victorian government has known about many of these issues for nearly two years and little effective action has been taken to fix the system which remains in crisis.

He further said:

All Australians have a right to plan for their future with some sense of security. These basic rights are being denied to people with a disability or mental illness whose options are extremely limited or non-existent.

I call on the minister and the government to take up the recommended actions with a sense of urgency. There is a crisis in place; we need action in relation to supported accommodation. What has been done is not enough; more needs to be done. I look forward to the government's positive response to this very critical inquiry report.

**Family and Community Development  
Committee: supported accommodation for  
Victorians with a disability and/or mental  
illness**

**Mr PERERA** (Cranbourne) — It was a privilege to chair the inquiry into supported accommodation for Victorians with a disability and/or mental illness. As mentioned by the previous speaker, the Family and Community Development Committee received two separate references — one from each of the two houses of this Parliament — to inquire into, consider and report on the provision of supported accommodation for Victorians with a disability and/or mental illness. Since both references related broadly to the same issues, the committee made a unanimous decision to combine the terms of references and work and report on the combined reference.

In the early stage of the inquiry, the committee embarked on a number of site visits to assorted models of supported accommodation in Victoria. The site visits were conducted with respect to mental health services, disability services and supported residential services.

There was significant interest in the inquiry. The committee received 129 submissions from individuals and organisations including families and carers, service providers, disability and homelessness sectors, peak organisations, support and advocacy bodies and also statutory bodies. The submissions gave valuable perspectives and experiences about the provision of supported accommodation. Public hearings were held

over 12 days. These hearings were held across rural and metropolitan Victoria, including Traralgon, Shepparton, Mildura, Geelong, Bendigo, Ballarat and Melbourne.

During the inquiry the committee heard from many people and organisations, and there was a range of perspectives. Families attended public hearings and told the committee of the challenges they faced as carers of people with a disability and/or mental illness. Service providers informed the inquiry of the pressures they experienced in service delivery and also of emerging innovative practices. The committee heard from department officers representing the disability services division in the Department of Human Services and from officers in the drugs division in what is now the Department of Health. In preparing its final report, the committee considered all of these views and sought to strike a balance that reflected the diversity of experiences in the provision of supported accommodation for people with a disability and/or mental illness.

I thank the participants in the inquiry for their contributions, which assisted greatly in the committee's considerations and preparation of the report. I also thank my fellow current and former committee members: the member for Shepparton who is the deputy chair; the members for Williamstown, Doncaster and Kororoit; and in the other place a member for Western Metropolitan Region, Bernie Finn; a member for Eastern Victoria Region, Johan Scheffer; and a member for South Eastern Metropolitan Region, Adem Somyurek. All members worked cohesively and enthusiastically in delivering this comprehensive report.

The committee secretariat underwent significant staff changes during this inquiry, which impacted on its resources and subsequently contributed to the need to extend the time lines for tabling the report. I thank the committee's secretariat's former and existing staff: current executive officer Dr Janine Bush; previous executive officer Paul Bourke; acting executive officer Marcus Bromley; researcher Dr Tanya Caulfield; current committee administration officer David Critchley; and previous administration officer Lara Howe.

The committee made 107 recommendations in its report that focused on building the capacity of the service system, including the need for improved long-term planning, the setting of funding priorities, and improved implementation and evaluation. The committee identified three broad areas of change impacting supported accommodation: changes in demand for services, changes to the way services are provided and changes in community expectations.

The report found the demand for services is evolving as a consequence of an expanded definition of 'disability' with the introduction of the Disability Act 2006 and changing demographics. With the expanded definition a greater number of people with a disability and more people with more diverse and complex needs have started using and seeking to access services in the system. However, the report found that all Australian states are struggling with the challenges associated with meeting the levels of demand and need for supported accommodation.

The committee found that Victoria leads the nation in supported accommodation and is overseeing the biggest ever reform of the state's disability and mental health sectors with record investment in disability services and mental health over the last two years.

**The ACTING SPEAKER (Mr K. Smith)** — Order! The time allocated for making statements on reports has expired.

## PUBLIC FINANCE AND ACCOUNTABILITY BILL

### *Second reading*

**Debate resumed from 10 December 2009; motion of Mr HOLDING (Minister for Finance, WorkCover and the Transport Accident Commission).**

**Mr CLARK (Box Hill)** — The Public Finance and Accountability Bill is a bill to replace the Financial Management Act 1994 and other acts with a new framework to regulate public finance, including planning, reporting, procurement, borrowing and investment, and appropriations. While many good intentions have gone into the processes that have preceded this bill, both from within and outside the public service, the bill that has reached this Parliament contains provisions that are appallingly bad.

If passed unamended, this bill would give the government unprecedented powers of political control and intervention over independent institutions such as the Victorian Electoral Commission, the Ombudsman and even the courts. It would further weaken government accountability by enabling the government to hide behind vague and open-ended outcomes and would do nothing to remedy chronic abuses such as the manipulation of performance measures and the accumulation and dumping of annual reports, of which the government has made such an art form.

Let me briefly outline the main provisions of the bill. It deals with five main subjects: outcomes, control of

public funds, control of public bodies, procurement and reporting. Compared with the existing regime, the bill in relation to outcomes requires the government to publish a statement of the government's 'current intended outcomes' at such times as the government chooses; it requires the government to publish outcomes progress reports such as the current Growing Victoria Together progress reports at least once a year; it requires a statement of outputs in the budget papers to describe how the outputs will contribute to the achievement of outcomes in the statement of outcomes; it envisages appropriations to departments to be for contributions to specified outcomes; and it enables transfer of appropriations during the year for the same outcome between departments and between outputs, capital spending and payments on behalf of the state.

In relation to the control of public funds, the bill would establish a limit on additional budget supplementation of 3 per cent of the total annual appropriations, replacing the Treasurer's advance while retaining power for additional supplementation for wage increases. It makes a series of technical but important changes in relation to the way the public account is specified and in relation to references to the Consolidated Fund. It provides for departmental working accounts which will enable the closure of trust accounts no longer required. The bill dispenses with the requirement for the use of warrants for authorising expenditure.

In relation to public bodies, the bill would be applied to all public bodies including those under the Corporations Act 2001. The bill establishes four categories of public bodies for accountability purposes with different levels of reporting obligation for each category. Category 4 is intended to be for small bodies such as smaller cemetery trusts, Department of Sustainability and Environment lands committees et cetera. It is intended they will report on a cash rather than accruals basis. Category 3 will be for bodies such as medical registration boards.

Clause 5 of the bill has special provisions in relation to universities and denominational hospitals. The bill centralises the borrowing and investment practices of public bodies with decisions generally residing with the board of the body and transactions carried out by the Treasury Corporation of Victoria and the Victorian Funds Management Corporation.

The bill requires all public bodies to support the achievement of government objectives and implement government policy frameworks. It requires departmental heads to advise the relevant minister on whether public bodies are performing these and other

duties and requires public bodies to provide the departmental head with any information the head requires in order to advise the minister on this.

In relation to procurement, the bill would replace the Victorian Government Purchasing Board with a state procurement board which is intended by the government to focus on high-value, high-risk procurement across the public sector and also on reviewing probity and process complaints.

In relation to reporting, the bill provides for inclusion of estimates for the public financial corporations sector in the budget papers and the budget update. It provides for capital works details that are currently provided after the budget in budget information paper 1 to be published at budget time, and it provides for most financial reports and the budget update to be provided somewhat earlier to the Parliament. All of these measures are said to be introduced using a principles-based approach under which the bill states general principles and objectives and leaves it to the finance minister to fill in much of the detail.

The provisions of the bill relating to principles, procurement and the definition of public bodies would commence on 1 July this year, and the provisions relating to financial reporting build up successively, commencing in the 2010–11 year.

When one probes beyond this bald description and considers what the bland words of the bill actually say and mean, it can be seen that this bill plumbs new depths in the extent of the political control and direction it attempts to introduce over bodies that are supposed to be independent bulwarks of democracy, accountability and the rule of law.

The Public Administration Act 2004 was bad enough. It gave the government direct political control over vast swathes of the public sector, not only those bodies that legitimately exist to implement aspects of government policy but also bodies that should exercise their functions independently of government.

Victorians are already paying the price of the 2004 legislation and the politicisation it introduced. We see the carefully orchestrated political advertising campaigns, the tentacles of the government's media unit wrapping around Victoria Police and the Environment Protection Authority turned from a watchdog into a lap-dog when it comes to standing up to protect citizens from pollution caused by government, such as freeway noise pollution.

However, even the Public Administration Act drew the line at giving the government power to exercise

political control and intervention over bodies such as the electoral commission, the Ombudsman, the Office of Police Integrity or the courts.

The bill before this house makes no such reservations. It gives the government the power to require every single public entity in this state to toe the government line, to strive to achieve the government's objectives, to implement government policy and to provide departmental secretaries with whatever information they may require in order to keep their minister informed about how well that entity is complying with those requirements.

**Mr Stensholt** interjected.

**Ms Pike** interjected.

**The ACTING SPEAKER (Mr K. Smith)** — Order! I warn the member for Burwood and the minister at the table, the Minister for Education.

**Mr CLARK** — Imposing such responsibilities and accountability mechanisms on public bodies may well be a good measure for those bodies that are supposed to be working to achieve the policy goals of the government of the day — bodies such as water boards or public hospitals. However, even then there is an issue about avoiding departmental micromanagement and cutting across appointed boards. But the legislation moves far beyond that when it seeks to attack the pillars of democracy and accountability themselves and make them subordinate to direct government control and intervention.

Let us look at the bill to see how it achieves this. Let us have a look at clause 4 of the bill, which defines what a public body will be. The bill states that a public body is:

... a body corporate which is controlled by the State and holds, raises, collects or expends money;

Or it is —

... a body, office or trust body which —

... is established by or under an Act or enactment or by the Governor in Council or a Minister; and

... is declared by the Minister, by notice published in the Government Gazette, to be a public body ...

The annual financial report of the state of Victoria lists over 300 entities which are deemed to be controlled by the state. Every one of those entities which is a body corporate is automatically made a public body by the bill — and that extends to the Victorian Electoral Commission. Under the bill other entities can be turned into public bodies simply by the minister for finance

publishing a notice in the *Government Gazette*, and that would extend to entities such as the Auditor-General, the Ombudsman, the Director of Public Prosecutions, the Office of Police Integrity and the Judicial College of Victoria. There are other bodies that are administratively treated as part of departments, and they also could be deemed to be public bodies by notice of the minister published in the *Government Gazette*, including the courts and the Victorian Civil and Administrative Tribunal.

Even the bill itself shows that it is the government's intention that the Ombudsman, the Auditor-General and the Victorian Electoral Commission could be brought under government control, because proposed subsection 42(15) explicitly provides that that section does not apply to those offices. Of course that exemption would not be needed unless it was possible to make them public bodies in the first place, because they are certainly not departments under the bill's definition of departments.

So what are the consequences if a body is made a public body? Under clause 12(1) of the bill a department or public body has responsibilities:

- (a) to support the achievement of outcomes by ensuring that outputs are delivered in an efficient and economical manner and obligations are met in a timely manner;
- (b) to comply with applicable legislative requirements and to implement associated policy frameworks;

In other words, all public bodies are required to work to achieve whatever objectives the government specifies and to comply with whatever policy the government may set out as to how that body is to operate under its legislation. It then follows that:

- (3) The relevant Department Head must advise the relevant Minister on the discharge by a public body of the responsibilities conferred on the public body under this section.
- (4) A public body must provide to the relevant Department Head any information which the relevant Department Head requires to enable the relevant Department Head to comply with subsection (3).

So not only can the independent body be required to conform with the government policy, the department can require it to hand over whatever information the department head may require to see whether or not they are doing what they have been told to do.

That could extend to almost any aspect of an organisation's operations. If it is government policy to be soft on crime, that can be set out in a policy document associated with the Sentencing Act which the

courts and the Director of Public Prosecutions can be obliged to comply with. If it is government policy that public bodies keep the Premier's media advisers informed about potentially politically sensitive matters that they are involved with under their legislation, then the Office of Police Integrity or the Ombudsman could be obliged to keep the government informed about any politically sensitive complaints they are investigating.

The sweep of the powers that are proposed in this bill is made even starker when it is contrasted with the corresponding provisions under the Public Administration Act. As I referred to earlier, that act had enough problems of its own because it vastly extended the government's political control over many public bodies. We on this side of the house made that clear at the time. But not even the Public Administration Act sought to achieve the potential for political intervention in independent institutions like the courts, the Ombudsman or the Director of Public Prosecutions. Section 81 of that act states:

... The board of a public entity must —

... act consistently with the functions and objectives of the entity and with any business or strategic plan or other document relevant to the work program ...

... inform the Minister responsible for the public entity and the relevant Department Head .

... provide the Minister responsible for the public entity with any information relating to the entity or its operations ...

There is also section 92, 'Power to make public entities subject to specified whole of government policies', which provides:

- (1) On the recommendation of the Premier the Governor in Council may ... require all public entities, or a specified public entity ... to comply with a specified whole of government policy ...

But —

- (3) Nothing in this section authorises the making of an Order in relation to a public entity that exercises functions that are of a quasi-judicial nature that would impede the exercise of any such function.
- (4) Nothing in this section authorises the making of an Order in relation to a public entity —
  - (a) that would impede the exercise of any statutorily independent function that it has; or
  - (b) intended to bring about a particular result or achieve a particular outcome in a particular matter over which the entity has jurisdiction.

None of those caveats are in the bill that is before the house. What is a public entity in the Public

Administration Act? This is the crucial point. The act states:

... a public entity is a body, whether corporate or unincorporated —

... that is established —

... by or under an Act ... by the Governor in Council; or

... by a Minister ...

There are various other categories, but the absolutely crucial part is this:

but does not include —

... a Department or an Administrative Office; or

... an exempt body; or

... a special body in its capacity as a special body ...

**Sitting suspended 1.01 p.m. until 2.07 p.m.**

**Business interrupted pursuant to standing orders.**

## QUESTIONS WITHOUT NOTICE

### Western Health: performance

**Dr NAPTHINE** (South-West Coast) — My question without notice is to the Premier. Given that Jill Hennessy, the ALP candidate — —

*Honourable members interjecting.*

**The SPEAKER** — Order! I suggest to all members that the level of disrespect shown by both sides of Parliament yesterday not be repeated today. I ask members to show courtesy and true parliamentary behaviour towards one another.

**Dr NAPTHINE** — Given that Jill Hennessy, the ALP candidate for Altona, has been a leading board member of Western Health since 2005 as well as a member of the hospital's audit and risk and governance and remuneration committees, can the Premier now advise the house whether he has asked Ms Hennessy to explain why Victoria's latest statewide hospital patient satisfaction survey shows that Western Health has the worst patient satisfaction rating across the whole state?

*Honourable members interjecting.*

**The SPEAKER** — Order! I will suggest only once that if the Minister for Health and the member for Caulfield wish to have a discussion, they can do so outside the chamber.

**Mr BRUMBY** (Premier) — I thank the member for South-West Coast particularly for his interest in health in the Altona electorate. He has shown a great deal of interest over the years. One of the stories about our government is that we have been investing in health right across the state. We are investing in the honourable member's electorate with the redevelopment of Warrnambool hospital, the biggest redevelopment in the hospital's history — but that is no thanks to the local member.

We are investing in health in Altona and the western suburbs. One thing we have done as a government is build up health services. There is an alternative to building things up — that is, closing them down and selling them off. Speaker, do you know why the member for South-West Coast asked this question?

**Mr Merlino** interjected.

**The SPEAKER** — Order! I suggest to the Minister for Sport, Recreation and Youth Affairs that he cease interjecting in that manner.

**Mr Mulder** interjected.

**The SPEAKER** — Order! I suggest to the member for Polwarth that he does not try to speak over the top of the Speaker.

**Dr Napthine** — On a point of order, Speaker, the Premier is debating the issue. I ask you to bring him back to answering the question, which was about the low levels of patient satisfaction at Western Health.

**The SPEAKER** — Order! I uphold the point of order.

**Mr BRUMBY** — In terms of health services in the western region, I understand that Western Health has received 148.2 per cent more recurrent funding this year than it did in 1999. I do not know all the members on the board of Western Health, but I would say they have done a pretty good job of getting budget funding from the government — a 148.2 per cent increase. Western Health currently employs 703 full-time nursing staff, or 84 per cent more than when you were last a minister in this Parliament.

**The SPEAKER** — Order! The Premier will not address members in that manner. He should make all his remarks through the Chair.

**Mr BRUMBY** — I understand also that Western Health has received \$147.7 million of funding for capital projects, including \$93.5 million for stages 1 and 2 of the Sunshine Hospital, \$24.8 million for the

Western Hospital redevelopment and \$10 million for the Werribee Mercy Hospital redevelopment. I suspect the Minister for Health will have a bit more to say about that later today.

**Mr McIntosh** — On a point of order, Speaker, the Premier was clearly reading from a document that had been handed to him by the Minister for Health, and accordingly I ask you to ask the Premier to make it available to the house. He was clearly reading from that document that was handed to him.

**The SPEAKER** — Order! Is the Premier referring to notes or reading a document?

*Honourable members interjecting.*

**Mr BRUMBY** — I am referring to notes.

**The SPEAKER** — Order! All members know the established practice of this house. Any member is entitled to refer to notes.

**Mr BRUMBY** — The record of this government on health and indeed on education, on building police stations and ambulance stations, on providing additional teachers and nurses and doctors and public transport — —

**Mr Wells** — You were reading those notes.

*Honourable members interjecting.*

**Mr BRUMBY** — This is your best contribution in a decade. It is!

*Honourable members interjecting.*

**The SPEAKER** — Order! If the member for Scoresby does not cease his constant interjecting, he will not stay at question time. I ask the member for Malvern, as I think I did yesterday, to refer to members by their appropriate titles.

**Mr BRUMBY** — I am happy to read from one document, which is headed 'For sale by public tender — 48 school and education centre sites'. If you would like me to table that, I am happy to table that.

**The SPEAKER** — Order! Premier!

**Mr BRUMBY** — I am happy to read from this one: Parklands primary — —

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

**Mr BRUMBY** — In conclusion, we stand by our record of investment in Western Health and the western region. It shows a very stark contrast with investment in the 1990s. We have been investing, we have been building, we have been employing more nurses, we have been opening more health services and we have been providing better quality health services to the people of this region than they had more than a decade ago.

**Western suburbs: government initiatives**

**Mr NOONAN** (Williamstown) — My question is for the Premier. I refer to the government's commitment to make Victoria the best place to live, work, invest and raise a family, and I ask: can the Premier outline to the house how the government is standing up for families in Melbourne's western suburbs?

**Mr BRUMBY** (Premier) — Our government has got a strong record, I believe, of standing up for families in our state. We have stood up for families in terms of what we have done in education, what we have done in health, what we have done in terms of additional police and what we have done in terms of investment in roads and public transport.

We have also stood up for families across the state in terms of the new business — the new investment — we have attracted to Victoria, which has generated jobs for Victorians. As I said yesterday in this place, job security — jobs for Victorians — is amongst the most important things in terms of supporting families. If you have got a job, you have got confidence and hope about the future. Members will recall that yesterday I said that in the 2009 calendar year Victoria generated more than 75 000 new jobs in our state, which was the bulk of new jobs generated across the Australian economy. It is true to say that about the western suburbs of Melbourne too.

One of the things that I have been proudest about is what we did with Toyota — what we did to secure the investment in the hybrid Camry. Make no mistake about it: Toyota needed to make that investment to secure the long-term future of this plant. I went to Japan, we worked with the federal government and we secured this investment. This is one of only five such plants around the world. It is great for jobs, great for the environment and great for families too, because it will drive down the cost of motoring by improving fuel efficiency and fuel economy. We have delivered in supporting Toyota, which employs 3200 people in Altona.

Might I say we are also delivering the most generous first home buyers assistance scheme in Australia. In the last 12 months this scheme has helped 9443 families purchase their first home in the western suburbs. I have been out in the western suburbs over the last few months, and on every occasion when I have been out there I have had a look at the development that is occurring in the residential sector and realised the multiplier effect from each of those new homes — the carpenters, bricklayers, labourers, electricians and plumbers. All these jobs are being generated because we led Australia in providing that confidence to first home buyers — 9433 of them!

All these things are getting results. From December 2008 to December 2009, which is the latest regional data we have, an additional 7436 people were employed in the outer western Melbourne region. That is an increase in the number of people employed of 2.2 per cent. It is not just what we are doing in industry or with the first home buyers assistance scheme; there are other things we are doing out there.

I have mentioned health. I believe today in question time there may be an opportunity to talk about what we are doing in education. I was at Point Cook Prep-Year 9 College earlier this week. We have rebuilt that school; we are regenerating other schools like Carranballac P-9 College. All of this is about investing.

We are investing in health, as I have mentioned today. We are investing in transport, with the revised bus network that will start this year — the new bus route linking Tarneit, Hoppers Crossing, Truganina and Werribee Plaza, and Werribee and Laverton stations. We have extended the bus route into the growing suburb of Point Cook via Boardwalk Boulevard, connecting Point Cook to Hoppers Crossing. We have provided new Sunday and public holiday services. There are a number of other initiatives in terms of new bus services to parts of the Laverton North industrial area. We are making huge investments in our rail system — \$4.3 billion will be spent on the regional rail express project.

In terms of roads, among what we have done in recent years is the duplication of Kororoit Creek Road — I drove down there the other day — at \$48.5 million, and the extension of Palmers Road in Point Cook. All of these things are putting valuable infrastructure in place, which supports working families in the west.

We are also making the community safer, with the average increase in full-time police across the police service areas of the western suburbs of over 33 per cent. The statistics show that since we have been in

government the crime rate in that area has been reduced by 25 per cent. I am advised that in the Wyndham police service area the rate of theft from motor vehicles has dropped by 28 per cent and the rate of theft of motor vehicles has dropped by 18 per cent.

All this tells a story about standing up for the western suburbs and for investment. If you look at what has happened in recent years in this area, you will see there has been massive investment in this area. There has been strong population growth. We are a government that invests in families and invests in the west of Melbourne

### Western Health: waiting lists

**Dr NAPHTHINE** (South-West Coast) — My question without notice is to the Premier. I refer the Premier to documents obtained by the opposition under freedom of information which reveal massive secret waiting lists for hospitals operated by Western Health. I ask: is it not a fact that this government and the board of Western Health, including ALP Altona candidate Jill Hennessy, have been trying for years to hide this information? Will the Premier now explain why Western Health failed to reveal an additional 2900 patients who have been warehoused on secret waiting lists and not reported to the public?

**Mr BRUMBY** (Premier) — I thank the honourable member for his question. I am reminded of a comment made last year, if my memory is correct, by the chair of Melbourne Health, the Lord Mayor of Melbourne, the Honourable Robert Doyle, when a previous claim of this type was made by the opposition: he said members of the opposition add up their numbers like children.

*Honourable members interjecting.*

**Mr BRUMBY** — He is wrong — the oracle is wrong! The reality is that we have put more than 8000 nurses back into the system, we have more than doubled hospital funding and we have provided a 148 per cent increase in funding for Western Health. The reality is that the health services being provided there today are miles better than they ever were in the 1990s. You can throw up all the facts and figures you like; the reality is —

*Honourable members interjecting.*

**The SPEAKER** — Order! Any member of the opposition who wishes to ask a question can stand in their place at the appropriate time and they will be called. The constant interjections while the Premier is trying to answer the question asked by the member for South-West Coast are most inappropriate.

**Mr BRUMBY** — The reality is that the Liberal Party is embarrassed —

*Honourable members interjecting.*

**The SPEAKER** — Order! I ask the member for South-West Coast to cease interjecting in that manner, as if he had no interest in the answer.

**Mr BRUMBY** — They are embarrassed by their performance in education and health. That is the reality.

*Honourable members interjecting.*

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

**Mr BRUMBY** — Speaker, you would not get a starker contrast to that — the huge investment that has been made in what is, by the way, now one of the fastest growing areas anywhere in Australia. That area from Wyndham right around through Melton and indeed right around to Hume is the fastest growing metropolitan area anywhere in Australia. It is the fastest growing for a whole range of reasons. Families are moving there because the quality of life is good. This business where politicians go around bagging the western suburbs, talking down the western suburbs, ridiculing and criticising the health and education system, is all about a contempt that the Liberal Party has for the western suburbs.

**Dr Naphthine** — On a point of order, Speaker, not only is the Premier misleading the house, he is debating the question. I ask you to bring him back to answering my question about why the hospitals have dodgy waiting list figures and 2900 people warehoused on secret dodgy waiting lists in Western Health.

**The SPEAKER** — Order! Has the Premier concluded his answer?

**Mr BRUMBY** — Yes.

**The SPEAKER** — Order! The Premier has concluded his answer.

**Mr K. Smith** — What a dud!

**The SPEAKER** — Order! I ask the member for Bass to cease interjecting in that manner.

*Honourable members interjecting.*

**The SPEAKER** — Order! If the member for Bass is suggesting he is going to defy the Chair, he could leave the chamber now.

**Mr K. Smith** — Not at all. The Attorney-General is the one — —

**The SPEAKER** — Order! The member for Bass knows better.

**Education: western suburbs**

**Ms THOMSON** (Footscray) — My question is for the Minister for Education. I refer to the 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 what action the Brumby Labor government is taking to ensure that the children in the western suburbs receive a great education and every opportunity to succeed?

**Ms PIKE** (Minister for Education) — I thank the member for Footscray for her question and for her longstanding commitment to education for young people in the western suburbs of Melbourne. We are in fact getting on with the job of building a world-class education system for students in Victoria, regardless of their postcodes, so right around this state we are fulfilling this commitment.

The western suburbs are a great example of where we have invested — in this case more than \$490 million — to rebuild, renovate and extend schools, including more than \$110 million in the Altona area. For the benefit of the house let me outline some of these really important initiatives that are of such benefit to the students and their families: over \$18.5 million at Point Cook Senior Secondary College, which I might add won the best secondary school design award in the 2008 Victorian school design awards; \$19 million for new facilities at Carranballac P-9 College; over \$18 million for the creation of the new Laverton P-12 college; and over \$12 million for the Altona Bayside school regeneration project. That is not to mention the brand-new Point Cook Prep–Year 9 College, which the Premier visited on Monday and which is one of the five fantastic brand-new schools benefiting families in the growing suburbs this year. Residents in Altona will also benefit from the second new school in that program, the Truganina South primary school, which will open in 2011 as part of this overall plan.

I must say it is really rewarding, satisfying and fulfilling to be on the side of the house that is helping families in the growth corridors, the side that is in the business of growing and developing and building schools rather than slashing them, selling them and sacking their teachers. While we are speaking of teachers, we have been undoing the damage that was done after the sacking of teachers in the 1990s. Rather than putting

people out of work, sacking teachers and denying communities access to teaching resources, we have employed over 9500 additional teachers and staff, and more than 2000 of those have been in the western suburbs. In the Altona area that is 350 additional teachers; that is 350 extra people in those communities to support those families and to provide those children with a fantastic education.

This government stands up for the west. Some 13 000 students in the western suburbs have this year benefited from our \$300 School Start bonus. That is giving a fantastic helping hand to families with children starting primary or secondary school. When you add that to the education maintenance allowance you see we really are supporting particularly vulnerable families with their educational expenses.

There are some people who have so much that they cannot empathise with others who have to work hard for their families. We understand these are expensive times for families. We understand they need support with their education. We understand you need to provide quality new buildings. We understand you need to employ additional new teachers. We understand you have to give families additional support.

We have a strong record. We are continuing to invest in the west. It is a far cry from those families that woke up one morning many years ago to discover their school was closed to those that woke on up on Monday morning and went to a fantastic new facility in Altona.

**Western Health: waiting lists**

**Ms WOOLDRIDGE** (Doncaster) — I refer the Premier to the hidden waiting lists for Western Health, which reveal that amongst the 2900 patients seeking care, one patient has been warehoused on this hidden list for 1500 days, or more than four years, another for 1603 days, another for 954 and another for 1584 days, and I ask: is it not a fact that the people of Altona have been denied access to hospital and placed on — —

*Honourable members interjecting.*

**The SPEAKER** — Order! Members of the government will not shout down the member for Doncaster as she tries to ask this question. The member for Doncaster, to continue her question.

**Ms WOOLDRIDGE** — Thank you Speaker. My question is to the Premier. I refer the Premier to the hidden waiting lists for Western Health, which reveal that amongst the 2900 patients — —

**Mr Brumby** interjected.

**The SPEAKER** — Order! The Premier! I ask the Premier for some cooperation, and the Minister for Education.

*Honourable members interjecting.*

**The SPEAKER** — Order! And members of the opposition.

**Ms WOOLDRIDGE** — I refer the Premier to the hidden waiting lists for Western Health, which reveal that amongst the 2900 patients seeking care, one patient has been warehoused on this hidden waiting list for 1500 days, or more than four years, another for 1603 days, another for 954 days and another for 1584 days, and I ask: is it not a fact that thousands of people in Altona have been denied access to hospital care and placed on secret waiting lists by this government and the board of Western Health, including the ALP candidate, Jill Hennessy, because this government and its Labor mates for years have covered up their neglect of health services in the west?

**Mr BRUMBY** (Premier) — I thank the honourable member for her question. I do know that thousands of people in Altona were denied access to hospital care when Altona Hospital was closed. It did not close under our government; it closed under the former Liberal government. Does the honourable member not know that? She does not even know — —

**The SPEAKER** — Order! The Premier will not debate the question.

**Mr BRUMBY** — In relation to hospital annual reports that are presented to this Parliament, hospital annual reports are presented every year to this Parliament, and they contain all of the facts and figures. They are signed off — —

**Mr Wells** interjected.

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

**Mr BRUMBY** — They are signed off by the hospital board and signed off by the Auditor-General.

**Mr Wells** — That is the point!

**Mr BRUMBY** — You do not like auditor-generals, do you?

In relation to the claims made by the honourable member, you would have to say then, given that the reports are signed off by the board and by the Auditor-General, that the claims she is making today are either ‘a deliberate distortion or a deficiency of

understanding in reading the figures’. I am quoting, of course, from the chair of Melbourne Health and Lord Mayor of Melbourne, Robert Doyle. The opposition tried this stunt last year — and that is what it is: it is a stunt — in relation to the Royal Melbourne Hospital waiting list. There was a headline at the time.

**An honourable member** interjected.

**Mr BRUMBY** — It is exactly the same issue. This is what the chairman of Melbourne Health said at the time:

This is either a deliberate distortion or a deficiency of understanding in reading the figures, but either way it is irresponsible to simply label the Royal Melbourne in this way.

**Mrs Shardey** — On a point of order, Speaker, the Premier — —

**Mr Stensholt** interjected.

**The SPEAKER** — Order! The member for Burwood is warned.

**Mrs Shardey** — The Premier is clearly debating the issue. He has not answered the question about the hidden waiting list. If he cares to look at the Auditor-General’s report, he will know exactly what we are saying.

**The SPEAKER** — Order! I do not uphold the point of order.

**Mr McIntosh** interjected.

**The SPEAKER** — Order! I ask the member for Kew for some cooperation.

**Mr BRUMBY** — The chair of Melbourne Health went on to say that the allegation being made by the Liberal Party was ‘a slur on the hard work of the doctors and nurses’. He went on to say about the stunt, which is being repeated here today:

They (the waiting list figures) are only dodgy when they are added up like a primary school kid would add them up.

**Mrs Shardey** — On a point of order, Speaker — —

**Mr BRUMBY** — You obviously wrote the question.

**The SPEAKER** — Order! The Premier! The member for Caulfield on a point of order.

**Mrs Shardey** — The Premier is still clearly debating this issue, and he is referring to another

waiting list — the outpatients waiting list — which is also hidden.

**The SPEAKER** — Order! I suggest to the member for Caulfield that making a point of debate under the guise of a point of order is most inappropriate. I ask the Premier to conclude his answer.

**Mr BRUMBY** — As I have said, I believe the investments we have made in health in the western suburbs stand the test of scrutiny. They are substantial investments, with additional doctors, additional nurses, additional facilities, additional ambulance stations and record numbers of patients being treated. That is in very stark contrast to the situation 15 years ago.

### Road safety: government initiatives

**Mr NARDELLA** (Melton) — My question is to the Minister for Police and Emergency Services. I refer to the 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 measures the government and Victoria Police are taking to reduce trauma on our roads and on what actions the government is taking to tackle challenges in this area?

**Mr CAMERON** (Minister for Police and Emergency Services) — I thank the honourable member for Melton for his question and also the enormous support that he gives when it comes to initiatives to reduce road trauma across this state.

Last year in Victoria we had the lowest road toll on record, with 290 fatalities; that was down from 303 the year before. The government joins with the community and joins with other agencies in recognising that there has been an enormous amount of work across the entire breadth of the state to bring about that result. Certainly we thank all of the people who have been involved.

As at midnight last night, unfortunately 26 people had already died on our roads; that is actually 5 less than at the same time last year. What we want to see this year and in future years is a continual reduction in the road toll.

Speaker, you will be aware that we have the Arrive Alive strategy. Members should have a look at the agencies involved there, the Transport Accident Commission and VicRoads, and have a look at the improvements that have occurred in infrastructure and what is occurring around educating the public. Some of that is education which is done on a very broad basis, like the television campaign, which is very important to bringing about a reduction in road trauma.

We also see the key role that Victoria Police has in policing. If you have a look at the national road toll for last year, you see it was not pretty at all. But when you look at Victoria and the reduction, what stands out is the very strong principle of enforcement that we had in Victoria. That is something the government supports and the police were very keen to do, and we have seen the outcome of that. Whether that has been because of the enforcement around speed or whether it has been because police have the equipment they need, like moving mobile radar, as a result of the record budget provided by the Brumby Labor government, or whether it is because of the increase in the alcohol and drug-testing regime, what we are seeing is improvements.

We have also seen the hoon impoundment laws. Since the laws were introduced in 2006 we have seen around 10 000 hoons taken off the roads. When we came to government we did not have any of these sorts of laws, but we recognised that this sort of yobbo-ish behaviour was unacceptable; it was illegal behaviour and it was a danger on our roads. Police tell us that they love those laws and that they get results. The fact that we see second offenders on only 5 per cent of occasions is a demonstration of that. Police point out that only about 1 per cent, a small number, come back a third time.

Let us look at the number that have been taken off the roads around the state. In the Ballarat, Buninyong and Learmonth areas 173 hoons have been taken off; in the Dookie, Mooroopna, Murchison, Shepparton and Tatura areas 221 have been taken off; and in Bendigo — the hoon enforcement capital of the state — over 400 have been taken off, and I congratulate police on what they do and the way they have improved Bendigo. In Altona North 106 were taken off; in Laverton, 52; and in Williamstown, 47 — that is a total across the Hobsons Bay police service area of 205. Police have been doing a fantastic job out there. Not only have we seen these hoons being detected but we have also seen a 25 per cent reduction in crime over the last decade. In the Werribee area, in the Wyndham police service area, 279 hoons were taken off the roads.

While all those people were being taken off the roads and those hoon laws were being put into practice we recognised that there were other commentators out there who had a different view. One commentator said, 'I would have thought that someone booked for hoon driving on the first occasion should get a warning and only be booked and have their car seized on the second occasion'. That statement was made back at the start of 2007 by the honourable member for Kew, who was the spokesman for the opposition on these matters.

Last night we announced in the budget that going forward we would be expanding the hoon program and that there would be a tougher regime for repeat hoon driving and high-risk offenders, which we announced recently, on top of the announcement around repeat drink drivers and drug drivers.

We continue to work on these laws in this area because we know that it is essential to help reduce road trauma. That is something that as a community we all have a vested interest in, and that is why the government has invested so heavily in police.

### **Public transport: myki ticketing system**

**Mr BAILLIEU** (Leader of the Opposition) — My question is to the Premier. I refer the Premier to his statement in this house in which he tried to justify pumping an additional \$350 million into his myki ticketing fiasco and indicated it is ‘the appropriate ticketing system for the state in the years ahead, and it will serve our state well’, and I ask: given that the Premier has now admitted myki is a mess, will the Premier acknowledge that his decision to prop up the ailing myki was a massive mistake?

**Mr BRUMBY** (Premier) — The point is that ticketing systems need replacing as technology changes. If you compare the ticketing systems that are in place around the world today with those of 10, 20 or 30 years ago, you see they have changed to accommodate the improvements in technology. So it is and so it was with the system in our state. We have needed to move from the Metcard system to a new electronic system.

As I have indicated publicly and to the house before, if you look around the world, whether it is London, whether it is Hong Kong, whether it is San Francisco or whether it is Toronto — in all those cases where new electronic systems were introduced, whether it was the Oyster, the Octopus or any other of those new systems — you see that they were phased in over a lengthy transition period. That has always been the case.

*Honourable members interjecting.*

**Mr BRUMBY** — The world is wrong! Those opposite are a bit uncomfortable about facts. That is the reality.

The system remains appropriate for our state. When the system is introduced it will guarantee passengers the lowest possible fare and will ensure that public transport use can be properly tracked and monitored to better plan for our needs in the future. The system is

right, but it is like so many of the systems we have seen put in place around the world, and the implementation and transition phase can often take some time.

### **Automotive industry: government support**

**Mr EREN** (Lara) — My question is to the Minister for Industry and Trade. I refer to the government’s commitment to make Victoria the best place to live, work and raise a family, and I ask: can the minister advise the house on how the Brumby Labor government is assisting the automotive industry to create jobs, and is the minister aware of any challenges facing the industry?

**Ms ALLAN** (Minister for Industry and Trade) — I thank the member for Lara for his question and for his strong commitment — which all members in Geelong have — to the automotive industry, particularly in the Geelong region. As all members of the house know well, Victoria is home to Australia’s car industry. It directly employs over 35 000 people in this state and throughout the broader manufacturing sector supports a further 88 000 Victorian jobs. The Brumby Labor government is a passionate supporter of this vital sector of our economy; we understand how vital it is for tens of thousands of working families and their communities to have access to these important jobs.

It is pretty well broadly understood that the car industry was disproportionately affected by the global economic slowdown. That is why the Brumby Labor government has been working hard with the industry and in partnership with the federal Rudd Labor government to work through the challenges facing the industry.

Just last week some government members and I were in Geelong, where there has been a strong outcome that tells the story of how, when you get governments together with industry, you can get a positive outcome. The Premier, the members for Lara and Geelong and I were in Geelong, along with the federal Minister for Industry, Senator Kim Carr, to celebrate the opening by the Premier of a new glass manufacturer, the MH Group. As I said, this is a good-news story for Geelong, and it is also good news for the Victorian car industry.

In June of last year this site was facing an uncertain future. Some jobs were at risk there, and certainly the broader supply chain for the industry was threatened. But, thanks to a coordinated effort and support received from the federal government and from the Brumby government through its Industry Transition Fund, this plant was able to be given a new lease of life. There was a new owner and new investment in new equipment and, most importantly, it resulted in securing

68 jobs in the Geelong community, and that is an important outcome.

I also emphasise that Toyota in particular has been a strong supporter of this company and this project and now plans to use the glass manufactured in this facility, which we saw last week, for its new hybrid Camry. This is a terrific example of how federal and state Labor governments have been able to work together and put investment on the table, and Victorians will soon be able to purchase Australia's first home-grown, locally built hybrid vehicle. It will be built at Toyota's plant at Altona. This is not only about producing a new vehicle that responds to the new environmental challenges that we face as a society, it will also secure the future of the Altona plant, which employs around 3200 people across the region and creates a vital \$1.5 billion worth of exports for our state. These are the results you get when you have a plan for working with industry and a plan that supports the industry and creates jobs.

In the question from the member for Lara I was asked about some of the challenges the industry is facing. I have already spoken about the economic slowdown and how that was a concern for the industry, but unfortunately not everyone believes governments should be supporting the people of Altona and working families right across the state who work in the car industry. Indeed a former prominent member of this house was recently reported in the *Herald Sun* as saying that he questioned the support for the motor industry. He is reported as saying that the funding to assist research and production of smaller, greener cars flies in the face of reality. Who put this new policy position forward? Who was this?

*Honourable members interjecting.*

**Ms ALLAN** — I am very pleased to inform members opposite that it was their former leader. The former Premier of Victoria and former leader of the Liberal-National coalition, Jeff Kennett, is putting forward this new policy position from the Liberal Party that would throw Victoria's car industry on the scrapheap and destroy opportunities for tens of thousands of working families.

Families in Altona and right across Victoria have a very clear choice. It is a choice between a government that is working hard, that has a plan and that is supporting the industry and supporting working families versus those opposite, who clearly do not support the car industry, do not support working families and would prefer to stand by — —

*Honourable members interjecting.*

### **Minister for Police and Emergency Services: performance**

**Mr RYAN** (Leader of The Nationals) — My question is to the Premier. I refer to the Premier's damning admission yesterday that the police minister is 'not a strong media performer'. Given that the minister's weaknesses have also been shown in the production of dodgy crime statistics, a massive budget blow-out in the police business information technology service, a series of blunders at the police forensic laboratory regarding DNA samples, unprecedented levels of violent crime on Victorian streets and a police budget which now sees Victoria Police as the lowest funded police force per capita of all of the Australian states, I ask the Premier: what is the Minister for Police and Emergency Services good at?

**Mr BRUMBY** (Premier) — As I said yesterday in question time and as I said to the media yesterday, we are a government with a police minister who gets results.

*Honourable members interjecting.*

**The SPEAKER** — Order! I ask opposition members to show some respect to the Premier.

**Mr BRUMBY** — As I said yesterday in question time, by the end of this year there will be almost 2000 additional police. I want to thank the Minister for Police and Emergency Services and acknowledge the great efforts he has made in the arguments he has put to the expenditure review committee and the cabinet to achieve additional police resources, because the reality is that there are a lot of competing demands on governments.

There are always competing demands from transport, health, education and police. We saw in the 1990s how those competing demands resulted in police numbers being cut by 800. We have increased police numbers by almost 2000, with a turnaround from negative 800 to plus 2000, a turnaround of almost 3000; and we have seen results from that.

It is an appalling thing that despite all the statistics that are prepared by the Chief Commissioner of Police — —

**An honourable member** interjected.

**Mr BRUMBY** — The member laughs about the Chief Commissioner of Police. We will put that on the *Hansard* record. All the statistics that are put on the record by the Australian Bureau of Statistics as a result of its household surveys show that the level of crime in

our state has come down by nearly 25 per cent in 10 years. If the member really had the state's interests at heart, he would say that that was a great thing. He would say that was a great achievement.

*Honourable members interjecting.*

**The SPEAKER** — Order! The Premier will make his remarks through the Chair.

**Mr BRUMBY** — A delusion! We know for a fact that in the 1990s the rate of crime went up. We know that in this decade the rate of crime has come down. These figures all show that we are the safest state in Australia. In the last year Victoria's crime rate has fallen for the seventh consecutive year — 1.7 per cent — and as I said, our crime rate is now 25 per cent lower than it was in 2000–01.

As I have said frequently in this Parliament, we have a challenge: it is a challenge for the government, it is a challenge for the police force, and I believe it is a challenge for the whole community — that is, alcohol-fuelled violence. As I said in question time yesterday, fixing that problem requires a mixture of tougher laws and more police but also a cultural change in the community. The Minister for Police and Emergency Services put proposals last year for tougher laws, for the move-on powers, for the knife powers, for 120 additional police, and he won that debate in cabinet.

*Honourable members interjecting.*

**Mr BRUMBY** — He was not proposing cuts like you used to do.

**The SPEAKER** — Order! The Premier!

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for Hastings is warned and the member for Warrandyte is warned.

**Mr BRUMBY** — As I said yesterday, this is a government with a police minister who gets results. I believe the facts confirm that. That is a good result for our state in terms of reducing crime, additional police and tougher laws. The significant challenge that the government, the Parliament and the community have is how we tackle alcohol-fuelled violence, which is going to require the combination of more police and tougher laws plus a cultural change. We are seeing positive changes now, and we will see them grow further over the next 12 to 15 months.

## Hospitals: western suburbs

**Ms KAIROUZ** (Kororoit) — My question is for the Minister for Health. I refer the minister to the government's commitment to make Victoria the best place to live, work, invest, and raise a family, and I ask: could the minister outline the action being taken by the Brumby Labor government to invest in Victoria's health system and to rebuild services in Melbourne's western suburbs?

*Honourable members interjecting.*

**The SPEAKER** — Order! I call on the Minister for Health, without assistance from either the member for Caulfield or the member for Polwarth.

**Mr ANDREWS** (Minister for Health) — I thank the member for Kororoit for her question and her interest in and commitment to first-class health service provision in her local community. This government takes very seriously its responsibility to give to our doctors and nurses, our paramedics and all our health professionals the resources they need to treat more patients and to provide better care to meet the health challenges that are so important to families right across Victoria, but particularly in growing suburbs in Melbourne's west. That is why as a government we have proudly supported Western Health; that is why we very proudly supported other health services in Melbourne's west like the Werribee Mercy Hospital.

It was with some pride that I was able to visit Werribee Mercy Hospital this morning to meet with and talk to senior executives from Mercy Health and Aged Care, sisters from the Sisters of Mercy, other members of staff and patients about their experiences and their strong support for the investment occurring at Werribee in providing better support for families in that local community.

I speak of an important event to turn the first sod in a \$14 million redevelopment to fundamentally expand the maternity and special care nursery capacity at the Werribee Mercy Hospital — a very important project funded as part of around \$30 million in baby boom capital works from the 2008–09 budget. I congratulate all the staff and the partners that have been involved in this project. A lot of hard work and planning has gone on, and it was great to formally mark the beginning of that important expansion project out there at the hospital earlier this morning.

When it is completed this important expansion will see eight additional obstetric beds, increasing the number of beds from 24 to 32, and four additional special care

nursery cots to increase the size of that nursery from 12 to 16 beds. What that is all about is making sure that fewer sick babies need to be taken out of that local community and cared for at a tertiary centre. That is the first benefit of a bigger special care nursery.

Secondly, it means more sick babies and their mums will be able to come back to their local community earlier, getting the care that they need close to home, close to family and close to friends. That is the Labor way; that is what this side of the house has been absolutely committed to doing in capital works redevelopments right across the suburbs and right across the regions. This is a fantastic example of our steadfast commitment to giving our dedicated clinicians the physical infrastructure they need to provide the best possible care.

As I have said many times, health investments are not simply about better health services, they are also about driving strong economic growth. I am very pleased to be able to say that there will be 84 jobs created as a direct result of this important project. It is about better care, better facilities, supporting our dedicated clinicians and driving economic activity in an important and growing region in our suburbs — a win-win in anyone's terms. It was a great event, and I was absolutely delighted to be there.

On my way back to Parliament I gave some thought to perhaps dropping in to the Altona Hospital. Altona is very topical. I thought, 'Will I drop in to the Altona Hospital?'. Of course I could not drop in to the Altona Hospital unless I was interested in visiting an art gallery and community centre, because that is what the Altona Hospital has become today. It is not a hospital because it was closed down by members opposite. The choice is clear and the contrast is clear: this side of the house builds up our health system, but others close down, sell off and run down our health system. The contrast and choice could not be clearer.

**Mr McIntosh** — On a point of order, Speaker, yesterday the member for Polwarth asked the Premier a question in relation to the myki ticketing system. He referred to comments made by the Premier about testing in Geelong achieving a satisfactory result in a timely manner. The Premier was then asked about large financial claims which were made by regional bus operators as a result of a loss of revenue because of the myki ticketing system. The Premier indicated yesterday that he would provide the house with that information, and accordingly I would certainly be happy to provide the Premier with whatever levers are necessary for him to provide that information now, assuming that he has had a proper briefing in relation to that matter.

**Mr Batchelor** — On the point of order, Speaker, the member for Kew has not remembered what occurred, as he does many times. The Premier offered to make details available if the information referred to was made available to him, and that offer still stands.

**The SPEAKER** — Order! There is no point of order. The time set down for questions without notice has expired.

## PUBLIC FINANCE AND ACCOUNTABILITY BILL

*Second reading*

**Debate resumed.**

**Mr CLARK** (Box Hill) — As I was saying, sections 81 and 92 of the Public Administration Act already allow the government to require various public entities to provide information to the responsible minister and to require various public entities to comply with government policies. However, none of these powers in the Public Administration Act apply to exempt bodies, special bodies or an administrative office. All of these are excluded from the definition of public entity by section 5(1) of the Public Administration Act.

Exempt bodies under the Public Administration Act include courts and the Office of Public Prosecutions or the Committee for Public Prosecutions. Special bodies include the Electoral Boundaries Commission, the office of the Ombudsman, the Office of Police Integrity, the Victorian Civil and Administrative Tribunal, the Victorian Auditor-General's Office, the Victorian Electoral Commission and Victoria Police. The protections for these bodies in the Public Administration Act are by no means perfect, because the Governor in Council can remove the protections of the act from any special body. However, at least the starting point is made clear in the legislation that all those named bodies should be exempt, meaning the government would be under pressure to explain itself if it were to remove such a body. However, there is no such protection under the bill before the house. The minister for finance acting on his or her own can quietly publish a notice in the *Government Gazette* and thereupon the specified body becomes obliged to comply with government policy and hand over any information he or she or the department may require to make sure it is complying.

Let me nail any attempt at argument by the government that the bill does nothing more than is already covered

in the Financial Management Act. Under the Financial Management Act as it currently stands there is no automatic coverage of bodies like the Victorian Electoral Commission. More significantly still, even if a body were declared to be a public body by the minister for finance, the powers over that body that would flow would relate only to financial management and reporting and would in no way interfere with the independence of the body.

The powers over public bodies in the current Financial Management Act are set out in sections 6, 8, 44A, 51 and 52, to which honourable members can refer. It is one thing to ask the Ombudsman, for example, to provide financial information necessary to prepare whole-of-government accounts or to understand the Ombudsman's budgetary needs; it would be another thing entirely to require the Ombudsman to pursue government outcomes and to act in accordance with any policy framework that the government chose to attach to the Ombudsman Act.

The question also has to be asked, and to date it is unanswered, as to why on earth the government is seeking these additional powers in the Public Finance and Accountability Bill given that there are already parallel powers existing in sections 81 and 92 of the Public Administration Act to legitimately request information from various public entities or through a formal mechanism with specified safeguards to require compliance with government policy in certain circumstances. It has to be asked how a bill that contains such sweeping provisions for political control over the fundamental institutions of the state, as this bill does, could ever come before the house.

**Mr Stensholt** interjected.

**Mr CLARK** — Is it a further sign of the chronic breakdown of proper measures for internal control and advice within the government; is it a further manifestation of a public service grown used to a government that treats the entire public sector as a single giant spin machine; is it because the government has grown so arrogant and takes its power so much for granted that it sees nothing wrong with what it is doing; or is this a calculated measure by the government to take in 2010 that further step to exercise control over independent institutions that it dared not take in 2004?

**Mr Stensholt** interjected.

**Mr CLARK** — We on this side of the house intend to put the government to the test on this and on many other failings of the bill in the form of a reasoned amendment. I move:

That all the words after 'That' be omitted with the view of inserting in their place the words 'this bill be withdrawn and redrafted to:

- (1) ensure independent public bodies are not subject to political control and direction by government;
- (2) ensure that outcomes are specified and reported on in a manner that enables government to be held accountable for its performance or non-performance towards achieving those outcomes;
- (3) prevent government manipulation of performance measures through eliminating or redefining measures it finds politically embarrassing;
- (4) prevent deliberate accumulation and dumping of annual reports in Parliament each year by government so as to avoid accountability;
- (5) ensure that budget papers and annual reports provide a full range of relevant information on the performance of government, departments and public sector entities; and
- (6) require that directions, determinations, notices and other requirements by the minister under the legislation be made public and be readily accessible via the Department of Treasury and Finance website'.

**The SPEAKER** — Order! While the member for Box Hill draws breath I will ask the member for Burwood to cease interjecting in the manner he has been doing.

**Mr CLARK** — If the government wants to back off from what is in this bill, if it wants to plead purblind ignorance and error, we on this side of the house are willing to sit down and talk with the government about amending this bill to address the issues raised in the reasoned amendment and to talk about a number of other drafting and mechanical concerns we have with the bill. We are prepared to talk in good faith with a view to achieving a bill that will genuinely build on and enhance the financial management and accountability regime that Victoria has. However, if the government refuses to change course despite having been squarely confronted with what is in the bill, if it attempts to force this bill through Parliament without amendment, that attempt will be strenuously resisted by the Liberal-National party coalition.

There are many other concerns we have with this bill, as I have indicated in the reasoned amendment, in particular in relation to outcomes. Bringing outcomes into consideration as part of performance measurement and accountability is a worthy objective. An outcome should be the ultimate goal towards which activities of government are directed, and the extent to which those activities contribute and succeed in achieving that ultimate goal should be incorporated into budget measures and government planning. But the bill does a

lot more than that, and what it does it does in a manner that causes serious concerns.

What it is proposing to do is base the entire cycle of budgets, reporting and accountability on vague and open-ended outcomes like those currently in the *Growing Victoria Together* statement, outcomes for which a government can seldom be held to account. Outcomes as referred to in the bill are undefined save in a circular, self-referential manner. We understand that is deliberately intended on the grounds that it is to give government maximum flexibility as to how often to publish outcomes statements and as to what forms they will take. However, the attempt to provide that flexibility also means that government can readily avoid accountability for budgets and reports based on outcomes.

We have particular concerns about the manner in which the government intends to interface its use of outcomes with the formal budget and reporting process. It appears that it intends to base appropriations on outcomes rather than on outputs and to have those outcomes straddle departments. That raises questions which to date have not been answered about what it means for ministerial responsibilities and what it means for responsibilities of particular ministers within a department.

As a retired Treasury officer put to me:

... some degree of 'outcome specificity' ... is essential for effective public administration and democratic accountability. A 'nice balance' has to be found. Tying that nicety in red tape and impractical reporting requirements seems counterproductive to me. What's wrong with what we have now? Just tidy that up a bit in the budget paper — and put some real effort into precise, concise and relevant measures of outputs that are consistent over time.

We ... need to do something a bit better than tossing out woolly stuff like *Growing Victoria Together* and then not following it up with a disciplined process to 'make it happen'.

I think that former officer makes very sound points. Also, what is going to happen when outcomes cross more than one department — who is going to take responsibility for them? Furthermore, outcomes are multi-year aspirations, possibly running even beyond the four-year term of Parliament. Again, how is a government going to be made accountable for outcomes that are somewhere on the never-never?

If you are going to pick up outcomes, if you genuinely want to make outcomes part of the accounting and budgeting cycle, then you need to recognise the need for some intermediate goals, results, targets or whatever you might choose to call them.

If outcomes are vague and open-ended, how can appropriation bills effectively operate to those outcomes? The Auditor-General has already raised concerns in his submissions to government about how the use of outcomes will work and about proper control over the appropriation process. We are just about getting to the stage where all that the Parliament has any real say over is the total amount that is appropriated each year, and then the government can effectively do what it likes with the money that is authorised. That puts all the weight on budgeting and reporting for accountability; appropriations have little relevance at all. If that is the direction the government believes we should move in, let it put its cards on the table and put the case for doing so.

The reasoned amendment also refers to the fact that this bill does nothing to remedy the gutting of performance measures that has become a characteristic of the current government. Whenever a performance measure in the budget papers causes it political grief, that performance measure is either dropped altogether or is redefined or respecified in a way that prevents continuity.

In the time available to me, let me just give one example which occurred a few years ago when the opposition picked up on performance measures that identified the amount of police time that was being applied to fighting crime on the one hand and to road traffic enforcement on the other, and demonstrated that the former was falling while the latter was rising. That set of performance measures promptly disappeared from subsequent budget papers.

Nor does this bill do anything to address the annual stockpiling and dumping of reports in Parliament. We see those reports being dumped over a one or two-day period. This is not just an issue of the unavoidable and to-be-expected flow of reports towards the end of a mandatory reporting period; the current government has gone way beyond that.

Members have been able to see for themselves how pile after pile of annual reports has accumulated in the former Premier's office near the vestibule. The reports are ready and available to be formally handed over to the Parliament and made public, but they are not. They are deliberately withheld, so they can all accumulate and be dumped into this Parliament in a one or two-day period. There is nothing in this bill to remedy that gross abuse.

**Mr Wynne** — What did you do about it when you were in government?

**Mr CLARK** — The Minister for Housing raises a good issue, because despite the accusations of the current government, that was never the practice of the Kennett government. The honourable member can go back to look at *Hansard* and go back to look at the *Votes and Proceedings* if he wants to disagree with that.

This bill also does nothing to improve the situation about the publication of directions and other requirements of the finance minister. A vast amount of the state's accountability framework is based around those directions and other requirements, and it is intended that this bill do so even more than applies at present.

Certainly the general directions of the finance minister are publicly available on the Department of Treasury and Finance website, but there is no obligation under the legislation for that to be done, and there is no guarantee that the directions that are published on the website form a comprehensive set. We do not know whether or not there have been specific directions given by the minister to particular entities, but none have ever been made public.

The notices declaring bodies to be public bodies must be published in the *Government Gazette*, but there is no easy way of tracking down through the *Government Gazette* which bodies have been made public bodies. This is not an area where the bill before the house goes backwards, but we should be taking this opportunity, given the experience we now have of the importance of directions and other requirements of the minister to the accountability framework, to make it clear that all of those requirements — which can have profound consequences — should be made public in a readily accessible form.

I mention briefly the issue of procurement, and I am sure my colleague the member for Warrandyte will have more to say on that subject if the opportunity arises. A new state procurement board is proposed by the bill. It provides for the board to handle complaints about the procurement process. First of all, it is not clear how well those complaints are going to be handled — whether this is just going to be parallel to the rubber-stamp internal review processes under freedom of information to which we on this side of the house have become well accustomed. It is also not clear what reports about the scrutiny of complaints undertaken by the state procurement board are going to be made available to the Parliament.

There are many other issues in this bill, but time will not permit me to go into them in detail. This bill

continues the unfettered powers that are currently in the Monetary Units Act 2004 for the government to increase all government fees, charges and fines each year by whatever amount it wishes, with none of the checks and balances that appear in the Tasmanian legislation on which our legislation was based.

**Mr Stensholt** interjected.

**Mr CLARK** — Let me also make clear for the benefit of the member for Burwood that recommendation after recommendation of the Public Accounts and Estimates Committee have been ignored in this bill. The government has a new line of rhetoric in responding to parliamentary committees: instead of saying 'Reject' in response to a recommendation, it now says 'Accept in principle'. You read the comment and you see that 'accept in principle' means 'We do not intend to take any notice or to do what you have recommended'. If you go through the list, there is recommendation after recommendation of the all-party work of the Public Accounts and Estimates Committee that has been ignored or set aside by the government.

The bill includes a new conceptualisation of the public account that makes it more a notional account than a bank account. There are provisions that allow consolidated revenue not to be paid into the consolidated fund if the bill otherwise provides. There are issues about the extent to which principles are enforceable or justiciable, whether declarations can be sought in the court and whether other provisions of the bill besides the principles can be enforced against the government.

There are issues about how departmental working accounts are going to operate. There are issues about exactly which public bodies are going to be classified as categories 3 and 4. The budget paper 1 data inclusion released at the time of the budget is welcome, but there is still no provision for a more comprehensive capital works forward program — something which this state desperately needs — nor one that gives proper accounting for public-private partnership projects. There are also issues about the centralisation of borrowing and investment powers of public entities.

Despite the goodwill and good intentions that have been brought to the process preceding the bill by many both inside and outside the public sector, this bill is gravely flawed. Its extension of political control over independent public bodies should be anathema to this house. We call on the government to accept that it is heading in the wrong direction and to withdraw this bill; then we will be happy to sit down and work with it to bring a decent bill to the house.

**Ms RICHARDSON** (Northcote) — I am very pleased to rise to speak in support of the Public Finance and Accountability Bill, which builds on Labor's ongoing commitment to ensure Victorians are best served by their government, Parliament and the legislation it passes. This is particularly important in the area of the government's management of the public purse. This bill will deliver a new framework for financial management that embraces the best practice possible in this important area. Every Victorian would expect nothing less.

Through this bill Labor is delivering a more cohesive framework for public finance which will replace that outlined in the Financial Management Act, the Borrowing and Investment Powers Act, the Monetary Units Act and the Public Authorities (Dividends) Act. In government Labor has led other states in Australia through its program of reform to the management practices of public finances. The cornerstone of these reforms includes the provision of forward estimates, accrual budgeting and accounting, and performance and output reporting.

It is worth noting that throughout the Howard years — years the Liberals like to trumpet as great days of economic highs, economic accountability and transparency — the federal government under the Liberals did not embrace the highest standards for the management of public finances. At every federal budget and economic statement, savvy economic analysts and federal Labor would point out that those so-called great economic managers in the federal Liberal government — and the same comparison would be made with Victoria — had in fact failed to implement the best practices when it came to the management of the national finances. The call would come, and fall on deaf ears, for the Howard federal government to follow Victoria's lead and implement the best practice in financial management.

It comes as no surprise to me today that we have heard the member for Box Hill outline the Liberal Party's position with respect to this bill and say that it will be 'vigorously opposing' — I think those were his words — the bill in its current form. I have no doubt that the Liberals' position on this has not come through a lack of understanding; it has come through their fundamental view that greater transparency and accountability in relation to the state's finances is the last thing a Liberal state government would want to see in Victoria.

They have set out their case on very flimsy grounds, and I think their real purpose is to block reform and greater accountability, to ensure that this state somehow

goes backwards in its management of public finances. Their argument clearly does not pass any public interest test, and I implore Liberal members to go out into the real world outside this place, to put the case they made today and try to convince a single Victorian that they are acting in the interests of this state.

It occurred to me while listening to the member for Box Hill how hypocritical his position is, given that he was a member of the Kennett government that nobbled the Auditor-General, a member of a government that did nothing when the Auditor-General was under attack. He did nothing when accountability and transparency went backwards during the Kennett Liberal years. It also strikes me as somewhat strange that he said nothing about the involvement and support of Roger Hallam, a former Liberal finance minister, in the process and delivery of this bill. Nor did he make any reference to the role of the Public Accounts and Estimates Committee in the process to date.

Let us have a look at the bill so we can fully appreciate exactly what the Liberals are opposed to. The bill will increase the government's accountability to the public via the Parliament through various measures, such as disclosing more comprehensive financial and non-financial information to Parliament on a more timely basis and in a more consistent manner to allow greater scrutiny.

The bill will also implement measures, stating its intended outcomes, describing how output delivery is intended to contribute to the achievement of outcomes and reporting annually on progress, and will also subject more public bodies to a cohesive legislative framework on a fit-for-purpose basis that increases compliance. Departments will also increase their accountability through measures such as adopting the principles of finance and accountability in all finance and resource management practices. They will report to Parliament on a more timely basis and increase transparency to Parliament and the public on the use of public money and the contributions to intended outcomes. A range of other measures are also outlined in the bill.

In adopting a more rigorous framework for the management of the state's public finances, Labor has ensured that the new framework is able to treat different entities in different ways, ensuring that a one-size-fits-all management approach that can so often fail is not put in place. The bill establishes four categories of public bodies based on their size, complexity and risk profile.

Category 1 public bodies will be subject to the highest standard of public finance and will be identified through a financial profile comprising assets exceeding \$100 million, annual expenses exceeding \$25 million, and a ratio of liabilities to assets of at least 20 per cent. Category 1 entities include bodies such as Melbourne Water.

Category 2 public bodies will be public bodies that are not category 1 public bodies in respect of their assets and have annual expenses exceeding \$5 million. Examples include TAFEs and medium-sized public bodies.

Category 3 and 4 public bodies will be those below the category 2 threshold. A ministerial decision will be used to distinguish between categories 3 and 4.

The proposed differential framework in the categories that will be applied will allow for minimum public finance requirements to be applied to all public bodies, specific public finance requirements to be applied to public bodies on a fit-for-purpose basis, and an overall increase in compliance.

In short the bill will deliver greater accountability and transparency to all public bodies in this state. It is precisely the kind of bill that the public demands. As I said earlier, it is no surprise to me that the Liberals are yet again vigorously opposing Labor's attempt to deliver greater accountability to the public via this bill. I commend the bill to the house.

**Dr SYKES (Benalla)** — I rise to contribute to debate on the Public Finance and Accountability Bill 2009. I commence by congratulating the member for Box Hill on his clinical dissection of many aspects of the bill and his identification of a number of areas causing major concern to the Liberal-National coalition. Along with the member for Box Hill, I will be opposing the bill in its current form; I also support the reasoned amendment moved by the member.

I wish to focus on three aspects of the bill: the outcome focus that is intended, the increased influence of government on public bodies and agencies, and the in-principle nature of the bill.

I am a strong advocate of outcome focus in program and project management. It is important that we measure outcomes as well as inputs and outputs. By way of background, in a former life I was a manager of the national brucellosis and tuberculosis (TB) eradication campaign, which was a \$1 billion campaign that ran throughout Australia for over 20 years. We successfully eradicated brucellosis and TB from Australian cattle herds, something that few other

countries in the world have been able to achieve despite spending very large amounts of money.

A factor critical to the success of that program was excellent program management, including effective performance measures looking at inputs, outputs and outcomes. We looked at the inputs of money and people's time. The outputs included the number of cattle, the number of herds tested, and critically, the outcomes — the number of infected herds that still existed, the number of clean herds and the cost of achieving these outcomes — were measured. We regularly monitored that program, on a monthly basis whilst it ran, for in excess of 20 years. That is an example of where an outcome focus works.

However, if we look at the Brumby government's track record in relation to outcome focus, we will be somewhat disappointed. We have no better example than the student wellbeing programs and services which were the subject of the Auditor-General's report that was tabled today. The Auditor-General made two conclusions — firstly:

No clear and current overarching policy framework for student wellbeing —

that is, no sense of outcome, no sense of direction.

Secondly:

inadequate measurement of the effectiveness of student wellbeing programs and services —

that is, there are no measures in place.

This is a classic current example of the absence of proper outcome focus in programs that are being operated by the Brumby government.

In the presentation in K Room today Andrew Greaves from the Auditor-General's Office made comments, noting that it is okay to measure something but if there are no targets or benchmarks, it is difficult to assess the success of the program. That was highlighting the absence of benchmarks and targets in a program that is operating on a policy written in 1998, which is clearly outdated and irrelevant.

Secondly, Mr Greaves commented that there was a disconnect between the programs and the overall management of the programs — in other words, there was no ability to measure the impact of the programs on achieving desired outcomes. There was no measurement of cause and effect. Activity and some outcomes were being measured but at the end of the day it was not possible to say whether the program was achieving objectives, because the outcome objectives

were not clearly stated, and there was no linkage between the activities and the overall program outcome objectives.

That makes me wonder what the effects of this legislation requiring an outcome focus in the future will be, and I have two comments. Firstly, I am advised that there is already a requirement in the legislation for these programs to have an outcome focus, but that that requirement is not being adhered to — in other words the government is paying lip-service to the legislative requirement that exists already.

Secondly, relating to this issue of paying lip-service to legislative requirements, as was touched on by the member for Box Hill, we have had the situation where the Premier and the Minister for Water have demonstrated absolute contempt for the process and their obligations of engaging with the Public Accounts and Estimates Committee, of which I am a member.

I have asked the Premier in writing, on notice, for the cost of the water savings in the food bowl modernisation project. I have also asked the Minister for Water on two occasions what the cost of piping the water from north to south would be. They have not answered those fundamental, simple, specific questions. I think it was the Premier who had the temerity or audacity to say, 'It has not been answered yet but it will be answered in the business case, the summary of which is going to be made public soon, before the end of the year, in fact by the end of November'. It is now February 2010, and the summary of that business case has not been made available; the whole business case is being withheld, with the government fighting it under freedom of information legislation. So we have a situation where the government is not complying with current requirements for outcome focus and is not complying with commitments and responsibilities to be transparent.

One of the requirements of the legislation is for programs to have a statement of intent. That is fine. If we look at the statement of intent that the Premier delivered yesterday, we will find, in relation to education:

Addressing disparities between rural and metropolitan education outcomes through a new rural education strategy.

Improving access to tertiary education and increasing higher education and VET participation through a tertiary education plan.

What the government is saying is that after 10 years in government the solution to this problem, which has been evident for 10 years, is a plan! The Premier is saying, 'We have a plan'.

**The DEPUTY SPEAKER** — Order! I ask the member to debate this bill. The debate on the annual statement of government intentions will be another debate. I am asking the member to be aware of the bill that is before the house.

**Dr SYKES** — Thank you, Deputy Speaker. I am referring to a requirement in the bill to have a statement of intent. I gave an example of how the statement of intent needs to be backed up with some objectivity to achieve the intent of this bill.

**The DEPUTY SPEAKER** — Order! I understand that. I am not saying the member cannot do it. I am just asking that he be aware of the bill before the house. I understand his intent but ask that he not get too much into debating the annual statement of government intentions, which is a separate debate.

**Dr SYKES** — I understand. Thank you, Deputy Speaker.

Moving on to the issue of increased control of public bodies, the government has form on this matter. We can look, for example, at the situation with the decommissioning of Lake Mokoan, when the government appointed a reliability reference committee which was to ensure the honouring of the government's commitment to maintaining the reliability of supply of water to the irrigators — a commitment provided in writing by two ministers, former water minister John Thwaites and former environment minister Sherryl Garbutt. That committee was expected to function for a number of years, over both the planning process and in the implementation process. That committee was sacked after less than one year because it asked hard questions about the inputs into the modelling for reliability.

More recently the customer-elected Pyramid Boort Water Services Committee has been sacked because it asked hard questions about the achievability of water savings in the food bowl modernisation project and about the implications of the retraction of the irrigation district back to the backbone irrigation channels; that committee also asked about the massive social and economic impacts that was going to have on local communities.

It is interesting that the former chairman of Goulburn-Murray Water, who often locked horns with members of that committee, went to a public meeting and spoke in support of that committee standing up and operating as it should have been to represent the views of customers. That committee was sacked by the Brumby government.

**Ms Duncan** — On a point of order, Deputy Speaker, I ask you to bring the member back to discussing the bill at hand.

**The DEPUTY SPEAKER** — Order! I do not uphold the point of order. The member for Benalla is talking about outcomes, which is part of the bill, and he is relating his comments to that.

**Dr SYKES** — In conclusion, the other issue is that this is in-principle legislation that is saying, ‘Trust me’. I remind you, Deputy Speaker of the song with the lines:

I'm just a soul whose intentions are good — —

**The DEPUTY SPEAKER** — Order! The member's time has expired.

**Mr STENSHOLT** (Burwood) — I have always greatly admired the member for Benalla, who manages to work Lake Mokoan into virtually any speech! I am delighted to speak on the Public Finance and Accountability Bill. I state at the outset that I am not in favour of the reasoned amendment moved by the member for Box Hill.

The bill represents further real reform in the area of financial management and fiscal responsibility in Victoria. I commend the people in the Department of Treasury and Finance who have worked on this, in particular the Honourable Roger Hallam, the member for Box Hill's former boss — when he was Minister for Finance, the member for Box Hill was parliamentary secretary, and I wonder whether a bit more should have rubbed off — who has done a lot of excellent work on this bill.

Victoria has long led Australia and the world in best practice public financial management. This bill seeks to continue this proud tradition as it moves Victoria further towards adopting a principles-based financial management system and towards more comprehensive accountability based on clear performance indicators and proper assessment of outcomes, which the member for Benalla has also raised.

The member for Box Hill said the bill should not pass. I was very surprised at that, because a lot of work has been put into the background of this bill, including by the Public Accounts and Estimates Committee. I notice that the member for Scoresby is in the house and the member for Benalla has returned here. I was just congratulating him on his understanding of the need to move to a more outcomes-based arrangement. I am not sure whether this view is shared by the member for Box

Hill, who seems to be stuck in the 1990s in terms of outputs.

**An honourable member** interjected.

**Mr STENSHOLT** — You said it. Our committee, the Public Accounts and Estimates Committee — I use the word ‘our’ because there are a number of members of that committee present here — produced a report called *New Directions in Accountability — Inquiry into Victoria's Public Finance Practices and Legislation*. The government responded to this report on 4 December. It welcomed the inquiry and said the view of the government is broadly in line with the vast majority of the committee's findings. The committee was very much supportive of this. Virtually all the committee's recommendations were either accepted or accepted in principle because there were issues in terms of the detail and the way it might be presented in the legislation.

As I said before, there has been a long history in regard to this matter over the last 30 years, with reforms through the 1980s and 1990s. A great feature of public sector financial management in Victoria has been the bipartisan approach to it. That has been one of the great strengths of Victoria, which has led the world in it. I am sure I speak on behalf of other members of the committee in saying we took a bipartisan approach to this issue. Whether they were members of the Liberal Party, the Greens, The Nationals or indeed my party, the Labor Party, everyone supported that report.

Over the last 30 years reforms have moved to more flexible and efficient financial management that is more responsive to government, including the introduction of program budgeting. We also had the shift to accrual accounting.

In 1994 the Victorian Commission of Audit reviewed Victoria's public sector finances and the Financial Management Act and Audit Act were introduced. They recommended fundamental changes to governance structures. In 2000 the Financial Management Act was amended to introduce principles of sound financial management. Long-term financial policies and objectives had to be published, and regular reporting was introduced in terms of a whole-of-government reporting framework. In 2005 this led to the adoption of the Australian equivalent of the international financial reporting standards.

The Victorian system has been very strong in terms of standing in line with both national and international accounting standards. Victoria is recognised as the most transparent jurisdiction in Australia in terms of financial

reporting. Indeed Access Economics reported on this in 2008 and said that Victoria was the most transparent jurisdiction. However, we in Victoria do not wish to rest on our laurels; we seek to continue to improve. That is exactly what this bill does. If Parliament supports the bill, it will reaffirm and ensure Victoria's leadership in public sector financial management.

I am a little surprised by some of the issues raised by the member for Box Hill. He seemed concerned about bodies being accountable, having to say what they had to do and have proper outcomes and performance indicators. I note the Public Accounts and Estimates Committee's recommendation 39:

All entities, including a corporation within the meaning of the Corporations Act which is controlled by the state or a public body should be required, as far as possible, to comply with requirements of both the financial management and accountability frameworks.

That was accepted. One of the concerns of the Public Accounts and Estimates Committee is that sometimes there is a bit of a different approach, including in my opinion procurement or contract management — they are good examples — by public corporations or non-departmental bodies. This bill is bringing those into a similar strong accountability framework. This is what has been accepted and what members will find has been included in the bill.

Also, the Public Accounts and Estimates Committee's recommendation 40 is:

All public sector entities should be required to comply with the legislative accountability, and financial and performance reporting requirements (reporting separately or consolidated with another entity).

This is actually what you will find in the bill; that was accepted by the government. Similarly it recommends that a report should be tabled on an annual basis. There are a range of others, including recommendation 44, which talks about:

The proposed legislation could be principle-based, except for those elements outlining the parliamentary requirements of the government —

and that was accepted.

This bill moves to a new standard of public sector accountability based on principles. This builds on the bill that was put to the Parliament in Victoria by this government; it set out principles for accounting back in 2000. This modernises the framework of public finance and resource management. I notice the member for Box Hill has some concern over the definition of 'body' and so on, but it is actually something that the Public Accounts and Estimates Committee suggested and

which has been picked up by the government in this bill.

The member for Box Hill has raised a number of issues. He raised the tabling of annual reports. I am very pleased the government accepted the recommendation of the Public Accounts and Estimates Committee that we should be more in line with the private sector reporting, which is to table the reports within three months. This will bring them forward to the end of September, rather than from the end of October. This is appropriate. If public companies can do it, then I am sure the public sector entities should do it as well. I approve of that occurring.

The member for Box Hill also seems to be concerned that with all these reports, he has to read a whole lot at once. Some of them come in a bit earlier. I know the reports of the Auditor-General and the Ombudsman usually come in earlier. Other ones come in later, and they will now be required to be tabled within three months rather than four months. They are picked up and looked at in quite a rigorous way by the Public Accounts and Estimates Committee, particularly those of major materiality, and that is appropriate. This bill moves Victoria once again to the forefront of public sector financial management and fiscal responsibility. It provides for greater accountability and greater transparency. I support the bill.

**Mr WELLS** (Scoresby) — I rise to join the debate on the Public Finance and Accountability Bill. I would like to congratulate the member for Box Hill for the way he has gone about this. I strongly support his reasoned amendment to the second-reading motion.

The member for Burwood made an interesting contribution. At least we could understand what he was saying and his coherent arguments, but we had no idea what the member for Northcote was saying. I do not know why the member for Burwood was not the first speaker after the opposition. If he had been, at least it would have given the government some sort of credibility.

I just want to pick up on one point. I refer to the annual statement of government intentions — I mentioned this in a statement on a committee report this morning — which refers directly to this bill. On page 81, in the appendix, it says — —

**Mr Stensholt** interjected.

**Mr WELLS** — No, I am talking about this bill. It says in relation to the Audit Amendment (Clarification of Powers) Bill:

The bill has been delayed pending the passage of the new Financial Management Act.

I repeat that it says 'Financial Management Act'. That is incorrect, sloppy and misleading. It is not the Financial Management Act; it is in fact the Public Finance and Accountability Bill 2009. So whoever does the proofreading or whoever is responsible for the statement should go back and double-check what they are trying to put into the statement of government intentions, because what is in this year's is clearly wrong — it refers to the wrong bill.

The Public Accounts and Estimates Committee seems to be being blamed for the delay in the passage of the bill we are now debating, but the annual statement of government intentions refers to a bill of another name. It is typical of the sloppy, unprofessional work by the minister and the parliamentary secretary; they have no idea, and clearly they need to get on top of their portfolio.

**Mr Stensholt** — We do not have any problem getting on top of things.

**Mr WELLS** — That is what they said!

The purpose of the bill is to replace the Financial Management Act 1994, the Borrowing and Investment Powers Act 1987, the Monetary Units Act 2004 and the Public Authorities (Dividends) Act 1983. According to the government, this Public Finance and Accountability Bill 2009 will cover all key elements of public finance, including planning, reporting, procurement, borrowing, investment and appropriation; and, according to the government, this bill will focus on outcomes.

It is interesting to note that whenever a minister gets up and speaks in question time, I do not actually hear them talking about the outcomes of what they are driving at. The Minister for Health, for example, will get up and talk about a record number of dollars being spent in his portfolio, and we heard that again today. He talked about the record number of dollars in his portfolio. When the Minister for Education gets up to speak, she talks about a record number of dollars being spent. They talk about the dollars, but they do not actually talk about what are the outcomes.

*Honourable members interjecting.*

**Mr WELLS** — Labor is confused, and at the moment the mushrooms are getting very excited!

**The DEPUTY SPEAKER** — Order! Less interjection would be helpful, and I ask the member for Scoresby to watch his language in terms of the way he refers to other members of this house.

**Mr WELLS** — I only referred to them as mushrooms.

**The DEPUTY SPEAKER** — Order! The member for Scoresby, to continue.

**Mr WELLS** — The issue is that they are talking about the dollars in their portfolio.

The third example was the Premier: when he talks about any portfolio, it is always about a record number of dollars, but it is never about what the outcome is going to be and what the measurement is of that outcome. For example, if we are going to spend an extra \$1 billion in health, are we going to have a healthier Victoria? If we spend another \$1 billion in education, will there be a higher standard of education? If we spend an extra \$1 billion in the police force, for example, will it mean we will have less violent crime in the community? But the ministers do not focus on that. This bill seems to be contrary to what the ministers and the spin machines are focusing on.

It will be very interesting to see how the ministers deal with this bill, because we are talking about outcomes and outputs and the dollars that are put into ministers' portfolios. We can see, I think, that in 1993–94 there was a significant change in the culture of public finance led by then Treasurer Alan Stockdale, then finance minister Roger Hallam, and the member for Box Hill, Robert Clark, when they introduced the Financial Management Act 1994 — and I get the feeling that the government is desperate for some credibility to be able to catch up.

The issue we have regards outcomes, as I mentioned. When we look at part 1 of the bill, the definition says:

*outcomes* means the outcomes stated in a statement of outcomes.

People would then say, 'What do you mean by that?'. The definition of statement of outcomes is:

*statement of outcomes* means a statement prepared in accordance with section 26;

Clause 26, 'Statement of outcomes', states:

The Minister must publish a statement of the Government's current intended outcomes.

That is the definition of 'outcomes'. The issue for us is that we are looking for the measurement of outcomes — something that we are able to compare from year to year.

The second-reading speech referred to the outcomes-output framework. It states:

Outcomes are the desired impacts that the government's outputs, activities or investments have on the community. One of the primary objectives of the bill is to make outcomes and associated outputs the basis for the whole of the cycle of

planning, resource allocation, resource management and reporting.

It goes on to say:

The government will be required to publish a statement of its intended outcomes.

We want to know if the measurement of the actual outcomes will be based on the results of those outputs.

When we talked about the amount of work that the Public Accounts and Estimates Committee did in regard to the inquiry into Victoria's public finance practices and legislation, new directions in accountability, what is disappointing as a member on that committee is that a few of the recommendations have been accepted, although many have been what the government calls 'Accepted in principle'. The way we read this is that they are actually not accepted. The government likes the idea of it, but when you look at the actual legislation you cannot find where it says, 'Accepted in principle'.

The one that I personally have been pushing is recommendation 6, which is:

To facilitate more timely disclosure of budget information, the budget papers should disclose not only the asset investment initiatives for the budget year but also information relating to ongoing capital asset construction projects and PPP arrangements for the budget (general government) sector. Such disclosure should include not only the projected data for the budget year and three forward years, but for the life of the construction project/ PPP arrangement.

I think that is fair. If you have a 30-year or 25-year PPP (public-private partnership), then the taxpayer should know what the commitments to that program on a yearly basis are. When we get the response back it says, 'Accept in principle', but it is not accepted at all. The response says:

Under the proposed reforms, the budget papers accompanying the appropriations bill will include the asset investment project information currently published separately in budget information paper no. 1. This will provide more timely disclosure of asset investment data for the budget year, and total estimated investment, rather than the suggested three-year projections.

It says nothing at all about the costs each year over the life of the project. That is one of the things we are looking for, and the government has refused to accept it.

**Debate adjourned on motion of Mr DONNELLAN (Narre Warren North).**

**Debate adjourned until later this day.**

## BUSINESS OF THE HOUSE

### Program

**Mr PALLAS (Minister for Roads and Ports)** — I move:

That the government business program agreed to by this house on 2 February 2010 be amended by omitting the order of the day, government business, relating to the Public Finance and Accountability Bill 2009.

**Mr CLARK (Box Hill)** — The Liberal-National coalition welcomes this motion. It is clear the government recognises that it has got it wrong with the bill before the house, that it cannot get away with any attempt just to crash through with it. The bill has fallen over at the first hurdle it has reached. Clearly we accept that this motion enables the government to save face in comparison with accepting the reasoned amendment we put forward. We hope and expect that the government will take the opportunity between this sitting week and the next to carefully consider where it intends to go with this bill.

I reiterate what I said during the course of the second-reading debate — that I and my coalition colleagues are more than willing to sit down with the government and its representatives to talk through the matters we raised in relation to this bill, if the government is sincerely and genuinely willing to respond to the concerns we have raised and to come to an agreement on amendments so that an amended bill can proceed through this house. As I say, we welcome the motion that has been moved by the minister, and we are prepared to sit down to talk with the government about how the problems we have identified are to be remedied and the bill is to be amended appropriately.

**Motion agreed to.**

## MAGISTRATES' COURT AMENDMENT (MENTAL HEALTH LIST) BILL

*Second reading*

**Debate resumed from 2 February; motion of Mr HULLS (Attorney-General).**

**Mr DONNELLAN (Narre Warren North)** — As I was saying yesterday, more than anything else the Magistrates' Court Amendment (Mental Health List) Bill looks in the long term to reduce crime. I think that is a good thing in the sense that the cost to incarcerate a person per year is approximately \$70 000. It is a lot better to deal with these people who suffer from mental

illness, dementia and the like in a more dignified and logical manner.

The list will commence in early 2010. I understand it will be piloted for about three years and four months. It is proposed to have about 300 people dealt with in this manner each year. It will be on a voluntary basis so that at the end of the day people can choose to go through the mental health list to the Magistrates Court or go through the court in the normal way.

The list will focus on those whose risk of reoffending is high and related to their mental health issues. I think that is important. At the end of the day, if we can keep people who are suffering and committing crimes because of their mental illness out of the courts and seek treatment for them more than anything else and have a program of treatment over a period of time, that would be a civilised way of dealing with them — that is, treating their condition as an illness.

Referrals to the mental health list will be accepted from defendants and other people involved in their lives, including magistrates, police, prosecutors, defence lawyers and other court-based support services. The people eligible to apply for the mental health list must be charged with a criminal matter that is listed to be heard at the Magistrates Court. The court will accept people who have an intellectual disability, acquired brain injury, autism spectrum disorder or a neurological condition, including dementia. As we know, with the ageing of our population as people are living a lot longer, the prevalence of dementia is increasing substantially in our community.

The list is designed to provide courts with a lot more options to deal with people who have a mental illness or cognitive impairment. We will have dedicated magistrates who will be actively involved in supervising the progress of the defendant's individual care plan, and we will have a clinical assessment function, which will be undertaken by qualified personnel. It will involve a coordinated approach: both the courts and the welfare services working together. As we know, the government's community-based mental health services are the best in the country, as is recognised by both the Senate report and the last Productivity Commission report. That highlights that the state government has the services to make this system work well for those people who are suffering from mental illness, dementia or any other sickness like that.

The bill does not alter the Sentencing Act. It does not limit the capacity of magistrates to apply their skills and perform their tasks in the way they want to deal with a

particular individual. Magistrates still have to decide the appropriateness of a sentence after taking into account factors such as deterrence, punishment, rehabilitation, protection of the community and the concerns of the victim. Much of the activity on the list will occur prior to sentencing. In other words, a lot of the assessments and the care plan and so forth for people with a mental illness will be undertaken before the matter even gets to the court.

As I said, the magistrates' hands are not being tied in terms of their options. They will still have the capacity to dismiss orders or impose fines, community-based orders or imprisonment. That is still available. If someone has committed a serious sexual or like offence, they will not be able to access this option, and the magistrate will still have the capacity to impose a term of imprisonment on those who have committed other offences.

The court's focus will be on trying to improve the quality of life and welfare of the defendants. With the services the state government has, there is the capacity to provide a greater quality of life and greater fairness in approach for those people who suffer. It is fine to have the mental health list and treat people with a mental illness in a dignified way, but if you do not have the services to back it up and assist those people, it is not going to work well. As we know, the government has excellent services. I commend the bill to the house; I think it is great.

**Mr WAKELING** (Ferntree Gully) — It gives me pleasure to rise to contribute to the debate on the Magistrates' Court Amendment (Mental Health List) Bill 2009. This piece of legislation principally seeks to establish on a pilot basis a separate list within the Magistrates Court for defendants who fall within a specific category of mental impairment.

This bill has a number of provisions, and I would like to go through them briefly. Firstly, it will establish within the court a mental health list for accused persons who are suffering from a mental illness, intellectual disability, ABI (acquired brain injury), autism spectrum disorder (ASD) or neurological impairment, including dementia. It provides for referrals to the list by the court with the accused's consent. It further provides that a proceeding must be removed from the list if the accused pleads or indicates an intention to plead not guilty. It also excludes referrals of cases that involve serious violence or serious sexual offences. It provides that the mental health list will only be situated at a court venue specified by the Chief Magistrate, and the intention of this bill is that it will operate at the Melbourne Magistrates Court. The bill also provides that if an

accused completes an individual support plan, the court may discharge the accused without a finding of guilt. If the accused is found guilty, the court must take into account when sentencing the extent to which the accused participated in the individual support plan.

That provides a brief overview of some of the major tenets of this piece of legislation. The member for Box Hill has stipulated the position of the coalition, and we have some concerns with respect to the potential operation of this bill if it is passed by this Parliament. One of them surrounds the definition of 'mental health'. As I indicated earlier, the bill seeks to include a whole raft of Victorians under the heading of 'mental health', including people who are intellectually disabled, people with an acquired brain injury, people with ASD and people suffering from dementia. There has been a long practice within this state, this country and also around the world of moving towards differentiating between people who are afflicted with mental illness and people who suffer from intellectual disability, people who have ABI or people who suffer from ASD. There are clear differences in the needs of those individuals. I am advised that in seeking to lump all those sectors under the single banner of mental health the bill has caused a degree of angst among not only practitioners but also among people who are afflicted by one of those stipulated conditions.

There is also concern that the support programs provided for those on the list will be geared towards those with mental health problems. This will not adequately support those people who suffer from an intellectual disability. Given the fact that the bill is predicated towards people with a mental illness, one would naturally assume that the primary focus of this program would be on people who suffer from a mental illness. However, for those other groups I have mentioned, particularly those with an intellectual disability, there is no clear indication that they will be supported equally under this program.

There is also a concern that Victoria is now trying to play catch-up with other states in providing court services for people suffering from a mental impairment. This is just another example of a short-term pilot program being implemented by the government at just one venue without any clear indication that it will be rolled out at other venues around the state.

This legislation is another example of this government's traditional approach, which is to be the ambulance at the bottom of the cliff. Why is it that people who suffer from an intellectual disability have to receive treatment after they have committed the offence? If more resources were put into providing

assistance for these people out in the community, and if we provided — and I will come to this in a second in terms of my own community — more resources to assist people who are afflicted with mental illness and those who suffer from the conditions I have mentioned, many of them might not commit crimes. They may not commit crimes that would put them into the court system.

The reason many people are committing crimes is that they have not been provided with real assistance on the ground which would have prevented them from being in a position to commit those crimes in the first place. This legislation is clearly an example of the government trying to deal with the end result of a problem when the primary focus should be on ensuring that those individuals are provided with the necessary support. If I look at my own electorate, many of us —

**Ms Duncan** interjected.

**Mr WAKELING** — Those opposite seek to make comments, but the reality is that there are people living on the streets of Melbourne who are homeless and suffering from mental illness.

**Ms Duncan** — That's right.

**Mr WAKELING** — That is right, and after 10 years those opposite should be hanging their heads in shame. If the focus had been on providing adequate accommodation for those individuals, they may not have been in the position they were in when they committed those crimes in the first place.

**Ms Duncan** interjected.

**The DEPUTY SPEAKER** — Order! The member for Macedon should stop interjecting. She will have the call later if she wishes.

**Mr WAKELING** — As I said earlier, there may well be a benefit in using this system, and I am not begrudging the implementation of this scheme. All I am saying is that there is clearly a need in the Victorian community for more services to be provided for people who suffer from a mental illness. In my own electorate I have received representations from concerned parents and from people who are themselves afflicted with mental illness. They are desperately crying out for more services and more assistance. I had one woman come into my office desperately crying out for more services to be provided so that she can deal with her mental illness — an illness she has been dealing with for 20 years. It is a crying shame that there are not more services available in my community.

At this point I must commend the work of Halcyon, an organisation that operates in Ferntree Gully. It is currently going through the process of identifying a future location. The site it currently uses is a council facility which has reached its use-by date, and the organisation is looking for a new site. Halcyon has been offering services on the ground for the past 20 years, and residents like my constituent are deeply concerned that if that organisation is to close, they will have nowhere else to go. This is a real issue affecting people in this state.

I also have a real concern for some of these people in terms of accommodation. In my electorate there are parents who are crying out for permanent accommodation for children with additional needs or even for respite care. I had one parent come to me and say that she was looking for some respite services because she has to look after her 27-year-old son. She ended up taking her plight to the *Age* newspaper. This is how the system works in this state. Mental illness is a serious issue, and a lot more needs to be done.

There are clearly some benefits in trialling this new system, but as I said earlier, if more was being done at a government level to provide the necessary care and support for those people, particularly those with a mental illness, we may have seen the level of crime amongst that group reduced.

**Ms DUNCAN** (Macedon) — I rise in support of the Magistrates' Court Amendment (Mental Health List) Bill. It gives me great pleasure to support this bill. I will not have, as did the previous speaker, a foot in each camp; I clearly support it. The government has introduced the bill as part of its A Fairer Victoria policy commitment to improve access to justice, but above all this legislation seeks to reduce reoffending by people who appear before a Magistrates Court, in this case the Melbourne Magistrates Court, because of issues that may relate to their mental illness. That is what this bill is really trying to do; that is what, generally, magistrates try to do in their courts when they are sentencing people.

Sentencing is a very difficult issue. It needs to take into account the individual and a whole range of circumstances that surround that individual. We know that in many cases those appearing before the Magistrates Court have some sort of mental illness or incapacity, and there are a range of needs that will be included in the mental health list. They will include, obviously, those with a mental illness, those with an intellectual disability and those with an acquired brain injury, autism spectrum disorder and/or neurological impairment, including dementia. It is also important to

note that eligibility for inclusion on this mental health list will be restricted to cases that do not involve serious violence or serious sexual offences.

The purpose of this mental health list is to try to address some of those issues at an early stage in a person's life to prevent them from committing ongoing offences. The list aims to identify those needs early on and to provide support by enabling those people to undergo a series of programs, which may be anything from 3 to 12 months in duration, and to then come back to the court. The list will allow a magistrate to adjourn a case so the offender can go off and participate in some programs. The magistrate will be able to call for and conduct periodic status hearings to ensure that that offender has been attending those programs. It may then end up with the magistrate either discharging the defendant or imposing a sentence that takes into account the defendant's participation in the program.

It is also important to note that this bill does not amend the Sentencing Act and that all the principles that apply under the current Sentencing Act of 1991 will continue to apply in this case. As we know, under the Sentencing Act magistrates are required to decide an appropriate sentence after taking into account factors such as deterrence, punishment, rehabilitation, protection of the community and concerns of the victims, and all of these will remain the same for the mental health list.

This is an important measure; it continues this government's commitment to providing better access to justice and a fairer Victoria, and ultimately to trying to reduce crime rates in this state and reduce reoffending. It provides magistrates with another tool and program to assist them to do that. That is why it has been frustrating listening to some of the contributions from those on the other side, who are again trying to take cheap political shots. Presumably the logic is that someone with a mental illness should not appear in a court at all. That would be good in the best of all possible worlds, but we know that there is an overrepresentation of people with a mental illness or some other sort of disability in our justice system, and with this bill this government recognises that. In fact people with a mental illness are between three to five times more prevalent among prisoners than in the general community.

I draw the attention of members to an excellent research brief that has been prepared by the parliamentary library. It reports on a whole range of studies that look at the link between mental illness and offending behaviour. Contrary to what the previous member stated in his simplistic view of the world, often it is the case that someone's mental illness is identified through

their offending behaviour and the first time it is highlighted is through some involvement with the police and subsequently some involvement with the courts.

The list will enable magistrates to impose more appropriate sentences. Priority will be given to those who have been identified as having a mental illness that is closely linked to their offending behaviour. If we can, we want to stabilise these people in the community and give them a period of time before they have to appear again before a court, and we want to give the magistrates all of the information gathered as a result of those programs. The legislation will enable sentencing to be more appropriate to an individual. It supports this government's commitment to therapeutic jurisprudence. It also continues this government's commitment to allowing magistrates to apply their discretion in sentencing. It goes against those who would suggest that one size fits all with sentencing and that we should somehow have minimum sentencing or mandatory sentencing for certain offences. This government does not support that. The bill provides the courts and magistrates with further support to enable them to make sure that their sentencing is appropriate to an individual.

Prison should be a last resort, and many offenders offend for a whole range of reasons. This mental health list seeks to allow for an understanding of those reasons and to address those issues, with the basic aim of reducing reoffending. We want to reduce the recidivism rate, and this bill will go some way towards doing that.

The list will also have a clinical assessment function which will be undertaken by qualified court-based mental health practitioners. This will not just be that someone appears well on a particular day; it will involve a clinical-based assessment. Mental health practitioners will be making those assessments and providing that information to the courts.

This is an important part of the model introduced as part of this bill. The government has looked at interstate and overseas models, and has sought to extract the best features from them. The list will enable a better level of coordination of health and welfare services and, as I said, will be undertaken by experienced court-based case managers. This is a terrific step in making our justice system fairer, in reducing crime rates and in making sentencing appropriate to reduce reoffending. I commend the bill to the house.

**Mrs VICTORIA** (Bayswater) — I, too, rise to speak on the Magistrates' Court Amendment (Mental Health List) Bill 2009. I will go through the purpose of

the bill and then address some of my concerns. I will not be opposing the bill; nonetheless some areas in the bill could have been better thought out and should be looked at again.

The purpose of the bill is to establish a mental health list, on a pilot basis to begin with, in the Melbourne Magistrates Court for certain defendants with a mental impairment. It establishes the list for people accused of a crime — and I have to say at the outset that I am very pleased it does not include those who are accused of a serious crime or a sex crime — who have a mental illness which substantially reduces their capacity in a number of areas and which might require them to have an individual support plan.

People who might apply to be seen on this list are those with an intellectual disability — and I will come back to that — or an acquired brain injury, autism spectrum disorder or a neurological impairment, including dementia. These people can be referred to the list by the court and other people, but they have to be referred onto the list with their own consent. They must also not plead not guilty. The referral can be initiated by a magistrate, police, prosecutors, defence lawyers, court-based support services, by the defendants themselves and other people who are deemed to be involved in their lives.

The list excludes a couple of specific categories, which is very important — that is, those who have committed serious violent or serious sexual offences. The Chief Magistrate will determine where the list will be heard, but at this point in time the proposed list is for the Melbourne Magistrates Court only. If an individual support plan is successfully completed, the court may discharge the accused without a guilty finding.

The government claims the list will provide a court-based clinical assessment function and a case management and liaison function, for which there may be some merit. It will also include the preparation of individual support plans and a time-limited psychological intervention plan. It makes programs available for people who are accused persons for up to 12 months, with the aim of stabilising the accused and providing the court with an indication of the accused's progress for the purposes of sentencing. As I have said, they can then be taken off the list.

There are a couple of areas of concern I would like to address. The first area is lumping together all the people who I talked about before, but especially those with mental health issues. The definition in the bill talks about people with an intellectual disability and acquired brain injury being grouped under the term 'mental

health'. There have been many years of hard work in the intellectual disability sector to try to separate the two types of people we are talking about here, yet under this umbrella they have been lumped in together. The disability sector has worked hard to have the situation recognised and provided for as a separate case.

I want to tell the house about a lady living in my electorate. She is a former nurse, now retired, who had — and I say 'had' because unfortunately her family member has passed on — an immediate family member who was intellectually disabled. I want to read from a letter she sent to me. She writes:

It has been many decades since the difference between an intellectual disability and a mental illness was established in law.

In 1982 people with an intellectual disability were all decertified because of the difference and granted a disability pension. Society, the law and Parliament had acknowledged the difference.

This draconian legislation —

referring to what we are debating today —

takes us back to the dark ages.

She goes on to say:

People with a psychiatric illness often only have a temporary limited capacity. With treatment their capacity returns. This is not the case with the other people with a disability who will be included on the list.

She concludes by saying:

What we need are two separate lists: one for mental illness and another for disability.

She sees a real difference, as do other members of the community. My office received many emails and phone calls from people with loved ones who fall under this category. Basically what this means is support programs are going to be provided partly to rectify what is happening on the list. They will be geared towards those with mental health problems, but will not adequately recognise or provide for people with intellectual disabilities who have completely different needs. This will be only a short-term pilot project, and I hope it works very well, but it is also only in one court venue, which means it is very limiting. For example, people in the outer east may not be eligible to be placed on the list.

One of the biggest questions is: why do people have to commit a crime in order to be able to obtain these sorts of individual support services? A lot of people come into my office looking for support in the disability support sector. They do not have respite either for

themselves or for their family member who suffers the intellectual disability. They come in and say, 'Why do we not have enough services?', yet what we are saying is, 'If you commit a crime, we are going to offer you these services'. In my book prevention is always better than cure. I have a problem with this sort of stuff not being offered extensively enough.

There are some real areas of concern for me, and I wonder how long it will be before we have to come back to this house in the very near future to debate amendments to those parts of the bill that need tidying up. Some bits are quite underdeveloped. Many pieces of legislation that this government introduces in this house need tidying up after only a very short time. One of the things I would challenge is the title of the bill, which lumps everybody under the same heading of 'mental health list'.

I notice with great interest that the minister is in the house. I am delighted she has finally joined the debate. I believe the Minister for Mental Health is listed as the responsible minister. I may well be wrong, and I am happy to be corrected.

**Ms Neville** — It is the Attorney-General's bill.

**Mrs VICTORIA** — I hope this is certainly part of the Minister for Mental Health's portfolio area of responsibility and that she will be able to address some of the issues that the coalition but more importantly the community have brought to the table. Their concerns are very real. They are very worried about the regression to the draconian old days.

The bill lists everybody under the one heading. We know for a fact this is not the truth. It was back in the 1980s that we separated these people, and to put this under a mental health list stigmatises a lot of people. I have great concerns about that. I hope the government addresses these issues.

**Debate adjourned on motion of Mr LIM (Clayton).**

**Debate adjourned until later this day.**

## TRANSPORT INTEGRATION BILL

### *Second reading*

**Debate resumed from 10 December 2009; motion of Ms KOSKY (then Minister for Public Transport).**

**Mr MULDER** (Polwarth) — I commence by thanking staff in the minister's department who gave up their valuable time to brief us on this bill; I congratulate

them on being able to keep such straight faces throughout the briefing. As I go through my contribution I believe members will gain a good understanding that this would have to be the greatest insult and the greatest load of rubbish that has ever been presented in a bill to the Victorian Parliament.

**Mr Nardella** — You are going to support it.

**Mr MULDER** — All I will say is we will deal with this when we are in government. It is an absolute disgrace. The amount of money, time and resources that have gone into bringing this bill before the house is highly questionable. Money should not be spent on this type of rubbish. I will go through the different parts of the bill, but it is an absolute disgrace to think that this is what the minister is putting his department through. It is nothing but a political void. The legislation is an absolute beat-up and a load of rubbish — that is all you could say about it.

Only a handful of clauses in the entire bill actually do something or mean something. The bill changes V/Line Passenger Corporation to V/Line Corporation to reflect the fact that it now undertakes freight operations. It transfers the role of director of marine safety to the director of public transport and establishes the new role of transport headkicker — someone who will try to kick-start projects for the department. The role's title is transport infrastructure development agent. This is another facilitator, or another bureaucrat, whose role appears to be to keep the rest of the department under control and try to push projects through.

The government just does not seem to be able to get away from the spaghetti jungle it has created. It simply cannot seem to push forward. It seems to choke on projects, and its answer all the time is to establish more bureaucracy.

As for the rest of the bill: it is waffle, policies and visions, not legislation. The bill is an embarrassment, a political ploy. It entrenches the government's transport plan in legislation. The plan is supposed to fix our train woes and road congestion, but \$30 billion of the \$38 billion remains completely and totally unfunded. The first thing you would ask about a bill like this coming before the Parliament is: will it fix traffic congestion? No, of course it will not. Will it get the trains to run on time? No, it will not. Will it get the trains to turn up at all? Of course it will not.

V/Line trains officially ran late in 40 consecutive months on the Geelong line; 30 months on the Seymour line; 28 months on the Bendigo line; 23 months on the Traralgon line; 19 of the last 21 months on the

Warrnambool line; 35 of the last 40 on the Ballarat line; 24 of the last 27 on the Echuca and Swan Hill lines; and 8 of the last 12 months on the Shepparton line.

Will this bill fix any of that? It will not. Will the bill fire up the new ghost train that made a brief appearance before Christmas and disappeared into the night? No, it will not. Will the bill fix the decrepit and sagging overhead power grid that services Melbourne trains, the drainage, the points and crossing signals, the ballast, the sleepers, the rails, the air conditioning or the brakes? Will the bill get myki to work? No, it will not.

On page 11 of the bill is a diagram headed 'Scope of policy and governance settings', and it lists under the transport portfolio a number of corporations and organisations under the minister's direction, but TTA (Transport Ticketing Authority) seems to have dropped off; it does not appear there. It is the organisation responsible for the mighty disaster being unleashed on Victorians as we speak.

The second-reading speech picks up on a very important issue. Something that I have spoken about on a number of occasions is the number of government agencies and departments, authorities and quangos that the Labor government has in Victoria to deal with transport issues. The second-reading speech says:

There are major interdependencies in play across our transport system, so the notion of 'competition' between modes can potentially lead to areas of the portfolio acting to the detriment of the system itself.

This is exactly what the opposition has been saying for a long time; it has talked about the spaghetti jungle that this government has created with the road and rail networks and the number of agencies that are involved in competing for their own little projects. The result is that whoever presents the best proposal to the minister at the time gets the money. It will not necessarily go to the right project in terms of prioritising the needs of the public transport network or the road network. Whoever is quickest off the mark, whoever can put forward the glitziest presentation will end up getting the money.

That is why in this state we find we have our \$1.4 billion myki smartcard fiasco, why we have a government that invested \$1 billion of taxpayers money in fast trains and why someone who took a presentation to the Minister for Roads and Ports for \$20 million worth of fairy lights on the West Gate Bridge got the tick of approval. However, we cannot even get the potholes fixed in the roads around the state. We cannot get pedestrian crossings that are needed to protect children.

Is it any wonder that the government acknowledges in its second-reading speech that it has a major problem? Whoever puts up the best argument gets the money. No-one talks to anyone else. Decisions are being made in isolation, and we have this hopeless situation of taxpayer money being spent. I have said it once and I will say it again — it is not that the money has not been spent, it is the prioritisation of the projects that has killed this government. That is what is killing the government out there today: transport and roads. It is acknowledged that it is failing dismally in the area of transport and roads, public transport in particular, because the prioritisation of the spending has been so wrong.

How do you explain to somebody riding around Melbourne in a Comeng train with no air conditioning that we think the best way to spend money is on fairy lights on the West Gate Bridge? As you are heading home, sweating it out at the end of the day, you can look up and see your money in the fairy lights across the West Gate Bridge. How on earth could something like that get a tick off?

**Mr Nardella** — A tunnel under the Bolte Bridge — \$260 million!

**Mr MULDER** — Were you there when that was discussed, you fool? Absolute fool!

**The ACTING SPEAKER (Mr Ingram)** — Order! The member for Melton should not interject like that and the member for Polwarth should not point and challenge members across the chamber. A bit of decorum!

**Mr MULDER** — As I said, the bill enshrines in legislation the Victorian government's transport plan. The most interesting part about this enshrining in legislation is that you would think it plan had some substance to it. What it actually says throughout the bill is that the plan will be revised from time to time. In other words, as we get close to an election the government can just pull the projects out and slide another couple in depending on what needs to be done in the particular seats. There are no actual time frames, there is no money allocated and the transport plan can change from time to time.

If you have any faith in this government and its transport plan, you should look back at the history of promises it has made in the past on transport, roads and public transport. If government members can hold their hands on their hearts and say, 'They have all been delivered. We are now moving on to our next phase of the transport plan', then maybe you could believe what

they are saying. But history will tell you that is not the case.

To understand that you only need to go through the promises which have been made in the past but which have not been delivered. There was no intention for them to be delivered; they were all political ploys. They were all made around election times and as soon as the election had been run and won government members turned their backs and ran.

I will give some examples. A third rail track between Blackburn and Mitcham was a 1999 election promise. Where is it? It never happened. Building a rail line from Cranbourne to Cranbourne East was a 1999 election promise. There was no start and no money. Extending the route 75 tramline from Burwood East to Knox City was another promise. There were no dollars and no start. There was a promise of a rapid transport link to Melbourne Airport, but there were no dollars and no start. On the issue of standardising freight lines, for other than Albury there were no dollars and no start. Met zone 2 extensions to the Mornington Peninsula were not funded and not started. Warrnambool rail services were not funded and not started. The myki public transport ticketing smartcard is under way. There has been one success — and have a look at it!

On the promise to implement Disability Discrimination Act 1992 transport access requirements by continuing to provide low-floor tram vehicles, they were not ordered, then the number was reduced to 50 from 100 and they were still not ordered. There was a promise to improve heavy vehicle compliance with the maximum speed limits to protect road infrastructure. That has not happened. As to achieving a 25 per cent reduction in tram travel times and associated improvements in reliability on designated routes, it has not happened. The list goes on and on.

These are all the past promises that were never delivered. Yet we have this transport plan enshrined in legislation that can be altered from time to time at the whim of the minister of the day, depending on what the election cycle is. It has no standing at all. It is an absolute joke and a waste of time to have this legislation sitting on the statute book here in Victoria. It is an absolute disgrace.

I will just go to part 2 of the bill. This is not a policy statement or a corporate plan, this is actually legislation in Victoria, and all the government agencies are supposed to refer to this part for any decisions they are making with future public transport projects. There are vision statements in here: clauses 8 to 13 are headed 'Social and economic inclusion', 'Economic

prosperity', 'Environmental sustainability', 'Integration of transport and land use' and 'Safety and health and wellbeing', and it goes on and on. We have clauses headed 'Decision making principles', 'Principle of integrated decision making', 'Principle of triple bottom line assessment', 'Principle of equity', 'Precautionary principle', 'Principle of stakeholder engagement and community participation' and 'Principle of transparency'.

**Mr Nardella** — Hear, hear! Fantastic!

**Mr MULDER** — You think they're all good? You are getting the fact, aren't you? The next one is 'Minister may issue a statement of policy principles' and it goes on and on until it gets to clause 28 of this part. This is the cruncher — of all these issues that all these departments are supposed to take into consideration with their decision making in relation to transport projects here in Victoria, this is the 'Effect of this part', as clause 28 is headed:

The Parliament does not intend by this Part to create in any person any legal right or to give rise to any civil cause of action.

In other words, it is there, you look at it, you read it and then you throw it in the bin, because it has no standing at all. The legal advisers in the department, directed by the minister, have sat down and drafted this waffle. It is nothing other than waffle. It has no status, it has no standing and no-one has to take any notice of it — and it is going to be law in Victoria! Good heavens above! Can you believe what these people are about? It is an absolute and utter disgrace.

**Mr Nardella** — What are you going to do?

**Mr MULDER** — I can tell you now, I would not have put people through all of this. We had the discussion paper, *Towards an Integrated and Sustainable Transport Future — A New Legislative Framework for Transport in Victoria*, and then we had the stakeholder feedback summary, all presented in lovely glossy brochures to be handed out to all these people, with the government saying, 'Thanks for all the work you've put in. This is going to appear in legislation and then become law in the state of Victoria'. But guess what? No-one has to do any of it! How much did it cost to produce all this? How many round table discussions were held? How many afternoon teas? How many overhead presentations were there? How many rent-a-crowds were dragged in for this? What an absolute and utter disgrace it is that this bill is here before the Parliament today.

I will once again go to the Victorian transport plan that has now been enshrined here in legislation. On page 66 there is a paragraph on one of the biggest projects in Victoria, the myki ticketing system. Would the member for Melton just have a look at the paragraph — —

**The ACTING SPEAKER (Mr Ingram)** — Order! The member for Polwarth should not encourage interjections.

**Mr MULDER** — I am sorry, Acting Speaker, but I could not resist.

**Mr Nardella** interjected.

**The ACTING SPEAKER (Mr Ingram)** — Order! The member for Melton!

**Mr MULDER** — It is something of a joke. It is an embarrassment to the Premier; I think that has been demonstrated during question time this week. Myki is a \$1.4 billion project that has turned out to be the greatest white elephant and the greatest embarrassment. Given that the transport plan can be revised and changed from time to time, it may well be that that paragraph on page 66 will disappear sometime, perhaps even before the election, because it is another embarrassment, and not just to the government.

The darkest days of the Premier's political career would have been, firstly, as Treasurer when he initially signed off on the myki project, and secondly, when as Premier he threw another \$350 million at this project, which is sitting here in the transport plan. As I pointed out, and as has been recognised in the government's own second-reading speech, it is all due to the fact that the government has made a tangled web of the road and public transport organisations, corporations and quangos — call them what you want — and they simply do not talk to one another.

Clause 33 of the bill comes to mind. It is headed 'Functions of the Department', and at subclause (1) it states:

The principal function of the Department is to assist the Minister in the administration of this Act ...

For comparison I went to the website of the Department of Health, which has the following statement:

Welcome to the Department of Health

The Victorian Department of Health's objective is to enhance and protect the health and wellbeing of all Victorians.

There is a bit of a difference, is there not? The Department of Health says that its primary role is to look after the health and wellbeing of Victorians, but

the principal function of the Department of Transport under this new legislation is to look after the minister.

The new Minister for Public Transport and a previous minister, now the Minister for Energy and Resources, have very similar backgrounds. They both come from strong union backgrounds, and they are both absolutely hopeless in terms of commercial negotiation; they get rolled and belted up on every occasion.

Clause 40 of the bill talks about the transport infrastructure development agent. This agent is going to be a body corporate with perpetual succession. Once again it is bureaucracy within a bureaucracy to try to control and bash everybody about to get projects through. It was not that long ago that we had legislation in the Parliament where interface agreements were to be set up between all the different government agencies and authorities so that when it came to something like a level crossing, everyone had to sign off on who was responsible for each little section of the crossing — the road, the rail, the trees, this and that — because the government could not get people together to agree and get these projects up and running.

Once again there will be another bureaucracy to try to bash people and push projects through, because both ministers of the day — the Minister for Roads and Ports and the Minister for Public Transport — simply have not had the ability to control the department, control cost blow-outs and get the projects up that Victorians need now.

Clause 131 outlines the objects of V/Line Corporation, which include:

- (a) to ensure, in collaboration with transport bodies and public entities, that its rail passenger and rail freight services operate as part of an integrated transport system which seeks to meet the needs of all transport system users ...

This week we raised the issue of blood samples being sent down from regional Victoria to the pathology laboratories using V/Line and the results going back to where they were urgently required at regional hospitals. V/Line made a decision to do away with that service, and that was going to cause massive delays in terms of pathology results coming back to doctors, particularly those in regional hospitals. It tried this in 2006. We put the boots in in 2006; it turned and ran and reintroduced the service. V/Line has tried it again, sending out notification to users that it was going to do away with it. Once again we put our hand up and said it should not happen, and I understand the minister has backed away again. The letters and the directions had been sent out,

but the new public transport minister and his V/Line organisation had to back down.

This whole issue of the separation of government departments and individual ministers who make decisions without talking to one another is amazing. We just have to look at the very simple issue of rail trails in country Victoria, for example. We continually get letters and emails from people who go out to experience a rail trail and say, "The only problem is we want to take our bikes. We go to V/Line and it says, "You can't put your bike on the train. You can't put your bike on the bus"". These people actually have to get in their cars, burn all their fuel and pass the train going along the rail beside the road, heading in the same direction.

**Mr Walsh** — Or ride fast.

**Mr MULDER** — Or ride fast. V/Line no longer caters for people with bikes.

We also have the issue of people with small pets. If you want to take a small pet on a tram in Melbourne, it is not a problem; if you want to do the same on V/Line, it is not allowed. If the objective of V/Line is to meet the needs of all transport system users, then I would say it needs to have a very close look at the needs of people in country Victoria, have a look at how it is going to promote rail trails and have a good, hard look at how it is going to cater for people who want to do the right and healthy thing by taking their bikes and leaving their cars at home. The people in this government do not talk to one another, which creates great difficulty.

Clause 63 of the bill, which is headed 'Victorian Transport Plan', states:

- (3) The Minister may direct the Department to prepare a revision of the Victorian Transport Plan.
- (4) The Minister may publish the Victorian Transport Plan as revised from time to time.

As I said, here it sits in legislation in Victoria — reference to a document that has no substance and a document that has no money attached to it but follows on from a whole host of broken promises that have been put forward by the government of the day.

I was speaking before about the vision statement and objectives in part 2 of the bill, which speak very strongly about the need for transparency. Earlier this week there was a group of people on the steps of Parliament House protesting about the government's clearways policy and seeking answers from the government as to how the decision was made. Through the process for the production of documents in the upper house David Davis, a member for Southern

Metropolitan Region, sought from the Attorney-General's office all the documents that related to the decision surrounding clearways and how the government arrived at that decision. That goes to the principle of transparency by seeking to enable people to have an understanding of exactly how that decision was made.

A document that I have been handed is a response from the government, and it lists what documents it is not prepared to hand over — documents which demonstrate how its decision was made. There are 63 individual documents that the public is not going to see and the strip shopping centre owners and shopkeepers are never going to see but which they need to see to get an understanding of how the government arrived at its decision. On one hand the bill talks about transparency and the need to be open and accountable in relation to transport issues, but on the other hand, in relation to the production of the 63 documents that demonstrate how the government arrived at its decision, there is no intention by the government to make known to the public how and why the decision was made.

The excuse handed up for the refusal to provide most of these documents is that:

Release of this document would:

reveal high-level confidential deliberative processes of the executive government, or otherwise generally jeopardise the necessary relationship of confidentiality between a minister and a government officer.

So any briefings that have gone to the Minister for Roads and Ports or the Premier from any departmental official, any advice on how this decision was arrived at, are not allowed to be made available to the Victorian public and to the people whose lives are affected by this very decision.

In part 2 of the bill we have all of these great intentions: openness, transparency, triple bottom line, social inclusion — all the nice words in all the glossy documents — and we are expected to believe the government will follow through with them. Yet in relation to the clearways decision that was made by the government what we know is that a code of practice was gazetted as to what the government should do to alter clearways in Victoria, and the minister went against the government's own code of practice. The code of practice said that the minister must go out and consult with affected property owners — must effectively consult with anybody who had an interest in or was going to be impacted by a change to clearways. The minister made a declaration that 10 kilometres out from the central business district he was going to alter

the clearway times, causing a dramatic impact on strip shopping centres and the livelihoods and employment prospects of people who live in those areas, without doing the consultation. He said, 'Now I've made the decision I will start the consultation, but understand this: nothing is going to change'.

So here we have this legislation, with the final clause saying, 'Take note of it, read it, think about it, but it is not legally binding'. None of this is legally binding. None of the projects identified in the transport plan have to be delivered, even though the transport plan is enshrined in legislation. Is this what we have got to in this place — that we have this utter rubbish? As I said, we will deal with this when we are in government. It is not worth the paper it is written on. Apart from a handful of clauses that actually do something, the rest of the bill is nothing other than self-promotion.

I feel for the people who probably sat up burning the midnight oil drafting this bill, because, as I said, when we had the bill briefing the further it went the sicker I felt. I looked at these people who were providing the information to us and I thought, 'How on earth can these hardworking public servants possibly keep straight faces providing this information and giving us a briefing on a bill like this when they would all know very well that this bill will do absolutely nothing to improve the current situation that Victorians are facing with traffic congestion, a crumbling public transport system and a Premier and ministers who have absolutely no idea how to prioritise spending on roads or spending on the public transport network?'.

As I said earlier in my contribution, no-one disputes the fact that money has been spent. When money has been spent, particularly in the public sector, the public has every right to see whether they are getting value for money, but we have a fairy light Premier and fairy light ministers. It is an absolute and total disgrace to put \$20 million of Victorian taxpayers money into fairy lights on the West Gate Bridge when there are pedestrian crossings at the Timboon school where parents are worried about kids getting hit by trucks coming past and I have been told they do not fit the funding criteria. Fairy lights fit the criteria for this government.

The myki system is an utter disgrace, and we will ride the government all the way to the next election with it. Every single day of the week we will not back off as an opposition in relation to myki. I think of the projects that could have been delivered and the problems that could have been addressed — the sagging overhead wires on the metropolitan rail system, the points, the crossings, the signals, the ballast and the rails. I think of

all the work that could have been undertaken — the air conditioners in the trains, the level crossings that could have been done away with, the lives saved, the time saved for commerce and industry. We will myki government members all the way to the next election!

**The ACTING SPEAKER (Mr Ingram)** — Order! The honourable member for Polwarth's time has expired.

**Mr NARDELLA (Melton)** — What a disappointing 30 minutes of absolute drivel! This is the man who thinks he is going to become the next leader of the Liberal-National coalition, yet he has come in here on a very important bill, which is about integration, about bringing legislation from 1983 and 1986 into this century, and all he talked for 30 minutes was drivel, because this legislation before the house is too complex for him to understand.

**An honourable member** — Visionary!

**Mr NARDELLA** — It talks about vision, it talks about integration, it talks about sustainability, it talks about the environment, it talks about integrating the public transport system as a whole and joining up the rail, tram and bus systems to work as an integrated multimodal system. That is too complex for the honourable member for Polwarth. He would have to think to understand it. He would have to spend some time using the grey matter between his ears and actually starting to think about what his vision is and what his priorities should be for the people — the travelling public, the motorists, the cyclists and walkers — here in Victoria. However, he cannot do that, as he just demonstrated with his 30 minutes of absolute drivel. He said the bill is an embarrassment, but the house has just had 30 minutes of embarrassment from the member for Polwarth.

What was his vision for a modern public transport system? I can tell the house what it will be if he ever gets the opportunity to sit on the government side of the house. He has no vision and no idea; all he does is whinge and carp — in fact, that is all members of the opposition can do. His solution is very simple: he just goes to his mentor and to the people he knows best and the policies they know best. How would they fix up the rail system? They would start closing rail lines again. They closed six country rail lines during the regime of Premier Jeff Kennett during the seven long, dark years of his government.

What has this government done? It has opened up Bairnsdale. Members may remember when the Bairnsdale bridge was hauled up because it could not

take the train engines over it. Liberal members would take the engine over it to rip up the rail tracks — that is what they had to do when in government. The government has opened up Ararat, and the opening of the Maryborough line is imminent.

The member for Polwarth went out there and criticised — and he continues to criticise — the public transport system and the regional rail upgrade. If we had not spent the \$750 million on the regional rail upgrade, that system would have collapsed by now. His vision is the same as the Kennett government's vision — that is, you sell the public transport system. It flogged off the freight system, the tracks and the ballast — that is, the rocks that go under the tracks — because the Liberal Party cannot manage a single thing when in government. When it was last in government it fragmented the system, splitting it between two rail operators, one privatised tram operator and every bus operator under the sun with the dispersal of the bus system. It did not even keep the Melbourne and Metropolitan Tramways Board.

What was the Liberal Party's modus operandi? If opposition members come to this side of the house, what will they do to V/Line conductors? They will do what they did to tram conductors. As they have already announced, they will sack every V/Line conductor so that they can put protective service officers on railway station platforms to sit down, have a couple of smokes and make train stations — not passengers or the railway system — safer. This is the policy the opposition will be taking to the election on 27 November.

What else is in the opposition's policy? Do members remember the summer timetable? In 1993 the then Liberal government changed the normal rail timetable to a summer timetable, but then it kept the summer timetable. That was its solution for fixing up the rail system. Did it make improvements to it? It did not; it just ripped, slashed and burnt the public transport system in Victoria. Does the opposition have a commitment to public transport? Absolutely not — it has demonstrated that time and again.

Opposition members hate country Victorians. At every opportunity they slash and burn country public transport systems. Earlier today a petition was presented by the member for Mildura requesting that the government reopen the Mildura passenger rail line. What government closed it in 1993? It was the Kennett Liberal government. Craig Bildstien, then the Liberal member for Mildura, said, 'Yes, I will bend over. I want this; I want to close my railway line', and he had his railway line closed by the Kennett Liberal government. Six lines were closed. That is what Liberal

Party members will do; they do not understand this bill because it is too complex for them. They just believe in slashing and burning.

The member for Polwarth talked about the fairy lights proposed for installation on the West Gate Bridge at a cost of \$20 million. If you look at the Liberal Party's record on what it will do for self-aggrandisement, you will see the Kennett government spent \$260 million for lights on the Bolte Bridge, the two edifices on the Bolte Bridge and the yellow sticks at the beginning of the Tullamarine Freeway.

**An honourable member** interjected.

**Mr NARDELLA** — It is actually metal. Just 10 years ago the Kennett government wasted \$260 million, yet Liberal members come in here and talk about \$20 million.

Worse than that, they want to talk about freight. What is their vision for freight? The opening of the Bolte Bridge meant that the freight line that connected the Melbourne port system — which this government has been upgrading — to the rest of the rail network was closed. That is the opposition's vision for public transport, freight and integration in Victoria. Members opposite can only close things; they cannot manage things. They cannot think about the things they need for the people of Victoria because the grey matter between their ears does not work any more. They do not have a strong leader, and the honourable member for Polwarth just demonstrated why we support him, and will continue to support him, for that position.

With regard to other transport issues, the regional rail system has been upgraded and the V/Locity trains are fantastic, yet members had to listen to 30 minutes of the member for Polwarth attacking the government about the regional rail upgrade — the rail upgrade that was needed and without which the system would have collapsed.

The government saved the Warrnambool rail line that had been privatised under the Kennett government. This mob on the other side all cheered when it was privatised. If we had not come to government, that would have collapsed. What would they have done then? Just as with Bairnsdale, with which you would be familiar, Acting Speaker, they would have said, 'It is market forces. People are not using it. It cannot survive', and they would have closed it down.

It is a revelation to the member for Polwarth that when you implement a policy you then review it. It is a revelation to the member that when things are discussed in cabinet the priorities are set and then policies may

change depending on what is occurring at that time. It is something that he just will not be able to get his mind around if he ever gets on this side of the house. Worse than that, if ever he gets into cabinet he will not understand the processes of government and the cabinet system. This bill is about the future. It is about a vision. It is about making public transport, roads, cycling and walking better in Victoria. It compares very well against the abysmal record and the abysmal contribution of the honourable member for Polwarth.

**Mr WALSH** (Swan Hill) — It is always a pleasure to follow the member for Melton! While I was sitting here listening to the member it sort of reminded me of *Ringside with the Wrestlers* — that is, older men making fools of themselves and doing things they cannot really do well. I think that sums up very well the contribution of the member for Melton. There is a lot of noise and a lot of showmanship, but when it comes to substance there is very little there.

As I read the bill I believe it is inappropriately named. It would have been far better for it to have been named the Sir Humphrey Bill, because I think the people who sat down and did the work of designing this measure had probably overdosed on *Yes Minister*. This bill is effectively a whole heap of clichés, parenthood statements and whatever rolled together to create some illusion that something is actually going to happen, whereas in reality there is nothing to hold anyone accountable to do anything.

If members have ever undertaken planning workshops, particularly about putting in place key performance indicators, they will know about the use of the acronym SMART. When you do things in that process they have to be specific, which is the S; they have to be measurable, which is the M; they have to be agreed, which is the A; they have to be realistic, which is the R; and they have to have an agreed time line within which the things I have mentioned actually have to be done, and that is the T. If you read this piece of legislation, you will note that it does not really achieve any of those things.

The majority of the legislation that comes into this place prescribes specific things that can and cannot be done, accompanied by punitive measures or whatever around those things. This bill does not do any of that. As I said, it just sets out a whole lot of parenthood statements about what is supposed to make people feel good but has nothing about what actually has to be done under the particular legislation. I think it is a great shame that a lot of people obviously did a lot of work to produce a document of this size, with all the pages that are in the bill, but that in the end I do not think it means

very much when it comes to delivering real outcomes for Victorians.

**Mr Carli** interjected.

**Mr WALSH** — I pick up the comment by interjection that it is supposed to be about integration. It is government's role to do all that sort of stuff. You should not have to put parenthoods statements into a piece of legislation to try to achieve that. What it is saying is that for 10 years this government has in effect not done anything about integration. The ministers and their departments have totally failed to have any vision, as they would refer to it, of how Victorian taxpayers money should be better spent. If this bill is the result of integration and vision, it means that for 10 years the government has failed to do the job it was elected to do, because that is what Victorians elect a government to do: to have the vision to make the state better for the people who live in it and to make sure that taxpayers money is spent in the best possible way. The assumption in that is that there would be some integration in the services and projects delivered. If you go to part 2 — —

**Mr Carli** interjected.

**Mr WALSH** — I will tell you about my vision. I know it is unruly, Acting Speaker, to pick up interjections, but I think in this case it is a very fair question. My vision is to get rid of the Brumby government so that we can get some people into government in this state who will deliver projects on time and on budget and put some discipline around how government runs. I will come back to that later in my contribution.

Part 2 of the bill contains the vision statement, which says:

The Parliament recognises the aspirations of Victorians for an integrated and sustainable transport system that contributes to an inclusive, prosperous and environmentally responsible State.

I am sure that people spent hours and hours poring over what words should or should not be in that particular vision statement. However, a vision statement is not something to put in legislation, a vision is about how the departments actually go about doing it. The bill goes on for pages with a range of statements about how the objectives will be met, and I would like to raise a couple of specific points.

Clause 37 at page 38 of the bill talks about the power to enter land, which is also talked about in the statement of compatibility with the Charter of Human Rights and Responsibilities. It is a pity that this government did not

adopt the provisions of clause 37 when it was dealing with people when it set up the north–south pipeline. It is a pity it did not have those principles and those specifics in legislation at the time. The people living between Yea and Mount Sugarloaf did not get the luxury of this provision when the north–south pipeline was being constructed. Those people were treated abysmally. If the government had had any integrity, it would have put in place the likes of the process outlined in this clause when it dealt with those people.

At page 69 clause 77 talks about a cost-benefit analysis on rail safety projects in particular. Again, if I could just go back to the water issue for a second, we have not seen any cost-benefit analysis on the north–south pipeline. We have not seen any cost-benefit analysis on the food bowl modernisation project — and we continually have to make FOI applications to try to get any details on that. We have not seen any cost-benefit analysis on the eastern treatment plant upgrade, which was promised in 2002 but which still has not been delivered.

Let us think about the transport projects that have been promised and partly delivered by this government since it was elected. Was a cost-benefit analysis done on the myki system? Did that take into account all the cost blow-outs and the fact that we still do not have a system? If we had had the principle that exists under this legislation, the myki system would have been abandoned a long time ago. What about the cost-benefit analysis for the Spencer Street upgrade? The name was changed to Southern Cross to try to hide the embarrassment of what a disaster that project was in terms of the cost blow-out and particularly in terms of the fact that we have this great roof there but that no-one has ever bothered to collect the water that runs off it.

Was a cost-benefit analysis done on \$20 million worth of fairy lights for the West Gate Bridge? At the start of the school year we have had people crying out for integration aides for their children, yet we are going to blow \$20 million on fairy lights. Is that a good cost-benefit result? The member for Melton mentioned the Mildura train. This government was elected in 1999 following a promise to run the passenger train to Mildura. That still has not happened. Premier Bracks reiterated that promise several times, including at a community cabinet in Mildura in 2006. He stood up and promised that he would return the passenger train to Mildura. It still has not happened.

When it comes to vision and principles and what is being enshrined in this legislation, this government has not lived by those when it has come to returning the

Mildura passenger train, which it promised to do in 1999 but which it still has not delivered. The best it can do is set up a working group under the recently retired minister to try to have a look at it. It was promised a decade ago and it still has not been delivered, yet the best the government can do is have a working group to do that. If you look at cost-benefit analyses, before the 1999 election the fast train project was promised by the current Premier to cost \$80 million.

**Ms Duncan** — Never! It was never promised at \$80 million. That is another example of the misleading of Parliament.

**Mr WALSH** — How much did it end up costing?

**Ms Asher** — It was in Labor's financial statement. Go to the documentation from 1999.

**Mr WALSH** — The member for Macedon needs to go and read the documentation. If she does, she will see that that project was promised for \$80 million. It ended up costing \$800 million, a tenfold increase. In terms of cost-benefit analyses and accountability, this government's reputation is in tatters.

One of the other promises of this government was that it would return 30 per cent of the freight in Victoria to the rail system. That has not been achieved. I acknowledge that some money has been spent on upgrading the train tracks, but we do not have the rolling stock, we do not have the management in place, and we do not have the access regime to go anywhere near achieving a return to 30 per cent of freight to the rail system in Victoria.

This is a very large piece of legislation that a lot of well-intentioned people put a lot of work into, but obviously the drafting instructions and the guiding hands of this government were very poorly managed in how it set out for that work to be done. What we have is a document that is full of parenthoods statements and a whole heap of nice flowery words, but when it comes to having any specifics, any measurable targets, any realistic things and any time lines when things have to be done, they are not there.

If this piece of legislation is the blueprint for the future of transport in Victoria, we are in for some very dismal times, and I cannot wait until November this year when a real government can take over in Victoria.

**Mr HUDSON** (Bentleigh) — I think the opposition lives in a time warp, because this is the first major overhaul of transport legislation in 25 years, yet what does the house get? The opposition completely misunderstands the whole purpose of this legislation.

The opposition seems to have completely overlooked what has been happening in this Parliament for the last four or five years in relation to transport legislation, because we have been progressively disaggregating out of the Transport Act other pieces of transport legislation — the Bus Safety Act, the Rail Safety Act, the Accident Towing Services Act and the Major Transport Projects Facilitation Act.

This bill provides the overarching framework for all of that legislation that has been passed by this Parliament, for the principles and objectives that should guide the work of our transport agencies and the department into the future. But the opposition does not know that; it does not seem to be aware of it.

This process has been an extensive one, and one that I have had quite a lot to do with. The government held eight forums around the state; it had workshops, over 40 briefings, and over 1200 stakeholders and 184 organisations were involved. It received submissions from 78 organisations, but it got not one single submission from the Liberal Party and The Nationals. Not a submission was received from a single member of the opposition, because this is a lazy opposition that does not do the policy work. Opposition members have no idea what is going on with transport legislation.

The member for Polwarth came in here and in his typical way described this as the greatest insult and the greatest load of rubbish ever presented to this Parliament. That was just a touch of hyperbole from the member for Polwarth. It is a disgrace that opposition members do not understand the nature and role of this legislation, that they do not understand that this bill sets out overarching objectives and principles which will guide the work of agencies and departmental officials. It is binding on those officials and on departments to have regard to those overarching principles and objectives.

Anyone bringing an action under any other piece of legislation, just as they can with the human rights legislation, can have regard to whether departmental officials have given proper consideration to what is required of them under this bill. That is important, because every one of those agencies now has had to develop a charter which gives effect to this legislation. That is what this bill does.

The member for Polwarth probably thinks the Transport Act 1983 is adequate, because the opposition has no direction at all in transport. If members had listened to the member for Polwarth, they would have thought it is not about having a framework, it is not about having a direction, and it is not about a policy: for

him it is about getting back to basics. When you listen to the member for Polwarth on radio he says the coalition has a back-to-basics policy. He says, 'We will replace more sleepers with concrete ones. We will do more maintenance on the tracks, but we do not know whether we would really go ahead with a metropolitan rail tunnel'.

The first objective of the legislation is social and economic inclusion. We take that objective seriously. We do not close rail lines out to the regions. We do not shut down the lifeblood of those small towns and regions; we have been investing in them. We are not going to the election, as the opposition did at the last election, promising to extend rail lines to South Morang and Cranbourne for less than \$10 million. We do not try to con the voters by telling them we are going to connect them up to Melbourne for less than \$10 million for something that in reality costs \$550 million — for example, the South Morang rail extension. The government is completing that connection. It will deliver it with grade separations, and it will be a major connection to that growth area in the northern suburbs of Melbourne.

We are not neglecting the growing northern and western suburbs like the opposition did. We are making the biggest investment that has ever been made in rail in the western suburbs at an investment cost of \$4.3 billion. We are doing that because we understand that in that area an extra 900 000 people will need to be properly connected to public transport. We understand that they have been underserved in the past. For example, Rod Eddington said population growth is going to outstrip our capacity to connect people to jobs.

It concerns this government that whilst people who live in Ringwood and Dandenong have access to jobs — in the next 20 years 350 000 jobs within a 30-minute journey — things are static in the west. That is why we are investing in the regional rail link. That is why we are putting the money into it, which is something the opposition would never have done.

That is what underpins economic prosperity as well. Unless you have those links, unless you link people into jobs, what you are going to have are dormitory suburbs, and that is something that we will not have. That is why we invested in regional fast rail, and you can see the benefits that have come from regional fast rail. Bendigo, Ballarat, Geelong, Traralgon and the Latrobe Valley are growing in population. We have created 128 000 jobs in those regional areas, which is to be compared to the 41 000 jobs created under the Liberal-Nationals coalition in the 1990s. That is an exponential change. It is no secret that we created

66 per cent of all the jobs that have been created in Australia in the last 12 months, and it is because we have some of the basic infrastructure in place. That objective of economic prosperity is also critical.

Likewise, let us have a look at the objective of integrating transport and land use. If the Melbourne metropolitan area is going to accommodate 5 million people, it is critical in opening up those areas that we have proper transport infrastructure. What is the opposition doing in relation to the infrastructure contribution tax that we are seeking to put in place? It is trying to give a free kick to developers by knocking the bill back in the upper house.

**Mr Carli** — It is a windfall gain.

**Mr HUDSON** — It is a windfall gain to developers that will detract from the capacity of the government to invest in transport infrastructure, whether it is road or rail, in these areas. What the government is saying is: we are not going to open up these new areas to development unless they have proper rail and road infrastructure, and that is why we are investing along the spine of road and rail infrastructure that has been established. More importantly, we are not going to do that unless those people who seek to profit from that land make some contribution to the infrastructure that needs to be put in place. Objective 4 set out in clause 11 of the bill is the integration of transport and land use. That is what the growth areas infrastructure contribution bill is in part about: ensuring that we can do that.

I go back to objective 3 in clause 10, environmental sustainability. We have set a goal of a 60 per cent reduction in emissions by 2050. You cannot do that without a contribution from the transport sector. The transport sector contributes 15 per cent of our emissions. If we want to reduce those emissions, we need to invest in transport and in particular in public transport. If you go back to 1999, you see that the total capital contribution to public transport was \$60 million; this year it is \$5.3 billion. When the member for Polwarth gets up over there and says we are not investing in public transport it becomes a joke when you look back to what the opposition, when in government, was investing in public transport: it was a pittance. If you want to have environmental sustainability, if you want to drive down emissions, you need to make the kind of investment that this government is making.

This bill is important in addressing those objectives and giving effect to the Victorian transport plan. I commend the bill to the house.

**Ms ASHER** (Brighton) — I too wish to make a number of observations about the Transport Integration Bill 2009, which the opposition is not opposing. The bill seeks to enshrine the government's \$38 billion transport plan, which, incidentally, has only been allocated funding of \$8 million, notwithstanding the amount of advertising we see on our TV screens about this. In particular I want to refer to the member for Bentleigh's comment that the bill represents overarching objectives and principles which are binding on the government departments and instrumentalities — I assume they are private — delivering Melbourne's transport system. The problem for the government is that those instrumentalities are not conforming now, and there will be a significant challenge for the government to conform to the framework that is set out in part 2, division 1 of the bill before the house. This part sets out the vision statement, objectives, principles and statements of policy principles in the act. I too want to refer to social and economic inclusion. The government is indicating that it wants social and economic inclusion. By that it means — and I am referring to clause 8, which states:

The transport system should provide a means by which persons can access social and economic opportunities to support individual and community wellbeing ...

The objective of social and economic inclusion includes:

minimising barriers to access so that so far as possible the transport system is available to as many persons as wish to use it ...

That is a laudable aim but one that is certainly not achieved at the moment. One of the other principles is economic prosperity, and the bill refers to the transport system facilitating economic prosperity by:

enabling efficient and effective access for persons and goods to places of employment, markets and services ...

I want to look particularly at the objective of environmental sustainability because it is the one that interests me the most in the context of my own electorate. Clause 10 of the bill states that the transport system should actively contribute to environmental sustainability by:

... protecting, conserving and improving the natural environment ...

And I particularly want to highlight the third dot point:

... promoting forms of transport ... which have the least impact on the natural environment.

One would have thought the government with its objective of environmental sustainability — and I

emphasis that is a laudable and appropriate objective to have — would ensure that public transport was reliable for those people who actually have access to it.

My electorate of Brighton is situated on the Sandringham line. There are five stations which are located in my electorate. You would think that this would be an area that was well served by public transport. The problem is the performance of the line, and this will be the challenge for the government as it oversees the private operator and obviously takes responsibility for the new private operator's performance. I want to draw to the house's attention the fact that the Sandringham line has had the second-highest number of cancellations for the past four years in a row. If the government is truly honest about wanting to achieve environmental objectives, it should run a system or pay an operator to run a system that will encourage people to use the system rather than encouraging people to use their cars. If the system is unreliable and the line on which you live has had the second-highest number of cancellations for four years in a row, there is an obvious remedy, and that obvious remedy, unfortunately, is to use your car.

In 2009 there were 743 cancellations on the Sandringham line; the highest number in the system overall was 778. In 2008 there were 624 cancellations on the Sandringham line; the highest was 688. In 2007 the Sandringham line again had the second-highest number of cancellations with 820 cancellations; the highest was 879 cancellations. In 2006 there were 567 cancelled trains on one line; 636 was the highest. In terms of non-performance of a sector, in 2005 there were 1006 train cancellations. I make the point that if the residents of Brighton are confronted with the circumstance where there is this number — and this is not even touching on the trains that are late — of cancellations and their line is the second-most unreliable in the system, using cancellations as a measure, then they will use their cars. It is all very well for the government to enshrine in legislation a system that looks after environmental sustainability and say it wants to promote transport which 'has the least impact on the natural environment' — and I again emphasise that that is laudable and I agree with it — but it needs to lift its game.

Unfortunately those line-by-line cancellation figures are not going to be able to be reported to the house again. When I looked at the website of the new operator, Metro Trains Melbourne, much to my horror I found that as from 10 January we will not be getting line-by-line information as all lines have been lumped together. There is a complete and utter lack of transparency in this, and I urge the minister to ensure

that Metro divides its performance data into individual lines. Clearly my residents understand when trains are cancelled, but it is important to have transparent data available for people to look at the performance of certain lines.

I invite the new Minister for Public Transport — I understand the Sandringham line is his local line as well — to come and meet with people who use the Hampton, Brighton Beach, Middle Brighton, Brighton North and Gardenvale railway stations. I will be delighted to introduce him to some of my constituents, who can personally express to him their anger at the unreliable performance on their railway line.

I also take this opportunity to refer to clause 13 of the bill, which is headed 'Safety and health and wellbeing'. It is one of the government's objectives that the transport system be safe, and the objective of having 'safe transport system user behaviour' is outlined in clause 13(2)(iii) of the bill. I again point out to the government that the New Street railway gates in the Brighton electorate have been closed; there were two train accidents there, and the gates have been closed since September 2007. It is now almost two and a half years later, and the government has not been able to make a decision — a decision which involves safety. It is a simple decision: what will the government do with these gates? Will they stay open, or will they close? The government is incapable of making a decision.

I received a letter dated 1 August 2009 from the Minister for Local Government indicating that some nominees have been appointed on behalf of him and the Minister for Public Transport to try to resolve this dispute. I have called time and again for this road and this crossing to be reopened, and I point out to the minister that there are significant safety concerns involved because a right-hand turn is not allowed at South Road. What happens is that people make right-hand turns at South Road, drive into the Brighton Beach station car park, do a little U-turn and come out again at South Road. This is unsafe.

Anyone who knows the area knows that not only are there traffic problems in Hampton Street, there are key safety issues. This is exactly the objective outlined in clause 13 of the bill, where the government says that its vision is to have safe transport system user behaviour. There has been an example of the need for this in my electorate for almost the last two and a half years. There is significant danger as a result of the government's incapacity to make a simple decision to reopen the road where the New Street railway gates are located. I also take this opportunity to point out to the minister that this would involve no additional cost to Metro, because

we have a circumstance at the moment where a staff member is being paid to open the pedestrian gates. A staff member has been paid for almost two and half years to open the pedestrian gates.

I urge the government to act in accordance with its own bill and ensure that this road is reopened. Even if the two nominated bureaucrats cannot come up with a speedy decision, my community wants this issue dealt with in the short term.

I urge the government to abide by its own vision statement on environmental sustainability. In areas where there are train lines people will use the trains if they are reliable; people will use their cars if the train system is not reliable. There is a train line in my electorate, but the government needs to make it reliable and it needs to address the outstanding safety issue of the closure of the New Street railway gates. I urge the government to act on both of those counts.

**Mr HERBERT** (Eltham) — It is a pleasure to speak on this important legislation, the Transport Integration Bill. As I have been sitting here listening to members speak I have been amazed at the amount of passion that this debate about public transport and our transport system has engendered. In particular the member for Melton gave a sterling speech full of true belief and passion about improving the public transport system in this state. It is good to see that we do not just come in here and make dry speeches; we get a bit of our hearts out there and support something that is really important to our constituents.

As has been mentioned, this is quite an important bill. It brings together transport bodies under one piece of legislation, with a common goal to work together to foster greater integration and sustainability. Who could oppose that? The bill requires planning to be undertaken in line with this policy framework. Who could oppose that? It places a requirement on transport bodies and key non-transport bodies to have regard for the objectives and decision-making principles of the bill. Who could oppose that?

In essence, this bill takes a whole range of different transport legislation enacted over the years and puts it into a common legislative framework to help those transport bodies to work better together in order to have a more sustainable integrated transport system. No-one could oppose that. This is a good piece of legislation.

It is an important piece of legislation because it supports the government's \$38 billion program to modernise our transport system over the next decade — \$38 billion worth of track work, of new rolling stock, of

new signalling and of undergrounding, dragging our 19th-century system into the 21st century. This is not just happening through tiny steps, as those opposite would like to take, but through giant leaps forward in technology and service delivery, dragging the track, the signalling, the undergrounding, the administration and the rolling stock into the 21st century. As the system is being dragged into the 21st century, patronage is skyrocketing.

It is not an easy job. When we hear from those opposite there are always complaints. It is never an easy job when you are trying to drag an old system into a modern world. It is a complex, difficult task to get it right. Simple platitudes, whining, whingeing and criticising will not get the job done. Solid engineering, solid planning, solid design and solid thinking are needed to drag the system into the modern world.

I am particularly delighted that one of the projects in the government's \$38 billion plan is a massive upgrade to signalling infrastructure and stabling at Eltham station. A massive \$52 million project — the biggest transport project we have ever seen in Victoria — is being delivered in Eltham right now. This project will change the equipment and the way things operate. This equipment has not substantially changed since it was put in place 110 years ago. It still operates using the old hand signalling method, and is not even linked to the Metrol central control system. For the first time the outer Hurstbridge line will be linked to Metrol.

The project will reduce delays and improve reliability, and for the very first time it will enable more peak-hour services to operate out of the Eltham railway station. This will be a great boon for public transport in my electorate, and it is a great boon for anyone who catches the train and relies on public transport to get around. I was astounded when I found out that some members opposite oppose this project; they seek to undermine it, and they do it through a range of deceitful misinformation campaigns.

Late last year a document was distributed in the Eltham electorate by a member for Eastern Metropolitan Region in the other place, Ms Jan Kronberg. I want to quote from what is an interesting document. This is what transport debate is about: it is either about the facts of what we need to do to move forward or it is misinformation to undermine programs. The information sheet entitled 'Eltham train stabling information sheet' says:

Extra train stabling at Eltham will mean that car parking on the western side will be drastically reduced.

Not true! The extra stabling will be virtually in the same footprint that now exists. The letter that was distributed to residents in the area goes on to state:

... it will place further pressure on residential and commercial streets as commuters try to find a spot and are forced into these streets.

Not true! It will not impact on the streets. The Labor government has dramatically increased parking at Eltham station, as it has in other stations along the line. This sheet is presenting total misinformation, spreading fear amongst local residents for a project that needs to be delivered.

That is not the end of it. Attached to the so-called information sheet is a survey. I thought that in politics, both at the federal and state levels, political parties had agreed not to pursue push polling; that we had agreed push polling is a manipulative and deceitful way to influence people's opinions to get a vote. Yet what do we see on this survey? One example can be found at question 4, where it asks:

Do you realise that car parking will be drastically reduced at Eltham station if extra trains are stabled overnight?

Not true! It is as clear an example of deceitful push polling as you will find in the political process. The Leader of the Opposition has a role to clarify his party's position on push polling, and if he agrees with what happens federally and with every other party that it should not be used, he needs to pull his upper house member into line. It is simply not the right thing to do for constituents who the opposition hopes to represent.

In conclusion, we live in a great time for public transport: \$38 billion is being spent, there are massive train projects and great leaps forward are being taken. All members should support this bill. It is a good piece of legislation which helps that \$38 billion plan progress. I commend the bill to the house.

**Dr NAPHTHINE** (South-West Coast) — This bill again highlights how the Brumby Labor government has got its priorities wrong on transport. This bill is again about the Brumby Labor government being more interested in spin than substance. It is like the \$20 million being spent on fairy lights for the West Gate Bridge, when the government will not spend sufficient money in my electorate to fix the potholes, the truck ruts and the dangerous broken surfaces on our roads, all of which makes them dangerous for day-to-day users.

This bill is the result of an enormous amount of time, effort and money expended by Department of Transport public servants, and I admire them for the diligence at

which they stuck to this task. But they are doing this task at the behest of ministers in the Brumby Labor government, and they have produced a bill of 214 pages, plus 132 pages of explanatory memorandum, to restructure the transport bureaucracy and how it operates in this state. It will do nothing to fix fundamental transport problems on our roads and in our public transport system, nothing to fix overcrowded trains and trams, nothing to fix the cancellation rate of trains, nothing to fix the late trains in country Victoria and nothing to fix the road potholes and dangerous road network.

It is full of promises and statements, but it has no substance, which is typical of the Brumby Labor government. For example, part 2 of this legislation talks about the vision statement and all its associated components; it makes a whole lot of motherhood statements about so-called social economic inclusion, environmental sustainability, integration and transparency. The bottom line is contrary to what members opposite and specifically the member for Bentleigh said; none of those things are binding on the department, the ministers or the government.

I draw the attention of the member for Bentleigh to clause 28 of the bill, which says:

The Parliament does not intend by this Part to create in any person any legal right or to give rise to any civil cause of action.

Clauses 26 and 27 are very specific, that the transport or interface body can determine of its own volition the weight given to the various objectives. There is no protection for the public or for the community. All that waffle and all those words are a load of rubbish! There are vision statements and hyperbole, but there is no substance to it. It is typical of Labor government spin, with no requirement for action.

The other thing that is particularly interesting in this bill is a revelation — and it ought to be a revelation to the people of Victoria about how this government operates — concerns the function of the department, as outlined in clause 33. One would think as a citizen of Victoria that the function of the Department of Transport might be to improve transport services or to try to facilitate the efficient running of our trams or trains, or to make our roads operate better or more efficiently. No!

The function of the department under a Brumby Labor government is very clear in this legislation: it is to assist the minister. There is nothing about improving transport; it is to make the minister look good. That is what it is about, and it says it quite clearly. On page 41

we have information about the new transport infrastructure development agent, which is simply another piece of bureaucracy to try to get around previous bureaucracies, to try to fix problems where the government is having trouble getting projects up.

Proposed section 63(5) on page 55 outlines the Victorian transport plan. It says that retrospectively the Victorian transport plan 'is deemed to have been prepared under this section' and must be periodically revised. But there is nothing saying it must be revised in three years or five years. There are no requirements for transparency or openness. It says it may publish from time to time. I am sure the people of Victoria deserve better than that.

Clause 171 on page 140 abolishes the position of director of marine safety and places all of Marine Safety Victoria under the director, transport safety. This may be suitable for investigation of safety issues and incidents and accidents, but there is a concern across regional and rural Victoria about the wider role of Marine Safety Victoria and how that will be prosecuted in the future, particularly regarding licensing and registration and the very important issue of grants under the boating safety and facilities program using licence and registration fees. These are vital programs in regional and rural Victoria, and I believe it would be inconsistent for them to be managed by an agency called Public Transport Safety Victoria rather than one having a specific focus on marine safety and marine issues.

I wish to refer to a few examples of where this plan and accordingly this legislation fail. At page 135 the Victorian transport plan 2008 refers to the need to upgrade roads in the green triangle region to support the trial of larger, longer, heavier super monster trucks, as they are described; the big brothers of the B-doubles. On 8 April 2009 the Minister for Roads and Ports put out a press release that says:

New road and rail freight links are key elements of the \$340 million green triangle freight action plan ...

The minister announced this freight action plan to facilitate these super monster trucks being put on roads in south-west Victoria, but in late 2009 the government announced a measly \$5 million to upgrade south-western highways, not the \$340 million that was promised. That will barely be enough to paint the white lines on our highways and roads in south-west Victoria. It will not be enough to fix the potholes, truck ruts and dangerous broken surfaces or widen the shoulders, let alone install passing lanes. Passing lanes are needed for basic road safety in south-western Victoria for truck drivers and other motorists using the roads, but they are

absolutely essential if you are going to put super monster trucks on the roads.

Further, the cat has been let out of the bag. Page 41 of the annual statement of government intentions released yesterday says there will be no more funds. It says there will only be \$5 million spent on those roads and not \$340 million. Under the so-called plan we are going to get super monster trucks in the green triangle area on roads in south-west Victoria, putting local residents and road users at risk simply because this government has not matched its promise to introduce these larger, longer, heavier super monster trucks with its promise of \$340 million to upgrade the roads and improve road safety in that area.

Another example of where this government has simply failed to deliver on transport is rail freight. The document *Towards an Integrated and Sustainable Transport Future*, a prelude to this legislation, says:

... the proportion of freight transported to and from ports by rail will increase from 10 per cent to 30 per cent by 2010.

This was included in *Growing Victoria Together*, released in November 2001. The results are in budget paper 3 of 2009 at page 386, where we find that the proportion of freight transport by rail to Victoria's commercial ports has declined from 20 per cent to 12 per cent. Not only have they not met the target, they have gone backwards. Let me tell the house why they have gone backwards. It is because this government persistently fails to deliver on its promises on rail freight in Victoria.

In May 2001 the now Premier, who was then Minister for Regional and Rural Development, promised rail standardisation for the Mildura line to the port of Portland. Nearly nine years later not 1 centimetre of track on that line has been converted to standard gauge.

In the budget of May 2002 the Labor government promised a rail connection to Lascelles wharf in the port of Geelong, but that has never been delivered. In 2007 the government forced the closure of the only working rail freight shuttle service from the port of Melbourne to Altona, putting thousands more trucks on the West Gate Bridge and in the inner western suburbs.

This government brings forward this legislation with plenty of motherhood statements, apple pie and vision, but its track record is that it simply does not deliver. Its priorities are wrong. It is more interested in \$20 million worth of fairy lights on the West Gate Bridge than in improving roads in south-west Victoria or improving public transport for people in Melbourne and country Victoria.

**Ms DUNCAN** (Macedon) — It is a pleasure to rise in support of the Transport Integration Bill, but before I speak on the bill I would like to make some comments about some of the contributions made by members of the opposition, as is my wont. One of the most difficult things in this job is to sit in this chamber and listen to members of the opposition — members of the Liberal Party and The Nationals — coming into this chamber and asking questions that are just galling in their arrogance and in the message they consistently send, which is, 'Don't do what we did in government, but do as we say now in opposition'. In government they did the absolute opposite of what they suggest we should now do. They stand in this chamber today and pretend they care about public transport. If you were sitting in the gallery and you had not been in Victoria before, you would think, 'My goodness, we need these opposition members in government. If we had them in government, our public transport system could be revitalised'. But what we know is that when they had the opportunity, when they were in government — and we have heard this previously from other members; the member for Melton put it very eloquently — they either sold our public facilities or they shut them down.

We know they actually hate almost anything that is public. They hate public hospitals, they hate public schools and they hate public transport. If it is not profitable, close it down or sell it off to somebody, wipe your hands of it and it is no longer a problem for them. I was not surprised then when listening to the member for Polwarth in his contribution. Having listened to a number of speakers, I am not sure whether they support or oppose it — —

**An honourable member** interjected.

**Ms DUNCAN** — They are not opposing it. That is their usual style. They do not support it, but they are not going to oppose it, because they are too lazy to come up with any alternatives. The member for Polwarth stood there and asked whether this bill will deliver any extra trains or trams or any additional transport. The answer to that question is no. What he does not say, though, is that if we had a framework like this operating decades ago, we would not have some of the problems that we face and that future governments will face in trying to deliver public transport within the state of Victoria.

We know our transport system is not particularly well integrated, and that goes back decades. What the member for Polwarth fails to say is that had we had something like this some decades ago we would be in a better situation today. If you were designing a transport system for Victoria today and you had a greenfield site, you would probably not end up with what we have

today. But what we have today is what we have today, and that is what we have to work with. Any future government, despite what these lazy and deceitful opposition members say in this chamber today, will face these problems as well. Future governments will have to work with the system that we have today.

What has failed to register in the minds of those opposite is that this bill is acknowledging probably for the first time that transport planning and land use planning are essentially the same, that land use decisions determine existing and future transport needs and that transport decisions can alter land use patterns. We cannot continue to ignore that and focus only on what the opposition would have us focus on — that is, a sleeper here or a bus stop there or whatever — without having an overarching framework, without having a plan, without making sure that we do not continue to end up with a system that does not always speak to itself, one where the different arms of the transport system do not speak to each other.

Because this piece of legislation is actually about frameworks and future planning, it has completely escaped those opposite who in opposition only talk about, as I said, a sleeper here or a sleeper there. I understand why the member for Polwarth does not get it, because this bill aims to create a system in which each and every transport activity — public transport on road and on rail, commercial road and rail transport, private motor vehicles, commercial and recreational water transport, walking and cycling — work together to be part of an integrated system. We want a system that complements and is complemented by integrated land use planning and decision making — a system that is sustainable in economic terms, social terms and environmental terms.

It is no wonder the member for Polwarth does not get it. These concepts are foreign to the opposition members. They have shown no interest in those concepts in the past, and we know they will show no interest in them in the future. If ever they were to form government again, we know exactly what they would do: they would seek to distance themselves from public transport as quickly as they possibly could. Despite what they say in this chamber, despite what they say in opposition, we know from their past track record — if I may use that pun — what they would do, and we know that Victorian public transport users and road users would be much worse off.

I support this bill because we know — and not surprisingly this failed to impress the member for Polwarth — that under the current legislation no clear vision is articulated for the transport system. It is not

even clear what constitutes the transport system. The government's broader policy objectives or frameworks are not adequately reflected, there is minimal guidance about social policy objectives, and environmental objectives are not mentioned at all.

I am not surprised that the opposition, through the member for Polwarth and every opposition member we have heard speak here tonight, has no idea what this bill is about, because it addresses issues that are foreign to its members, which they do not address when they are in government and which they do not understand when they are in opposition.

This is a terrific bill. It makes some fundamental changes to transport legislation, and it will make changes to the way in which all future governments plan, implement and fund transport in all of its different modes in this great state of Victoria. I commend the bill to the house.

**Mr DELAHUNTY** (Lowan) — I rise to make a few words of contribution to debate on this very important Transport Integration Bill 2009. I represent the largest electorate in the state, the seat of Lowan — I again highlight to other members that I can fit 76 of the electorates of members in this chamber inside my electorate — so transport there is an enormous issue.

Before I get further down the track, I want to speak about the member for Macedon. She rants and raves, and she and I frequently speak before one another. She spoke about the former coalition government. When that government arrived, it had no money; it was borrowing money to pay off the bankcard. In 10 years this government has had more money flowing into its coffers than all Victorian governments since Federation combined. That is the reality with this government; that is fact. We have heard government members criticising what the former government did when it had no money, but they gave it no credit for what it did with rail standardisation.

I was living in western Victoria when the rail lines that went from Adelaide to Melbourne were standardised. It disenfranchised all the spur lines that received freight from the western part of Victoria, whether it be down to Geelong or Portland. It was in those tough economic times that a fellow by the name of Bill McGrath — who the member for Melton would know all about — got money to standardise those rail lines in difficult economic circumstances. They turned this state around, even in those difficult circumstances, and people will remember that.

But what has this government done in 11 years? It has broken promise after promise. It said, 'We will standardise the rail line from Mildura, we will standardise the line in western Victoria' and made many other promises that it has broken or forgotten all about. We have seen not the closure of lines but the defunding of lines so that they are therefore automatically closed. So do not prophesise about — —

**Mr Nardella** — You're making this up!

**Mr DELAHUNTY** — You wanted me to talk about it. I am not making it up.

**The ACTING SPEAKER (Ms Beattie)** — Order! The member for Melton and the member for Lowan will not debate across the chamber but should address remarks through the Chair.

**Mr DELAHUNTY** — I just want to make sure that the government members understand the facts of what is going on — that they have promised to do this and that, but they have defunded the lines going from Murtoa to Hopetoun and from Dimboola to Rainbow. In other words, they have closed those lines. We all remember the promise made by the Premier — —

**Mr Nardella** — Where were you when they closed Mildura?

**Mr DELAHUNTY** — They never closed the line to Mildura. It is still open if my memory is right. We can all remember the government promised no tolls for the proposed Scoresby freeway. The member for Macedon talks about fundamental things. This is a bill, but there is not much detail in it.

**Ms Pike** — It's a facilitation bill.

**Mr DELAHUNTY** — The minister screams across here that, 'It's a facilitation bill'. Bills usually become acts of Parliament; they direct courts and others on how to operate, but this bill does not, except for a little in certain instances. If I could just go through some of the points — —

**Mr Nardella** — Talk about farms, talk about something that you know about.

**Mr DELAHUNTY** — I haven't been a farmer for a long time. The member for Melton is way off track.

If you read through the second-reading speech, you will see that this bill is more about spin than substance. Others have talked about part 2, and I want to quote from the Scrutiny of Acts and Regulations Committee report:

Part 2 sets out the vision, transport system objectives and decision-making principles. It also includes the capacity of the minister to make statements of policy principle to provide support to transport and interface bodies in respect of the interpretation and application of the framework.

It is all gobbledegook. There is little substance pertaining to what we need. There are no binding statements that make sure the minister and this government really deliver on these so-called promises that they have a record of failing on.

If we go to the bill itself — and it is a lengthy bill because it replaces a lot of other acts — we find that clause 6 outlines a vision statement which reads:

The Parliament —

not the government —

recognises the aspirations of Victorians for an integrated and sustainable transport system that contributes to an inclusive, prosperous and environmentally responsible State.

It is a great vision statement, but again I highlight that Victoria is bigger than Melbourne. It must apply not only here in Melbourne but right across the state, and particularly in the electorate of Lowan that I represent.

The reason I want to mention this is that in clause 3, under the subheading 'transport services includes — ', the following things are listed:

- (a) passenger services;
- (b) rail freight services;
- (c) road freight services;
- (d) any other services that are provided to support the transport system ...

In western Victoria and in the electorate I represent we do not have any passenger rail services. We have rail for freight, and that is a very important part of our area.

Unfortunately, though, many roads are being overlooked and not maintained or looked after by the state government. However, we have air services — including one operated from Hamilton by Sharp Airlines — but I do not see too many words mentioning how we can integrate our air services. Coming from the distance we do, we need to incorporate some of the air services.

Unfortunately, not many of the towns have taxis as Melbourne has. Horsham, Hamilton and Casterton have taxi services, but we all know the thoughts of some of the people in this Parliament do not go past the end of the tram tracks. We do not have trams in western Victoria.

I will now talk about some of the main provisions of this bill, which identify the roles and responsibilities for the administration of the bill. I hope it outlines them in great detail, because getting action from the transport authorities frustrates many members of Parliament in western Victoria. One example relates to fuel reduction burning on the railway line at Pimpinio. The Country Fire Authority volunteers, who are under enormous pressure in country Victoria, had to go out and do fuel reduction burning on that line to protect the township of Pimpinio.

The Dunkeld railway station has not been used for many years. Letters have gone to the former Minister for Public Transport — we can see why she is not here today — and there has been no response. They were from a great group in Dunkeld trying to turn the railway station there into an art gallery; that would be a good use of public facilities.

There is also a fellow in Horsham by the name of Tim Jenkinson who has land on the outskirts of Horsham and wanted access across a disused railway line which has been closed since the early 1980s. When I spoke to a former minister about this, he said it might be used to bring mineral sands from western Victoria. The minister did not even know that most, if not all, the railway bridges cannot be used. In fact they have all been cleared. Across the Wimmera River there would be an enormous need for infrastructure if the government wanted to reopen the rail line. That would not happen.

We all know that no government or private industry entity is going to open the line up. The reality is the mineral sands that are coming from the Balmoral area are going south to Portland. This man still does not have access to his land across that disused railway line. It is just a weed-infested area that is not being used. The reality is that a couple of kilometres in towards Horsham the railway line is being used very appropriately by the secondary college.

I note the change in the name from V/Line Passenger Corporation to V/Line Corporation, and I think that is satisfactory from the point of view that V/Line carries freight as well as passengers.

I also want to highlight one of the key points of this bill, which is that it sets up a government agency to deliver on the government's Victorian transport plan. The government promotes its \$38 billion transport plan, but the reality is that only \$8 billion of that is funded. The government has a long way to go to deliver on that plan. The bill also provides for the establishment of the

transport infrastructure development agent, or TIDA. We understand that and have no problems with it.

There are still some clauses I want to highlight. Clause 77 requires a cost-benefit analysis of rail safety projects. I want to see some of those things happen in relation to road safety because I have been raising issues since 2003. The amount of vegetation that is getting close to the roads is causing difficulty for passengers and V/Line freight operators in travelling on those roads safely. Let us see some cost-benefit analysis on that work, making sure that vegetation is not getting close to the roads.

Clause 95 provides that the roads corporation can acquire land or an interest in land to achieve environmental sustainability. I want to make sure that it spends some of the money on making sure the roads in my area are safe. Good roads cost money; bad roads cost lives. Too often we are seeing bad roads, and I mention the Henty, Wimmera and Glenelg highways particularly. The Glenelg Highway near Casterton is a disgrace. It is a public road under the jurisdiction of VicRoads, but it is undulating, there are potholes, and there is no road shoulder sealing. An enormous amount of traffic, including freight, goes along that road. More needs to be done.

**Mr BROOKS** (Bundoora) — I am very pleased to be able to make a contribution to debate on the Transport Integration Bill 2009. It is a monumental bill in the history and future direction of transport policy in Victoria. It is sad that members opposite do not seem to have grasped the purpose of this bill. They do not seem to understand exactly what this bill is intended to do. It will usher in a new regime of thought and implementation of legislation and policy setting for future and various forms of transport in Victoria — roads, rail, ports and marine. This bill is a testament to the ongoing commitment by the Brumby government to improving Victoria's transport, not only for today but for many years to come. At the centre of this bill is the recognition that the methods of implementing transport policy and decisions in Victoria to this day have become outdated and will not cater for Victoria's booming population into the future. This is an important point. The ignorance of the opposition in this debate confirms that it does not understand the importance of planning for the future and the future needs of Victoria's working families.

Whereas previous legislation has sought to establish different agencies with somewhat exclusive objectives operating independently of each other, this bill seeks to emphasise the interdependence of each area of transport in Victoria. In doing so, this bill sets clear, unified

objectives which are covered by overarching policy guidelines that will apply to the entire transport portfolio.

As the now retired minister pointed out in her second-reading speech, this bill:

recognises that our transport system should be conceived and planned as a single system performing multiple tasks.

Aside from setting overarching policy and transport system objectives and implementing decision-making principles, the bill will also transfer the agencies from the various acts into the bill, including the Department of Transport, transport systems agencies, transport corporations and transport safety agencies. The bill will integrate other non-transport agencies that make decisions which significantly impact on the transport system, by providing for the declaration of interface bodies and interface legislation, and will provide body corporate powers for the department under the transport infrastructure development agent. It also replaces the Transport Act 1983 as the central statute for transport in Victoria and renames it the Transport (Compliance and Miscellaneous) Act 1983.

As this is a very large bill and covers an extensive legislative framework, in the brief time that I have this evening I will confine my remarks to the advantages of having unified objectives for transport legislation and decision-making principles. As I mentioned earlier, this legislation caters for the future development of transport in Victoria. It provides clear vision, goals and methods for delivery of the transport systems and considers the broader social and environmental objectives of transport — I think my colleague the member for Macedon mentioned earlier that there is no current mention of environmental objectives in existing legislation. As someone who supports the expansion of cycling as a mode of transport, I think it is very important that we consider environmental objectives in transport planning. The bill also reflects the government's broader objectives and framework, promotes cohesion between the various transport bodies, and more. This bill is important, probably now more than ever before, given the pressures and challenges facing Victoria's transport systems.

In its report of 2006 on managing transport congestion, the Victorian Competition and Efficiency Commission made a number of references to the need to have unified objectives for transport legislation, not only to reduce congestion but also to encourage the efficient operation of the transport system as a whole. I quote from that report, which states:

If the legislation covering organisations charged with delivering the government's priorities does not reinforce its policy goals, agencies' authority to deliver on those goals can be undermined.

When discussing the effectiveness of the current legislative framework — namely, the Transport Act 1983 — the report goes on to say:

Further, and contrary to what is currently considered best practice, the act does not include a statement of its purpose or objectives to guide interpretation and decision making ... it includes objectives for DOI, but the extent to which these apply to other agencies (such as VicRoads) is unclear.

**Sitting suspended 6.30 p.m. until 8.02 p.m.**

**Mr BROOKS** — As I was saying, the Victorian Competition and Efficiency Commission report that was released in 2006 took into consideration legislative frameworks from other jurisdictions, both in Australia and overseas, and it found that best practice is to have in place those things in the bill that I was talking about. This government took the report seriously and has acted on it. It is a shame that, judging from the debate we have heard tonight, the opposition has not taken those issues seriously and has not contributed seriously to the debate.

This legislation, if it is passed, will continue to place Victoria at the forefront of contemporary thinking and approaches to administration in our transport system. Many of the opposition speakers have taken the opportunity in speaking on this transport bill to highlight particular issues they see as relevant to their electorates, and to be negative, to try to score a few political points.

It is important to remember that this government has over the term of its government: increased the number of services on the metropolitan rail network by over 1500 a week, introduced over 400 extra services on the V/Line network every week, returned passenger train services to Ararat and Bairnsdale, scrapped zone 3 from the metro system and reduced V/Line fares by 20 per cent, introduced the early bird concession card for travel before 7.00 a.m., and has ordered 38 new trains and 50 new trams. It has upgraded more than 150 local bus services — we have got the great SmartBuses and orbital bus routes — and has upgraded more than 350 level crossings across Victoria, which compares to the 75 that were upgraded during the term of the previous government.

It is interesting to compare those figures, given the concerns that are being raised by members opposite about our performance in transport, particularly in public transport. You would think, given the wisdom

that is being displayed in hindsight by those opposite, that their policy document at the last election for their plan for public transport would have included significant investment, for example in public transport.

However, when you look at those policy documents — I have got a copy here of the Liberal Party's 'plan to improve public transport' for this term of government had it won — you see that is not the case. As I said, we have ordered 38 new trains; how many trains did the Liberal Party plan to deliver across the metropolitan system? Six. We have ordered 50 trams; how many trams did the Liberal Party promise to deliver in this term of government? Five. That makes it pretty clear that the Liberal Party is not serious when it comes to serious policy considerations around public transport.

This is a very important bill. It provides a framework for further improvements to our public transport system and the integration of all of those systems. It allows for the implementation of the objectives and policy that will give Victoria a firm footing for the future of our transport system. It will also help in the short term by providing a means of addressing the issues we face now, by providing clear objectives and strong clear principles to guide decision making. I commend the bill to the house.

**Mr MORRIS** (Mornington) — As perhaps a follow-up to what was said by the member for Bundoora, the rail system would not be in the mess it is now in had former Premier Bracks in 1999, almost as his first action upon being elected, not cancelled an order for new trains.

Before I move to the contents of the bill I express my absolute disgust at the way this major piece of legislation is being rushed through the house in very short order. The way the program has been set this week means that a large part of Tuesday afternoon and virtually all day Thursday has to be devoted to the self-indulgent, self-congratulatory and totally ineffectual Premier's statement made yesterday.

The bill is a major rewrite of the legislation. Again this government is engaged in deception, again it is engaged in blurring the lines of responsibility and accountability. This bill is about creating a series of agencies which can take the blame when things go wrong, as things will inevitably go wrong with the government's unfunded \$38 billion Victorian transport plan. It will fail. We are now in a situation where spin is entering the statute book. There is absolutely nothing this bill will do to improve public transport either in the metropolitan area or on the fringes.

I am particularly concerned about the impact of the unfunded Victorian transport plan, and specifically its impact on the Peninsula Link project. The budget papers provided no money for the Peninsula Link project. The begging bowl was still firmly thrust out in the direction of the commonwealth government. The more recent budget information paper 1 has two total estimated investment (TEI) figures. On page 5 the TEI is listed as \$750 million; on page 80 the TEI is listed as \$354.3 million. There is an explanation for this, but it is not a particularly plausible one. Whether we need \$277 million or \$672 million to fund the shortfall does not matter; either way we are way short of the funds required.

On 15 January the Minister for Roads and Ports made an announcement regarding the successful private partner. Buried at the bottom of the press release was a comment that as well as operating the roadway for 25 years, that partner will receive quarterly payments from the state government. Of course we are not privy to the scale of those payments; presumably they will cover the \$396 million or larger gap. They would have to be pretty large quarterly payments, even if they are stretched over 25 years. If the budget position goes sour, and it is definitely the way we are heading — we will be \$30 billion-plus in debt by the end of the forward estimates period — there is no guarantee that the government will not have to find some other way to pay for this road to keep up the mortgage payments. All we have so far is the minister saying, 'Trust me'. If he is fair dinkum, and if he really wants to convince the people of the Mornington Peninsula and Frankston that he will not do what has been done to EastLink — and as a regular EastLink user I know exactly how much of a hole it makes in my pocket — he should be legislating now and saying, 'No, there will be no tolls', not simply saying, 'Trust me'. I challenge the minister to write that into the bill.

Of course roads are not the only means of transport on the peninsula. We have trains down to Frankston and a fairly basic bus service. We have good bus operators, but the service they are allowed by the government to provide is a pretty basic one.

It is interesting to look at the train figures for the year concluded December 2009. We have had monthly reporting for some years. We now have a new definition of reliability: percentage of timetable not delivered. We do not have cancellations anymore, we have percentage of timetable not delivered — and then there is a whole formula for how that is calculated. This is typical of the government's approach: if you do not like the results, if you do not like the performance you are getting, change the definition or the indicator. We

have also got a variation in terms of punctuality. If you look at the Frankston line, you will see that over that 12-month period one in four trains failed to arrive on time. In the summer months — the hotter months — it was even worse: one in three trains failed to arrive on time. It improved in the winter, but as soon as the weather warmed up punctuality started to drop away again.

There is not one word in this bill that will do anything to solve the problems of the rail system. It is about spin, definitions and creating options for blame — it is about everything except fixing the problem.

I mentioned that the Mornington Peninsula had an inadequate bus service; it is the only option. If you happen to live in Mount Martha on the 781 bus route and you need to get to Frankston before 6.45 a.m., bad luck; the buses simply do not run that early. If you are a young person who lives on the 784 route and you want to go out in the evening at the normal time that young people go out these days — well after 10 o'clock at night — bad luck, because on weekdays the last bus leaves your neighbourhood at 9.15 p.m. and on weekends it is 9.08 p.m. The 781 route is slightly better, but not very much.

It is basics that need attention in the public transport arena. We do not need grand plans or fancy structures; what we need locally are services that run on time, at a reasonable frequency and according to a timetable that meets the needs of users. None of those conditions are met at the moment.

In roads, apart from the freeway and the bypass, attention needs to be paid to black spots, speed humps and traffic lights in the Mornington electorate — all the basic things that are not being looked at. However, the biggest thing we need is a Peninsula Link without tolls. None of these issues will be in any way improved by the bill; it is simply a device to disguise 10 years of neglect of the public transport system.

**Mr TREZISE** (Geelong) — I am very pleased to be on this side of the house speaking in support of the bill before us tonight, the Transport Integration Bill. I am pleased to be speaking in support of this important bill, because it highlights the Brumby government's commitment to providing a first-class transport system to the people of Victoria no matter where they live, whether it be in the metropolitan area, in regional cities like Geelong or in country Victoria.

This legislation is important because it creates the foundation for the government's new direction in public transport delivery in this state and for the delivery of the

government's transport plan for the future. Importantly, for the first time legislation will recognise that within the transport sector the various modes of transport cannot operate separately; they do and must operate in a tight, integrated fashion. The bill further recognises that the transport sector is an important component of the state's future prosperity, livability et cetera. The bill recognises that transport is not a stand-alone sector of this state but is interrelated with issues such as land use, sustainability and livability for all Victorians.

As I said in speaking in support of the bill, the bill highlights the Brumby government's commitment to transport, both public and private, in this state. It is a commitment that has seen regional areas like Geelong and other areas in this state go ahead in leaps and bounds, as you would well and truly understand, Acting Speaker. After years of pork-barrelling by the Kennett government, it was the Labor government, the then Bracks government, that committed to and in 2002 completed the long overdue upgrade of the Princes Freeway between Geelong and Melbourne.

**Dr Napthine** — Jeff Kennett did that.

**Mr TREZISE** — Jeff Kennett pork-barrelled the Geelong road for seven years, and it was the then Bracks government that committed to the Geelong road and finished it in 2002. Throughout the 1990s during the Kennett government an average of one person per month was killed on the Geelong road. As I said, it was the Labor government that upgraded the road, reducing the number of deaths on the Geelong road to something less than one person per year.

Building on that, the ring-road was constructed and has now been open for more than twelve months. Again, that was done under this Labor government after numerous governments had procrastinated on the project over 40 years. As we all know, the ring-road was funded firstly by the state government to the tune of \$120 million, I think — no, it was more than that — but it was the state government that once again took the initiative to have that road built. Now even further to the west, the Geelong to Winchelsea leg of the Princes Freeway or highway will be subject to future upgrade.

Such infrastructure spending and other initiatives have seen record low road tolls in Victoria over the life of this government. The bill we are debating tonight will ensure that such works will continue, but that will occur on an integrated basis with other components within the transport sector. The bill recognises that, importantly, transport planning affects land use planning and vice versa. The ring-road around Geelong that I have just been talking about is a prime example of this interreliance. Given the route of the ring-road, it has

raised issues for all levels of government, federal, state and local, on strategic land use.

A prime example — and it is just one example — is the township of Bannockburn, which was once nearly 2 hours from Melbourne but is now a little over an hour away, and only 5 minutes from the ring-road. For Bannockburn alone the ring-road has opened up vast opportunities that need to and are being addressed by this state government. This is only one example that highlights the importance of this bill before us tonight, recognising the link between transport and land use.

It is not only roads that raise such issues and highlight the need for an integrated transport approach. For regional areas like those in my seat of Geelong, rail is also a vital sector of transport rail linkages, and projects like the Tarneit line into Southern Cross station will have an enormous benefit for the regional commuters, especially for daily commuters.

Currently, as all members are well aware, regional services from areas such as Geelong and Ballarat are caught up in the metropolitan areas as they approach Geelong, especially during the peak-hour periods. It is no secret that such delays are frustrating for rail users, and are not acceptable. But unlike the previous Kennett government, which hocked off the V/Line rail service to the highest bidder, the Brumby government is addressing the problem. The Tarneit line will provide a dedicated regional line from the west into and straight through Sunshine and into Southern Cross station. Again this great future project highlights the integration issues between transport, land use and development, in this case in the Tarneit and Werribee region.

The Brumby government has a proud and effective record in transport in Victoria. This government's transport plan will continue to revitalise the state for decades to come. The Transport Integration Bill which we are debating tonight will be the foundation legislation upon which this integrated transport system will be built. I am looking forward to working with the new Minister for Public Transport. With those few words, I wish the legislation a speedy passage through Parliament.

**Mr KOTSIRAS** (Bulleen) — I wish to speak briefly on the Transport Integration Bill, because unfortunately we have another 15 members who wish to speak on it, and I am told this debate will not be continued on Thursday, so I will keep my remarks pretty brief.

This bill consists of nothing more than motherhood statements. I pity the poor public servants who had to go through meeting after meeting with the minister and put up with abuse from the minister and from the advisers to come up with this mickey mouse legislation.

It does absolutely nothing for transport in Victoria. All it does is to enable the government to shift the blame and say, 'It is someone else's fault'.

I wish to restrict my remarks to the second-reading speech, and in particular the section that refers to the Victorian transport plan — a plan we all know will never see the light of day because the government does not have the money or the ability to complete it on time and on budget. It is basically an incompetent government. After 10 years in office it has achieved very little for Victorians. Further I wish to refer to page 85 of the Victorian transport plan, which states, under the heading 'Highlights':

Complete the 'missing link' in the metropolitan ring-road — a seamless connection between the Eastern Freeway at Bulleen and the metropolitan ring-road in Greensborough at a cost of more than \$6 billion.

I have to make it clear to this government — because it tends to not listen to Victorians — that the people in Bulleen, Heidelberg, Rosanna and Viewbank are opposed to this freeway link going through Bulleen. I have raised this matter in Parliament many times. I have also tabled some petitions here, and I have to make it clear again to members opposite that residents, the local community, are opposed to a freeway link through Bulleen. I understand a \$5 million feasibility study has been commissioned, which is a waste of money — imagine how many teachers could be employed with \$5 million — to come up with a solution after the election, because the government does not have the courage to stand up and say what it plans to do.

The reason local residents are upset is that their lifestyle will be affected. The cost of their homes will go down, and security will be at stake. Since the opening of EastLink the bottleneck at Hoddle Street has become worse. If this proposed link is built in Bulleen it will only add to the traffic jam. But this idea goes back many years. It resurfaced in August 2001. At that time a meeting was organised at the Veneto Club, and local residents from Bulleen and Ivanhoe were present. I was present, as was the member for Ivanhoe — I am pleased to see he is in the chamber. There were close to 1000 people at the meeting, and every single person there objected to the proposal to build a freeway link through Bulleen. A local newspaper reported on the views of the member for Ivanhoe in the following terms:

Ivanhoe state Labor MP Craig Langdon said Labor would not fund the link, and that he would resign if it was built while he was in Parliament.

Unfortunately, the member for Ivanhoe has been dumped; he knows something is going to occur. He spoke out against this link, and unfortunately he was

dumped. The new candidate for Ivanhoe has stated that he supports this freeway link. The local newspaper reports:

The member for Ivanhoe Craig Langdon ... had vowed to fight the freeway plan but has lost preselection to Banyule councillor Anthony Carbines, who supports it.

But the sad thing is that Cr Carbines does not have the courage to tell his own branch members that he supports it. He tells them he is opposed to it, and yet he has told the local newspaper that he supports this freeway link.

I have written to the minister on numerous occasions. He wrote back to me on 23 November 2009, saying:

I confirm that the government is committed to extensive community consultation regarding the north-east link, as stated in the Victorian transport plan ...

I also advise that a \$5 million study, expected to take up to two years, is investigating potential options along the Hoddle Street corridor to improve the operation, safety and efficiency of the road network and integrated public transport.

It does not give me an answer. What he is trying to do is postpone giving me an answer until after the state election. Unlike the current member for Ivanhoe who opposed the link — and I say to him ‘Well done’, because he looked after the interests of his local community — the new candidate for Ivanhoe, who used to work for the Minister for Education, is just a puppet of this government and will do whatever this government tells him to do at the expense of local residents.

It is a shame the current member has lost preselection. I think the residents of Ivanhoe are going to lose out, and I think if Mr Carbines gets elected, then the residents of Ivanhoe have every reason to worry about their wellbeing and safety, especially in the next four years.

**Mr CARLI (Brunswick)** — It is with great pleasure that I rise in support of the Transport Integration Bill. It is a very significant bill. It is a bill that sets out the vision, objectives and decision-making principles for government in terms of the immense transport challenges that are facing Victoria. We are dealing with a state undergoing continual growth in its regional centres and in the city of Melbourne. That brings with it issues of congestion and social isolation; it creates a whole lot of issues. We have the issues of global warming, peak oil production and the rising cost of petroleum products. We have the whole question around sustainability in transport in our cities and in our state. These are issues that are of immense importance.

In 2004 the Victorian Competition and Efficiency Commission (VCEC) did a study of congestion. One of the things it concluded was that best practice globally is where there is a central agency which has a strategic role and a clear vision and objective, and which basically integrates government activity in transport. Probably the most important element of that is the coordination and integration of land use and transport planning. This is what will happen under this important piece of legislation. The Department of Transport will take that central strategic role, which, as I said, is considered best practice not only by VCEC but by most people in the world with knowledge of transport systems. It will have the role of coordinating eight transport agencies, transport corporations and transport safety agencies. A whole series of bills are integrated into this one piece of legislation.

I am surprised how this bill has been trivialised by the opposition. There has been a lot of hyperbole by the opposition that this document is a waste of time, that it is waffle and that it is spin. The entire opposition seems to be taken by the idea that transport can somehow be worked through project by project, issue by issue, with no vision and no objectives, and not as something that is shared and integrated with government and other agencies.

I went to one of the consultations — one of the 40 briefings about this document — and one of the things that stakeholders believed was that there needs to be a common and shared vision for transport. There are a whole host of organisations — from councils to the Royal Automobile Club of Victoria, to public transport users, to taxi companies and to bus companies — all of which are seeking from government some sense of the vision, the objective and how we will integrate future planning in transport, particularly the elements of transport planning and land use planning.

There were 40 briefings, 78 submissions and 184 organisations involved. There are a whole raft of organisations that deal with transport. There were 1200 stakeholders. Certainly the expectation was that we would create a system now, that we would look at the future challenges, that we would deal with those future challenges, that we would create the core objectives and that they should be contained in legislation for all agencies to follow. What was wanted and what came out of the briefing that I attended was the idea of a vision and an integration of government agencies. That is exactly what we have got.

The direction of government in this transport policy is integration. Future planning will consider inputs on transport and will look at social, economic and

environmental issues. If you look at the Transport Integration Bill, the first page contains the framework for transport in this state. It sets the vision, which is an integrated, sustainable transport system that contributes to an inclusive, prosperous and environmentally responsible state — all of which has been declared waffle and trivia by the opposition. The objectives are clearly stated. The bill sets out the principles by which government agencies are obliged to respond to and be part of the vision. This is not trivia; this is not a waste of time; this is not spin. This is about how you organise a whole series of agencies — in this case eight transport agencies — let alone all the government organisations, and more broadly the other agencies, organisations and private companies in the state, to have a vision. That includes not only passenger rail but also freight.

I am sure that having a vision is something that the Victorian Farmers Federation (VFF), for example, finds important. It wants to know where the investments are going to go. It wants the agencies to be coordinated. It does not want to deal with an issue with one agency after another. The VFF certainly did not want to deal with a situation where we had a private provider of freight in this state that made no investment and that allowed the system to fall apart. This is the direction those agencies, those organisations and those stakeholders wanted. It is not trivia; it is not a waste of time; it is not waffle.

We have here a very important document. It is a document that sets out for the state of Victoria where government wants to take transport. Not only is it a vision, and not only has it got objectives, but there is a \$38 billion transport plan behind it that looks at meeting the needs of road, rail and bus systems in this state to ensure that we have the necessary generational investment. We are not talking about investment in the short term; we are talking about the sort of investment that will be with us for generations.

I have heard the opposition refer to the fast rail project and criticise it for being a waste of money. That is a generational project, because if we had not invested, we would have found ourselves in the situation of having to close down those lines or at least reduce their capacity. We are talking about generational investment, building capacity and dealing with the transport challenges that are before the state of Victoria and more particularly the city of Melbourne, where we have the most significant port in the country and a disproportionate amount of the freight movements in Australia.

We are essentially the freight centre for south-east Australia. We are a city that has had an extraordinary

increase in public transport use. We have had massive expansion, particularly in inner and middle Melbourne, in the number of people walking to work and walking in general. We have also had a rebirth and a major leap forward in terms of cycling in this state.

We are dealing with a transport situation that has seen immense growth, and we have seen a plateau in terms of car use. We have also had a massive increase in freight movements. We have seen massive increases in the use of public transport, walking and cycling, particularly to work and for other critical purposes. We have to plan and have a vision for that. The growth has gone beyond population growth and is to do with fundamental shifts in the way this state is behaving. Why is it behaving in that way? Because we are dealing with the transport challenges, which in themselves are linked to environmental challenges, social issues and, of course, land use issues.

We in this house and people in the future will look at this piece of legislation as a significant watershed for Victoria. It is the culmination of 10 years of rebuilding our transport system and providing investments, particularly in areas that have been underinvested in for generations. One of the reasons we are having difficulty with our train system is not because of an underinvestment over a few years but because there have been many decades of underinvestment, and we are now dealing with that. We have a plan to do that: \$38 billion will be spent on transport in this state.

What were the issues when I was involved in consultations? People were saying there is no clear vision. Now we have a clear vision. People were saying there are no clear objectives on the part of the government. We now have clear objectives. There was no mention in government legislation of sustainability and environmental issues. They are all in this document, which sets out and identifies the important land use and transport issues, objectives and integration measures that will be necessary as our state continues to grow, as we deal with the transport challenges and try to ensure that we become a much more sustainable state.

It is important to remember that government agencies will be required to have regard to the objectives and decision-making principles in this piece of legislation. It is nonsense for the opposition to say this is not binding. It will be binding on those agencies to act in accordance with this legislation.

**Mr WELLER (Rodney)** — I rise tonight to speak on the Transport Integration Bill 2009. Contrary to what the member for Brunswick has said, it is a bill full

of spin. Let us look at the first page. The member said we need to have a vision, transport system objectives and decision-making principles, and that is well and good, but I do not believe we should be in Parliament debating those types of issues. The people out there who were stuck waiting for trains that never turned up in January would not be comforted by the knowledge that we have a vision, and they would not be comforted by the knowledge that we have system objectives or decision-making principles. They just want a train that turns up and a system that works, as do the people who were stuck on the freeways tonight. The community of Melbourne and people in the rest of Victoria are sick and tired of unreliable transport; they want a government that is going to act, not a government that is going to talk spin.

Let us turn to the next page of the bill. It states that the bill largely replaces the 1983 act, and refers to all the limitations of the Transport Act of 1983. May I remind the members on the other side that they have been in power for 21 of the last 28 years. Where have they been and why have they waited until now to bring in a facilitation bill, given that we have had so many reviews and inquiries? The community is sick of inquiries and reviews and facilitation bills. The community wants action; it wants to see something built.

Let us go through some of the interesting clauses in the bill. Clause 37 allows the secretary to enter land for investigative purposes and states:

- (1) The Secretary may enter any land and do all things necessary and convenient for investigative purposes to determine whether the land should be compulsorily acquired.
- (2) The Secretary may exercise the powers conferred by this section on the Secretary by any person ...

It goes on to provide that the secretary must give seven days notice. Why would the community of Victoria not think that this bill is nothing but spin and something that the government will not want to comply with, given that it entered land for the north-south pipeline without giving people seven days notice? It did not even have the courtesy to give a day's notice; it just barged straight in. Is it any wonder that people do not trust what is being put forward here and think it is just another con job?

Clause 70(2) states:

If the Director of Public Transport, on behalf of the Crown, disposes of or otherwise deals with any land held in the name of "Director of Public Transport", any recording in the Register by the Registrar of Titles of the disposition or

dealing must be made in the name of "Director of Public Transport".

In other words, the registrar can sell the land. I have received two applications to the Minister for Public Transport from adjoining land-holders to buy back unused railway land. It is the line to Cohuna that was closed in the early 1980s. The response was that it may be reopened. I have grave doubts that it will ever be reopened. There is a bridge over the Waranga-Mallee channel. There are places where the drainage channels now run up the old railway easement, and there are plantations of considerable size that would have to be taken out. Land closer to the railway at Elmore than this land has been sold, yet the government still says it will not sell it. However, with this bill it is saying it will sell the land. What we need is consistency from the government, not one set of rules for it and another set for others.

Clause 77 provides that the Director, Public Transport must conduct a cost-benefit analysis of rail safety projects. That is all well and good, but why has the government not produced a cost-benefit analysis of the north-south pipeline or the food bowl modernisation project? The government says it will do all these things but in practice it does not do any of them. The bill confirms that it is running a con job.

As we all know, the government has a plan that will cost \$38 billion over the next 20 years, and only \$8 billion of that is funded. We wonder why and how it is going to deliver that. If it were a true commitment, the government would have the lot funded. There is only a commitment for \$8 billion.

Clause 97 — it will be the final clause that I will deal with — presents a question for me, and I would like the minister to answer it. The clause provides the Victorian Roads Corporation with extraterritorial powers, allowing it to perform functions and exercise its powers outside of Victoria. Does this mean that the Roads Corporation will be building roads in Russia? I do not know why that provision is in the bill. If this is about transport in Victoria, why does the government want to have powers to work not only outside of Victoria but outside of Australia? I would like the minister to answer that when he is summing up. With those few words, the opposition will not oppose the bill.

**Mr PANDAZOPOULOS** (Dandenong) — It is a pleasure to speak on the Transport Integration Bill. The previous speaker in his contribution to the debate said it all when he said, 'We will not oppose the bill'. The only things members opposite oppose when they are in government are transport projects, particularly public transport projects, because during the 100 years of our

transport system their record has been to close things down, sack staff, dismantle the system, not invest in it and wait for Labor governments to come in and try to do the rebuilding after 100 years of neglect. When we look at the legacy of this government we see that it has a very proud record.

**Mr Carli** interjected.

**Mr PANDAZOPOULOS** — The member for Coburg put it well. He was Parliamentary Secretary for Infrastructure for a fair period of time, and this is one of his hobbyhorses. He understands the integration of public transport, roads and ports and the way it all works together. When we look at the investments that have been made in this state in the last 10 years and at the new transport plan we can see that it is a phenomenal plan. Yes, of course not all of it is funded, but no plans are fully funded as they are announced. The member for Rodney used to run the Victorian Farmers Federation. I can remember that the farmers federation had all sorts of projects for their members, but it never had the budget to do them, thus it had a declining membership. As long as you have a good plan you just have to find the commitment to develop that plan — and at least we have a plan.

Let us have a look at the record of the former government. I have been in this place long enough to observe the way the Kennett government worked. Before the Kennett government was around I was involved in local government. I have seen some of the good things undertaken by the Cain and Kirner governments — the investments they made. Then I saw the dismantling of the Kennett government. I looked at the things we did when I was mayor of the shire of Berwick, and we were trying to get a rail line to Cranbourne under the Keating government's Better Cities program.

The federal government suggested an electrified rail line for the first time in many years. It said, 'Let's extend public transport in the metropolitan area with a fixed rail system' — for the first time. What did the Kennett government do? It said no. It wanted the money from the Better Cities program to spend on urban projects in the inner city, not in the fast-growing outer suburban areas, and not in the areas that were underserved after decades of Liberal governments in the 1950s, the 1960s and 1970s. Outer suburban electorates like mine were allowed to grow but were not given the road and rail transport services they needed, while at the same time the Kennett government was trying to take money from those communities.

When the Keating government said no, what did the Kennett government do? It said, 'Okay, we'll allow the construction of a Cranbourne line, but we don't want it electrified'. This was because it wanted to save money. It was only through the Keating government, the Labor Party and me and others in the Labor Party campaigning that we got an electrified rail line to Cranbourne. That line services the electorate of the member for Cranbourne really well.

We are getting new stations; they are part of the transport plan. We have funded new car parking. Imagine what Cranbourne would be like without a rail service and without the integrated bus services that link up with the rail service. If there were no railway line to Cranbourne, all of those buses would be stuck in clogged traffic trying to get to Dandenong railway station. That would have been the legacy of the Kennett government, not to mention the staff members who were sacked and the country railway lines that were closed. Of course we remember those. Let us go through some of them. There was the line to Ararat, the line to Mildura, the line to Bairnsdale and the line to Maryborough. They are the sort of things we saw happen under the Kennett government. There was no investment, yet opposition members have the audacity to come into this place time and again and say there is no commitment by this government to integrated transport.

Let us have a look at the things we have done since we have been in government. We have been putting more money into the basic maintenance of the system to allow more reliability. Yes, there are still problems, but we are investing in the system. If we did not invest, we would have more problems. We have been able to upgrade railway stations and put more staff in where it has been affordable to do so. We have been able to expand tram services to Forest Hill along Burwood Highway; we have been able to put in a new tram service to Docklands. They are the sorts of things we have been doing, not to mention all of the road upgrades we have done.

Let us look at the fantastic EastLink project overseen by the South Eastern Integrated Transport Authority. SEITA showed how an integrated planning approach can deliver a project on time with the support of the private sector. If you run a business or an industry in Dandenong and you have to move your goods to the port or to the Hume Highway, EastLink works pretty well. Yes, we still have work to do, but remember that you can drive from Dandenong to Preston in about 35 minutes. In the past you could never have done that. When I used to drive to Preston it took me an hour and a half. I had to drive all the way to the city, go up

Hoddle Street and work my way up High Street through Northcote to get to Preston. That was the system we had. That was the legacy of the Kennett government. But we fixed things.

It does not end there; we are investing in Peninsula Link. We want to open up that area as well; we want to make Frankston and the Mornington Peninsula more accessible for people. This is part of our unfinished work in integrated transport planning. We have not finished there. We have been upgrading the M1 freeway to provide an extra lane all the way to Pakenham and Cranbourne and all the way in to the city and over the West Gate Bridge. There has been fantastic work done. It has been a bit of a pain driving the route on a regular basis, but off peak it is a fantastic run. It is even pretty good now during the peak period. We have seen projects such as this all over the place.

Out in my region we have seen the construction of the Dandenong southern bypass, allowing all the trucks heading for the industrial area of Dandenong to come off in EastLink and go straight to the logistic businesses out there to pick up their goods and move them to the port, to other industries and to wholesale retailers. The bypass works fantastically well, and a huge number of trucks are off the road in the south-eastern suburbs because of EastLink and because of the Dandenong southern bypass. Now we are working on the Dingley bypass — another fantastic project.

Let us have a look at some of the other projects we have undertaken. There is the Pakenham bypass, the Hallam–Narre Warren bypass, all the different stages of the Geelong Road, the Deer Park bypass and all the upgrades of the Calder Highway. This government has undertaken a whole lot of fantastic projects, so when the opposition says we have been doing nothing on transport, that is one big lie.

**An honourable member** interjected.

**Mr PANDAZOPOULOS** — Yes, I am fired up about this stuff because I believe in proper integrated planning and I believe that public transport has a very important role to play in all of this. We are doing great work, and there is more unfinished work that we are doing. There is the upgrade of the western rail link to support V/Line services in country Victoria and supporting new metropolitan services. There is also the expansion of the rail network in the north-eastern suburbs. These are great projects that this government is committed to.

When we look at the legacy of what we have inherited, yes, we have issues with myki; but let us talk about the

ticketing system we have had. We have been paying operators whether they have taken customers or not, which is basically how the old ticketing system worked. With myki we are saying there are about a thousand different ticketing options that exist because we have a private system — a diversity of private buses, privatised trams and privatised rail — and we need to pay the operators according to the trips that are being taken.

If we look at buses — on which those in the outer suburbs are so dependent — for a bus operator there is very little incentive in the current ticketing system to increase patronage, because if you are getting paid just to have buses on the road, where is the incentive? I have spoken to bus operators in my region. I want to see multilingual information out there because the people who do not speak English in my electorate want to understand how buses work and where you get off at interchanges et cetera. There is no incentive with the old system, but with myki there is that incentive.

*Honourable members interjecting.*

**Mr PANDAZOPOULOS** — No, we will be paying them for the service they give, and I have full confidence that we will get these things right. There are always risks with these things, but the government that does not dare to achieve is the government that fails. The previous Kennett government failed in all these areas because it had no ambition, it had no plan, it had no support for public transport and it had no vision — it was all about cutbacks and sackings, and ignoring the needs of the outer suburbs and country Victoria. That is the legacy this government inherited. This bill will allow us to properly plan for the next decade and beyond.

**Mr R. Smith** interjected.

**Mr PANDAZOPOULOS** — No, they are exactly the sorts of investments we need for fully integrated road, rail and port transport. I commend the bill to the house. I think it is a fantastic bill that everyone should support. Despite all its criticism, the opposition is supporting it, and we thank it very much for that.

**Mrs VICTORIA** (Bayswater) — I also rise to speak on the Transport Integration Bill. I will try to keep this a little easier on the ears of members of the house. This is basically an introduction of a new policy framework for transport. As so many of the speakers before me on this side of the house have asked, why is it that we are putting policy framework into legislation and not just in a policy document? Anyway, I will say more about that in the future.

The bill details vision statements, objectives, principles and statements of policy principles. However, it states that the Parliament does not intend by this part to create for any person any legal right or give rise to any civil cause of action — palaver, palaver, waffle, waffle! There is so much of that in this bill, and I am not quite sure why it has been introduced to the house. There is so much this government has spoken about on transport — the \$38 billion grand plan — and is that not fantastic? Most of \$8 billion is funded into the never-never, when it will certainly not be in government — I am not quite sure how it thinks it will bluff the Victorian public this time — and \$30 billion of the plan is unfunded.

The bill also identifies roles and responsibilities for the administration of the bill, and it enshrines in law the government's latest — as I said, unfunded — transport plan. That is to make sure that all interested parties — and I think this is an incredibly bold move on the government's part to put this in — through their corporate plans comply with the principles laid out in the bill. But the same bill also says that they get to change them whenever they want, so how are these bodies supposed to focus on what it is they are doing into the future? The bill also establishes a transport infrastructure development agent who will facilitate the delivery of projects in the bill that are not deemed to be major transport projects.

Bringing this to the table is basically an outrageous waste of taxpayers' money. The bill promotes the government's transport plan, which, as I said, is mainly unfunded and predominantly some wishy-washy, never-never plan that this government will never have the chance to implement. Why on earth is this government trying to legislate a policy framework? On this question, perhaps the public does not realise the difference between what should be in a bill and what is being introduced in this bill. This is not realistic. The people of Victoria are starting to see how wasteful, spin-addicted and hollow the Brumby government is, yet the promises it has no intention of keeping keep coming.

There is no pun intended when I say there is a great track record for the Labor government in my electorate of Bayswater. I remember very vividly the former member for Bayswater, who was a member of the Labor Party, putting out with two of his colleagues — they have all departed this place — a flyer inviting local businesses to a breakfast which they called 'Tolls are good. Prove us wrong'. This is the guy who thought it was good to add tens of thousands of dollars onto the operational cost of local businesses that provide transport and rob the pockets of everyday Victorians

out in the outer eastern suburbs, sometimes by hundreds of dollars a month. How can that be good? He said, 'Prove us wrong'. The people proved him wrong and voted him out last time. The people of Bayswater do not forget people like that, and come the next election they will not forget his enthusiasm for the government's outright lie — it was a lie.

Everybody remembers the no-tolls campaign for EastLink. This is very funny: I upgraded my global positioning system device (GPS) the other day. Until my upgrade a week ago it had been calling this road EastLink. If I was a conspiracy theorist I would start to have some great ideas here, but my GPS is now calling it the Scoresby Freeway again!

**Mr Hodgett** — I can use my Scoresby stickers again!

**Mrs VICTORIA** — Yes! I was wondering why I still hear 'Bing' as I drive under all the tolling gantries. I do not know who wants us to pay for this road. The locals out there do not, and when we are blatantly lied to in the lead-up to an election campaign, the people of the outer east remember how bad this government is.

Last year we did the Meeting Our Transport Challenges review. What has come out of it? Nothing! There have been no extra train services, trams or buses; no extra connectivity between those services out in the outer east for people who need to catch public transport to work — and of course there is myki! Where do we even go with myki? It is absolutely over budget. How many protective service officers could we have put on train stations to protect Victorians with the extra \$350 million it has cost so far? As I said, it is very bold for the government to introduce this sort of thing but not think that the people of Victoria are going to realise what is going on.

**Mr LANGDON** (Ivanhoe) — I am pleased to make my contribution to debate on the Transport Integration Bill 2009. While the main objective of the bill is to enshrine the new policy framework for a more integrated and sustainable transport system and to ensure that everything under the transport banner is centralised under one statute, the bill also underpins the Victorian transport plan, and it is on that aspect that I wish to address the house.

I was in the house not that long ago when the member for Bulleen was speaking on this bill; he mentioned my name on several occasions and my pledge to my electorate. I will re-emphasise it. I pledged at a public meeting of over 1000 people in Bulleen that while I was the member for Ivanhoe there would be no freeway

through the electorate of Ivanhoe — that is, down the Banyule Flats, through Viewbank and Heidelberg. That has been my commitment, and I stand by it.

However, I have done research in the electorate on two occasions through public surveys. The response feedback has indicated that all through the Viewbank-Heidelberg area at least 80 per cent of people would like some form of remedy to the traffic problem. The respondents have said to me that the construction of a tunnel should be investigated, and it may well be supported if it meets the requirements of environmental and financial impact statements. Having secured that opinion from about 8000 people, I told the government that my constituents were totally against a freeway but did not mind the idea of a tunnel being investigated.

The Victorian transport plan proposes the construction of a tunnel from Lower Plenty Road to Bulleen Road, valued at some \$6 billion, and it meets my commitment to the area. After that commitment was made I also surveyed the entire electorate through some 23 000 letters. Again the same feedback was obtained: about 80 per cent supported a tunnel as an option, again if it met the requirements of environmental impact statements and a feasibility study. I believe the government has committed to a feasibility study.

Close to 90 per cent of survey respondents totally opposed an above-ground freeway. Any above-ground freeway through my electorate would be a complete disaster for Banyule Flats and would split my electorate in two. I do not believe this government has any commitment to building an above-ground freeway. I cannot speak on behalf of other candidates, be they from the Liberal Party, the Greens or the Labor Party. I guaranteed and promised my electorate that while I was a member of Parliament, there would be no freeway through the area. I stand by that commitment.

**Mr INGRAM** (Gippsland East) — I rise to speak on the Transport Integration Bill 2009. I have listened to some of the debate on this legislation with a fair amount of interest and with a bit of surprise, too. I confess it is one of those debates where both sides of politics seem to be looking at history with totally different views. According to the opposition you would think that this bill is some disgraceful change that should be opposed by everyone, and yet they will vote for it.

The government will not acknowledge its failures in transport, and there are some significant failures; the public is very well aware of them. The government has not invested anywhere near the resources it should have

in the public transport system in particular. If you look at the metropolitan rail system, you realise why the government is being flogged on these issues on a daily basis — because the investment required to be put into the rail system over the past decade has not been done, and we are now playing catch-up.

That is why the commuters who use the system are critical, and likewise with the myki debacle. Predominantly they are urban issues. I listened to those debates as someone who represents one of the larger rural seats, and I look at this from the point of view of a bit of history. If you look at the failure of governments going back well over a century, you see we have never had an integrated transport plan in this state.

I will use an example of one of the problems associated with integrating local, state and federal governments in the transport sector. We had a very good freight rail system all the way through to Orbost. That was taken away a long while ago, yet a large portion of the produce which comes out of East Gippsland was put onto the rail system. A very simple solution would have been to make sure that the industry was centred around intermodal freight exchanges or hubs. That would have kept the rail freight systems open. We have lost them: they will never be replaced. They are rail trails now, and that is good for tourism and all the rest of it, but we have lost the ability to keep freight on the rail network because we have not had that integration between the three tiers of government to make sure that we get the best out of our transport system.

We put freight on the road system, and then we have a whole range of challenges with the maintenance and the quality of our road networks. I will focus on some of the issues that are very important to my electorate. I have listened to the background of this bill. Should we have in this state an integrated transport plan? Yes, of course we should. I think anyone who stands up in this place and says we should not have one is dreaming or playing politics. We should have an integrated transport plan. We should have all the different freight systems working together as one as much as we can.

There have been some crazy decisions made in this state. Federation Square was built over the top of the Gippsland rail line, so double-decker freight containers cannot come into the city rail loop and through the city. That is an example of the stupid infrastructure decisions that impact on the future economic capacity of regions like Gippsland. Given the lack of freight that is carried on the system in Gippsland, serious questions should be asked of successive governments about why some of these decisions were taken historically.

The privatisation of the freight and passenger rail services in this state is a disgrace. It has been almost impossible to deliver the upgrades of the track network that have been required. If you listen to the debate, it seems that neither side of politics wants to go back and have that discussion. I know there is a lot of criticism of the government by the coalition opposition for its decision to do that. I know we have brought some of it back, but I do not think there is a real acknowledgement that both sides of politics have a lot to answer for regarding the failures in the transport network. Should we integrate ports, rail, passenger, freight and roads? Of course we should, and any plan that does that should be supported by the Parliament. I note that the opposition is not opposing the legislation.

There has also been a fair bit said about government promises. I know the member for Mildura will comment about the return of passenger rail to Mildura, and his predecessor was very passionate about it, as are the communities in those areas. The return of passenger rail to Bairnsdale has been one of the great successes of this government. It is one of the best decisions the government has taken. If you turn up a couple of hours before the train departs from Bairnsdale you will not get a seat. You have to book at least the night before. Passenger numbers have increased between 100 per cent and 200 per cent over five years. That is an amazing return of people from the road network to passenger rail. It has been an extraordinary success. The decision that was taken to disconnect our region from the passenger rail network in the first place was a disgraceful and stupid decision, but it has been very positive to return that service.

There has been a lot of comment about a toll-free Scoresby freeway. I am probably one of the few members in this place who is quite prepared to stand up and say they do not mind tolls on the Scoresby freeway. We can argue the toss about whether the promise just before the election was legitimate and should have been made and the backflip and all the rest of it, but country members of Parliament struggle to get funding for any roads at all and particularly for substantial improvements to essential pieces of road networks. In my view these roads are used for getting people to and from work, a bit like a local road in a regional area, and the user should pay.

I would like to see some changes to the government's road plan. The government has made commitments through arrangements with the federal government for the Princes Highway East. The commitment is for duplication from the Latrobe Valley to Sale. In my view that is the wrong priority. Whilst I agree that the initial funding will substantially improve a section of

the road, the next section, it is argued, will cost about \$200 million, and that money would have been much better spent on improving the Princes Highway in the far east from Bairnsdale through to the border. That is a narrow, winding section of road with a high percentage of heavy vehicle traffic, and it is dangerous.

Most of the fatalities and serious accidents on the Princes Highway east of Melbourne occur on that section of road, and spending that \$200 million would substantially improve passenger and driver safety in the region rather than spending \$200 million-plus to achieve small improvements in travel time between the Latrobe Valley and Sale, which is a substantially improved section of road and will have upgrades. There would be substantial improvements in travel times and heavy freight cartage.

I put on the public record that my view is that in the new plan there should be a change of priorities. The next stage of the duplication should come after the Princes Highway East upgrade of intersections, widening, shoulders and traffic improvement that would be gained from the road around Orbost, Lakes Entrance and Cann River, which will have significant problems in the future.

**The ACTING SPEAKER (Mr Jasper)** — Order! The member's time has expired.

**Ms WOOLDRIDGE (Doncaster)** — I am very pleased to speak on the Transport Integration Bill 2009 because for the people of Doncaster whom I represent there is nothing more important than getting an integrated transport service, and that is exactly what we do not have. The second-reading speech talks about ending the old thinking and outdated debates about transport. The debate we have been having for many years is: how do we integrate transport services; how do we have more alternatives or options so that the people of Manningham and the people of my Doncaster electorate have some choice in relation to what their transport options are? The reality of integrated transport services in Doncaster is that there is no reality. We do not have it. It just does not happen. Let me go through and give that context.

First of all, Doncaster does not have a tram service. Trams have been promoted in the past, and that has been widely welcomed by residents and debated many times. We are only 12 kilometres from the central business district, but the government has dismissed the tram as an alternative without doing detailed costings or scoping. In fact the Manningham council is so committed to this happening that it has invested ratepayers' money to do a feasibility study into having

a tram in Doncaster. It is sad when a council has to take over the responsibilities of the government to ensure we have integrated and alternative transport options.

Doncaster also does not have a train — another part of an integrated service. Interestingly, the new Parliamentary Secretary for Public Transport, a member for Eastern Metropolitan Region in the other house, Brian Tee, is in favour of rail, and he has said so publicly. We hope that this will bring some new thinking and commitment to a broad-ranging integrated public transport system in Doncaster.

We have found that the government has not been prepared to invest in the transport infrastructure that we need, instead investing in buses as the only choice. This has many shortcomings. The lack of out-of-peak-hour services, weekend services and reliability is a major disincentive for residents to use buses at all. It is quite amusing that just this week I received in my letterbox a flyer advertising the government's DART system — that is, the Doncaster Area Rapid Transit system — telling us that it was going to be delivered in 12 to 18 months time, in 2011. I am very pleased we are getting flyers advertising the government's yet-to-happen service 18 months in advance of when it will actually be delivered!

Doncaster residents are left with bus services that do not connect to the rail services in Box Hill or the tram in Balwyn. I have done extensive consultation on this, and I have heard from many people about how these services do not work.

They do not work for young people who are looking to use bus services and integrate with trains and trams late at night to get home. They are often left at Box Hill station or at the end of the tram terminus with no way to get home to Doncaster. The services do not work for them during school hours. The government recently closed down the 289 bus service, and now we are hearing from children that if they miss their connections, they can often take three times as long to get to their schools or they may be left waiting for a bus. Parents are being called to pick them up while they wait at bus interchanges, because students are not able to get to school on time.

Students also talk about struggling to get to Monash University, for example, because of the lack of interconnectivity between Doncaster and vital services such as to Monash University.

The services also do not work for older people. We heard very strongly that older people who want to get buses from Doncaster, even just down the road to Box

Hill Hospital, find it very difficult because there are not services delivering to their needs.

We also heard from commuters in general. Submissions from the Doncaster area to the Eddington report showed that there is overcrowding, the buses finish too early in the evenings, and there is a lack of connections, so people coming into the city to work, as many of my constituents do, revert back to their cars. As a result we end up with traffic jams on the Eastern Freeway because we do not have the transport options, we do not have the transport alternatives, and we do not have services that deliver what the people need.

We need a realistic alternative to driving our cars, an alternative we do not have at the moment. This means public transport options that are available to the whole community and services that run on time, are regular and mean that families can have faith that they are going to be able to get to school, get to work, get out in the evenings and even do things as simple as get to church on the weekends. We hear from many people that they cannot use public transport to get to church because public transport is unreliable and there is such a significant time between services.

I am very concerned that this transport bill presumes new thinking and a new approach but in fact the old arguments remain because the government has not satisfied the need to integrate transport services, certainly not in my Doncaster electorate, and I am sure our experiences are reflective of many of the experiences right across the state.

**Mr PERERA** (Cranbourne) — I rise to speak in support of this groundbreaking piece of legislation: the Transport Integration Bill 2009. Today the challenges facing the transport system and community expectations for transport are very different to what they were in 1983. Victoria has moved on, demographics have changed dramatically, but the opposition still remains in 1983, 27 years behind time, struggling to understand anything beyond the slash-and-burn policies of the Kennett era.

Today Victoria is the most multicultural state with a population of 5.5 million — very different to what it was in 1983. In 1983 the average price of a litre of petrol was around 37 cents; today it is over \$1.10. The rise of petrol prices will have a significant impact on how we use transport. Victoria has the highest population density of any state in Australia, with population centres spread out over most of the state. The Victorian road network services the population centres.

EastLink, Peninsula Link and the Hallam bypass are just a few of the recent Labor legacies in the south-east. Melbourne has the world's largest tram network, which is a popular form of public transport service. We also have SmartBus routes expanding into the outer suburbs. The port of Melbourne is the largest port for containerised and general cargo in Australia.

Today climate change is a major challenge, and all Australians are concerned about carbon emissions. The main statute — the Transport Act 1983 — is very old and outdated. It covers only land transport and is reflective of 1983 conditions. The opposition fails to understand these changes and developments — no wonder they are called conservatives.

The bill has reached this place after a long process and extensive consultation. The consultation on the policy framework was initiated by the release of the October 2007 discussion paper. The consultation process was around 10 months, with input from state and local government, state and federal MPs, industry peak bodies, interest groups and academics. There were 120 workshops and 78 formal submissions — and community members provided overwhelming support for the reforms. None of the submissions were from the opposition. These are the people who the opposition is calling spin doctors: academics, industry groups, consultants and the number of people who participated in the consultation process.

The opposition, which closed rail lines because it could not manage the rail system and sold the system to the private sector, is now trying to show that it knows better than all those who endorsed this concept of integration of the transport system.

I am pleased to note that this legislation establishes the most comprehensive and modern transport policy and legislative framework in the country. That is why, despite their rumblings and negative statements which are irrelevant to the bill, members of the opposition are supporting it. That says a lot about this bill but also about the opposition.

The bill enshrines the key themes of integration and sustainability in a new major transport statute. It will change the way we think about transport, although I know it is hard for the conservatives to change their ways.

All elements of the Victorian transport portfolio will be brought into one piece of legislation. This ensures that all decisions affecting the transport system are made within the same integrated decision-making framework.

If VicRoads is to improve tram lines or the rail aspects of level crossings more efficiently, then it must have sufficient powers to do so. VicRoads is in the business of public transport because most forms of public transport, such as trams and buses, run on roads.

All transport agencies will be directed that they must have regard to environmental considerations, which is the modern day reality. They will also be directed that they must have regard to social considerations such as social inclusion and equity of access to transport.

The bill is consistent with the national direction and takes account of the desire of the commonwealth, states and territories to progressively achieve a more uniform and consistent approach to transport regulation in Australia. This groundbreaking bill will help underpin national directions and potentially result in new national integration initiatives. I commend the bill to the house.

**Mr NORTHE** (Morwell) — It gives me great pleasure to speak on the Transport Integration Bill 2009, which introduces a new policy framework for transport. The bill is largely a replacement of the Transport Act 1983, and it sets up government agencies to deliver the government's Victorian transport plan, which I will talk about in more detail. Members on this side of the house have raised concerns about the Victorian transport plan and this bill. Given that it is our role as local members of Parliament to raise in this house the concerns of our local constituents, I wish to do that now and provide the opinion of the Morwell electorate on not only this bill but also the Victorian transport plan.

One has only to look at the *Victorian Transport Plan* and some of the comments made by the Premier on page 5 of that document to see that he speaks about the regional rail link, espousing the virtues of 'more frequent and reliable regional rail services'. We talk about removing some of the bottlenecks from country Victoria. The Premier refers to networks on the Geelong, Ballarat and Bendigo lines, but there is no mention of Gippsland or the Latrobe Valley. This has caused consternation for many constituents and commuters in the Latrobe Valley.

One vigilant commuter noticed in the *Victorian Transport Plan* a diagram which shows the Traralgon V/Line rail network terminating at Flinders Street station and not Southern Cross station. Following some inquiries to the department and V/Line, we were assured that this is not the case, that it was just an error in that diagram and there is no cause for concern. Subsequent to that, the Leader of The Nationals wrote to the then Minister for Public Transport to seek

reassurance. Some six months, much to the consternation of many, later we were advised by the minister that some Traralgon V/Line services would terminate at Flinders Street station and not Southern Cross station. Under this transport plan, \$4.3 billion is to be spent on the rail network, yet what do people in Gippsland and the Latrobe Valley receive? A reduction in services. That is just appalling.

In terms of other issues under the transport plan, we can talk about the NightRider bus services, which the government again very much espouses the virtues of in the metropolitan network. A trial was undertaken in the Latrobe Valley for a NightRider bus service, but it received no support from this government. It was initiated by the local police, local communities and Latrobe City Council, amongst others. It was a very successful trial — until the funds ran out. Despite much lobbying, the government did not see fit to support that trial program, much to the disappointment of all and sundry in our region.

Another issue that has been raised by seniors and those with a disability in our region concerns Sunday travel for seniors. As we know, seniors in the metropolitan areas of Melbourne and some of the other major regional centres in Victoria are able to travel free on the public transport network on Sundays. But this does not apply in Gippsland or the Latrobe Valley. This is unfair and unjust. You would think that as part of the Victorian transport plan the government might address some of those concerns, but it has not.

Many other speakers have mentioned issues around roads and so forth, and we are certainly not immune to those challenges in the Latrobe Valley and wider Gippsland area.

I want to quickly mention noise barriers. In between Morwell and Traralgon, more so in the Morwell township to the north of the Princes Highway, the residents along that particular stretch of road have for many years asked for noise barriers to be erected. Believe it or not, they fall just below the criteria, so they have not been able to access any support or assistance to have the noise barriers erected, which is a challenge for them.

There are many other issues. We have myki in the Latrobe Valley, and all the challenges and issues around myki extend to regional areas. I have had many people come to my office and complain about the system. In terms of bike paths, we have called many times for the establishment of linked bike paths between some of the major centres in the Latrobe Valley. We have talked about security at train stations.

The protective services officers policy adopted by the coalition has been very successful and has been embraced by the community in the region. As a whole I think the government needs to do a hell of a lot more for the Morwell electorate in terms of transport.

**Ms GREEN (Yan Yean)** — It is a great pleasure for me to join the debate on the Transport Integration Bill. The overall objective of this bill is to enshrine a new policy framework for a more integrated and sustainable transport system. It delivers on the commitment and objective that was outlined in the Victorian transport plan: to have a more integrated public transport system.

It provides a policy framework with an overarching vision for transport, which is that Victoria aspires to have an integrated and sustainable transport system that contributes to a prosperous, inclusive and environmentally responsible state. This is an objective that I very much support.

I have been very pleased that my electorate has had substantial benefits delivered to it in the transport space. There have been numerous road project upgrades, including the duplication of Cooper Street, the extension of Edgars Road, the facilitation of the Hume bypass, two extensions of Plenty Road, planned improvements to Yan Yean Road and much spending under Arrive Alive, which has improved safety on numerous arterial roads in my electorate.

There has been an unprecedented expansion in bus services. Some communities in my electorate had no bus services at all. We know that under the watch of those on the other side bus services were cut. We have restored those cut services. We have restored the evening and weekend services between Eltham and Research and Warrandyte which had been cruelly cut under the Kennett government. I see that the member for Warrandyte, who is in the house, is remaining mute; he is not saying whether he supported that cut. I am proud to say we restored those services. We also restored evening and weekend services and provided service improvements between Greensborough and Whittlesea. There are new services, the 520 and 572 buses, servicing Greensborough, Plenty, Yarrambat, Doreen and Mernda, down to South Morang and connecting up into University Hill and the tram system, and of course there has been the fantastic expansion and extension of the rail line to South Morang.

On the other side the conservatives, the Liberal Party and The Nationals, have never supported public transport — with a few exceptions. I will say that the Acting Chair, the member for Murray Valley, was one

of the few members during the Kennett government who spoke out against the proposed closures of rail lines in his electorate. I will also single out the then National Party member for Warrnambool.

Warrnambool is where I grew up. It has one of the most fantastic rail services with the greatest patronage in the state — the Melbourne to Warrnambool line. The Kennett government was going to close that line. However, John McGrath, the then member for Warrnambool, spoke out against that. I commend those two National Party members. However, they were the only two conservatives during those seven dark years who spoke out against the wholesale closure of rail lines.

I know that this was not the only conservative government to have closed rail lines. In 1959 the Bolte government closed rail lines across this state, including the line from Epping to Whittlesea. We have seen over the time of our government when we have reinstated services — we are bringing services back to Maryborough, restoring services all over this great state and improving rail services across country Victoria — that it costs a lot of money. Those on the other side have spoken against that because they do not support public transport.

We know that once you close a rail line such as the rail line from Epping to Whittlesea it costs a lot to reopen it. Now we are extending the Epping rail line back to South Morang at a cost of \$650 million. We take it very seriously. It is a huge project; it is not just slapping down a few rail lines and a few sleepers. It is a huge project because it will be duplicated. It will get rid of bottlenecks from Keon Park all the way through to Epping. The dual track to South Morang is designed so that it can have future extensions to the growth areas of Mernda. It is an outstanding example of how we on this side of the house support the expansion of public transport.

If those seven dark years of the Kennett government had been extended, people living between Eltham and Hurstbridge — in Eltham, Diamond Creek, Wattle Glen and Hurstbridge — would have had no rail services to the city, because the Kennett government had a plan to close the Hurstbridge rail line beyond Eltham.

While we are speaking about what the conservatives do, I was very interested to hear earlier in the debate the member for Eltham refer to Mrs Kronberg in another place, who has distributed an outrageous push polling survey and a letter to the community of Eltham. I represent south Eltham. In the Shire of Nillumbik a lot of people, including my constituents in Research and

North Warrandyte, use the Eltham station.

Mrs Kronberg is exhorting the Eltham community to write to her opposing the additional stabling of trains in Eltham. Additional stabling will improve services on the Hurstbridge line. She is opposed to it.

I call on the Leader of the Opposition to state whether he supports Mrs Kronberg's outrageous opposition to this great project. I also call on the member for Warrandyte, either in this debate or publicly, to state whether he is also opposed to the expansion and improvement of services in Eltham. I know that many of his constituents in Warrandyte and constituents of mine who live in North Warrandyte access rail services from Eltham station. I think the community deserves to know where he stands and whether he supports this outrageous campaign by Mrs Kronberg to stop the additional stabling of trains at Eltham.

Mrs Kronberg has the temerity to treat the Nillumbik community as stupid. Everyone knows that the Nillumbik community is absolutely passionate about its environment. One of the things Mrs Kronberg says in her ridiculous survey is that additional stabling for trains and improved services will be bad for the environment. What a ridiculous assertion — that improved public transport services are bad for the environment.

The Leader of the Opposition needs to say whether he supports that ridiculous assertion by Mrs Kronberg in another place, who obviously does not spend enough time in Eltham and does not know what she is talking about or how passionate people in Nillumbik are about the environment. I support this bill and wish it a speedy passage, and I oppose those opposite who have never supported public transport.

**Mrs FYFFE** (Evelyn) — I am pleased to rise to make a brief contribution to debate on this bill. It is quite interesting that although this government has made a lot of 'respect' over the last few weeks, so little respect has been shown to an unofficial agreement in this house that members would speak for only 5 minutes in order to ensure that all those who needed to speak on this very important piece of legislation would be permitted to do so.

**Mr Andrews** — Get on with it, then. Talk about the bill, you dill!

**Mrs FYFFE** — The bullying tactics of the minister will have no effect on what I am going to say. They are typical of this government.

The bill has been touted by the government as 'a watershed in the evolution of transport policy and

legislation in Victoria and Australia'. In a nutshell, this legislation is designed to bring together key elements of Victoria's transport system under the one umbrella. We are told it will cover public transport on road and rail, commercial transport on road and rail, private motor vehicles, commercial and recreational water sport, walking and cycling. It is intended to lead to a more comprehensive approach towards planning a transport system that is sustainable and coordinated.

Clause 8 in part 2 of the bill states that the objective of social inclusion is to minimise barriers to access so that the transport system is able to carry as many people as wish to use it. Many promises were made by the former Minister for Public Transport about the number of buses that would be accessible to all Victorians. She also said that buses in the city were now 65 per cent compliant and buses in regional areas were 39 per cent compliant.

I take issue with this. The government wants to minimise barriers to access so that the transport system is able to carry as many people as wish to use it. When travelling to the cricket for the Boxing Day test I decided to travel by train. The train was well and truly at capacity by the time it reached Blackburn station, which is just nine stops from the beginning of the Lilydale line. I witnessed an elderly man with a walking stick and a young man in a wheelchair, as well as countless able-bodied people, left behind on the platform because the train did not have an inch of space remaining to accommodate them. Given that the Boxing Day Test is a tradition that attracts thousands of Victorians every year, why were additional carriages not put on?

Clause 10 describes the objective of environmental sustainability. Over Christmas one of my staff members was travelling on one of the environmentally friendly electric minibuses that has been operating in the eastern suburbs. She told me that the bus, which runs on electricity, had water leaking all over the floor. When she inquired what was wrong with the bus the driver said that water was leaking into the cabin from the wheel well. The bus driver then stated that the new electric buses were rubbish. The concern is that passengers on the minibus could have slipped over where the water was pooling. Again and again we are made to question what kind of value we are getting for the money which the government is investing in transport on our behalf.

Clause 12 describes the objective of efficiency, coordination and reliability. If the government had paid any attention to the submissions of Yarra Ranges residents to the bus review, which report is months

overdue, it would know that the biggest issue for commuters is a lack of connectivity between buses and trains. This is far from an integrated approach to public transport. Many Yarra Ranges residents continue to use private transport to get to and from work, school, university and appointments because under Labor public transport reliability just does not exist. In 2008 the Lilydale line topped the list for the number of train cancellations with 773 cancellations, many occurring during peak hour. Paying lip-service to goals of efficiency and reliability does not solve these problems. In 1987 the Holden JD Camira had a better record of reliability.

I will not refer to myki, as it has been referred to so many times already in speeches in this house and in the newspapers. It is turning Victoria into a laughing stock. Other people want to speak on this bill, and with respect to their wishes I will cease to make any more comments.

**Mr SEITZ (Keilor)** — I rise to support the Transport Integration Bill 2009. It represents a vision. The bill before the house is very important, because it is a progression of the state to maturity. We started with the Cain government when we had the Country Roads Board and the Melbourne and Metropolitan Board of Works (MMBW), which controlled all the roads and networks in Melbourne. These two bodies would never give away part of their territory. We had to go through a long, anguished process to establish VicRoads as one authority for roads at least. We are fortunate not to have rivers like Europe's, which shift freight and people around, so we do not have to control rivers as well. Here we have only land movement to talk about.

We hear so much about the connectivity of buses and trains, but the train routes are set, and they have priority. Trains have tracks that they can move on, but if you are a bus driver, you cannot keep to your timetable because the ordinary Joe Blow motorist will not let buses in and out of parking bays and people are slow getting on and off buses, so of course there will always be a difference in the timing. The arrivals and departures of trains can be controlled. We saw with the heat and the problems with delays that the public gets upset when trains are late or cancelled.

It is important for our planners, the bureaucrats who run the transport system and the people who are developing the fast-growing areas of Melbourne to know what the vision is, what the processes are and in which direction the government wants things to go and be developed. Often one department head will not talk to another as they do not get along with each other, although they

pay lip-service to it. This legislation brings them together. It is a big step forward.

I commend the government for introducing this bill because it is a major piece of work for planning people. It is not something for us MPs here to talk about in terms of local area needs and so forth, on which I could probably speak all night. It is a policy and a planning process for development so that the people who work for us in the offices behind the scenes, who implement our road, transport and train systems and who are planning the future for Melbourne for the people yet to come after you, Acting Speaker, and I leave this house can continue to work and have a vision.

I only hope that if there is a change in government, those in the new government will read this document and follow it through. In my experience here ministers come and go, and then you have to start lobbying once again for a new minister to accept the principles that were established and the studies that were carried out by another minister in a previous government. The MMBW had that continuity — the process was continued with — and it will be incumbent on whichever party is in government to embrace this bill and continue supporting it after it is passed by the house. I am a bit concerned about the opposition being critical of it, because it should embrace it for the benefit of our society and the development of Victoria.

As has been said, the bill is also part of the concept of the federation of Australia. All the Australian governments wanted to get a united system. We had the standard railway line gauge. Under the Whitlam government we had funding so that we could get beyond Albury without having to change trains and tracks. We have come a long way. This bill is a book that gives us direction. It shows us where we will go, how we will go and what should be happening. Once these measures are implemented they will need to be accepted by people of all political persuasions in this house.

It is particularly important for developers — people who still have options for land to be developed — in my growth area to know what they have to plan, what land has to be set aside and what operations and developments will take place. I welcome the legislation. The people in my area, particularly in the growth area, are now more relaxed because they know where things are planned to be. We are now planning the easement for the outer western ring-road, an important and progressive step that we are taking now. It might not be built today or tomorrow, but the easement will be put in place well in advance so that people know what will occur, what government planners are doing and how to

develop the area so that we do not have to bulldoze houses to put a road or railway line through.

I commend the work that has been done by all the people behind the scenes in all the briefings, studies and submissions involved in preparing the bill to come before the house. I wish it a speedy passage through the house. All political parties should support this bill and the concept of an integrated transport system for Victoria.

**Mr R. SMITH** (Warrandyte) — I rise to speak on the Transport Integration Bill, which seeks to enshrine in legislation the government's \$38 billion unfunded transport plan. The farce is made obvious when we consider that the legislation also allows for that plan to be changed from time to time.

The government often carries on about its unfunded \$38 billion transport plan, and we often see the advertising for it on our TV. Every time we turn on the TV or open a newspaper there is the plan in front of our faces. The problem with the plan is that whilst it encapsulates a whole lot of grandiose plans, it fails to address the transport issues that affect people on the ground and the issues about which members of this house have been calling for action for some time.

For example, the member for Hastings has been calling for level crossing work for some time. That has been ignored. The member for Kilsyth has talked in the house about low-rider buses. His call for those has gone unnoticed. The member for Doncaster has also called for tram services in her electorate for a long time. That call has also gone unnoticed.

There are a number of issues in my electorate of Warrandyte which the transport plan fails to consider or address. Amongst those is certainly the Ringwood railway station redevelopment. Many millions of dollars have been thrown at the planning of that redevelopment, but the government has yet to make any sort of commitment whatsoever to turning a sod there and getting something done.

A number of areas at that railway station need work. The ramps do not comply with federal disability laws; there is a lack of amenities on the platforms; and certainly — this is something I have talked about often in this place — there is a lack of security cameras linked to the local police station. Security may not be such an issue when the coalition government is elected in November of this year, with the Victoria Police protective security officers being positioned on train station platforms to help commuters and take care of their safety.

In 2008 the Premier came out to make a big statement — it was supposed to be a big secret! — about Ringwood station. He called a lot of people to go there. The media, including the press, were present, as were local councillors. The Premier was very disappointed to see me, front and centre, when he made his speech announcing the allocation of money to redo the bus interchange in front of the railway station.

That bus interchange had already been revamped some years earlier. The project to redo it was one that absolutely no-one was calling for. Nevertheless, the Premier came to my electorate and announced funding for that bus interchange. It is my concern that by building the bus interchange in front of the Ringwood railway station, the government would be seeking to build some sort of facade to give the impression that it is actually doing something to the station, when in fact there has been absolutely no commitment by this government to redeveloping the station at all.

Another big issue in my area is the lack of coordinated bus services. Certainly so far as bus route 271 goes, a group of people, ably led by one of my constituents, Mark Leonard, has asked for some consideration to be given to taking it off the side streets. The answer from the government was that a bus review was to be done in the area.

That review was ably managed by the Maroondah City Council. But, while we on this side of the house believe the results are in, the government has declined to make the results of that review known to the people of my electorate, and certainly those who participated in the review. The government has declined to make that review available to the Maroondah council, which ran these workshops for the government. I urge the government to make sure that the findings of the bus review are released as soon as possible.

We go from projects like the redevelopment of the Ringwood railway station to small projects, such as a small keep-clear zone in one of the streets in my area. At a cost of \$500 you would think it would be easy for the government to actually address the concerns of the 208 people who voiced them by way of a petition they signed and which I tabled in this house. You would think the government would listen to those people and commit just the necessary \$500 to put in this keep-clear zone. But, no, that would not be a big or grandiose enough plan for the government to be able to advertise and turn up in high-vis jackets and hardhats to announce, so the concerns of my community in that respect have just been left by the wayside.

This bill has been exposed very ably by the member for Polwarth as a farce. It tries to enshrine in legislation a vision statement or transport plan that can be changed from time to time. Most ridiculously of all, the government is seeking to introduce legislation that contains a clause such that it is not legally binding whatsoever. With that, I conclude my remarks.

**Mr EREN (Lara)** — Like the opposition, I am also pleased with this bill, and I also support it. The bill will meet the growing infrastructure needs of Victorians. It further reaffirms the Brumby Labor government's dedication to delivering solutions to the currently outdated transport system. I say 'outdated' because the challenges facing the transport system, along with the community expectations, are obviously very different now from what they were in 1983, when the Transport Act commenced to operate.

I think the electorate I represent is the fastest growing electorate in terms of population of any place in the nation. The Wyndham Vale area is one example. The Premier has been out there on a couple of occasions, announcing the various items of good news from the government for the good people in the Wyndham Vale area. The population of the Lara electorate is also expanding rapidly. As I said, I represent the area whose population is expanding most rapidly. I think I have the most highly populated regional seat in all of Victoria, and I am very proud of that. Since I have been the member representing that area — since the election of this government — Victoria has seen unprecedented growth.

As we know, through the early and mid-1990s droves of people were leaving the state. They are coming back — clearly because of the good policies of this government. I think that was actually acknowledged by some opposition members in this house. There is obviously some work to be done.

There is no question that we have brought people back to using public transport. I commend the former minister for that. She has worked very hard to get the populace back and to get people used to using public transport. Geelong is one of those areas where public transport patronage has almost doubled. That is great news. Along with that, we need an injection of funds to make sure that the public transport system is adequate. As a result, as members may know, a joint announcement was made by the federal and state governments of funding to the tune of \$4 billion towards rail infrastructure in that corridor. That is a lot of bikkies: \$4 billion worth of investment in rail infrastructure. That is due to the tag-team effort of the

now federal Labor government and the state Labor government.

That is not all the good news in terms of transportation in the Geelong area. As the members of Parliament representing the Geelong region know, everything revolves around Geelong — we are the centre of gravity! Certainly we have been blessed by this government, to the extent that Geelong is strategically a very important area of Victoria. As a regional city it is the second-largest city in Victoria, and we are getting the funds accordingly.

The former federal Liberal government came to the table kicking and screaming because it did not want to fund the other half of the Geelong Ring Road, which is a good piece of infrastructure. Soon, when it is completed, it will be possible to go from the Great Ocean Road all the way to New South Wales, and vice versa, without having to stop at one set of traffic lights. That is what you call investment in infrastructure! That is fantastic.

**Mr Andrews** interjected.

**Mr EREN** — I must also mention the other infrastructure that the Minister for Health has just alluded to: Avalon airport. We have everything in Geelong: we have air, we have road, and we have rail. We have all the infrastructure that is needed.

The plan in the bill is to integrate transport. That is where this government has the foresight to make sure it sets Victoria up for the best possible future to accommodate the unprecedented growth that this state is seeing because of the good policies of this government. I am certainly very proud of that. There is so much more to say, but I also show courtesy to other members in the house. I know many of them want to have their say. I certainly commend the bill to the house and wish it a speedy passage.

**Mr HODGETT** (Kilsyth) — I rise to make a contribution to debate on the Transport Integration Bill 2009. Members know the purpose and the main provisions of the bill. It is not my intention to go through those in the time available, as other honourable members have already outlined those in their contributions to the debate.

What I will say is that the exercise certainly appears to be a total waste of taxpayers money. The bill was intended to promote the government's transport plan by enshrining it in legislation, even though the bill provides that the plan will change from time to time. Furthermore, part 2 of the bill is a vision statement and, in my view, does not necessarily belong in legislation

but in the department's corporate plan or a policy document.

In the time available I want to focus on a few of the transport issues affecting my electorate of Kilsyth. Firstly I wish to talk about buses. What on earth has happened to the Knox-Maroonah-Yarra Ranges bus service review? It was announced with great fanfare and was trumpeted as yet another state government initiative to improve local bus services in Knox, Maroonah and the Yarra Ranges. The Brumby government's public relations machine went into overdrive as taxpayer dollars were spent on advertising, spin and propaganda campaigns, telling us that this would be the be-all and end-all for buses in the Kilsyth electorate. Where is it? What has happened to it?

I am informed that the review has been completed but the Brumby government is refusing to release that report or any of its findings or recommendations. You have to ask, 'What is the secret?'. Why will the government not take note of our concerns and suggestions for improvements? We certainly need more low-rider buses in the local bus network, and we need more services on weekends, in particular on Sundays. We need more frequent services in Croydon, Mooroolbark, Kilsyth and Bayswater North. I certainly call on the Brumby government to upgrade the Mooroolbark bus interchange.

In relation to low-rider buses, a lot of constituents come through my office door, talking about the need for low-rider bus services. As I said earlier, we urgently need more low-rider buses servicing those routes in my electorate. I raised this as an adjournment matter with the then minister on 13 October 2009. I asked the minister to allocate a greater number of low-floor buses under the government's bus replacement program to service the network in Croydon, Mooroolbark, Lilydale, Montrose, Kilsyth, Bayswater North, Croydon South, Ringwood East and Heathmont.

I invite the new Minister for Public Transport to come out to my electorate of Kilsyth and ride the buses and trains around the various suburbs to learn about the need for transport improvements in the east. He should not ignore and take for granted the people in those areas.

I move on to talk about roads briefly. There is an urgent need for road funding for upgrades and improvements to roads and intersections in my electorate of Kilsyth. The condition of some of our local roads and intersections is appalling. Road surfaces need to be fixed, intersections upgraded, traffic congestion eased and urgent improvements made to road safety.

Canterbury Road from Dorset Road through to Montrose needs another lane; Bayswater Road needs an upgrade; Eastfield Road continues to be used as a shortcut for trucks and heavy vehicles cutting through from the industrial estate to EastLink; and many roads require resurfacing.

**Dr Napthine** interjected.

**Mr HODGETT** — Yes, an extension of time would be great.

Dorset Road from Hull Road to Bellara Drive and Maroondah Highway needs improvements. The Montrose roundabout, which becomes extremely congested with traffic, is a major issue. Over the years various solutions have been talked about but nothing gets done under the Brumby government.

Traffic control at the intersection of Hull Road, Cardigan Road and Brice Avenue in Mooroolbark needs urgent attention. A right-turn arrow is needed for traffic turning from Eastfield Road into Bayswater Road. Notorious traffic black spots such as the intersection of Eastfield Road, Morinda Street and Railway Avenue in Ringwood East need to be fixed, for which urgent funding is needed. I know this project features very high on the Maroondah City Council's list of priorities. Certainly the Brumby government should be providing the funding for a project such as this, to make sure that our local roads are made as safe as possible. What about expanding the car parking facilities at the Croydon railway station and the Mooroolbark railway station?

I conclude by saying I am listening to the concerns of local residents and am committed to standing up to the Brumby government to ensure that we get our fair share of road funding and transport funding in the east, to provide the safe roads and transport that people deserve. I will continue to fight for a fairer deal for local road funding and transport, trains and buses for the residents of Kilsyth, which is in stark contrast to the performance of the Labor government, which has neglected local roads and instead spent taxpayer dollars on advertising, public relations, propaganda campaigns and fairy lights on the West Gate Bridge.

**Ms BEATTIE** (Yuroke) — I appreciate the brief opportunity to extol the virtues of the Transport Integration Bill 2009, which enshrines a new policy framework for a more integrated and sustainable transport system. It will unify the transport portfolio under the one central statute. I can only think that this is a good bill, and every side of the house should support it.

**Business interrupted pursuant to standing orders.**

## ADJOURNMENT

**The ACTING SPEAKER (Mr Nardella)** — Order! The question is:

That the house do now adjourn.

### **Merriang Special Development School: building program**

**Mr DIXON** (Nepean) — I wish to raise a matter for the Minister for Education regarding Merriang Special Development School. The action I seek from the minister is to meet with the parents of the children at that special school and talk to them about reconsidering the funding they were promised, but which they have lost, for a major renovation of their school.

Last year the school council was informed that the department had \$5 million surplus in Building the Education Revolution (BER) funding and that the \$5 million would go to a major rebuilding project at Merriang Special Development School. With the full consent of the school council, the principal signed off on the \$5 million worth of federal funding for the project, and this project was fully supported by the region.

The school was subsequently informed when announcements of BER funding were made that it would receive only \$2 million. This was a major difference between what they could deliver in terms of refurbishing and rebuilding the school — a \$3 million shortfall makes a big difference.

The school council urgently wrote to the minister on 14 October last year to seek a meeting to find out where the \$3 million that had been promised had gone. It received an acknowledgement that the minister had received that email, then nothing else happened. The council again wrote on 6 November, because the year was slipping by. It received absolutely no response at all from the minister. On 30 November the council emailed the minister again and said there were only a couple of weeks of school left, and it needed to know what was happening with its funding for the next year. That was totally ignored as well.

The school council sent an email again on 20 December but received no information or any response at all from the minister. The Minister for Energy and Resources, who is the member for Thomastown in this place, and Mr Harry Jenkins, who is the local federal member, believed that the \$5 million would be coming to the

school. Brunswick Special Development School had received \$5 million under similar arrangements. In fact Merriang Special Development School is the only school in the Thomastown regeneration area that has not received any funding at all for rebuilding; all the other schools in that redevelopment area have received it.

Why, despite the assurances given to the region, the sponsors of the region and the local state and federal members, has the school suddenly had \$3 million stripped from the funding that it should have received? If any school deserves \$5 million worth of rebuilding funding, it is the Merriang Special Development School. I ask the minister to meet with the parents and discuss this matter.

### **Diamond Creek: multipurpose stadium**

**Ms GREEN** (Yan Yean) — I wish to raise a matter for the attention of the Minister for Sport, Recreation and Youth Affairs. I ask him to have his department undertake urgent discussions with the Shire of Nillumbik as to why no work has begun on the much-awaited Diamond Creek stadium.

As members would know, I have raised and discussed my support for this stadium on many occasions in this house. The minister, who is in the chamber at the moment, has been to my electorate and spoken to my community, and he has been an absolute champion of this stadium. I am proud of the commitment that Labor at both the state and federal levels has made to this stadium and to the Diamond Creek community. The minister has been a champion of this, and \$1 million has been allocated from his portfolio. He successfully lobbied his cabinet colleague the Minister for Community Services for \$500 000, and the Minister for Education has agreed to the stadium being located on Department of Education and Early Childhood Development land valued at around \$1 million at Diamond Valley College adjacent to the Diamond Creek East Primary School. Students from that school and the Diamond Creek Force Netball Association and the Diamond Valley Basketball Association will be able to access that facility.

The Rudd federal government, supported by the ALP candidate for the federal seat of McEwen, Rob Mitchell, has allocated \$3.5 million. What has Nillumbik council done to spend these funds? For years ward councillor Bo Bendtsen has staked his political reputation on being the champion of this project, but he has gone missing. No work has been started despite the funds having been allocated more than a year ago. There is more than enough money to begin this project,

so I was aghast to learn that both schools and parents have now been asked to pay exorbitant usage fees amounting to around \$50 000 per year.

We have been told there is going to be a huge increase in the number of basketball courts in Diamond Creek, but the Diamond Creek Community Centre's existing courts are to be closed, which will make the Diamond Creek Basketball Club homeless. Nillumbik council has told the Diamond Creek Basketball Club, which consists of 1200 players, that it will have to talk to the association about whether it can have a future playing space. That is like saying to the Diamond Creek Football Club that it should talk to the Northern Football League about where it is going to play. What an outrageous thing to do to Diamond Creek kids.

I know where Cr Bendtsen has gone. He has gone for a tilt in Eltham; he has become the Liberal candidate for Eltham. He is saying to the preselectors in the Liberal Party that he delivered the Diamond Creek stadium. The people in Diamond Creek know there is no stadium, and the schools have been asked to contribute an exorbitant amount of money. His latest project is a luxury boutique hotel planned for Eltham. That is his campaign plan, and he expects to receive state and federal government money for it.

I urge the minister to have his department see what Nillumbik council is doing and get this stadium built. Bo Bendtsen should be condemned.

**The ACTING SPEAKER (Mr Nardella)** — Order! The honourable member's time has expired.

### **Bushfires: warnings**

**Mr DELAHUNTY** (Lowan) — I wish to raise a matter for the Premier. The action I request on behalf of western Victorians is that the Premier come to Halls Gap or Dunkeld, which are both important towns with many tourism facilities, to listen to the concerns not only of the tourism operators but also of the other small businesses and community groups which are upset and extremely concerned about their sustainability with the implementation of the new code red catastrophic fire warning system.

As the headline in yesterday's *Herald Sun* stated, 'Code red no use in the bush'. Western Victorians have been told that on code red days they should go somewhere safe, but where should they go? They are told, 'Don't go to work, don't go to school, don't stay home. Go somewhere' — but where? They are told to go somewhere else that is safe. We in western Victoria are used to dealing with hot weather and fire danger days,

but the Premier needs to know about the extreme anxiety that is being created by the implementation of this system.

Many country towns experience a downturn when there are extreme fire risk days. The code red warning will have such a detrimental effect on the economies of these towns that it will wipe out those country communities before a fire does. The *Herald Sun* article went on to say:

In Bright, locals say they have a fire on average every three years or so, but they're worried code red warnings could be issued every few weeks.

It's easy for Melbourne authorities to ask a country region to shut down. The pollies and bureaucrats still get paid when the warning goes out, but if you don't go to work in the country, you don't get paid.

The article goes on to say:

So rather than blaming the potential victims, it's time the state government started offering real options.

...

And finally, don't fill people's heads with red tape or rhetoric.

...

Country Victorians are wonderfully practical people. They want solutions, not spin.

I have numerous articles, including those that appeared in the *Wimmera Mail-Times* and the *Stawell* paper, and all of them are saying the same thing: the way the code red warning was implemented turned western Victoria into a media circus. We had the Premier and the minister fly in for a photo shoot. They did not even have the decency to inform the Horsham Rural City Council they were coming. The Premier got up and said that if there is a fire, people should go to the shopping centre. Where are they going to park when other businesspeople are trying to run their businesses?

I want the Premier to come out to western Victoria to hear from the community groups, tourism operators and businesspeople who run the *Stawell Jazz and Wine Festival*, which will commence the weekend after next. They are extremely concerned about the warning system.

Articles in the *Wimmera Mail-Times* highlight the fact that many businesses are worried about their sustainability. One of the articles reported that businesses will be in the red, not because of fires but because of the way the system has been implemented. I want the Premier to come out to western Victoria to listen to these people and hear their concerns, because

country people need a different approach to handling the code red catastrophic fire days.

### **Dogs: control**

**Ms MARSHALL** (Forest Hill) — I raise a matter for the attention of the Minister for Agriculture. The action I seek is for the minister to address the growing concern in the community about dangerous dogs and restricted breed dogs like pit bull terriers by toughening the laws that apply to irresponsible dog owners.

It seems that barely a week goes by now without a media report of a dog attack occurring, often involving young children and including incidents in the family home. I remind members of the incident just a couple of months ago when a two-year-old child named Aleaha Briffa was seriously bitten by an unregistered dog, allegedly a pit bull terrier, in the home of her grandparents. Young Aleaha now faces a painful period of recovery and will carry with her that trauma and scarring for the rest of her life. This attack occurred despite three young adults being present. It reinforces the important point that dogs and children should be supervised or at least separated.

In 2005 this Parliament passed a law banning the acquisition of any new pit bulls, expressing a view, which I believe is strongly held by the communities I represent, that these dogs represent too high a risk to children in the home, other animals and the broader community if they are unrestrained in public.

I was heartened to hear the comments made by the Premier and the minister which committed the government to introducing legislation next year to give councils greater powers to control unregistered and restricted breed dogs. As for dangerous types of dogs that are found roaming, particularly unregistered ones, any action to toughen the laws and increase penalties for their irresponsible owners is obviously welcome news.

The community in my electorate is relatively fortunate not to have had a serious attack in recent times. The City of Whitehorse is one of the best councils in the state in regard to compliance with dog registration regulations. An estimated 90 per cent of owners are registering their dogs with the council. Senior council officers from the City of Whitehorse have been leaders in their professional organisation and have been appointed to the Domestic Animal Management Implementation Committee in recent times. Registration compliance and community education have all contributed to there being no reports of serious incidents, and I congratulate the council for it. I wish

we could have the same situation everywhere in Victoria.

Of course minor incidents do occur, and anything we can do to prevent such situations arising should obviously be pursued. I commend the minister and the government for having expanded Victoria's responsible pet ownership program since the last election to include new and expectant parents being taught simple rules on how to prepare for a safe life with a baby or babies and dogs. This complements the existing programs of teaching kindergarten-aged and early-school-aged children how to be safe with dogs.

As a mother of young children representing young families, I applaud this approach and call on the minister to continue to offer the delivery of these programs. I want to see councils given a bigger stick for their professional staff and greater powers to increase registration compliance, deter irresponsible owner behaviour and crack down dangerous types of dogs and restricted breed dogs found roaming on our streets — the dogs that this Parliament has determined are not safe on our streets or in our homes.

**The ACTING SPEAKER (Mr Nardella)** — Order! The honourable member's time has expired.

**Dr Napthine** — On a point of order, Speaker, I did not want to interrupt the member for Forest Hill during her presentation, but as I understand it she called for a change in the legislation, which is contrary to the rules of the adjournment. As I said, I did not want to interrupt the member because it is an important issue, but I ask that you rule on whether her adjournment item is admissible.

**The ACTING SPEAKER (Mr Nardella)** — Order! There is no point of order because the member asked that the Minister for Agriculture address the concerns of the community about dangerous dogs and then she referred to — —

**Dr Napthine** interjected.

**The ACTING SPEAKER (Mr Nardella)** — Order! That is correct.

**Dr Napthine** — That is what she called for.

**The ACTING SPEAKER (Mr Nardella)** — Order! The member then talked about how that can occur, so there is no point of order.

### Public transport: Doncaster

**Ms WOOLDRIDGE (Doncaster)** — Thank you, Acting Speaker. I rise to — —

**Dr Napthine** interjected.

**The ACTING SPEAKER (Mr Nardella)** — Order! It is disrespectful for the member for South-West Coast to act in that way while a member of his party is on her feet.

**Ms WOOLDRIDGE** — I rise to call on the new Minister for Public Transport to commit to new public transport services for Doncaster. Doncaster residents are fed up with their public transport options which are limited to bus services. I recently conducted a Doncaster-wide survey asking residents what were their major issues of concern. Overwhelmingly public transport and roads topped the poll. Residents want alternatives, such as light or heavy rail facilities. They want more bus services so they can travel where they want to go when they want to go there.

Residents also want the extension of the no. 48 tram route to Doncaster. This government has summarily dismissed the idea with little detailed investigation, despite the Manningham City Council thinking the proposal had enough merit to commit ratepayers funds to the undertaking of a feasibility assessment. Despite the government's grand promises of more buses and extended operating hours, little has changed for Doncaster commuters for years. One resident told me, 'I'm a professional working in the central business district and I love Doncaster, but Doncaster will lose me if there are not more regular options to get home.'

Also of major concern is the need to reduce congestion on the Eastern Freeway, especially at the city end. Sadly this is an issue I hear about too often and experience myself as I travel to Parliament and sit in the early morning car park which is the Eastern Freeway. I ask the new Minister for Public Transport and his parliamentary secretary, a member in the other place who represents Doncaster and the eastern suburbs, to breathe new life into the public transport policy for Doncaster. I also hope, unlike his predecessors, he will be more receptive to Doncaster residents having more transport options than just limited bus services. I have already invited the minister to visit Doncaster to discuss these matters with community leaders and, like other Doncaster residents, I am awaiting his positive response. He could begin by releasing the long overdue review of the city's bus services. There is no reason why we are all still waiting for the results of this review, which is more than a year overdue.

I would like to summarise what was said by a few residents about their needs. One fellow said, 'We need further integration of public transport links between other transport hubs, like Box Hill and Heidelberg'. Another said, 'Please try to get the tram to Doncaster shopping centre'. A third said, 'We need public transport that actually goes through Donvale, not just to the edges of it'. Another gentleman said, 'Melbourne would be a great city if we were to have a state-of-the-art public transport system with frequent integrated and well-maintained buses, trams and trains reaching into all corners of the city'. The minister's priority should be to ensure that all Melburnians have affordable and accessible public transport. I believe in this respect Doncaster residents are being seriously disadvantaged. This government has had a decade to improve our public transport, but it has not been prepared to invest in the necessary infrastructure to ensure that Doncaster residents have the public transport they need and deserve.

### Road safety: Easter campaign

**Mr TREZISE** (Geelong) — In tonight's adjournment debate I raise an issue with the Minister for Police and Emergency Services. It relates to road safety over the coming Easter period. I know that Easter is still some months away but, as members will appreciate, it will be upon us in the blink of an eye. Therefore the action I seek is for the minister to commit to or initiate action now, through Victoria Police, to ensure that motorists are warned and educated on the dangers of travel over the Easter period.

As the Acting Speaker is well aware, over the life of this government we have seen dramatic falls in the road toll in Victoria. Each year, including 2009, the road toll has been at a record low, but 295 people dying on our roads is of course still too many. It was, as usual, the Christmas holiday period that tragically boosted those numbers. Christmas, and soon Easter, will no doubt boost the numbers for 2010.

Easter is an exceptionally dangerous period on our roads. The vast majority of people head off after work on the Thursday, all in a rush to get to their chosen destination. It is unlike any other holidays, including Christmas, when departures from the city are to some degree staggered over a couple of days. The other thing that highlights the Easter stampede is that people know they only have a few days' holiday and therefore drive long hours after their day's work to get to their chosen destination that night, meaning a number of dangerous factors kick in. No. 1 is speed; no. 2 is impatience, meaning motorists take risks; no. 3 is fatigue; and no. 4, especially for young drivers, is inexperience on

unfamiliar roads. All of those factors added together mean there is a cocktail of disaster just waiting to happen. Tragically, as we all know, that disaster will happen for some families this Easter.

It is important that a coordinated and far-reaching message goes out to motorists early, and it must be repeated over and over again. Although we are only in the first week of February, it is important that the government through the relevant departments, including Victoria Police, ensures that we get that message out to motorists well before the Easter period is upon us.

### Liquor licensing: fees

**Dr NAPTHINE** (South-West Coast) — I wish to raise an issue with the Minister for Consumer Affairs. The action I seek is for the minister to immediately withdraw the new unfair and unreasonable licensing fees imposed by the Brumby Labor government and replace them with a fairer and genuine risk-based fee system. The minister needs to admit that there is something fundamentally wrong with the Brumby government's new liquor licence fee system when small family-owned neighbourhood packaged liquor stores are being forced to pay more for their licence than Dan Murphy's.

In my electorate locally owned and run IGA family supermarkets and small neighbourhood liquor package outlets have been hit with licence fees that have increased from \$175 in 2008 to \$6360 in 2010 — an increase of 2444 per cent. There is something wrong with that system. Local sporting clubs that sell a few drinks after a game are also facing massive fee increases. Warrnambool Field and Game advised me that its fee has gone from \$93 to \$397 — a 327 per cent increase. The Port Fairy Cricket Club says:

As a small country club we have a limited licence allowing us to sell liquor for 17 hours per week ... Under the new charges we will pay the same fee as a large club operating from 10.00 a.m. till 11.00 p.m. daily.

Increases of over 200 per cent for local wineries which provide tastings and sales for visitors, locals and tourists are also imposed on local family-owned businesses in my electorate. There is something fundamentally wrong with a liquor licensing system that imposes massive increases under the guise of being a risk-based system.

In addition, country hotels face massive fee increases which are totally out of kilter with any accurate assessment of risk or their track record. Country hotels, clubs and packaged liquor outlets should not be

crippled with massive licence fee increases simply because a Brumby Labor government has allowed open slather for liquor barns and nightclubs to be open in Melbourne, but not put enough police on the streets to deal with alcohol-fuelled violence.

Time and again country pubs with a good track record are hit for six with massive liquor licence fee increases based on the size of their premises, irrespective of whether that premise is used for 1 per cent of the time, 5 per cent of the time or 10 per cent of the time. A large hotel in Portland, which does a great community service providing entertainment and social connection in that town, has been hit for six with massive fee increases when a large part of the area is a restaurant and other areas are not used for a vast majority of the time. It is time these liquor licence fees were withdrawn and redrafted to reflect a real risk-based system.

**The ACTING SPEAKER (Mr Nardella)** — Order! The member's time has expired.

### **Alkira Secondary College: bus service**

**Ms GRALEY** (Narre Warren South) — The matter I wish to raise tonight is for the Minister for Public Transport and concerns requests from my local community to have a bus service extended to our new secondary college. The action I seek is that the minister visit my electorate to inspect the current bus route nearest Alkira Secondary College.

As the Minister for Education told Parliament yesterday, Alkira Secondary College was officially opened on Monday, 1 February. It is a fantastic new school with state-of-the-art facilities, enthusiastic staff and strong leadership. Already 330 students are on site and filling their lockers located close to their classrooms with schoolbooks, eager to start their new educational experience. The smiles on the faces of students and staff indicated that the new school will be a great place to learn and have a bit of fun too. The community is rightly very proud of its new school.

Amongst the attractively landscaped grounds there is a large bike storage area. On the first day of school many students were riding to school and safely parking their bikes in the big shed. I hope many more students will ride or walk to school.

I have received representations from school council members about the need for a bus service to be extended to include the new school. A parent, Karen Uildriks, wrote to me after visiting the school on Monday with her year 7 daughter. She wrote:

I am wondering if you can assist me with a query or point me in the right direction. My daughter started high school yesterday at the new Alkira Secondary College site, which as I am sure you would agree is a very impressive looking secondary college! My query is that at this stage there are no bus routes close to the school area yet that I have been able to ascertain, and I am wondering if you are able to provide information as to when some may be established as it currently is quite a lengthy walk to the school for my child, which is okay, but it would be comforting to know that at some point an alternative to walking may be available for her. Any information you may be able to provide would be greatly appreciated. Thank you for your time.

Stocklands Eve estate, in which the new school has pride of place, is a very attractive environment and is quickly filling up with lovely new homes. There is no doubt that Narre Warren South is a great place to live and raise a family. Many more families will be moving in and many more young people will be going to Alkira Secondary College. As the age of students attending Alkira increases, more students will want to travel independently, so there will be a greater demand for a local bus service to the school.

I know the Minister for Public Transport is very enthusiastic about his new portfolio, and I also know he will do a great job. On this side of the house we are committed to providing people who live in the new outer suburbs with the best possible schools, hospitals, roads and public transport. The Brumby Labor government is continuing to invest in improved bus services. We have upgraded more than 150 local bus services and introduced five efficient and modern SmartBus routes connecting the middle and outer suburbs to rail services and local activity centres. I look forward to the Minister for Public Transport visiting the Alkira Secondary College community soon.

### **Shire of Gannawarra: jobs**

**Mr WELLER** (Rodney) — I ask the Minister for Regional and Rural Development to instruct Regional Development Victoria to deliver projects in the Gannawarra shire that deliver at least another 100 permanent long-term jobs for that community. When the government declared 80 per cent of the Gunbower Forest a national park, it took jobs away from the Gannawarra shire. This has had a major impact on jobs in the timber and cattle industries in the area.

As all Victorians know, a severe drought has gripped the district since 2002. However, the Bracks and Brumby governments have failed to implement drought support for farmers at a level which will hold the milk flow for northern Victoria at a level that can sustain all the milk factories in northern Victoria. Today Murray

Goulburn Co-operative announced that it was closing its cheese-making facility at Leitchville. The company said the milk flow in northern Victoria has dropped from 3 billion litres in 2001–02 to an anticipated 1.75 billion litres in 2009–10.

The government's water policies have not been helpful. The dairy industry well knows that last year and the year before losses were less than 400 000 megalitres, but the ads running at the moment in northern Victoria are still stating that the government can save 425 000 megalitres. The dairy industry has no confidence that the government can achieve these figures, and the milk flow has showed that. Half of the drop has occurred in the last two and a half years. The announcement of the north–south pipeline has had a major impact on jobs in northern Victoria.

Now that we have seen the results of the Brumby government's environment, water and drought policies, it is imperative that the minister responsible for Regional Development Victoria acts — and acts promptly to return jobs to the Gannawarra area. If the minister fails to act, the outcome for the communities in the Gannawarra area could be quite disastrous. We all know when jobs are cut you can have flow-on effects that lead to further losses, then services leaving the area, which leads to further losses, and the downward spiral continues.

I ask the minister to instruct Regional Development Victoria to deliver projects that provide 100 full-time permanent jobs in the Gannawarra shire so we do not see communities decimated due to the government's inaction.

### **AgriBio: school information sessions**

**Mr BROOKS** (Bundoora) — I wish to raise a matter for the attention of the Minister for Agriculture. The specific action I seek from the minister is that he organise information sessions for local school students and schoolteachers, in particular science students and teachers from secondary colleges around Melbourne's northern suburbs, at the Victorian AgriBiosciences Centre in Bundoora.

The Brumby Labor government, as many members would be aware, has invested over \$180 million in the new \$230 million bioscience centre, AgriBio, the Centre for AgriBioscience at the La Trobe University campus in Bundoora. It will be a fantastic facility that will bring together around 400 of the state's best scientists, staff and students, where they will work on bioscience to ensure that we have the best science available to deal with disease outbreaks, generate

drought-resistant crops and increase the efficiency of farming practices. That will certainly be very important for our \$11.8 billion agricultural industry.

I went past the project site the other day, and construction is well under way. It is expected to generate around 390 jobs in construction and inject around \$620 million into the Victorian economy. It is a great project and one that this government is very proud of. The minister recently held an information session for stakeholders and local community leaders at the nearby Victorian AgriBiosciences Centre at the site. That was a great session, but I thought it would be good if we could also have sessions for local school students, in particular science teachers in secondary colleges in the northern suburbs, to give them a greater awareness of what is going to happen at AgriBio, the Centre for AgriBioscience.

In particular it would be great if we were able to encourage young students from the northern suburbs of Melbourne to get involved in studying science and hopefully one day work at the centre. La Trobe University's partnership in this project is very valued, and I hope the minister is able to agree to this request.

### **Responses**

**Mr MERLINO** (Minister for Sport, Recreation and Youth Affairs) — The member for Yan Yean raised a matter in regard to the Diamond Creek basketball stadium. This is a project that I have been interested in for a long time. Basketball in the Diamond Valley region is booming, and this project will help cater for the strong growth of the game.

Over two years ago the Brumby government first committed to this project following the strong lobbying by the member for Yan Yean. It has grown from there as a project and also in terms of funding and support from the state. It is important to note that this is a council project, as are almost all community sporting facilities, and when complete the stadium will be a council facility.

The commitment asked of the state and federal governments is \$3.5 million respectively, and that has been met following the tireless work of the member for Yan Yean and one of our former parliamentary colleagues who is now the federal Labor candidate for McEwen, Rob Mitchell. Our investment was joined by \$3.5 million from the Nillumbik council.

I understand the member's concern that it is now quite some time since all the funding was secured for this project, and I share those concerns. I will ask my

department to investigate the matter with the Nillumbik council and provide me with answers as to the progress of this project, as it is vital that this stadium be built as quickly as possible for the Diamond Creek community, particularly for the young people of the region, and to assist the council with its plans for other community sporting facilities in the region.

Community sporting facilities are the responsibility of local, state and federal governments. We should always be increasing the opportunities for young people to participate and not keeping them at the same level. I thank the member for Yan Yean for raising that issue with me, and I will ask my department to investigate it.

I will ensure that all matters raised by members will be raised with the respective ministers for their action and response.

**The ACTING SPEAKER (Mr Nardella)** —  
Order! The house is now adjourned.

**House adjourned 10.33 p.m.**

