

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE COUNCIL**

**FIFTY-SEVENTH PARLIAMENT**

**FIRST SESSION**

**Wednesday, 23 May 2012**

**(Extract from book 9)**

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

## Legislative Council standing committees

**Economy and Infrastructure Legislation Committee** — Mr Barber, Ms Broad, Mrs Coote, #Ms Crozier, Mr Drum, Mr Finn, #Ms Hartland, #Mr Leane, #Mr Lenders, #Mr Ondarchie, Ms Pulford, Mr Ramsay and Mr Somyurek.

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

**Environment and Planning Legislation Committee** — Mr Elsbury, #Mr Finn, #Ms Hartland, Mrs Kronberg, #Mr Leane, Mr Ondarchie, Ms Pennicuik, #Mrs Petrovich, Mrs Peulich, Mr Scheffer, #Mr Tarlamis, Mr Tee and Ms Tierney.

**Environment and Planning References Committee** — Mr Elsbury, #Mr Finn, #Ms Hartland, Mrs Kronberg, #Mr Leane, Mr Ondarchie, Ms Pennicuik, #Mrs Petrovich, Mrs Peulich, Mr Scheffer, #Mr Tarlamis, Mr Tee and Ms Tierney.

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

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

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**Economic Development and Infrastructure Committee** — (*Council*): Mrs Peulich. (*Assembly*): Mr Burgess, Mr Foley, Mr Noonan and Mr Shaw.

**Education and Training Committee** — (*Council*): Mr Elasmr and Ms Tierney. (*Assembly*): Mr Crisp, Ms Miller and Mr Southwick.

**Electoral Matters Committee** — (*Council*): Mr Finn, Mr Somyurek and Mr Tarlamis. (*Assembly*): Ms Ryall and Mrs Victoria.

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

**Family and Community Development Committee** — (*Council*): Mrs Coote and Ms Crozier. (*Assembly*): Mrs Bauer, Ms Halfpenny, Mr McGuire and Mr Wakeling.

**House Committee** — (*Council*): The President (*ex officio*) Mr Drum, Mr Eideh, Mr Finn, Ms Hartland, and Mr P. Davis. (*Assembly*): The Speaker (*ex officio*), Ms Beattie, Ms Campbell, Mrs Fyffe, Ms Graley, Mr Wakeling and Mr Weller.

**Law Reform Committee** — (*Council*): Mrs Petrovich. (*Assembly*): Mr Carbines, Ms Garrett, Mr Newton-Brown and Mr Northe.

**Outer Suburban/Interface Services and Development Committee** — (*Council*): Mrs Kronberg and Mr Ondarchie. (*Assembly*): Ms Graley, Ms Hutchins and Ms McLeish.

**Public Accounts and Estimates Committee** — (*Council*): Mr P. Davis, Mr O'Brien and Mr Pakula. (*Assembly*): Mr Angus, Ms Hennessey, Mr Morris and Mr Scott.

**Road Safety Committee** — (*Council*): Mr Elsbury. (*Assembly*): Mr Languiller, Mr Perera, Mr Tilley and Mr Thompson.

**Rural and Regional Committee** — (*Council*): Mr Drum. (*Assembly*): Mr Howard, Mr Katos, Mr Trezise and Mr Weller.

**Scrutiny of Acts and Regulations Committee** — (*Council*): Mr O'Brien and Mr O'Donohue. (*Assembly*): Mr Brooks, Ms Campbell, Mr Gidley, Mr Nardella and Mr Watt.

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*Assembly* — Clerk of the Parliaments and Clerk of the Legislative Assembly: Mr R. W. Purdey

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

*Parliamentary Services* — Secretary: Mr P. Lochert

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**FIFTY-SEVENTH PARLIAMENT — FIRST SESSION**

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Mr J. LENDERS

**Deputy Leader of the Opposition:**

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**Deputy Leader of The Nationals:**

Mr D. DRUM

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Koch, Mr David Frank	Western Victoria	LP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Kronberg, Mrs Janice Susan	Eastern Metropolitan	LP	Viney, Mr Matthew Shaw	Eastern Victoria	ALP



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**Wednesday, 23 May 2012**

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

**The PRESIDENT** — I am advised that the Economy and Infrastructure Legislation Committee is meeting this day following the conclusion of the sitting of the Council.

**PUBLIC ACCOUNTS AND ESTIMATES  
COMMITTEE**

**Victorian Auditor-General's Office:  
independent financial auditor**

**Mr P. DAVIS (Eastern Victoria) presented report, including appendices.**

**Laid on table.**

**Ordered to be printed.**

**Mr P. DAVIS (Eastern Victoria)** — I move:

That the Council take note of the report.

I have some very brief remarks on the tabling of this report. It is an important part of the work of the Public Accounts and Estimates Committee in terms of the appropriate transparency of the work of the office of the Auditor-General. I advise that after a tender evaluation and selection process the committee, in tabling this report, is recommending to both houses of Parliament the appointment of a new independent financial auditor to audit the financial operations of the Victorian Auditor-General's Office (VAGO). In doing so the committee has fulfilled its statutory obligation to appoint the financial auditor under section 17 of the Audit Act 1994.

The financial auditor primarily audits the annual financial statements of VAGO and will express independent professional opinions on the statements. The financial auditor also has wide-ranging power under section 18 of the Audit Act 1994 if he or she chooses to include recommendations for the more effective, efficient and economic operation of VAGO. This is a unique power for truly auditing the state's chief auditor, and it has not been invoked in recent times.

As the Parliament's representative on this engagement the committee is making a recommendation which I will come to in a moment. I firstly wish to note that invitations to tender were sent to 18 accounting firms

and that none of those firms had any contractual relationship with VAGO. It is useful to note that the committee approved the establishment of a tender evaluation panel. The panel consisted of me, Mr Robin Scott, the member for Preston in the Assembly, and Mr Neil Angus, the member for Forest Hill in the Assembly, to whom I wish to pay particular thanks given his background as an accountant and auditor. The committee was assisted by Valerie Cheong, the executive officer of the Public Accounts and Estimates Committee.

A recommendation was made on the basis of receiving five written tender submissions for the financial audit. That recommendation was agreed to unanimously by the Public Accounts and Estimates Committee. The recommendation was for the appointment of Mr Steven Bradby, partner at Lawler Draper Dillon, chartered accountants, as financial auditor for a three-year period commencing with the financial year ending 30 June 2012.

I recommend the report to the house and indicate that the committee looks forward to an expeditious passage of the necessary resolutions by the Parliament to ensure the appointment of the financial auditor so that the financial auditor can commence his engagement with the Auditor-General's office soon.

**Motion agreed to.**

**PAPERS**

**Laid on table by Clerk:**

Auditor-General's Reports on —

Annual Plan, 2012–13.

Management of Trust Funds in the Justice Portfolio, May 2012.

Payments to Visiting Medical Officers in Rural and Regional Hospitals, May 2012.

Tertiary Education and Other Entities: Results of the 2011 Audits, May 2012.

Statutory Rules under the following Acts of Parliament:

Heritage Act 1995 — No. 34.

Transfer of Land Act 1958 — No. 33.

Victorian Energy Efficiency Target Act 2007 — No. 32.

## MEMBERS STATEMENTS

### Frankston Community Support

**Mr TARLAMIS** (South Eastern Metropolitan) — Last week I was honoured to attend the opening of the new premises housing Frankston Community Support, which was previously known as the Frankston Community Support and Information Centre. The centre's new premises in Beach Street, Frankston, were renovated and upgraded by the Frankston City Council for the exclusive use of Frankston Community Support, which had previously been located in a privately owned building with a number of other tenants. The new facility is specifically designed for the staff and volunteers who operate this essential community service and provides them with a modern and secure workplace to serve their clients.

Community Support Frankston has been operating since 1968 and is one of the busiest support services in the state. Each year around 12 000 people contact the service for assistance. They are greeted with professionalism and compassion by the volunteers, who undertake a comprehensive 50-hour training program before gaining accreditation to work at the service. The centre aims to provide people with information, advice and skills so that they can be more self-sufficient within the community.

I was grateful to receive a tour of the new building from the manager, Vicki Martin, and to talk with volunteers and social workers who work at the service. I take this opportunity to thank them all for the fantastic work they do. It was a humbling experience to listen to the passionate and dedicated staff and volunteers. Services like Frankston Community Support transform lives and care for our most vulnerable and disadvantaged, often when they are overwhelmed or without hope. I commend the Frankston City Council for its ongoing support for this important and essential centre and pay tribute to the around 80 volunteers who contribute to the centre in various ways. I look forward to working with the centre well into the future.

### Craig Sellick

**Hon. W. A. LOVELL** (Minister for Children and Early Childhood Development) — Life is full of stereotypes, and the early childhood sector is no exception. Women are seen as the backbone of this important line of work. That is not surprising, since when you visit a kindergarten or maternal and child health centre women are always front and centre. However, things are a little different at the City of Whittlesea. I recently had the pleasure of meeting Craig

Sellick, a trailblazer for men in maternal and child health. Craig is the only male maternal and child health nurse working in Victoria. In his 14 months working for the City of Whittlesea, he has become a familiar, comforting presence for the mums, dads and children in the region.

As both a midwife and the father of two young boys, Craig has great firsthand knowledge of the development of young children. He is one of the many midwives to come through the state government's scholarship program and become a qualified maternal and child health nurse. He is breaking down barriers, and his presence at centres in Whittlesea has resulted in new dads attending parenting groups they otherwise might not have attended. This is an impact which should not be underestimated. Too often dads stay distant from the maternal and child health experience.

Craig's love of his job and his enthusiasm to include both mums and dads is clear, as is his strong working relationship with the other maternal and child health nurses in the area. I would like to congratulate Craig on his success in the Whittlesea area and encourage other men to follow his lead.

### Timehelp Manningham

**Ms MIKAKOS** (Northern Metropolitan) — On 14 May, during National Volunteer Week, I attended the launch of Timehelp Manningham at The Pines shopping centre in Doncaster East. Through Timehelp, the expertise of senior volunteers is matched with the needs of schools, assisting children with tasks such as reading and writing support, gardening and grounds maintenance, breakfast clubs, chess clubs, mentoring, subject tutoring and even helping with kitchen programs to improve health and wellbeing. Almost every school in Manningham has expressed a desire to participate in this program. The volunteers report that they experience enhanced wellbeing and feel more connected to their communities. Our senior Victorians have a lifetime of experience and wisdom that they can share and pass on to our younger generations.

Timehelp also runs in other municipalities across Victoria — Hobsons Bay, Geelong and Moreland — and in Holroyd, New South Wales.

I congratulate Stockland on the commitment it has made in supporting this program in Manningham. I congratulate Lisa Kingman, the co-founder and manager of Timehelp, as well as all the wonderful Timehelp volunteers, principals and students who have helped to make this program successful.

### **Northern College of the Arts and Technology: trade training centre**

**Ms MIKAKOS** — On 16 May, along with the member for Eltham in the Assembly, Steve Herbert, I was pleased to attend the official opening of the trade training centre at the Northern College of the Arts and Technology by the federal member for Batman, Martin Ferguson. NCAT received \$17 million from the federal Labor government to build state-of-the-art facilities catering for year 10, Victorian certificate of education, Victorian certificate of applied learning and post-secondary students interested in a specialised education in the arts, trades or technologies. The school's programs are accessible not only to the college's full-time students but also to students from its consortium partner schools in the northern suburbs.

I congratulate the school's amazing principal, Ms Raffaella Galati-Brown, who is known for her tenacity and audacity, and the executive manager of NCAT technology, Daniel Knott, on their commitment to this project. I also acknowledge the strong support this project has had from unions and industry.

### **Wal Smith Memorial Casterton 50 Handicap**

**Mr O'BRIEN** (Western Victoria) — On Saturday last, 19 May, I had the privilege of attending and speaking at two important sporting events in the Western District — at Casterton and Hamilton. The 67th Wal Smith Memorial Casterton 50 Handicap was held last Saturday. The handicap is an 80-kilometre, open-road cycling race that has been held every year since 1946. The course has remained unaltered for 67 years, beginning in Casterton and heading north to Dunrobin, then south via Sandford, Henty, Merino and Digby before returning to Casterton.

The 2012 edition of the Casterton 50 provided a fitting memorial to Wal Smith, who passed away in March, aged 84. Wal began racing with the Casterton Cycling Club at 15 years of age and raced on road and track until 1978. After this he held positions including president, treasurer and secretary of both the Casterton and Hamilton cycling clubs. He was also inducted into the Victorian Cycling Hall of Fame. I am pleased to report that the Casterton 50 was well supported, with 81 entries from many parts of Victoria and strong representation from South Australia. It is a great reflection on the race promoter, Doug Issell, and his team, including the Smith family. I also congratulate the winner, Brendan Schultz, who was mentored by Wal Smith and fittingly was flagged over the line by his father.

### **Hamilton Lawn Tennis Club**

**Mr O'BRIEN** — On Saturday evening I joined the Southern Grampians Shire Council and the Hamilton Lawn Tennis Club in opening six new synthetic grass courts with competition lighting. This project fits perfectly with our government's aim to get 'more people, more active, more often' — and that is a quote from the Minister for Sport and Recreation, Hugh Delahunty. The new courts will benefit the club's more than 230 members, with membership anticipated to grow as a result of the redeveloped courts. I pay tribute to the Hamilton Lawn Tennis Club, including the president, Robert Fishburn, and master of ceremonies, Tim Mason, and I congratulate the entire community on the project.

### **Port Phillip Bay: northern Pacific seastars**

**Ms PENNICUIK** (Southern Metropolitan) — On Sunday morning I went down to the St Kilda pier where Earthcare St Kilda was conducting one of its regular mornings where volunteers dive and wade around St Kilda harbour removing northern Pacific seastars. It has been doing this for more than a decade. While many buckets full of seastars were removed, there were still thousands more in the water. They are a plague in waters around Port Phillip Bay.

Northern Pacific seastars are a marine pest because they compete with our native starfish and other fauna in Port Phillip Bay for food. With their voracious appetite they eat the seagrass and the shellfish that other native fauna need to survive. They are really like the cane toads of Port Phillip Bay. While the Department of Sustainability and Environment and Parks Victoria have had some programs to deal with northern Pacific seastars, it is obvious that more needs to be done. On the day before I went to St Kilda it was reported in the *Age* that the northern Pacific seastar was spotted in Tidal River, Wilsons Promontory, and a search of the river by divers found 96 confirmed specimens of the seastar, which is native to the coasts of Russia, Japan, Korea and China and came here in ballast water. They were first found in the Derwent River, from whence it has not been possible to eradicate them.

I am very concerned that now that seastars are in Tidal River it will not be possible to get rid of them from there either. The government needs to step up programs to rid Port Phillip Bay and our waters of the northern Pacific seastar.

### Silvan: weather station

**Mr O'DONOHUE** (Eastern Victoria) — On 20 April I was pleased to join my colleague and a fellow member for East Victoria Region, Philip Davis, to officially commission the Silvan weather station. We were pleased to be joined by local farmers and members of the Wandin Silvan Field Days committee. The coalition is honouring its election commitment to bring the station back to working order, handing ownership to the community and providing farmers with valuable microclimate weather data to assist them with their business operations. Some \$6000 will be provided over the next three years to help deliver this data. The weather station was built at the Wandin Silvan field day site in 2006 but was left abandoned by the Labor Party. It was never commissioned. To this day Labor cannot explain why it never turned on the weather station. Indeed an editorial from the *Lilydale and Yarra Valley Leader* of 8 May 2012 states:

Labor has treated the Silvan farmers with contempt.

A much-needed weather station was built with taxpayers money in the area to help the farmers.

Yet it has sat idle for six years — simply because no-one got round to switching it on.

The article continues:

With the issue gaining such prominence in the political arena Labor would have been aware of the farmers' concerns, yet chose to do nothing.

The editorial continues:

And now that it is finally being switched on, all John Lenders, Labor spokesman for agriculture, has done is to deflect the issue and take pot shots at Mr Walsh for not concentrating on bigger issues facing the shire — like water prices.

The weather station is huge for the farmers.

Let's hope other concerns they may have are dealt with better.

Indeed. Let us hope other concerns are dealt with better. I congratulate the Wandin Silvan Field Days committee and local farmers on their campaign, and I am pleased that the coalition has delivered on this important election commitment.

### Belmont Primary School: expansion

**Ms TIERNEY** (Western Victoria) — Last night during the adjournment debate I raised the issue of the much-needed playground expansion at Belmont Primary School and stated this could be done by the education department purchasing a property at 44 Regent Street, Belmont, which is currently on the market.

In reply the minister on duty, David Davis, again editorialised and attempted to pointscore and in doing so created a picture in *Hansard* that is simply untrue. The property in question, 44 Regent Street, was never on the market when Labor was in government. I raise this point this morning to give notice that I will continue to set the record straight every time there is an attempt by those opposite to distort reality.

In fact the real estate advertisement describes the property as a 'rare development opportunity', a large allotment of approximately 950 square metres. It goes on to say it has been 'held by the same family for 40 years'.

Labor was not in government at that time — it was Mr Davis's party. It was the Liberal government that lacked the foresight to purchase the property at the time. Students, staff, parents and many local residents who attended the school are just asking that this government do the right thing now and purchase 44 Regent Street and increase the playground space at Belmont Primary School.

### Road safety: driver behaviour

**Mr ONDARCHIE** (Northern Metropolitan) — Just in the last three weeks in Victoria we have had 16 road fatalities. These are Victorians who will not spend time with their families — Christmas, holidays and those special moments — 16 in just the last three weeks. Just on Sunday, 450 metres from my home in South Morang, a four-year-old boy was struck by a car and passed away. On Friday night in Hurstbridge 15-year old Dylan Griffiths, who was known to my family, was involved in a car accident and passed away. Not far from my electorate office, in the last fortnight three young men on a wet, rainy afternoon drove into a tree by accident and all three of them passed away. Sixteen deaths in three weeks in Victoria is not good enough.

We should all care about this and all have the same feeling about this tragic loss of life. Some, by way of response, have used the colour of politics to talk about road upgrades and funding for roads as a way of legitimising what happened. This is unacceptable. It is something we should take seriously, and we should share in the tragedy of these losses.

I call on all Victorians and on all members of Parliament, from whatever political persuasion and from whichever house, to use their networks, contacts and media relationships to send a message that it is time to change driving conditions, to slow down, to be aware of the wet roads and the changing light conditions, and to save Victorian lives.

### **Wodonga Primary School: security fence**

**Ms BROAD** (Northern Victoria) — Recently I visited Wodonga Primary School, which is the pride and joy of the entire school community because it was completely rebuilt by the former Victorian Labor government and the federal Labor government, and these new facilities are ensuring that all students are receiving a quality education, regardless of where they come from or who their parents might be.

I was informed that the school has had security advice that a security fence is necessary to protect this major investment by taxpayers, and so on behalf of the school community I request that the government and the Minister for Education give urgent consideration to this issue. Clearly it does not make sense for taxpayers to make a major investment of this nature and to have it degraded by those in the community who regrettably would not respect this magnificent school, which as I said is the pride and joy of the entire school community, which wishes to see it protected if humanly possible.

### **Glen Eira Sports and Aquatic Centre: opening**

**Ms CROZIER** (Southern Metropolitan) — Two weeks ago the Glen Eira Sports and Aquatic Centre, GESAC, opened its doors to the community for the first time. Considerable thought went into the design of the facility, taking into consideration the needs of the Glen Eira population.

I had the privilege of inspecting GESAC when it was still under construction and the finishing touches were still being applied. I can say that at the time I thought the centre was most impressive, and now that it is open I can see that it has in fact lived up to that expectation.

The new facility includes a 25-metre indoor swimming pool, a 50-metre outdoor swimming pool, a wellness pool for activities such as physiotherapy, a spa, saunas, a learn-to-swim pool and a kids beach entry play pool and water slides, along with a fully equipped gymnasium and indoor sports stadium.

The centre enables accessibility to programs for all ages and abilities. It has facilities that cater for occasional child care, a cafe and consulting suites offering a range of rehabilitation and wellness services, according to its website.

While the gymnasium, indoor sports centre and lap pools will help the community stay fit, active and healthy, the facility certainly also looks fun for the many children who undoubtedly will use it on a regular basis.

GESAC was made possible with funding contributions from both the federal and state governments, whereby the Victorian state government contributed \$2.5 million of funding to the project — and I acknowledge the former government's involvement in that.

This facility will greatly benefit my constituents in the Southern Metropolitan Region, especially those living close by within the districts of Bentleigh and Oakleigh. I would like to congratulate Glen Eira City Council in particular on the delivery of this project, which will surely be a valuable community asset for the residents of Glen Eira, and I look forward to the centre's official opening.

### **Disability services: respite care**

**Mrs COOTE** (Southern Metropolitan) — I would like to put on the record my praise for Mary Wooldridge, the Minister for Community Services, for coming up with a really innovative program on respite care.

People in this chamber who have constituents who have children with disabilities will understand how very hard it is to get appropriate respite for those children — particularly in school holidays. It is really hard for families trying to juggle working options, other children within the family and other life challenges with trying to find available places for their children with special needs who need significant help.

I was absolutely thrilled that the minister called for organisations to come up with ideas for innovative respite support and school holiday respite support. Ninety submissions were received, and there were many successful ones which demonstrated flexibility and placed a strong emphasis on respite programs that facilitated inclusion in local activities, recreational pursuits and community events. Some of these activities included arts workshops, fitness programs and camps.

Just because someone has a disability does not mean that they should be excluded from other activities within the community, so it is important that this really good innovative program has been established. As Minister Mary Wooldridge said in a media release of 21 May:

We've listened to Victorians with a disability, their families and carers, and we are funding respite at the times that they want it most.

### Teachers: awards

**Mrs PEULICH** (South Eastern Metropolitan) — No doubt all members in this chamber will know that this week is celebrated as Education Week. It is an opportunity for all of us to show our appreciation to all of those who take an active part in supporting the education of our children in schools, whether they are teachers, parents, leaders or other partners in the education experience, and I certainly would encourage members to make their views known to their local schools in terms of the work that they do.

One way of celebrating the performance of teachers and the importance of teachers is the ASG Inspirational Teaching Awards, which I had the pleasure of attending and which are supported by the Australian Scholarships Group as well as the NEiTA Foundation.

Eleven inspirational educators received awards for areas in education demonstrating innovation, leadership and community engagement. Two of those recipients were from Victoria. One was Mohammed Azim from Darul Ulum College of Victoria, and his award was for innovation and transforming his school, and the other award was to Dianne Davis of the Melbourne Montessori School in Victoria, and her award was for leadership.

I would like to congratulate all of the 11 recipients and also the hundreds who were nominated. All of them have inspirational stories, in particular our Victorians, of whom we are very proud.

### Planning: Point Cook

**Mr FINN** (Western Metropolitan) — I rise to rejoice in the fact that the people of Point Cook now have a state government that actually cares about them. Unlike the previous government, which allowed Point Cook to grow into a bustling suburb without the slightest concern for the needs of its residents, we now have a government that is making Point Cook a priority.

Last week's visit by the Minister for Planning, Matthew Guy, is a classic example of what I am talking about. No fleeting visit for a photo opportunity for Minister Guy; he stayed for the afternoon and well into the night. Along with my friend and colleague Mr Elsbury, we toured the trouble spots of Point Cook created by the previous Labor government. We met with Wyndham council representatives and then held an extended meeting with local residents. These meetings displayed to all present that Minister Guy is acutely aware of the

problems Labor left behind in Point Cook and is determined to fix them. It was uplifting for all involved.

The only tinge of mystery for the day was an attempt by a discredited minister of a discredited and defeated government to gatecrash an event that Minister Guy spoke at that evening. Of course the minister was most welcoming of the member for Tarneit, but the feeling did not appear to be reciprocated when Mr Guy pointed out to Mr Pallas that, as roads minister for the previous four years, Mr Pallas was responsible for the daily gridlock in Point Cook. Mr Pallas was reminded by Minister Guy that Mr Pallas was the roads minister as the population exploded and did nothing to ease the traffic horror that is Point Cook Road. The locals knew what Mr Guy was saying is true, and I suspect their local MLA did too.

As a further sign of friendship, I suggest to Mr Pallas that he think again before he tries such a cheap stunt that was always going to blow up in his face. But if he still wants to go ahead, I reckon he should get himself a beanie — or was it not the cold that caused him to shake so badly last Thursday night?

### Western suburbs: government engagement

**Mr ELSBURY** (Western Metropolitan) — I take this opportunity to demonstrate that the Baillieu government is taking the western suburbs of Melbourne very seriously. In fact in the past two weeks since we last met, the Premier has been to the western suburbs on three separate occasions, and we have had eight ministerial visits. This has included, as Mr Finn pointed out, a visit by the Honourable Matthew Guy, the Minister for Planning, who met with the Wyndham City Council and the Point Cook Action Group. It was certainly an afternoon of good dialogue between the minister, the residents and the council.

### Rotary Club of Footscray: 75th anniversary

**Mr ELSBURY** — I also take this opportunity to congratulate members past and present of the Rotary Club of Footscray, who last Thursday celebrated 75 years of service to their local community. While I could not join them for their dinner, I wish them all the best for another 75 years to come.

### Friends of Werribee Park: achievements

**Mr ELSBURY** — I also congratulate the Friends of Werribee Park, who I joined on Saturday for a morning tea put on by Parks Victoria to thank the group for all the work they do in helping to maintain the gardens of Werribee Park, assisting with tours and maintaining the

various costumes used in the mansion complex. Werribee Park certainly is a great asset for the people of Victoria.

### Diversitat: DVD launch

**Mr KOCH** (Western Victoria) — Last week I was pleased to attend on behalf of the Minister for Multicultural Affairs and Citizenship, the Honourable Nick Kotsiras, the launch of a new DVD called *Walk This Way — Pedestrian Safety for New Arrivals*. The DVD, which was produced by Diversitat, Geelong's peak multicultural service provider, teaches new arrivals relevant pedestrian safety messages and tips for keeping safe on Victorian roads. New arrivals, especially those from refugee camps where there are no roads or signs, often have little understanding of the English language or Australian road rules. Students watching this DVD in adult migrant English programs will learn how to cross roads safely. They will be taught how to use pedestrian crossings and traffic lights, how to keep their children safe near roads and in car parks, and to watch out for the dangers of using mobile phones near traffic.

The DVD was funded by the Transport Accident Commission and filmed in the streets of Corio and Norlane, and it features local refugees and migrant community members. It emphasises the importance of 'stop, look, listen, think' before crossing the road. The vital message for all new arrivals, particularly children, especially emphasises safety on nearby busy roads.

I commend Diversitat for producing this innovative and high-quality DVD and congratulate the chief executive officer, Michael Martinez, and his team on the tremendous work of Diversitat in responding to the changing needs of a culturally diverse community.

### HIGHER EDUCATION: TAFE FUNDING

**Mr LENDERS** (Southern Metropolitan) — I move:

That this house condemns the Baillieu-Ryan government for slashing funding to Victoria's public TAFE institutes and notes that this will cause:

- (a) cuts to courses;
- (b) job losses for staff;
- (c) higher fees for some courses;
- (d) possible campus closures;
- (e) fewer educational opportunities for young people in regional and rural Victoria; and

- (f) diminished access to skills development across Victoria, to the detriment of business, community and students alike.

I rise today to speak to the motion in my name on the notice paper, and I begin by making a couple of comments. Firstly, I am pleased that the Minister for Higher Education and Skills is in the chamber. I say this genuinely, because quite often ministers have a habit of hiding when there are motions being debated that are critical of the government. Mr Hall is in the chamber, and while I disagree strongly with what he has done to TAFEs, I put on the record that it is refreshing to see that he will defend or outline the government's position rather than leave it to someone else to read from notes. I want to put that on the record up-front.

Secondly, it is a seminal moment in this house. Governments make choices, and this government has made some appallingly bad choices in this particular area, hence the reason for my moving a motion that seeks to condemn the government.

To start with the TAFE sector, we can see a pattern emerging. In the budget last year this government hacked into the Victorian certificate of applied learning (VCAL) program. This year it is hacking into TAFE programs. In considering why this is a very bad choice for government we should consider who it is affecting and how it is affecting them. I am not big on praising former Prime Minister John Howard, but one of the things that was a feature of John Howard's government, and a feature of federal and state governments for probably the last 15 years, was a recognition of and focus on TAFE and VCAL programs.

Generally speaking the skills of blue-collar workers — obviously more than just blue-collar workers are affected — have been critical to provide opportunities for an entire generation of young people. That is not a Labor position. John Howard strongly supported technical colleges. It was a feature of the Bracks and Brumby governments, and their importance was certainly a feature of the narrative of the coalition before it was elected to government. With the savage budget cuts this year, following the effective dismemberment last year of the VCAL program, or certainly the lowering prioritisation of VCAL, this government has made a choice to move away from this particular area. It is because of that choice that I use the strong term 'condemns' in my motion.

Lest my words be used out of context in the Assembly again — as they ever are if I make a comment about global circumstances and tough budgets — I make the point that every government makes choices in those

environments, and this government has chosen to make cuts to this area. I could reflect upon a range of areas where governments make choices, whether it is on a design competition for Flinders Street railway station or it is for quarter of a million dollar toilets on railway stations, but this government has made choices in this area, and that is why I am moving this motion.

I mention again John Howard's particular view of the importance of this skill set and Labor's view on how we need to provide the relevant training. The broad parameters are that you want more people getting more training in more places. We need to provide the opportunities for people to get more skills. What we are seeing with the budget cuts this year will change that.

I know Mr Hall, as he has done in this house on many occasions, will quote global figures as a reason for what has happened and the way money is spent. I am not in the business of referring Mr Hall to quotes from Peter Kavanagh, a former member for Western Victoria Region, but when I was a minister and used to get on my feet in this house and talk about programs being measured by the amount of money that went into them, Mr Kavanagh rightly used to say, 'You don't measure things by the amount of money. That is the standard thing politicians do. It is actually measured by the outcomes that you get'. I have taken heed of that, and the outcomes from these budget cuts are what I will focus on.

I will start with the cuts to courses, and because a number of my colleagues will want to speak I will not dwell at great length on them. It is interesting to consider the question Ms Hartland asked yesterday of Mr Hall about the Auslan course featured today in the media. Two Victorian institutes were teaching Auslan courses. It went down to one and it is now down to zero, and, as Mr Hall said yesterday, that is effectively now being outsourced to New South Wales. It is a specific skill set that was taught in this state which has now gone.

I could go through a series of courses that have been cut from a number of institutes — agricultural courses in particular — but in the interests of time I will just reflect on the priorities. The cuts to courses mean that the skills that were there are no longer being made available in Victoria, and ultimately that will be detrimental to Victoria. I do not think it is drawing too long a bow to say that once you start cutting these courses — and each individual course is not a death knell to the state; obviously that would be hyperbole and exaggeration — collectively that will debase our skill set in Victoria and underpin decisions by companies to move interstate or offshore.

I move next to job losses. My job is not affected by this, but hundreds of staff will lose their jobs, and between now and 30 June at least, if not longer, hundreds of others will be in a state of anxiety while the TAFE institutes start their discussions about the future of their jobs. I was in Traralgon and Bairnsdale the other day, and — whether or not the figures are correct — I was told by the local media that based on what TAFE directors have told them, 35 jobs could be lost at Gipps TAFE. Mr Hall may well correct me on whether that figure is right or wrong, but if we are talking of jobs going in these local communities, the immediate thing for these particular teachers — mainly teachers but also other support staff — is that their jobs are going.

Governments make choices, but the choice of this government has been to put the TAFE sector lower down the hierarchy than other areas, and some of these colleges are experiencing 30 per cent cuts to their budgets. If we wish to highlight the stark choice, every toilet for a PSO on a metropolitan station would employ a TAFE worker for three years. If we want to talk about perspectives, we can say that is a perspective on the choices that have been made by government.

*Honourable members interjecting.*

**Mr LENDERS** — Members opposite may mock and they may ask what are my choices, but I am not the government. This government has made choices in what it does in its budget, and it has given a higher priority to design competitions for Flinders Street railway station and building toilets on remote platforms that only PSOs can use than keeping TAFE courses operating in Bendigo — in Mr Drum's electorate — and in other areas. They are choices made by the government.

**Mr Drum** interjected.

**Mr LENDERS** — President, through you to Mr Drum — —

**The PRESIDENT** — Order! Mr Drum is not in his place, so it is not about being through me to Mr Drum. Mr Drum might aspire to that position, but he is not there yet.

**Mr LENDERS** — Thank you, President; you have almost made me speechless, which is hard to do. The point I make is that the government has made choices. It is the government which has made these choices, and on this side of the house we have moved a motion to condemn the government for the choices it has made.

I have referred to cuts to courses, and I have referred to job losses. I also want to talk about the higher fees for some courses. I am sure Mr Hall will have a good description of how and why and where, but the cap is gone. Unquestionably for some courses there will be higher fees, and in the end something has to give if TAFEs are to offer the same courses to students with less money. You can cut staff ratios, and you can put fees up — there is a range of things you can do. The government has made a choice in this particular area.

There is the issue of possible campus closures. You could say that part of this is speculation on the part of the opposition, but again you cannot cut that much out. The TAFEs are openly talking about the choices they have, which could include campus closures.

In many ways the long-term issues for the future, which I wish to touch on and which are paragraphs (e) and (f) in the motion, are probably the ones I will focus on more, because while the cuts to courses and the job losses are immediate, you would hope that in making choices for the future a government would actually focus on the things that are the future.

I am the shadow Minister for Agriculture and Food Security for Labor, and I have just seen the Minister for Agriculture and Food Security outline the fantastic, ambitious aim to double food and fibre exports by the year 2030. That is something I commend Peter Walsh for, as minister. I commend the government for that aspiration and target. However, if you set that target for what you are aiming to do in the next 18 years, you have to focus on the future and how you are going to deliver on that target. It is fine to have an aspiration, but how can you deliver? The immediacy of the problems, as this motion shows, prompts the question: regional Victoria — food and fibre going up — what is that all about? Yes, there is good soil, water, technology and a range of other things, but fundamentally it comes down to skilled people who can utilise the resources, the water and the technology. It is the skilled people who can do this.

When you start to cut courses from TAFEs, particularly in regional and rural Victoria, what is the consequence? It is not rocket science. We saw what happened when governments of all persuasions let the system run down during the 60s, 70s and 80s. We saw the consequences; there was a skill and population drain. It was no coincidence that most municipalities in regional Victoria during the time of the Kennett government saw their populations contract. What has happened in the decade-plus since then is that every municipality in regional Victoria, with a couple of exceptions in the Wimmera and the Mallee, has actually seen its

population grow. Part of the underpinning of that was jobs coming in and young people staying in those communities.

The result of the decision to offer fewer educational opportunities for young people in regional and rural Victoria will be that we will go back to exactly where we were and people will leave. If you slash courses offered at GippsTAFE or in Wodonga — I can go through TAFE after TAFE — and there are fewer opportunities and fewer young people going there, young people in general are not going to go there as much any more. If they want that educational opportunity, they are going to come to Melbourne, or they just will not take it up at all. At the start of my nine years as a minister the one thing that businesspeople said to me all the time was ‘IR’ — industrial relations. That was the issue they were focused on at the start of the term. By the end of the term skill shortages was the issue that investors would mention again and again. It was a key consideration for them when deciding whether they would locate a business in Victoria, particularly regional Victoria.

If we are talking of Mr Walsh’s aspiration in this budget to double food and fibre production, and if we are talking about what I assume is a key aspiration of the government — particularly The Nationals component of the government, which is to keep people in regional Victoria — these choices, which leave fewer educational opportunities mean exactly the opposite. I do not think anybody disputes in this debate that they leave fewer educational opportunities. We can couple that with some of the other decisions made in the budget about first home buyer bonuses and a range of supports for regional Victoria, but the reduction in educational opportunities by itself is part of what will lead to a diminution of population and of jobs and investment in regional Victoria. It is not rocket science, but it is a choice this government has made around the budget and expenditure review committee table and the cabinet table and then in the joint party room. This is a choice the government has made about where it allocates its resources.

That leads into the last point of this submission about the choices the government has made and what they lead to in terms of investment opportunities in regional Victoria. Last week, while I was in Gippsland talking to people, my leader, Daniel Andrews, was in Ararat talking to people about some of the choices that were being made — that is, some of the choices in the TAFE sector and regarding the closing of the Department of Primary Industries offices. The shire council at Ararat effectively begged the government to reconsider some of these decisions and actually offered to waive rent on

premises that the Department of Primary Industries was offered. While that is not TAFE, it goes back to exactly the same issue and says that we need to keep these jobs, opportunities and people in regional Victoria. The choices made in this budget to drastically cut into TAFE courses has meant immediate job losses in town after town. It means that fewer people will participate and there will be, as I said, the flow-on of some of possible closures, but most significantly there will be an effect in the longer term in regional Victoria.

If the objectives of this government are to boost food and fibre production and to keep young people in regional Victoria, these savage cuts to the TAFE sector send all the wrong signals and make it more difficult. I moved to condemn the government because this is a choice made by the government. In circumstances which at budget time are undeniably difficult, members of the government have made a choice to hack into TAFE rather than some of the pet projects of city Liberals, on which The Nationals have rolled over.

**Ms PENNICUIK** (Southern Metropolitan) — I am happy to support the motion moved by the Leader of the Opposition this morning. But I would like to start by saying in the most respectful way I can: a plague on both your houses, when it comes to TAFE.

The motion Mr Lenders has put forward is correct. There is a crisis in the TAFE system, but it has not just come about now. I can remember standing here in 2008 supporting a motion moved by the now Minister for Higher Education and Skills, Mr Hall. He moved a motion of concern about what was happening with TAFE back then. That was as a result of the document titled *Securing Jobs for Your Future — Skills for Victoria* that was released by the former government back then. That reform agenda included removing concession fees for diploma and advanced diploma courses and making cuts across the TAFE sector, so making it more expensive for all students undertaking courses other than foundation courses. It caused major disruption and concern in the TAFE sector. What we have before us now in relation to TAFE, with the cuts that have been introduced by the Baillieu government, is a continuation of what was started by the previous government.

It is true to say that TAFE has suffered from underinvestment for the past decade or more. The underinvestment in TAFE and in VET (vocational education and training) generally compared with other sectors of education has led to the skills shortage we have in Victoria and across the country. The remedy for the skills shortage is to invest more in training and particularly to shift funding to the high-quality TAFE

system so that it can deliver the broad range of advanced qualifications that we need to build a highly skilled workforce.

The contestability that was introduced in Victoria by the previous government and escalated by this government will not be the answer to the problem of the skills shortage we have in Australia and Victoria. It will also certainly not be the answer to reducing inequity in education. The contestability is leading to scarce and valuable public funds going to the private providers and away from TAFE. We know that the share of Victoria's TAFE colleges delivering VET has dropped from 75 per cent to 48 per cent, while the market share for private providers has risen from 14 per cent to 40 per cent. This has been a disaster for our public TAFE colleges.

Of course the role of private providers is different from that of TAFEs in that they also have the profit motive. This means they are more likely to provide the more popular higher paying courses and not provide the courses that require more resources and comprehensive training. We need more tradespeople; we need more skills training across the board. To have that we need to support the TAFE system, and that is not what has happened under the previous government or this government.

I agree with Mr Lenders when he says the government has made choices — and so did the previous government. The choices in the budget are pretty stark: \$300 million is coming out of TAFE over four years and nearly \$700 million is going into the construction of a new jail. To my way of thinking we need to be not building a new jail but looking at making sure that only the most serious criminals are incarcerated and that we make better use of community-based orders and community correction orders. In fact when the government brought in the community correction orders the Attorney-General in his second-reading speech said that he wanted that measure to lead to fewer people being incarcerated. If that is the aim, there should be no need for a new jail. The government is spending up to \$1 billion on a new jail while money is being ripped out of vocational education and training.

The TAFE system has been with us since the 1970s. The TAFE system was built up out of the mechanics institutes and government departments in particular areas. The philosophy of TAFE is that it is socially inclusive. It includes people of all ages and all socioeconomic backgrounds. Disadvantaged students and people of all levels of education et cetera go to TAFE. At TAFE people can do VET studies while they are still at school and foundation studies when they are

coming out of school, and they can go back to retrain once they have been in the workforce — particularly people who have been made redundant. It is the TAFE sector that has supported that retraining, by and large, for the past 40 years. It has not been the private providers. They have generally cherry-picked the best courses, or they are large corporate providers that do their own in-house training.

TAFE is an important area of public policy. It is important for the economy, it is important for people's lives and we need to get it right. We are not getting it right at the moment. The cuts we are now seeing in the TAFE system are going to be devastating. That has certainly been pointed out by commentators and people who are very close to the system, including the Victorian TAFE Association, for example. Its media release of 1 May predicts the outcomes of the cuts. The media release says:

- (a) many current TAFE courses will cease and some facilities are likely to be closed;
- (b) some TAFE institutes will need to consider structural reform;
- (c) students will be hit hard, as many fees will need to increase to cover funding cuts ...

It also states:

Funding changes are de facto privatisation of TAFE —

which we agree with.

- (a) The budget removes 'public sector' full service funding to TAFEs which means funding for rates of pay for staff, more investment in student welfare services and other benefits are cut.
- (b) The retrospective removal of funding for TAFE community service obligations, public sector wages supplementation and infrastructure that has been paid to TAFEs over the past 20 years is against the recommendation of the government's own review (Essential Services Commission).
- (c) TAFE will be competing in the marketplace alongside private providers, in most cases against lower wages and working conditions, amenities and student services.
- (d) There has been no consultation, or public mandate to move to a de facto privatisation of public TAFEs.

These are important points made by the Victorian TAFE Association.

As the minister knows, I asked him questions a couple of weeks ago regarding the removal of the community service funding. The private providers are not required to provide things such as libraries, student welfare et cetera, and they are also not required to register their

VET teachers as TAFEs are required to do. These are gaps I have raised with the minister, and I think they need to be fixed. I raised them with the previous government as well.

I refer to some of the cuts and job losses we have heard about — so far — from the unions and TAFEs involved. At Central Gippsland there will be 35 staff lost; at Box Hill a 33 per cent budget cut; at Wodonga a \$7 million, or 33 per cent, cut; at Chisholm a \$26 million to \$28 million cut; at Ballarat \$15 million or 40 per cent of the state government funding cut; at Holmesglen a \$28 million cut; at RMIT \$20 million lost out of a \$70 million budget; at Kangan Institute of TAFE 150 jobs are to go; at Victoria University a \$29 million cut; at Sunraysia a \$3 million budget cut out of \$28 million, with 10 to 15 staff to go in the next couple of weeks; at the Gordon Institute of TAFE \$14.9 million cut from the almost \$70 million budget; at the Northern Metropolitan Institute of TAFE a \$23 million cut; and at Bendigo TAFE an \$8 million to \$9 million cut and 120 jobs gone.

The Victorian TAFE Association estimates that there will be between 500 and 1200 jobs lost. Early indications of the impact of the budget cuts to TAFEs are that job losses will clearly exceed 500, and there will be as many as 1200 to 1500 jobs lost. As mentioned, the whole of service provider funding that has been used by TAFEs to employ support services — teacher aides to assist students with special needs to achieve qualifications in employment — has been totally cut in the budget. These cuts are the biggest cuts in the history of TAFE in Victoria, and they are devastating.

I attended the Australian Education Union and National Tertiary Education Union rally on 10 May outside Treasury Place, which was attended by thousands of students, TAFE teachers and others, supporters. I have attended many rallies, and I must say that there was an awful lot of emotion, grief and disbelief at this rally. I will quote from Angela Taylor, a student of Northern Melbourne Institute of TAFE, who spoke very eloquently at the rally. She said:

As someone who has studied at TAFE and privately, I can tell you to attend a private provider if you want to buy a qualification and to come to TAFE if you wish to receive an education.

As a mental health student I can also tell you that education and employment are important factors against mental illness and suicide. People with TAFE qualifications build our houses, cut our hair, care for our children and elderly, staff the hospitality and music industries and provide vital community services and much much more ...

One of the visiting TAFE teachers from the Gippsland Access and Participation project said that they probably all have stories about students who have come to them disillusioned, who do not know what to do with their lives and who are sick of school et cetera, and in TAFE they find a pathway. That is what is going to be lost by what the government has done with its massive cuts to the TAFE system. Between 500 and 1200 dedicated, skilled and experienced TAFE teachers will lose their jobs or not have their contracts renewed — because we know that far too many teachers in TAFEs are on contracts. The issue of the remuneration of TAFE teachers — both contract teachers and full-time staff — is an ongoing issue as well, because they have long been the worst paid in Australia. That is another issue that is facing us as well as this issue.

**Mr Ramsay** interjected.

**Ms PENNICUIK** — Mr Ramsay may want to interject, but the way to create a fair society and to make sure that we have the skills we need for a productive economy is to provide free or very low cost education. The countries that do that do better, and the evidence for that is very clear around the world. That is certainly the Greens' policy regarding TAFE and vocational education and training.

The budget cuts the government has introduced have already caused huge damage in TAFE institutes across the state. There are already job losses and severe cuts to operating budgets, and on top of this there are ongoing issues of poor-quality training and funding shortfalls in a number of private providers as well as the collapse of other providers that we also know about. Due to these changes and the competition between the private providers and TAFE, this attitude — or philosophy — is being introduced into the VET sector, which means that more and more students are going to be exposed to that.

I have raised the issue about the quality of private providers many times with the minister, and the minister knows this. He assures me he is onto that, but certainly I still get stories coming back to me from students and others in the industry about what is going on with many of the private providers. That is not to say that all private providers are doing the wrong thing, but they are certainly not required to provide the level of student services that TAFE is, as I mentioned before, and they do not have the requirement with regard to registration of teachers that TAFE does. There are also still ongoing stories about private providers delivering courses in half the time that they are meant to be delivered. Some providers are taking the full government subsidy but not providing the time, depth

or quality of training that students would be able to receive at a TAFE college. This is still going on; I hear about it all the time. People tell me about that, which is why I have raised it. Many of these things are also raised in the press. It has not gone away.

There is another issue that has come to my attention. It is about the provision, mainly by private providers, of dual courses. A private provider might say that it is going to provide a certificate III in business and a certificate III in another course as a dual course. For a start, the issue of double counting, which the government uses in terms of enrolments, has been raised with me. That would be counted as two enrolments, but it is actually one enrolment; it is one student doing two courses, and again there are issues of rorting with regard to the subsidies paid to some of these providers that provide the dual course. They are not providing the training at the set number of hours that they should be, so therefore the quality of the course is not as it should be. Unless the government watches this closely, this is only going to become more and more of an issue as the private sector takes more and more of the government subsidies and public money for the education of our VET students. That is an issue that the minister might like to go to — that is, the issue of double counting and the provision by private providers of dual courses in less time than they should be delivered in.

Mr Lenders also mentioned the effect on the regional centres. We are all familiar with the issues that were raised, I think, at The Nationals state conference. There was reported to be a robust discussion about the issues at that conference, as there should have been, because in regional areas the TAFEs are often the only provider of VET. They are a significant employer in the regional centres both directly and indirectly, and they enable students to stay in their local area while they are studying.

There has been a meeting held in relation to Ballarat University's TAFE sector. The staff there talked about what they are going to have to do. In summary, they say that their projected net funding impact from the state budget is approximately \$20 million, or, put differently, the university has to reduce its total TAFE activity by around 30 or 40 per cent by the beginning of next year and reduce services and costs elsewhere or otherwise begin to carry a major loss of up to \$20 million by 2013. This is a large document, but it is quite sobering reading in relation to what will need to happen and the possible loss of courses in this regional area due to the restructuring of the TAFE sector at Ballarat.

Holmesglen TAFE was reported the other day as saying the unprecedented cuts to the sector by the Baillieu government will strip \$25.5 million from its bottom line. The TAFE, which offers 600 courses to nearly 5000 students, has warned that it may have to double fees for some courses and offer redundancies to avoid closure. Holmesglen TAFE chief executive Bruce Mackenzie in a memo to staff said the college's budget would plunge from \$92 million to \$66.5 million. In an article in the *Age* of 3 May he is reported as having said:

It is not clear as to why the government has savagely attacked TAFEs. There has been no statement about the direction the state has for TAFE. There is a policy vacuum.

I agree with those comments. I think these cuts have come out of the blue. They are having devastating effects; they are causing much concern and, as I said, grief, anger and disbelief amongst TAFE teachers and students who are already in TAFE or are thinking of going there and wondering what the future holds for them.

I am sure all members here have been receiving emails from students and teachers in the TAFE sector. I have responded to all the emails I have received and asked two people who have responded to me about their plight if it would be okay if I were to read out what they had to say. One of them, whose name is Anne D'Angelo, said:

Yes, that's great, and you can tell them I am a teacher at William Angliss Institute of TAFE. We are the teachers that as part of our job teach students to put healthy food on everyone's plates.

...

I would be proud that you used my name and my institute, anything that drives this message home, as I still believe that many people just don't yet understand this plight and what it will do to unemployment, especially to the regional areas where TAFE is an imperative core of business for them.

Louisa Sher also gave me permission to read out what she had to say. She wrote:

You're welcome to read it, I don't mind my name being on it. The situation for us in the library is that last year when I should have been made permanent after two years on contract, I was put on another contract, as were all other staff in the same situation. This year we have been told not to count on the contract being renewed past 31 December 2012. I'm hoping my role is diverse enough that I won't be cut. But I know of six staff who have a lot to worry about and another three staff whose positions won't be refilled when they leave, despite their crucial multiskilled role, leaving the library crippled.

**Mrs Peulich** interjected.

**Ms PENNICUIK** — This person is a librarian at Holmesglen TAFE.

**Mrs Peulich** interjected.

**The ACTING PRESIDENT (Mr Tarlamis)** — Order! Ms Pennicuik has the call.

**Ms PENNICUIK** — She has also written to a member of the government saying:

I am a librarian at Holmesglen TAFE. Funding for libraries and students' services have been cut by the Baillieu government as they do not make a revenue.

This kind of thing would never be attempted in a primary school, a high school or a university. It is accepted that students need help with their research, academic and personal counselling, disability officers and access to quality resources such as books, computers and online databases.

Holmesglen TAFE has announced that there will be a \$16.9 million cut from the funding that pays my wages. Jobs will be lost. We are already running at an extremely efficient rate due to the loss of international student revenue over the last two years. The cuts proposed by the state government will not improve efficiency; they will simply cut a swathe through our services, ravaging whatever resources we have to support students in their studies.

I thank Louisa Sher and Anne D'Angelo for letting me read out their emails here. It is important that the effects the cuts are having on people who are working in the TAFE system — who are delivering services to students and have the students' welfare at their core, who are dedicated to them, who are experienced and yet who are going to lose their jobs — are known. The points that Louisa made regarding the library are the points I made before: that those types of services — helping students with research, counselling et cetera — are at the core of the TAFE institutes, but they are not required of private providers, which can deliver their courses without providing any of those services. That is how they make their profit. This is very concerning for the future of students who want to skill up.

There is also the issue of the disproportionate impact that this will have on people who have lost their jobs or are from low socioeconomic backgrounds, people with disabilities, women and single parents who need to be able to access the TAFE system with fee concession and not pay around \$10 000 to do diploma courses.

I agree the problem is that there is a policy vacuum. There is no commitment to keeping our TAFE system vital and enhancing it into the future. What we are seeing now is going to devastate TAFE, and it is not good for anyone, particularly students. In his contribution Mr Lenders mentioned that Mr Hall is in the chamber, and I do appreciate that Mr Hall is in the

chamber and is going to make a contribution to the debate on the motion before us. Mr Hall knows there was a report in the *Age* about his letter to TAFE leaders in which he said he shared their ‘emotions of shock, incredulity, disbelief and anger’ and that his staff shared similar emotions for many months as they viewed and anguished over the budget decisions. My knowledge of Mr Hall over the last five and a half years leads me to believe he was genuine in saying that. We spoke many times over that period about education issues when Mr Hall sat right in front of me over here — he sat in the position pretty well where I am standing now. I understand he has a commitment to education and a passion for it, and I believe he was genuine in what he said.

I say to Mr Hall now that the emotions he was talking about — shock, incredulity, disbelief and anger — are being felt by everybody who is working in TAFE. The anguish that he and his staff were experiencing is being experienced now by the people who work in TAFE and the students in TAFE. It is with sadness that I have to support this motion. I think the government should urgently review the budget, put the new prison in mothballs, ditch the rollout of protective services officers on railway stations — they are not needed on railway stations; that was an off-the-cuff promise of the government which it should not have made; there is no policy background for — and instead we should be restoring funding to TAFE. In fact we should be increasing it, paying our teachers better and taking most of them off contracts and putting them on as permanent staff. Then we would have the basis for an equitable and high-quality vocational training system that we need for the future in this state.

**Hon. P. R. HALL** (Minister for Higher Education and Skills) — Wednesday is opposition day in this Parliament, and Wednesday is a great opportunity for the opposition parties to set their agenda, to spell out exactly what their position is on a variety of issues that they may choose to put before us. More importantly, it is a great opportunity for the opposition to tell the people of Victoria just what it would do if it was in government and it was faced with the issue under discussion.

I have listened intently to the contributions made by Mr Lenders and Ms Pennicuik, and not once did I hear either of those two speakers say what they would do. They did not tell the people of Victoria what they intended to do in that respect. All they wanted to do was condemn — and that is the easy part, to throw a bit of mud at me and members of the government for our poor choices in budget decisions. Not once did they tell us what they would do if they were sitting on the

government benches now. It is a great opportunity, especially with the technology we have in the chamber, to tell people out there in Victoria exactly what they would do, what their vision is for training and for TAFE, but no, there has not been a skerrick of that sort of vision exhibited in the contributions that we have heard so far during the course of this debate. Perhaps some of Mr Lenders’s colleagues or Ms Pennicuik’s colleagues might stand up to add to this debate and tell us what their agenda is, what they would do if they were sitting over on this side of the chamber. I would love to hear that.

What has also been galling about this debate and the contributions I have heard so far from members on the opposition benches is that there has been no acceptance that they were part of this particular problem. According to them, their hands are completely clean. Conveniently they ignore any history with respect to what we have now in terms of the training system in Victoria. When we look back to 2008 we see it was the now opposition, when it occupied the government benches, that introduced radical reforms. It introduced a significant change from a purchaser-provider training system to a market-driven, uncapped training system. It was the Labor government that did that, and it did that according to the document *Securing Jobs for Your Future — Skills for Victoria*.

It is important that we have a rational debate and that people who are listening and people who read *Hansard* understand the background to the position we are in today, and that is what I propose to talk about. I also propose to provide some analysis of our current training system, and the results, four years on, of this new model of training. During the course of my contribution to the debate this morning I will outline to the house the government’s response and the reasons for its actions. I will give some rationale for the changes that have been made. I will certainly respond to the comments that have been made by Mr Lenders and Ms Pennicuik. Finally, I want to do what the opposition did not do, and that is spell out exactly the government’s vision for training in this state and what role it sees TAFEs playing in that. I intend to approach this debate in that way. That is a reasoned and proper way in which to consider these matters, in contrast to the superficial or specific way in which they have been dealt with so far by other contributions to the debate.

When I say that the arguments put so far have almost been specious sorts of arguments, it is because both previous speakers have concentrated on one aspect of the training system in Victoria — that is, TAFE and TAFE alone. I know the motion refers to TAFE. It does not refer to vocational training in Victoria, but I fail to

see how we can talk about a specific aspect of the vocational training system in Victoria — that is, TAFE — without a broader consideration of the role and the provision of vocational training more generally across the state. I think Ms Pennicuik commented that where once, four years ago, TAFEs delivered 75 per cent of the training in this state, they now deliver around 50 per cent of training. In terms of the vocational training system in this state, there is more than just TAFE, and there always has been more than just TAFE. If you talk about TAFE in isolation and you cast aspersions such as have been made in the debate on the motion, you do not give the people of Victoria the whole picture. What I and my colleagues intend to do is give the broad picture of vocational training in this state.

By way of giving some background to this, let me start with the document to which I have referred, the document entitled *Securing Jobs for Your Future — Skills for Victoria*. It was published in August 2008 and the then Minister for Skills and Workforce Participation, Jacinta Allan, and the then Premier, John Brumby, in the foreword clearly outlined what it was all about. A program was set out along with an agenda of staged change. Part of the foreword on the very first page of this document states:

This statement commits \$316 million over four years to deliver broader and more responsive training options for both individuals and business ...

If members look at page 33 of the document, they will see it outlines how that \$316 million is going to be spent. In a one-line item it says:

Training on demand with contestable funding ...  
\$139 million ...

Mr Lenders would be familiar with those figures because they were the subject of inquiries that I made on at least four occasions in this house — about the \$316 million, \$139 million of it for additional training effort. My questions were related to the extent to which that \$139 million had been drawn down. I asked to be told how that \$316 million had been expended. Mr Lenders will recall that I asked him, as Treasurer at that time, on a number of occasions about that particular matter. If need be, I could cite for him exactly what I said on those occasions. They go right back to 2008 when this was first introduced: my contributions to appropriation bills through to committee stages of legislation in June 2010; on 16 September 2010 when there was a financial report update; and during questions without notice on 17 September 2010.

There is a history there when I was interested to know just how we were tracking with this new system and particularly how funding for it was going. If one reads the answers I received at that time from the then Treasurer, one sees they were not helpful at all. They gave me no indication of where we were tracking with all of this expenditure. It was only when we came to government that I was able to get a handle on how much had been spent on training in this state.

I have put together some figures which outline exactly what was budgeted for over the previous four years and exactly how much was spent. I have it in a tabulated graph form, and I seek that this document be circulated and incorporated in *Hansard*. I can advise you, Acting President, that I have sought permission from Hansard and from the President on the suitability of the document to be incorporated, so I seek leave that this document be circulated and incorporated.

*Leave granted; see graph page 2664.*

**Hon. P. R. HALL** — I want to take members in the chamber through this graph because it helps give the history and background to the position that eventuated after the introduction of *Securing Jobs for your Future — Skills for Victoria*. On this graph that is now in front of members the lighter blue bars show what anticipated expenditure would occur with the new change to an uncapped market-driven training system.

In 2008–09, in the first year that this was introduced, the then government budgeted to spend \$799.6 million on training, rising to a figure in 2011–12 of \$855 million. Over the top of those graphs is a red line, which is the actual expenditure that occurred, and members can see that the red line is rising at a far greater rate than the height of those blue bars. If you add up the gaps between the top of the blue bars and the red line of actual expenditure, you see that there is a difference there of just over \$1 billion. So whereas the previous government in this document *Securing Jobs for Your Future* said that this change over four years was going to cost \$139 million — that is what it budgeted for and what it told us in black and white — the actual figure came in at over \$1 billion.

Consequently one can see that there was an issue there when the government of the day got it so poorly wrong. One has to take stock and not only wonder how it got it wrong but also understand that there are questions to be asked about the viability and the long-term sustainability of funding when the then government estimated so very incorrectly as to what the actual cost would be.

**Mrs Peulich** — Who was the Treasurer at the time? Tell us.

**Hon. P. R. HALL** — The Treasurer, as you know — and I have already said this — was Mr Lenders, and I asked him on a number of occasions during the interim to tell us how we were going with that \$139 million and whether it was costing more or less but again without getting any straight answers to that particular question.

For the sake of honesty I have also included how much the current government made a decision to expend on training subsidies for 2012–13. Members will see from the dark blue bar that that figure is \$1244.4 million. Therefore if you compare the red line with the 2012–13 budget, yes, the red line comes in at \$1.334 billion and the blue bar comes in at \$1.244 billion, but members will see clearly from that graph that the budgeted 2012–13 expenditure is second only to the inflated blow-out that we have had in 2011–12. And with more targeted training effort I would suggest that the amount we are spending on training subsidies in the state for the next 12 months will provide as much opportunity as ever for people to acquire training that will lead to a productive purpose.

I wanted to put this on the record because it needs to be understood in terms of budget decisions that have been taken. When Mr Lenders and Ms Pennicuik talk about government choices they need to look at the situation in which those choices have been made, and that is an extraordinary blow-out in the anticipated expenditure on training.

I want to move to an analysis of the current training system. Part of that analysis includes the financial outline that I have just given the house. But there was also, associated with that growth in expenditure, growth in training effort. There is no doubt that there has been a growth in training effort, and much of that has been good — I do not deny that at all. Since 2008 we have seen about a 44 per cent growth in enrolments in accredited training programs. Twenty-nine per cent of that 44 per cent growth has been in the last 12 months. Some of that has been very good and positive growth, but some of it has been in areas that one would think would be of less value to the Victorian economy and to those who are making those decisions. We have seen funding for apprenticeships, for example, increase by 15 per cent, which is good, positive stuff. We have seen growth in programs such as aged care, which has been of the order of 10 to 15 per cent, and that has been very positive growth and we welcome that.

However, we have also seen very significant growth in areas where people would think there is less of a positive outcome for those involved in training. For example, in the area of the diploma of management there has been a 5000 per cent increase, for certificate IV in sports coaching there has been a 2800 per cent increase and there have been increases in many other areas, such as certificate II in customer contact, where there has been a 2234 per cent increase. A couple of these increases have been well documented and mentioned by previous speakers today. The increase in fitness instruction, for example, is also a percentage of many thousands.

The point I make is that while training growth has in part been good, there has been a mismatch between training effort and job outcomes, and if I am charged with the responsibility of overseeing government expenditure on training in this state, coupled with the significant private investment that some would make in their own training, then I think it is our responsibility to ensure that those moneys spent are put to a useful purpose and that there is a reasonable prospect of a job outcome at the end of the day.

We have also seen an increase in the number of providers in training, particularly private providers. We had 18 TAFE institutes in 2008 and we still have 18 TAFE institutes now, but there has certainly been a significant increase in the number of registered private training providers. I would also say that the move by the previous government has seen a risk to quality. I have never shied away from saying that with the expansion and rapid explosion in some of these training courses there will always be a risk to quality.

Looking back as part of the history at what some people were saying, they were predicting that this sort of thing would happen. I could again cite quotes from Swinburne University, Box Hill Institute of TAFE and the Victorian TAFE Association back to 2008 when this system was introduced, and again they warned us that this would happen. It was their prediction that this would be the outcome — that we would get an explosion in some of those areas and we would also put at risk quality control measures within the system. I make this commentary in terms of my analysis, therefore, of the market-driven uncapped system put in place by the previous government.

One of the things that was obviously lacking in terms of what was being put forward as the new system was the presence of any overriding control — that is, any architecture that looked at these very issues about the appropriateness of training or about the quality of training. There was not one single measure or piece of

architecture that was given some overriding responsibility to monitor the new market-driven training system that we had in Victoria. Yet if you look at some of the other what I would think are comparable systems that we could learn lessons from, in each instance when there was a deregulation or a move to a market-driven system some market-overriding measures and controls were put in place.

If you talk about the electricity industry, for instance, when it was first moved to a market-driven, uncapped, unregulated system, we had a regulator-general put in place. We now have the Essential Services Commission (ESC), which requires providers within that industry to meet certain access conditions and to meet certain price conditions, and all of those are subject to control by the Essential Services Commission.

It is the same situation with water. They are government business enterprises, publicly owned enterprises, but still we have an Essential Services Commission that regulates prices that water authorities can charge for access to their products. If you look to telecommunications, you see it has a range of quality oversight measures, such as the Australian Communications and Media Authority. That is a federal government agency. If you look to the banking or financial industry, as another example, you have the Australian Prudential Regulation Authority, the Reserve Bank of Australia and the Australian Competition and Consumer Commission as well as the Australian Securities and Investments Commission. They are all bodies that give some oversight and control — the very matters that were lacking when we moved to a market-driven training system here in Victoria.

I could quote myself saying exactly that at the time in 2008 in the debate to which I think Ms Pennicuik made reference. I could also quote others who at the time said that we need to have quality control measures in place and that we need to make sure that the move to a training market is going to serve individuals and serve the Victorian economy, but none of that architecture was put in place at the time.

In terms of moving on I will ask the obvious question that I have been asked before: 'If you thought this was going to happen, why didn't you do something about it a long time ago? You've been in government now for 18 months; why didn't you do something about it when you came to government?'. There is an answer to that, and it is a fairly simple answer. I was sworn in as minister on 2 December 2010, and from 1 January 2011 the final implementation stage of this uncapped market-driven system came into being.

If you have got this document I referred to earlier — and Ms Pennicuik has it — you will see that it sets out all the scheduled payment rates right through to January 2012. Contracts had been entered into, and businesses had planned that come 1 January 2012 these were the rules that were going to apply. No government can come in and in the space of 29 days — that is, the difference between when this government was sworn in and when the next stage of the rules took place — break contracts with 400 or 500 providers. This thing was set in concrete, and there was no turning back at that point.

What have we done, though? Due to my concerns and as a pre-election commitment we looked at a number of things, including commissioning the Essential Services Commission to look at issues like fees and funding, whether there was fair and equitable access to training in this state and whether it was appropriately funded. We also had a look at other bodies which undertook some work. We looked at the industry engagement sector — Boston Consulting Group had a look at that. The Victorian Competition and Efficiency Commission (VCEC) also undertook some evaluation of the training system we have in this state of Victoria. All those are public documents. They are all on the public record, and as a government we use those to guide us.

Where it has been appropriate to do so we have also made changes along the way and addressed some of the issues which we could as they arose. However, by doing things in a piecemeal way you attract as much criticism as you do by doing something integrated and setting a concrete path for the future, which is what we have done in this budget. We have been guided by things like the ESC review and the Boston Consulting Group review on industry engagement and by the VCEC evaluation.

To get to where we are and to advance to the next stage of my presentation this morning I want to put on record some of the significant steps we have now taken. I want to say from the very outset that three key words were driving the changes. We need to make sure that training in Victoria is of quality. Quality is no. 1 — it is the no. 1 priority. We have said that training in Victoria needs to be of a quality that people respect as a worthwhile product to invest in and a quality product that serves business well in Victoria.

The second issue is that of relevance. We want to make sure that the training that people undertake in Victoria meets the needs of the industries with which they hope to gain employment into the future. We want to make sure that the training in Victoria is fit for purpose; therefore the second priority is relevance.

The third priority is to ensure that we have a sustainably funded system, because the way in which that red line was spiralling upwards was simply unsustainable for whoever was in government. If there were an election tomorrow, you would even have to ask the current opposition what it would do. We did not hear what it would do — we did not hear it today. Would it just let that spiral take the path that it is taking? We did not hear that. We mentioned those issues of quality, relevance and a sustainably funded system guided by the various inquiries that have been undertaken.

I have been on my feet for a while now, but I am not going to speak for hours today. However, I will draw members' attention to the documentation made available on the website [education.vic.gov.au](http://education.vic.gov.au) 'Refocusing vocational training in Victoria'. There is some very helpful information which the public and members of this house would serve themselves well to read and see exactly what we have done. Contained within that material is a set of single sheets outlining the various aspects about which I have been speaking — quality, for example.

Some of the topics include information about additional contractual requirements on those who have had a contract with the department to deliver training. We have made the hurdles higher to ensure that the standards we expect TAFE teachers to achieve have been significantly raised. We are putting in place a new market monitoring unit so that we can understand how the market works and so we can have a real-time analysis of how the market is working. Whether it is in delivering quality products, monitoring fit-for-purpose products or continuing to provide access for those who need training in this state, we now have a market monitoring unit.

A new rapid response team has also been set up so that immediately concerns are raised there are people who are able to respond in person and meet the challenges related to quality. We also want to involve industry in the issue of quality. If we are to serve industry and the training service is to serve industry, it is important that we make sure industry is in the front seat driving and shaping training to its needs. One of the mechanisms for doing that is seeking industry acknowledgement of some of the training programs that have been delivered in this state.

We are developing a provider code of conduct, something which private training — the Australian Council for Private Education and Training, for example — already has, and it is a jolly good idea. I note that recently the Victorian TAFE Association commented favourably about that provider code of

conduct, and that is being established with our providers.

As I said, there is an overlap in terms of relevance, which is not mutually exclusive to some of those quality measures, because being relevant and having industry engagement also means that we address some of those issues of relevance that I broadly spoke about. In terms of each of these measures, I have always believed that a market is as effective as the knowledge of the consumers who participate in that market. We are all used to markets. If you buy a washing machine, you do not have experience of that market so you do your research. You get some consumer knowledge.

**An honourable member** — You look at *Choice*.

**Hon. P. R. HALL** — Yes, you look at *Choice* or you look at the ratings that might have been applied to the various products you buy, and that helps you make a decision. Vocational training is a significant investment that people make, so we think those people should have better knowledge of what particular programs they are investing in, and the state should have that as well. That is why we are interested in quality and consumer choice.

One of the things we are doing in assisting with greater consumer choice is developing a website that will enable people to get comparable data on training providers and training programs. We will require up-front costs to be available for people when they are looking at this website. There is a great opportunity to extend the knowledge of consumers in training. It is not only schoolkids and young school leavers; it is also adults, because the average age of people who enrol in TAFE programs is over 30 years. We need readily accessible, comparable information so people can pursue vocational careers of their choice and compare them with full knowledge of what fees might be and what the implications are, including whether they are eligible for a government subsidy or the like, and we are going to do that.

We also need to make the training system in Victoria an efficient system. I believe there is room for greater efficiencies within the training system. Other speakers have concentrated on the TAFE sector, but that ignores the other 50 per cent of the training market in Victoria, which includes publicly owned providers — that is, the adult and community education sector, which accounts for about 10 per cent of training in Victoria and the private sector. We need to compare how effective and how efficient each of those sectors is in delivering product. In respect of this we have to look at the whole range of conditions, including the course profiles they

deliver and the industrial relations agreement arrangements for those employed in each of those private bodies and/or TAFEs to make comparisons.

Very few people realise that the Victorian TAFE Teaching Staff Multi-business Agreement 2009 sets conditions for TAFE teachers. While getting paid for 38 hours per week, TAFE teachers only have to attend their place of employment for 30 hours per week. That is clear in the agreement, and I am happy to show it to anybody here. TAFE teachers are only required to attend their training institution for 30 hours per week.

**Ms Pennicuik** — So it is presenteeism.

**Hon. P. R. HALL** — I beg your pardon?

**Ms Pennicuik** — It does not mean they are not working.

**Hon. P. R. HALL** — No, it does not mean they are not working, but within that 30 hours they have hours of scheduled duties and hours of unscheduled duties, and about 20 of those 30 hours are scheduled — that is, face-to-face teaching, meetings or travel, which is counted as scheduled — and the other 10 hours is preparation and correction time. That is allowed for in the agreement.

**Ms Hartland** — And that is a problem?

**Hon. P. R. HALL** — No, it is not a problem, except that the day off that TAFE teachers have per week — a day that they do not have to attend their training institution — is also a good golf day for some. It is a good trade day where TAFE teachers can practise their trade. It is a good study day. Some go off and study, but the fact of the matter — Ms Hartland can look shocked and horrified — is that they are paid for 38 hours per week, and they only have to attend for 30 hours with absolutely no conditions attached to the 8 hours when they do not attend work.

**Mr Drum** interjected.

**Hon. P. R. HALL** — It is in the conditions.

*Honourable members interjecting.*

**Hon. P. R. HALL** — It is good if you can get it. All I am saying is there are opportunities for greater efficiencies in the industrial relations sector. There is room for greater efficiencies.

In the award in front of me there is a provision that says that every five years TAFE teachers can apply for sabbatical leave on 80 per cent of salary for that leave. The offsetting condition is that for the year prior to the

year's sabbatical leave, or the equivalent period of time — it might be six months on 80 per cent of salary — they also have to accept 80 per cent of salary. That is not a bad condition if you want to go off every five years and do a year's sabbatical on 80 per cent of your salary. I would make the sacrifice on 80 per cent of salary on the equivalent year prior to that, particularly as I would only have to work four days of that week anyway. It is a pretty generous condition. I am not saying for 1 minute that all TAFE teachers abuse that particular provision.

**Ms Hartland** interjected.

**Hon. P. R. HALL** — Ms Hartland can interject — at least I have the courtesy to listen in silence to others as they speak — but I have said quite clearly that these particular terms are fairly generous, and I think there is room for efficiency. I am not saying every single TAFE teacher is not productive during the time they are not required to attend their training institution or that they do not put to good use a sabbatical year. Nevertheless, when you are faced with these sorts of funding conditions, as I have shown in the graph I have tabled, and you are competitive or are asked to be competitive against others within the system, then I think there is room for some flexibility. The government's decision as part of all these reform changes will enable each of Victoria's 18 TAFE institutes to negotiate its own enterprise bargaining agreement and not be required to enter into a multiple-business agreement as the previous government required of them.

A key part of these changes is about maintaining opportunity for disadvantaged people and people who may not have had the same opportunities as others to continue to access training systems in this state. That is why we maintain a concession policy so that people who are health-care card holders will still be able to train at a concessional rate. That is why we still maintain a regional loading so that all training delivered in non-metropolitan areas will attract a 5 per cent premium on the student contact hour rate being paid. Indigenous students will also attract a 1.5 per cent loading.

There is provision in part of the government's response to protect Victoria's vulnerable young people who are in out-of-home care or those who have recently exited out-of-home care. Under this system there is still potential for them to get fee-free training opportunities. There are also a small number of positions available for asylum seekers to access fee-free training. It is a small measure, but I know it is one that is welcomed by people who are assisting asylum seekers in this country. In terms of maintaining opportunities, as part of this

budget decision there is a range of measures to maintain opportunities for people who may be at a disadvantage to participate in training.

I now want to respond to some of the particular matters raised by Mr Lenders and Ms Pennicuik in their contributions to this debate. The first point I want to make is this: both of the previous speakers spoke about savage budget cuts. I clearly put on the record that the 2012–13 budget provides a record four-year investment in training in Victoria. There has never been a four-year period when such money was invested in training in this state. Beyond the base figure, we have added, through this budget, an extra \$1.033 billion for training over the next four years. That is how I got to the dark blue line in the graph that I spoke about earlier. This year we will spend in excess of \$1.2 billion on training subsidies, and that is a level we have budgeted for over the next four years. In terms of budget cuts, let us make sure the terminology is put into perspective. This budget makes a record investment in training. I put the lie about savage budget cuts to rest.

In paragraph (e) of his motion Mr Lenders addresses the point that there will be ‘fewer educational opportunities for young people in regional and rural Victoria’. I do not know how anybody else could be more committed than me to improving educational opportunities for people in rural and regional Victoria. When the Baillieu-Ryan government came to office it enacted a program called the Regional Partnerships Facilitation Fund with a \$20 million investment over the term of this government. Already \$11.2 million of that \$20 million has been allocated to eight different partnership projects whereby universities and TAFE institutes, and in one case an adult education provider, have partnered to deliver a greater range of higher education programs for people in rural and regional Victoria.

Already about 1700 students are enrolled in either a higher education program or a pathway to higher education program as a result of round 1 of the distribution of that \$20 million. If you extrapolate from that first round alone, over 10 years it means that 10 000 country students will have the opportunity to complete their higher education while living at home in their home regions. That is the sort of commitment we have made. That belies paragraph (e) of Mr Lenders’s motion that we are providing fewer opportunities; indeed we are increasing opportunities for rural and regional students to pursue educational choices in their regions.

I will come back to the issue of Auslan courses, because I know that was mentioned, and I will go to

some of the areas Ms Pennicuik raised. What I found not unsurprising and probably typical of Ms Pennicuik’s contribution was the complete focus and anti view about private providers in the state of Victoria. Her comments suggested that TAFEs are the only providers ever worth supporting in terms of the training system we have in Victoria. She said that all the other providers were simply profit driven.

What about group training companies, for example? I ask Ms Pennicuik to reflect on group training, which is a model that has been around for a long time. They are classified as not-for-profit private providers and employ 13 per cent of Victoria’s apprentices. They are the absolute ideal model. Apprentices are employed by a training company. They are placed with different host employers, with the security of knowing that if a host employer is having financial difficulties, they will be brought back by the training company so their employment is maintained. They will then be hosted by another employer. Some group training companies organise the training as well. Some are registered training organisations (RTOs) in their own right; others contract other institutions to deliver that training.

When you talk about profit-driven private providers and the big bogey about private providers of training in this state you are including group training companies. You are also talking about industry associations, because many of them are RTOs. Consider the plumbing or housing associations. I talked to people at the Printing Industries Association of Australia yesterday; it is moving into training as well. How relevant is that to have an industry association involved in the delivery of training? The industry association best understands the need of its industry, and industry associations are all classified as private companies. Some companies themselves are training providers in their own right. Again, what is wrong with that? A company employing people can also be registered to provide training to the quality and standards that RTOs are subject to. It is almost ignorant to suggest that all private providers are profit driven and do not have anything worthwhile to contribute to the training system in Victoria, yet that was implied in what Ms Pennicuik was saying.

Ms Pennicuik also implied that we are seeing a proliferation of dodgy providers and short, cheap, quickie courses that are compromising quality and that we need to do something about them. If I told Ms Pennicuik that you were able to get a diploma of human resources, a diploma of management, a diploma of marketing or a diploma of project management in just eight days, what would she say about that? Would she classify that as an el cheapo quickie — one of the courses she said we should be jumping on because they

are offered by profit-driven private providers? If you study one day per month for eight months for \$999 — that is just eight days attendance — you can get a diploma. That is what that brochure tells them. Do members know where this brochure is from? It is from Holmesglen Institute of TAFE, which is one of our biggest TAFE institutes in the state.

Do not get me wrong: I am not saying that this is inappropriate, but that is what Ms Pennicuik was implying when she spoke about private providers offering el cheapo quickies — —

**Ms Pennicuik** — I said ‘some’.

**Hon. P. R. HALL** — She said ‘some’. I am just saying, do not jump to conclusions about everything that you see that is private and therefore conclude that it is only the privates that are offering suspicious or questionable programs, because we have, for example, the largest TAFE institution in Victoria offering such a course. It might be quite legitimate — I am not questioning that — but let us not assume that when you see that, it is all dodgy private provider stuff, because our public providers engage in it as well.

Equally, Ms Pennicuik said, ‘What about the rorting that occurs with multiple enrolments?’. I can tell her that I know that another of our bigger public providers in this state at one stage had the same person enrolled simultaneously in seven different programs. That was one of the larger TAFE institutes in Victoria.

Ms Pennicuik said we need to do something about that. I want to point out that we did do something about it, and we did it in December of last year — that is, we acted to prevent anybody from enrolling in more than two government-subsidised training courses in any 12-month period. That action was taken last December. It copped a bit of criticism because there were a few instances where people may have been legitimately seeking to enrol in three courses. You have to set some sort of guideline and you have to set some sort of standard. On balance, that decision was taken and we have acted in regard to it.

The issues raised by Ms Pennicuik and Mr Lenders are of the nature which I have just described. They also spoke about courses and jobs, and of course we have seen headlines in the papers and we have seen statements from various TAFE providers in regard to that. No-one has ever denied that things will change, but I would also say that we need to change to ensure that the training system we have in Victoria is put on a sustainable and funded level, but equally importantly we need to change to make sure that we have an efficient system, that we do things we are good at, that

we look for innovation and that we better align vocational and higher education. That is the sort of change we will see.

In my view it is premature — and I maintain this — to talk about gross quantities in terms of any job losses or indeed course closures, because there is a process which every TAFE institute is working through that will determine its future. That is a future which I have been intricately involved with, and I have been prepared to meet those TAFE institutes on a regular basis, as has the department and as has government in terms of finding a way forward.

I just want to comment on the recent Auslan matter, because that was raised in this Parliament yesterday and it has been the subject of media comment. It has been suggested that Kangan Institute of TAFE is withdrawing from Auslan training because of the changed funding arrangements. Let me just put a couple of facts very clearly on the record. Kangan TAFE first indicated to the state government that it wanted to withdraw from Auslan provision in November 2010, which was before the last state election. It came back to us in May of last year — more than 12 months ago, when the budget matters that we are discussing now were not even contemplated — and indicated desire to stop training those who wanted to work with the deaf.

The second fact I want to put on the record is that the subsidy for Auslan training at certificate III and IV levels will actually increase as a result of the subsidy levels that are set out in the documentation to which I referred and which is on the website. It is true that like their peers who are undertaking diplomas the fee rate for Auslan has decreased, as have the fees for most, but not all, diploma-level qualifications across the state, because they have access to VET FEE-HELP. That opportunity presents itself to those students, just like advanced diploma students, and puts them on an equal footing with a higher education contribution scheme debt that would be incurred by a university student. They are the facts of the matter.

If Kangan chooses to go ahead with what it is saying — that is, to withdraw from the delivery of Auslan — it is misleading to suggest that it is simply a factor of the changes in terms of funding rates, because clearly Kangan is on the record as having said up to two years ago that it was looking to withdraw from it. Indeed the funding for certificates III and IV has actually increased this time around, so to suggest that a withdrawal of that course is purely a result of these budget measures I think is totally erroneous and misleading, and I will leave it at that.

I want to go to the last area of the contribution I said I wanted to make, and that is to talk about what I think is probably the most important contribution anyone can make here today — the vision for vocational training in this state and the role we see TAFEs playing in terms of that vision. This budget decision — the documentation that I have outlined here today and referred members to on the website — sets out that vision and where we think we are going with training in this state and what it should be. First of all, in terms of our vision for vocational training in Victoria, we want to see a quality vocational training system that is industry driven. Secondly, we want to continue to be market driven, with guaranteed training entitlements, which again goes to the point I made about access and opportunity for all Victorians to participate.

But our vision will see a training system that is better managed with system architecture in place to ensure that the significant public and private investment in training represents good value for money — both public money and private money. Our vision also says that consumers will be equipped with the knowledge to make informed decisions about their training needs and their training future. How do we see the mix? Vocational training in this state will continue to comprise a mix of public and private providers, and I have no prejudice against either by any stretch of the imagination. Even Ms Pennicuik said in her contribution that the important thing is outcomes. Quite frankly, if Auslan continues to be delivered in this state, I am not fussed whether it is a public provider or a private provider, so long as that provision leads to a quality product with people having the opportunity to train in that area.

As part of the vision I think we will see better integrated vocational and higher education programs and we will see greater levels of cooperation between providers. Again this is something we have encouraged, and I am sure it is going to be an outcome of the current discussions that are taking place. TAFEs are actually collaborating with each other, sharing delivery in some instances, making use of the extensive infrastructure and facilities available to TAFEs and getting maximum utilisation of them. I think we will see some innovative delivery models evolve out of the current discussions as well.

Where does TAFE fit into that vision? In my view TAFE will continue to be the major sector provider within Victoria's vocational training system, but I say very clearly that it does not have an as-of-right position. Like every other provider it will need to demonstrate that it is a quality and efficient provider delivering quality programs. But in doing that I think it starts with

a handy sort of lead, because our TAFE institutes have some significant advantages over other providers, one of which is the TAFE brand, which is synonymous with training in this state.

When people think of training, they think TAFE — for example, the comments from the opposition here today. It also has a very strong reputation, and I think it is a reputation worth preserving and not trashing. I am not sure of the motives of some or whether their actions are actually upholding the reputation of TAFEs. The TAFEs also have a very significant capital asset advantage over other providers. The capital and facilities have been provided by the state over a long period of time, and whereas a private provider has to lease or buy its own facilities, that facility has been provided to TAFEs in the past by the governments of the day.

What I am saying is that I think TAFEs have a significant advantage over private providers that they need to capitalise on, and I think they will. But you cannot just say we have got to protect TAFEs as the Holy Grail of training in this state. TAFEs have to demonstrate that in a market-driven training system where people choose their training provider and are not directed to it, their first choice should be TAFE. TAFEs have got a head start when it comes to that level of competition.

I want to conclude by saying that I think we need to broaden this debate. The opposition and the Greens need to broaden their horizons when talking about vocational training in Victoria. They need to talk not just about TAFEs but more broadly about all vocational training. TAFEs have the opportunity under these budget changes and the way training is funded in this state to strengthen their position, not weaken it. But they will only do that if they concentrate on what they do well and demonstrate the quality of the product they can deliver and that it is a product that will become the first choice of those wishing to undertake training.

I give the undertaking — and I have given it in person to TAFE institutes around the state — that I am totally committed to working with TAFEs to enable them to realise the significant advantages they have and to ensure that they have a strong future that continues to grow in this state. I am not interested in playing politics. I have said that publicly, and I say it again today. I am not interested in playing politics; I am interested in working with our public providers to ensure that they realise their full potential. That is my vision for a training system in this state of Victoria.

I think we are all beholden to pay a contribution towards advancing the significant benefits of the great training system that we have in Victoria, notwithstanding the fact that we need to make changes to strengthen and improve it so we have a solid basis on which to grow training and meet the needs of individuals and industry here in Victoria. I do not think the motion before the chamber helps in any way at all. I think we could be far more constructive in what we do here. By condemning the government for making changes that were necessary and that will strengthen and provide a solid foundation for the training system we have in Victoria this motion does not help, and that is why the government will not be supporting it.

**Mr SCHEFFER** (Eastern Victoria) — In the nearly 10 years that I have been in this job I have never received so many messages from constituents expressing their anger, fury and profound disappointment over a single budget measure. This Liberal-Nationals coalition government's decision to attack the TAFE system by exacting these savage reductions in TAFE offerings, which Mr Hall has delivered, has provoked a flood of emails. All of us have received them, and I cannot imagine what those opposite say in their return emails — if they answer them at all.

While many messages I have received are clearly part of a planned campaign — and there is nothing wrong with that — very many of these messages contain personal comments and examples of how the funding cuts will affect and harm individuals, families and communities. One woman wrote to me:

I am an adult student, mother of three boys, that is hoping to return to work through furthering my education. Without assistance I would not be able to do this as my family's financial commitments need to come first, so I would be trying to return to the workforce with no current education, and having been out of any major field for more than 12 years, this would be a dead end.

The cycle would then continue as I would not be able to financially afford for my three boys to continue their studies either, this would end up with all of us being in a bigger financial burden on the government than assisting us in furthering our education, and trying to improve our own future financial success.

The budget cuts to the TAFE sector are the most savage ever delivered, and while the Victorian TAFE Association initially estimated that around \$100 million would be cut from the system every year, this has now been revised up to around \$290 million each year to 2013, resulting in over 1500 public sector job losses — this despite Mr Hall's statement in his contribution that the budget has in fact increased funding. The Baillieu government argues that the cuts are the result of a

\$400 million overrun, but the medicine threatens to kill the patient. The fact is that the government is going to either have to think again or explain to TAFE leaders how they have got it so wrong.

GippsTAFE made a statement immediately after the budget was released announcing that the cuts would see a reduction in fee subsidies for courses — which the constituent was referring to — in the hospitality, fitness, business, events and retail areas. The Gippsland Trades and Labour Council has, as usual, taken action and called a meeting of local training providers to discuss the situation and to plan a local Gippsland response. The GTLC is naturally concerned about the wider position of training and employment and the economic viability of Gippsland — issues that the government should have worked through prior to running off to reduce its budget bottom line without considering the human and economic consequences.

A key issue for the Gippsland Trades and Labour Council and for us is apprenticeships, because a lack of apprenticeship places for the new young tradespeople who come out of the training system will erode the rich skill base that Gippsland boasts and with it the competitive advantage and economic viability of the region. The funding cuts to GippsTAFE come not three weeks after Apprenticeships Group Australia had to suspend nearly 30 young unplaced apprentices because, as I understand it, AGA was unable to continue paying them after they had been unplaced for around three months. Thirty young people, 16 from the Latrobe Valley and 12 from West Gippsland, have not been placed for three months in the context of a downturn, and there is nothing that the Baillieu government is doing about it. I understand the member for Morwell in the Legislative Assembly, Russell Northe, has had a meeting with the City of Latrobe and Apprenticeships Group Australia, and that is a good thing. However, that is about as far as it has gone.

**Debate interrupted.**

## DISTINGUISHED VISITORS

**The ACTING PRESIDENT (Mr Finn)** — Order! My apologies to Mr Scheffer for interrupting. I would like to welcome to the gallery a former member of this house, Mr John Vogels. It is always good to see Mr Vogels with us. I am sure Mr Scheffer will join me, as will other members, in welcoming him to the gallery today.

**HIGHER EDUCATION: TAFE FUNDING****Debate resumed.**

**Mr SCHEFFER** (Eastern Victoria) — I do indeed, Acting President.

As I was saying, Russell Northe, has had a meeting with Latrobe City Council and Apprenticeships Group Australia. In April 2011 the government announced a \$10 million stimulus package to create jobs in the Latrobe Valley. The idea was to attract strategic investment that would lead to sustainable job growth in the valley, but I think the announcement was also an attempt to show that the government had heard clearly the message from the community that losing 114 Telstra jobs in Moe to Docklands in Melbourne was unacceptable. At the time, the Deputy Premier, Peter Ryan, announced that the working group would be chaired by Damian Drum and would include Russell Northe and Gary Blackwood, the member for Narracan in the Assembly, and that it would consult with business, unions and the community. Thirteen months and two state budgets later it is high time we asked what this working group has achieved and what it has done about the 30 young unplaced apprentices who are now on unemployment benefits.

Apprentices are paid around \$22 000 a year — around \$420 a week. As a young person living in regional Victoria, how do you make your way in the world, get a place of your own, run a car, build up some savings and get ahead when you cannot even get a placement? Is it any wonder that these young people are overcome with despondency and hopelessness and sometimes give it away? I am told that in 13 months no meeting has ever taken place with the Gippsland Trades and Labour Council.

**Mr Drum** — That's not true. That is incorrect.

**Mr SCHEFFER** — That is my advice; that is what I have been told, and I believe it, Mr Drum. I absolutely believe it. So much for the commitment made back in April last year to consult with the unions.

Peter Ryan's working party announcement has now been clearly revealed as a stunt. I call on Mr Drum — and I hope he talks about this in his contribution — to tell the Parliament what he, Mr Northe and Mr Blackwood have delivered for that \$10 million. What are they doing to defend GippsTAFE, and what are they doing to give these 30 unplaced apprentices placements? What kind of real material support, as committed to back in April 2011, was provided to the 114 sacked Telstra workers?

We on this side of the Parliament urge the government to put up a whole-of-government jobs plan. I sometimes think the government side does not really know what we are talking about. In my view a jobs plan includes strategies to get unemployed people into work through training; providing support, relief and incentives to employers — that is, to business and industry; initiating targeted economic stimulus through infrastructure investment to boost construction and build the state; and supporting programs that enable high-level skill formation in emerging technologies.

I know the Gippsland Trades and Labour Council has shown again and again that it works in practical ways with the community, business and Gippsland institutions in the interests of the community, and its move to convene a meeting of local training providers is in some ways a sign of desperation. The council is saying, 'Since the government is doing nothing, we in Gippsland have to work out a way through this'. The issue is whether the government has the wherewithal to work with the GTLC and GippsTAFE to find ways of managing this now desperate situation. The best way would be for the government to rethink what it is doing and the impact these budget cuts are having on the TAFE sector — its teachers, students, buildings, facilities and communities.

What is it about the TAFE cuts that has so powerfully affected Victorians that they have been moved to write in such numbers to local MPs and to campaign so strongly? I think it is because so many people have benefited directly or indirectly from the education and training that TAFE provides. It is because the TAFE system has helped people from all sections of society, especially those who are exposed through low income and have missed out on being able to improve their skills to get better paying jobs. The people who wrote the personal emails I have received have made me appreciate even more that TAFE has given many people a second chance and that it has become a respected and valued Victorian institution. The tide of anger that we now feel is analogous to the Kennett government's axing of funds to the Grey Sisters. Taking money from the nuns was wrong, and every Victorian knew it to be so.

Reducing programs in the TAFE system is wrong, and every Victorian knows it to be so, including Mr Hall, our now hapless Minister for Higher Education and Skills, who has tragically exposed himself as the man who called this brutal cut for what it was but lacked the courage or skill to protect the very thing he is commissioned to protect. Interestingly enough, in his contribution Mr Hall did not even refer to the incontrovertible fact that he said at the time that the cuts

provoked in him anger, shock, incredulity and disbelief. Those were his words, and constituents are emailing us in precisely the same terms, but that is not what Mr Hall addressed today. What has brought about this change in attitude?

His ferocious attack on the TAFE system is profoundly symbolic of the coalition's failure to read the community or to feel its pulse. This material dimension goes to the individual aspirations of very many people who now fear they will not be able to take up the technical and further education that they know has the potential to enrich their lives and help them get a better job. A better job is one where the holder of the job feels good about what they do because through it they are making a contribution to their society and the economy.

Maybe the commonwealth government can prevail by impressing on the Baillieu government that it is in breach of the \$435 million federal funding deal. Federal Minister for Tertiary Education, Skills, Science and Research, Chris Evans, has said that Victoria is under an obligation to grow the amount and quality of training, and the government's budget reductions will make it difficult for it to meet these obligations. The facts are that the total cuts to TAFE institutes will be around \$290 million a year by 2013 on top of the \$100 million already exacted in October last year, so that an estimated 2000 workers will lose their TAFE institute jobs, with many more being affected across the TAFE sector.

**Business interrupted pursuant to standing orders.**

## QUESTIONS WITHOUT NOTICE

### Higher education: TAFE funding

**Mr LENDERS** (Southern Metropolitan) — My question is to the Minister for Higher Education and Skills, Mr Hall. Despite evidence to the contrary in the Public Accounts and Estimates Committee hearing, the minister denied that the recent cuts to TAFE institute budgets were in breach of the Victorian government's national partnership undertaking. Will the minister now admit that funding cuts to dual-sector institutes that have integrated budgets will have a direct impact on the provision of commonwealth-funded higher education programs?

**The PRESIDENT** — Order! I am a little interested in the question from the point of view that it relates to the debate on the motion currently before the house. I will accept it on the basis that it takes into account a federal commentary rather than the specific matter of

that debate. I will allow the minister to proceed with an answer, but it is close.

**Hon. P. R. HALL** (Minister for Higher Education and Skills) — I will respond in this way. In my response to a letter from Senator Chris Evans, the federal Minister for Tertiary Education, Skills, Science and Research, regarding some budget decisions taken in the most recent budget by the Victorian government that surround vocational training in Victoria, I responded in full to Senator Evans on those particular matters. I said I was available if he wanted to meet and talk to me and further discuss any such matters. To date he has not accepted that invitation, but I stand ready to discuss the matter which Mr Lenders has raised or indeed any others that Senator Evans might want to raise at any time.

**The PRESIDENT** — Order! I provide advice that this is very close to the wind in terms of the debate on the motion before the house at this very moment. Mr Lenders might bear that in mind in framing the supplementary question.

### *Supplementary question*

**Mr LENDERS** (Southern Metropolitan) — Mr Hall referred to being willing to have a discussion with Senator Evans, the federal minister, but he did not really answer my question about the dual-sector universities that have a budget, some of which comes federally — it is specifically linked to a national partnership payment — and some of which comes from the state, linking to TAFE provision. My specific question to the minister regarding the federal jurisdiction is: given that these cuts will impact on higher education delivery and are therefore legally notifiable to the Tertiary Education Quality and Standards Agency, has the minister notified the agency?

**Hon. P. R. HALL** (Minister for Higher Education and Skills) — I can only say to Mr Lenders that to my knowledge there is not an issue insofar as Victoria is concerned, and if there is, it has not been brought to my attention.

**The PRESIDENT** — Order! I take this opportunity to advise the house that arrangements have been made for opposition advisers to have a box along with the government advisers.

*Honourable members interjecting.*

**The PRESIDENT** — Order! It is a long, circuitous walk to the opposition advisers box, but the problem is that there are significant services underneath this

particular area. I could have arranged for the opposition advisers box to have an entrance from this end of the building; however, the cost would have been some 20 or 30 times higher than the cost of facilitating it the way I have, so I think this is the better option at this stage, particularly given government cuts to the Parliament's budget. This is a position where I have had to make a decision relevant to those costings.

### **Industrial relations: minimum hours**

**Mr O'BRIEN** (Western Victoria) — My question is to the Minister for Employment and Industrial Relations, the Honourable Richard Dalla-Riva. I ask: can the minister outline to the house the effect of any recent decisions in the Federal Court of Australia that will help flexibility in the workplace in regional Victoria?

**Hon. R. A. DALLA-RIVA** (Minister for Employment and Industrial Relations) — I thank the member for his question, because it is an important question to ask in terms of providing productivity and flexibility in the workplace. I might say that the Victorian government welcomed the decision by Fair Work Australia to vary the general retail industry award to allow students to engage in after-school work. This variation brought the minimum shift requirement under the 2010 award from 3 hours to 1.5 hours. The Victorian government intervened in the case to support the cause of businesses and employment opportunities for young people in this state, particularly — as Mr O'Brien would appreciate — those in regional Victoria. I described the outcome of the case in favour of the NRA (National Retail Association) as a victory for common sense, and I stand by that statement.

The Baillieu government believes that after-school casual work is important for young Victorians to build the skills they need for future employment. We believe that the commonwealth's laws should be making it easier, not harder, for secondary school students to find after-school work. Evidently the Federal Court agrees. On Friday, 11 May, the Federal Court dismissed the Shop, Distributive and Allied Employees Association's appeal against the Fair Work Australia decision once again in favour of the NRA.

This is a great outcome for regional employers in particular. As reported in the *Standard* of 14 May, the manager of the Terang Co-op, Charlie Duynhoven, said that the outcome was 'a win for common sense' and 'long overdue'. The award had disadvantaged young people looking to gain employment, and since the introduction of the award in 2010 no school-aged staff had been employed in the hardware section of the store

as it was not financially viable for the co-op. The Terang Co-op is just one regional employer that is celebrating a return to a balanced and common-sense approach that is good for both employers and employees.

However, it saddens me to say that there are other forces at work seeking to further restrict hiring practices that impact upon student casuals. We know that the Australian Council of Trade Unions is calling for Fair Work Australia to be given the power to compel employers to convert casuals and contractors into full-time or permanent part-time employees. Powers of this kind would hurt small business and strip business of its right to make managerial decisions in the hiring process.

We know that in a speech to the Australian Institute of Company Directors conference only last week, as reported in the *Australian* of 17 May, the chairman of BHP Billiton, Mr Jacques Nasser, said that a successful industrial relations system recognises the right of management 'to run the business without the constant threat of a veto over operational decision making'. He is also quoted as saying that the Fair Work Act 2009 'has not only affected productivity but has resulted in management being unable to operate its business in a fair and consistent way'.

The union movement appears to have lost all interest in increasing employment opportunities for young people. It is not interested in productivity or efficiency, and even the member for Kororoit in the other place admitted on 2 May that we are experiencing industrial unrest at levels not seen for a decade. We have Labor's inflexible workplace laws — strike first and ask questions later — to thank for that.

We in the Victorian coalition have always said that we stand for a balanced and common-sense approach to industrial relations. I must say that the Victorian government wants to see a fairer outcome for the interests of all Victorians, and the NRA outcome is good for employers and good for employees.

**The PRESIDENT** — Order! The Leader of the Opposition has given me the courtesy of indicating that the opposition's questions this day have all been framed on issues related to TAFE. Obviously in the context of our standing orders and anticipating discussion I have concerns about whether or not those questions that are to come are going to be on matters that would be canvassed in the context of the debate on the motion before the house. We have an anticipation rule in the standing orders, as members would know. It is important that questions do not anticipate that debate,

which is an ongoing debate. Mr Scheffer is currently on his feet in that debate. The two previous rulings that have been given, both by former President Smith, took two different positions.

*Honourable members interjecting.*

**The PRESIDENT** — Order! Mr Chamberlain did not have to rule on this. When I say two different positions, there was certainly logic to the positions he took, because obviously the response of the Chair is to the actual question that is asked. On one occasion President Smith ruled that the question was in order because it was an incidental reference to a matter that was being debated at the time rather than a substantive reference. In the other ruling that President Smith gave he indicated that he believed — and I am paraphrasing; I am not actually using his words — that it was a substantive matter in terms of the question that did relate directly to the matter before the chamber in the general business debate, and he ruled that question out of order.

I will take a similar position today in that if a question is put by the opposition that I regard as an incidental reference to matters that are before the house in terms of the general business debate, then I will allow the question to proceed. However, if I think the question is substantive and is likely to be about areas that might well be covered by speakers in the general business debate, then I will rule that question out of order. Members of the opposition may like to bear that in mind in terms of the framing of their questions or indeed proceeding to a different agenda.

### **Higher education: TAFE funding**

**Mr LENDERS** (Southern Metropolitan) — My question is to the Minister for Higher and Education and Skills, Mr Hall, and it relates to his responsibility under federal industrial relations laws to adequately fund redundancies for employees from any of his departments who may be retrenched. In the context of that and Mr Hall's comments at the Public Accounts and Estimates Committee hearing on the cost of redundancies for a TAFE worker averaging \$55 000 and whether or not he has been approached by any TAFEs for assistance and him saying he welcomes a dialogue if a TAFE faces such a consequence, my specific question to the minister is: have any Victorian institutions under his governance, including TAFEs, sought assistance from the government to meet redundancy payments that may be required?

**The PRESIDENT** — Order! I am troubled in the sense that paragraph (b) of Mr Lenders's general

business motion refers to job losses. Clearly job losses would involve redundancy payments or other entitlements to staff who are retrenched or made redundant by changes in the TAFE system as a result of decisions by the various TAFE colleges. Given that, I think the question has relevance to paragraph (b) of that motion. I invite the Leader of the Opposition to rephrase his question if that is possible. Otherwise I will move to the next question.

**Mr LENDERS** — My question to the Minister for Higher Education and Skills is: given the pressures on parts of his portfolio as a consequence of budget cuts, are there any plans to sell assets to meet any contingent liabilities that have arisen out of policy decisions in this budget?

**Mr Drum** — On a point of order, President, that is a totally different question. You gave the member an opportunity to rephrase his question. He has asked a totally different question altogether.

*Honourable members interjecting.*

**The PRESIDENT** — Order! I am not thinking; I am waiting. I will allow the question. I invited the member to put a separate question or to rephrase his question. I accept Mr Drum's point that in fact it is on a different matter, but I am not sure that Mr Lenders could have rephrased his original point to get around my ruling. I invited that opportunity, and I think this current question is in order.

**Mr O'Donohue** — On a point of order, President, I draw your attention to paragraph (d) of the motion moved by Mr Lenders, which refers to possible campus closures. Mr Lenders is now referring to asset sales, which could be linked to paragraph (d). I note that Mr Scheffer in his contribution thus far has widened the debate significantly by referring to dialogue that Mr Drum and others may or may not have had with Latrobe unions and others. This debate is widening significantly. In the context of that widening and in the context of paragraph (d) of Mr Lenders's motion, which refers to possible campus closures, I seek your guidance as to whether a question about asset sales is in order.

**Hon. M. P. Pakula** — On just one element of Mr O'Donohue's point of order, President, if this house is going to adopt a precedent that the anticipation rule is brought to life by virtue of the way a debate is extended by a member during a contribution, then it would be open to any member —

**Hon. M. J. Guy** interjected.

**Hon. M. P. Pakula** — Mr Guy says it is on the notice paper. Mr O'Donohue is not talking about —

**Hon. M. J. Guy** interjected.

**Hon. M. P. Pakula** — If you stop interjecting, I will stop debating you. It is logically inconsistent to suggest that the anticipation rule can be brought to life by virtue of what is raised during debate, because in those circumstances any member could potentially rule out a whole range of questions by bringing in any kind of extraneous material to a debate on general business.

**Hon. D. M. Davis** — On the point of order, President, the purpose of the anticipation rule is extremely clear — that is, where a debate is either live or immediately anticipated, questions should not be asked that directly enter into that debate. I would argue that both the questions asked by the Leader of the Opposition directly and squarely enter into the debate that is currently live in the chamber. That is squarely within the purview of the anticipation rule. It is clear that the Leader of the Opposition needs those provisos.

*Honourable members interjecting.*

**Mr Viney** — On the point of order, President, I think what I am disturbed by is that these points of order are questioning a ruling you have just given. You have just given a ruling that Mr Lenders's rephrasing of the question is in order, and I am disturbed that members, without much constraint, are questioning that decision. I believe that you should be given the opportunity to ensure that your ruling is adhered to.

**Mr Drum** — Further to the original point of order, President, it was my understanding that you gave the member an opportunity to rephrase his question. I believe you are setting a dangerous precedent by enabling a member to ask a totally different question. That is setting a precedent that I think will stand in this house for all time. I do not think that is your intention, and I just ask you to reconsider.

**Mrs Peulich** — On the further point of order raised by Mr Drum, President, which is the substance of my further point of order, I ask you to consider that the member has failed to adequately rephrase the original question, that it should be ruled out as question 2, that it should be considered as question 3 for the opposition, and on that basis still ruled out of order because it directly relates to one of the dot points of the motion that is currently being debated.

**The PRESIDENT** — Order! I go first to the point made by Mr Pakula. One of the reasons we have the anticipation rule in the standing orders is for that very

reason, that speakers can widen debates and introduce material. That is the pertinent issue that has been raised in terms of where the debate has been widened and canvasses material that is in this question. It is true, from my perspective, that the opposition has embarked today on a fairly dangerous strategy in asking a line of questions that relate directly to a matter before the house in general business debate. That is unfortunate and has brought us to this position.

I reject a couple of the matters raised. I am certainly not disturbed, as Mr Viney is, with the queries on the ruling I have made, because it was appropriate to tease out that ruling. I do not accept Mr Drum's position that this is a change-the-world sort of situation. However, on reflection I accept that the points made by Mr O'Donohue, Mr David Davis and Mrs Peulich are pertinent in the sense that the inclusion of paragraph (d) of the general business motion, which is about possible campus closures, could well involve asset sales and there could be a direct link. Given some of the matters that I heard Mr Scheffer canvass during the debate, including references to previous governments and their policies, it enters into another territory. Mr O'Donohue raised an appropriate point of order. I accept that point of order and on reflection I take this opportunity to rule out the second question posed by the Leader of the Opposition.

### **Budget: apprentice subsidies**

**Mr P. DAVIS** (Eastern Victoria) — I direct my question to the Minister for Higher Education and Skills, and I ask the minister: can the minister please inform the house on how the recent state budget has supported apprentices in Victoria?

**Mr Leane** — On a point of order, President, the motion being debated today covers TAFEs, which are known to train apprentices. This question should be ruled out under the anticipation rule, in exactly the same way as the previous question was ruled on.

**Mr P. Davis** — On the point of order, President, in response to the point of order taken by Mr Leane, I did in fact construct the question so as to avoid any conflict with the motion that is before the house. In fact I took particular note that in relation to the motion that is under debate at the present time, Mr Lenders made no reference specifically to apprentices.

**Mr Leane** — Further on the point of order, President, and noting that Mr Davis said he rephrased his question, which the Leader of the Opposition was asked to do and was then ruled out, the same ruling should be held against that question.

**Mr P. Davis** — In relation to the point of order, President, my words were that I framed the question.

**Mr Viney** — On the point of order, President, Mr O'Donohue raised the issue of the fact that Mr Scheffer had discussed issues that he believed canvassed Mr Lenders's rephrased question. Mr Scheffer also extensively canvassed the issues of apprenticeships in the debate, and has not yet completed his debate. Mr Hall, in fact, raised the issues of apprenticeships in TAFE colleges, and therefore the same ought to apply to this question.

**Mrs Peulich** — On the point of order, President, the crucial term in question was the term 'investment', and there is certainly no mention of investment in TAFE education in the motion or in the contributions that have been made by the members of the opposition.

**The PRESIDENT** — Order! The problem I have, Mrs Peulich, is that what I have before me does not contain the word 'investment'. It could well be that the member varied the text, but what I have before me does not reflect that. I will allow the question on the basis that the question I have before me is:

I ask the minister: can the minister please inform the house on how the recent state budget has supported apprentices in Victoria?

But I think that the minister is corralled and is unable to address any matters that are related to TAFE colleges in answering that question, because I accept that — —

**Ms Mikakos** — Good luck!

**The PRESIDENT** — Order! That is right, good luck. I accept that if the minister moves to discussing support through TAFE colleges, Mr Leane's original point of order is pertinent because TAFE colleges are a significant part of the support and training structure for apprentices in Victoria. The minister will need to discuss support related to the state budget that does not involve the TAFE component of that support.

**Hon. P. R. HALL** (Minister for Higher Education and Skills) — Thirteen per cent of Victorian apprentices are employed by group training companies. It is to those 13 per cent that I address my response to this question. For each of the apprentices who make up that 13 per cent employed by group training companies the government has actually increased the subsidy payable for their training. This is a substantial effort. It will mean that the skills base that Victoria needs for its very important industries that drive the Victorian economy — —

**Mr Leane** — On a point of order, President, group training companies are not registered as RTOs (registered training organisations). I know there are some group training companies that may have an RTO as part of a different arm to their corporation, but group training companies are companies that employ apprentices and hire them out. The point of order is that the minister is outside your ruling.

**The PRESIDENT** — Order! Provided the minister continues to stay outside the TAFE aspect of that support, I am prepared to accept the continuation of the answer.

**Mr Leane** — Does he have to make sense?

**Mr Viney** — On a further point of order, President, I listened carefully to Mr Scheffer's contribution obviously, and Mr O'Donohue opened the door in relation to anything Mr Scheffer said in his contribution — which is incomplete — being inappropriate to be canvassed in question time. Mr Scheffer talked extensively about group training as part of the debate on TAFE. We have opened the door on this, and what is good for the goose is good for the gander.

**Mr Drum** — Further on the point of order, President, surely in framing a question for questions without notice the members of both parties can only frame their questions according to what is in the motion. When independent members decide to go outside the motion, as in this instance, we need to be supportive. We need to enable these questions to be heard because they simply do not refer to the motion; they only refer to abstract comments from an individual member.

**The PRESIDENT** — Order! When Mr Pakula raised this I was at pains to say that this is one of the reasons we have the standing order. The standing order on anticipation is designed to try to avoid this very problem. Motions are framed, obviously, and brought to this chamber by members, but in the course of a debate many matters can be raised, and the reality is that questions that are framed ought not anticipate where that debate might go. This is one of the reasons we have the anticipation rule, so that we do not get into this situation where questions trespass on what the debate might be.

As I said to Mr Pakula, when a debate is opened up — and Mr Scheffer did canvass a wide range of issues — it makes it extraordinarily difficult for the house to proceed with questions on the same subject matter because they anticipate where the debate might go.

Mr Scheffer has not yet completed his contribution, and I dare say members of the government will respond to Mr Scheffer and therefore will cover the same territory, and that is a matter of concern to me as Presiding Officer.

The term used by Mr Viney was that if it is good for the goose, it is good for the gander. Particularly in a sense of fairness in terms of today's proceedings, I will move on from this question because I accept Mr Leane's point that as part of employment by group training organisations they usually do send apprentices off to TAFE training. They certainly manage the employment of young people, but they do not actually provide training as such; in most instances they rely on TAFE for training, so in that sense whilst the minister has done well in avoiding the training situation, to be fair to the goose and the gander and in the spirit of fairness today with this question time, I will move on to the next question.

**Mr P. Davis** — On a point of order, President, I am a little troubled. The question I asked, which seems to have been lost in some discussion across the chamber, was about the state budget and support for apprentices. The minister was asked a question by me, and I have not actually heard the minister's answer at this point. My concern about what has occurred in some dialogue across the chamber is that the point of me asking the question has been lost.

I sought information from the minister about support for apprentices. I would be interested to know what the minister has to say on that issue. It may be that there are views within this house about the relationship between apprentices and TAFE colleges, but I am interested in an aspect which the minister is happy to respond to, and my view frankly is that questions can be ruled in or out but answers cannot. It is up to the person who is giving the answer — the minister — to give an answer according to their own view of the world. It may be that members on one side of the house or the other do not like the answer, but it is up to the minister to give the answer which is within their remit to give.

**Mr Lenders** — On the point of order, President, I bleed for Mr Davis because I too asked a question of the minister about consequences of the state budget, and I was ruled out on the anticipation rule. I suggest that Mr Davis should be also.

**Mr P. Davis** — But that is not the issue. Clearly the issue is that the President ruled the question in. You cannot determine what the answer will be.

**The PRESIDENT** — Order! I certainly did not call on Mr Davis to continue a debate with Mr Lenders. I accept that initially I said the question could stay in, but on the basis of the answer and what was being put I think it would be best to move on, and that is my decision on this occasion.

To avoid the anticipation rule completely members might well consider on future occasions not bringing up matters that are obviously contingent upon the same sorts of issues that might well be canvassed by the general business debate. I accept that Mr Davis's question is an important question and one to which all members of the house might well be interested in an answer, but there will be an opportunity to pursue that on another day when it does not come into any contention as far as the anticipation rule is concerned.

### **Cancer Council Victoria: Quit campaign**

**Mr JENNINGS** (South Eastern Metropolitan) — Thank you, President, for providing me with the opportunity to ask a question of the Minister for Health. In the days following the budget the minister was associated with a new campaign being run by Cancer Council Victoria — the Quit campaign — which was on the theme of a patient waiting for the results of a cancer screening test. This is an important program and I am glad the government supports it, but I am very concerned and would like the minister to clarify what level of funding is provided to that campaign. Is it true that the funding has been reduced compared to the levels of funding sought for similar campaigns based on evidence about the effectiveness of their screening? If so, can the minister provide the community with some confidence that he is supporting the campaign to the level required?

**Hon. D. M. DAVIS** (Minister for Health) — I thank the member for his question, and I can assure him that the campaign has been funded in the normal way.

### *Supplementary question*

**Mr JENNINGS** (South Eastern Metropolitan) — President, you probably detected that that was not a terribly fulsome answer by the minister. Certainly I was seeking from him information in the spirit of which all good questions are asked in this place about what level of funding is provided, what the effect of that funding may be and in fact whether the campaign will be as effective as it might have been on the basis that the funding has been reduced. Can the minister guarantee that the funding will be maintained at the level that is required to achieve the design elements of that

campaign and will not come at the operating expense of Cancer Council Victoria?

**Hon. D. M. DAVIS** (Minister for Health) — I am very pleased to have supported that campaign and to have been at its launch. It has been funded in the usual way. I think that campaign will have a very good effect for the community.

**Mr Jennings** — Then it hasn't been cut?

**Hon. D. M. DAVIS** — No, the campaign has been funded in the normal way and at the normal level.

### **Housing: Reservoir**

**Mr ONDARCHIE** (Northern Metropolitan) — My question this afternoon is to the Minister for Housing, the Honourable Wendy Lovell, and I ask: can the minister provide details of any recent social housing developments in the northern suburbs of Melbourne?

**Hon. W. A. LOVELL** (Minister for Housing) — I thank the member for his question and for his ongoing interest in public housing in the northern suburbs and the needs of his communities.

Last week I was delighted to officially open the Cheddar McMahon estate at Reservoir, which marks the completion of a \$16.9 million project funded by the Victorian government. This project transformed an ageing estate into a modern vibrant community. Gone are the 28 run-down two-bedroom units, and the new estate provides 53 modern, comfortable, environmentally friendly homes. This is an example of what can be delivered through a true collaboration between the community, existing tenants, the local council and of course the Office of Housing.

Our commitment to improving housing outcomes for Victoria's most vulnerable will see a further 1150 homes acquired this year and a further 1600 of our ageing homes refurbished to keep them going for a little bit longer. The appreciation shown by tenants at the Cheddar McMahon estate shows how much of a difference a new home or a refurbished home can make to a person's life.

The community feels that the estate is a credit to those who live there, and in keeping with that community feeling, it is significant that the new development recognises a former long-term tenant. A new road on the estate has been named after one of the original tenants, Lillian Farren. Lillian Farren called the Cheddar McMahon estate home for many years, and it is fitting that her name will be well known by current

and future tenants of this new community through Lillian Farren Way, which is named after her.

I wish all the tenants well in their new homes, and I look forward to welcoming many more residents into new homes that we will deliver in the next financial year.

### **Moonee Valley Racecourse: development**

**Mr TEE** (Eastern Metropolitan) — I too welcome the opportunity to ask a question. My question is to the Minister for Planning. The Moonee Valley Racing Club has written to the minister asking that he call in its substantial development proposal. Any such call-in will end the Moonee Valley City Council process, which involves substantial community engagement. Will the minister assure the house and the community that he will not call in the development?

**Hon. D. M. Davis** — It is a question on the run.

**Hon. M. J. GUY** (Minister for Planning) — Yes, it is a question on the run, Mr Davis. I thank Mr Tee for that question.

**Mr Jennings** interjected.

**Hon. M. J. GUY** — Mr Jennings should calm down. He has had his fun for the day. We have all seen him; we have all marked him and given him 7 out of 10 and 5 out of 10.

I believe I have made some public comments, which were reported in the local newspaper this week, that the government believes the responsible authority should be the Moonee Valley City Council, and I stand by that. I also stand by that in relation to this answer.

### *Supplementary question*

**Mr TEE** (Eastern Metropolitan) — Concerns have been raised that the minister's department is seeking to influence the council process. Will the minister also assure the house that this is not the case?

**Hon. M. J. GUY** (Minister for Planning) — I am not really sure what that question is about, suffice to say that if the council comes to the department for advice, the department would obviously give it to them, but at the end of the day the council is the responsible authority. The council has council officers who will provide advice to the councillors so they can make their decision. That is the process that is in place; that is the process that will be followed; and that is the process the government has identified. It is the one that exists and,

as I said, we confirmed that both in the local newspaper and today in the Parliament.

**Aged care: Geelong**

**Mr KOCH** (Western Victoria) — My question is for the Minister for Ageing, the Honourable David Davis, and I ask: can the minister update the house on the government's 2010 election commitment to support aged care in Geelong?

**Hon. D. M. DAVIS** (Minister for Ageing) — It is with pleasure that I respond to Mr Koch's question and note that he is a strong advocate for aged-care services in Geelong and in his region.

At the time of the last election he was a very fierce advocate for the Croatian community in and around Geelong and for the community's desire to have an aged-care centre that would enable members of the community to have the support they needed in their older age. The centre would recognise the outstanding contribution of that group within our community. It would recognise the work they have done over many years in the community during their working lives, and it would respect the choices they would seek to exercise as they retire. This community was prepared to raise money to build a residential aged-care centre, and the then opposition recognised this in conjunction with motions moved by the Greater Geelong City Council. We recognised the need to support the Croatian community, particularly the community in North Geelong.

We were prepared to make available part of the land from the sale of a school site — in fact it was 2 hectares. In last year's budget — not this year's budget — we allocated \$2 million to make sure that election promise was delivered on. There is only one party that will not assist on this, and that is the commonwealth government, which will not provide the bed licences to enable that community to do the work that it needs. The state government has made provision of the land. The commonwealth government now needs to make provision for adequate bed licences instead of refusing, as it did in the second half of last year, to make provision of the adequate bed licence required to get the result that was fair and would recognise the contribution of the community that has been made over many years, including in Geelong and the region around Geelong.

The \$2 million, the 2 hectares of land and a primary school site that was to be closed under the previous government — that is a fair step. The Greater Geelong City Council also supports this step, but the Labor Party

does not, nor I might add does the federal government, which has not made provision for bed licences. Labor says it cares. If it cared, it would advocate with the commonwealth government. If Labor cared, it would advocate — —

**Mr Lenders** — On a point of order, President, in regard to state administration, the minister has referred to the federal government for funding, but his comments now are beyond answering on state administration and are reflecting on his view of what another party should be advocating for. I ask you to hold him to state administration rather than reflecting on those opposite in the house.

**Hon. D. M. DAVIS** — On the point of order, President, in my capacity as the Minister for Ageing I was very happy to write to the commonwealth government advocating that it allocate those bed licences. The state has a role — —

**The PRESIDENT** — Order! That is not a point of order — further on the point of order, not debating the point of order.

**Hon. D. M. DAVIS** — My point of order is that it is firmly within my responsibility to advocate for community groups to the commonwealth, and further, the state has a role in indicating need and advocating for the provision of aged-care licences to the commonwealth. In fact I have acted within my administration in precisely that capacity.

**The PRESIDENT** — Order! The point of order raised by the Leader of the Opposition goes to whether or not the minister is relying too much on criticism of or comment on the federal government as distinct from matters that are related to state administration. The minister referred to these matters in an elucidation of the remarks he was making about a particular project. I ask the minister to come back to state matters and to not editorialise too much on the federal government, but I accept that some of those remarks were certainly pertinent to his answer.

**Hon. D. M. DAVIS** — I indicate in response to Mr Koch that the state government's money remains on the table and the land remains on the table. We are prepared to support the Croatian community in its attempt to have a relevant and ethno-specific provision of aged care that recognises the needs within the Geelong community and the wider area.

We hear again and again that Labor cares. I think this is something I have heard before. I noticed this pamphlet in the archives in the commonwealth library — the national library — saying 'Labor cares'. It is from

1974. I think someone thought of that slogan recently, but they were trawling through the archives.

**The PRESIDENT** — Order! That is extraneous to the answer, so I ask the minister to come back to the issue rather than trawling through archives — otherwise we could go back to Federation.

**Hon. D. M. DAVIS** — My point is that the support for the potential aged-care service that the Croatian community and others in the Geelong community may wish to put into operation remains there. Indeed, if required, we will advocate further with the commonwealth, as is our way, but what I would say is that if Labor cares, it will join that. If Labor cares, it will support the Croatian community. If Labor cares, it will advocate — —

*Honourable members interjecting.*

**The PRESIDENT** — Time!

**Ordered that answer be considered next day on motion of Mr JENNINGS (South Eastern Metropolitan Region).**

### **Occupational health and safety: national harmonisation**

**Hon. M. P. PAKULA** (Western Metropolitan) — My question is to the Assistant Treasurer. The Assistant Treasurer has indicated that the Victorian government will not participate in national OHS (occupational health and safety) model legislation. He has indicated that the government supports the principle of harmonisation, but the reality is that you do not implement a principle; you implement a package of legislation. The Assistant Treasurer has indicated what he describes as significant costs for Victorian small business in implementing national legislation. My question is: is that cost to small business the only reason that Victoria will not participate in national OHS harmonisation, or is it also because the government wants to retain the capacity to amend the Victorian OHS regime as it sees fit?

**Hon. G. K. RICH-PHILLIPS** (Assistant Treasurer) — I thank Mr Pakula for his question and for his interest in this issue. This is an important issue for business in Victoria. In 2008–09 the previous government signed Victoria up, along with the other states and the territories, to adopting a national model of occupational health and safety. The problem with that is that while the principle of harmonisation is fine, the model is not. The model which was developed by the nine states and territories and the commonwealth is a model that would take Victoria backwards. Victoria is

recognised as having the best OHS framework in Australia, and it has produced the best workplace safety record in Australia, and the government has said it will not compromise that. It is regarded as the best.

The national model put forward by the commonwealth would cost Victorian businesses of the order of \$3.5 billion over the first five years, some \$800 million in transition costs and then around \$580 million a year ongoing. All that to implement a national model which will not advance workplace safety and which will take us away from a best practice model. My answer to Mr Pakula is: we will not implement this model the commonwealth is proposing. We have what is recognised as best practice here in Victoria, and we will stay with best practice.

### *Supplementary question*

**Hon. M. P. PAKULA** (Western Metropolitan) — I thank the minister. My question was about the government retaining the right to amend our legislation. The minister has just said, and has said before the Public Accounts and Estimates Committee, that we have the best OHS framework in Australia, that we have the best OHS outcomes in Australia and that he will not be involved in national harmonisation, so does he now commit — given that we have got the best framework in Australia — to making no substantive change to our existing OHS regime for the life of the government?

**Hon. G. K. RICH-PHILLIPS** (Assistant Treasurer) — What I take from the proposition being put forward by Mr Pakula is that there should be no improvement to the framework we currently have and that if an opportunity comes along for improvement, it should not be taken. As I indicated to the Public Accounts and Estimates Committee last week, and as the Premier indicated, we have the best model and we intend to keep the best model, but we will also look at opportunities where inconsistencies between Victoria and other states can be removed without undermining our OHS framework. We will do that; we will look at those opportunities.

### **Planning: government initiatives**

**Mrs PEULICH** (South Eastern Metropolitan) — My question without notice is to the Minister for Planning, and I ask: can the minister inform the house what action the Baillieu government is taking to speed up Victoria's planning system?

**Hon. M. J. GUY** (Minister for Planning) — I thank Mrs Peulich for her question in relation to speeding up

planning in Victoria and mechanisms this government is going to act on in terms of declaring war on red tape. I am very proud to be part of a government that takes this issue seriously and that actually acknowledges that our planning system can be contemporised and modernised. Indeed this government is going to get on with the job of making sure that our planning system is a 21st-century one, a first-class one and one that is going to be an incentive for people to use.

The Ministerial Advisory Committee on Planning Reform, which I commissioned about a year ago — despite much criticism from one member opposite and despite some shock in the industry and personal attacks on those people on the committee — has actually now reported.

**Mr Tee** — Name them!

**Hon. M. J. GUY** — I am about to, Curly, if you would like to listen!

**The PRESIDENT** — Order! I ask the minister to withdraw that disparaging remark. This is another one of those cases where the word is not really offensive in its own right, but the way it was used is unparliamentary.

**Hon. M. J. GUY** — I apologise and withdraw. It was by no means meant to be disparaging. It is an affectionate term for the Labor Party spokesperson opposite.

Mr Tee asked me to name those people, so I would like to. The government and I would like to thank Geoff Underwood for chairing the ministerial advisory committee, and Katherine Heggen, David Keenan, Terry Montebello, Jane Nathan and Leigh Phillips for the work they have done in providing the recommendations back to the government and in cutting red tape in the planning industry. We have looked at the recommendations of the ministerial advisory committee in relation to rezoning processes, zone reform, amendment reform, farm zone and residential zone reform, and increasing accountability for local and state authorities in the system. They are ways in which this government will speed up the planning system, and in taking receipt of the report and announcing our response to the report this government will move on planning reform in this state.

There are many opportunities for Victorians to be a part of this process to contemporise our planning system. The government is particularly committed to releasing draft consultation in relation to zone reform over the coming months. That will be a significant step forward in not only achieving a reduction in red tape in planning

but contemporising the way that we do business as a state. It will lead to greater incentives for people to want to be investing in Victoria full stop, using the planning system as a method to do that. Of course it will give councils and communities certainty in areas where they currently have none.

Previous governments had years to reform the planning system and did nothing. Many documents were produced that went nowhere. Some of them had good recommendations; some of them had appalling recommendations. This government has consulted widely. We have established a ministerial advisory committee from the planning industry with local government and community input that has achieved good results. It will achieve a longstanding legacy that will be able to be enacted over the coming months, one that I think Victorians will be well proud of in a number of years time.

## QUESTIONS ON NOTICE

### Answers

**Hon. D. M. DAVIS** (Minister for Health) — I have the following answers to questions on notice: 393, 423, 607, 683, 8193, 8223–7, 8251, 8254, 8259–60.

## RULINGS BY THE CHAIR

### Anticipation rule

**The PRESIDENT** — Order! Today's question time proceedings were, to say the least, untidy. I apologise for any aspects of my own guidance that might have contributed to that untidiness. On reflection, after today's question time process I have decided to refer to the Procedure Committee the anticipation rule in our standing orders. I am aware that in some jurisdictions the anticipation rule has been substantially relaxed and members in other places are able to pursue answers to questions on matters that are on the notice paper.

As a Presiding Officer, on a day like today I am placed in an invidious position in terms of trying to determine both fairness to all members of the house while also working with the requirements of the standing orders that I have to uphold as a Presiding Officer. I am in the position of trying to make judgements on particular questions in relation to whether or not they are actually incidental references to matters or substantive matters that might well be canvassed in a debate that was not just on the notice paper but indeed on foot and only truncated by the need to go to question time. In the contributions made so far, it is clear that the general

business debate today has been expansive. It has been one that has covered quite a lot of matters relating to training and gone beyond strictly the service provision of TAFE colleges.

Therefore I have two options: one is to be relaxed about allowing those questions; the other is to apply the standing order fairly strictly. On this occasion I elected to err on the side of caution and to rule out those questions, given the standing order that applied, but I think there were relevant issues that were raised in the points of order. Clearly some members may well have concerns about the questions they put to the ministers in that they felt they could have been answered without intruding on the debate during the general business program. I think it is appropriate that this particular provision in our standing orders be considered by the Procedure Committee to determine whether or not it really is a necessary one or whether it ought to be amended in some way to give greater guidance to presiding officers in the future in terms of questions as they relate to the anticipation rule.

**Sitting suspended 1.01 p.m. until 2.04 p.m.**

## HIGHER EDUCATION: TAFE FUNDING

**Debate resumed.**

**Mrs PEULICH** (South Eastern Metropolitan) — I support the Minister for Higher Education and Skills, Mr Hall, in his outstanding rebuttal of the negative motion which has been brought forward by Mr Lenders, who is the Leader of the Opposition in this place and who was the Treasurer under the former government. In many ways the problems Mr Hall has had to confront and deal with are problems which Mr Lenders presided over and which occurred on his watch and, in many ways, were his responsibility, because he was also Minister for Education for a time.

Mr Hall outlined the legacy, the reality and the vision. I am not going to do that again, because Mr Hall is the minister and he has done it most amiably and effectively. All I would like to see is more people having the opportunity of hearing Mr Hall talk about the profound issues he has had to confront as minister. Not to have confronted them would have placed Mr Hall into that Euro-zone epidemic where things can be falling around your shoulders and toppling over, but you stick your head in the sand and fail to address them, and that would not really be fulfilling his ministerial responsibility or the pledge and the commitment that the coalition made in coming to government to deal with the waste and the mismanagement — and this is a

clear example of gross mismanagement for which tough decisions have had to be made.

It is very much Labor's legacy. In theory it was a great concept — that is, the uncapped market-driven education system where anyone has a training guarantee and anyone can enrol in a subsidised course. But the problem is that the legacy we have had to deal with is that the government did not provide the monitoring or the funding to deal with that growth. We saw the graph which was provided by Mr Hall and incorporated into *Hansard*. It shows an unsustainable level of growth especially in those areas where there is less prospect of securing a job. A growth in course enrolments such as various sport and recreation or coaching courses which is of the order of 2000 per cent is clearly unsustainable.

Mr Hall has used his common sense, used his insight as a teacher and an educator and as a person with a passion for education, and made sure that the subsidies for those courses for which we have a skills shortage are improved and enhanced. That is about dealing with another Labor legacy — that is, the destruction of the technical school system in the 1980s, which left a very large hole in technical education that Victorians have still not fully recovered from. It is Labor's legacy after legacy that a coalition government is forced to contend with. It is then portrayed and vilified by those who only seem to want to demonstrate that they care when they are in opposition.

It would have been really useful if these commitments had been upheld throughout the time they were at the wheel making those decisions and implementing those programs or, as Mr Lenders said, making those choices. He talked about how a government in tough economic times is measured by the choices it makes. Of course what he did not talk about was the choices that the Labor government made — that is, some significant projects which left a burdensome financial legacy on the state and its capacity to provide the infrastructure, the services and, in particular, the growth in services that Victorians need and deserve. Quite simply, there is one fact that Victorians have got to understand — that is, if Labor had wasted less, Victorians would have had more.

I am delighted that the entire education budget has increased by 5.2 per cent and that Mr Hall's ability to marshal an investment into his portfolio has grown and surpassed previous years. That reflects the choices that we make and the importance that we know education to play in the lives of individuals, in particular young people. An uncapped market-driven system was never going to fly, especially when it had not been funded

into the forward estimates and it threatened the viability of the entire system. I am going to be distributing that bar chart far and wide to make sure that people understand the mess Labor has left and that when it comes to education the story is no different.

Mr Hall has explained that this all stems from the adoption of the blueprint *Securing Jobs for Your Future*. Many of Labor's disasters have stemmed from various blueprints without the finer details being fully worked out. We have heard members of the opposition bleat and accuse the coalition of all sorts of insensitivities when it comes to people who deserve the opportunity to retrain, rebuild their lives and make something of themselves. There is probably greater commitment to those sentiments on this side of the chamber than there is from those who pretend to represent the working classes. We have seen how the union movement is less concerned about representing the working classes than it is about itself. However, I will not digress, because that would be moving away from the motion.

I am going to spend a few minutes talking about some of the additional material that Mr Hall did not have the opportunity to cover, such as how we are attempting to implement the measures that have been introduced in the budget with a view to making the system more sustainable in the future. We have protected choice; the choice is there. The question is: to what extent are those choices subsidised by the public purse? In difficult circumstances, with a system that is trending with exponential growth that has not been funded, Mr Hall has absolutely made the right choice. It is a choice that invests in and improves the subsidies for the areas where there are skills shortages, including the trade areas, and it reduces the subsidies for those areas where the job prospects are less optimistic. Individual entitlement continues to be preserved. The open market as advocated by the Essential Services Commission continues to provide competition between the private providers and TAFEs. When the opposition, then government, introduced that system, it failed to do the hard work, and that was to adjust the fees and the funding levels, leaving all of the uncapped arrangements in place.

Before the introduction of the training system, as was mentioned, the government spent around \$800 million a year on training subsidies. Under the original projections this was expected to rise to approximately \$900 million for 2011–12. The rapid growth in vocational education and training (VET) has increased that cost to \$1.3 billion. Originally it was planned to be \$800 million, and it has risen to \$1.3 billion in 2011–12, which is significantly higher

than the provision that was made in the budget. It was not a financially sustainable system, and it certainly was not meeting the needs of the Victorian economy for skilled workers in skills shortage areas and specialist occupation areas. I commend the minister for biting the bullet, doing what he has done and doing it with a view to making sure that the system is sustainable and meets our educational needs.

The Victorian government has now stabilised that investment in VET delivery with \$1.2 billion set aside to meet expected demand for training in 2012–13 and beyond, while at the same time preserving the benefits of competition and choice. As has been mentioned, the new VET funding arrangements will focus on investment in the areas of greatest public benefit — we did not hear the word investment once from the opposition — and will ensure that the system is sustainable into the future. Approximately 217 courses, or 21 per cent of the courses, including all courses taken as part of an apprenticeship, will receive increased hourly subsidies. This is a really important message for the community. They want to know that in areas of skills shortage the government has got its eye on the ball. Of the courses receiving the highest government subsidy, 82 per cent are currently delivered through our TAFE institutes, so there is a real chance for TAFEs to refocus and take advantage of that opportunity. I know that Mr Hall and his department are working closely with each and every TAFE to make sure that where there are challenges and issues, they are sensibly worked through.

Where there is evidence that government subsidies for courses have been too high or where a course provides a comparatively low return to the economy and students, there has been a lowering of subsidies. I will not go into the detail of that except to make mention of the particular course that was asked about during the Public Accounts and Estimates Committee hearing in relation to circus arts and why the government was maintaining its support for circus arts. The question was asked with a bit of a cynical attitude. Government subsidies for certificate III in circus arts have decreased by 25 per cent. This course is characterised by very low levels of demand — 10 enrolments in 2011 — and higher costs of delivery. The models have been well thought out, and hopefully this means there is a reduced chance of courses becoming extinct, but that at the same time we are becoming sustainable.

Courses that have seen a decrease in government subsidies have shown evidence of rapid growth or oversupply, and that goes to the article that was published in the *Australian* today titled 'Victorian government risking significant skills shortages, says

Senator Evans'. It echoes the line of questioning that the opposition tried and failed dismally to pursue today. Implied was that somehow these reforms, which are an attempt to make the Victorian higher education system financially sustainable, were risking the national partnership agreement. The article quoted a couple of industry sources, one being the Australian Industry Group, saying that cuts to subsidies risked undermining the quality of training and that 'likely fee increases in some areas would be too much for students'.

Senator Evans, the federal minister for tertiary education, has also said that somehow we are going to have a skills shortage as a result of budget cuts. Of course those are unfounded views, because the government was reducing subsidies only to those areas where there is a distinct oversupply and it is intended to beef up the number of students completing courses where there is a skills shortage.

Providing subsidies for all accredited courses also means VET FEE-HELP and income-contingent loans will continue to be available to students in the diploma and advanced diploma courses and that government-subsidised students will remain exempt from the 20 per cent loan fee payable by full-fee-paying students. So choice is preserved: those who need the most help doing the courses for which we have skills shortages will get the greatest subsidies. Those doing other courses will receive differential levels of subsidy, and of course there is still, as I said, VET FEE-HELP.

In relation to TAFE closures and staff redundancies, the minister, Mr Hall, indicated some areas where clearly for all of us, irrespective of which sector we are in, there is always room for improvement. There is always room to revisit the SWOT, the strategic plan. Without anticipating debate, I know that this is a reform Mr Hall wants to focus on more to take advantage of opportunities and address threats. It is imperative that these issues be dealt with.

TAFEs and the dual-sector universities are very highly valued by Victorian learners and businesses, and they will continue to play a critical role in delivering training that meets the needs of the community. Areas of TAFE delivery strengths, including trade training and specialised occupations in shortage, obviously remain strongly supported under the revised subsidy arrangements. This is a very important bit of information to get out to the community. A major part of the meetings Mr Hall has been having with TAFEs has been to work through the challenges. I have every faith that TAFEs will address those challenges and seize the opportunities to make inroads into areas where they can generate more revenue and take advantage of

online and IT education delivery opportunities. I am sure they will meet those challenges and be strengthened by them.

While the closure of a TAFE campus is ultimately the decision of the TAFE board, just as amalgamations have been in the past, the government in general and the minister in particular have commendably sought to ensure that access is maintained, potentially through other providers. We heard the example of the Kangan course for teachers of Auslan. The course had been under threat for some years and its closure was somehow linked to new budget announcements, but with the intervention of Mr Hall's department another provider has been secured to make sure that that course continues to be delivered to Victorians. As chair of the ministerial task force for students with disabilities, I would like to personally commend Mr Hall for making sure that that course continues.

There are of course regional campuses, and some mention has been made of the particular challenges for those. I am aware that a new loading applied to training delivered in regional areas will assist with the higher cost of regional delivery, and that is very important. For new commencements from 1 July and 1 January 2013, a 5 per cent loading will be applied for all enrolments in all subsidised training delivered in non-metropolitan areas. The loading will be available to both TAFE and non-TAFE providers delivering training in regional Victoria. That will mean that rural and regional Victoria will not miss out.

On the other issues that have been raised, TAFE will continue, as has always been the case, to receive separate payments for capital and specific programs, including \$25 million in the 2012-13 budget for high-priority regional TAFE capital works. There will also continue to be additional loadings to low socioeconomic status young people, indigenous Victorians and Victorians studying in regional areas. That shows that we are making the right choices and making sure that those who need the most help get it.

I have referred in passing to the claim that was made that somehow we are walking away from the Council of Australian Governments agreement. The recent changes to the funding agreement are entirely consistent with our commitments under the national partnership agreement, and the Victorian training guarantee continues to exceed the national minimum training entitlement requirements. Any attempt to play politics would be regrettable and would be seen in the context of a federal Labor government clearly trying to find issues and the high moral ground, when those who understand the situation know that the high moral

ground has been very much held by this government in dealing with a system that was left in an unsustainable situation.

Victorians of any age whose highest qualifications are the Victorian certificate of education or the Victorian certificate of applied learning will now be able to access a training place for certificate II or above, increasing pathways into further education and training. It is disappointing that while Victoria is taking steps to drive the uptake in apprenticeships, the commonwealth is discouraging employers from offering apprenticeships by removing more than \$400 million in VET funding through the abolition and deferral of some employer commencement incentives. I understand a further \$34 million has been withdrawn from targeted VET programs. I believe the coalition government is pulling its weight and doing the right thing from the perspective of financial sustainability and of delivering quality educational outcomes for the community as well as meeting its obligations, especially in relation to agreements.

I will speak briefly about the vision. For those who have not had the opportunity to read the document *Refocusing Vocational Training in Victoria*, put out recently, I would encourage them to read it. On page 7 it outlines the vision for a stronger TAFE sector and a more competitive TAFE network. I will quote very briefly from it:

The government recognises that a sustainable VET sector requires a network of well-functioning and modern TAFE institutes offering a diverse range of courses within a contestable training market.

Tomorrow we will be debating another bill that looks at a whole range of governance improvement in higher education and the TAFE sector. That is a result of the minister having his eye on the detail. The document also states that the government will continue to support TAFEs:

The government will support TAFEs through implementing a TAFE governance framework that strengthens the skills of TAFE boards and supports a more contemporary, accountable and innovative sector.

It goes on to talk about a strong TAFE sector and reiterates that:

The government has committed an additional \$1.033 billion over the next four years to support a strong, sustainable and efficient vocational education and training system that equips Victorians with the skills and capabilities essential for a rewarding life as part of a globally competitive workforce.

A campaign has been mounted, and I have received quite a few emails. I would not necessarily consider it

one of the stronger campaigns I have seen over a 16-year parliamentary career. Of the number of emails, which total probably up to about 50 — I represent a region of nearly 500 000 people — I would be lucky to have had two from people who have actually included their addresses on them. Irrespective of the issue, I am always very circumspect when people are not prepared to provide their address. In instances where they do not do so they are often not as genuine as others. I believe every person who makes a representation to a member of Parliament should observe the usual protocols — I used to be an English teacher — of letter writing. Whether it is sent by snail mail or email, you should have the courtesy to provide the details of your address.

Lastly, I know that some local governments are keen to take advantage of this issue in the lead-up to the local government elections. In particular those who have close allies in the Greens party are very keen to wind up local governments to get onto this TAFE bandwagon. One tried only recently to also encourage the local council on which a particular councillor serves to convene a meeting of manufacturers to discuss the impacts of the supposed or alleged TAFE cuts on skills. When the counterargument was, 'Well, perhaps we ought to invite all of the manufacturers to talk about all of the issues that impact upon them — it may be those cuts or the carbon tax — then I might be able to support it', of course that person then lost interest.

This is regrettably being used as a political football, partly to bolster a by-election in Melbourne and partly to give people relevance in local council elections. It should not overshadow the sense of and the necessity for the changes that have been adopted and implemented by Minister Hall in his portfolio. With those few words, I commend the minister and urge the house to vote down this ridiculous motion.

**Ms PULFORD** (Western Victoria) — I am pleased to speak in support of the motion moved by Mr Lenders. Like other members in this place, I have read some heartbreaking correspondence from people right across my electorate who will be the human faces of the incredibly significant funding cuts to TAFE that the government, as part of its budget deliberations, has determined will occur.

These are the most savage funding cuts to TAFE in Victorian history, and the impact across Victoria is great. In my own electorate of Western Victoria Region there will be a 14.9 per cent cut to Gordon Institute of TAFE's budget, and redundancies will be offered, resulting in the loss of skilled trainers in the Geelong West area. In the south-west of the state, South West TAFE provides educational opportunities to people at

Glenormiston College, Hamilton, Portland, Sherwood Park and Warrnambool. Eighty per cent of the courses offered by South West TAFE will have reduced government funding, and courses are expected to be cut.

The University of Ballarat, which is a dual sector institution, as members may be aware, has a significant challenge ahead of it. Its TAFE budget is around \$50 million a year and the cut is in the order of \$20 million a year, so this represents a 40 per cent decline in funding. In terms of cuts to courses, I am advised that around 50 or 60 courses will be affected. The university has indicated that there will be redundancies. Regarding the exact nature of these, I am assured that there will be voluntary redundancies offered in the first instance, but exactly where and when these will occur is still to be confirmed because this has come like a bolt from the blue for the TAFE sector. Radical changes need to be made in a very short period of time. The University of Ballarat's TAFE operation provides TAFE courses to people in Ballarat as well as those at the western campuses in Horsham, Ararat and Stawell.

The cuts also mean the complete removal of the funding differential and full service provision provided to TAFEs. This represented an essential community service that TAFE provides, recognising that there are additional costs on public sector education providers when compared to the private sector providers with which they must compete. These additional costs include infrastructure costs and often a higher wages bill, because the TAFE sector is covered by a collective agreement negotiated between the sector and people who have worked in the sector over many years. It is a fact that TAFEs often pay higher wages, and because they are larger and more established institutions they tend to offer a range of student services and amenities that private providers are not required to offer or have not historically offered. The recognition of the special role of TAFE in providing important community learning infrastructure has also been under attack with the Baillieu-Ryan government's budget. The overall cuts to TAFE are in the order of \$291 million a year.

I note that Mr Hall, the Minister for Higher Education and Skills, is in the chamber and that he took the opportunity to participate in this debate as the first government speaker. This is quite a contrast to many of his frontbench colleagues when we have debated issues that relate to their portfolios. I give some credit to Mr Hall for having the decency to sit here and participate in the debate, to listen to what we have to say and to contribute to the debate, because it shows a

respect for the house and for opposition business that we have not seen from his colleagues.

In this budget there is also no new state capital investment. I certainly have a concern that if some of the smaller rural campuses are required to close because the new funding regime determines that they are no longer viable, then these buildings and assets that are important to communities in rural Victoria will be lost to those communities.

The funding rates for many courses have been dramatically cut, and this is why we are now starting to see announcements from some TAFE providers about the shape these cuts will take. It has been put to me that there are entirely too many people training in the dark art of personal training. You should meet my personal trainer. She is a nasty piece of work first thing on a Monday morning. Hello, Heather, if you are watching!

There are of course cuts that go way beyond any desire by the government to adjust the mix of who is learning what and where. The reductions in funding are so dramatic that the courses that will be impacted are many and varied, and they are offered in a great variety of locations across Victoria. It is estimated that there will be job losses in the order of 1000 trainers in rural and regional TAFEs and 1200 to 1500 in Melbourne. This is a massive loss of expertise that will occur, and that is a tragic thing for people wanting to improve their lives, their earning potential and their skills by undertaking training.

I note that the minister has to date refused to rule out campus closures, and again I would invite him to do that at any point. That would assist with certainty. Having participated in numerous debates with Mr Hall in the last Parliament, I know that Mr Hall has always been, until now, a passionate advocate for access —

**Hon. P. R. Hall** — Until now?

**Ms PULFORD** — Perhaps still, but this is Mr Hall's portfolio and Mr Hall's budget, along with that of his colleagues in the government. On many occasions in this place Mr Hall has talked about the importance of the location of training to participation and completion of training in regional communities. There is an undeniable link between the location at which training is provided and the location where the student resides or originates from and their likelihood of participating in training, completing their training and therefore enjoying the opportunities that come from enhanced knowledge and skills. Mr Hall and I have been in mad agreement about this point on many occasions over the years, and I am deeply concerned

that a consequence of these cuts will be that for some people travelling to the course they want to participate in it will be just that little bit too far and that little bit more difficult, and that will mean that there will be diminished training opportunities for people in rural and regional Victoria. That would be a terribly unjust thing and an awful consequence of this decision of the government.

As Mr Lenders indicated, the government has really brought this debate upon itself fairly and squarely because, as previous speakers have noted, government is about choices. There are any number of decisions that are made through budget deliberations, and that this one got through the government's budget expenditure review committee is a damning indictment of the members of the government who participated in that decision-making body — and those from the cabinet and from the Liberal-Nationals party room as well.

Throughout the budget deliberations there has been a failure to protect the interests of people who need to access vocational training, including those for whom this may be the only option because of circumstances, cost or geography. I would assert that this government has a questionable commitment to education. I am absolutely disgusted by the cuts to the education maintenance allowance (EMA). I was speaking to a senior teacher in a secondary school just a week ago who said that in their school community alone it is a \$60 000 problem to fill the gap caused by cuts to the EMA.

**Mrs Petrovich** interjected.

**Ms PULFORD** — If Mrs Petrovich wants to defend cutting the support for children to participate in school excursions, then bring it on.

We know that the cuts to VCAL (Victorian certificate of applied learning) coordinators have in part already been felt. The impact is still to be felt by the schools that deferred getting rid of their VCAL coordinator into the next school year. There are many communities in my electorate where there is just one state secondary school provider. Those schools now have to make a choice between VCAL or no VCAL for the entire town and providing additional Victorian certification of education subjects. What an invidious choice that is for a school council or principal to be deciding — which to prefer — when any reasonable government would enable the kids who go to state schools in those towns to have those choices.

The government has scrapped the Victorian schools plan. Mrs Petrovich raised the issue of infrastructure when I was talking about the education maintenance allowance. In the government's first year there was a \$481 million cut to education spending. Our young people are the greatest asset we have here in Victoria, and investing in the future of our young people through education, through TAFE training or in primary and secondary schools — the early years — is of course very important. That is something I would have hoped any government would place a high value on.

This is a radical transition that is occurring in TAFE, and it is a transition that TAFEs are being required to introduce and respond to very quickly. There will be students who are caught mid-course and people who have made their plans for what they had hoped to study next year, all of which will be interrupted. Their plans for their education and their life's journey in education will be interrupted by this decision of the Baillieu-Ryan government and by the inability of The Nationals to stand up to the Liberals in government — again — in looking after what is in the best interests of our regional and rural communities. I am concerned that a consequence of this will be a winding down of regional TAFE infrastructure, but on that we will have to wait and see.

I will briefly respond to some of the comments Mr Hall made in his contribution. Mr Hall thought that this might be a good opportunity for the Labor Party to outline its policy in this area. To that I would say that this is the sitting week after the state budget, at a time when the supporters of TAFE are taking to the streets all over Victoria. This week is about Mr Hall's lot. The opposition will continue to do policy work and articulate its plans in the lead-up to the next state election, but on this occasion, in the first sitting week following the state budget, when there has been a \$300 million axe taken to TAFE, it is about the government. We will not be dropping our scrutiny of the government in this regard.

The reforms that Mr Hall spoke about — the uncapped funding model that was introduced a number of years ago — were supported by the then opposition. I note that Mr Hall has tabled a chart indicating education spending that he sought to incorporate into *Hansard*. But this chart will be of no comfort to all those people who have called us, who we have met with and who have sent the many, many emails with those personal stories about people whose lives will be devastated by this decision of the government.

Mr Hall indicated that there were concerns, as he saw it, around quality. But the quality and structural changes

that the government asserts might improve training opportunities are not the solution here. The government is literally taking a meat cleaver to the sector. Instead of reshaping the pie, it is just cutting it into a much smaller size. We know Mr Hall is not proud of these cuts.

I will conclude by indicating my wholehearted support for Mr Lenders's motion. We are deeply concerned, as is the Victorian community, that this approach to TAFE funding is ill conceived. The decision that the government made in its budget deliberations around TAFE funding was ill conceived and should be urgently reviewed. There are many unanswered questions about the impacts of this decision. I know that in my electorate there will be fewer courses in fewer places. There will be highly skilled training staff out of work and no longer able to provide that skills transfer to future generations. There will be higher fees for some people.

The threat of campus closures remains very real, and the government has not in any way sought to provide an assurance that these will not occur. In many parts of the state a campus closure will mean that there will be fewer educational opportunities. The research tells us that means there will be fewer people participating and fewer people fulfilling their potential as a consequence. So for the business community that requires a skilled workforce, for students and prospective students who want to improve their lives and for communities and towns right across Victoria for whom the TAFE institution is an important part of the community and social infrastructure providing education to the whole community, this is a devastating thing. I urge government members to look deep into their hearts to reconsider what they are doing to TAFE in Victoria and support Mr Lenders's motion.

**Mr DRUM** (Northern Victoria) — I am pleased to rise to take this opportunity in the house this afternoon to rebut much of what Mr Lenders has put in this motion in relation to recent changes to vocational training and to the TAFE sector. Mr Lenders has obviously learnt a lot since he moved into the ranks of the opposition, because so much of his verbiage now is about saying he has learnt from one Peter Kavanagh, a former member for Western Victoria Region, that it is true it does not matter how much you spend in government, it is about what outcomes you can obtain. For years the previous Labor government saw the amount of money it spent as an indication of success, and the more money it spent the greater the level of success that it claimed. In that regard former Prime Minister Rudd and current Prime Minister Gillard would be revered leaders of this great country forever and a day, because they have spent money like so many

drunken sailors it would be impossible to put a tag on the number.

Mr Lenders has now had a hallucination about spending money being no indicator of success and says that what we are looking for in this instance is educational outcomes. Mr Lenders also mentioned that somehow or other these changes will reduce opportunities for regional students. However, Mr Hall outlined in his contribution how many extra regional students have been able to access tertiary studies under the current structure over the last 12 months, and he has extrapolated that out over the next four years. Many thousands of additional training places are being made available in the regions as opposed to what was previously the case under the former government.

In his contribution Mr Lenders effectively said that it is all about choice and that governments have choices. To push his point he came up with the idea that maybe we should not have had the PSOs (protective services officers). The government has made a choice to fund the PSOs, and now it is not going to fund the TAFE structure the way Mr Lenders would like to see it funded — although he did not say he would fund the TAFE structure.

There has not been one speaker from the opposition who has said what they would do. They have simply talked about what they wish we would not do — again, being all things to all people. That is the way it was when the now opposition was in government. Government members would look across the chamber at the then opposition with absolute disdain and say, 'You just want to be all things to all people. You go crook every time we make a cut. You go crook every time we don't fund something that you want funded. But you never put up; you never actually say what you would do'. Here again the opposition has learnt a great deal in relation to the Kavanagh principle that it does not matter how much you spend, it matters what outcomes you achieve. In other areas it has not learnt very much at all.

The current opposition collectively has a short memory. It is interesting to hear how opposition members have given Mr Hall credit for being in the chamber this morning and again this afternoon and for leading the debate against this motion, as if somehow or other it is an unusual action from this government. I have been on the opposition benches in this chamber for eight years, and I do not think I have ever seen a minister lead a Wednesday debate in general business or opposition business. I do not think I have ever seen anyone from the previous Labor ministry ever lead a debate. All of a sudden they are starting to pay homage to Mr Hall for

somehow or other having the courage to stand up. It is so hypocritical. It is not a practice that they followed to the letter while in government; in fact we were very lucky if we ever had a minister take carriage of a motion against them or even try to defend themselves. They made it an art form that the minister would not come anywhere near the chamber. It is hypocritical to assign that form of scepticism towards the current government by starting to say now that it is an amazing revelation from the government when the minister comes in and leads the debate.

As I said earlier, the opposition is now saying government is about choices. While opposition members refuse to say what they would do, it is interesting that the one choice they have mentioned so far is between the rollout of protective services officers and the TAFEs. That is the former Treasurer speaking. The Labor Party in Victoria does not quite know where it stands on PSOs at the moment. In one instance today Mr Lenders was highly critical of the rollout, saying how expensive PSOs are, questioning whether or not they are patrolling deserted railway stations and saying it is too costly to do up the railway stations with toilet facilities, but at the same time shadow ministers are going to their local papers, crying blue murder because there are no PSOs on their railway stations, claiming inequity in the whole system and asking, 'When are we going to get the PSOs into Bendigo? When are we going to get the PSOs into some of our outlying major stations around Melbourne?'

It is absolute hypocrisy. It is a branch of politics that does not know what it stands for. You either support something and you get in behind it or you oppose something, and you stand on your dig because you believe in something. This concept where you want to have a crack when it suits you, and then suddenly you ask, 'Why can't we have it as well?', is just pathetic. It is yellow-livered behaviour and it has no strength of conviction whatsoever. Talk about choices!

Let us go back to where all this started. Let us make no mistake, the situation we find ourselves in is simply a result of a number of changes to the system implemented by the previous government. Make no mistake about this at all: everybody who has worked in the training sector will sing the history of this problem from the same hymnbook. Whether they be registered training organisations (RTOs), trainers, staff, group trainers or TAFE administrators, they will all ask: how did this mess happen? The previous government introduced the system of contestability, coupled with an uncapped training guarantee, coupled with the absence of any appropriate funding provisions. When you put

those three elements together then this is the mess you get.

Whether you want to blame the former Minister for Skills and Workforce Participation, Jacinta Allan, whether you want to blame the previous Treasurer, whether you want to blame the previous Premier, it does not matter. When you put those three areas together you end up getting the mess that is highlighted in the graph that Mr Hall has now had incorporated into *Hansard*. It shows quite simply that if left unattended, we would have had in excess of a \$1 billion overrun over four years because the previous government did not do its numbers correctly. It did not understand that people were going to take advantage of the system. It did not understand the range of areas where people were going to rip off the system and take advantage of an uncapped funding stream, where the opportunities to rort the system were in effect endless. That is what we have seen.

A government that puts in place any plan, in any portfolio, that will run over by \$1 billion should hang its head in shame. But the Labor Party treats this as a badge of honour. How wrong can it get its finances? It does not matter to Labor; it just does not treat this as an issue. Why would the fact that we are \$1 billion out be an issue? Where is the problem with that? It just funds it and does not care where the money comes from.

We, on this side of the house, assume that means we need to borrow more and increase state debt. That is all we can assume, that we should just keep loading up the credit card and pay for it because it is not our problem that people are rorting the system. It is not our problem that there is a whole range of rip-offs occurring within the training sector.

You would think that the Labor Party and even the Greens would have some level of acceptance that the rorts and the rip-offs that have become commonplace throughout the training sector need to be addressed. But we have not had any member, either from the Greens or from Labor, who has acknowledged this. I am sorry, Ms Pennicuik did mention that there was a range of rorting procedures that should have been addressed. But nobody from Labor has gone through the detail and looked at how meticulous some of these providers were in taking advantage of the previous structure.

There are situations in which some TAFE colleges had some students enrolled in seven courses at the same time, at the same level; is that fair and reasonable? I ask members to have a think about that. Is it fair and reasonable that any individual should be enrolled in seven courses at the same time? Do members want us

to keep funding this program? Has anybody got an answer for me? Or is it okay that we are enrolled in six courses at the same time at a TAFE college? Is that okay? The courses all have to be on the same level, because we know that you cannot be paid by the state government for training if you are not training up. However, you could be funded if you were studying them all at the same level. Is it okay if someone is enrolled in five courses at the same time at a TAFE college? No-one cares. Whatever happens, the concept of studying at the same level, at the same time, does not seem to matter. It is for only one reason, and that is to assist in ripping off the state.

Is it okay for RTOs to offer sponsorships to organisations who can provide a critical mass of students to undergo a course? The minister stood up in the chamber and in effect outlined how some providers of these courses say, 'If you can give us 50 people, we will give your organisation \$1000 a head; we will pay the individuals \$500 a head; we will make them do 13 hours'. That 13 hours should in fact be 100 hours, but they say they can do this course in 13 hours, after which the individuals will get their certificate, the organisation will get its money and individuals will get their money. Of course the RTOs are laughing all the way to the bank, handing out dodgy certificates — and they were dodgy.

We have got examples of the issuing of recognition of prior learning certificates. The people involved in the structure — I am sure that Mr Leane would understand — undertake recruitment process outsourcing, and that leads to another system of rorting. Approximately 27 students associated with TAFE courses have gone straight through the system, from certificate II right through to diploma level — all levels ticked off — and each one getting 100 units for each particular course. There are problems and rorting within the system, and yet we get no acknowledgement from the opposition as to why we needed to make these changes.

Mr Hall highlighted the fact that the previous government did not put in place any form of monitoring. When other sectors have been deregulated down through the years — whether it be power, water, telecommunications or financing — monitoring was always put in place to ensure that the people in Victoria did not get ripped off. But the Labor government — and Labor simply cannot manage money — made significant changes in the sector with no form of monitoring whatsoever, so when the rorting comes a' knocking, and when the people of Victoria are getting ripped off, it is because no official body has been given the role of monitoring the system.

There has been good growth in plumbing and aged-care courses, and we are supportive of that growth, but to have growth in the areas of sports management, customer contact and fitness instruction of between 2000 and 5000 per cent over the last two years is ridiculous. It is a growth that will not lead to state productivity. Therefore the responsibility has fallen back to Minister Hall to make the changes that will give Victorians the value and efficiencies they need as well as ensuring that the courses that will give this state genuine productivity are resourced and promoted with the correct incentives.

Under the current structure the minister has put in place priorities to ensure quality of service and that the available courses will be supported and resourced correctly to serve industry and the business sector well. He is also adding to the providers, contracts additional requirements to ensure that the market monitoring unit is up and running and that there is a genuine involvement from industry in the quality assurances. These are the types of measures that should have been put in place to ensure that all courses for Victorians are relevant to current needs, whether for the business community, the industrial community or simply for the social sector. But they were not put in place. We also need to ensure that all the courses provided by the state are done so on a sustainable basis. These are the basic pillars of any educational structure, and they should have been put in place many years ago.

The previous government thought this process would cost in the vicinity of \$855 million for the 2011–12 year, but got it wrong to the tune of \$500 million, with the actual spend being \$1.3 billion. It is incredible that it could have been so far out in its calculations.

We have also heard about some of the generous working conditions that currently exist within the TAFE sector, including working for 30 hours and being paid for 38 hours, taking a sabbatical for 12 months every five years on 80 per cent of your wage, provided you take a pay cut for the six months leading up to your leave. It is quite generous. We need to ensure that we have a government that will drive efficiencies in the training sector. It is the philosophy behind contestability and behind supporting RTOs — to create the efficiencies at the same time as ensuring that the industry and the business sector are well served by the types of courses that are supported by the government.

Minister Hall has also spoken about the \$20 million investment in rural and regional Victoria. This is an additional \$20 million, \$11 million of which has already been spent to create new opportunities for students from rural and regional areas. I addressed this

earlier in my contribution when I referred to the thousands of additional places that will be available now that would not have been available under the previous structure.

We also understand the importance of talking to regional TAFEs, as I have in Bendigo. The CEO there has been positive about where its future lies. In fact she told me that she would insist, if she spoke to any other politician, that their public comments were positive and talked up TAFE colleges. However, when Labor Party members get involved all they can do is talk everything down. It is their way of doing business — to talk the system down and dispel any confidence in the TAFE structure. The member for Bendigo West in the other place did her absolute best to talk the system down. However, the system will move on and there will be positive results from the structure.

I will finish by referring to some of the contributions from Mr Scheffer, who in effect said that the Latrobe Valley Industry and Infrastructure Fund has not had any contact with the unions. That is an out-and-out mistruth. The members of Parliament working on this group on behalf of the Deputy Premier, Peter Ryan, have met with unions personally. Regional Development Victoria has worked very closely with the Gippsland Trades and Labour Council and has run conferences in conjunction with the Gippsland Trades and Labour Council. The government has also jointly funded positions within the Gippsland Trades and Labour Council to ensure that there is a position on the ground to assist affected workers.

One of the greatest problems we have down in Gippsland, if Mr Scheffer wants to be honest about things, is the introduction of the carbon tax. Every industry in Gippsland is fearful of the repercussions of the carbon tax. They do not have to worry about what is happening in the future, because the damages are being felt now. We had to swing into action many months ago, as Mr Viney found out yesterday in question time when he was asking about what sort of investment the government has put into GippsAero and the Latrobe Valley airports. That investment went in weeks ago. Jobs are already on the go, and at the only aeroplane manufacturing plant in Australia they are rolling off the production line. These things are up and running and the jobs are coming in.

Sometimes it is frustrating when you have an opposition that really does not know its stuff and wants to talk about the negatives. When they hear a positive, they cannot even work out a supplementary question. It is quite staggering. However, conferences have been led by Regional Development Victoria with the

Gippsland Trades and Labour Council. We are working in conjunction with employers, we are advertising that this government is open for business in the Latrobe Valley. If any business is looking to partner up with this government to create jobs in the face of the carbon tax and some of the job losses in the valley over the last six months, then everyone in the Latrobe Valley has no doubt that they have a government that is prepared to partner up with them.

We are hopeful future speakers from the opposition might be a little less negative and more forthright about what they would do. What would they do if they had the opportunity to clean up the mess that they had created? It is an unbelievable mess that is vastly underfunded. I suppose we should not be too alarmed. For the 11 years that they were in government they had an average of \$1 billion in blow-outs in all of their portfolios each and every year, so we probably should not be overly surprised that they blew \$1 billion in the training sector in just a four-year period. We should not be overly worried.

This is the mob that gave us the desalination plant that we do not need and the north-south pipeline that we do not need. This is the mob that mucked around on myki for five years with enormous blow-outs, and this is the same mob that thought the regional fast rail program was going to cost us \$300 million. They have just lurched from one financial disaster to the next, and after 12 months of the coalition being in government in some of the most ridiculously hard financial times, thank goodness we now have a government that is able to cut its cloth to suit the economic times of the day.

That is something of which all Victorians can be very proud. At least they know these tough decisions are being made because they have a government that is going to bring the state's finances under control and will make sure it positions this state for the opportunities. When the economy starts to jump we will be in a position to start taking advantage of it, giving Victorians all the services they want and need that they previously would never have been able to get under a Labor government that does not know how to manage money.

**Ms HARTLAND** (Western Metropolitan) — I am extremely positive about TAFE, having been a TAFE student. I left school when I was 16, and I spent about 20 years working in low-paid, low-skilled jobs. When I was 40 I went to St Albans TAFE and did the community development course. One of the reasons I was able to do that course was the extra support the TAFE gave to mature-age students, especially around spelling, grammar and learning to write again after I

had not done it for a very long time. All the women in my class were roughly the same age as me. Many of them were single mothers, and this was the course that was going to get them out of poverty. This was the training they needed to move on from those low-skilled jobs into well-paid jobs. So I am extremely positive about TAFE. I think it is a fantastic system, and I am absolutely appalled by the fact that this government wants to undermine it.

I want to spend most of my time today, however, talking about dramatic cuts to the Auslan course at Kangan Institute. I believe the minister's comments about Kangan were entirely unfair. He said it was considering dumping the Auslan course before the recent budget cuts, and that is clearly not true. Cuts to TAFE funding since 2009 have put a lot of pressure on every TAFE in Victoria, but Kangan has held firm on its commitment to the Auslan diploma. Its actions speak louder than words. This year the Kangan executive team agreed to offer student exemptions for Auslan — for example, if a student who already has a diploma wants to retrain in Auslan, they would ordinarily have to pay full fees of about \$10 000 per year instead of \$3000 after the government subsidy for someone who was 'training up', but Kangan has been offering exemptions over and above the government exemptions for students studying Auslan.

This financial commitment reflects an extraordinary ongoing commitment to Auslan teaching from an institution that realises what the human rights consequences would be if the Auslan diploma course were cut. When we say human rights, that is pretty clear. If we do not have enough interpreters and if we do not have enough people trained, then how are deaf people going to be able to access doctors and lawyers? We already have a situation where there are about 1800 hours of unmet interpreter need, so if we cut this course, there are going to be a whole lot of other people who just will not be able to do that.

Government funding for the Auslan course has been cut and cut again — from \$10 per hour to \$6.50 and then to \$5.50 per hour. Auslan is not like other TAFE courses; it does not fit the standard funding model because they have to provide an interpreter. In my view the government's attitude to the Auslan course is symbolic of the TAFE cuts, because it is an example of a TAFE course that meets a need that is not met anywhere else. It is highly vocational; there are jobs available for students who go on to do a postgraduate interpreter course at RMIT because there are not enough interpreters in Victoria and interstate. It is unique to the whole eastern seaboard of Australia; the only other course of its kind is in Perth.

Without Auslan graduates, there are a whole range of human rights that will be violated. As I said, who is going to interpret for a deaf person who goes to the doctor, has a court case or goes to a lawyer? We have had examples of people who have not been able to participate in their parents' funerals because there was no interpreter for them. Where are the interpreters going to come from? Mr Hall said yesterday that basically Kangan was willing to give it up, but I have a letter from Julian Herten, who is the coordinator of the Auslan and Deaf Studies Centre at Kangan Institute. He has given me permission to read out this letter, part of which says:

... Kangan Institute conducts Australian sign language courses for hearing people who seek a meaningful vocation working with members of the Victorian deaf community. Kangan is the sole provider of the diploma of Auslan in Victoria. A&DSC staff and students were today informed that their training programs would cease to exist in December this year.

Auslan was formally recognised as a 'community language other than English' in the 1987 white paper *National Policy on Languages*, which led to the acknowledgement of Auslan/English interpreting as a legitimate profession. With the support of the Cain government, an innovative and effective Auslan interpreter training program was established in 1988 — the nation's first. As the course evolved, the Auslan language acquisition component was separated from the interpreting component, which was adopted by RMIT, where most NAATI-accredited training is based.

He goes on with a great deal of detail about the course. He is clearly concerned that the minister is saying that this course can be changed or that this course is not needed at Kangan. It would appear that someone forgot to speak to the institute. His letter ends by saying:

I expect the Victorian state government, and specifically the HESG, are largely unaware of the deleterious effect that this latest TAFE reform funding decision will have upon deaf people in Victoria. The intention of HESG was made very clear: to cut funding only to those courses where there is a glut of qualified practitioners in already saturated industries while maintaining support for those industries where there is a clear need for more trained personnel. I urge you and your colleagues, our state elected representatives, to urgently investigate and reverse this intolerable assault upon social justice, access and equity.

I urge the minister to actually talk to these people.

One of the other things the minister said yesterday was that the Deaf Society of New South Wales would be taking the courses in Victoria. Interestingly the Deaf Society of New South Wales does not seem to know all that much about that. I have a statement here from Sharon Everson, chief executive officer of the Deaf Society of New South Wales, which was posted on Facebook this morning. It reads:

Hi everyone,

You may have seen the report from Greens MP Colleen Hartland about NSW trainers coming to conduct courses in Victoria.

There was also a story in the *Age* newspaper today. It says that Peter Hall, the tertiary education minister, says that the Victorian government will give subsidies to the Deaf Society of NSW to offer Auslan training in Victoria.

The department did not contact the Deaf Society of NSW before making this statement and the department did not contact the Deaf Society of NSW to offer any subsidies.

The only role the Deaf Society of NSW wants to play in the Kangan crisis is to support Kangan to continue to provide its Auslan courses.

It would seem that the minister has been misinformed. The statement continues:

It is important that we focus on the facts and send out a clear message that Kangan needs the funding.

We all want to make sure that there are training opportunities for our future Auslan interpreters.

If you have any questions, please contact me ...

Does anybody else want to have a look at this? Maybe the minister might like to have a look at this and see whether the government should be contacting the Deaf Society of New South Wales and the Victorian Deaf Society. The minister stated very clearly yesterday that the Deaf Society of New South Wales would offering the courses, yet it clearly does not know anything about these courses that it is supposed to be replacing at Kangan TAFE.

I think it would be very good if the minister made a statement and explained why there have been major and dramatic cuts to Kangan in relation to this particular issue and why it is that he said in the Parliament today yesterday that the Deaf Society of New South Wales would be replacing the courses when it is quite clear that the Deaf Society of New South Wales knows nothing about it. I would like to hear a statement from the minister on this issue.

The cutting of this particular course is the epitome of this government's lack of understanding of TAFE courses. This is a course that assists deaf people. This is a course that trains interpreters. People cannot go on to do the interpreters course at RMIT unless they have done this course at Kangan, so how are we going to train interpreters for the deaf community without this course? That is the question I would like Mr Hall and this government to answer. The cuts to TAFE are beyond the pale, because the government is taking away education from people like me who got a second

chance, in my 40s, to have an education. I would have thought that that was a good thing. I would have thought it was something that this government should encourage, but clearly it does not care about ordinary people who cannot afford exorbitant fees.

**Ms TIERNEY** (Western Victoria) — I rise to speak in support of the motion moved by Mr Lenders earlier today. Before I get to the substantive matter, I wish to remind the house that it was only a short time ago — late last year — that the TAFE sector took a substantial financial hit. That was after each and every one of those TAFE institutions had already set their budgets. Out of the blue they were then hit with \$100 million being stripped from the system, so it is little wonder that the TAFE institutions are particularly active in relation to the state government's recent budget announcement. In a members statement yesterday I mentioned that correspondence about this issue has inundated my office, and I know for a fact that members of Parliament across all political parties have had their BlackBerrys inundated with emails about this very issue.

The simple fact is that there is enormous support in the wider community for the TAFE system, which is demonstrated by the fact that we have been inundated with emails, telephone calls and letters. People have been walking off the street into our offices to complain about the cuts. As I reported yesterday, I have even had elderly people — who do not normally knock on the doors of politicians — go out of their way to come in and complain. I will take this opportunity to thank all those who made contact with my office in relation to this issue — indeed as recently as today in response to the members statement that I made yesterday.

It is clear that an overwhelming majority of people in the community are opposed to the government's announced \$300 million cuts to this sector. As if the money amount was not enough — and it certainly is — the devil in the detail of the cuts is even more disturbing. We have already heard from other speakers that these cuts are the largest cuts in the history of this sector.

I turn to the details of the cuts. The cuts include the complete removal of the funding differential payment to TAFEs. This funding was there to provide essential community services, to support the large infrastructure costs of TAFEs and to provide essential training to thin markets and small rural communities — and I must stress and underline the thin markets and small rural communities. It also often paid to assist with the higher wages that were attracted in the TAFE sector, and it enabled TAFE institutions to offer a range of student

services and amenities not found in many private providers. I refer to such things as libraries, student lounges, welfare officers and counsellors. All of those sorts of amenities now have a huge question mark over them.

We also saw that no new capital investment was announced in the TAFE budget and that all training providers have had their subsidies slashed from between \$6.50 and \$8 to less than \$2 per student hour in courses such as business, hospitality and retail, customer service, event management and fitness. All of this means that TAFE jobs will be slashed as well as courses. In regional areas those slashes are in the vicinity of 1000 jobs, and, as I understand it, in metropolitan Melbourne it ranges from 1200 to 1500 people who will be losing their jobs.

It is no wonder that there are media headlines raising all the concerns that the community is screaming about. As I left my office downstairs to come into the chamber I grabbed a couple, but I have a mountain of these news clippings. I will give members some idea of what is being covered in the media in my electorate of Western Victoria Region. The front page of the Ballarat *Courier* of 19 May states 'TAFE turmoil revealed — hospitality, business, art courses may be dumped'. An editorial in the Warrnambool *Standard* is headed 'Students the real losers'. Another headline in the Warrnambool *Standard* is 'TAFEs threat — south-west "at risk"'. An editorial in the *Geelong Advertiser* is headed 'Gordon suffers a razor slashing'.

The Ballarat *Courier* of 17 May had a headline 'Community rally to support TAFE'. There was an excellent letter published in the Ballarat *Courier* of 21 May headed 'Government trashing long TAFE tradition', and of course a lot of people would have seen the headline in the *Saturday Age* of 19 May, 'TAFEs warn hundreds of jobs, courses to be slashed'. Again, the Ballarat *Courier* of 19 May had a headline 'TAFE cuts bound to hurt'.

The impact of all these cuts in regional Victoria will have a disproportionate negative impact. TAFEs in regional Victoria are often the only educational institutions close by. They enable local students to participate in training and provide further opportunities as a stepping stone to university courses. It is a popular option, particularly for those who are seeking trade training, but also for other students who need a more cost-effective path for further education. In addition, the fact that there is a local TAFE in a regional area means that our towns attract a range of professionals who, with their families, provide our local communities with

additional skills and community connections that cannot be underestimated.

Regional Victorians know the importance of local TAFE providers. In February this year the *Weekly Times* conducted a substantial survey. It reported on 22 February 2012 that in a poll of 100 000 Victorians it found only 1 per cent thought cuts to the vocational training sector should be made to TAFEs, 84 per cent believed TAFEs were too important to the training of Victorian workers for their funding to be cut and 75 per cent thought the government should invest in TAFEs as a priority.

I could speak for hours on this issue, but for the sake of brevity I will give a snapshot of the impact of what is happening at the Gordon Institute of TAFE and the University of Ballarat TAFE. In relation to the Gordon — and this has been covered in the *Geelong Advertiser* — there are reports it will lose approximately \$14.6 million in funding for next year. This loss of funding amounts to 20 per cent of the institution's total revenue base. As I mentioned, this figure is on top of the \$2.5 million decrease in revenue as a result of the cuts announced in October 2011.

The University of Ballarat TAFE has announced it will cut up to 60 of its TAFE courses, and has already started to offer staff redundancies. Currently the university has 180 TAFE programs, with 8500 regional students enrolled in a variety of campuses. It is facing a 40 per cent decline in funding in courses such as horticulture, management, finance and business. Those sorts of courses are absolutely key ingredients for capacity in our regional areas.

In October last year South West TAFE was forced to make eight redundancies as a result of cuts announced on that occasion. As I speak, it is looking at how to save as many courses and staff as it can. It has already indicated that one of the first things that is going to have to go is its broader engagement in the community, because it just will not be able to afford the time or the money to play that important role.

In relation to what people are saying in Geelong in respect of the Gordon, I will start with the Committee for Geelong's CEO, Peter Dorling. He was quoted in the *Geelong Advertiser* of 3 May as saying the region needed the Gordon 'more than ever':

The Gordon are part of the fabric and the social responsibility of Geelong and I think it's time for the Geelong leadership group to stand up for them.

He was further quoted as saying:

Any adjustment for what their budget, big or small, will be bad for Geelong.

Grant Sutherland, the CEO of the Gordon, was quoted in the *Geelong Advertiser* of 10 May as saying:

There will be significant job losses and some of our current courses will not be offered in the future.

He was also quoted in the *Geelong Advertiser* of 19 May as saying:

All levels and areas of our institution will be impacted upon.

The editor of the *Geelong Advertiser*, Nick Papps, said on 10 May:

The state government has, after all, savaged funding by \$100 million and, as state opposition leader Daniel Andrews suggests, at best, there will be fewer regional courses on offer and thousands of TAFE staff will lose their jobs.

The Gordon is a key employer and a key personality in Geelong and far further afield. For generations, it has been the linchpin of agricultural, textile, design and industrial education from Geelong to the state's western border.

We have also had some salient comments from the member for Geelong in the Legislative Assembly, Ian Tresize, when he said that at a time when uncertainty hangs over 300 jobs at Avalon — and we now know after yesterday's announcement that 113 jobs are going at Avalon — and 600 jobs at Alcoa and at the time when the government itself has the axe hanging over the heads of hundreds of its own public servants in Geelong, it is absolutely reprehensible that the state government should be slashing millions of dollars from the Gordon TAFE. In fact it would be a sick irony if the very people who would be retraining retrenched manufacturing workers are themselves retrenched because of these cuts.

Moving on to Ballarat, a number of comments were made by David Battersby, the vice-chancellor of the University of Ballarat. He has been a key defender of higher education and post-school education for many years. He was quoted in the *Ballarat Courier* of 3 May as saying:

TAFE institutes, particularly in regional Victoria, are part of the fabric of our communities, and have been built up by those communities over many decades ...

So we are very disappointed with the scale of the government's cuts to TAFE.

The university has now begun a detailed process to examine the implications for its TAFE provision.

On 16 May he was quoted by the *Ballarat Courier* as saying:

With such a massive funding cut, there are few options for UB —

the University of Ballarat —

... a number of UB's vocational education training (VET) programs have become financially unviable.

Then of course we heard the comments from Catherine King, the federal member for Ballarat. She said:

The Victorian government is risking significant skills shortages when its budget cuts mean some of the state's biggest training providers, like the University of Ballarat, are forced to downsize and reduce courses.

Not only will we not be developing people with the skills we need in this region, we will be putting quality trainers on the scrap heap.

Last Friday in the *Ballarat Courier* Professor Barry Golding just hit it on the head when he said:

As a researcher who studies equity and access in vocational and adult education internationally I am acutely aware of and gravely concerned about the many negative and likely long-term consequences of the Baillieu government's recently announced cuts to funding of TAFE courses and institutes across regional Victoria.

This impact includes the wellbeing of individuals, families and communities.

I am alarmed at the imminent and likely loss of many excellent courses, campuses, institutions, expertise, jobs and opportunities right across Victoria ...

These cuts are sudden, savage and unwarranted, other than to provide further, very dubious private contestability in already thin regional education markets.

They will leave many students, families, communities and industries struggling to access or complete courses in an already flat regional economy ...

I heard a number of interjections from the other side yesterday that Labor is scaremongering in the community on this issue. Interjections like that merely indicate how out of touch this government is. Concern in the community across all sectors is deep, and all I say is that to continue to ignore this will be at the government's political peril.

The other point I want to raise is the half-hearted defence from the government in relation to its decision to slash millions from the TAFE sector. Essentially it said that TAFE actually needed to be restructured. Of course most people would see through this, because the basis of the government's defence says more about the government and its inability to manage. If the massive cut of \$300 million is now to be dressed up as a necessary restructure of the sector, what does this mean? Are we to expect that the restructuring events are cases of slitting the throats of organisations and then

sitting back and seeing what the fallout is? Surely not. The fact remains that this decision will have an enormous impact on the way people can or will lead their lives. It will have a direct impact on our jobs and our local economies. We are living in uncertain times, and this action by this government simply adds to the despondency. Shutting down skills and training is like a government turning off the lights. It sends the worst possible message.

In closing, I again request that the minister, Peter Hall, and the Premier revisit this issue and restore the \$300 million to TAFEs in this state. For those in the electorate of Western Victoria Region who are seeking to be more involved in the issues, rallies will be held locally, including tomorrow at the School of Mines campus at the University of Ballarat TAFE in Lydiard Street South at 12.30 p.m.; on Thursday, 31 May, at 12.15 p.m. in Johnstone Park in Geelong; and for those in Warrnambool, the South West Institute of TAFE — —

**The ACTING PRESIDENT (Mr Ramsay)** — Order! Is Ms Tierney's contribution including advertisements for particular activity?

**Ms TIERNEY** — I am indicating to the community that there are rallies. There will also be a community rally outside the office of the Minister for Ports, Denis Napthine, at 12 noon on 14 June. Labor remains committed — —

**The ACTING PRESIDENT (Mr Ramsay)** — Order! I am not sure that Ms Tierney's contribution is within the realms of the motion.

**Ms Broad** — On a point of order, Acting President, I would be very interested to know where the standing orders prohibit a member from referring in this place to community activities in their electorates which relate directly to the topic of the motion before the house.

**The ACTING PRESIDENT (Mr Ramsay)** — Order! I was referring to what I thought was fairly blatant advertising of union activity within the — —

**Ms TIERNEY** — It is community activity.

**The ACTING PRESIDENT (Mr Ramsay)** — Order! I understood it was union activity, but I will take advice from the Clerk.

I will allow Ms Tierney to continue, given that the debate has been pretty broad up to this stage. I ask Ms Tierney to confine her contribution to the motion.

**Ms TIERNEY** — Labor remains committed to the TAFE sector and understands the critical role that TAFES play in all of our communities, and it will continue to seek justice for the staff and students affected by these dramatic and overwhelmingly harsh cuts.

**Mrs PETROVICH** (Northern Victoria) — I say at the outset that I welcome this opportunity to speak on this issue.

**Mrs Peulich** — We have a very interested audience.

**Mrs PETROVICH** — We do, and as with the contribution of many of my colleagues, I am hoping that the record will be put straight on many of the points that have been raised in error here today.

**Mrs Peulich** — The misinformation.

**Mrs PETROVICH** — There has been misinformation, and obviously there are many members in the community who have been worried and concerned about that. A number of letters have been sent to my email address around that, and I am hoping we can address some of those issues today and perhaps explain the circumstances of where we are and what has led to the point we are at today.

I said from the outset that this government is ambitious in its outlook around vocational training in Victoria. As Ms Pennicuik suggested in her contribution, we need a broadening of training across the board and across this state, and I think that is where we are heading as a government. What we saw under Labor was TAFE colleges which had not operated with the most efficient business models. What we have before us in Mr Hall's policy is a lifting of the bar for TAFE colleges. I think TAFES should see this as an opportunity. In fact they have a competitive advantage because of their branding and their marketing position, and the reality is that this marketplace, like all others, should be made more competitive. The reality of that is that it improves the opportunities for those using those services.

The reality is also that the marketplace, like all others, should be made more competitive with a view to better service provision with more relevant and demand-driven courses. Those courses should have an aspect of sustainability, and at the end of those courses we should have well-prepared people who are job ready or who have other opportunities. The reality is that the TAFE system has been highly subsidised, and that has given it an advantage over other providers. This should be seen as an opportunity for students and service providers, including TAFES.

It is interesting to note the hypocrisy from across the chamber today. What this government inherited from the former Labor government was an unsustainable system which was plagued with an oversupply of some courses — the example of personal training has been used today — and a lack of connection to Victoria's industry and business skill needs. In reality, yes, we have made some tough calls; that has been required for the system to be brought back into control. This government is also committed to additional measures to ensure that our training system architecture is fit for purpose. This is something the previous Labor government failed to do when it undertook skills reform in 2008–09. Under this system Victorian industry will be given a stronger voice, a critical role and a direct influence to deliver those outcomes to business and to those students who interact with those businesses, which will create more opportunities for jobs and skills.

While the changes announced through the budget process will be managed over the coming months, the coalition is committed to developing strong, high-quality and sustainable systems. There are a number of qualifications, but I think it is very important to note that the funding arrangements will focus on investment in the areas of greatest public benefit.

In 2008 the former Labor government with coalition support introduced individual entitlements, and I think that was something that was worthwhile. One of the more telling aspects of today's debate was Mr Hall's graph, which I think was a great demonstration of where we would have been had we left in place the previous government's arrangements.

It was interesting when Mr Lenders spoke about budget cuts and missed opportunities today. As Treasurer of the state of Victoria and leader of this house Mr Lenders had an overseeing role in waste and mismanagement. There were a number of disastrous projects undertaken, which I will not bore the house with discussion of today. When we talk about why we have ended up in the position we are in today and why we have had to implement some strong measures and responsible fiscal policy around some of the waste that was perpetuated in Victoria by Labor — as I said, I will not go through all of the disasters and all of the projects — I think about what we could do with that \$2 million a day for the next 30 years that has been wasted by this incomplete white elephant of a desalination plant down at Wonthaggi.

The federal government's cuts to our GST funding have certainly had an impact on many things. The reality is that if we continued on with Mr Lenders's school of economics, we would have lost our AAA

rating and our public service would have been operating off the tick.

It is very important to note that before the introduction of the training entitlement the government spent around \$800 million a year on training subsidies. Under the original projections this was expected to rise to approximately \$900 million in 2011–12. This training has experienced rapid growth and has increased the expended cost to government to over \$1.3 billion in 2011–12, which is significantly higher than the provisions made in the budget. The Victorian government has now stabilised this investment, and \$1.2 billion will be set aside to meet the expected demand in 2012–13. It is above but closer to the original cost trajectory. What we have seen from Mr Hall is a responsible approach to reform. He worked hard when in opposition and has been a very good minister. He has made some strategic decisions that could be said to be difficult but responsible to ensure that the state, the taxpayer and the consumer get the best bang for their buck.

Labor continues, as we have seen today, to be a basket case with no credibility, hypocritical, amnesiac and socially and morally bereft. I think it is very disturbing to see where we would have been, and I refer again to Mr Hall's graph. As Mr Hall explained today, \$139 million was budgeted for by the previous government, but the actual was a \$1 billion deficit. This was overseen by John Lenders, who waxed lyrical after he moved this motion today. The previous government had obviously not tuned into the minor details.

We estimate training subsidies of \$1244.4 million, which is an increase in budgeted expenditure. Yes, it is less than the blow-out under Labor's model. I think we have proven that our economic track record is there. We are looking to deliver improved services to students with a responsible and effective delivery system.

In conclusion I would like to say that Mr Hall was in the chamber today for 3 hours overseeing this debate. He has since had to leave.

**Mrs Peulich** — Where is Mr Lenders?

**Mrs PETROVICH** — I advise Mrs Peulich that Mr Lenders is long gone, which is his modus operandi. However, Mr Hall has been here; he takes his responsibilities very seriously. There was some hoo-ha today about ministers in the chamber and making representations, but that was something that we never saw from any minister of the Labor government when we were in opposition.

**Ms BROAD** (Northern Victoria) — I rise to support this motion condemning the Baillieu-Ryan government for slashing funding to Victoria's TAFE institutes because of the damage that this is going to cause. That damage includes but is not limited to cuts to courses which are occurring now with hundreds more to come before term 3; job losses for staff, which are happening now with 26 in Mildura last week and with hundreds and hundreds more to come before term 3 commences; higher fees, which will be up on TAFE websites before 1 July as is required so that students and businesses know about the fee increases that will be payable from term 3; possible TAFE campus closures; fewer educational opportunities for young people in regional and rural Victoria who, as those of us who represent rural and regional areas know, already have substantially lower participation rates and education outcomes — and you would have to be extraordinarily demented to think that this is going to help in any shape or form; and diminished access to skills development across Victoria to the detriment of business, community and students alike.

I for one have never heard of a community in rural and regional Victoria, or anywhere else for that matter, that went forward by cutting access to education as the Baillieu-Ryan government did towards the end of 2011 and as it has done in this 2012–13 state budget, compounding the cuts which it had delivered.

I will list the TAFE institutes in northern Victoria alone which have suffered and will suffer further as a result of these funding cutbacks by the Baillieu-Ryan government. They include Bendigo TAFE, which has three campuses in Bendigo as well as campuses in Castlemaine, Kyneton and Echuca; the Sunraysia Institute of TAFE, which has campuses in Mildura, Ouyen, Robinvale and Swan Hill; the Goulburn Ovens Institute of TAFE, which has campuses in Shepparton, Wangaratta, Benalla and Seymour; and, of course, Wodonga TAFE. In Northern Victoria Region alone these TAFEs are all suffering as a result of the decisions of the Baillieu-Ryan government and the cutbacks in the 2012–13 state budget.

For its part, Labor believes access to public vocational education and training at TAFE is vital for the future of communities in regional and rural Victoria. That is the reason Labor invested in TAFE when it was in government, and it is the reason Labor is opposed to the Baillieu-Ryan government's cuts to TAFE. In recognition of the central role of TAFE institutes in rural and regional communities — the public benefit that they provide — the community service obligations provided by TAFE were strongly funded by Labor. One hundred per cent of that funded community benefit has

been removed by the Baillieu-Ryan government in the cutbacks delivered through the 2012–13 budget. From now on with the regime put in place by the Baillieu-Ryan government there will be no difference between the funding of private providers and that of TAFE institutes.

It is difficult to see these cutbacks to TAFE institutes in anything other than an ideological light. I refer to Peter Ryan's reported statements to the recent Nationals conference in Bendigo, where he acknowledged as much. He is quoted as having said:

In opposition you can be everybody's champ ... In government it's time to deliver. You cannot do it all. You'd love to, but you can't.

This is a clear acknowledgement that members of the Baillieu-Ryan government — including The Nationals members of the cabinet led by Mr Ryan, backed up by Mr Hall, Mr Walsh and the others, and The Nationals members in the party room — have made an ideological choice. They have made a decision to fund certain other things rather than fund TAFE institutes in rural and regional Victoria. In particular they have made the ideological decision that the community service obligation — the community benefit — provided by TAFE institutes in rural and regional communities across the length and breadth of Victoria is not worth funding by even one cent. In one fell swoop they have removed 100 per cent of that funding in this budget.

TAFEs are strong; they are very resilient organisations. I am confident that they will do the very best they can with whatever meagre resources the Baillieu-Ryan government decides TAFEs can have as part of its list of low priorities, where TAFEs are clearly ranked. In the meetings with TAFE providers I have had since the budget was brought down I have been assured that this is exactly what they intend to do. TAFEs are not going to be deterred from providing whatever public benefit they can, even given the refusal of the Baillieu-Ryan government to support in any way, shape or form the important role they play in country communities.

I am very pleased to see country communities standing on their own two feet and rallying in support of TAFE institutes. In Northern Victoria Region alone there is a community rally today in Mildura, which has my 100 per cent support. I regret the fact that parliamentary sittings mean that I need to be here instead of supporting that community and the TAFE institute in Mildura. It means that I cannot be there with them. Next week in Wodonga and Bendigo, and following that in Shepparton and Wangaratta, community rallies will be strongly supported by people who value the

contributions of TAFEs to their country communities, even if the Baillieu-Ryan government does not.

In closing I would like to thank all the members of communities across Northern Victoria Region who have taken the time to email me, to write to me or to find my office to tell me how much they support TAFEs in their communities. I thank those who have taken the time to meet with me as part of my ongoing schedule of visits to indicate my strong support for TAFEs across northern Victoria. With those remarks I urge members to support this motion condemning the Baillieu-Ryan government's cutbacks to Victoria's public TAFE institutes.

**Mr RAMSAY** (Western Victoria) — I am pleased to stand to speak to Mr Lenders's motion this afternoon. I say from the outset that I can think of no other minister who is as honourable, as committed and as passionate as Mr Hall. During the 6 or 7 hours of debate in this chamber I have not heard anyone from either side of Parliament criticise either the commitment or the passion Mr Hall has shown for his portfolio. To suggest otherwise would be a discredit to this Parliament.

I also say to Ms Pennicuik and Ms Hartland that I do not require an education in education, given that my family has three primary school teachers and a secondary school teacher in the workforce. Certainly from my perspective we have long been committed to the upskilling and education of students, and we continue to be.

The problem I have with the opposition's arguments raised by the opposition during the debate is that nothing has been offered by way of a plan to deal with the challenges this government has faced in finding a sustainable fee structure that provides the opportunity for students of all degrees to come and be upskilled to be ready for the workforce. The arguments do not clearly show that the opposition wants to engage and find potential workers for its particular needs. We have heard a lot of rhetoric, and we have heard a lot of criticisms of the reasons for these cutbacks, but we have not heard anything — nothing has been offered — in relation to what the opposition might do.

I will just give a brief outline of the economic environment. The reality — and this is so for both the opposition parties, the Greens and Labor — is that there has been no acknowledgement of the challenges we face in relation to economic longevity. I am talking about the impacts that are being felt by small businesses right across this country, and also internationally, in that people are making decisions about how to reduce costs

and expenditure but still continue to provide service. We are not living in a Neverland where money just keeps falling off trees regardless. We have to actually understand the realities of what is happening here. We are looking at a significant recession globally, and obviously we have to cut our cloth to suit that particular challenge. That is what faced the government when it came to office.

The growth in government-funded VET (vocational education and training) activities has reached unsustainable levels. That is a fact. Between 2008 and 2011 the VET activity grew rapidly. There was a 33 per cent increase in training providers; we have now gone up from 561 providers to 750 providers. There was a 44 per cent increase in the number of enrolments; we had over 500 000 enrolments in the VET system. There was a 68 per cent increase in the number of hours of training delivered; we went from 87 million to 147 million. In the face of all that, the Labor government provided only an additional \$139 million to meet that demand — and it created that demand. At the last count it spent over \$1 billion, so we have a gap of around \$850 million in funding for the VET service, which is typical of many of the projects the previous government failed to properly and appropriately fund.

**Mr Viney** interjected.

**Mr RAMSAY** — It is interesting that Mr Viney has a different perspective on life and interjections when he is sitting in his place and not in the chair. One rule for him in the chair; one rule for him in his place.

The current hysteria surrounding the TAFE funding allocation in the recently announced budget has by and large been generated by the Labor Party. If I can take Ms Tierney to account, when I was in the chair I had concerns about what she was saying about advertising community activity. I draw her attention to the Ballarat *Courier* headline 'Unions to rally tomorrow' in relation to TAFE cuts. There is no mention of communities. This is about unions agitating about the supposed and perceived impacts of TAFE funding cuts. Do not worry about reality! This political agitation has been unfairly and dishonestly created with a view to convincing the public that the Baillieu government is withdrawing its commitment to VET and TAFE funding programs. That is totally false. In fact the budget announced on 1 May delivers an additional \$1.033 billion in funding to our VET sector over the next four years.

The reality is that the Labor government created an entitlement to subsidised training that made our VET system the only market-driven system in the country. In typical Labor style, as I said, the former government

provided only \$139 million in additional funding to meet the cost of enrolments that actually cost more than \$1 billion. It was an unsustainable model that was open to abuse — and abused it was.

While training enrolments in areas of skills shortages and productive and specialist skills areas such as carpentry, plumbing, civil construction, aged care and nursing went up 10 per cent, programs in fitness, sports coaching and even belly dancing have gone up 2000 to 4000 per cent. This abuse of a system that had no sustainable fee and funding structure has led to roting where enrolled students have been paid to undertake training. There are multiple enrolments to boost payments for training, abuse of the recognition of prior learning to obtain the 100 per cent subsidy provided for assessing skills and even the offer of free gifts, such as iPads, for students to enrol. As a result we saw this enormous 68 per cent increase in the number of hours of training and the 44 per cent increase in the number of enrolments. It was an unsustainable fee structure.

The government is committed to building a strong and sustainable VET system that meets industry needs and will contribute to a well-trained, job-ready workforce that produces real public value for the taxpayer investment. Some providers will not like it, but I suggest that the party is over and that the waste has to stop. The training system must be tailored to meet industry and business skills needs and be sustainable.

I refer to Ms Tierney's contribution in relation to what David Battersby said on behalf of the University of Ballarat. In a letter he sent to me on 14 May, Mr Battersby said:

... while being disappointed —

as many campuses will be, obviously —

... the university will continue to develop its obvious strengths in apprenticeships and skills training and will establish a new 'UB industry skills centre' to spearhead the university's VET programs in a number of disciplines including automotive, engineering, manufacturing, construction, plumbing and agriculture.

Here is a significant campus that is taking on board the need to have a sustainable fee structure and the need to have quality, industry-driven programs, and it is changing its programs to suit. I suggest that this is what is going to happen with many campuses right across Victoria. It is not going to be the end of the world. Programs are going to continue to be delivered. They are going to be quality programs, they are going to be industry driven, they are going to have a sustainable fee structure and they are going to be relevant to the

workforce. I suggest that all those things were sadly missing from the previous government's policy.

I want to refer quickly to a couple of things Ms Hartland said. It concerns me that there were suggestions that we are ignoring special needs, particularly in relation to those who are hearing impaired. Today's *Age* article on the Kangan Institute of TAFE's decision to cease its Auslan course omits a number of important points. This was about the supposed withdrawal of funding, but the fact is that Kangan TAFE first indicated to the coalition — our government — that it wanted to withdraw from Auslan provision in November 2010, before the last state election. In May last year Kangan also indicated a desire to stop training those who want to work with the deaf. The fact is that the subsidy for Auslan training at the certificate III and certificate IV level will increase as a result of changes announced by the Victorian government in the last budget; they will increase by 5 per cent. Despite what Ms Hartland said, we have not ignored special needs. We have in fact increased the funding for those certificates for Auslan. Subsidies for diploma courses will reduce.

As a result of Kangan TAFE foreshadowing its desire to cease Auslan courses, the Victorian government commenced discussions with Vicdeaf about the future delivery of Auslan in Victoria. This was foreshadowed by the minister in his contribution. Again it is smoke and mirrors from the opposition and the Greens about what impacts the state budget will have on vocational training.

I will say, to give some comfort to the Victorian community, that we need a sustainable fee structure. We have to meet the economic climate of the times. We have to be responsible with taxpayers money. We have to deliver quality programs and we have to deliver programs that industry wants and needs. On that basis I do not support the motion, and I wish the minister well in what are going to be difficult times in relation to refocusing the campuses that provide vocational training. But at the end of the day it will be better for both the students and the industry, and for the Victorian community.

**Mr VINEY** (Eastern Victoria) — First of all, I will respond to Mr Ramsay's criticism of me as Deputy President. I say to Mr Ramsay that I take the view that while all interjections are disorderly, I have always allowed one or two when I have been in the chair. It is constant injections that I have pulled up, and it is constant interjections, I might say, from both sides of the house. If Mr Ramsay has a problem with me as Deputy President, he should have the guts to take a

point of order or move a substantive motion. If he wants to take me on in that role, he should go ahead.

**Mr Ondarchie** — On a point of order, Acting President, I have heard Mr Viney talking for nearly three-quarters of a minute, yet I have not heard him talk to the motion.

**The ACTING PRESIDENT (Mr Eideh)** — Order! There is no point of order.

**Mrs Peulich** — On the point of order — —

**Mr VINEY** — Do you have a new one?

**Mrs Peulich** — No, on the same point of order.

**Mr VINEY** — He has ruled it out. He has said there is no point of order.

**Mrs Peulich** — I am sorry. I just wanted to correct something. Mr Ramsay was actually paying the Deputy President a compliment in relation to his impartiality in the chair. I think it is regrettable that the Deputy President has interpreted it in another way.

**The ACTING PRESIDENT (Mr Eideh)** — Order! There is no point of order.

**Mr VINEY** — Let us be clear. I am more than happy to be held accountable in my role as Deputy President in this place, but members should do it in a proper way, not by having a go at me in a debate on TAFE.

My contribution here today, through you of course, Acting President, will be directed straight and squarely to the minister — a minister who seems to have forgotten the basic Westminster principle that if you cannot support a government decision whilst a member of the cabinet, you have no choice but to resign. Here is a minister who chooses to play both sides of the street, who chooses to say to all the people in the TAFE system, ‘I don’t support what the government is doing. I am, like you, dismayed and angry’ — that is what he said to all those people — at the same time as implementing, as the minister, the very cuts he was complaining about.

I have heard people say the minister is a nice bloke and all the rest of it, and I agree with them. I like Peter Hall; he is a good fellow. But as the minister he is accountable and as the minister he is responsible. The minister cannot with any credibility say ‘I am angry about the government decision that as minister I am implementing’ while at the same time implementing those decisions. He has only one choice under the

Westminster system, and it is well documented. A minister must publicly support the decisions of the cabinet or resign, and Mr Hall has chosen to not publicly support the decisions and to not resign. Therein lies the first point.

Secondly, I am really surprised — —

**Hon. D. M. Davis** interjected.

**Mr VINEY** — It is not wrong, Mr Davis. It is well documented. It was up to the minister to accept the collective responsibility of the cabinet and not to communicate in the way that he did to the TAFE colleges around this state, ‘I am angry and dismayed like you’. That is what he wrote. It not sustainable for him to write that and stay on as a minister. It is unsustainable. If that is not the rule that Mr Davis’s cabinet wants to operate under, it is going to be a very interesting time in government.

The next thing that I want to raise in relation to the minister and to positions he seems to be taking relates to some matters raised in this debate by Ms Hartland about the Auslan course at the Kangan Institute of TAFE. It is really interesting that as a result of this minister’s cuts to the TAFE system the Auslan program at Kangan TAFE has had to be cut, as we all saw in today’s *Age*. The article shows teachers in the program doing the bad salute, if you like, in Auslan and reports that they are saying this is a bad decision.

It appears that Mr Hall in a previous role completely agreed with them. On 23 February 2010 in the adjournment debate Mr Hall raised the issue of the cost of Auslan course funding in this chamber. He gave examples of a couple who would have to pay \$3200 for the two of them to do an Auslan course. He expressed his outrage and concern and said how terrible this was. Yet his own decisions are resulting in a course fee increase of up to \$10 000, as I understand it, and ultimately the complete cancellation of that course. Therein lies the next point.

We then come to the fig leaf about why these cuts have been necessary — the fig leaf repeated by Mr Hall, Mr Drum, Mrs Peulich, Mrs Petrovich and others in this debate — the fig leaf being that there was a massive increase in the cost of funding TAFE colleges and TAFE courses. Mr Hall produced this graph today which shows these increases and asked for it to be incorporated into *Hansard*. What we find is in fact that in the committee stage of the Education and Training Reform Amendment (Skills) Bill 2010, which was before this chamber, Mr Hall said:

I can announce that the coalition will be supporting this amendment —

which was an amendment by the Greens.

The reason we are supporting it is this: I made very clear in my comments on the second-reading speech that it would be my earnest desire that, within the budget available to undertake this, we should be expanding the eligibility criteria for a government-supported position. Ms Pennicuik's amendment does not go as far as I think would be ideal ...

He went on to say in a further contribution to the debate on this bill on 16 September:

This amendment does not go as far as I would ideally like, but it goes some way towards it, and that is why the coalition will support the amendment.

And the amendment was to expand the eligibility criteria for government-supported positions. It was that amendment that went back to the other house and then came back here, and there was a debate about it not being insisted upon, but a compromise was reached to get it through both houses. But it was the effect of that amendment that is behind these issues — the increase in the number of students participating in government-funded positions. Mr Hall even acknowledged that. When the bill came back to this house on 7 October he said:

I fully understand there is a significant cost associated with the change in the definition of eligibility for a government-funded position.

On 7 October 2010 Mr Hall was in this house saying that he supported an expansion of the government-funded eligibility processes that he acknowledged would cause a significant increase in costs. And now he comes to this place today presenting a graph and crying crocodile tears about the growth in the cost of TAFE, when he supported it and acknowledged that it was going to increase costs. It is a fig leaf of an excuse.

**Mrs Peulich** interjected.

**Mr VINEY** — Does Mrs Peulich think it is right? In Mr Hall's own words:

I fully understand there is a significant cost associated with the change in the definition of eligibility for a government-funded position.

Those were Mr Hall's own words when he acknowledged that in 2010. Now he comes in here and says, 'I know because of that significant cost, which I supported — in fact I did not think it went far enough' — he did not think it went far enough! He supported it, but now he says, 'Because of that increase

in costs, I have to slash \$300 million from the TAFE system'.

In relation to the Auslan course I touched on earlier and Mr Hall's contribution in an adjournment debate which talked about the terrible cost to people participating in Auslan, he has now more than doubled the cost. It is not only that; in this debate today we find out from Ms Hartland that in fact Mr Hall's advice to the house does not seem to be consistent with what the New South Wales organisation, which he said is going to take up this program, understands to be the case. In fact it is news to them. I think there are some issues there.

What is being lost by Mr Hall in this debate is the impact on ordinary people who want to participate in the TAFE system at a time when in Victoria, under this government, we are seeing reduced employment and increased unemployment across Victoria. In Gippsland 14 000 jobs have been lost since this government came to office. In that time — in the 12 months since the Baillieu government was elected — that is the number of jobs that have been lost in Gippsland and the Latrobe Valley.

**Mr Ramsay** — That is all the fault of the government?

**Mr VINEY** — I beg your pardon, Mr Ramsay?

**Mr Ramsay** — You are blaming all that on the government?

**Mr VINEY** — Do you know what, Mr Ramsay? Under 11 years of the Labor government, total employment in Victoria increased every single year. In the last 12 months it has declined. What is the difference between that 11 years and the current situation? The only difference is the election of the Victorian Liberal Baillieu government.

*Honourable members interjecting.*

**Mr VINEY** — The facts are the facts: 14 000 jobs have been lost in Gippsland and the Latrobe Valley. The government might not like it, but it is a fact. And why did jobs and employment go up for 11 years under the Labor government? That happened because that government invested in Victoria, invested in education, invested in infrastructure and made the commitment to do the hard work to create jobs.

*Honourable members interjecting.*

**The ACTING PRESIDENT (Mr Eideh)** — Order! I want to hear the member in silence.

**Mr VINEY** — In that 11 years — the members opposite are getting a little excited — there was a government that invested in Victoria and that believed in Victorians. It was a government that believed that you provide Victorians with the education and skills to better themselves, to improve their skills and to increase their employability. When we were in government we provided investment in infrastructure. We provided investment not just in the TAFE system but also in the schools system, rebuilding every government school in Victoria. Every government school in Victoria was being rebuilt, and that program has been stopped under this government. This government has now cut \$300 million from the TAFE system.

In his contribution Mr Lenders talked about governments having a choice. Not only do governments have a choice but members also have a choice. Members of Parliament have a choice, political parties have a choice and the history in this state is that one political party makes a clear choice every time — and that is The Nationals. The Nationals and Mr Hall had a choice. Mr Hall could have done what he believed in his heart to be true, and that was to resign his commission as minister in the face of the cuts that he described as disgraceful and that he described in his correspondence as completely inappropriate for his sector. He described being ‘dismayed and angry’ — they were his precise words. He had a choice at that time, just as The Nationals members have a choice to line up with their Liberal Party colleagues in government, cut funding to regional TAFE colleges, make all the other cuts in country Victoria and do all the damage the government is doing to regional and country Victoria. The Nationals can line up with the Liberal Party and form government — and take the white cars of office. That is the choice The Nationals members have.

Mr Lenders talked about governments making choices, and the choice the government has made over these TAFE cuts is the sort of choice that describes this government. It had the choice. The Nationals and Mr Hall had that choice. They could have made the choice to stand up for country Victoria and to stand up for regional TAFE colleges like GippsTAFE and like Advance TAFE in the electorate that Mr Hall and I represent. Mr O’Donohue is next, so he can stand up for GippsTAFE as well. They can stand up to try to prevent the 35 jobs — now potentially 55 jobs — that are being lost at GippsTAFE. They could stand up to prevent the closure of the hospitality services and the closure of the Waratah restaurant facility in Morwell or the one in Warragul.

Mr Hall could stand up in his electorate office, walk out the front door, look down Franklin Street and see the brand-new TAFE facility at the end of Franklin Street, near the railway station, which has been funded by a federal Labor government. He could have a look at that and say, ‘I am proud of that in my electorate. I believe in it, and I am going to support it’, but he chose not to. Somehow or the other, when he steps out of his office in Franklin Street he does not look left, he looks right, and that is what he has done. He could have chosen to do those things; but no, he chose, like The Nationals have consistently done in this state — under the Kennett government and now under the Baillieu government — to take the white car of office rather than defending regional TAFEs, regional services and regional facilities in country Victoria.

**Mr O’DONOHUE** (Eastern Victoria) — I am pleased to have the opportunity to follow Mr Viney. It is interesting to find, despite all the rhetoric from Mr Viney and the Labor speakers before him, that consistently in this chamber today there have been only one or two Labor members listening to the debate. This is consistent with what happens on opposition business days, and it is worth noting now that, as Mr Viney leaves the chamber, there is only one member of the opposition here for the debate, besides the Acting Chair. Some say actions speak louder than words, but despite the crocodile tears shed by Labor members in their contributions today, the disinterest in — —

**Hon. D. M. Davis** — Even the advisers have left!

**Mr O’DONOHUE** — Indeed, Mr Davis, the advisers have left the building. This wide-ranging debate has touched on many issues. I, like Mr Ramsay and my other colleagues, wish to pay tribute to Mr Hall, because in my four years in opposition in this place I never saw a Labor minister come in on a Wednesday and take the lead speech for the government in response to an opposition motion. For nearly an hour Mr Hall gave a detailed critique of Labor’s legacy, of the challenges the Labor Party left this government, and then he gave a detailed analysis of the work this government is doing to bring this system back to a sustainable financial footing that responds to the needs of the sector with regard to education provision and to the needs of industry. He then articulated a number of his initiatives to deliver on those commitments.

I congratulate him on that, and it is regrettable that Mr Viney has played the man and not the ball. Mr Hall gave an erudite, clear and factual presentation, but Mr Viney came in and played the man and not the ball. I will let others draw conclusions about that, but I think it is very disappointing.

Without repeating the observations made by previous government speakers I will make a couple of points. Mr Lenders, in his brief contribution as the lead speaker for the opposition, gave little detail of the points set out in the motion; he just regurgitated it. He made a passing comment about a link between training and the goal that the Minister for Agriculture and Food Security, Mr Walsh, has set to double food and fibre production, which is a very worthy goal. In that regard I am pleased I mentioned in the house earlier today that this government has turned on the weather station at Silvan, and to quote again from the editorial of the *Lilydale and Yarra Valley Leader*:

Labor has treated the Silvan farmers with contempt.

I will not repeat the commentary from that editorial, but I make the point that training is an important component, but so is access to information. Microclimate data is very important for berry, cherry and other producers that can suffer significant losses as a result of hail and other weather events, and as that editorial correctly stated, Labor has treated those farmers with contempt. Therefore a glib remark from Mr Lenders on analysis does not stand up.

I also touch on the points made about the economic climate. Mr Viney asked what the difference is between the last 11 years and now. I think Mr Viney also made some assertion about being in touch with the community, but if Mr Viney is not aware of the challenges for industry with the value of the Australian dollar, the challenges for the economy as a result of the turmoil overseas and the challenges from countries like Greece, I would say to him that perhaps he is the one who is out of touch with reality and some of the economic challenges the community is feeling as a result of the external shocks and pressures.

Mr Hall and other government speakers spoke about the unlimited financial liability which the government finds itself with under the system left by Labor. An issue I would like to expand on further is some of the financial black holes that the Labor Party left for the government that restrain the government's ability to invest further. Members are well aware of the financial cost of the desalination plant, the enormous cost overruns we have had to address with systems such as myki and the Melbourne market relocation. Another issue I touch on specifically this afternoon is the disgraceful sale of electronic gaming machine entitlements by Labor. To quote from a press release issued by the Minister for Gaming, Mr O'Brien, dated 29 June 2011 and headed 'Another Labor financial scandal loses taxpayers \$3 billion in pokies fire sale':

In 2009–10 the former Labor government sold 27 300, 10-year electronic gaming machine (EGM) entitlements for just \$980 million, yet today —

that is, 29 June 2011 —

it has been revealed that the entitlements were worth as much as \$4.5 billion.

'Labor's massive economic incompetence has today been exposed as causing the worst single loss to taxpayers in Victoria's history', the Minister for Gaming Michael O'Brien said today.

...

Significantly, the Auditor-General finds that the then Premier and Treasurer —

and who was the Treasurer at the time? That would have been Mr Lenders, the Leader of the Opposition in this place —

repeatedly ignored warnings from their departments: 'DPC and DTF appropriately raised concerns on the merits of proceeding with the auction with their respective ministers. However, no formal review was undertaken'.

...

The Auditor-General found that Labor's EGM allocation project: '...failed to achieve a satisfactory financial outcome'; 'there were serious shortcomings in the project management'; and 'the revenue obtained from the sale of the entitlements was around \$3 billion less than the assessed fair market value of these assets'.

Damningly, the Auditor-General found 'Large venue operators, rather than the community, are the beneficiaries of this windfall gain'.

Some may ask, what this has got to do with this debate today. The fact that the Victorian government has been deprived of up to \$3.5 billion of revenue from this one issue over a 10-year period obviously impacts on the government's ability to make investment decisions. We are in a fiscally constrained environment, the federal government has slashed funding to the Victorian government and the economy is suffering from external shocks from the high Australian dollar caused by the situation overseas.

We have a system, which previous government members have described, where we inherited a growth that far exceeded the state's capacity; but we also have bungles and disgraceful negligence from the previous government on projects such as the sale of the EGMs that compromised the Victorian budgetary position for a decade. It is an absolute disgrace, and it is the height of hypocrisy for opposition members to come in and say, 'Spend more here', 'Do this', 'Do that' and 'How can you do that? It's so terrible'. They are the same ones — and Mr Lenders was the Treasurer — who

gave away the pokies licences, the EGMs. They have compromised the Victorian government for a decade.

**Mr Ondarchie** — The Victorian taxpayers.

**Mr O'DONOHUE** — I thank Mr Ondarchie; it is the Victorian taxpayers. This is just one project and one example of this negligence and incompetence and the shambles that this government has had to fix. Mr Viney talked about the Liberals and The Nationals being true to their spots and made other assertions. Goodness me! Kevin Rudd promised to be a fiscal conservative, John Brumby said he was a friend of business and John Lenders said, 'I will be a safe pair of hands'. Let me tell you, Acting President, turning a \$4.5 billion asset into less than \$1 billion is not a safe pair of hands. That is a disgrace, and Mr Lenders should apologise for the legacy he left as the former Treasurer of Victoria.

I cannot believe that he can come into this place as Leader of the Opposition and grandstand, and that he can make assertions about spending money here and spending money there and talk about what a disgrace it is and how terrible this government is. I say to Mr Lenders that if he had not so botched the sale of the EGMs, perhaps there would be more money. In fact there would be more money to spend on infrastructure, on business tax relief, on education, on training, on health, on schools and on a range of other worthy government priorities. The simple fact is that his incompetence and bumbling have left the Victorian taxpayer and the Victorian government the worse for them. He and all members of the opposition should be ashamed for their support of that pokies auction.

To add insult to injury, not only does the Victorian taxpayer lose but, as the Auditor-General found:

Large venue operators, rather than the community, are the beneficiaries of this windfall gain.

It has been interesting in this debate to listen to members of the opposition pretend that revenue growth will continue unabated and that no action is required from this government to deliver financial responsibility, but in a sense it is not surprising. The opposition's strategy in question time today was to come in here with five questions on a matter that was the subject of a debate. That shows a lot of thought, does it not? That shows a great deal of thought.

**Hon. D. M. Davis** — You cannot ask questions about a motion, but you can talk in debate on a motion about the failure of questions.

**Mr O'DONOHUE** — Indeed; thank you, Mr Davis. I would suggest that perhaps the opposition

needs a new questions committee. Perhaps some of the rising stars should be given the opportunity to be part of the questions committee.

**Hon. D. M. Davis** — That is not a good outing for the new advisers.

**Mr O'DONOHUE** — Indeed. Perhaps some of the rising stars should be given a go on the questions committee, because that question time today from the opposition was the biggest shambles I have ever seen in this place. There were five questions on the matter that was the subject of the debate that the opposition chose to lead.

With those words I am very pleased to rebut the assertions made by Mr Viney, and I very much support Minister Hall. I congratulate him on the very lengthy, detailed, informative and sincere contribution he led today. He led it as the minister in response, and it really showed up the previous government and the way its ministers would never do the same.

#### House divided on motion:

##### *Ayes, 18*

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

##### *Noes, 20*

Atkinson, Mr	Hall, Mr
Coote, Mrs	Koch, Mr
Crozier, Ms	Kronberg, Mrs
Dalla-Riva, Mr	Lovell, Ms
Davis, Mr D.	O'Brien, Mr ( <i>Teller</i> )
Davis, Mr P.	O'Donohue, Mr
Drum, Mr	Ondarchie, Mr
Elsbury, Mr	Petrovich, Mrs
Finn, Mr	Ramsay, Mr ( <i>Teller</i> )
Guy, Mr	Rich-Phillips, Mr

##### *Pairs*

Darveniza, Ms	Peulich, Mrs
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#### Motion negatived.

**MEMBERS OF PARLIAMENT (SERIOUS MISCONDUCT) AMENDMENT BILL 2011***Second reading***Debate resumed from 23 November 2011; motion of Mr BARBER (Northern Metropolitan).**

**Mr O'DONOHUE** (Eastern Victoria) — I am pleased to rise and speak on behalf of the government in relation to the bill introduced by Mr Barber, the Members of Parliament (Serious Misconduct) Amendment Bill, which seeks to amend the Members of Parliament (Register of Interests) Act 1978. This relatively straightforward bill has only four clauses. The first clause defines the purpose, and clause 2 provides when the bill comes into force. The most substantive clause, clause 3, inserts a new section 3A into the Members of Parliament (Register of Interests) Act, which creates an offence for a member of Parliament or a minister to wilfully engage in serious misconduct through their office or by virtue of their position. Clause 4 provides for the standard repeal of the amending act. In his second-reading speech Mr Barber has given more detail of the nature and intent behind what I have said is quite a simple and straightforward legislation piece of legislation.

**Mr Barber** interjected.

**Mr O'DONOHUE** — Indeed they do, Mr Barber. The second-reading speech admits that this is far from a comprehensive piece of reform. It is far from a reform on a global or macro perspective. Mr Barber, in his second-reading speech, states:

This bill only makes a start to what should be a wide-ranging review involving all 128 members of Parliament.

Interestingly Mr Barber's second-reading speech goes on to say:

Conversely, when the penalties are large, or detection is likely, we should expect to see less corruption.

Of course this bill does nothing to deal with the issue of detection. It seeks to create a new offence, but it does nothing with regard to the issue of detection, which Mr Barber highlights in his second-reading speech as being a significant issue. I commend Mr Barber for drawing the shortcomings of his bill to the attention of the house in his second-reading speech.

In his speech Mr Barber also asserts that the idea for this offence is lifted from Queensland, and that it has picked up a recommendation from the Crime and Misconduct Commission in Queensland. Whilst it is quite common for different jurisdictions in Australia to

examine changes that are made to legislative arrangements and adopt those where appropriate, the mere fact that Queensland has done this does not mean it is a good idea. The second-reading speech does not go to the details of similarities or otherwise of the legislative framework in Queensland. As we all know, Queensland is very different from Victoria in that it has only one house of Parliament, as well as a number of other differences.

The second-reading speech also highlights something else. It states:

The bill gives the judiciary a wide discretion to determine if the misconduct is serious and provides a solid foundation for law enforcement authorities to pursue their prosecutions based upon the common law.

That in and of itself does not create an offence, although the issue about certainty is immediately raised with regard to that. There is a very wide discretion, and the bill and second-reading speech do not deal with the issue of a member of Parliament's tenure and the interaction thereof between this bill and the Electoral Act and other acts. The bill has a number of deficiencies, and Mr Barber has identified some of them in his second-reading speech, which I give him credit for being up-front about.

Mr Barber proposes to make a change to a small class of public officials — that is, members of Parliament — without reference to the impact on other legislative arrangements in Victoria. He proposes to lift a reform from Queensland without identifying whether it is appropriate in the Victorian context. The government has a number of concerns with the bill that Mr Barber is putting forward. I make those introductory remarks.

The government has a broad agenda in this area. Indeed we were in the chamber last night until 11.00 p.m. or so debating the next tranche of the IBAC (Independent Broad-based Anti-corruption Commission) legislation. There are very clear views about different parts of the IBAC legislation, the Public Interest Monitor Act 2011, the Victorian Inspectorate Amendment Act 2011 and other components of the government's reform agenda in this area. It is a legitimate, healthy debate to have. It cannot be said that we do not have a comprehensive reform agenda in the area of integrity of government.

As I said, the Parliament has already passed the Independent Broad-based Anti-corruption Commission Bill 2011, the Public Interest Monitor Bill 2011, the Victorian Inspectorate Amendment Bill 2011, the Independent Broad-based Anti-corruption Commission Amendment (Investigative Functions) Bill 2012 and the Independent Broad-based Anti-corruption Commission

Amendment (Examinations) Bill 2012. The Parliament has given significant attention to this issue, and we are making broad changes that we believe will strengthen the integrity regime not only of politicians but of public officials.

We as a government believe the broad approach is a better way of tackling these issues, rather than the narrow, piecemeal issue-by-issue approach that I presume Mr Barber supports, given that he is introducing a piece of legislation to amend an existing act for a narrow class of people rather than making the same application for a range of public officials, including politicians. I also draw the attention of the house to other reforms the government has made in this area, such as the fundraising code of conduct which the government issued for ministers, parliamentary secretaries and coalition government members of Parliament, and the code of conduct for ministers and parliamentary secretaries.

As I said, the government has a broad agenda. We are committed to ensuring that all members of Parliament, ministers and public officials maintain high standards of behaviour. That is why the government is implementing the most far-reaching reform to Victoria's public sector integrity system ever. IBAC is the centrepiece of these reforms and will have significant powers and resources to prevent, expose and investigate serious corrupt conduct by all public officials, including members of Parliament. Mr Barber's second-reading speech identified the importance of investigatory powers, but his bill does nothing to address that issue. The IBAC legislation is addressing that issue on a basis that affects public officials in a much broader sense than what Mr Barber is attempting to do.

The government will not be supporting Mr Barber's proposed legislation, because its narrow nature is flawed. It does not deal with other issues; it deals only with penalties. The government is proud of the agenda it has brought to the Parliament and to the public to address issues of maladministration and corruption by public officials. The government will not be supporting Mr Barber's bill.

**Hon. M. P. PAKULA** (Western Metropolitan) — It gives me pleasure to rise to speak about Mr Barber's Members of Parliament (Serious Misconduct) Amendment Bill 2011. First of all, allow me to indicate that the opposition shares some of the concerns raised by Mr O'Donohue, but for slightly different reasons. Despite the criticisms we have of the Independent Broad-based Anti-corruption Commission legislation, multiplied by six so far, we do understand that the

overriding objective of the legislation is to have a single regime to manage standards for public sector officials. That is what the IBAC legislation at least intends to do. It intends to be a single regime.

During the process over the last few days, wherein I believe the Greens have briefed both the government and the opposition in regard to their bill, the opposition sought advice from the Greens about how this proposed legislation would interact with the IBAC legislation. Unfortunately the explanation from the Greens was less than clarifying.

**Mrs Peulich** — Less than illuminating.

**Hon. M. P. PAKULA** — Less than illuminating. I thank Mrs Peulich; that is probably a more eloquent use of the language; you can tell she used to be a teacher. It was less than illuminating. In fact as it has been conveyed to me the response from the individual conducting the briefing was, 'This is Mr Barber's bill and IBAC is Ms Pennicuik's responsibility, so I can't really help you in telling how they will interact'.

**Mrs Peulich** — They don't talk to each other.

**Hon. M. P. PAKULA** — I am sure they do talk to each other. People might not want to believe this, but I do not say that to try to cause embarrassment. I say it because I think what it demonstrates is that there is a genuine lack of clarity about how this piece of legislation would interplay with the IBAC. In an environment where we are going through a process week by week, and bringing forward and debating new pieces of legislation in regard to the IBAC, I think we are at least entitled to know how the things interact.

Secondly, the bill simply creates an offence of serious misconduct, and it suffers from some of the same deficiencies that the opposition has complained about in regard to the IBAC bills. Members will recall going through debate after debate when both the opposition and the Greens complained about the fact that the IBAC bills describe serious corruption and create an offence of serious corruption without actually defining serious corruption. This bill creates an offence of serious misconduct, but in the definitions section it defines only misconduct and not serious misconduct. At the very least that would suggest —

**Mr Barber** — You have got it wrong.

**Hon. M. P. PAKULA** — Mr Barber says I have got it wrong. I am looking at Mr Barber's very thin bill, which in proposed section 3A(1) states:

A member must not, without reasonable excuse, wilfully engage in serious misconduct ...

Proposed section 3A(3) states:

In this section misconduct means ...

Misconduct is defined, but serious misconduct is not.

**Mr Barber** — You skipped over subsection (2).

**Hon. M. P. PAKULA** — Proposed section 3A(2) states:

In deciding whether the misconduct is serious ...

There you go. The bill talks about the kinds of issues that the court must have regard to — —

**Mr Barber** interjected.

**Hon. M. P. PAKULA** — What Mr Barber's bill does in effect is leave the question of whether the misconduct is serious to the courts, and that was exactly the government's defence when we asked it to define serious corruption. They said, 'It is a matter for the IBAC', and we said that was not good enough. This bill defines misconduct and says that serious misconduct is a matter for the courts. Apparently, according to this bill, that is good enough.

**Mr Barber** — And what would be the difference there?

**Hon. M. P. PAKULA** — I know Mr Barber will have a right of reply, but can I say with the greatest respect that I do not think it is my responsibility to explain his legislation to him. I am simply going through what I see as some of the concerns about this bill. I will give Mr Barber a hint: some of the elements of the bill suggest it might bear further examination.

**Mr Barber** — We are going into committee on this.

**Hon. M. P. PAKULA** — Mr Barber thinks this bill is going into committee. I remind him of the numbers in the chamber. I do not know that it is going to go into committee. I am pretty sure, based on Mr O'Donohue's contribution, that it is not going to go into committee, but it might not be a bad idea.

We have an issue with how the bill interacts with IBAC, and we have an issue with its definitions. It is not clear from the bill how the question of whether a member has engaged in serious misconduct would come before the court. The bill creates an offence and talks about how the court would have regard to various things. However, it is not at all clear to me how the enforcement regime or the oversight regime that would

bring a matter such as this before the court would be created. I do not know whether it is created by this bill or whether in fact it is simply a matter for Victoria Police. Those things are not at all clear.

The other matter is that I would imagine some of these things are already offences. Certainly a contravention of an applicable legislative instrument — in other words, a contravention of the law — might already be an offence. I suspect that 'a contravention of a requirement under section 3' is already an offence. I suppose that a contravention of a member's other public duties may be an offence depending on what the contravention is. A contravention of a code of conduct is where it gets interesting. I am one of the harshest critics of the ministerial code of conduct that has been brought down by the Premier. I am a critic of it because it is not what the Premier or the Liberal Party indicated it was going to be. What was indicated by the then opposition was that the code of conduct would not be drafted by the executive; it would be drafted by the Privileges Committee of each house. What was also indicated by the then opposition was that it would be voted on by each house, but, of course, neither thing happened. However, that criticism of the ministerial code of conduct does not mean that I think it ought be a justiciable instrument.

The question of whether a minister has appropriately lived up to a code of conduct drafted by the Premier or handed down by the Premier has been a matter for the Premier, and it has been a matter for the people in the democratic process. I am a little concerned, and I will not go over the top here, about an attitude that seems to be emerging. It is certainly an attitude that is held by some members of the legal profession, it is certainly an attitude that is held by some members of the judiciary and it appears to be an attitude that might be held by the Greens. Certainly I have heard comment from the Greens at a federal level that matters which should be within the purview of the people in a democratic process would instead become matters that are within the purview of the courts. There are things that are matters for the courts — that is, the breaking of the law or misconduct. Whether it be corrupt conduct or other misbehaviour that is properly an offence against statute, they are matters for the courts.

Whether or not a minister or a member of Parliament has otherwise lived up to his or her public duties, and whether they have conducted themselves in a manner that would be seen as appropriate in accordance with a code of conduct, has ultimately always been a matter for the Premier or the Prime Minister, as the case may be, and ultimately a matter for the electors at the ballot box. I think we need to be very careful before we start

legislating in a way that removes from either the elected — —

**Mr Barber** — Now we are getting down to it.

**Hon. M. P. PAKULA** — I do, Mr Barber.

**Mr Barber** interjected.

**Hon. M. P. PAKULA** — Mr Barber, it is not a doctrine at all. I think we need to be careful before we turn what has always been a matter for the democratic process into a justiciable matter. Those matters that have always been before the courts — that is, a breach of the law and conduct which would attract the sanction of the courts should be dealt with by the law. But Mr Barber's party in the federal arena, in particular — and it seems he now wants to extend this attitude to the state arena — seems to agree with the proposition that it ought be up to unelected judges to put themselves in the feet of the voters and to make decisions that would otherwise be made via the ballot box. I think we need to be careful — —

**Mr Barber** — The member for Frankston agrees with me.

**Hon. M. P. PAKULA** — Mr Barber, I was not going to raise the member for Frankston in the Assembly, but let me simply make this point — —

**Mrs Peulich** — On a point of order, Acting President — —

**Hon. M. P. PAKULA** — Mrs Peulich should not worry herself; I am not going to reflect on the member for Frankston. Let me simply make this point: at the end of the day, there are processes that will apply, whether it be to the member for Frankston or to any other member. If there is a matter that the police believe they ought be involved in, the police will be involved in it. If there is a matter that is a matter for a particular member's political party, it will be dealt with by that particular member's political party. If there are matters that would fall within the remit of the IBAC, then they will fall within the remit of the IBAC.

Mr Barber says, 'The member for Frankston agrees with you', as if by saying my suggestion that matters that have been the province of the people ought to remain that way somehow excuses any behaviour. If that is what Mr Barber is suggesting, it is not what I am saying at all.

All of those things suggest that at the very least there are matters in Mr Barber's bill which are unclear, one of those being the interplay with the IBAC. There are

other matters in the bill on which the position of the Greens party appears to be inconsistent with the position it has adopted in regard to the IBAC legislation, which is that while misconduct is defined, the question of whether it is serious is left to the courts. This is exactly, as I understand it, the position that the government is putting to us in regard to serious corruption under the IBAC, which is an explanation I have not found acceptable — and, as far as I can tell, nor have the Greens. There is the matter of whether or not, in trying to make a contravention of a code of conduct a matter for the courts, the bill steps on matters which have always been for the Premier or Prime Minister of a government or ultimately for the electors. I think all of those things make this bill worthy of further examination.

On the other hand, I have said in my contribution to the debate on the IBAC bill that I believe the IBAC legislation is deficient. I think it is deficient because, first of all, as we have been through in this place on numerous occasions, it limits itself to serious corruption only. The opposition has taken the view that that means there is a gap for non-serious corruption. I am not sure what such a beast looks like, but it is corruption that is apparently not serious enough for the IBAC to look at. There is a gap in that the IBAC legislation does not cover misconduct that falls short of being an indictable offence.

There are numerous other concerns that we have raised about the IBAC legislation, including the government's inability to find a commissioner, resourcing and the like. In those circumstances the opposition's view is that there are elements of Mr Barber's bill which bear further examination but perhaps might ultimately be incorporated into amendments or a further bill in regard to the IBAC itself. As I indicated at the outset, it would seem unusual in an environment in which we are creating an IBAC, with all of its flaws, that you would now be heading off in another direction and creating a new regime under a totally different head of power under the Members of Parliament (Register of Interests) Act 1978. It may well be that there is an opportunity for some of the concepts that are contained in Mr Barber's bill to be rolled into further discussion about the IBAC but certainly not for the bill to simply be supported as a stand-alone piece of legislation today.

I am confident that at the end of the second-reading debate on this bill there will not be an opportunity for the opposition to move a motion to refer this bill to the relevant upper house committee, the Legal and Social Issues Committee. The committee that I would like to be able to refer this bill to is the accountability and oversight committee, because I think, given that it has

been created by statute and it has responsibility for accountability and oversight, it would be the appropriate committee. Unfortunately that committee has not been constituted yet. The committee has been created by statute, but it does not actually exist. There are no members, it has not met and I am advised by the clerks that you cannot refer a matter to a committee which, having been created by statute, has not yet been constituted. I think that is probably an argument for getting that committee constituted fairly shortly. We probably ought to do that as a Parliament before too long. However, what is available to me to do is to move a reasoned amendment. The reasoned amendment that I move is:

That all the words after 'That' be omitted with the view of inserting in their place 'so much of the standing orders be suspended to enable the contents of the bill to be referred to the Environment and Planning Legislation Committee for inquiry, consideration and report and that the bill not be read a second time until the Council has considered the final report of the committee on the bill'.

First of all, apologies to the Council for making reference to the Standing Committee on Social and Legal Issues. It appears that under the instrument that created those committees the Environment and Planning Legislation Committee is the committee which deals with matters that fall under the Premier's portfolio, and the Members of Parliament (Register of Interests) Act is a Premier's act.

Let me say that it would be my expectation that the Greens would support my reasoned amendment, because if they are consistent, then they would accept that on numerous occasions in this place they have asked for matters to be referred to the appropriate committee when they need further work.

If we consider the combination of Mr O'Donohue's contribution and mine — and I am not trying to recruit Mr O'Donohue to my cause; I suspect I know how the government will vote — it is clear that there are unanswered questions about this bill. It is clear that there are still some questions, particularly about the interplay with IBAC, that should be explored further. In the circumstances it is unlikely that we will have the opportunity of moving a referral to a committee when the vote is taken at the conclusion of the second-reading debate, because I suspect that the second reading will go down.

**The ACTING PRESIDENT (Mr Elasmarr)** — Order! I advise the following speakers that the debate will now be on the amendment moved by Mr Pakula and the bill.

**Mrs PEULICH** (South Eastern Metropolitan) — I also wish to make a few remarks on Mr Barber's Members of Parliament (Serious Misconduct) Amendment Bill 2011 and advise that the government will be opposing the reasoned amendment and the bill for the obvious reason that we have a new integrity regime which is currently being implemented and which goes precisely to the subject of what Mr Pakula was talking about in most of his contribution. A large part of Mr Pakula's contribution, a substantial amount with which I agree, for the first time, was about the fact that it is unclear how this bill may interface with the new regime. Clearly it is necessary to have that regime in place to see how it pans out and whether there are any gaps in it.

In the last paragraph of his second-reading speech Mr Barber said that there is a gap:

This is a modest bill that only attempts to plug the most serious of gaps in the regulation of the conduct of members of Parliament.

I disagree with and reject that assumption. There was a range of integrity measures that existed already, and since being in government we have added to them. They mean that basically members of the Victorian Parliament are subject to daily scrutiny. That does not mean that there are not transgressions. I agree with Mr Pakula that there are mechanisms for addressing many of those, and I would like to go through some of them.

The first and obvious one of those is the range of policies and rules that are imposed upon us by parliamentary services, to which we are accountable, and that are the subject of both internal and external audit. Secondly, we obviously have standing orders which govern how we conduct ourselves in this chamber. We have the Privileges Committee for breaches of privilege, and those matters are not taken lightly. We now have in place a ministerial code for ministers and parliamentary secretaries. Additionally, for all coalition members of Parliament we have a code governing fundraising activities. We have our legal system. As Mr Pakula alluded to, where issues become the interest or concern of the police and so forth, there is that system in place. We are also subjected to daily trial by media as well as by the forms of this house — in debate, in questions without notice and in questions on notice. There is also freedom of information and a range of other existing mechanisms. We also have a very powerful Members of Parliament (Register of Interests) Act 1978, which this bill seeks to amend.

There is the suggestion that there are somehow gaps in the regulation of the conduct of members of Parliament,

but I fail to see any. There is a raft of measures, and I would be very surprised if there were any gaps in them. That is probably why on the whole we have a system that has not allowed significant levels of corruption — certainly not of a serious nature that I have seen. There will be things on the margin that we take each other to task on, and that is a legitimate part of debate, reaffirming the types of standards and the public conduct that we and all Victorians expect.

The centrepiece of the coalition's reforms is the Independent Broad-based Anti-corruption Commission (IBAC). It will have significant powers and the resources to prevent, expose and investigate serious corrupt conduct by all public officers, including members of Parliament. The government has already acted to strengthen that accountability and those standards with the release, as I mentioned before, of the code of conduct for ministers and parliamentary secretaries, together with our own fundraising code of conduct. Additionally, the government has introduced fines for members who behave inappropriately in Parliament. I note that that measure has not been exercised as yet, and clearly the jar is empty.

**Hon. M. P. Pakula** — Not in this chamber.

**Mrs PEULICH** — I see. As the time is approaching to conclude, I will sum up. We have made very significant advances in terms of beefing up integrity measures, certainly contrasting positively with the previous 11 years. On the whole, I commend the comments made by Mr Pakula. Put simply, the coalition government is committed to ensuring high standards of behaviour by all public officers, and we are backing up that commitment with the most far-reaching and fundamental package of reforms to the integrity system in Victoria's history. Given the implementation process of IBAC and the raft of other measures, not only is the consideration and debate of this bill premature but it is probably unnecessary. Therefore I oppose the bill and the reasoned amendment.

**Mr BARBER** (Northern Metropolitan) — I will address one by one the issues that have been raised by members, starting with Mr Pakula's reasoned amendment, which intends to send the bill off for further scrutiny by a parliamentary committee. I would be very happy for that to be the process, as the Greens have often moved to have bills going routinely to committees for further scrutiny — or maybe it would just make a nice change for me to be a witness at a committee rather than always being the one asking the questions of witnesses! That would certainly be the case, but as the bill would go to a joint committee, Mr Pakula's amendment would also allow for the

possibility of committee members of both houses writing a report on the issues that they see in relation to this bill. At the time they would also be required to take submissions from the public on the same bill.

**Business interrupted pursuant to standing orders.**

## STATEMENTS ON REPORTS AND PAPERS

### Victorian families statement

**Mr EIDEH** (Western Metropolitan) — I wish to speak briefly on the families statement. If there is one single thing that each and every one of us in this house and this Parliament would agree on without any hesitation or correction, it is that nothing is more important than our family. It is not members on one side only who care about families, just as it is not one gender that cares more. We all love our families — our partners, our children, our brothers and sisters and their children, our parents — and for many of us it goes beyond those limits.

Some, very sadly, are not blessed with a large family, and I respectfully feel for them. Some have suffered tragedies. Of course we all know of a colleague who has left Parliament because after years in this place the pressure on family life can be too much. Happily for most of us, the story is a positive one. It is a story about the love of family that caused so many ethnic Australians to come to this great country, a land where there is freedom, democracy, natural justice and equality. It is a land where if you work hard, you can succeed and then give your children a far better life than the one you lived.

There are good people who remember their roots and who believe in giving back to their community. So if the government's commitment to an annual families statement, following on from the leadership of a former Premier, the Honourable John Brumby, who began the annual statement of government intentions, is to be positive, then it must also recognise the sacrifices and the struggles that many have made for their families.

All too often we bundle families into the one basket, but they are not the same. Some have worries about finances, others about disabled children, and a growing number have concerns about how to care for their parents or even their grandparents. Some struggle outside employment, while others sadly have life-threatening issues that they must face every day. As we speak on this motion there are families still suffering from the ravages of Mother Nature in both Australia and New Zealand.

Jack Korkou is an amazing olive grower in the shire of Melton. He is a good and decent man who has worked very hard for a long time to give his family a good life. Recently a fire destroyed his home and his main shed with all of his equipment. Thankfully, Jack has some good friends, a great local council under mayor Justin Mammarella and a strong family. I wish them all well.

It is important that we recognise the sufferings and the hardships faced by families. If we do not, then what are we doing in this place? It is important that we work collectively on behalf of families rather than on pushing petty politics.

### **Protecting Victoria's Vulnerable Children Inquiry: report**

**Ms CROZIER** (Southern Metropolitan) — I am pleased to speak on the report entitled *Report of the Protecting Victoria's Vulnerable Children Inquiry*, better known as the Cummins report, which deals with a very significant issue. I know a number of members have already commented on this report, and I would like to make a few comments this afternoon.

I say at the outset that I commend those who have been involved with this report. As we know, it was launched last year by the Premier to comprehensively investigate systemic problems in Victoria's child protection system and to make recommendations to the government to improve the protection and support of vulnerable young Victorians. The foreword in volume 1 of the report talks about the purpose of the inquiry and the inquiry itself. It says:

Consistent with its terms of reference, the inquiry did not consider or make recommendations regarding the circumstances of individual cases or review individual organisations. This enabled the inquiry to concentrate on its task of systemic review of all that constitutes Victoria's approach and performance in relation to protecting its vulnerable children and young people.

Last year when this issue was raised the Premier said:

Thousands of vulnerable, at-risk children were neglected by the previous Labor government and its legacy is a child protection system in crisis.

Sadly that was further reiterated by the executive summary of this report, which says:

Over the past decade, the number of Victorian children and young people in out-of-home care has increased by 44 per cent — an annual growth of around 4 per cent a year ...

In the introduction section the report goes on to say:

The inquiry heard many distressing expenses from and about individuals ...

We should all be mindful of those experiences and take into consideration how difficult that was for many of the witnesses who appeared before the inquiry. Those issues are not all that concerns me on this page of the report, which also says:

Estimates prepared by Deloitte Access Economics for the inquiry indicate that the total lifetime financial costs of child abuse and neglect that occurred in Victoria for the first time in 2009–10 is between \$1.6 and \$1.9 billion.

That is a significant amount. It goes on to say:

Each individual case of child abuse and neglect continues to create costs for the community long after the abuse stops, or the neglect is addressed. This is because child abuse and neglect increases the costs of health care and education, housing and supported accommodation assistance, court-related matters and crime, and leads to significant productivity losses.

I commend, firstly, the Premier, and secondly, the Minister for Community Services, Mary Wooldridge, for taking this situation and those concerns very seriously and for the actions that they have taken to address those concerns. The aspects of the report I have highlighted show to the Victorian community the extent of this issue and how the Victorian government is addressing the issues.

The report contains 90 recommendations and 20 findings and identifies 40 matters for attention. As I said, the minister has taken on a number of those concerns and is addressing them. In the 2012–13 budget a number of funding measures have been allocated, including funding to recruit 42 additional front-line child protection workers. There are a number of other areas to look at in relation to further protection. A media release from the Premier of 1 May says:

Premier Ted Baillieu said the Victorian coalition government had allocated \$336 million in the budget for vulnerable children and their families.

'This is in addition to \$98 million in funding to improve the child protection system that we provided in the last budget to start the reforms' ...

There are a number of other recommendations in relation to this report that I cannot go into in detail. It is a significant report. It has many recommendations, and those involved, especially the minister, should be commended for the work undertaken.

### **Victorian families statement**

**Ms PULFORD** (Western Victoria) — I rise to make some comments on the 2011 Victorian families statement, which is of course the closest thing to the 2012 Victorian families statement that can be found in this building. That is because the government has not

released the 2012 Victorian families statement, and when you look at the budget it is not hard to see why it would be a little shy about it.

Section 1 of the statement talks about why Victoria needs a families statement. It says:

Beyond 2012, the statement will be reviewed and released annually. Each instalment will build on our understanding of the issues, and importantly, how the situation is changing for families.

That is certainly something I look forward to, but the 2011 statement came out in February and we are now almost in June, so the 2012 statement is running late.

Section 2, 'Victorian families today', talks about the challenges to managing household budgets and a strong economy and responsible financial management being the key to future prosperity of Victorian families. Something that is pretty important to Victorian families is having someone in a household with a job, and that is why we have been saying for some time now that the government needs to develop a jobs plan and needs to develop it urgently.

Section 3 talks about the challenges facing Victorian families. The report falls open where the staples are to a quote:

In today's world, having the right skills is increasingly important to securing and keeping a good job.

The day we have debated a \$300 million cut to TAFE funding in the state is probably an appropriate time to remind the government about its statement, which it was so proud of. In opposition it said it was going to do this instead of flagging a legislative program, which was our approach. The families statement was Mr Baillieu's stunt in 2010. The government put together this document in 2011, and in 2012 there is so much to be ashamed of in delivering for Victorian families that the government has not had the intestinal fortitude to turn up with this year's update. The subheading on page 9 talks about 'Having the skills to secure a good job'; we would furiously agree about that.

The report goes on. At page 12 it talks about 'Supporting regional and rural Victoria', an area of great interest to the people I represent in this Parliament. That page identifies the need for government to support rural and regional communities. Of course in this budget what we saw was an overall reduction in the total spending under the regional and rural development and regional cities portfolios. This government is cutting programs that it said last year it would not cut. It said the Regional Growth Fund would

be additional funding, but the budget reveals that that was never the intention.

In section 4 the report talks about 'Starting an ongoing discussion with Victorian families'. Under the subheading 'Establishing benchmarks' the report says:

An important feature of the 2012 and subsequent families statements will be a set of benchmarks ...

Perhaps the government is putting this off because it wants to get the benchmarks nice and low on every key measurable output for Victorian families so it might possibly improve.

On the back page there is a lovely photograph of a sunset scene in Victoria with the quote, 'We'll be listening to families along the road to developing the 2012 Victorian Families Statement'. The Victorian families I speak to are concerned about this government's lack of commitment to education, about the woolly promises in the health area, about the lack of any jobs plan and about the cuts to funding in regional communities that are reminiscent of when The Nationals rolled over time and again during the Kennett government years. Of course the other area of great concern to Victorian families is that this budget reveals the Baillieu-Ryan government to be the highest taxing government in Victoria's history, all the while denying an increase to concessions that is in line with CPI.

I am not surprised that the government has not turned up with the 2012 families statement. I still look forward to it seeing the light of day at some point. I would be interested in the benchmarks and the reports on the ongoing discussion with Victorian communities and in seeing whether or not the government's actions in any way reflect the aspirations that it claimed to have for Victorian families in 2010 when it first started talking about this in the election year in a very cynical attempt to raise the hopes of Victorian families. However, this government is not looking after Victorian families, and it should be ashamed.

### **Auditor-General: *Access to Public Housing***

**Mrs KRONBERG** (Eastern Metropolitan) — I am pleased to rise to report on the Victorian Auditor-General's report of March 2012, *Access to Public Housing*. This is in fact the second tranche of my contribution on this report; time was against me when I reported on this in the last sitting week.

There are so many important elements to this report. I will move on to it very quickly. I have to say that this report exemplifies the high point of some of the former Labor government's ineptitude and the impact on some

of the most vulnerable people in this state — that is, people who are dependent on the state to provide shelter in the form of public housing, to have that housing properly maintained and in a fit condition for human habitation and to provide an offering of shelter for people who are homeless, sleeping rough, sleeping under bridges or sleeping and perhaps even dying through carbon monoxide poisoning, as a former constituent of mine in Croydon did one July on a cold night. He had a heating system hooked up to his car, where he lived with his dog, and he died of carbon monoxide poisoning in July 2007. I have never forgotten what that meant, and therefore I have always been a staunch advocate for providing people with access to public housing.

Against this background that outlines a constellation of problems that prevailed because of the Labor government's 11 years of neglect and mismanagement, the Victorian Auditor-General stresses that the operating model for public housing is unsustainable as he found it when he conducted the audit, as the costs are increasing and exceeding the flow of revenue from housing stock. It is really important to recognise that this is a structural problem — an embedded, endemic and systemic problem — arising from the ineptitude of the former Labor government and the former ministers for housing in providing oversight on how the department actually provided housing, looked after people, managed its asset base and moved to allocate people to housing. They were completely flying blind through the entire 11 agonising years of the Labor government presiding over the allocation of public housing for the most needy people in the state.

Currently public housing rents are set at no more than 25 per cent of tenant income. This is a structural problem as well. This compounds the gap between cost recovery and the ability to manage the asset base in the proper manner. Because those who are unemployed are deemed as having the greatest need, often those people who are unemployed are prioritised while still receiving benefits. This means that the housing division's rental revenue is decreased on a proportional basis. This impact on revenue coincided with a substantial increase in the division's operating costs, so we had something that was never going to cover the other.

For the entire term of the Labor government the efficiency of the division of housing was never reviewed — never reviewed; it was flying blind — a characteristic of the Labor government. In contrast the Baillieu government, under the stewardship of the Minister for Housing, the Honourable Wendy Lovell, commissioned a review of the division's financial position in 2011. What was revealed by that review was

that the operating costs had exploded, going from 30 per cent over rental revenue in 2002 to a staggering blow-out of 42 per cent over rental revenue in 2011, thus creating a trajectory of an extraordinary steep slope of failure and of an inability to run the program.

Over Labor's period of government no long-term planning was ever undertaken — never undertaken! — let alone long-term objectives ever established for the public housing portfolio. Again, it was flying blind. The Victorian Auditor-General highlights that the Labor government's inability to deal with decade-old challenges has manifested as an increasing demand for one-bedroom households. The examples of poor asset management are really staggering. There was no capacity for annual updating — —

**The ACTING PRESIDENT (Mr Eideh)** — Order! Time has expired.

### **Wodonga Institute of TAFE: report 2011**

**Ms BROAD** (Northern Victoria) — I wish to make some remarks on the Wodonga Institute of TAFE's 2011 annual report, and at the outset I acknowledge the contributions of Wodonga TAFE's board of directors, its staff, the president, Anthony Brandt, and the CEO, Michael O'Loughlin, to the governance of the institute and the vocational education and training opportunities delivered by Wodonga TAFE.

Wodonga TAFE takes its role in supporting the economic, social and cultural development of the region it operates in very seriously. This role is widely appreciated by communities in north-east Victoria, and I expect that those communities will be expressing their support for Wodonga TAFE at a rally in Wodonga on 29 May. This rally is being held to protest against the funding cuts by the Baillieu-Ryan government to TAFE, in particular the elimination of any funding support from the Baillieu-Ryan government for the community role provided by TAFE, which has been cut by 100 per cent.

The annual report details many community contributions delivered by Wodonga TAFE — contributions that are valued by communities. I know this because they tell me they value these contributions, but clearly they are not valued at all by the Baillieu-Ryan government. It has decided that it has other priorities which are more important. Labor values the community contributions by TAFE, and I am going to take this opportunity to set out just a couple of examples from the 2011 annual report of Wodonga TAFE. Over the past two fire seasons the Country Fire Authority utilised the purpose-built project factory as an

incident control centre in the event it was required for a major incident. That initiative has been very well received and has received statewide recognition as an example of a successful relationship that takes advantage of existing and shared infrastructure for the benefit of the whole community.

As well as that, in relation to ensuring that Wodonga TAFE provides opportunities for everyone, young people in Albury spend time at what is known as the Retro Youth Cafe, which is a great deal more than just a cafe. It caters for people between 12 and 24 years of age, it offers free computers and internet access, it is a zero-tolerance drug and alcohol-free venue, it runs school holidays programs and other social events and it supports community events, including Drug Action Week, Youth Week and Law Week.

Wodonga TAFE is also proud to work with the Personnel Group to provide opportunities for people with a disability. This program provides a six-month work placement at the Retro Youth Cafe in Dean Street and at Wodonga TAFE's McKoy Street campus, during which students learn new skills in hospitality and are responsible for the daily operations of the cafe and its catering services. To date there have been 16 placements at the Retro Youth Cafe and 11 placements at the McKoy Street campus.

Those are just a couple of examples. There are many more contained within the annual report. I commend it to members on the other side, who have apparently put their hands up for eliminating all the funding that goes to supporting this community role by TAFE institutes.

Perhaps I should say in conclusion that apart from the strong support I have indicated from Labor for these activities, TAFEs have assured me in my recent visits that they are very strong institutions, that they will continue to do their level best to provide these community contributions to show leadership in this space in their communities, despite the blow they have been dealt by the Baillieu-Ryan government, and they will find resources I am sure from other sources in the communities that support them to help them continue to provide these much-needed opportunities for vocational education and training, particularly in rural and regional Victoria, for people who otherwise have very limited opportunities available to them — —

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

## **Protecting Victoria's Vulnerable Children Inquiry: report**

**Mrs COOTE** (Southern Metropolitan) — I wish to speak today on the Protecting Victoria's Vulnerable Children Inquiry (PVVCI) report and again to commend the Premier and the Minister for Community Services for encouraging such an inquiry to take place. It is called the Cummins inquiry because it was chaired by the Honourable Philip Cummins. As I have said in the chamber before, the report has had far-reaching implications. It has been very well received by the sector, is a benchmark and turning point for the care and protection of vulnerable Victorians and is seen as that. In the foreword the inquiry panel says:

The purpose of this inquiry has been to meet the needs, improve the lives and secure the rights of Victoria's vulnerable children and young people, now and in the future. The inquiry understood it was given a task of profound significance.

I think that is how it has been recognised in the sector, including by the organisation that has attracted huge respect in the sector and amongst Victorians for a significant time, Berry Street. Berry Street has been at the forefront of child care for probably a century now. Under the stewardship of the current CEO, Sandie de Wolf, it is going from strength to strength, and it really does understand the essence of what the needs are of vulnerable children in this state.

I was very pleased, as I am certain were other members, to receive a comprehensive package in response to the Phil Cummins report. I will speak to some of those issues, because I believe they have been addressed by this government, and it is very pleasing to see the speed at which the minister and Premier dealt with the ramifications of this particular report. In a letter dated 30 April from Berry Street, Sandie de Wolf says:

We believe that the PVVCI provides a 'once in a decade' opportunity to fundamentally change how the Victorian community protects and cares for vulnerable children.

I suggest that is absolutely the case. The letter goes on to say:

The immediate response from the state government when the PVVCI report was released in February was positive. In particular, the support from the Premier for the development of a vulnerable children and families strategy and some modest, but important, funding initiatives (including 42 additional child protection workers, establishing three multi-disciplinary centres to respond to child sexual abuse and some expansion of ChildFIRST in areas of extreme demand) are welcome.

This is high praise indeed for the government's response to what is a very complicated, complex and

detailed report. To have someone of the calibre of Sandie de Wolf praising the government for this report is certainly to be valued. It is extremely interesting to see what happened as a result of this report being released. Immediately, on 28 February 2012, the government issued a media release headed 'Coalition government takes immediate action to protect Victoria's vulnerable children', in which it said that there would be funding of '\$61.4 million over four years to immediately start improvements to service delivery at the front line' — not in the future, not down the track, but immediately. Immediately the Phil Cummins report was released so too was the funding to make it happen. The media release said that the funding of \$61.4 million:

... will be used to:

recruit 42 additional child protection workers;

expand ChildFIRST and family support services in areas of extreme demand —

just as Sandie de Wolfe said —

establish three new multi-disciplinary centres where police, child protection officers and specialist counsellors are located together to allow them to work closely to address the scourge of child sexual abuse in, and outside of, the home.

In the letter from Berry Street, Sandie de Wolfe says in relation to the issue of out-of-home care that the commitment by government is particularly welcome. Indeed quite an extensive amount of funding in the budget was directed to out-of-home care. Funding amounting to \$27.9 million will provide 34 new residential care placements. There is \$3.6 million for a permanent care and stability project, including funding to expand the capacity to place Aboriginal children permanently; and \$29.6 million to significantly expand therapeutic residential care.

Berry Street will be very happy with those state initiatives in the budget. Once again it shows that the coalition government led by the Premier, Ted Baillieu, and in this area also by the Minister for Community Services, Mary Wooldridge, is looking after Victoria's vulnerable children. I commend both the Premier and minister.

### **Auditor-General: *Freedom of Information***

**Mr ELASMAR** (Northern Metropolitan) — I wish to comment on the Victorian Auditor-General's report entitled, *Freedom of Information* published in March 2012. There is a recurring theme throughout this report — that is, for all intents and purposes Victoria does not have a functioning freedom of information

management system to enable it to do what its charter says it should do. It should keep government accountable for its deeds and actions.

In 1982 the federal Hawke Labor government established the first legislative mechanism for providing information to the general public about government agencies and their performance. Today in 2012, after 30 years, this report is a damning exposé. It demonstrates a complete and utter lack of coordination and cooperation from virtually every government agency in this state regarding the administration of freedom of information. Evidently there is no will by this government to be open and transparent — and what a pity. Victoria was the first state in Australia to institute freedom of information legislation and pioneered FOI for the rest of the states and territories in Australia.

Now that the findings of this Victorian Auditor-General's Office report are public there is no purpose or reason the government can give to the people of Victoria to explain why there is secrecy, why there are sloppy reporting mechanisms in virtually every department and agency across the state and why the time lines for producing information have been reported by the Auditor-General to be a serious failure and a breach of the government's obligations under its own FOI legislation.

It appears to me that FOI is a joke, but the joke is on the people of Victoria who voted for a government which stood on an election platform of openness and transparency in the 2010 election campaign. The Department of Justice is supposed to show leadership in its application and follow-through procedures of proper requests for information. The police in this state are not being given the message by this government that openness and transparency is the key to the public's confidence. If the government has nothing to hide, there is no point in denying the public access to information.

There are a significant number of recommendations contained in the report and most of them relate to improving the speedy resolution of information requests and providing improved record management practices. FOI is all about accountability to the voters. It is about confidence in the elected government and its capacity to govern fairly and cleanly. The government can appoint as many FOI commissioners as it wants, but the fact is that they will all be useless if they are hamstrung by red tape and restricted by their political masters. FOI used to mean something; today it means nothing.

### **Auditor-General: *Performance Reporting by Local Government***

**Mrs PEULICH** (South Eastern Metropolitan) — I wish to make some remarks on the Victorian Auditor-General's report tabled in April 2012, entitled *Performance Reporting by Local Government*. Most members would know that local government is the level of government that I am very passionate about, and it has enormous potential for improvement. It represents every nook and cranny of the state through 79 councils which collectively maintain around \$60 billion worth of community assets and infrastructure. They spend around \$1.6 billion each year on capital works and a further \$6 billion to \$7 billion annually on a variety of services, including waste management, recreation, needs of the aged, families and other human services. It is certainly a lot of money, and we want to make sure that the money is not wasted, that it is strategically deployed in ways that are planned and well implemented and that it is accountably spent and services are delivered so that ratepayers are getting value for money.

The Auditor-General has reviewed the performance of local government on a number of occasions. While some improvement has occurred since 2003, there are clearly some recurring performance challenges in the sector. I refer to page viii of the report and the section 'Findings' which offers a meta-analysis of 16 performance audits which identified the recurring themes of:

- ineffective planning and budgeting;
- inadequate implementation of initiatives and adherence to policies and procedures;
- weak oversight and monitoring of council activities and outcomes;
- inadequate attention to addressing persistent performance issues.

That sounds pretty comprehensive to me, and it indicates that there is enormous room for improvement. It follows a 2008 audit on performance reporting in local government, which found that most councils', reporting had limited relevance for ratepayers because it lacked information about the quality of council services, the outcomes being achieved and how these relate to councils' strategic objectives.

I have had the opportunity of perusing some of those strategic documents. The Auditor-General also found that many of those focused on strategic activities and did not focus on identifying or capturing the outcomes of those particular activities. That is where the

improvement needs to be made when it comes to the local government sector. It is not good enough just to spend money on things that are important; to deliver the things that are important is really the object of the game.

In 2003 the key changes to the Local Government Act 1989 were designed to improve councils' accountability, but we have not really seen sufficient improvement over the last decade. Since 2003 there has been a requirement to disclose within annual reports progress in the context of strategic objectives and, as I mentioned before, the results of key strategic activities within annual budgets. Councils have obviously not taken the next step, and that is to focus on outcomes.

Clearly the community expects to be able to analyse and assess its own council's performance and to be able to do so by comparing it to other councils as well. The report concludes:

While some improvements were evident at councils since 2008, the progress to date has not been sufficient to satisfy the information needs of residents and ratepayers, to drive continuous improvement, or to deliver timely performance reporting.

These shortcomings continue to impair accountability for performance and represent major obstacles to effectively addressing recurring performance deficiencies at councils.

Most importantly, that there is not a comprehensive and objective reporting framework means inefficiencies within councils are often not identified, are tolerated and allow for sluggish organisations and a sluggish culture, which does not mean that we end up getting the best value for money. This clearly needs to be improved, and the Auditor-General makes some recommendations about how this can be done. He recommends four areas of improvement, including that all councils should review their strategic and service objectives to ensure that they are clearly expressed — that is, that they are not ambiguous, that they are measurable and aligned and that they provide training for councillors and staff on effective performance measurement as well as management and reporting.

It is obviously a local government election year. It is imperative that the employed staff of councils put in place effective programs for development of their councillors to enable them to understand their obligations under the act and to ensure that they do not place themselves in positions of conflict of interest or exercise apprehended bias. There is a litany and a mayhem of statutory obligations which many councillors do not understand. Many of them have not read the Local Government Act 1989. It is crucial that we lift the performance of our councillors, and I urge

the minister not only to advance the implementation of an accountability framework that I know she is working on but also to address the issue of performance of councillors.

### **Chisholm Institute of TAFE: report 2011**

**Mr SCHEFFER** (Eastern Victoria) — The Baillieu government's recent funding cuts to the TAFE sector through the Victorian budget provides an opportunity to give some consideration to the most recent annual report of the Chisholm Institute.

As are other institutes, Chisholm is a strong provider of a great many education and training courses, and the annual report lists some 55 highlights, including the establishment of a number of new centres, the development of consortiums, the development of a number of degrees and new partnerships with businesses such as Toyota, Jayco, Milwaukee Electric Tool Corporation, BlueScope Steel and Phillip Island Nature Parks.

The report identifies a wide range of new educational initiatives and new student experiences, including opportunities to send students overseas — to the Netherlands, for example, to undertake research in horticulture, and to China to research early childhood programs in Qingdao.

There are too many programs and offerings provided through Chisholm to mention in a short contribution, and I know that Chisholm is not unique among Victoria's TAFE institutes. I draw the attention of the house to this annual report of just one of the many TAFE institutes that thousands of people living in Eastern Victoria Region rely upon so as to demonstrate the incredibly valuable educational asset that is being harmed by this government's savage budget cuts that we debated at some length in the chamber earlier today.

We heard the Minister for Higher Education and Skills, Minister Hall, unsuccessfully try to airbrush away the impacts of his funding cuts to the TAFE sector by arguing that he and the Baillieu government have invested phenomenal amounts of cash into TAFE institutes. But right after the May budget was revealed Chisholm Institute came right out and said that while it had indeed received more money in the state budget for trades training in Berwick it still feared that the government's cuts — Mr Hall's cuts — to the TAFE sector would slash the number of courses it could offer. This was because it would at the same time sustain a loss of \$20 million in the next year and that this would most likely mean it would have to cut some courses it currently offers.

Chisholm said the budget committed \$8.5 million towards a \$26 million trade careers centre for the Berwick campus, which provides around 133 courses. What the government is doing is cutting the subsidies to the vast majority of courses, and this is what will do the damage. A number of courses will not be financially viable, because under the new arrangements only 15 per cent of courses have received more funds. Students will have to pay higher fees, and this will put a downward pressure on the viability of courses, precipitating a further run down.

Chisholm Institute's board and management are rocked by the announcements, describing the budget cuts as regrettable and astonishing, which of course is polite code for being furious and beside themselves with anger. We will have to wait until the next annual report and the one after that to see how these cuts impact on the courses that Chisholm is currently providing.

But it is more than this, because the story that will be hard to tell is the one about the new initiatives that will never see the light of day and the story of what happens to the teachers who are forced out and whose talents are lost to the state. The annual report profiles the members of the Chisholm board and the directors group, and one cannot but be impressed by the quality of these individuals whose tasks will now include how they will manage the wind down which Minister Hall and the Baillieu government have forced upon them. I guess the government's hope is that these fine men and women will manage the task so well that the damage will in not too short a time be erased from the collective memory.

I expect that the government has gone too far and that TAFE campuses will become centres of advocacy against these budget cuts. The students and teachers from regional campuses such as GippsTAFE and Chisholm, with the support of their communities, are gearing up to campaign against these cuts. They know that they will have to take the fight up to the Liberal Party because The Nationals have cut them loose and are too weak to fight — as the minister has shown.

### **Protecting Victoria's Vulnerable Children Inquiry: report**

**Mrs PETROVICH** (Northern Victoria) — I am pleased to report on the Protecting Victoria's Vulnerable Children Inquiry report, which is also called the Cummins report. There are some very good and key points in the many pages of this report which outline the difficulties and the ways in which the measurement and description of the impact of abuse and neglect are clarified.

Child vulnerability is difficult to measure and describe as it often results from a combination of factors affecting the child, their family and their environment. Many of the key factors are around vulnerability not being a statistic, as children and their families can be more or less vulnerable at different times and as different life events occur.

Interestingly there are specific factors that can accumulate and make a child more vulnerable, and these factors may change as the child develops. The inquiry provides a context for our understanding of vulnerability and examines the factors that increase the risk of child abuse and neglect occurring. The factors are placed into three categories, which I will highlight. Firstly, the parent and family or caregiver factors are a history of family violence, alcohol and other substance misuse, mental health problems, intellectual disability, parental history of abuse and neglect, and situational stress. Secondly, the child factors are the age and gender of the child, the health of the child and disability factors. Finally, the economic, community and societal factors are social inclusion and exclusion, and social norms and values.

I would also like to congratulate the Premier, Ted Baillieu, and the Minister for Community Services, Mary Wooldridge, on the work they have done to reform support of Victoria's vulnerable children. They were demonstrated very clearly during our budget process, with the provision of more front-line workers, greater help for families, improved intervention and diversion programs, expansion of places in therapeutic out-of-home care, innovation for reforms of the Children's Court and an additional \$98 million in funding to improve the child protection system. That was provided in the last budget, and new funding will help meet the needs of the children in Victoria who are in crisis and will allow for the expansion of an innovative approach that we know will improve outcomes for these children and their families.

The key highlights of the reforms in the 2012–13 state budget include the establishment of a new Children's Court at Broadmeadows, child protection workforce reform, a focus on placement stability and therapy, a focus on connected services and the establishment of a commission for children and young people.

To summarise the budget initiatives, they include building effective and connected services: \$19 million to recruit 42 statutory child protection workers; \$51.4 million to reform the child protection workforce; \$1 million to evaluate the Services Connect case management reform trials; \$1.9 million to continue the role of statewide principal practitioners; \$7.9 million

for a specialist intervention team to assist regional hot spots; \$7.3 million to significantly expand treatment places for children with problem sexual behaviours; and \$2.2 million for early childhood development workers in the Grampians, Gippsland and Loddon Mallee regions.

It is clear that there are some areas which have significant issues, with significant variations in the geographical patterns of reports, reflecting socioeconomic, demographic and location-specific factors. Two of those areas are the Gippsland region and the Loddon Mallee region. The statistics around those areas are significant. While the rate of reports in a single year across Victoria is just over 30 per 1000 children across all ages, in the Gippsland and Loddon Mallee regions this rate is more than double, at 66 per 1000 children and 61 per 1000 children respectively.

It is very important to note that there is another particularly vulnerable group, Aboriginal children and young people, and the history of these communities in Victoria directly affects Aboriginal children and their families. Past actions by government and non-government agencies have affected and damaged Aboriginal families, and the result is continuing experience of trauma in Aboriginal communities. There is much work to be done on this. It is very important as part of that process that we have also committed to additional funding on justice, and this is something about which I will probably need to speak on many more occasions.

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

### **Auditor-General: *Freedom of Information***

**Mr LEANE** (Eastern Metropolitan) — Today I wish to speak on the *Freedom of Information* report which was produced by the Victorian Auditor-General. The report examines the dealings of government agencies and departments in relation to freedom of information applications. The Victorian public has probably concluded by now that any commitment that Ted Baillieu made in the period leading up to the election he did not mean, or that in relation to any commitment he made you should at least halve it and halve it again and then you might get to where the actual outcome of that commitment might end up. Prior to the election the then Leader of the Opposition was asked what his position was regarding freedom of information. His response was that as far as freedom of information is concerned it would be 'ask and you will receive'.

The Auditor-General has blown that particular statement out of the water with the first paragraph of his conclusions, which states:

Victoria has gone from being at the forefront of FOI law and administration to one of the least progressive jurisdictions in Australia.

When it comes to FOI we have gone from late 2010, 'ask and you will receive, if I am the Premier of Victoria', to this. Victoria has gone from being at the forefront of FOI law and administration to being one of the least progressive jurisdictions in Australia, which is just amazing. I think you can see why Victorians do not expect to give any degree of credence to anything that the Premier said prior to the 2010 election. The openness and transparency the coalition bragged about is a joke. In this report the department about which the Auditor-General is most damning in relation to its attempts to thwart freedom of information applications is the Department of Premier and Cabinet, and that is the department that answers directly to the Premier.

The report says principal officers of the Department of Premier and Cabinet have not managed to adhere to ministerial noting periods consistent with the Attorney-General's 2009 guidelines. It says the agency did not adequately comply with the mandatory reporting requirements of the act. The agency exceeded the 45-day limit for over half of their requests. This is the Premier's department, which he leads. This is the same Premier that says when it comes to freedom of information, as far as he is concerned, 'ask and you will receive'. I think it is the biggest joke arising from the election campaign, and the biggest joke to come out of this particular government.

The Auditor-General makes several recommendations. Recommendation 2 states:

Principal officers of agencies should diligently discharge their responsibilities under the Freedom of Information Act 1982.

We all know who the freedom of information officer was for a long time in the Premier's department. I believe he may have got a promotion since then, but that has just made the process even more of a joke. We look forward to next year's report from the Auditor-General. Our expectations are very low. I do not know how we could be any worse than the worst jurisdiction in the country, but I am sure that with the way this government operates it will find a way. We will not be surprised at all. We look forward to that, and we expect no improvement because there has been no improvement in any area of the government over the past 18 months and our expectations are very low.

### **Auditor-General: Access to Public Housing**

**Mr ELSBURY** (Western Metropolitan) — Whilst we are talking about low expectations it seems apt that I comment on the *Access to Public Housing* report produced by the Victorian Auditor-General. The low point of public housing occurred under Labor. You would think that is quite surprising, considering that it is supposedly the party that looks after those who are struggling. In the north-western metropolitan region we have our fair share of public housing that is made available to people who are in need. According to the Victorian Auditor-General's Office, based on Department of Human Services data, we have 24 805 separate dwellings, and the western suburbs of Melbourne have the lion's share of the housing stock that is available.

A lot of problems that have come up have been described by the Auditor-General, and I will quote some lines from the report. It says:

The situation for public housing is critical. The current operating model and asset management approach places the long-term provision of this vital public service at risk.

It goes on to say:

The division's lack of comprehensive asset management has meant missed opportunities to more strategically position the public housing portfolio.

It also says:

The evidence base used to inform the decision making is incomplete and outdated.

Those opposite were in charge of public housing for 11 years, and in that time they successfully allowed operating costs to exceed revenue by 42 per cent. That is a clear indication that things are not going well and that there is a major problem with the way this is being managed.

The Auditor-General's report also states:

The division's lack of comprehensive asset management has meant missed opportunities to more strategically position the public housing portfolio. The division has an estimated 10 000, or 14 per cent of properties nearing obsolescence and a significant mismatch of properties to tenant need. Yet, there is no asset management strategy in place.

This report looks at what happened under the previous government, and that has impacts on peoples' lives. I have been dealing with a couple of cases in my office. One that springs to mind immediately involves a gentleman who has a disability. He is unable to work due to a workplace accident and has need of a three-bedroom home. Unfortunately there is no scope

within the current housing stock to provide that to him. Back in 2006 he was told he would be on a four-year waiting list. In 2010, just prior to the state election, he was told he had a five-year wait. How does that happen? How does it happen that you are put on a waiting list for four years and then end up after that four years being an entire year behind where you started? It does not make sense.

Certainly those opposite will laud their building program. In 2009 some 3200 homes were built, but the former government disposed of 1200. In 2010–11 some 3600 homes were built, but the former government disposed of 1700. Almost half of the housing stock that was built was then disposed of. The Auditor-General's report notes that it was the federal government that provided the funding for those houses, not the state government. The state government relied on federal government funds as a once-off payment.

The Baillieu government is getting on with the job of dealing with this situation. The review highlighted the urgent need for a comprehensive property condition audit, which we are undertaking, and a detailed finance review and development of a clear policy framework. We have two documents in our hands that are currently being used. The first is entitled *Pathways to a Fair and Sustainable Social Housing System*, and it focuses on eligibility, access of tenure and rent policies; and the second is entitled *Social Housing — a Discussion Paper on the Options to Improve the Supply of Quality Housing*, which is about the supply issues the department needs to deal with.

## ADJOURNMENT

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

That the house do now adjourn.

### Coal seam gas: exploration

**Mr LENDERS** (Southern Metropolitan) — I raise a matter for the attention of the Minister for Energy and Resources, Michael O'Brien. The Economic Development and Infrastructure Committee of the Parliament in its inquiry into greenfields mineral exploration and project development in Victoria released a report yesterday, and I welcome that report.

Recommendation 1 of that report is:

That the Victorian government establishes an appropriate process to enable open consultation with stakeholders, including local communities, for issues regarding future coal seam gas exploration and development.

Yesterday the minister put out a press release welcoming the committee's findings. On 2 May I moved in this house a motion to request the Environment and Natural Resources Committee to conduct an inquiry just like this, and the government voted against it. What we have here is a situation where our community has been calling for information and a robust process to test this information. Without prosecuting the issues I raised in the debate, there are issues that were put forward to get hearings and look at information from other jurisdictions and parliamentary inquiries but most importantly to go out into our community and conduct meetings, get information and come back after a tight reporting period. That is what I and 19 members of this house called for, but that is what was voted down by the government. Since then a report has come from a committee with a government majority calling for exactly the same thing — but not for the robust public inquiry.

The action I seek from the minister is, given that his parties have voted down the inquiry and given legitimate community concerns that what this means is a secret in-house inquiry in the Department of Primary Industries without any robust public review, the minister himself go out personally to chair and oversee a series of public meetings with stakeholders, including local communities, on issues regarding future coal seam gas exploration and development. In these open and transparent meetings he should listen to the community, help provide answers to the community and report publicly to the community. I suggest that to assist him and give him some comfort his first meeting be held in the Assembly electorate of Bass with the member for Bass, Ken Smith.

### Cancer services: Southern Metropolitan Region

**Mrs COOTE** (Southern Metropolitan) — I raise a matter for the attention of the Minister for Health, the Honourable David Davis. Yesterday I was given, as I am sure quite a lot of other people in this place were given, some very interesting statistics on cancer which appeared in a media release issued by Cancer Council Victoria. The statistics are broken down into various areas. As I represent Southern Metropolitan Region, it was very interesting to see what cancer mortality rates have been over the last three years within that area. In all cancers for males there were 2004 deaths and for females 1875 deaths. Looking at the causes of death, for males the largest number of deaths by far were caused by prostate cancer, with 300 men, bowel cancer, 248, and lung cancer, 345. For women, breast cancer was the leading cause of death, with 309 women, bowel cancer, 230, and lung cancer — interestingly — 277. Every one of these deaths is a death too many.

It is interesting to also note from other statistics given to us by the cancer council that bowel cancer, breast cancer, lung cancer, melanoma, lymphoma and leukaemia are all major causes of death in Victoria each year.

I was extremely pleased to look at what the Minister for Health has done to fight cancer in this state. For example, in this year's budget there was: \$93 million for an upgrade to the Geelong Hospital, which includes a boost for cancer care; \$2 million to introduce a chemotherapy service at the Seymour hospital; but, most importantly, Mr Davis said there was \$59.6 million over four years to enable a Victorian cancer agency to support research into identifying and treating cancer and to provide vital research to help find a cure and fund transitional research. This is very welcome, but so too are other initiatives that the minister has announced — for example, the Richard Pratt prostate cancer fellowship, a world-class leukaemia research laboratory opening in Melbourne at the Royal Melbourne Hospital and a state-of-the-art mobile breast screening service, which has gone around regional Victoria.

The action I seek is to encourage the minister to continue with this line of work with cancer and that he understand it is a major issue within Southern Metropolitan Region. I ask that the minister enhance his efforts and those of the department to make certain that relevant cancer services and treatments are available at all times in Southern Metropolitan Region.

**The PRESIDENT** — Order! I take this opportunity to promote the Pink Lady breakfast to be held at Parliament House on Friday. If they have not already indicated their attendance, members might wish to consider attending the event.

### **Pioneer Road, Waurm Ponds: upgrade**

**Ms TIERNEY** (Western Victoria) — I raise a matter for the attention of the Minister for Roads in relation to Pioneer Road, Waurm Ponds, near Geelong. The Liberal Party made a commitment of \$13.5 million to the community of Waurm Ponds to redevelop Pioneer Road. I have raised this matter with the minister on a number of occasions, and on 16 May last year I received a reply from him stating that the government had included \$5 million in the 2011–12 budget for stage 1 of the duplication of the road.

This stretch of road has approximately 20 000 vehicles on it per day, providing access to primary and secondary schools, a major shopping centre, the new Waurm Ponds aquatic centre and Waurm Ponds library,

not to mention that it intersects with the major highway servicing the south-west of Victoria.

The City of Greater Geelong recently passed a motion urging the state government to come good on its promise and commit the remaining \$9 million for the completion of this project. City of Greater Geelong councillors recognise that this stretch of road is inadequate and ill-equipped to deal with the massive amount of traffic it endures every day. However, the 2012–13 budget came and went, and there was no money for this very important and pressing upgrade. The minister himself said in reply to a previous adjournment matter on this issue that the upgrade will improve traffic flow, access and safety. However, after 18 months of the Baillieu government no work has been done and only a third of the promised funding has been delivered.

The Greater Geelong, Waurm Ponds and Grovedale communities are understandably annoyed at another case of Baillieu government inaction and what seems to be a lack of understanding of such an important project on the part of the minister himself and the member for South Barwon in the Assembly. I ask that the minister give a firm commitment that every dollar of the \$13.5 million promised for Pioneer Road will be allocated in this term of government and that the minister provide the communities in this area and me with a time line for these works to be concluded.

### **Derrimut–Dohertys roads, Tarneit: safety**

**Mr ELSBURY** (Western Metropolitan) — I rise this evening to raise a matter for the attention of the Assistant Treasurer, the Honourable Gordon Rich-Phillips, who is responsible for the Transport Accident Commission (TAC). It relates to a stretch of road in the city of Wyndham — Derrimut Road where it intersects with Dohertys Road. For as long as I can remember this particular intersection has been offset as a road safety measure to try to allow for traffic to slow down before it reaches the intersection. Unfortunately, with ever-increasing traffic flows from the northern parts of the city of Wyndham, this initiative has turned from a road safety initiative into a bit of a road snarl. Road traffic from Dohertys Road can wind all the way back into Hoppers Crossing, past Sayers Road, which is some 2 miles down the road.

Normally this would be a matter to be raised with the Minister for Roads, but I consider this to be a road black spot. A number of very serious accidents have occurred at this site, and there have been a number of fatalities. Unfortunately it is a site that is not conducive to road users who are vulnerable, such as motorcyclists.

A number of deaths have occurred there, with cars trying to beat the traffic and whip out in front of oncoming motorcyclists whose speed they have misjudged.

I seek that the minister take notice of this intersection as part of the ongoing TAC black spot program. This particular intersection requires improved road safety with some sort of road treatment that will make it a safe piece of infrastructure, ensuring that more people are able not only to get home without a bent car but get home in general.

### **Southern Peninsula Aquatic Centre: ministerial approval**

**Mr SCHEFFER** (Eastern Victoria) — I raise a matter for the attention of the Minister for Environment and Climate Change, Ryan Smith, concerning the proposed Southern Peninsula Aquatic Centre. In March I asked the minister to provide me with the reasons for his decision to consent to the proposed use of the Rosebud foreshore for the location of the aquatic centre and the advice he relied on. I have not yet received a reply from the minister. In the meantime, on the peninsula there has been further community discussion and debate. Questions have been raised about the procedures the minister has followed and whether he is more influenced by the lobbying of his Liberal colleagues, Martin Dixon, the Minister for Education, and Greg Hunt, the federal member for Flinders, than by the provisions of the Coastal Management Act 1995.

On Wednesday, 29 February, the mayor of Mornington Peninsula Shire Council issued a media release welcoming the minister's decision to consent to the siting of the aquatic centre on the Rosebud foreshore. The letter from the minister that was attached to the media release poses some difficulties in relation to the timing of the consent. Section 40 of the Coastal Management Act 1995 states that if the minister fails to give consent within 28 days, he is 'deemed to have refused to consent'. Curiously, the date stamp of the minister's letter of 25 January 2012 suggests that section 40 of that act may have been breached. This did not seem like a big problem until on 10 May the mayor said the minister had reissued approval because the original had been given 'outside the statutory time frame'. The mayor dismissed this as purely a 'technical issue'.

I ask the minister to provide me with a clear account of all the requests from the shire for consent under sections 37, 38, 39 and 40 of the Coastal Management Act and all the minister's responses to those requests so that Rosebud residents can be satisfied that proper

procedures have been followed. I also ask the minister to clarify the status of his decision. Section 40 of the act says the minister can give consent, give consent with conditions or refuse it. Those are the only options. It seems to me that the consent is at best conditional because the shire has to provide evidence that shows there is broadbased community support, a substantial net community benefit arising from the facility being constructed on the foreshore and the foreshore location is a safe environment. Also required are design details, a traffic assessment and a business case. Common sense suggests that you would want all this in front of you before giving consent — or are these just trifling details?

I can only conclude that the minister's consent to the aquatic centre being located on the foreshore depends on the quality of the information that the shire provides. The minister's letter to Mornington Peninsula Shire Council of 25 January asks for further information, so I take that to mean that, if the information is unsatisfactory, consent will be withdrawn. The minister may wish to clarify this. Back in 2009, under the previous Labor government, the Department of Sustainability and Environment stated that the use of coastal Crown land for the proposed aquatic centre was inconsistent with the Victorian coastal strategy. As I have said, under the Coastal Management Act, which was introduced under the Kennett government, the minister must have regard to the Victorian coastal strategy. What has changed?

### **Cooper Street–Yale Drive, Epping: traffic lights**

**Mr ELASMAR** (Northern Metropolitan) — My adjournment matter tonight is for the Minister for Roads, Terry Mulder. In my electorate, at the intersection of Cooper Street and Yale Drive in Epping, there is an accident black spot that VicRoads has identified as being extremely dangerous to motorists. VicRoads' answer is to close off the central median break in Cooper Street opposite Yale Drive. This will cause substantial congestion at that intersection and severely restrict traffic movements for motorists in and out of Yale Drive. The installation of traffic signals is required to provide for safe, smooth and efficient movement of traffic at that intersection. I ask the minister to investigate this intersection as a matter of urgency, as several accidents have already occurred, and it is only a matter of time before there is a fatality.

### **Responses**

**Hon. M. J. GUY** (Minister for Planning) — I have six matters to refer to other ministers tonight. The first

is from the Leader of the Opposition, Mr Lenders, to the Minister for Energy and Resources, Mr O'Brien, in relation to coal seam gas and his request that Minister O'Brien meet some stakeholders in relation to that, and I will pass that on to the minister for his response.

Mrs Coote raised a matter for the Minister for Health, David Davis, in relation to focusing on combating cancer, and I will pass that on to Minister Davis.

Ms Tierney raised a matter for the Minister for Roads, Terry Mulder, in relation to Pioneer Road, Waurin Ponds, which I will have Minister Mulder address.

Mr Elsbury raised a matter for the Assistant Treasurer, Gordon Rich-Phillips, as minister responsible for the Transport Accident Commission in relation to the Derrimut–Doherty roads intersection, and I will ask Minister Rich-Phillips to respond to that.

Mr Scheffer raised a matter for the Minister for Environment and Climate Change, Ryan Smith, in relation to the Rosebud aquatic centre, and I will have Minister Smith respond to his query.

Finally, Mr Elasmara raised a matter for the Minister for Roads, Terry Mulder, in relation to Cooper Street and Yale Drive, Epping, and a VicRoads black spot. He is seeking some action in relation to traffic lights for that intersection, and I will have Minister Mulder respond directly to his request.

**House adjourned 6.43 p.m.**

# Growth in Training Delivery: Victorian Government Spend

