

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

**LEGISLATIVE ASSEMBLY
FIFTY-FOURTH PARLIAMENT
FIRST SESSION**

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15, 16 and 17 October 2002

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¹ Resigned 3 November 1999

² Elected 11 December 1999

³ Resigned 12 April 2000

⁴ Elected 13 May 2000

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Tuesday, 15 October 2002

The SPEAKER (Hon. Alex Andrianopoulos) took the chair at 2.05 p.m. and read the prayer.

BUSINESS OF THE HOUSE

Standing and sessional orders

Mr BRACKS (Premier) — By leave, I move:

That so much of standing and sessional orders be suspended today so as to allow —

- (1) precedence to be given to a motion of condolence to the families of the victims of the Bali bombings; and
- (2) at the conclusion of the consideration of the motion the house to proceed with question time followed by formal business and other business as set out in the notice paper.

Motion agreed to.

BALI: TERRORIST ATTACK

Mr BRACKS (Premier) — By leave, I move:

That the following resolution be agreed to by this house —

We, the Legislative Assembly of Victoria, offer our deepest and sincere condolences to the families of the victims of the Bali bombings and the survivors of this brutal atrocity and join the people of Victoria in expressing shock and outrage at this senseless waste of life.

The attack in Bali last weekend was both brutal and cowardly. We still do not know the extent of those people who have lost their lives or who are casualties. At this stage, and at this time in this Parliament, we understand that some 160 persons are still missing as a result of that brutal and murderous attack on innocent people in Bali.

Kuta Beach, where this attack happened, is as much a part of Australia as is any coastal resort in Australia. It is known worldwide as a place where Australians from all walks of life go for holidays — Australians who might go on their honeymoon and Australians who might have that special amount saved up for a special holiday once in their life. It is a place where end-of-season football trips occur, and we all know they have occurred in the past, and a place where annual breaks are often taken by Australians from all walks of life.

It is inconceivable that it was not known that this was a place where predominantly Australians would congregate to holiday and enjoy themselves. Therefore,

Mr Speaker, you have to conclude that the events that happened in Bali at Kuta Beach were events that were conspired and designed to have an effect on Australia and be an attack on Australia itself. I do not think any logical conclusion could conclude anything else but that. The sympathy of this house, and certainly the sympathy of the government, and the people of Victoria, go to the families of those who were killed. Of course at this stage we do not yet know how many people will be on the death toll by the end of this tragic event.

Our sympathies also go to the hundreds of people who were injured and those parents whose sons and daughters are still missing. Just imagine — and I think all of us in this house could imagine it as we have an association with friends, children, and family members — the position we would be in if we knew that our sons and daughters or friends were missing and unaccounted for, and how we would feel about that. Our sympathy, thoughts and prayers go out to those families who are obviously in the situation of not knowing what has happened to their loved ones and not knowing what the outcome will be long term.

We also acknowledge and extend our deepest condolences to the people from other countries who are also caught up in this senseless act of terrorism and of violence which occurred at the Sari Nightclub at Kuta Beach. The people from other countries were from the United Kingdom, the United States, countries across Europe, and of course the Balinese themselves, who were also victims of this dreadful tragedy and are also feeling the angst and hurt from this dreadful event.

Many, many stories are being told of people who had an association with the tragic events which occurred last weekend.

Amanda Fisher, a 26-year-old tourist from Carrum Downs who is now regrettably a patient, is here in the gallery today with her cousin, Peta Trinder, and their families. I say to them, obviously on behalf of the Parliament, that we pass on our deepest sympathy and condolences for the hurt they have suffered. Of course we are resolute in ensuring that we support the national effort to ensure that terrorism is eliminated across the world and certainly in our region.

I must say that it was touching and moving to be out there, to see the tributes on the front of Parliament House today; to see tributes from many people from many walks of life and to see the emotionalism from Amanda and Peta as well as seeing that so many people had offered those condolences. We saw it from people from everywhere in Victoria. The tributes included

flowers from the Balinese community, which was represented on the steps of Parliament House. That is an acknowledgment that the hurt we feel is also being felt in Bali itself and by the people of Bali.

I welcome the federal government's call for a day of mourning and commemoration this Sunday, which Victoria will be observing and commemorating as well. Steps have already been taken in Victoria to have the appropriate commemoration of this tragic event. Flags are being flown at half mast. They were yesterday and they will be today, as the commonwealth has decided that today is a day that flags are to be flown at half mast.

I know that all members of Parliament from all parties as well as the Independents would want to know that we can do something to assist, to support and to recognise the hurt that has been done. We are resolute that we will move on from this and make sure that we will not cower because of the things that have happened. Therefore I have asked the protocol section of the Department of Premier and Cabinet within two days to issue condolence books to all members of Parliament and to key government sites so that people can register and record their concern about what has happened and their commitment to a tolerant, peaceful society in the future.

Of course the state will organise an appropriate service in the future. This is not the right time as we are yet to know the full extent of the tragedy which has occurred and the effect on individuals of that tragedy. Once that is better known steps will be taken to do just that.

On behalf of the Parliament, Mr Speaker, I thank the presiding officers of the Parliament — you and Mr President — for allowing the steps of Parliament House to be used today and over the coming days for members of the public to lay flowers and wreaths as a symbol of their concern for what has happened. I am sure the support of the house is also there for the decision you have made on that matter.

On behalf of Victorians I express my horror at this terrible event. These things do change nations: it has changed Australia; it will change our attitude, but it will not change at all our commitment not to cower to terrorism, and to ensure that the peaceful and tolerant way of life we enjoy here will be maintained in the future. We certainly will redouble our efforts as part of an international security arrangement around the world. We will also do everything in our power to support those who are victims of this terrible crime, the families of the victims and all Victorians, to support them in this

very tragic situation which has occurred in a place we could almost call Australia.

Mr DOYLE (Leader of the Opposition) — On Sunday Australians awoke to the sickening news that terrorism had arrived on our doorstep. The terror attack in Bali brings home to us all that Australians are as vulnerable to these atrocities as anyone else.

Our first thoughts reach out to those Australians, those Victorians, who have been directly affected. Amanda and Peta, I join the Premier in assuring you that our thoughts are with you and I thank you for being here.

Our thoughts also reach out to those who have lost loved ones, those who have been injured, and the families and friends affected. As the Premier said, we think in particular of the families who are suffering the terrible uncertainty of not knowing the whereabouts or the fate of family members or friends who were in Bali when this atrocity occurred. The prayers, the thoughts and the sympathies of this Parliament and the Victorian community go out to those suffering families at this most tragic time. And of course those prayers also go out to those from the other 12 nations who have been affected, who have also been struck, by this act of barbarism.

As the Premier has said, the latest reports indicate that up to 20 Australians have died in this attack, up to 115 have been injured, and up to 220 are still missing. We can only hope that throughout the coming days the list of those still missing shrinks, and that they are returned to their families alive.

This attack impacts on all Victorians, all Australians, all peoples: it strikes us all. It unites us in our grief and sympathy for those families that are directly affected by this shocking attack and, as the Premier said to those families in Bali and around Indonesia that have lost loved ones, the people of Victoria stand with you and share your grief.

But it was not just an attack on our neighbour Indonesia; it was an attack on values that we all hold dear. It was an attack, not on what we have done, but on who we are. As Victorians, as Australians, we must not be diminished by these cowardly attacks. We must stand united in our condemnation of those who hold the lives of innocent humans in such contempt. Those responsible must be pursued and brought to justice. No effort should be spared, and I am sure none will be.

However, we must not let this act of terror override our sense of community. It must not divide us on religious or ethnic grounds. As Victorians and Australians, we are one. Our acceptance of our society's diversity is one

of its great strengths, and is part of the fabric of our community. We must not let an attack of terror undo our society, our tolerance, and our compassion.

In concluding, I would like on behalf of the Liberal Party to extend my thanks to those Victorians who, as we speak, are already working with or standing by to assist those families directly affected — our fine professionals and an army of volunteers. I am sure as the days go by we will hear stories of self-sacrifice and bravery. We should make those stories an anchor to remind us of what humanity and compassion can achieve even in the face of evil.

Again, our prayers and our sympathy reach out to those stricken families who have suffered first hand from this barbarous act. We join with the Premier in expressing our outrage at those who perpetrated this murderous attack. Further, we extend the support of the Liberal Party to next Sunday's day of mourning for all Victorians, so we can mark with respect the losses to us all and, I hope, begin the task of healing.

Finally, we join with the Premier in expressing our condolences to all those families that have lost loved ones, to those who have suffered injuries, and especially to those still awaiting news.

Mr RYAN (Leader of the National Party) — I rise on behalf of the National Party to join with the Premier and the Leader of the Opposition in extending our deepest sympathies to the families and loved ones of those who have been killed or injured in this most barbaric of events that unfolded in Bali over the weekend.

Even as I speak, I understand that there are still some 220 people missing. One can but hope that, with the passage of time, some of those will be located. I understand 184 bodies have been recovered from the horror of this wreckage.

It can truly be said that 12 October has become, in a sense, the Australian equivalent of 11 September, because one cannot help but feel that these events were planned in a way to do maximum damage to so many of the nations which were represented in the areas where these explosions occurred, but very particularly with regard to Australians.

For those who have lost loved ones, and for those whose losses have been identified, this is a terrible event. In a sense, it is even worse for those who are still missing, as there is still uncertainty as to what has transpired in relation to them.

Frankly, when the news of this event started to come through I confess to feeling a sense of apathy. I heard initially — I was in western Victoria — about a bomb having gone off. In a sense, it is a commentary upon the world in which we live that I thought of it, in the first instance, as another bomb having gone off in a place far away, in those areas where we are all too used these days of hearing such tragedies unfold, across in the Middle East. Of course, it rapidly became apparent that the bombs had exploded in Bali and, furthermore, many nations had been the victims and that, most particularly, from our perspective, many Australians were dead and missing.

You struggle to give it a sense of your own relativity. In my case I thought of my own daughter, who is travelling the world. You cannot help but wonder about the sort of impact this event has had upon so many families who at this moment do not know. The worst thing to come to grips with is that you cannot even term it an act of mindlessness, because what happened here is that someone or some people actually came together at some stage and planned this. By their act they intended that they would cause the horrific outcomes that we see unfolding around us on television screens, in newspapers or in articles written in papers such as John Hamilton's article in the *Herald Sun*, which is compelling reading. That is the part of it that we all find so difficult to come to grips with.

How can someone actually plan to wreak this sort of havoc in an area that is renowned for the fact of being representative of peace and tranquillity, and doing it in a way that was intended to maximise the destruction that was wrought upon the people who were caught up in this? It was an act of infamy in the most literal sense — a horror — and all of it planned by people in a way that, for my part at least, absolutely escapes me.

In many ways it is another aspect of the end of innocence for this nation. In Victoria we saw it in another way with the Angela Taylor bombing at Russell Street headquarters, the bombing at the Turkish embassy and other events that have occurred, but very infrequently, in this nation, it must be said. Here we have an event that was carefully planned to cause the maximum damage, and it did.

If I may echo the sentiments of the Premier and the Leader of the Opposition, one of the things we owe those who are no longer with us or those who have been injured is to remain steadfast in the face of this. It cannot be that we run from this cowardly act. It would be a commentary upon all of us if that were the case. Rather, it is so important, as has been said, that we assemble our various resources to do whatever possibly

can be done to hunt down those responsible for this and bring about justice in the way we understand it to be. In that sense I commend the government for its response so far and the many Victorians who even now are directly involved in the investigation of the crime scene and the ultimate determination of the guilt of those who are responsible for this event.

On behalf of the National Party, I convey the deepest sympathy of my parliamentary members to those who have died, the families of those who are missing and those who have been injured. I also reiterate the comment of the Leader of the Opposition that it is a time to be balanced in reaction. Certainly the initial response is one of grief, but it can very easily pass into one of anger. It is very important at this time that our various ethnic groups are respected for the fact that across our communities they have reacted with just as much horror as have we to this terrible act. I hope that across Victoria we understand that to be the case and that we conduct ourselves accordingly.

The National Party will also participate in the national day of mourning on Sunday. I say again, on behalf of my party I convey our deepest sympathies to those who are caught up in this appalling tragedy.

Ms DAVIES (Gippsland West) — I rise to speak in support of this condolence motion. I would like to offer my deep and sincere condolences to the families of the victims of the Bali bombings and to the survivors of this brutal atrocity, and I join the people of Victoria in their shock and outrage at the senseless waste of life. I know my Independent colleagues share these sentiments. I grieve for the individuals whose lives have been cut short so brutally. We are all grieving for those who have been affected, whether directly or indirectly through their families, friends or the wider community.

Bali has been, and I hope will remain, a very special place for many Australians, including me. The Balinese people, with their warmth and kindness to visitors, play a very important part in making Bali such a special place, so I am also very sad for them. I hope that this awful tragedy helps to bring our communities closer together rather than driving us apart. I hope that we can all help each other to get through this particular time.

There have always been individuals and groups in the world who can somehow remove themselves from the realm of humanity sufficiently to be prepared to deal only with death, murder and destruction. We have to condemn anyone who chooses that path. There is nothing that can excuse these murders. We all have to say no to that kind of nihilist violence. I hope that this

government and other governments do everything possible to help the Indonesians find the perpetrators of these crimes and punish them. We have to work together to reduce the threat of more of these terrible events happening. We also have to do everything possible to put more hope, more education, more warmth and more care into the world, not more tragedy and more suffering.

For the moment, however, we need to focus on those who have been hurt so badly by these events. Times like this reinforce the notion that life is very precious and that we should cherish each moment we have with those we love and care about. We have to make sure our loved ones know each day that we love them. We have to make sure we appreciate all the blessings we are given. Above all, we have to look after each other.

My message to those affected is that we are thinking about you, we are sorry you hurt so much and we offer our care and our support.

Motion agreed to in silence, honourable members showing unanimous agreement by standing in their places.

QUESTIONS WITHOUT NOTICE

Austin and Repatriation Medical Centre

Mr WILSON (Bennettswood) — I refer the Minister for Health to the Labor Party's pre-election costing of \$155 million for the redevelopment of the Austin hospital and the minister's subsequent admission that the cost had blown out to \$365 million, and I ask: what is the government's estimate of the cost to complete the Austin project?

Mr THWAITES (Minister for Health) — Is it not amazing that the criticism the government seems to be receiving from the opposition is that it should not proceed with the Austin hospital development, the biggest hospital development in Australia. I point out that this of course was a hospital that the previous government committed to rebuild but did nothing — not a brick! Nothing was done at all.

All I can say is that honourable members on this side of the house are very proud of the fact that this government has committed to rebuilding the Austin hospital and providing more than 400 beds. The new Mercy hospital is also coming on board. This demonstrates one thing — that is, if the opposition is ever in power in this state again it will cut that proposal. It will close hospitals as it did in the past.

The question related to the costs of this project. I am very pleased to say that we on this side of the house have ensured that we are providing the funds necessary to have the very best building at the Austin hospital. As I indicated some three months ago when this was publicly announced, there have been some increases in building charges because of the boom in the Victorian economy. We are seeing a situation in this state where building is at record levels, and building costs have risen significantly in recent times. At that time I said the project would cost a maximum of \$40 million extra. That was all said at the time, this has all been in the press, it is an old story. I can again confirm that that remains the situation, although it may well be that the final cost is considerably less than that.

Bali: terrorist attack

Ms BEATTIE (Tullamarine) — Will the Premier advise the house of what action the government is taking to help the victims of the Balinese terrorist attack and their families and to reduce the risk of such terrorist attacks in Victoria?

Mr BRACKS (Premier) — I thank the honourable member for Tullamarine for her question. As was mentioned in the condolence motion, the Bali bombings were a direct terrorist assault on Australia, and the Victorian government stands ready to do everything in its power to help. I must say from the outset that I welcome the support of the Leader of the Opposition, the Leader of the National Party and the Independents for this resolute action in Victoria in support of the national effort to counter terrorism and address some of the casualties of this event in Bali.

Our first priority is to offer every support to the wounded and to comfort the bereaved, and then to help find those responsible and bring them to justice. Victoria has offered resources — personnel, crime scene investigators, forensic experts, medical teams and counsellors. Some of those people are working now and undertaking the activities required, particularly under the medical Displan, which has been in place since Sunday; others are awaiting advice, in particular from the Australian Federal Police in Bali, as to whether they are required as part of the crime investigation work.

The Australian Federal Police officers deployed to Bali will report back on what particular resources may be required from Victoria Police, but we have identified the sort of support we can give. The Department of Human Services has put in place its medical disaster plan and the Alfred hospital burns unit is ready to receive patients once they have been stabilised for travel. Most honourable members would be aware that

seven of those patients arrived on a Hercules aircraft at 10.45 this morning. Two further patients are due to be treated in Victoria — one arrived at 5.45 this morning and the other will arrive at 5.00 p.m. today. We expect there will be more patients transferred to Victoria and treated in our hospitals once they are stabilised in Darwin.

Department of Human Services staff are giving personal support and referrals to people as they return from Bali. We have staff at the Tullamarine and Essendon airports, where that is appropriate, who are giving information through a help line and through information to health services and counselling and support services. That help line is providing referrals for victims, witnesses and families.

These are practical ways in which we can help, and they have been put into action. However, Victorians also want to know what we are doing to heighten vigilance against terrorism. First let me say that while we are deploying additional security resources, Victoria has not been notified of any increased threat to security in the state following the bombing in Bali. But the bombings at Kuta Beach were a direct attack on innocent Australians, and we are on high alert, as we have been since 11 September.

The Victorian government has taken long-term and short-term actions to significantly improve our capacity to respond to terrorist threats. Some of these measures, if I can outline them to the house briefly, include: a security review of all major facilities in Victoria, which has been completed; an analysis of the security of supply of electricity generation and other essential services in the state; a full-scale national counter-terrorist exercise involving the defence forces, state police and emergency services agencies, which has been completed, and completed successfully, in Victoria; and a review of emergency management coordination and the ability to respond to a major attack or series of attacks.

Yesterday I called a meeting of the major incidents committee of cabinet that was attended by the Chief Commissioner of Police, the Emergency Services Commissioner and the heads of government agencies to discuss our response to the Bali tragedy.

Victoria is well prepared, but while we have strengthened our police capabilities and toughened our laws to defeat the methods of terrorism, none of us, of course, can assume that this makes us immune from terrorist attack. By their very nature terrorists strike unpredictably, looking for soft targets — and in an utterly planned way, as the Leader of the National Party

mentioned. So we must not leave any stone unturned, and we must recommit to those arrangements here in Victoria and across Australia. That is why I have also written to the Prime Minister, giving support to the efforts that are happening around the nation and also offering him support in Victoria's case — and, I assume, in the case of other state governments and territory leaders — for an out-of-session Council of Australian Governments meeting to urgently address Australia's preparedness for terrorism in the wake of the Bali bombings. It does not need to wait for the next COAG meeting for that to occur.

There are some protocols still to be determined. They are due to be determined at the end of November, but they can be determined out of session. Certainly on Victoria's part we are prepared to deal with that as a matter of priority, and I will be writing to other premiers and territory leaders on the same basis.

The carnage on our doorstep at Kuta Beach has inevitably heightened our own sense of vulnerability. We are terrorist targets, so we cannot be overprepared. We must continue to rally together, to care for victims and to rededicate ourselves to defeat terrorism across our region and across the world.

Melbourne Market Authority: Freshchain

Mr RYAN (Leader of the National Party) — I ask the Minister for Agriculture to explain how the Melbourne Market Authority spent \$13 million of taxpayers' money on a failing fruit and vegetable marketing dot-com company called Freshchain, of which at least \$12 million was spent after approval by the minister?

Mr HAMILTON (Minister for Agriculture) — I thank the Leader of the National Party for his question, but it would have been more helpful if he had got his facts correct. There has not been 1 cent of taxpayers' money used in the promotion and pursuance of Freshchain. It is an organisation which has been supported and established by the Melbourne Market Authority.

I would hope the honourable member would understand, given that he must have done some research before he asked this question, that the Melbourne Market Authority has been pursuing an electronic marketing system to move into the 21st century for some time — indeed, since 1998. Freshchain is still being promoted and worked on by the board of the Melbourne Market Authority. The problem has arisen in that the attracting of finance to support Freshchain has been more difficult than was

certainly the belief of the board during the past few years.

The government's involvement has been to monitor it closely and to have the Auditor-General look at the Melbourne Market Authority in terms of the prudent management of its funds — or more importantly, the funds of the people who operate within that market — and indeed the Auditor-General has given it a clean bill of health following his investigations.

In summary, the government has not committed any taxpayer funds to this venture. The government has seen that it is important that the wholesale fruit and vegetable market moves into the 21st century and that it adopts the latest technology and marketing available to the industry. It is a vital industry to the state and to growers, wholesalers and retailers. We would hope that the Melbourne Market Authority is successful in pursuing Freshchain to its potential in providing an essential service. Taxpayer funds are not and were never part of this project, which was a responsibility of the Melbourne Market Authority.

Insurance: bush nursing hospitals

Ms ALLEN (Benalla) — Will the Minister for Health inform the house about a recent government initiative which supports bush nursing hospitals in providing vital health services to smaller rural communities?

Mr THWAITES (Minister for Health) — The Bracks government recognises the vital role that bush nursing hospitals play, particularly in small rural and remote communities. One of the significant challenges that bush nursing hospitals have faced recently is the increase in insurance premiums. Some have reported increases of 50 per cent or 60 per cent in the past year; some increases have been much larger. I am therefore pleased to be able to advise the house that the Bracks government will provide to bush nursing hospitals an insurance package that will save them hundreds of thousands of dollars in insurance costs.

From 1 January next year, bush nursing hospitals in rural and remote locations across the state will be able to purchase medical malpractice and other insurance coverage through the Department of Human Services (DHS) health care agencies program rather than through the existing commercial and increasingly expensive private insurance market.

The new insurance arrangement should represent savings of more than 50 per cent in current costs for most bush nursing hospitals. For example, Yackandandah Bush Nursing Hospital has reported a

threefold increase in insurance costs from \$19 500 to \$57 500. Through this scheme it is anticipated that its insurance premium through the DHS health care agencies program will be in the range of \$20 000 to \$30 000, saving around \$30 000 a year.

I am also pleased to announce a \$250 000 financial assistance package which will be available to those bush nursing hospitals that propose to enter this scheme from 1 January to compensate them for any penalties incurred through cancellation of existing commercial arrangements.

In conclusion, I would like to thank the peak body for bush nursing hospitals, the Victorian Association of Health and Extended Care, for its work with the department in putting this package together. This is another example of the Bracks government commitment to providing better health services for regional and rural Victoria.

Saizeriya project

Mr McINTOSH (Kew) — I refer the Premier to the Saizeriya project. Given that the government has expended taxpayers' money and appointed an industrial relations consultant and a scheduler and that your own chief of staff, Tim Pallas, and adviser, Simon Fenby, were intimately involved in negotiating a remedial industrial relations package to ensure completion of Saizeriya by 31 August, can you explain why the project has not been completed and what your government has been doing since 31 August?

The SPEAKER — Order! I ask the honourable member to rephrase the latter part of that question and to direct it to the Premier through the Chair.

Mr McINTOSH — What has the government been doing since 31 August to ensure completion of this project, and why was it not completed by 31 August?

Mr BRACKS (Premier) — I thank the honourable member for Kew for his question. The government has stood by Saizeriya and investment in it in Victoria. It has stood by it in the industrial relations commission, in this case against the union involved. It has also worked with it to ensure that the project can be completed so that it can operate in the value-added food market around the world, and the government is very excited by the prospect of that. My understanding is that the building has been completed, the fit-out is under way, and it will be up and running very soon.

Drought: government assistance

Mr HELPER (Ripon) — Will the Minister for Agriculture please update the house on the drought conditions in northern Victoria and inform the house of what steps the government has taken to manage these difficult circumstances?

Mr HAMILTON (Minister for Agriculture) — I thank the honourable member for Ripon for his question and for the keen interest he has taken in supporting his constituents during this drought period.

It has been a strangely subdued question time, and rightly so. I express my dismay at the incomprehensible events that took place in Bali, and I congratulate my Premier, the Leader of the Opposition, the Leader of the National Party and the honourable member for Gippsland West on their contributions to the debate on the condolence motion. It is indeed moving, and I think very appropriate, that this house has recognised the importance and sadness of this day in terms of this Parliament's actions.

The SPEAKER — Order! The minister will come back to answering the question.

Mr HAMILTON — In due deference to succinctness in my answer, I will not refer to the weekly update on the dry seasonal conditions, which I trust is emailed to every member of Parliament. I hope that honourable members who represent city electorates take note of this report, which I am sure all honourable members who represent the country electorates do as a matter of importance.

There is no doubt that, even given the dreadful and horrible circumstances of the weekend, life must go on; and given the fact that we have a very serious drought across most of the northern parts of Victoria, life must go on. Indeed, it has been one of the great strengths of farmers and rural communities — because drought affects everyone, and it is not just the farmers but the communities as well that are affected — that life does go on. They are working in partnership with the government, the finance sector and the farming organisations to make sure we get through this drought.

As people who follow the regular weekly reports would know, the conditions at the moment are such that in parts of Victoria crops have failed and in other parts it is a week-to-week proposition. The dreadful water restrictions in the Goulburn, Glenelg and Wimmera irrigation systems are causing great distress. The government has been working properly with the community and with the task force through these difficulties. It has been listening and then acting so that

the results in Victoria are leading the way in how drought conditions should be responded to. Indeed there have been over 500 applications or inquiries for the government's cash assistance package, and that is something of which this government should be very proud.

It is a package which has been directed at making sure that the areas are targeted, that the farmer stays in control of his own future and that he can address the best business outcomes, the most sustainable outcomes, for his farm business into the future. That has been a very important part of the philosophy that was supported very strongly by farmers, farming communities and local government areas in this part of Victoria.

The government has recognised that rural communities are impacted upon and has put together a \$400 000 package so it can provide support and forums and have input so that the communities which are suffering equally during this drought period can have access to information, advice and assistance. One of the highlights of that occurred last week when the Victorian Farmers Federation, with the sponsorship of this government, introduced a Softnet program, a communications program done through the schools televideo network. That was a very important part of working with the community.

What we have been very careful of as a government is that these drought conditions are addressed responsibly, sensibly and in partnership, with an end result that we all know. We have been through droughts in this state and in this country ever since we have been here. We will survive this drought, we will move on.

It is of great importance to every Victorian that there is not cheap rhetoric about assistance packages which have not been thought through, the partnership and the — —

The SPEAKER — Order! The minister should conclude his answer.

Honourable members interjecting.

Mr HAMILTON — Honourable Speaker, this is a very serious matter. We need to avoid the cheap shots and cheap point scoring and move on as a community in partnership, working with one another to resolve the issues and get our way through this very trying time for all rural Victorians.

Melbourne 2030 strategy

Mr BAILLIEU (Hawthorn) — Can the Minister for Planning explain to the house what projected figure for additional households in Melbourne is correct? Is it the 620 000 households announced last week, the 730 000 promoted in March this year, or the 1 million households advised in the minister's own media release in June this year?

Ms DELAHUNTY (Minister for Planning) — I thank the honourable member for Hawthorn for his question, which we were expecting. You see, we received another confidential email on this side of the house which had the question in it!

Victoria is absolutely booming at the moment. We have had building approvals of around \$13.01 billion. We have had house prices going up by between, depending on which suburb you are in, anything from 30 per cent and 80 per cent, so there is a building boom going on. This state is enjoying net migration increase, so a lot of people want to live, work and build in this state and in this city.

But let me go to the specific question, which is not without notice, as I said, because it came on the email. If the honourable member had accepted the briefings as offered and had read the full document — I know it is a big document, and I know the Liberal Party is light on detail, with no policy — he would have seen that the projections by the Department of Infrastructure have said very clearly it is 620 000 in what we call the metropolitan region of Melbourne, but if you include one of our key directions of metro strategy — that is, network cities — you include the regional areas of Bendigo, Ballarat and the Latrobe Valley, which brings the projections up to the 730 000. If the honourable member had read the document he would have seen the variation. But what can you expect from a party whose only planning document was the contemptuously named *Good Design Guide*, which was open slather for any sort of development?

To conclude, I will read from a press release by Victoria's peak planning industry body. It has given the thumbs up for the state government's new metropolitan planning project. It has said that the values, the principles and the key directions of Melbourne 2030 are right on for the target, for the challenges facing Melbourne's future growth and development. But it said something else in this press release. The press release says:

The institute's president called on the state opposition to get behind the plan and give it support.

And it further says:

Planning the future of our cities and the state is too important to be distracted by short-term political agendas and requires a long-term bipartisan commitment.

Does the Liberal Party stand for anything? I do not think so!

Tertiary education and training: specialist centres

Mr LONEY (Geelong North) — Will the Minister for Education and Training inform the house of progress made under the ministerial statement on knowledge and skills in the allocation of seed funding for the establishment of specialist centres?

Ms KOSKY (Minister for Education and Training) — As many in this house are aware, the Bracks government has invested very heavily in the training system across Victoria. It has ensured that training facilities in metropolitan Melbourne as well as in regional and rural centres have been looked after, and it will continue to do that.

In my recent ministerial statement on knowledge and skills I identified that we were well on track with the existing training needs but that we needed to put in extra resources to and put an extra focus on emerging new skill areas in order to meet the challenging training needs of the innovation economy. As a result of this ministerial statement and this focus on emerging needs we have provided \$5 million for skills for specialisation.

Today I am pleased to announce to the house that specialist centres will be established and that some specialist training will occur across Victoria to demonstrate that we are really putting the dollars in and the focus on where they are needed.

The Victorian food processing industry at the Shepparton campus of the Goulburn Ovens Institute of TAFE will receive \$350 000 for specialist skills; the Werribee campus of the Victoria University of Technology will receive \$143 000 for transport and distribution; the Hawthorn campus — I am sure the honourable member for Hawthorn will be interested — at Swinburne University of Technology will receive \$450 000 for advanced manufacturing; and the Brunswick campus of the Royal Melbourne Institute of Technology will receive \$230 000 for an international centre for graphic technology. The government is also providing money for development projects which will lead to specialist skill centres in the future. Again, these will be right across the state.

The Holmesglen Institute of TAFE will receive \$324 000 for environmentally sustainable building and construction; Swinburne University of Technology, in conjunction with South West and Sunraysia TAFE institutes and the University of Ballarat, will receive \$600 000 for sustainability; and the Geelong campus of the Gordon Institute of TAFE will receive \$225 000 for environmental resources.

There are other organisations: Wodonga TAFE will be receiving \$250 000, and the South-West Institute of TAFE at Warrnambool, \$254 000. All of this funding is designed to develop new skills in emerging areas, including specialist skills that will very much be required to meet not only the needs of today but the needs of the future in the innovation economy.

Mr Honeywood — On a point of order, Mr Speaker, on the issue of relevance, if this is federal — —

Honourable members interjecting.

The SPEAKER — Order! Will the house come to order to enable me to hear the point of order!

Mr Honeywood — On the issue of relevance, if we are talking about federal government money, should this question not be asked in federal Parliament rather than in state Parliament?

Mr Batchelor — On the point of order, Honourable Speaker, the minister has finished the answer, and it is not possible to take a point of order after it.

The SPEAKER — Order! I do not uphold the point of order. The minister has concluded her answer.

Minister for Education Services and Minister for Housing: conduct

Mrs SHARDEY (Caulfield) — I direct my question to the Minister for Housing. What contact did the Minister for Education Services and her staff have with the Minister for Housing in December 1999 concerning a priority application for public housing for a family named White, and what action did the minister take as a result of this contact from the Minister for Education Services and her office?

Ms PIKE (Minister for Housing) — I thank the honourable member for Caulfield for her question. This really is a rather monumental day, because this is the first time in nearly three years that a question has been asked by the honourable member on the matter of housing. So great is her passion that I can only conclude that it has been sheer embarrassment that has

held the honourable member back from coming forward and asking a question about this portfolio. Of course the opposition left this government with a monumental maintenance bill. It neglected public housing. I am extremely proud that it has been the Bracks government — —

Mr Perton — On a point of order, Mr Speaker, the minister is debating the question — or if she is not debating it, she is not being relevant to the question. The question was quite simple. It asked about a meeting and a transaction. The minister ought to just answer that question.

The SPEAKER — Order! I ask the minister to come back to answering the question.

Ms PIKE — Honourable members in the house are in the same situation. As Minister for Housing I get numerous approaches regarding constituents who have made their way through the front doors of various members' offices. Lots of people from both sides of this house make such requests of me. The process is always the same: I listen to the request, I forward the request to the Office of Housing, the particular constituent is invited to lodge an application, the matter is assessed, and then the department determines whether or not the person is eligible and the matter proceeds from there.

This is the exact process we went through with the particular request from the minister's office that the honourable member refers to.

Workcover: building industry

Ms GILLETT (Werribee) — Will the Minister for Workcover inform the house of how the government is working with Victorians to reduce workplace injuries in the construction industry?

Mr CAMERON (Minister for Workcover) — I thank the honourable member for Werribee for her interest in community safety, particularly in relation to workplace safety. This is a pertinent question given the extent of the building industry in Victoria, where we see significant building approval increases across the whole of the state, both in country Victoria and in metropolitan Melbourne.

Mr Speaker, you will be aware that as part of the focus on workplace safety the Workcover Authority has a Worksafe division. Part of its work involves identifying a number of key areas, including the construction industry, as areas where there are far too many injuries. Considerable work has been done with employers and employees in a tripartite way. We have seen targeted

initiatives in the fields of electrical safety, structural collapse, powered equipment and falls from heights. There is also the Foundation for Safety group, which is working very well.

Four years ago in the construction industry the frequency rate — that is, the number of claims per million dollar remuneration — was 0.88. In the last financial year it was 0.66, which is a 25 per cent improvement. This is good for workers, because they are not being injured. It is good for business, because businesses are not having to deal with the absence of workers as a result of injuries. By continuing to work together and striving to work together, which is occurring, we can reduce this even further — and that is what we all have to be determined to do.

PAPERS

Laid on table by Clerk:

Anderson's Creek Cemetery Trust — Report for the year 2001

Ballaarat General Cemeteries Trust — Report for the year 2001

Bendigo Cemeteries Trust — Report for the year 2001

Cheltenham and Regional Cemeteries Trust — Report for the year 2001

Falls Creek Alpine Resort Management Board — Report for the year ended 31 October 2001

Keilor Cemetery Trust — Report for the year 2001

Lilydale Memorial Park and Cemetery — Report for the year 2001

Mildura Cemetery Trust — Report for the year 2001

Mount Buller Alpine Resort Management Board — Report for the year ended 31 October 2001

Mount Hotham Alpine Resort Management Board — Report for the year ended 31 October 2001

Necropolis Springvale — Report for the year 2001

Preston Cemetery Trust — Report for the year 2001

Recreational Fishing Licence Trust Account — Report on Revenue and Disbursements for the year 2001–02

Templestowe Cemetery Trust — Report for the year 2001

Wyndham Cemeteries Trust — Report for the year 2001.

The following proclamation fixing an operative date was laid upon the Table by the Clerk pursuant to an Order of the House dated 3 November 1999:

Environment Protection (Resource Efficiency) Act 2002 — Sections 34, 35, 36 and 37 on 15 October 2002 (Gazette G41, 10 October 2002).

ROYAL ASSENT

Message read advising royal assent to:

Agricultural Industry Development (Further Amendment) Bill
Juries (Amendment) Bill

BUSINESS OF THE HOUSE

Program

Mr BATCHELOR (Minister for Transport) — I move:

That, pursuant to sessional order 6(3), the orders of the day, government business, relating to the following bills be considered and completed by 4.00 p.m. on Thursday, 17 October 2002:

Regional Development Victoria Bill
National Parks (Box-Ironbark and Other Parks) Bill
Control of Weapons and Firearms Acts (Search Powers) Bill
Sentencing (Further Amendment) Bill
Business Licensing Legislation (Amendment) Bill
Murray-Darling Basin (Amendment) Bill
Travel Agents (Amendment) Bill

The government's legislative program of seven bills is achievable. In addition to those bills I have just listed in the motion, it is the government's intention to deal with order of the day 11 on amendments of the Legislative Council to the Residential Tenancies (Amendment) Bill. The amendments are extremely technical and are not required to be listed in the business program. The government believes the bills can be dealt with in a timely fashion and without the house sitting beyond the normal hours. In listing one more bill than was listed last week, the government still believes it is a reasonable workload.

I point out for the information of honourable members that notice has been given for the second reading of three bills on Thursday, because the bulk of the bills were second read last week. Parliament will not be sitting late on Thursday. The Speaker has indicated that there is a function in Parliament on Thursday evening, and the government has acceded to the Speaker's request that it proceed. I do not know why we could not have proceeded with the second-reading speeches on those bills, because Parliament must go on, but we have

accommodated the wishes of the Speaker on this occasion.

Dr DEAN (Berwick) — Luckily the program is not out of control, as it was last week when a couple of bills were removed and honourable members were here until all hours debating others. Nevertheless, Parliament still has seven bills to debate, including the Regional Development Victoria Bill, the National Parks (Box-Ironbark and Other Parks) Bill, the Control of Weapons and Firearms Acts (Search Powers) Bill and the Sentencing (Further Amendment) Bill. They are major bills, and it will be difficult for the opposition to say everything it would like to say on them.

Again we are disappointed that the government has not allowed proper time for debate. Nevertheless, we will work as hard as we can and be as cooperative as we always are to ensure that the program is met. However, we believe the program is too large and that the government is running contrary to all the things it said in opposition about allowing appropriate time to debate bills.

Mr MAUGHAN (Rodney) — One could be forgiven for thinking that there might be an election not so far away given the number of bills that were dealt with last week — initially eight bills, with six finally being dealt with. Parliament had an interesting debate on the Gippsland pylons last week, and I thank the Leader of the House for allowing that, even though Parliament sat for ridiculous hours. I welcome the assurance that we will not repeat that exercise this week.

Last week the house dealt with important legislation such as the public liability bill, which the government had been sitting on for some 12 months. I was pleased to see that pass through the house. A good debate was held on the Basslink pylons, and there was a very interesting debate on the reform of the upper house, which did not go the way the government expected. Some of the extreme language used by the Attorney-General in that debate demonstrated that the government believed it would pass this house and go to the other place and be rejected, as it certainly would have been if it had gone there. It was an interesting development that surprised the government.

This week seven bills have been listed on the government's business program. The National Party wants some time to debate the Regional Development Victoria Bill, because it is important to country Victoria. The National Party has been waiting for the National Parks (Box-Ironbark and Other Parks) Bill for some considerable period, and we want to express our

views on that. There are important bills dealing with weapons, sentencing and travel agents, as well as the Murray-Darling Basin (Amendment) Bill, which is also very important for people in northern Victoria.

I note that last week Parliament sat until 3.18 a.m. on Wednesday and 1.34 a.m. on Thursday, and then from 9.30 a.m. to 8.18 p.m. on the Thursday. What about the family friendly hours that the Labor Party trumpeted in opposition? It is great to say these things in opposition; but the government has had the chance to implement family friendly hours, and I would have to say it is no better than any previous government. The Independents who supported the charter on family friendly hours have been very quiet on this issue. I hope that we will have more sensible hours so that members can do their work and that country members in particular can drive home, often taking 3 or 4 hours, without the risk of running off the road because they are exhausted with the work they have done.

The National Party will not oppose the business program and, like the Liberal Party, will do its best to cooperate with the government to facilitate it. I look forward to not sitting beyond midnight on Tuesday or Wednesday this week and hopefully getting away from this place no later than 5 o'clock on Thursday afternoon.

Motion agreed to.

MEMBERS STATEMENTS

Eastern Freeway: extension

Mr LEIGH (Mordialloc) — I raise the issue of the lack of new projects in Victoria, as released by the Treasurer last week. One of those new projects should have been the Eastern Freeway tunnels. What has happened demonstrates what is wrong with the government. There have been delays in tenders, rearrangements, re-tenders and the like, and despite denials by the minister that it would cost \$400 million, it is now at \$400 million and climbing. The program was cancelled and then added to the Scoresby freeway, and collectively it will now cost in excess of \$1.8 billion. Three years later the government has no idea of how to do it, and it looks like employing the failed director of the regional fast train project's funding arrangements to be responsible for it.

The people of Mitcham were promised this by the Bracks Labor administration, but they have got nothing. All they will get is the three consortiums involved in this tender process seeking up to \$40 million in compensation for having been forced to no longer

participate in the project. The tunnels and the beginning of the Scoresby freeway are good examples of where the Bracks government is not going. The people of Mitcham know it; everyone knows it. What has the local member for Mitcham done about it? Absolutely zero!

Lockwood Security Products

Ms BARKER (Oakleigh) — It is my great pleasure to place on record a very significant achievement by Lockwood Security Products, which is located in the Oakleigh electorate. Lockwood Security is part of the global Assa Abloy group of companies and is Australia's leading manufacturer of locking system. It manufactures some of the finest locking solutions in the world.

The manufacturing process requires the use of selected chemicals and metals, and while the company has always worked hard to ensure the environmental processing of solid waste and chemicals, it has wanted to implement an environmentally sustainable process. After 12 months of work with Honeywell Pacific and Clean TeQ, a revolutionary \$1.5 million waste water treatment plant was opened recently. The plant recycles plating materials on site and eliminates the chemicals and solid waste produced in the manufacturing process. The plant minimises Lockwood's landfill waste, saves water and energy, and cuts running cost.

Lockwood has set an industry benchmark as the first user of this revolutionary technology, which has attracted significant interest worldwide. I would like to congratulate and thank Mr Brian White, manager, and Mr Wally Grivins, manufacturing controller at Lockwood Oakleigh, for their work in implementing this innovative technology.

Lockwood has always been committed to best practice in manufacturing. With this technology it has also committed itself to world's best practice in new standards for waste water treatment in environmentally sensitive industries. Good for business, good for the environment, developed in Victoria for Victorians and the world. Congratulations again to Lockwood Security Products in Oakleigh.

Drought: government assistance

Mr DELAHUNTY (Wimmera) — I call on the government to honour its commitment to look after the whole of country Victoria. The recent drought declaration and the cash support are appreciated, but the dryland farmers of the Rural City of Horsham and the

Shire of West Wimmera have contacted me expressing their disbelief and frustration at not being included.

A letter to the Minister for Agriculture from the Kaniva branch of the Victorian Farmers Federation states:

The season is markedly worse in the north of the shire, with crops and pasture failing just as badly as those in the neighbouring Shire of Hindmarsh, which has been declared a drought area.

A letter to the Premier from the Rural City of Horsham states:

Council would like membership of the —

dry season —

task force broadened to include an increased number of people whose immediate responsibility on the committee is to represent the needs of people in rural agriculture, rural businesses and rural supplies ... A broader membership ... would no doubt serve to expand the knowledge and understanding of the committee and increase public confidence and acceptance of the ability of the task force ...

With these requests in mind, I ask that the Wimmera community and particularly those dryland farmers in the Rural City of Horsham and the Shire of West Wimmera be given access to the government's drought package and, importantly, that accurate information be given to the Wimmera community to assist them through this difficult time. That is a bit different to what has been quoted in press releases, which said at the start that all of Horsham Rural City was included. We were then told that it was not in it and now we find that it is still not included. There is great frustration in western Victoria on this drought package.

Victorian Electronic Records Strategy Centre of Excellence

Mr MILDENHALL (Footscray) — The Victorian public sector now has the world's best electronic record system in the best city in the world. Last Thursday I had the honour of launching the Victorian Electronic Records Strategy Centre of Excellence.

A prominent international authority who was present at the launch, Dr Rich Lysakowski, executive director and chief science and technology officer for the Collaborative Electronic Notebook Systems Association and the Global Electronic Records Association claimed that the Public Record Office Victoria's initiative is the best system in the world.

With the rapid obsolescence of software and hardware, the challenge of capturing, preserving, authenticating and retrieving electronic records is great. This Victorian-owned and developed system is a world

leading-edge solution. It has been developed by the Public Record Office Victoria, piloted in the Department of Infrastructure and will now be used across the Victorian public sector.

Congratulations go to Ross Gibbs and his highly acclaimed project team on this very important and significant achievement.

Eltham: roads

Mr PHILLIPS (Eltham) — I would like to call on the Minister for Transport to provide funding for upgrading of roads in the Eltham electorate, which takes in Greensborough, St Helena, Research and Warrandyte. Recently the government announced that it is going to introduce — and has done so — legislation for protection of the green wedge. Statements have been made that the ring road will not be extended through Eltham.

I am asking the minister for additional funds for construction of main roads in the area such as Main Road, Eltham; for roundabouts which are desperately needed at Civic Drive and the end of the Greensborough extension to improve traffic flow, or traffic lights or some other form of drastic measure; the widening of Wattleree Road bridge; and the upgrading of Research-Warrandyte Road, which is dangerous in parts — very hilly and steep with bad bends. We are in desperate need of traffic lights and we finally have a council that is prepared to bite the bullet and make hard decisions to upgrade roads. Former councillors of the shires of Eltham and Nillumbik seemed to believe that people were driving around using horses and carts.

We are a very progressive, go-ahead municipality; a very active car family, and we need urgent funds for upgrading of main roads.

Spanish and Latin American art exhibition

Mr LANGUILLER (Sunshine) — I wish to place on record my congratulations to the magnificent Spanish and Latin American art exhibition which was held at Parliament House for the first time ever. This momentous occasion highlighted the cultural diversity and rich artistic heritage of the Spanish and Latin American communities of Victoria. The event contributed to the spirit of multiculturalism and was a unique and historic occasion which will be recorded in parliamentary history.

It was an honour for me to have the Speaker of this Parliament, the Honourable Alexander Andrianopoulos, host and officially open the event. We look forward to more of these kinds of events in this Parliament.

I congratulate the many talented artists and organisers of the event. In particular I commend the efforts of the Chilean coordinating committee, the Fiesta 2002 committee, the Victorian Multicultural Commission and the Parliament of Victoria for their support for the first ever Spanish and Latin American art exhibition held in Parliament house in September 2002.

Roads: black spot program

Mr McARTHUR (Monbulk) — I call on the Minister for Transport to apologise to the residents of the Dandenong Ranges and to explain to them why not one of the many nominations made by the Shire of Yarra Ranges for black spot funding in my electorate this year was funded — not one!

The Premier's announcement about statewide black spot funding has delivered a fatal blow to safety improvements for local roads in the Dandenongs. Since the previous government introduced the black spot program in 1993, it has been a key component to providing safer road environments for motorists and pedestrians in the hills.

There are a range of local projects that were nominated by the shire and by local residents, including a second pedestrian crossing in Belgrave, and another 11 nominated by the shire, including places such as Kallista at Menzies Creek, and others such as Selby and The Patch. That also includes the much-needed upgrading of Lysterfield Road, which forms the boundary between the Shire of Yarra Ranges and the City of Knox.

None of these projects was funded and the government has given no reason for that. This comes at a time when there are increasing road fatalities and injuries in these areas. The government is raking in an additional \$336 million a year in fines but it is not prepared to spend a cent on improving black spots in my electorate. The Minister for Transport should apologise for his appalling treatment of Dandenong Ranges residents and explain why he cannot do better.

North Shore Football Club

Mr LONEY (Geelong North) — I would first like to express my abhorrence of the bombing in Bali and offer the condolences of the people of Geelong North to the families of all victims.

I wish to recognise the achievements of two outstanding members of the North Shore Football Club, Victoria's finest country football club. Those members are Simon Riddoch and Dale Purcell. In the last game of the season Simon Riddoch completed 300 games

with the North Shore Football Club. He has been an outstanding player with the team, having spent most of those games playing as full-back. He has done that so well that he was recently named in the North Shore team of the century. He played in that position through eight premierships and has been a fantastic contributor to the team; his 300-game milestone has been well earned.

Dale Purcell is another local boy. After 25 years of outstanding service to the club he was given life membership of the club at its presentation night last Saturday. Both of these players were local boys from the start and are well respected leaders at a very successful club. I congratulate them on their achievements.

Melbourne–Geelong road: upgrade

Mr PATERSON (South Barwon) — I would like to convey to the house the absolute frustration of Geelong motorists as they are forced to continue using the Princes Freeway to Melbourne through this extraordinarily botched attempt by the Labor government at building a freeway. If this is any indication of the competence of this Labor government, I would be hard pushed to trust it with any other project.

The Labor government still claims that it will finish the project on 30 November. I think those who have travelled this stretch of road would know that it will not be finished by 30 November. I am sure that come that date Labor will try some stunt to pretend the road is finished and cut some sort of ribbon, but Geelong motorists will know that there is still some way to go on this overdue and over-budget project which, frankly, with all the speeding fines incurred by Geelong motorists has had the effect of simply filling the government coffers.

There was great confusion when cabinet visited Geelong the other day with the honourable member for Geelong disagreeing with the Premier and the Minister for Transport as to what the speed limit on the road should be. The Liberal Party still says the speed limit should be 110 kilometres an hour.

The ACTING SPEAKER (Mr Plowman) — Order! The honourable member's time has expired.

Ballarat: ICT jobs

Mr HOWARD (Ballarat East) — Last Friday I was pleased to join the Premier and the Minister for Information and Communication Technology at the University of Ballarat where they, along with IBM,

announced a significant new software development which will mean 300 new jobs for Ballarat. This is great news for Ballarat, not just because it will provide 300 direct jobs but also because it will increase the strong base Ballarat has in the information and communications technology (ICT) industry. IBM's decision was made in partnership with the Bracks government, which will provide \$1.5 million from the Regional Infrastructure Development Fund, and the University of Ballarat, where this development will be located.

This will provide great benefits to the university and its students, as it will provide training and employment opportunities for graduates. This announcement backs up the government's commitment to ICT employment opportunities in the Ballarat region, on the back of the opening of the relocated State Revenue Office, which employs 200 people. It also adds to the other government-supported initiatives which have been valued at \$10.5 million of commitment to Ballarat. Great news for Ballarat — we are moving forward in ICT and other areas.

Thompsons Road, Cranbourne: traffic control

Mr ROWE (Cranbourne) — I wish to raise the matter of Thompsons Road in Cranbourne. It is a road of great importance to the people of Cranbourne.

The ACTING SPEAKER (Mr Plowman) — Order! The honourable member's time has expired. The time for members statements has expired.

REGIONAL DEVELOPMENT VICTORIA BILL

Second reading

Debate resumed from 12 September; motion of Mr BRUMBY (Minister for State and Regional Development).

Ms DAVIES (Gippsland West) — Pursuant to sessional orders, I wish to advise the house of amendments to the Regional Development Victoria Bill and request that they be circulated.

The ACTING SPEAKER (Mr Plowman) — Order! The bill has not been distributed yet so I think the honourable member will have to hold her amendments until that has been done. There is some hesitation by the Chair because I am not sure that the bill is available. Copies of the bill will be distributed and then the honourable member for Gippsland West can speak.

Ms DAVIES — I am not speaking; I just need to ask that the amendments be circulated, that is all.

The ACTING SPEAKER (Mr Plowman) — Order! The honourable member for Gippsland West will have to hold the circulating of her amendments until they are available. As I understand it, they are not available to the house. When they become available, the honourable member for Gippsland West will have that opportunity.

Ms DAVIES — I ask for clarification. It is my understanding that there was a version of the amendments available which had a typing error in it but it was being corrected.

The ACTING SPEAKER (Mr Plowman) — Order! Irrespective of the reason, until those amendments are available the honourable member cannot circulate them.

Dr NAPHTHINE (Portland) — Regional and rural Victoria is sick and tired of the deceit, lies, misinformation and failure to deliver by the Bracks Labor government. The people of regional and rural Victoria were promised so much by the Bracks Labor government in 1999 and they are frustrated and disappointed that so little has been delivered from those promises. There is real concern among people in regional and rural Victoria that this government is treating them with contempt and that this bill is just another con job on regional and rural Victoria.

The lack of interest of this government in this bill is evident here today. The bill could have been debated last week if it had been the highest priority of the government, but it was not. The minister responsible is not even present to hear the debate. The Minister for State and Regional Development was happy enough to read a 19-page second-reading speech, but he does not have the decency to participate in the debate today. That reflects badly on the minister, but it reflects accurately on the Bracks Labor government's failure to deliver in country Victoria, its fundamental lack of understanding of country Victoria and the contempt with which it treats people from regional and rural Victoria. The government was happy to con those people in 1999 when it wanted their votes, but since it has been in office, almost three years now, the government has failed to deliver in country Victoria.

The people of regional and rural Victoria are concerned that this bill is just another excuse for further delay and another example of the way this government deals with country Victoria. It is a bill that is about nothing. It is a bill that does not deliver. It is a further example of a

government which is about hype and talk but little substance and action. What we in regional and rural Victoria want from a government is real decisions, real leadership and real action on projects and programs that benefit the people of country Victoria.

This bill itself is not necessary; it is merely window-dressing. That is typical of the Bracks Labor government.

Mr Nardella — So you are opposing it!

Dr NAPTHINE — The Liberal Party will be not opposing this legislation because the legislation is not necessary.

The legislation is not necessary to establish Regional Development Victoria. If the government were serious about establishing an organisation called Regional Development Victoria to further the interests of people in country Victoria it could have done so two and a half years ago — or two years ago, six months ago or earlier this year. It did not need this legislation to do it. It does not need this legislation to do it. This legislation does not provide it with any greater powers to set up Regional Development Victoria than it has in its normal administrative arrangements in government. It is purely a political stunt on the eve of an election to compensate and to try to paper over the lack of delivery of promises and services in country Victoria. Indeed, this government has treated this bill with utter contempt.

The opposition had a briefing on this bill from departmental and ministerial officers some two weeks ago. We raised questions on which those officers promised to get back to us with responses. This morning we still had not got those answers back. I rang one of the officers, who said, 'We forgot about getting back to you with those answers'. Later they paged me. I have rung them back and finally got half answers to some of those questions, but they certainly have not treated it seriously because as senior bureaucrats they know that this government is not treating this legislation seriously because it is a bill that does not have any real reason for being. It is a political stunt that is being perpetrated on the people of country Victoria.

The people of country Victoria are sick and tired of this government's lies, misinformation and political stunts. They want real action, real decisions, real infrastructure and real programs in country Victoria. When you actually read the bill you see that there is nothing in it that cannot be done in an administrative way by the government at the moment. It is an absolute farce. We are talking about the establishment of this new body called Regional Development Victoria, but I am

advised that it is not a statutory authority and is merely the renaming of a subsection of the department. It is not even a separate department. It is not a statutory authority. It is just existing public servants doing their current job but being renamed. What we have is a bill about renaming a section of the department. What an absolute joke, a farce and a con! That is what this is, Mr Acting Speaker. All the employees are current public servants. There are no new employees, no new staff.

Mr Helper interjected.

Dr NAPTHINE — This is what I am advised by your advisers — no new staff.

This bill is just about the redeployment and secondment of existing staff. It is the renaming of a department. When you look at the powers and functions, they all exist under the current department. Indeed, I am advised by the advisers that clause 5(1)(g), which provides that a function is to administer funds out of the Regional Infrastructure Development Fund, has no effect on RIDF. It will not make it faster, it will not make it slower — it will not have any effect. One would hope it would make it faster because we have councils all over the state that are absolutely frustrated by having applications in for RIDF funding.

Mr Helper interjected.

The ACTING SPEAKER (Mr Plowman) — Order! the honourable member for Ripon will get his call in a moment.

Dr NAPTHINE — The honourable member for Ripon, who only has a brief week or two left in the house, is once again spreading typical Labor lies and misinformation. He is lying to the house, and he should withdraw those lies.

This bill is supposedly to help us with the RIDF, but I am advised by the bureaucrats it will have no impact on the fund because the people administering it now will be administering it in the future, but just under a different name. It will just involve more printing of new logos, new names and new letterheads. That is what it is about.

Indeed one of the questions I asked was about a minor issue but an issue I think ought to be looked at — the issue of the appointment of the chief executive. Clause 6 (6) says that the chief executive automatically ceases to hold office if they are convicted of an indictable offence, but subsection (7) says that the chief executive may only be removed if they have refused, neglected or failed to carry out their duties or

demonstrated inefficiency or misdemeanour in the carrying out of their duties. So if they are charged with an indictable offence and have not actually been convicted yet, and the offence is nothing to do with their actual duties, you cannot get rid of them. That is a pretty strange way of drafting a provision. I raised this in the spirit of trying to make the legislation better, but of course the government is not interested in our providing that sort of assistance.

I must place on record the concerns of the interface councils — and I have met with the interface councils — about clause 7(3), which says that the interface councils which are listed in the schedule to the bill can only be the subject of the issues covered by Regional Development Victoria if the minister gives written directions. The interface councils wish to place on record in the Parliament, and ask the minister to perhaps look at this while the bill is between houses, that they would prefer to be included fully in Regional Development Victoria so that the areas of those interface councils, which are truly regional and rural areas, will be automatically eligible for programs that apply to those regional and rural areas rather than having to wait for the discretion of the minister. I place that on record on behalf of the interface councils.

Clause 7(4) raises an interesting issue that I raised in the briefing. It says that the chief executive, who is appointed by the Governor in Council, is responsible to the secretary of the department. I ask the question: what precedent is there for a Governor in Council appointee to be subservient to the secretary of a department? I am advised that there are virtually no precedents, or none that could be brought to my attention, for this to be the case. I think it is a pretty interesting concoction to have a chief executive of a branch of the department that is trying to be dressed up as something else being appointed by the Governor in Council but being totally accountable and responsible to the secretary of the department. I suggest that in his response the minister may wish to address that issue.

Mr Acting Speaker, I am concerned with regard to clause 11, which provides for an advisory committee comprised of the chief executive and six other members. Further down it says that of two of those six — you only have six for all of regional and rural Victoria — one is to represent employers and one is to represent employees. I am concerned because when you only have six on a committee they should come to that position unencumbered and represent the interests of regional and rural Victoria rather than sectional interests, irrespective of whether they are employers or employees. I think they should come unencumbered because you only have six people representing the

whole of the state. I suggest that that ought to be looked at.

Indeed in terms of clause 13, we asked how much these people would be paid, and I was told there is no decision yet. We do not know what sort of status this committee has and what sort of importance the government places on it. It seems to me that this legislation has been hurriedly put together without thought or planning simply for the government to try to appear to be doing something for regional and rural Victoria. It is another case of all talk and no action. This is about a political stunt, not about really doing something for regional and rural Victoria.

The other area I think the minister ought to look at which shows the haste with which this bill has been drawn up and the lack of attention to detail is clause 14 when compared with clause 11. Clause 11 provides for the specific appointment of a deputy chairperson of the advisory committee; however, when we look at clause 14(3) we see that in the meetings of the committee if the chairperson is absent a member elected by the committee must preside. It is a pity about the poor deputy chairperson. They have to still do the numbers. They are appointed as deputy chair, but they still have to do the numbers if the chairperson is away.

Mr Helper interjected.

Dr NAPHTHINE — I would presume so too, but I would suggest if you have a deputy chair that they would always automatically chair the meeting if the chair were away. But that is the way this government operates. It does not pay attention to detail, it is not really interested in country Victoria, and it has not really delivered.

With respect to the schedule of the interface councils, we welcome the fact that interface councils are recognised for what they are, which is councils that have significant rural areas. Many of these interface councils are up to 70 per cent rural and many of them wish to remain at 70 per cent rural. It is unfair that farmers and rural dwellers in those areas are denied access to programs that are specifically for people in regional and rural Victoria simply because they live in a council area that happens to be at the interface of the metropolitan area, whether it be, for example, the cattle underpass program or other programs that belong to regional and rural Victoria.

I consulted with local government on the bill, of course, and I want to bring to the attention of the house in the limited time available a number of comments the councillors gave back to me.

I received a letter from Ian Robins, chief executive of Wyndham City Council, and it states:

It appears that the functions and powers outlined in the clause 5 are currently available to staff at the Department of Innovation, Industry and Regional Development ... From council's viewpoint it would be preferable for the interface councils to be included in the area automatically addressed within the bill, without the requirement for separate written direction from the minister.

I urge the minister to take up that issue.

Referring to the regional development of Victoria bill the Colac Otway Shire Council letter states:

Another bureaucracy which centralises the power of decision making in Melbourne is not supported.

That is what Colac Otway thinks of it.

Then we have the Central Goldfields Shire Council. A letter from its chief executive officer, Mark Johnston, states:

Let me say that when I read the minister media release of 11 September, 2002, 'Development boost for rural and regional Victoria' my reaction was along the lines of 'relabelling/repackaging' et cetera and that the new body represented a shuffling of existing resources.

What rural Victoria requires, from any state government, is leadership, policy implementation and an attitude that embraces all of Victoria without any artificial bureaucracy.

Those comments reflect the views of a number of other councils — I have selected a few at random. Many councils are saying they are sick and tired of this government telling them what it proposes to do or what it is on about without delivering. They are concerned about relabelling and repackaging; all hype and no substance; the spin that comes out of the government and the amount of money that is absolutely wasted on party-political-based advertising rather than delivering programs in regional and rural Victoria.

The second-reading speech was wide ranging, and I would like to take the liberty created by that wide-ranging speech to highlight where the government has failed in rural and regional Victoria. Let me deal with some of the major rail infrastructure projects.

It could be said that the iconic promise for regional Victoria by the Australian Labor Party in the 1999 election was its proposal to spend \$80 million on connecting very fast trains to Ballarat, Bendigo, the Latrobe Valley and Geelong. However, every day or week that passes, the trains get slower, the costs get higher and the projects are further delayed. People in those corridors get less information — —

Honourable members interjecting.

Mr Nardella — Ask them up in Mildura!

Dr NAPTHINE — We'll come to it!

We know that the government promised that for \$80 million it would connect very fast trains, and it had pictures of the Eurostar and the speed trains of Europe, and everybody was conned by the Labor Party that they were going to get a 400-kilometre-an-hour or 300-kilometre-an-hour train in these areas; that the service to Ballarat would take less than 60 minutes. Even after it got into government, what did the Labor Party say?

Mr Nardella — It is 64 minutes.

Dr NAPTHINE — It is 64 minutes now and getting slower!

Let's see what the Premier had to say on 21 March 2000 in the *Ararat Advertiser*. I will read what the newspaper article says and then give the direct quotes from the Premier:

Premier Steve Bracks said yesterday high-speed train links between Melbourne and major Victorian county towns would be completed in the state government's current term of office.

This is a direct quote from the Premier:

'We're pursuing this over our first four years', Mr Bracks said.

'We're hopeful that we can at least kick off one of these physically before the end of the year, and the rest scheduled as we go through the next four years.

So, in March 2000 he said one would be started before the end of 2000 and the others completed within the first term of office. We are now three years into his term of office and not one spike has been driven, not one sleeper laid and we are not one iota closer to that fast train service. Indeed, we are further away from it.

Mr Nardella — That is not true!

Dr NAPTHINE — The honourable member for Melton ought to look at the government's own documents. The government produced a budget information paper no. 1 last week. In that the first thing we note is that the project has blown out not from \$80 million to \$550 million, but from \$550 million to \$573 million, well before we have a sleeper laid or a spike driven. We still do not know the route, the timetable or where it will stop.

Mr Nardella — It's called consultation.

Dr NAPTHINE — It is called confusion, stupidity and mismanagement. That is what it is called.

Mr Helper interjected.

Dr NAPTHINE — The Joe Helplesses of the world!

The ACTING SPEAKER (Mr Plowman) — Order! Will the honourable member address the honourable member by his correct title.

Dr NAPTHINE — I do not think I was referring to a member, was I? If the cap of helplessness fits, he should wear it.

Mr Acting Speaker, if you look at budget paper no. 1 on the public sector asset investment program and compare last year's data with this year's data, you can see what has happened to this project. If you look at the estimated expenditure on regional fast rail links for 2001–02, you can see that \$37 million was to be spent in this just-completed financial year. If you look in this year's budget you can see that only \$3 million was actually spent. So the government was supposed to spend \$37 million but actually spent \$3 million. It does not care about regional fast rail links. The project has blown out in cost, been delayed and been completely and utterly mismanaged.

There has been an enormous blow-out in that project because of the complete mismanagement by and lack of commitment from this government. What we need is a genuine commitment to deliver this project. The communities along that route — whether they be at Melton, Bacchus Marsh or Ballan — need information on whether the train will stop at their towns, and they need to know — —

Mr Haermeyer — You haven't even been there.

Dr NAPTHINE — I was in Ballan yesterday.

Mr Nardella interjected.

The ACTING SPEAKER (Mr Plowman) — Order! The honourable member for Melton!

Dr NAPTHINE — I had better move on to other projects, because there are so many that we need to cover. Let's look at passenger rail services. This government said it would restore passenger rail services to Ararat, Bairnsdale, Leongatha and Mildura.

Mr Helper — On time.

Dr NAPTHINE — On time? Right! The honourable member for Ripon says the government

was going to do that on time. I suggest again that he compare last year's infrastructure list with this year's, because last year's list said — —

Mr Helper — July 2003 was the promise.

Dr NAPTHINE — Estimated expenditure for the passenger rail service to Bairnsdale for 2001–02 was \$4.8 million. How much was actually spent? Some \$750 000, well below \$4.8 million. Estimated expenditure for the Leongatha service in South Gippsland was \$2.4 million. How much was actually spent? Zero! Estimated expenditure for the restoration of passenger services to Mildura was \$2 million. How much was actually spent? Zero! How much was spent on the Ararat line? Zero!

Last year the government told us it would be spending millions of dollars on restoring these services in the financial year just completed, yet it has spent very, very little — \$750 000 on one of the four lines and zero on three others, well below budget. Yet these projects have again been blown out, mismanaged and delayed.

The other major rail infrastructure project that this government promised country Victoria was the standardisation of regional freight lines, and the first priority was to connect Mildura to Portland. Last year the government told us it would spend \$10 million on that project in this financial year, and it spent about half of that. Not one spike was driven and not one sleeper was laid on the Portland–Mildura line — not one!

This government simply does not care enough about regional rail projects to deliver them. It makes promises and it allocates expenditure, but it does not do the job. This government is letting down the people of country Victoria simply because it cannot do the task and cannot get on with the job.

We can look further. The most important infrastructure project for Gippsland is probably the Pakenham bypass, which affects the movement of goods and services from Mallacoota right through to West Gippsland. All those municipalities want the Pakenham bypass built and want it built as soon as possible, because they know that if the government does not build it quickly there will be another four or five sets of traffic lights through that area causing further delay, further costs and further impediments to growth in the whole Gippsland region.

What has happened under this government? We have a commitment from the federal coalition government to pay for 50 per cent of the Pakenham bypass. We even had the federal Labor Party committing to 50 per cent of the cost of the bypass prior to the last federal election. We have the state Liberal Party committed to

50 per cent of the Pakenham bypass. The only one missing from the quadrella is the state Labor government! It is the one who has cost us the Pakenham bypass. The only reason the bypass is not being built now is that the Labor Party does not care about Gippsland and does not care about country Victoria. It does not care about the new seat of Bass, it does not care about Narracan, it does not care about Morwell, it does not care about South Gippsland and it does not care about East Gippsland. It simply does not care about the most important infrastructure project for Gippsland.

What has been done with the Geelong Road under this government, which inherited a great project from the previous government? This government has dropped the ball. We have had cost overruns, we have had delays, we have had blow-outs and we have had union-dominated decision making that has crippled and strangled the project. Anybody who travels on the Geelong Road knows how that project has been messed around by a lack of leadership by this government. As I travel across country Victoria the key issue that councils raise time and time again with me as shadow minister for rural and regional development and with local members is the need for a significant input of funding for the upgrading of local bridges. They are an absolutely key issue for farming families, and they are an absolutely key infrastructure issue.

When we were in government in 1999 we allocated funding for the first time for work in partnership with local government on that infrastructure, and I am pleased that the Liberal Party has now allocated \$50 million for work in partnership with local government to upgrade local bridges. As I go around Victoria, shires are saying that that is a significant step forward in providing local funding for local infrastructure which is of key importance to regional and rural communities in an economic and social sense and in making sure that they really can survive into the future.

Local bridges are a key issue that has been absolutely ignored by a Labor government that is more interested in political stunts than in listening to the local communities and responding positively to their concerns.

If we look at gas and electricity, once again this Labor government has talked big and delivered little. How many times have we heard the minister talk about this? He talked again in his second-reading speech about the extension of natural gas to communities across Victoria like Port Fairy and the rest of Koroit, Wonthaggi and the Macedon Ranges, and Creswick, Swan Hill and

many others, all of which are very keen to be connected.

Natural gas, as we know, is a more environmentally friendly, more easily used and more efficient fuel, and it is much more cost effective. But what we have from this government is heaps of talk and no action.

Mr Haermeyer interjected.

Dr NAPHTHINE — The Minister for Police and Emergency Services, who is at the table, is one of the past masters of making announcements and failing to deliver. He made announcements about police stations three years ago, and he has still not turned a sod on many of them. He is a disgrace when it comes to promising big and delivering little.

Liberal Party policy is very clear with respect to gas, as opposed to the airy-fairy, nebulous, non-concrete, no-action and no-decision Labor Party policy. Our policy is to allocate \$50 million to connect communities to natural gas and to pay the differential cost between what the company will pay as a commercial payment and the actual cost of connection. This will connect many towns, communities and individuals right across Victoria to natural gas.

Mr Nardella — Name them!

Dr NAPHTHINE — Let's look at some of the towns that will be eligible for that program. I am able to go to the community of Port Fairy in my area of the south-west — a very important town — and say that it will be one of the first cabs off the rank under this program. Under the Labor Party you get hot air and gas but under the Liberal Party you get access to natural gas to run households and your businesses. Creswick will get gas, Whittlesea will get gas, the Macedon Ranges will get gas and Wonthaggi will get gas. The contrast is that the Labor Party talks about things, but the Liberal Party actually gets things done.

The other component of power which is very important for country Victoria is electricity. I draw the attention of honourable members to an article in the *Weekly Times* of 9 October, in which the president of the United Dairyfarmers of Victoria, Peter Owen, is reported. It says:

UDV president Peter Owen said the Bracks government must respond to rural community concerns on what will happen to the rebate.

'It's come to the time when we need a commitment from them ...

'If they want agriculture and regional Victoria to be competitive, they have to give us an answer'.

Further on the same article reports on a Mr Englefield, whose power bill has risen by 75 per cent because this government approved massive increases in off-peak power.

Honourable members interjecting.

Dr NAPHTHINE — Make no mistake, irrespective of the bleating and the carping coming from the government benches, electricity prices cannot be increased in this state unless this government approves them. This government has approved every one of those price increases, including the 75 per cent increase in off-peak electricity for Murray Valley wine-grape grower Brian Englefield. The government cannot run and it cannot hide. It approved those massive increases for farmers across Victoria.

The article reports Mr Englefield as saying:

If the government is going to meddle, it should ensure equity or stay out of it and let industry bodies like the Victorian Farmers Federation and National Farmers Federation negotiate prices on behalf of their members.

What was the government's response as reported in the *Weekly Times* on the whole issue of the special power payment con on country Victoria, where the government is saying, 'We will give you this special power payment, but it expires in April next year.'? Guess what this government is hoping will happen before April next year? It is another example of this government trying to con the people of country Victoria. The people of country Victoria have woken up to it and they want a commitment from this government.

A government spokesman is reported in the same article in the *Weekly Times* as saying:

A government source told the *Weekly Times* Ms Broad — that is the Minister for Energy and Resources —

and the cabinet wanted to sweep the matter under the carpet until after the state election, due any time after November 29.

So even the government sources are saying they want to sweep this issue under the carpet until after the election. They do not want to tell the people of country Victoria they will rip their special power payment off them. They do not want to tell the people of country Victoria that this Labor government is secretly approving massive increases in electricity prices in country Victoria. But that is what they are doing — and they are being exposed for it.

Let's look at other important issues for country Victoria. I turn to the issue of the Essendon Airport.

Where does this government stand on Essendon Airport? This government wants to close Essendon Airport. That is an absolute outrage and disgrace.

Mr Helper — On the bill.

Dr NAPHTHINE — It is on the bill; this bill is about development in regional Victoria. It is obvious the honourable member for Ripon does not see Essendon Airport as important or integral to regional development in country Victoria, because he does not understand that Essendon Airport — —

Mr Helper interjected.

Dr NAPHTHINE — Keeping Essendon Airport open is very important for regional development because an enormous interchange occurs there with passengers for tourism, for business and unfortunately for emergency services.

Honourable members interjecting.

The ACTING SPEAKER (Mr Lupton) — Order! If the honourable members for Melton and Ripon want to have a conversation, I suggest they go outside. The honourable member for Portland, without interruption.

Dr NAPHTHINE — It is absolutely vital for regional development that Essendon Airport stay open. It is also vital for emergency services.

I was interested to hear the Premier himself in answer to a question today say that some of the unfortunate burns victims from the Bali massacre have been flown into Melbourne using Essendon Airport. That ought to be a salient lesson to every member of the government who wants to close Essendon Airport. Bali burns victims are flown in using Essendon Airport. People in country Victoria also rely on Essendon Airport on a daily and weekly basis to fly people in who require emergency medical care and attention, yet the Labor Party in Victoria wants to close it down. What message does that send to families and individuals in regional and rural Victoria? It says that the Labor Party does not care about them and is not concerned about them — that it is more interested in votes in its electorates around the Essendon Airport than in country Victoria.

I do not think there could be anything clearer than the difference between people who genuinely live and work in and understand country Victoria and who therefore understand the importance of Essendon Airport, like we on this side of the house do, and the people on that side of the house, who only pretend to be concerned about country Victoria. Essendon Airport is very symbolic in that issue.

Also symbolic in that issue is the way the Labor Party has ignored the pleas from south-west Victoria for funding for a south-west emergency helicopter service. It is the only area of the state that has not had access to that service. Yet this government has ignored the pleas from south-west Victoria for funding for an emergency helicopter service, a service that can be used for ambulance transfer by the police, the CFA and search and rescue. It can have multiple uses, all of benefit to the community, and they can be done in a very cost-effective way. I strongly support funding for a multiple-use emergency helicopter in south-west Victoria. It is a pity this government does not as well.

If you are looking for other examples of where this government has failed country Victoria you only have to look at the recent drought. It was interesting to hear the Minister for Agriculture in the house today finally mention the D word. While country Victoria, country communities, country families, and farmers have suffered from a drought, this Minister for Agriculture and the Premier have danced around, played around and fidgeted under the spotlight because they refused to admit a drought — refused to say the D word.

The *Bendigo Advertiser* of 19 September reports:

Victorian agriculture minister Keith Hamilton is on record as not believing farmers and the Victorian Farmers Federation when they say there is already a drought across northern Victoria.

He declined to believe it again when he made a flying visit to northern Victoria.

And even yesterday, when state assistance for farmers was being lined up, the state government was still shying away from the D word.

The government line is that a committee has been formed to look into it, and it will decide when and if a drought exists.

Everybody else knew there was a drought weeks and weeks ago. Farmers knew their crops had failed weeks and weeks ago.

Mr Haermeyer interjected.

Dr NAPHTHINE — The minister at the table, the Minister for Police and Emergency Services, should know better and understand — he has been around long enough to know — that it is the state government's responsibility to declare a drought — absolutely, 100 per cent and entirely a state government responsibility to declare a drought. When it did finally admit there was a drought we got a piddling amount of funding. I ask you to simply make a comparison. In the last three months, when farmers have been suffering from drought — —

Honourable members interjecting.

Dr NAPHTHINE — I would ask the minister and the honourable member for Melton to put their hands up and say which they most support. Do they support the government's expenditure of over \$50 million, probably \$60 million or \$70 million, on government party-political advertising on behalf of the Labor Party and the Labor government, or do they support that sort of level of money for drought-affected farmers and drought-affected communities?

Mr Nardella — We are supporting our policy.

Dr NAPHTHINE — So the honourable member for Melton has put it up on behalf of the government. He supports the government spending \$50 million, \$60 million or \$70 million on Labor Party advertising compared to the few million dollars it has provided for farmers affected by drought.

Mr Nardella interjected.

Dr NAPHTHINE — I think those priorities are wrong, wrong, wrong! They are absolutely wrong. The government ought to cut its political advertising and use that money to assist drought-affected farmers and rural communities.

There are a couple of things I wish to go through. I am sorry I have not got more time to go through heaps and heaps more. People would have to say that one of the most vulnerable groups in our society is those people who are victims of sexual assault. It is my sad duty to bring to the attention of the Parliament that the centres against sexual assault (CASA) have had to cancel their weekly outreach visits to assist victims of sexual assault in south-west Victoria. They used to have weekly visits to Portland, Hamilton and Casterton. They have had to cut that back to fortnightly visits. They have waiting lists of up to six months — six months! — for people who are victims of sexual assault to get advice, counselling and assistance. That is an outrage and a disgrace.

Many of those people were victims of sexual assault as children, and many years later they are coming to terms with the problems it has caused them and their families. They need assistance. When they have the courage and are able to come to terms with what has happened to them and put their hands up to seek advice and assistance, they are told they have to wait six months. That is an absolute disgrace. This government should be ashamed of itself.

The CASA service in Warrnambool used to have the equivalent of three and a half workers when the

previous government was in power. It has been cut back to the equivalent of two and a half workers. This is not a government that cares about country Victoria or about victims of sexual assault. That is typical of this government — it purports to care about country Victoria, but the reality is different.

We can have a look at that. Our country hospitals are facing financial difficulties. Our country businesses are struggling under massive Workcover costs. Our schools have significant maintenance funding backlogs. In country Victoria — —

Mr Nardella — That's not true! They are 1999 figures, when you were in office.

Dr NAPHTHINE — I visit my schools, as opposed to some other members.

Mr Nardella — So do I!

Dr NAPHTHINE — My schools tell me that the physical resources management system (PRMS) funding has been delayed, and in some years even cancelled under this government. They cannot get maintenance funding under this government. It is a disgrace.

Mr Nardella — They got new classrooms.

Dr NAPHTHINE — It is an absolute disgrace. The Portland South Primary School has not got a new classroom. It has a significant backlog of maintenance and it has not got its PRMS money.

Mr Nardella interjected.

Dr NAPHTHINE — They are not alone; they are not Robinson Crusoe! There are heaps of them.

I move on to another area I want to cover, which I think is typical of this government not understanding what the real needs are in country Victoria — that is, the issue of the former Department of Agriculture. We have situations in country Victoria where farmers are contacting the Department of Natural Resources and Environment (DNRE) concerned about neighbours who might have lice among their sheep or neighbours whose animals may have footrot. Farmers at Dartmoor have contacted me with this issue in the past few weeks. At Coleraine farmers are concerned about noxious weeds. They simply cannot get advice or services from DNRE officers because there is a lack of professional and qualified staff who are available to provide that assistance, particularly in the area of animal health.

We have had a situation in western Victoria that affects all Victoria, a situation where live sheep and cattle exports have been suspended from the port of Portland. One of the main reasons they have been suspended is that in the past the Victorian department had a responsibility, and accepted that responsibility, of ensuring that the livestock exported were supervised on the feedlot and examined prior to loading so that only animals that were fit and ready for travel were loaded. Portland, despite its vessels having to travel further with its livestock to the Middle East, had a lower mortality rate than Adelaide or Fremantle. Under this government those services have been withdrawn so it is no wonder we have problems with occasional shipments out of Portland which are now costing jobs, costing the local economy and costing the industry.

An article in the *Hamilton Spectator* of 12 October states:

Jobs and money will be lost due to the ban on the export of live sheep from Portland.

Further — and this is very interesting — it states:

The ban on live sheep exports from Portland for at least October has had an immediate effect on prices.

Hamilton Stock Agents Association president, Derek Morse, said boat wethers made \$48 at Hamilton at the first sale after the ban was imposed.

'Previously, they would have walked on any boat for \$58', he said.

Farmers are losing and people are losing their jobs. We are losing local dollars and the local industry, yet we have had no comment from the Minister for Agriculture and no comment from the Premier. What we are doing is allowing this trade to be lost from this state and lost from the pockets of our farmers because this government does not understand or care about the real issues in country Victoria.

Let me summarise with a couple of other examples of where this government is failing country Victoria. I will go back to what Labor said in its 1999 election policies. Labor said it would establish four pilot one-stop shops in regional and rural Victoria over an initial three-year period. The three-year period is now over, and we have not got one one-stop shop. That has been thrown out the window. It is a failed, broken promise.

Labor said it would establish a regional call centre attraction program to target at least 10 000 new call centre jobs to regional Victoria in its first term of government. We are losing call centres from Victoria. There is no allocation of funds from the Regional Infrastructure Development Fund to the regional call

centre attraction program. We are seeing call centres closing in Bendigo. They are leaving Victoria and going interstate and overseas because this government promised but did not deliver.

Labor said it would develop a high-tech park at the former Bendigo Psychiatric Hospital site. The reality is that the project is now not going ahead and the government has failed the people of Bendigo once again by not delivering on that.

Labor said it would develop an energy park for the Latrobe Valley. Once again, that project has been abandoned. Labor said it would develop a regional embassy showcasing regional and rural Victoria. Well, I have not found the embassy yet — I am still looking for it. Perhaps it is hidden behind one of the police stations that do not exist that the minister keeps talking about.

This government has failed regional and rural Victoria — it has not delivered on its promises. Regional Victoria is sick and tired of this government's continual hype, misinformation, deceit, lies, and efforts to paper over — with stunts and political gibberish — the reality that it does not really understand or care about regional Victoria.

This legislation is more of the same. It is window-dressing. It is renaming a subsection of the department just to try to give some new angle to the government's purported concern for country Victoria. The reality is that the people of country Victoria are not stupid. They see through this government and know that the emperor has no clothes.

Independent amendments circulated by Ms DAVIES (Gippsland West) pursuant to sessional orders.

Mr RYAN (Leader of the National Party) — Absolutely coincidentally, I want to take up this debate on the point on which the shadow minister for rural and regional development finished his excellent contribution. I was reminded of this matter when I first read this legislation and the second-reading speech. It is that wonderful Hans Christian Andersen story about the emperor's new clothes.

Being a student of literature, Mr Acting Speaker, no doubt you will be familiar with the fable of the emperor's new clothes. I am indebted to the very able Karinda Pyke, who works in my office, for obtaining the material relating to this fable from the Web. I do not intend to read it all out, but the essence of it is that once upon a time there lived a very vain emperor, whose only worry in life was to dress in elegant clothes. He changed his clothes almost every hour, and loved to

show them off to his people. At one point a couple of scoundrels turned up at the gate, said that they had a mechanism for designing flash new clothes, and by trickery induced the emperor to think that they were designing magnificent new garments for him when in fact there was nothing — it was all a fiction. As the emperor, and those advising him, were supposedly being shown these new clothes, all of them were afraid to state the obvious — that there was nothing there — until the emperor subsequently paraded his supposed clothes down the main street. A small boy in the crowd offered those words of fact, 'He's got no clothes on!'.

When I read the legislation and the second-reading speech I was immediately reminded of that fable, because the legislation is the height of farce. The National Party will not oppose it, because that would give the government a weapon to use for its nefarious purposes. I want to talk about that at some length and to explore some of the issues raised by the minister in his second-reading speech.

On that point, I mourn the passing of decent second-reading speeches. This material, by which this legislation is introduced, is appalling in its content. You have to go through 10 pages of rhetoric before you get to anything to do with the bill.

Dr Napthine interjected.

Mr RYAN — Yes, there is a stronger term to describe it, but I will rest with the fact that it contains a lot of rhetoric. When you look at the drafting of the speech and the material it touches on you see it is a mixture of myth and falsehoods and is misleading in many respects. I refer to something that jumps off the page:

This bill creates a new statutory body that will work in partnership with regional Victoria communities, businesses and all levels of government to attract new investment and generate jobs.

There is no statutory body. Clause 4(1) states:

There is established a body to be known as Regional Development Victoria.

It is not a statutory body. As I was about to speak I looked at the Melbourne Market Authority Act, whereby an authority was actually established. If the bill is to establish a statutory authority the second-reading speech should describe Regional Development Victoria as a body corporate with perpetual succession and a common seal, and it should say that it will be able to sue and be sued in its corporate name, be able to acquire, hold and dispose of personal property and be able to do a range of other

things that are usually ascribed to statutory authorities. The second-reading speech is wrong in saying that it is a statutory authority. It is not; it is fiction.

I refer to other elements of the bill. Clause 5 describes the functions and powers of Regional Development Victoria. Subclause (1)(e) proposes to:

... facilitate the coordinated delivery of government programs, services and resources in rural and regional Victoria ...

That is a fine and laudable aim, but what difference will there be between what the department now does and what is proposed to happen under the newly badged Regional Development Victoria? I know many of the people who work within the department, and they have a justifiably proud record of service to Victorians under governments of all persuasions. The department in its current form is perfectly able to carry out the functions and powers that are described in the legislation — and more particularly, the one I have just read out.

As a member of the former coalition government I was on many occasions able to use the services of the department's personnel to coordinate the efforts of government to make sure we got the right outcome. I know of many times when the former minister, the Honourable Roger Hallam in another place, called all the players involved in a particular initiative together and did not let them out of the room unless and until they all struck agreements across the various departments on what was required to have a particular program succeed. Those powers exist now. The notion that the legislation adds in some way to that concept is simply wrong. Again the second-reading speech is nonsense.

Clause 5(1)(g) talks about administering money paid out of the Regional Infrastructure Development Fund. If we are now creating a body which is not a statutory body as claimed but which will have the task of administering the money paid out of the Regional Infrastructure Development Fund, who has been doing it up until now? The minister is tearing around saying that the fund has allocated \$92 million since it has been established. Who has been looking after the administration of the money in the meantime? And if the minister's answer is, 'Don't you worry about that. It has all been looked after properly, and there are Auditor-General's reports and all sorts of things that enable us to say it is being done properly', why do we need a new entity that will have a task that patently, as the minister I am sure will say, is being fulfilled now? The legislation is fiction.

Clause 5(3)(b) is a classic, because it states that there is power within Regional Development Victoria to engage consultants to assist it in the performance of its functions and the exercise of its powers. I can guarantee Parliament that there is nothing to be derived from our giving a legislative imprimatur to enable that to happen, because as it currently functions the department is up to its armpits in consultants. Why it needs a specific head of power to engage consultants is beyond me.

There are various other elements that require comment. The second-reading speech states that this:

... also involves a special partnership with local government.

There is only one problem with that — the expression 'local government' does not appear in any of the clauses in the bill. There are references in the explanatory memorandum to councils, but there is nothing in the legislation that talks about this abiding close association to local government as claimed by the minister. The concept he is looking to advance is a vacuum, a fiction. If the minister is so keen on local government and is talking about establishing a Regional Development Advisory Committee, why would he not give local government a place on it? Why does the minister not say that the committee would be a handy mechanism by which the government could directly assist local government in doing what the legislation contemplates? No, there is nothing at all indicating local government involvement in the work of the Regional Development Advisory Committee or Regional Development Victoria.

I also ask the house to have regard to clause 10, which talks about ministerial directions. Subclause (1) states:

The Minister may give written directions to Regional Development Victoria and the Chief Executive about the performance of the functions of Regional Development Victoria.

I emphasise the words 'performance' and 'functions'. Subclause (2) outlines the scope of those written directions. What I am particularly interested in is the nexus between that clause and the councils that are listed in the schedule to the legislation. They are the councils that are referred to in clause 7(3). I will not read them out but they are the fringe councils — I believe that is the expression used.

Dr Napthine interjected.

Mr RYAN — The interface councils — I thank the honourable member.

I seek an assurance from the minister that he is not going to bleed the funding which was established

within the Regional Infrastructure Development Fund and which, by legislation, is intended to accommodate the 47 municipalities that are named in the schedule to the Regional Infrastructure Development Fund Act out of that fund into the countryside which is accommodated within those interface municipalities.

It is a fair thing if the government wants to do it that it sets up some other new entity or body which enables those interface councils named in the schedule to this bill to become beneficiaries in some way that is acceptable to the minister.

Let's put that aside. My concern is that this government has established a fund, which it specifies by legislation in the Regional Infrastructure Development Fund Act, to be referable to the 47 municipalities to which that act refers. When you look at the capacity of the minister to issue directions which relate to the performance of the functions of Regional Development Victoria, it is my contention that there is plenty of scope within the terminology used in that section of the act to enable the minister to use the money from the fund for the benefit of those interface municipalities. I want an assurance from the government — whoever gets up on his or her hind legs first to contribute to this debate on behalf of the government — that the Regional Infrastructure Development Fund is not going to be used for the benefit of those individual nine councils.

I reiterate that I am not attempting to start a 'them and us' debate. I simply want the point clarified. If the government wants to establish a fund of money for those nine interface councils, it is perfectly free to do so. If that is the government's policy then I want Parliament to be informed that that is the case. I think those nine councils also deserve to know, with certainty, what the position is in relation to their interests. Equally, the 47 municipalities which were the subject of so much fanfare from this government when the Regional Infrastructure Development Fund was established are also entitled to know that the money which was allocated to their respective interests under the terms of that legislation is going to be preserved for their purposes, as was always intended. I seek those assurances from the government.

In terms of the legislation itself, the unfortunate fact is that when you carefully examine this, when you analyse it properly, you see the reality is that this is no more than an internal reorganisation with a view to putting new tags on the doors because in fact there is no new statutory authority. That assertion within the second-reading speech on the bill, as I have demonstrated, is a complete fiction, and the National Party has concerns about some elements of the

legislation which will not in reality add anything of substance to the interests of rural and regional Victoria.

The second-reading speech was broad in its terms and regional development, by its nature, is an issue which is broad in scope. It is therefore appropriate that when a debate of this nature comes before the house there is the opportunity, which this debate affords, to examine some of the issues that are pertinent to country Victoria's development, and particularly the performance of the government in this crucial area of the interests of those who live outside metropolitan Melbourne.

I want to go through that process by focusing on two elements of this discussion. In the first instance they are those that affect my own electorate, because everybody has their own stories. But I want to demonstrate how this Labor government has been so influential in my electorate. I also want to talk about some of the broader issues affecting Victoria at large.

An honourable member interjected.

Mr RYAN — I will just move through those by talking about some of the issues relating to my own electorate. This is on the part of the government which is there in its open, honest and accountable way, so it says, representing the interests of all Victorians and country Victorians in particular. Let's have a look at the score card.

In Gippsland South, let us start with the Won Wron prison at Yarram. There is a good starting point. The Won Wron prison, in accordance with an announcement made on budget day last year by the Minister for Police and Emergency Services, is to be closed. The actual closure date is a bit of a portable feast: we are not quite certain when it is supposed to be. It started out at 2004, but only recently the government announced a three-year program for the development of two new prisons which will be needed before the Won Wron prison can be closed. That is because one of those prisons will assist in alleviating problems with the prison population by enabling prisoners to be placed elsewhere — at least that is the claim made by the minister.

Here we have a prison which, of the 16 in the state, is regarded on the numbers as being the most efficient. It performs its functions admirably. It employs directly 40 people in Yarram and the surrounding region. There are at least another 40 people who are dependent upon the Won Wron prison. In addition there are literally tens of thousands of man-hours contributed in community work across many aspects of Yarram and the region

which are the results of the efforts of the prisoners. They do an enormous amount of good in, for example, Department of Natural Resources and Environment programs, in the painting of local schools and halls, and in the construction of various aspects of local small-scale infrastructure.

For example, I have just engaged the services of a group of prisoners, via the authorities, of course, for the construction of a bicycle lane from Welshpool Primary School back into the town. In that instance I think the prisoner group may be coming from the Fulham Correctional Centre, the private prison up near Sale, but the example stands. Many projects occur as a matter of course because the prisoners enable them to happen. They make an invaluable contribution to the community.

In addition, we have that magnificent event called Prisoners on the Run. As I recall it has raised something like \$1 million for disadvantaged and disabled children in our communities in Gippsland. Each year that event is a source of an enormous amount of funding assistance for parents who invariably do not have the capacity to access these sort of assets for their children. It has all been derived through the Prisoners on the Run program. Unfortunately the Minister for Corrections could not come this year, but I was there, as I have been the last several years, to see those awards made. It is a touching day.

What is the government going to do? It is going to shut the prison down. It is going to destroy this facility which provides an invaluable service to the prisoners who stay there and to the community, which is serviced in the way I have described by those prisoners. The government will destroy the jobs of 40 people directly employed at the prison and the jobs of another 40 people who are dependent on the operation of the prison. The government is going to destroy the contribution those prisoners make to the community at large. This is Labor at work in country Victoria.

We have other things, like the Basslink debate we went through last week. That has been an exercise of some interest.

An honourable member interjected.

Mr RYAN — I have been invited to go through it again. The day is but a pup. We have plenty of time. I might just work my way through all 180 pylons across 60 kilometres of the magnificence of Gippsland again. This government has not had the courage to do what it should be doing. If the government were discharging its responsibilities properly we would not have the

problem we are having in relation to the Basslink issue. If we had a Minister for Innovation who was really looking to conduct himself in a way which would reflect the ministry he purports to hold he would have been the first to take advantage of the options available for the undergrounding of this cable, and we would not have to have the fearsome debate which is raging in the Gippsland community at the moment. Honourable members should bear in mind that this whole issue is now part of the psyche of the region. It is not just an issue to do with those 22 farmers, it has gone way beyond that. The government had the opportunity to do something innovative about this, but it ducked it.

To this day I believe that the government simply does not understand the options available on this important regional development issue. As we now know, there are plenty of enterprises which manufacture cable that can be used underground and there are plenty of enterprises which can do the development to incorporate that cable. It does not need to be National Grid but on the other hand National Grid could use the new form of cable. There are plenty of options but this government will not take any of them up. The government would not even properly examine the alternatives before it made its decision, in the dead of night as it were, to enable those pylons to be built. Strike two on behalf of Gippsland.

Let's have a look at another one — the marine parks development. As it happens the Minister for Environment and Conservation is at the table and we had a long, agonising and protracted debate about establishing marine parks. Everybody in the Parliament wanted and wants marine parks; there is a completely common point of view about that. The opposition parties proposed a series of alternatives which would have enabled marine parks to be established in a way that would not have wreaked the devastation which the current system threatens in terms of our commercial and recreational fishers. However, the government persisted, and we in Gippsland and along the rest of the coastline of Victoria have had imposed on us a system of marine parks that will result in people being thrown out of work and a loss of benefit to our various country communities.

The jury is still out on the compensation packages and how they operate. They were limited in scope anyway, but I think, with plenty of justification, that there is little or no chance of those compensation packages ever being able to deliver what the government said they would. While I am on the matter, having recently spoken with the abalone industry, it is very interesting to see that even at this early stage the government is stepping back from the tenor of the commitments it made. The abalone industry is finding that the

government is not delivering on the compensation package it promised. I am sure we will hear more about that with the passage of time. Strike three.

Let's have a look at another one. This is the great idea to establish a hazardous waste siting dump at Dutson Downs. This is a little pearler as well. We have a facility at Dutson Downs which presently accepts very low-grade waste, particularly from Gippsland Water but also from other enterprises throughout Gippsland and beyond. Despite the rank rhetoric flying around before this imminent election the government is going to build a hazardous waste siting facility at Dutson Downs. The irony of it is that the whole process went forward on the basis that the government invited communities around the state to put their hands up if they wanted to have a hazardous waste siting dump in their backyards. Although there were 12 or 15 initially we ended up with one, and the one left standing is the one at Dutson Downs. Why is it so? Because the applicant for that facility is none other than Gippsland Water. Who is Gippsland Water? Gippsland Water is a 100 per cent state-owned statutory authority over which this government has complete control.

When he was in Gippsland for an excellent event — the opening of the swing bridge bypass just south of Sale some months ago; another project completed by this government which had been commenced by the previous government, but that is another story — the then Minister for Major Projects and Tourism had the temerity to tell the media that Gippsland Water was representing the interests of Gippslanders for the purpose of nominating Dutson Downs as the hazardous waste siting dump. Again this is a 100 per cent government-owned statutory authority. A bit more smoke and mirrors, a bit more of the emperor's new clothes on behalf of the government. Strike four.

I could keep going through them, but I am conscious that others want to make a contribution. I will move on to some of the broader issues, the statewide ones. The shadow minister for regional and rural development mentioned Essendon Airport. This government has a specific policy to close Essendon Airport — it intends to close it. The honourable member for Ripon is up there puffing out his chest. I will be interested to see if he wants to say something about this because it is as plain as a pikestaff. It is in Labor's policy document; that is how clear it is. This government wants to close Essendon Airport. That would mean an enormous loss of an invaluable asset for country Victorians, but that does not matter to this government, and it would do it in a blink if it got the chance. The government will close Essendon Airport.

Then we have the fast rail saga. I feel empathy for the little boy down the street who blew the whistle on the emperor without any clothes because it was the National Party which blew the whistle on this government with regard to the fast rail project. We went out and commissioned a report from ACIL Consulting because we always suspected that this fast rail links project was a myth. The report demonstrated that our suspicions were correct. I have the report here, but I will not go through it chapter and verse. However, I want to refer to a couple of the elements of this project.

The first thing we must emphasise and always remember is that when Labor went to the last election it had a policy which it set out in its policy documents. Its policy headed 'Fast rail links to regional centres' said:

Labor believes that a key to regional economic development and an improved quality of life for regional Victorians is improved rail linkages to Melbourne.

Labor will work in partnership with the private sector —

I pause to say 'with the private sector' —

to significantly reduce travelling times to Geelong, Ballarat, Bendigo and Traralgon.

I am pleased to see that the private sector got a big mention. It then went on:

Labor will work in partnership with the private sector to cut travel times to Victoria's major regional centres. Our fast rail initiative will:

provide \$20 million for a fast rail link to Bendigo that will reduce travel times to 80 minutes; contribute \$25 million for a fast rail link to Ballarat that will reduce travel times to under 60 minutes; contribute \$20 million for a rapid transit link to Geelong, cutting travel times to under 45 minutes; and,

invest \$15 million in the upgrade of the Traralgon line.

Labor will provide an \$80 million boost to kick start the development of more frequent, competitively priced, fast rail to regional centres of Geelong, Ballarat, Bendigo and Traralgon.

Over the next four years Labor will provide the following funding for this initiative ...

That is \$35 million, and secondly, \$45 million — those being in the years 2001–02 and 2002–03 respectively.

Let's just have a bit of a look at what happened. Having assumed the reins they went out and did a bit of the work they should have done for a start. They got hold of some people — and some pretty well-paid people too, but that again is another story — to have a look at this thing and find out what was the case. I have here in

the ACIL report the figures which are the government's own figures in relation to this fast rail links project. It is interesting because the project had gone from \$80 million, as set out in the policy, to \$810 million.

Dr Napthine — And rising!

Mr RYAN — And rising indeed — slowing down but rising. The split was supposed to be \$550 million from public funds and \$260 million from private funds, this latter money being the money which was to be in partnership with the private sector, of course. There were several interesting aspects to all of this. When the government went to the communities in those four regions and asked them, 'What are your aspirations as to fast rail travel? What do you, living in Bendigo, Ballarat, Geelong and the valley, regard as being fast rail? What would be the travel times for those respective centres if you were to really have fast rail links?'. The answers were: in Ballarat the community said 55 minutes running express; in Bendigo, 60 minutes running express; in Traralgon, 60 minutes stopping only at Dandenong but otherwise running express; and in Geelong it was going to be 45 minutes.

Interestingly, on the government's own figures, if it were to build a project that would deliver those travel times which were the aspirations of the people in those communities, those people having been given the understanding that they were going to get a fast rail link, the cost of building that would be \$1.75 billion. The whole thing was again a case of the emperor's new clothes. It was a complete fiction — an absolute and utter fiction. From the time of its conception the whole thing was a lie — an absolute electoral lie.

What did the government then do? It said, 'Oh well, we will go back to the \$810 million model. We will have the \$810 million version'. It was going to have to spend \$810 million — we were going to have this split of \$550 million and \$260 million. Of course if it delivered that, this is what we would have ended up with: at Ballarat, instead of 55 minutes it was going to be 60 minutes; at Bendigo, instead of 60 minutes, which the community wanted, it was going to be 80 minutes; at Traralgon, instead of 60 minutes it was going to be 90 minutes travel time; and of course Geelong it is still 45 minutes, and Geelong is not a factor of influence in terms of the changed times. So for spending \$810 million that was what we were going to get.

What emerged was that we believed from inquiries that we were making in relation to the rail industry that this issue of \$260 million was also an absolute fiction, a complete myth. Mr Acting Speaker, you will no doubt recall the many instances in which I asked questions in

question time or generally challenged the minister in the Parliament about this \$260 million, the general tenor of it being, 'Where is the money? Where is the money, Minister?'

Dr Napthine interjected.

Mr RYAN — And of course he did — variations on a theme. I thank the shadow minister for reminding me that the general tenor of the comments from the minister was, 'Don't you worry about that' — that most famous of expressions in political terms. Of course, I pressed him about it over a period of time, and in each instance took a fearful flogging from the minister. Again I say I am not complaining about that. That is one of the joys of being a minister — you can belt the daylight out of your opponent who can only sit here and cop it. That is just the way of the world. It is how the system works.

But within a week of the end of the autumn sittings of Parliament I happened to be listening to ABC radio in the fair city of Bendigo no less, and there was the Minister for Transport being interviewed on the radio that particular evening. The minister was asked a question about the \$260 million. Having denied any problem with it over a period of months, I heard him say in his dulcet tones that they could not get the money. There was no \$260 million. The whole thing was a fiction. What subsequently emerged on the front page of the *Herald Sun* was that when the minutes of the meetings were produced it became apparent that the minister had known for a good 12 months there was never going to be any \$260 million. The money was never there. The whole thing was complete and utter fiction. Another emperor's new clothes job!

What do we get back to? We are now down to \$550 million — some would say it is far lower than that — and now we are going to have travel times from Ballarat of somewhere in the order of 85 plus minutes and Bendigo is going to be 100 plus minutes. I stand corrected. I withdraw those assertions because those times I have just read out relate to the current transit times. What we are now getting is the minister asserting that the Ballarat travel time is going to be, I think, 64 minutes. The interesting thing is that on the government's own documents — on the \$550 million model, or the \$500 million model, which is what they had in their own documents — travel time is 70 minutes running express to Ballarat, 90 minutes running express to Bendigo, and it is 100 minutes to Traralgon, stopping at Dandenong only.

Honourable members interjecting.

Mr RYAN — The government members over there are getting very excited. I am reading from their own documents, their own figures. This is no creation of mine. The whole thing is a total farce.

What is also interesting is that the language of it all has changed dramatically. The shadow minister read out the quote from the Premier, where he talked about the fact that in the first term of the Parliament the government would have one of these things running and they would get the other up and running. He corrects me to say that the newspaper article said one of them would be running in the first year. In fact, when you look at the second-reading speech you note a less than subtle change in the language, because what it now says is that over the coming decade country Victoria will be even further transformed, and there is set out a series of initiatives. Guess what is in there on page 9? It is that there will be fast rail links to our provincial centres and beyond.

Dr Napthine — It's on the 10-year plan.

Mr RYAN — Yes, it is on the 10-year plan. It is a case of the emperor's new clothes. Dear, oh dear! I know it is a pretty gruesome sight when you think of it — the minister and the emperor's new clothes. I will not go down that path. Suffice it to say that this is another one where they have just been having a lend of country and regional Victoria. It is the height of farce. You have others like the Melbourne fast rail link that did not make the cut at all.

Mr Helper interjected.

Mr RYAN — The airport link, yes. The honourable member for Ripon has a resigned look upon his face. That was a Freudian slip. I am sorry about that. The Melbourne fast rail link — the airport link — did not make the cut at all. The government abandoned that. You would hate to think how many millions went into that.

There are some other classics. The government was going to maintain the maximum uniform tariff. Wasn't that a little gem? How many people voted for this government on the basis of the maintenance of the maximum uniform tariff when it knew in opposition at the time it made that promise that it was impossible to fulfil it?

When you review *Hansard* you can see that within two weeks of assuming government in Victoria the expression, 'maximum uniform tariff' disappeared from Labor's language, never to be heard again. The government completely abandoned that promise.

Then we had the \$118 million special payment, and even in introducing that the government completely botched it. It promised the payment from December last year but could not do it and had to delay it until April this year.

Dr Napthine interjected.

Mr RYAN — On 1 April? How appropriate! The issue now is whether the government is going to continue it. Again, this is complete farce on the part of the government. These are the promises made by the Labor Party before it came to government.

Mr Helper — What would you do?

Mr RYAN — I can absolutely assure the honourable member for Ripon — —

An honourable member interjected.

Mr RYAN — That is precisely right, and therein lies the distinction. We will have the policy all right, and everyone will find it interesting and constructive. The other thing is that it will be a policy we will be able to tell people about while looking them in the eye. It will be delivered on. It will not be a blatant lie like this was. The maximum uniform tariff! Members opposite knew even as they said it that it was an absolute, blatant lie.

Ms Allan interjected.

The ACTING SPEAKER (Mr Lupton) — Order! Will the government benches sit down and be quiet? I ask the Leader of the National Party not to encourage the government benches. He is getting them terribly excited!

Mr RYAN — Thank you for your guidance, Mr Acting Speaker.

Rail standardisation is another absolute ripper! It is a \$96 million investment, and the government has not done a thing. I can see the honourable member for Wimmera is warming up: that will be something worth hearing.

We have the mineral sands industry opening up in the west of the state, with great opportunities coming on stream, and the government is still fiddling around. They make Nero look like an activist, this lot. Honest to goodness they are hopeless!

What else have we got? The shadow minister referred to the Pakenham bypass. Bridges are a ripper and deserve a bit of a discussion.

Mr Helper — Talk to us about bridges.

Mr RYAN — I have been invited to talk about bridges, and I am happy to accommodate the honourable member.

For months the National Party wrote to the Minister for Transport about an initiative which would see not the overturning but the overcoming in Victoria of the Brodie decision in the High Court. I wrote to the minister several times, and I went to the point of having a bill drafted and submitted to the minister for his consideration. I wrote to the Premier to say that I wanted to introduce it as a private members bill. I wrote to all 47 country and regional municipalities three or four times over a period of many months. In roaming around the state like a homeless gypsy I sat at the table and talked with many councils about it, including those represented within the electorate of one of the two members of the government present in the chamber. Sorry, Minister, I did not go to your council!

There was universal support for it in all instances but one, the City of Latrobe, the then mayor being the now-endorsed candidate for the Labor Party and the current electorate officer of the Minister for Agriculture. All of that is another story.

Mr Delahunty — What did the government do?

Mr RYAN — Well you may ask. The first thing is that not once did I ever get a reply from either the Premier or any minister about the succession of letters I wrote about this issue.

Dr Napthine — They sent it to a committee.

Mr RYAN — I do not know, because I have never heard boo from them.

So it was that last week my colleague the Honourable Peter Hall in the other place gave notice of the bill that we had drawn up, and last Wednesday it was second read in the Legislative Council. On Thursday, with no further ado, the Minister for Transport stood in this place and second read a bill in precisely the same terms as the bill which I had suggested to him over many months and on which he had never even seen fit to correspond with me. The bill he introduced last Thursday is the same piece of legislation, yet without any further ado he just introduced it. Talk about the height of farce!

What could I do but write to all the councils with whom I had been corresponding and explain in some detail how we had all been absolutely hoodwinked by the minister and the government over an issue of such

crucial interest to them. What else could I do but make sure they were given all the facts of that act on the part of the government? Typical, again!

We have already proposed that a specific fund be established to enable the extension of the natural gas supply. In a place like Bairnsdale, for example, the east coast pipeline runs virtually right through the town yet the people do not have reticulated gas. It is an issue which needs to be addressed, and it is reflective of what is happening in so many other parts of country Victoria. We have a plan showing how it can be done, which we have published, and I am pleased to see that it has been adopted by the Liberal Party. Between the two of us we may be able to kick some life into this Labor government and get it to do something about it.

I pause to say that after I announced this at our state conference in Shepparton in April this year there was within a week or two the first discussion we had heard by the minister of the prospect of gas extensions happening around country Victoria. An amazing thing that, and the issue has popped up in so many other places. Mind you, I am happy to give the government the lead, as long as we see delivered what is necessary for the betterment of country Victoria.

Another example is the wind farms circus. Hasn't that been interesting?

Ms Allan — How is that on the bill?

Mr RYAN — The honourable member for Bendigo East asks how this is on the bill. I will answer the question as a rhetorical question, so I will not be responding to her interjection.

But had I been asked by someone as to what is the relevance of wind farms in this debate the simple answer would have been that the issue of wind farms is very pertinent to regional development. One of the benefits of having a second-reading speech that encompasses 19 pages of rhetoric is that the minister obviously intends that everybody who debates the bill will be able to make a good, wide-ranging contribution. That is to his great credit and it is a good thing, and I would hate to disappoint him by not taking up the opportunity.

Wind farms are important to regional development. I have been to Codrington and seen the wind farm development there. I have actually stood with my back against one of the towers with the blade spinning above. I have had a very, very good look at it, and it is a terrific development for country Victoria.

Mr Helper interjected.

Mr RYAN — They are three times as high as pylons, actually, from the ground to the tip of the blade. I know that in south-western Victoria a lot of industry development is going on around the prospect of constructing the turbines and constructing the towers — the nacelles, as they are called — and that is all good, strong stuff.

Of course, there is the prospect of a downside, and it is this: if you put two or three of these towers in this chamber, that might be fine, but if you put 30 in this area it would not be, and we must make certain we have planning guidelines that are appropriate to the needs and sensitivities of country Victoria. So what does this government do? It issues a set of guidelines at last, in around August or September, from rough memory.

Mr Helper — July.

Mr RYAN — July is the bid; okay, I will take July. This happens, mind you, after the government had announced in January that the guidelines would be out soon. By about April, when there had been nothing, the National Party started to get on the case of the government to get these guidelines produced, because we have a plethora of organisations that are seeking to establish these wind farms, particularly along the coastal regions of the state. It was in July, so I am told by the member for Ripon, and I accept what he says, that the government issued these guidelines. I thought it was a bit later, actually.

Mr Helper interjected.

Mr RYAN — Yes, I think it might have been a bit later. I will settle on August. So the guidelines come out in about August, and what happens then? The government says to councils in country Victoria, ‘You go and do the consultation. We are not going to do the consultation, you go and do the consultation’. In the meantime I had been to public meetings all over the place, because in Gippsland a wind farm had been established at Toora, built by the Stanwell Corporation Ltd, which is the Queensland electricity entity. It had got that facility going, and initially there was very strong support for the development of that wind farm at Toora.

What then happened, though, was that an absolute rash of these applications came forward to the municipality for the future development of wind farms, and the same sort of thing happened across other parts of Victoria, particularly along the coastline. What became evident was that these guidelines would need to be carefully crafted in consultation with country communities, and those in our coastal regions in particular, to make sure

that we got best outcomes, because — moving to the bottom line in this — the government has published the fact that it wants to have 1000 megawatts of power generated by wind farms by 2006. That means — if you say a megawatt or a bit more is produced from a single tower — we are looking at up to 1000 of these towers being constructed, primarily along the Victorian coastline.

It is an issue of critical concern, particularly, if I may say, in the sense of aesthetics, so it is very important that there be good, broad-based consultation and that we get it right. Bear in mind also that once these things are erected, no-one is going to tear them down tomorrow. They are going to be there for a long time. It is not like a deficiency in a service provision of some sort — be it in health services, road services or otherwise — which we can rectify; these physical structures are going to be erected, so it is very important that we get these planning guidelines right.

When the guidelines were issued there was hell to pay. Councils, particularly in Gippsland, were writing to the minister wanting to talk to her about them. Indeed, I understand that the South Gippsland Shire Council wrote to the minister three times in relation to these guidelines. How many answers did it get? I understand it is still waiting for an answer. What consultation was there between the government and the councils? Well, there was a submission made by the South Gippsland shire and a few other submissions came through to the government, but in the meantime the government was proceeding along an entirely different path. The reality of that path materialised last Tuesday, because last Tuesday the minister gazetted the guidelines she had had out there for consideration and consultation, and so the councils were completely gazumped. The communities across country Victoria — —

Dr Napthine interjected.

Mr RYAN — Yes, this is part of the cooperation with councils. In the dead of night, as it were, these guidelines were gazetted. I will tell you the topper, though, Mr Acting Speaker. They were gazetted on Tuesday, 8 October: when did the minister publish to the world that she had done this? Did she come in here to the Parliament and announce it on the Tuesday? Did she tell us on the Wednesday, when she had ample opportunity to stand up and take a dorothy dixer from someone like the honourable member for Ripon, for example, and tell everybody that this had happened? Did she do it on Thursday, when there would have been plenty of chances? They were all long days, those days, and the minister was in and out of the house and had plenty of chances to tell us all about it. Not on your

nelly, Mr Acting Speaker. On Saturday the government issued a press release in which the minister announced that this had happened.

This is absolutely appalling conduct on the part of this minister and this government. It is another example of how they treat country Victorians with absolute disdain. I am sure that story is yet to be fully told.

Tempted as I am to go through a variety of other things contained within this second-reading speech I will not do so — and even as I flick over it temptation is almost getting the better of me, and indeed it does in one minor respect: I see here that the bill refers to the growth of our dairy and barley markets. Isn't that a little gem — the barley industry! This is the government, of course, that deregulated the barley industry in the face of an absolutely overwhelming vote from the 4000 barley growers in this state that they did not want to have it happen. The government employed precisely the same mechanism it had used in the end to justify getting itself out of a hole and deregulating the dairy industry. It employed the same mechanism of having a plebiscite among the growers, but when it got an answer it did not like, it absolutely ignored it. It did precisely the opposite of what it had done in the first instance. It was the Labor government by its own standards again on display for all of country Victoria.

Suffice to say that the content of this bill is a farce. It will not advance country Victoria's interests at all, because all the things it purports to be able to do are able to be done now. In so saying I do not for one moment want to detract from the commitment and the hard work that has been undertaken by many of the departmental personnel who are engaged in these pursuits. That is not the issue. What we are talking about here is the smoke and mirrors that go with a structure which is set out in this bill in a way that the second-reading speech has got wrong, and which I do not think will add anything in practical terms to the way in which country Victoria functions.

I finish my comments by reference to the drought issues. I have spent a fair deal of time in northern Victoria over the past few weeks, and what is happening is absolutely soul destroying. I had a briefing the other night, as did the members of my party, from the major water authority, Goulburn-Murray Water, and it is now in uncharted territory. It has low storage levels at a time when the prospect of being able to have that issue resolved is fast disappearing, and history would say, when you look at the charting it has done, that the prospects for these coming months are bleak. I do not wish to sound alarmist, but that is the fact when you have a look at the material.

You hear some extraordinarily poignant stories from people when you go up there. Only recently, two or three weeks ago, I was at a farm up outside Lockington with a young couple who are faced with the prospect of culling down their herd from about 560 cows to about 420 cows. They have major commitments, of course, and I will not go through all that now, but they told me an extraordinary story which, in one sense, highlights the shocking family trauma that is caused by the problems these people are facing.

One of the cows in the herd was tagged as no. 800 and was more a family pet than anything else. She was bred on the farm and then went into the herd. As I recall, there are five kiddies under the age of 12, and as they walked up the driveway after coming home on the school bus — and I might say they go to the Lockington state school, which is where I started my schooling — no. 800 would come over to the fence and they would pat her, just like a family pet.

A couple of days before I was there, when the culling of the herd was taking place, the herd manager said, '800 has got to go'. I was in the kitchen talking to the young couple, both of whom are very highly qualified in their own right and hardened professionals in the sense of running a very good business. Do you know that the man of the house could not bring himself to put that cow on the truck and send it to the abattoir? It fell on the lady of the house to do it. When I was there that night talking to them they had not yet been able to devise a way to tell their children that 800 was no more.

It was a simple issue, yet in its own way it was absolutely terrible in its effect on that family and its interrelationships. It is an example of the issues at the edge of the main game of how they will continue on.

The other night outside St Arnaud, up Swan Hill way in the grains area, I met a number of farmers. A young mum was telling me that on the eve of the football grand final she and her husband were watching some of the old games of yesteryear on television with their seven-year-old and five-year-old sons. While they were watching the seven-year-old asked his mother, 'What's that on the players?'. She did not know what he was referring to. Eventually she worked out that he was referring to the mud the players had on them. He then said to her, 'And what's that all over the ground?'. She had to explain to him that they were playing on a muddy oval. This child, at the age of seven, living up in northern Victoria, had never seen a football match played on a muddy oval and so had to have it explained to him by his mother. They are in their sixth or seventh consecutive year of below-average rainfall, and they are in terrible difficulty.

I believe there is a common purpose in this chamber to get these people through. We have taken more time than we should have to take action to give these people a hand. But now that it has started, let us make sure that the government sees it through.

I am pleased to see that the government has recognised its commitment to help these farming communities in the first instance, because that is where the responsibility lies. When he was in the house before the Minister for Police and Emergency Services asked by way of interjection, ‘What about the federal government?’. It may be that ultimately the federal government will have a part to play, but we would all hope not, because if it is to play a part it will be on the basis of receiving an exceptional circumstances application from the state of Victoria. We would hope that we do not get to that stage, although the portents are not good.

Even if it gets to that stage I would hope this government re-examines the response it has made to Warren Truss, the federal Minister for Agriculture, Fisheries and Forestry, and the federal government over the new design for exceptional circumstances assistance. I believe it can be fairly said that the federal government package is generous. There is now an opportunity for Victoria to lead the way and accept the terms, which I understand were provisionally agreed to by the ministers of the respective jurisdictions, including the Victorian minister. But unfortunately the minister — again, as I understand it — was overruled by the Treasurer, and this government has not been prepared to sign off on those arrangements. I again invite the government to lead the way.

Dr Naphthine — Is that the Minister for State and Regional Development?

Mr RYAN — The Treasurer, the Minister for Innovation and the Minister for State and Regional Development are the self same minister. Here is a circumstance where people in northern Victoria are doing it tough — and by Jove it is tough! There is a chance to get these exceptional circumstance arrangements in place so that if we get to the point where the federal government is called upon to assist we can get better outcomes for our farmers.

I want to make this further point. It is imperative that every member of this chamber and this Parliament understands that this is not a poor-boy-me argument. We all need to understand that the farmers of our state are imperative to our future and that by whatever the means we must edge them through this and make certain we can get them out the other side. We have had

droughts before; we will have droughts again. The issue here is how we can assist them to best manage their affairs to make sure we get proper outcomes.

There are various things that can be done, and the government has started on some of them. I have recently written to all the banks asking them to hold their nerve. I have had their representatives in my office and had discussions with them, and I urge the Premier to do likewise. I urge him to get a commitment out of the banks — which they have been prepared to give to me, in fairness — that they will stand by our farming communities, because we need them from the perspective of the medium to longer term.

There is another important thing this government can do, which was demonstrated to me on Sunday when I was at the Horsham races. I will not go into my punting exploits, because it is a sad and tragic story. Suffice it to say that in the course of the day I talked to several small businesspeople. One of them, who employs about 40 people in the manufacture and maintenance of farming equipment, made the very valid point that it takes a long time to assemble a work force, particularly in country Victoria, that has the skills required to do the sorts of things his organisation does. They are a composition of welders — specialist welders in many instances — electricians and all the others who have the skills that go with the different elements of the trades associated with those industries. That was reflected in what I saw only a few days ago up at Grizzly Engineering at Swan Hill, which manufactures some magnificent equipment.

It is very important that, particularly through the Minister for State and Regional Development, the government brings forward some meaningful regional programs where those work forces can be usefully employed and kept together. The big fear of a lot of these businesses is that unless that is done their work forces will be lost to country Victoria; and if they go it is simply too hard to get them back.

I believe there is an opportunity for the government to go across country Victoria, particularly in these areas which are feeling the stress, and have a good look at getting municipalities and communities to nominate the sorts of projects which can be fast-tracked, on the basis that the government is prepared to assist with the funding and, very importantly, these work forces can be kept together. That is something very constructive that the government could do.

I conclude on that note. The interests of country and regional Victoria will not be advanced by this legislation. Rather, they will be advanced if the tenor of

what is intended by this legislation is given effect to and the government gets busy and actually delivers on the ground and we get past the stage of talking about these things and having a charade such as this put before the house. But at the moment, I am afraid the emperor simply does not have any clothes.

Mr HELPER (Ripon) — It is a pleasure to follow the shadow minister for rural and regional development and the Leader of the National Party. But for fear of those two members suffering from a lack of memory of what the bill is about, given their wide-ranging and lengthy contributions, I will touch back on the fundamentals of the bill. The Regional Development Victoria Bill sets up a statutory body to facilitate economic and community development in regional Victoria.

Honourable members interjecting.

Mr HELPER — I suggest you read the second-reading speech.

Dr Napthine — I suggest you read the legislation!

Mr HELPER — The body to be established is to be called Regional Development Victoria. Now that we have just had a fundamental move back to the topic before the house, I will touch on some of the comments made, firstly, by the shadow minister and then by the Leader of the National Party.

Basically the shadow minister commenced with clause-by-clause nitpicking, which I would have thought would be more appropriate to do in committee. Be that as it may, he is entitled to do that. Not too many people found it enlightening. Basically he referred to it as relabelling and rebranding, and that is a theme that also ran through the presentation by the Leader of the National Party. Both honourable members fundamentally missed the point.

The bill is about establishing Regional Development Victoria (RDV) and enshrining in legislation in Victoria for the first time ever a body that is dedicated to the advancement of the economic and social wellbeing of regional Victoria. To call it relabelling, rebranding or simply printing a new letterhead is to not understand what the legislation is about, how it will operate and how it will impact on regional Victoria.

The honourable member for Portland touched on a number of projects, such as natural gas, electricity and a range of issues which he wished to nitpick about. There was one common theme running through all of those issues, and through a number of the ones that the Leader of the National Party raised — that is, that they

are all industry sectors which were privatised by the previous government. No wonder this government is having to move heaven and earth to come to grips with the botched privatisations of the previous government. The opposition lacks credibility, and it is hypocritical for the honourable member for Portland to raise those very same issues as a criticism of this bill. Frankly, I do not understand how they relate to it.

Specifically, the Leader of the National Party asked the minister — I think his words were ‘a subsequent speaker’ — to assure him that the Regional Infrastructure Development Fund would not be diluted — his word — by the inclusion of the interface councils in the Regional Development Victoria Bill. I can assure the honourable member that the RIDF is established by an act of Parliament which lists in one of its schedules the councils which can derive funds from it. I would have thought that the Leader of the National Party would have recognised that. The fear he wishes to drum up, that all of a sudden the RIDF is going to be diluted across these interface councils, is indeed a mischievous claim, because that could not be done without reference to the Parliament of Victoria to change the Regional Infrastructure Development Fund Act.

I will talk about the bill in a bit more detail, recognising that other honourable members wish to speak as well. The bill establishes the structures, powers and functions of Regional Development Victoria. Those functions are designed, targeted and tailored to meet the economic, social and development aspirations of regional Victoria, including the interface councils. The bill also sets up structures to meet the aspirations of rural Victoria. I am sorry that the honourable member for Benalla is not here. She is very keen on insisting that we use the word ‘rural’, and I more than happy to use it on this occasion.

The bill also establishes the Regional Development Advisory Committee, which is to advise the minister of the day in an impartial way on issues confronting regional and rural Victoria in terms of its development, both socially and economically.

The bill provides for the accountability of Rural Development Victoria through this very Parliament. It provides for the reporting to this Parliament of RDV’s activities on an annual basis, and as such is in keeping with this government’s commitment to open and transparent government.

Fundamentally, the bill is about continuing the effort in rebuilding regional and rural Victoria which was commenced three years ago by the Bracks government. Already we have seen enormous achievements, but a

lot remains to be done. As I mentioned before, it is the first time in Victoria's history that rural and regional Victoria has a dedicated body to pursue its interests and aspirations.

The legislation provides for the coordinated delivery of government programs, services and resources. I appreciate that this is a very difficult concept for the opposition and the National Party to understand, but this government certainly recognises that for regional and rural Victoria to prosper further we do need to modify and constantly evaluate the way the government delivers services. Certainly any evaluation that is done — and evaluation of its service delivery will be an ongoing activity of this government — will find universally that a coordinated approach to service and program delivery delivers the best outcomes for communities in regional and rural Victoria.

As I said before, already this government has had an enormous impact on rural and regional Victoria in terms of confidence being lifted, economic activity being increased and the aspirations of regional Victoria and the meeting of those aspirations being recognised as legitimate — as opposed to the previous government, which so callously referred to regional Victoria as a whole and its aspirations as the toenails of the state.

Ms Allan — Shame!

Mr Maxfield — Shame!

Mr HELPER — Thank you!

Going to regional exports gives me an example to put figures to my claim. For instance, regional exports were up 43 per cent over the preceding two years to \$7.6 billion last year. That is an enormous achievement. It is a reflection of how regional and rural Victoria is indeed getting on with the job. The other statistic that should be pointed out is that this state government has facilitated and has worked with regional communities to attract some \$1.5 billion of investment. Again that shows and cements the strength of regional Victoria and builds its confidence.

I do not wish to paint a picture of there not being an enormous agenda that needs to be continually addressed in regional Victoria; I simply wish to point out that three years of the Bracks government — a government that is dedicated to regional and rural Victoria and, indeed, to growing the whole of the state — has brought about considerable outcomes.

Specifically on the bill, I would like to stray to quoting from the *Weekly Times* editorial of Wednesday,

11 September 2002. I have not found the *Weekly Times* to be a paper that could be described as the lap-dog of the government — far from it. I generally purchase the *Weekly Times* because it has great Starpost ads in it. To quote from this editorial:

The success of the Bracks government's new Regional Development Victoria authority will depend on its power to cut through bureaucratic red tape and break down departmental territorialism.

Hear, hear!

Ms Allan interjected.

Mr HELPER — I've got to do my own hear, hears!

I could not agree more with that comment in the editorial. But I have every confidence that Regional Development Victoria will indeed achieve the objective of cutting through, as the *Weekly Times* terms it, bureaucratic red tape and breaking down departmental territorialism. I have every confidence that the bill, when it becomes an act, will indeed deliver that.

A further quote that is really worthwhile — it is quite a few paragraphs down —

Ms Allan — More?

Mr HELPER — Yes, there is more from the *Weekly Times* of 11 September 2002. I quote:

The RDV has the potential to rebuild the front desk and face of state government that was rationalised out of many country towns during the Kennett years.

What an incredibly insightful paragraph by the *Weekly Times*! I could not congratulate the editorial staff of the *Weekly Times*, on this occasion, any more if I tried. It is indeed a very pertinent point, and just to ensure that members of the opposition do indeed get the point I will read it out again:

The RDV has the potential to rebuild the front desk and face of state government that was rationalised out of many country towns during the Kennett years.

Will the opposition please take note!

I appreciate that many other members wish to speak on this bill. I commend the bill to the house, as it will deliver an enormous boost and institutionalised support for regional and rural Victoria — not only to my electorate but to the whole of Victoria.

Mr PLOWMAN (Benambra) — I was pleased to sit here through two outstanding contributions to the debate, from the honourable member for Portland and the Leader of the National Party. That was followed by

a speech of all sorts from the honourable member for Ripon. He starts off by saying, to his own bill, that this bill will bring into effect a statutory authority.

I ask, through the Chair: where did he receive that information? Whoever is advising the government of its own bills obviously does not know what this bill has in it. It clearly does not involve a statutory body or authority.

The honourable member for Ripon went on to say that this bill forms, for the first time there, a body for regional development. Obviously he is too young to remember Murray Byrne's 10-point plan for decentralisation — probably the most substantial decentralisation program ever seen.

Mr Baillieu — Not too young, too silly.

Mr PLOWMAN — I hear the interjection from the honourable member for Hawthorn.

The ACTING SPEAKER (Mr Kilgour) — Order! The honourable member should ignore interjections.

Mr PLOWMAN — I could not help picking up that interjection. The honourable member for Ripon, who is now leaving the house, has suggested this is the first time it has ever happened. I have about eight pages showing what was achieved under the Honourable Murray Byrne's 10-point plan for decentralisation in the Bolte years. In Bendigo the following businesses were developed: Bendigo Mechanical Services, Central Victorian Colour Laboratory, Concrete and Masonry (Bendigo) Pty Ltd and the Derwent Poultry Farm. Many of these businesses are still there. Others included Empire Rubber (Australia) Pty Ltd, EVI Pty Ltd, Fyfe Constructions Pty Ltd, Jansco Jeans, KV Equipment, Ni-Tex Industries, Powermake Constructions Pty Ltd, Sinclair and Duncan Foundries Pty Ltd and Tony Tuck's Windows and Building Supplies. I am not sure whether Tony Tuck's Windows is still there.

Ms Allan — He is still there.

Mr PLOWMAN — That is good to hear. The last is N & O Wessely Manufacturing.

That is a list just of Bendigo companies established under the 10-point plan, going back to a long time ago. To suggest that this is the first time there has ever been a program of decentralisation or a program of rural and regional development shows a complete lack of understanding of what has happened over the years. I could refer to a range of industries developed in towns and cities around Victoria, including Avoca, Ballarat,

Buninyong, Daylesford, Talbot, Dimboola, Horsham, Nhill, Stawell, Warracknabeal, Geelong, Camperdown, Casterton and Hamilton, and the list goes on.

I suggest that the honourable member for Ripon has very little understanding about regional development or about a word that is not used anymore, 'decentralisation'. This is a tiny, inconsequential bill of 9 pages but with a second-reading speech of 19 pages. I do not think I have ever seen a second-reading speech that has more than double the number of pages of the bill. The bill is so inconsequential that it has to be ramped up by a large second-reading speech. All that does is exemplify that the bill is meaningless. Clearly the legislation is a farce, because it is a fiction. The Leader of the National Party likened the government to an emperor with no clothes. I suggest it is more like Imelda Marcos, who kept buying more shoes but never wore them. All it is doing is dressing up the supposed program of decentralisation but not doing anything about it.

Being like me a country man, Mr Acting Speaker, you will be aware that little has happened with decentralisation in your patch in the last three years, just as nothing has happened in my patch. This legislation is a true example of the non-performance of the government. The strange thing is that the government obviously thinks country people are so stupid that they cannot see through this. The government is suggesting that this bill will change everything. But you will have the same people employed in the same department reporting to the same department secretary who is being given a job that the department has had before. Does the government think country people cannot see that for themselves? I have so much faith in country people, and I know they have had enough of promises and empty legislation that means nothing. They will see through this legislation, just as they see through the fact that no development has occurred over the past three years, despite all the promises.

Certainly a lot of money is being poured into some of the regional centres to shore up the Labor-held seats, but what about country Victoria, where we have example after example? What has happened to rail and the promises for the standard gauge? We are no closer than we were to the standard gauge duplication from Albury to Melbourne, and we do not have standard gauge going to the ports, which would allow the double-decking of containers. All of those things were promises of this government.

What about hospital funding? Almost every hospital in my area is short on funds because they were told to employ more nurses to get better nurse-patient ratios.

They were told they would be recompensed for employing those nurses, but when it came to the crunch they were not paid. That is building up the deficits of hospitals. Instead of hospitals being able to develop and provide more health services for the community, they have had to pay for the nurses, who should be paid for by the state government.

What about schools? If you look at all the schools in my area you will see that the PRMS (physical resources management system) funding is at a standstill. Wodonga Primary School, one of the biggest primary schools in Victoria with over 800 students, has classrooms with lifting boards. If honourable members opposite have doubts about that I can show them photographs in the *Border Mail* which clearly identify boards coming off and paint peeling. All these things indicate that the government does not recognise that if you do not maintain public facilities as required it will cost you a lot more later on. This government is not only doing nothing, it is not prepared to maintain schools and hospitals.

I refer to the drought in country Victoria. I know other speakers have talked about it, but it is the most serious issue facing country Victoria. Nothing comes within a bull's roar of it. The government is spending \$50 million or \$60 million on advertising its own programs as pre-election advertisements, but it has committed only a tiny amount to assist all those drought-affected farmers.

Ms Allan interjected.

Mr PLOWMAN — In excess of \$20 million, as the honourable member for Bendigo East tells me, but not a cent has been spent yet. I want to see that money in the hands of those people and communities who need it. This is a cynical exercise. The government should have a good look at itself in respect of its drought policy. It took the government so long to recognise that we had a drought, yet today the Minister for Agriculture said it was extremely broad and worrying. Why did it take so long for him to come to that conclusion?

I will not go any further, but there are other issues such as natural gas, country roads and bridges that I could refer to. I conclude by saying that you cannot fool country people. The legislation is laughable because it does nothing for decentralisation or regional development. All it does is dress them up in new clothes. I believe country people have had enough of the fact that the government has not delivered — and this is yet another example of it.

Ms ALLAN (Bendigo East) — It is very interesting to follow Liberal and National Party speakers on this bill. With their contributions one would think they were opposing this bill, but the Leader of the National Party exposed the reason why they have to support this bill. In his contribution to the debate he said that he did not want to give the government a piece of weaponry against his party and the Liberal Party. The reason is that deep down they would love to oppose this important bill for regional and rural Victoria, but they know they have to support it. They would love to go back to the way they performed during the seven years of the Kennett government and oppose country Victoria at every turn, but they know this is a good piece of legislation for country Victoria and that is why they have to support it.

Regional Development Victoria (RDV) will form the centrepiece of the government's new regional development agenda — a strong agenda that has seen extraordinary jobs growth and infrastructure development right across country Victoria. When you come down to it the reason we need this bill, the reason why we need to enshrine in legislation the formation of Regional Development Victoria, is because if we do not we will risk a return to the treatment of country Victoria that we saw under the previous government where the former Premier referred to country Victoria as the toenails of the state. Country Victoria needs protection from the slash-and-burn policies that we experienced for seven years under the Liberal–National Party government, and we fear there would be a return to those policies if it were re-elected.

Since this government came to power in 1999, from day 1, the opposition has been bagging every good initiative that the Bracks government has put in place for country Victoria, and it continues to do that with this bill. This bill puts rural and regional Victoria back at the centre of government decision making after seven years of the former government. We have had three years of extraordinary regional development under the Bracks government and this bill will cement the growth and development of regional Victoria under the Bracks government for the future.

Let's look at a good example of why we need this protection for country Victoria. I refer to the Department of Agriculture relocation that was started in 1991 under the former Labor government. It is interesting to note that opposition speakers said that Labor governments do not understand decentralisation. The people in Bendigo understand full well what decentralisation under the Liberal Party means. In 1991, under the former Labor government, a decision was made to relocate the Department of Agriculture's head

office to Bendigo. With that came a promise of 270 new jobs for Bendigo's economy. By October 1992, 97 jobs had been established in Bendigo under this relocation. A contract had been signed for a building to be constructed on a site next to the railway station. We even had the former Premier and his Liberal and National Party mates in central Victoria promise that the relocation would go ahead.

But what did we see? After the 1992 election the promise was scuttled. The Department of Agriculture relocation to Bendigo was scuttled. The jobs were taken back to Melbourne and Bendigo was left without those promised 270 jobs. Country Victorians know that this will happen again should the Liberal and National parties form government again in the near future. That is why we need the protection of legislation for Regional Development Victoria.

A number of previous speakers have referred to the issue of the government delivering on its commitments to country Victoria. I refer to the government's rural and regional policy document that it released prior to last election. It has achieved every single one of the commitments outlined in that document. I do not have time to go through every single one of these, but I will touch on a few: establish the Regional Infrastructure Development Fund — done; upgrade the Office of Rural Affairs and create a new Department of State and Regional Development — done; establish the Victorian Major Events Company — done; abolish the catchment management authority tax — done; and abolish compulsory competitive tendering in local government — done!

I think it was the former Leader of the Liberal Party in his contribution to the debate who bemoaned the fact that the call centre attraction program had not been implemented. Can I remind the honourable member for Portland that in the first six months after coming into office the Bracks government encouraged and attracted AAPT to put its Australian call centre head office in Bendigo, resulting in about 400 new jobs for the economy in that region. The Bracks government can stand proudly by what it has achieved over the last three years and certainly sign off on a number of its commitments to country Victoria.

In addition to what I said previously about the opposition's policy on relocation, I also want to talk about the government's program of departmental relocations. Under the Bracks government we have seen the relocation of the State Revenue Office to Ballarat and the relocation of the Rural Finance Corporation to Bendigo. This will be a fantastic initiative for our community, bringing with it 40 jobs. It

really complements the work that has been generated in Bendigo through the Bendigo Bank, North West Country Credit, the Bendigo Stock Exchange and Sandhurst Trustees. It will be a fantastic addition to our region's financial institutions and in turn a great boost to our local economy.

This government is very concerned about jobs in country Victoria, and this bill establishing Regional Development Victoria will result in more jobs being created in country Victoria, not just through the public sector because of the establishment of RDV, but also because RDV will work with local communities to attract investment and future job opportunities to those regions. Public sector jobs are very important to the economies of country communities, whether those employed be teachers, nurses, police or people directly employed in the public sector. These jobs are important to the economy of our region.

In the 1990s Liberal and National party governments — the Kennett government and the Howard government — caused a combined cost to our region of around 1800 public sector jobs. That had a disastrous impact on our economy, particularly because over the decades it had been possible to depend on the public sector employers. They can be depended on to provide stable and ongoing employment. There should be no underestimation of how important public sector employment is in country areas. That is why country Victorians treat very cynically what the opposition has to say on public sector jobs. The Bracks government has already achieved a proud record in those key areas of teachers, nurses and police.

In my own community of Bendigo we have about 13 new police officers and 75 new nurses.

Honourable members interjecting.

Ms ALLAN — I am very pleased to say that we have 75 new nurses at the Bendigo Health Care Group and around 80 teachers in the schools in Bendigo East.

One of the key priorities of Regional Development Victoria (RDV) following its establishment will be an investigation of the extension of the natural gas network. Members on this side of the chamber find it absolutely unbelievable to hear the Johnny-come-latelies in the Liberal and National parties talk about natural gas and promise natural gas extensions. This is the same group of people that privatised the gas networks and made it very difficult for country communities — —

Mr Maxfield interjected.

The ACTING SPEAKER (Mr Kilgour) — Order! The honourable member for Narracan knows full well that he should not display things in the house. I would ask him to cease.

Ms ALLAN — They made it very difficult for natural gas to be extended to country communities. It is outrageous that the opposition would be bleating around country Victoria about the extension of natural gas.

What is almost more unbelievable was to hear the honourable member for Portland refer to the privatisation of electricity. This is the height of hypocrisy. These are the same people who privatised electricity, sold country Victoria out and led to a climate in which country Victorians are paying the highest prices in Australia.

Honourable members interjecting.

Ms ALLAN — Country people in the western region of Victoria are paying the highest retail prices in Australia. That is a fact that cannot be escaped and it is a direct result of the former government privatising one of our state's assets. The privatisation of electricity has been disastrous for country people.

Mr Vogels — On a point of order, Mr Acting Speaker, the honourable member for Bendigo East is not telling the truth.

The ACTING SPEAKER (Mr Kilgour) — Order! I was going to ask for the honourable member's microphone to be turned on, but there is no point of order. The honourable member for Bendigo East, continuing her contribution.

Ms ALLAN — Certainly the Liberal Party can cry crocodile tears over the privatisation of electricity but people in country Victoria know that it was the Liberal Party and its mates in the National Party who flogged off the state's electricity industry forever. That is a fact that cannot be escaped and members opposite cannot hide from.

I would also like to talk about the importance of RDV in attracting infrastructure and investment to country areas and its administration of the Regional Infrastructure Development Fund (RIDF). In passing I would like to remind the house that it was the opposition in the upper house which initially blocked the passage of Regional Infrastructure Development Fund legislation through this Parliament.

The RIDF has been crucial to the development of country Victoria. In my own area it has led to some

special developments. One of the most exciting ones was the announcement last Friday that a company called Empire Rubber will be expanding. With the assistance of \$2 million from the Regional Infrastructure Development Fund and \$4 million from Victrack it will be shifting into the former railway workshop site at Bendigo. This is the Bracks government assisting industry to go into a site which was closed as a direct result of the privatisation policies of the former government. This is fantastic news for the Bendigo economy, and for people looking for work and in the work force in our region. It will be a very exciting development.

In conclusion, all members on this side are working with our regions to see country Victoria go ahead. RDV will be working with local government, local communities and industry around jobs attraction, investment attraction and infrastructure development. We are all working in partnership. The fact is, country Victoria is growing and it is doing very well. However, we need this coordinated effort through RDV to continue this growth.

Members opposite hate to admit this and that is why we have heard them oppose the fast train. If the Liberal and National parties get back into office, they will rip up the fast train contracts. Let there be no doubt about that — the Liberal and National parties will rip up the fast train contracts. This is one of the key infrastructure projects in country Victoria and the members opposite would rip up the contracts.

In my own region the opposition does not support the Calder Highway duplication between Bendigo and Melbourne. We are still waiting for the Liberal and National parties to join Labor in lobbying the federal government for that much-needed funding for the next section of the Calder Highway.

Members opposite certainly hate to see the Bracks government invest in teachers, nurses and police, which, as I said earlier, leads to more jobs in country areas. In their presentations on this bill members opposite should come clean and oppose the bill. At least that way they would be showing their true colours. That is why it is important that we protect regional development in Victoria through legislation from the hangman's noose of members opposite should they ever get back into government.

The warnings were there when the former honourable member for Bendigo East said while commenting on the recent change of leadership in the Liberal Party that it was a change by the Liberal Party back into a cocoon of city politics. I think he summed up very well the

Liberal Party's attitude to country Victoria. That is a great contrast with what the Bracks government is doing with the passage of this bill. For the first time, country Victoria will have a dedicated body to coordinate the delivery of government programs, services and resources. This body will play a key role in the economic and social future of country Victoria. This is great news for people in country Victoria. It is great news for those people who want to live and work in country Victoria. I certainly commend the bill to the house.

Mr VOGELS (Warrnambool) — I am pleased to have an opportunity to speak on this so-called Regional Development Victoria Bill 2002 and the sham that it is.

Mr Hulls — I dare you to oppose it.

Mr VOGELS — I have no doubt that we are heading to an early election, and this government cannot wait to try to pull the wool over the eyes of the people of rural Victoria once again.

I had a look at the infrastructure report the Treasurer tabled last week and looked at some infrastructure developments promised to rural Victoria, mainly in my region. I will go through them. The restoration of passenger rail to Ararat was allocated \$5.4 million and funding expenditure at the moment is nil. The allocation for restoration of passenger rail to Bairnsdale was \$14 million, actual expenditure to date \$749 000. You can go on to Leongatha with \$2.4 million and expenditure nil.

Ms Davies — Excuse me!

Mr VOGELS — It is out of this book here.

Ms Davies — On a point of order, Mr Acting Speaker, it is my understanding that it is not appropriate for members in this house to state incorrect information.

The ACTING SPEAKER (Mr Kilgour) — Order! There is no point of order. The honourable member for Gippsland West will have ample opportunity to speak on that issue when she raises points in her own contribution. The honourable member for Warrnambool, without assistance.

Honourable members interjecting.

The ACTING SPEAKER (Mr Kilgour) — Order! The honourable member for Warrnambool, without assistance!

Mr VOGELS — The source is the 2002–03 *Public Sector Asset Investment Program — Budget Information Paper No. 1* tabled by the Treasurer last week.

Ms Davies — It is out of date.

Mr VOGELS — It is out of date already? It was tabled last Thursday but I would not doubt it is out of date.

For the standardisation of regional freight lines, which is very important in the south-west of Victoria for mineral sands, et cetera the funding allocation was \$96 million; expenditure to date, \$5 million. For the Wodonga rail freight and urban development the allocation was \$30 million; expenditure to date \$851 000.

Under the budget for the Department of Natural Resources and Environment the Sunraysia Horticulture Centre was allocated \$3.5 million, and actual expenditure to date is nil. Marine park vessels, which are meant to be out there when we have developed these marine parks to make sure there are no people out there pinching stuff — were allocated \$630 000 to the end of June, and the actual expenditure is nil. Regional telecommunications statewide — \$3 million, actual expenditure nil. Maryborough police station — \$4.5 million, actual expenditure \$504 000. A 10-year cell safety project so we do not have prisoners sitting in cells in police stations was allocated \$50 million but the actual expenditure so far is \$4.24 million. Police protective equipment to keep our police safe — actual expenditure for the last year was supposed to be \$7.8 million but the expenditure was nil. Apsley police station in the Western Province — \$250 000, expenditure nil. Branhholme police station — allocation \$250 000, expenditure nil.

Casterton Secondary College was allocated \$612 000, but the actual expenditure is nil. Merrivale Primary School was allocated \$928 000, and the government has actually spent \$361 000 there.

It is all just smoke and mirrors — it is all nil for nil. The minister goes on in his second-reading speech to say:

Regional Development Victoria will be a practical, no-nonsense body that gets on with the job, working alongside local councils to put projects on the ground and create local jobs.

This legislation will bring another layer of bureaucracy that local councils will have to try to wade through, and eventually when they get through that bureaucracy there will be another layer and another layer. I see this legislation as just window-dressing.

The minister goes on in his second-reading speech to say that building approvals are at record levels. The simple reason for that is that our interest rates are probably the lowest they have ever been, and when you add the federal government's first home buyer scheme grants of \$7000 and then \$14 000, people have been out there building houses. But what the state government is doing is collecting stamp duty at an average rate of \$14 000 a house and ripping it straight out of the system.

The minister talks about having \$12 billion worth of food exports by the year 2010. This is a project that has been in place for nearly 10 years, so hopefully we will get there by the year 2010. I hope the drought will not have too big an effect on that.

I see one of the credits the minister has claimed is Murray Goulburn Cooperative and its major new investment in Koroit, with total sales of around \$2 billion and exports of more than 400 000 tonnes of dairy products. The state government put in \$63 000 for a turn-in lane on a \$50 million project, yet it claims the credit.

Mr Dixon interjected.

Mr VOGELS — Yes, a turn-in lane. The co-op got \$63 000 on a \$50 million project, and here we have the government claiming credit for it.

There is no shortage of talent, ideas, determination and courage in country Victoria. That is despite the shackles that are often put on by government and the red tape that results. The minister talks about the budget, saying:

Over our first three budgets we have spent over \$2 billion in rural infrastructure.

He is, of course, counting the \$50 million that the dairy farmers paid for at Murray-Goulburn as part of his infrastructure development.

If we were honest we would be debating the percentage of the budget that is spent in rural Victoria. Under the Kennett government, around 32 per cent of the budget was spent in rural Victoria, but this government has never got over 28 per cent in its three years in office. That is the more genuine figure. Because of the income that is being raked in et cetera, the dollars are not all that important. It is the percentage of the budget that is spent in rural Victoria that is important. It was 32 per cent; now it is down to 28 per cent. It is a disgrace.

Mr Hulls — So is your speech!

Mr VOGELS — The minister interjects. He has been to Warrnambool three times, I think, or maybe four times.

Honourable members interjecting.

The ACTING SPEAKER (Mr Kilgour) — Order! The honourable member for Warrnambool should ignore interjections. The Attorney-General knows that he should not be interjecting across the table. The honourable member for Warrnambool, without assistance.

Mr VOGELS — The minister tried to scuttle the \$8.8 million Warrnambool court house project, but could not because it was already in the forward estimates. He has been down there three or four times now announcing it, and still not one brick has been laid. Of the \$8.8 million, in three years they have spent only \$1151 in developing it. I hope the minister comes to Warrnambool on Sunday, because we have the races on. That will be another great day, and he can go to Avoca as well on Saturday — another great day.

Mr Hulls interjected.

Mr VOGELS — We talk about hospitals and aged care services. In the last three or four years of the Kennett government I went to hospital openings at Port Fairy, Koroit, Mortlake, Timboon and Apollo Bay, and the next ones on the list were Camperdown and Terang. They are still waiting after three years. Hopefully they are still in the pipeline.

I went to openings of police stations at Lismore, Port Campbell and Warrnambool, but there has been not one new police station under this government in my area. In his second-reading speech the minister said:

Community halls are being rebuilt and restored.

I would say to the minister, 'Name one'. He said:

Regional rail lines are being reopened.

Where? I have not seen one reopen.

Environmental flows will be restored in our great rivers — the Snowy ...

I think that is an indictment in a drought year. It is not something of which you should be proud. Some 38 000 megalitres have been sent down the Snowy, worth in today's market prices, given what farmers are paying for it, probably over \$10 million. Yet here we are running it into the ocean in a drought year. That is a disgrace. He should come out and say, 'This is a good project, the restoration of the Snowy, but we will not do it in a drought year'. The minister said:

Our country road network will be the best in Australia.

Thank God the federal government is putting funding directly into local councils now instead of going through the state government, because if it comes to here we will never see it back in rural Victoria.

This is a drought year, but dairy licensing fees have approximately doubled. Instead of having a flat rate — I think the highest could be \$180 a year — this government has changed it to a volume charge. Probably nobody could argue that a volume charge is not fair — 0.1 cents a litre is probably fair — but to do it based on last year's figures when in a drought year the average dairy farmer will be lucky to get half the produce of last year — and when his fees will double — is I think pretty tough. The minister also said:

Right around the state, people have come along to regional and community cabinets ...

I went to the one in Warrnambool. Most of people I spoke to after said, 'How did you go?'

An honourable member interjected.

Mr VOGELS — Exactly. They know me very well in Warrnambool. They got lectures. 'Yes, we will look into it and have another inquiry'.

Ms Duncan interjected.

Mr VOGELS — I am reading straight from the minister's second-reading speech:

Right around the state, people have come along to regional community cabinets, to the rural and regional mayors summits.

The mayors tell me, 'Boring, boring, boring and more boring'. It is absolute rubbish, and less and less are coming each year. A lot just tick off and then go down the street and do a bit of shopping, because it is the one time of year they now come to Melbourne.

An honourable member interjected.

Mr VOGELS — No, they are not on a gravy train at all; real mayors are not.

In conclusion — and I probably should wind up — there is no doubt that this government is racing to an early election while trying its old smoke and mirrors trick. It has not delivered for the last three years. As with most of the things I have read out, it is a case of promising heaps and spending zilch. The government is going to try and hoodwink the public, or rural Victorians in particular, one more time by going to an

early election before they wake up that nothing is happening.

I would say, 'Get on with delivering projects to prove you are genuine. Let's start connecting the gas to towns. Let's get enough generating capacity out there so our power bills do not double next year when the subsidy goes off in April'. Why is that not happening? Because the generating power is not there, because it has not built any new facilities to produce the power.

Ms Duncan interjected.

Mr VOGELS — David White sold it off. David White sold off the Loy Yang B power station under the Kirner government. We are — —

An honourable member interjected.

Mr VOGELS — Victorians and Australians are obviously a society that is prepared to give new governments a honeymoon period. This government was left with a surplus of \$1.7 billion, which it has managed to spend. We are down to \$200 million, according to the Treasurer — we are about to go into the red — and basically none of the major projects has been delivered. No fast rail — you name it, it just is not there. There is no courthouse in Warrnambool — and that is what upsets me the most.

This bill will deliver another layer of bureaucracy that small businesses and local governments have to wade through to get to the next layer, with another lot of people wearing cardigans sitting at desks, then the next layer, and nothing will change.

Honourable members interjecting.

The ACTING SPEAKER (Mr Kilgour) — Order! The honourable member for Gisborne does not need assistance before she commences her presentation.

Ms DUNCAN (Gisborne) — I am interested to hear the honourable member for Warrnambool speak on the bill. I would not want to hear him speak against a bill if that was a speech in favour of one. It has been interesting to hear the members of the opposition supporting the bill — 'but'. It is like what happened with many of the bills we have seen in the Parliament in the last session: opposition members said, 'We support the bill, but' and then they spend the next 10 or 15 minutes criticising the same bill that they then move to support. I suspect that if it is not their legislation, if it is not their idea, it is a bad idea but if it is their idea and their legislation it is fantastic.

I am pleased to speak on the Regional Development Victoria Bill. It puts in place another Bracks government commitment made before the election, and that was to growing the whole of the state, not just to the end of the tram tracks of the Melbourne CBD where we know the previous government had a particular focus. Through each successive budget this government has demonstrated that commitment.

The purpose of the bill is to facilitate economic and community development in rural and regional Victoria by establishing the statutory body known as Regional Development Victoria. The aim is to enhance policy development and program and service delivery to ensure that regional Victoria gets the best of investment opportunities — gets the share of investment opportunities that it needs and deserves. For many years in the past it has often been neglected.

The functions and the powers of this office will be used to enhance the economic development of rural and regional Victoria. It does that by setting up a number of things. One of the key features is the advisory committee. It will be a benefit to Victoria; the knowledge and experience of people in regional Victoria will be pooled and we can use and build on their knowledge and experience to make this state the best it can possibly be. To a large extent the role of the advisory committee is to advise the government on matters relating to economic and community development. It will also play a major role in promoting rural and regional Victoria. The members of the committee must come from rural and regional Victoria and have skills and knowledge in economic development, community development, finance and marketing. These people will work with state government and local government — all levels of government — to ensure we make regional Victoria the best it possibly can be.

The principal functions will be to facilitate new investment in rural and regional Victoria; to facilitate the operation and growth of existing businesses in rural and regional Victoria; to facilitate the creation of jobs within the private and public sectors; and to propose rural and regional infrastructure development opportunities. This builds on the existing policies of the Bracks government, on projects like the Regional Infrastructure Development Fund and a number of other key government initiatives.

The only thing from the honourable member for Warrnambool I would agree with is where he says, 'Let's get on with the job'. This is what the Bracks government is saying. We have put a lot of work and investment into many of the projects that we are now

seeing come to fruition. We look forward to many of those continuing on — for example, the regional fast train. I look forward to seeing the benefits that service will deliver and, like most good projects, they cannot be done overnight. They cannot be planned and developed overnight, as the opposition would have us believe.

Sitting suspended 6.30 p.m. until 8.02 p.m.

Ms DUNCAN — I will go on and speak a little further about the Regional Development Victoria Bill 2002, which as I said earlier puts into place another Bracks government commitment. In my view the key piece of this legislation is a further demonstration of the Bracks government's commitment to growing all of Victoria, not just the city centre. It is also a recognition that Victoria does not stop at the end of the tram tracks, as we have seen previously.

The bill builds on the fabulous growth in country Victoria, the commitments made by the government in successive budgets and on all the government does in delivering benefits to country Victoria. Building approvals are at record levels and regional exports are increasing. Food and fibre exports reached over \$7 billion last year, which is a massive increase of 43 per cent over the last two years. Regional Victoria is kicking on.

The bill will help to continue the good work of the government. From my point of view one of the things I look forward to the bill delivering on is the extension of the natural gas network into regional Victoria. There have been no extensions to this pipeline over the past five years. The opposition has now recognised that perhaps this is something that might deliver some benefit to regional Victoria. When in government it had seven years to do something but did nothing. Rather than doing anything it put enormous impediments in the way of extending the gas pipeline, so while it may have been difficult previously it is now a lot more difficult.

I am very proud to be part of the Bracks government, which has the political will to implement this extension. I look forward to seeing Regional Development Victoria turn its attention to this critical issue of gas network extension. The gas pipeline is a priority of this government, and its extension is a good example of how Regional Development Victoria will focus on the needs of country Victoria. I commend the bill to the house.

Mr DIXON (Dromana) — It was interesting that in his contribution the honourable member for Warrnambool talked about a long list of regional projects in his area that were promised but have failed

to come to fruition. The same situation is reflected in my electorate. Many signs announce that these projects are going to start, but they have never actually started.

Mr Robinson — The sign-writers are well employed.

Mr DIXON — As the honourable member for Mitcham says, the sign-writers are well employed. The signs go up 18 months before anything happens. A sign has been on a couple of major road projects in rural areas in my electorate for a long while but not one piece of roadwork has been done. The smallest piece of minor roadwork, which was worth about \$50 000, was done quickly, but the sign is still there 12 months after the project was finished.

Before I start my brief remarks I would like to mention amendment 2 put forward by the honourable member for Gippsland West, which proposes to amend clause 13. Clause 13 reads:

A member of the Committee holds office for a term not exceeding 3 years specified in his or instrument of appointment and is eligible for reappointment.

The honourable member proposes that the word 'her' be added to that clause. I can only surmise that the original bill was written before the Labor Party conference in Queensland when the 40 per cent rule was invoked, so 'her' must be added. The honourable member for West Gippsland has very nicely done the bidding of the government, corrected its spelling and grammatical errors and has taken the rap for that. This should have been a government amendment rather than one proposed by the honourable member for Gippsland West.

I turn now to the bill itself and how it affects my electorate. I do not think Regional Development Victoria will make a huge difference. The opposition does not oppose the bill, but there is no need for legislation. RDV is being established by an act of Parliament because the government would like to be seen to be doing something for regional Victoria.

It will service 47 municipalities in the state, but my concern is that it can include nine interface councils, one of which is the Mornington Peninsula Shire Council. The Mornington Peninsula Shire Council is about 70 per cent rural and 30 per cent urban. It is growing; it has a high growth rate of 2.5 per cent. The uncertainty this bill provides for these interface councils is the fact that they are really at the whim of the minister as to whether any of the projects they would like to get up in their municipalities will be eligible

under the fund and the committee that will be set up through this legislation.

Rather than having something straightforward and clear cut where, if a project is to be in a rural area — and I think what is a rural area and what is an urban or built-up area are fairly easily defined — this legislation should just automatically apply to it, rather than the nine interface councils having to apply to the minister and ask that a special exemption be given to an area of the municipality that could benefit from a capital project.

I think this is very much a hit-and-miss way of going about business. It brings a lot of uncertainty to these shires and city councils. It is certainly in great danger of being politicised, because I can see some picking and choosing going on about what is and what is not a rural area. I dare say it will have nothing to do with the land use but will have more to do with the margin of the seat.

Often it will be too little, too late. If there is a long process of applying to the minister for exemption, by the time that goes through the bureaucracy, into the minister's office and back again to the shire or city council, it is probably too late for it, or they have missed the funding round, or whatever the case might be.

It is good for the interface councils to be recognised. I have worked very hard with the Mornington Peninsula Shire Council to have it recognised, and that council and the other interface councils have done a great job in being recognised. You just cannot have clear black and white lines between what is a rural and what is an urban area. These interface councils that are recognised in this bill are very important to Victoria. Each of them has a different constituency, different issues, and different capital needs, and that needs to be recognised. They are not city, they are not rural, and as I said, the council in my area is 70 per cent rural.

I have looked at the figures for what sorts of capital works need to be done within the Mornington Peninsula shire. They identify that over the next five years about \$110 million worth of capital works need to be done. They have an expected expenditure of about \$55 million — that is all they can possibly raise through their rates — and so have a shortfall of \$55 million. If they can access this fund it will be well worth it for them.

Probably one of the two greatest capital needs is an expansion of public transport. We now have a better service, but it certainly needs to be included in the Met

and expanded into the more remote and rural areas of the electorate. We are also one of the two interface municipalities that does not have a drainage authority. The drainage throughout our shire is very much hit and miss; there is no authority to control and coordinate it. That needs to be addressed, in terms of not only management but also capital works.

With those few words I wish the legislation well, but with the proviso that the interface councils have something far more cut and dried than what they will have with this legislation.

The ACTING SPEAKER (Ms Barker) — Order! Prior to calling the honourable member for Mildura, I remind honourable members that if they wish to have a conversation, they should leave the chamber.

Mr SAVAGE (Mildura) — I rise to support the bill. I am aware of the time elements here, and I will make my comments brief.

I have to say that things have come a long way since I was first elected to this place. I acknowledge the good work that has been done with regional development by this government. To steal the words from the second-reading speech, I will say that much has already been achieved, much more is to come, and there is still a lot more to be done. I have to echo those words; there is a fair degree of catch-up needed, and some of the projects are not in sight. That is the thing that concerns a lot of us in this place. I know that when governments do things it takes a long time, but there seems to be an inordinate delay in achieving some of these outcomes.

The bill will set up a regional statutory authority that will report to and receive direction from the minister. The boundaries will be between Melbourne and regional and rural Victoria and will be determined by local government authorities, and extend to the municipalities of Cardinia, Casey, Hume, Melton, Mornington Peninsula, Nillumbik, Whittlesea, Wyndham and Yarra Ranges.

I have to make some reference to the Eureka Project, which has reported on what has happened in regional Victoria since the last election in a discussion paper it has put out headed 'What is country Victoria saying three years after its revolt?'. It is an interesting discussion paper, and the project has come up with some very brief notations in a discussion note headed 'Three years later: what does country Victoria have to say?'. The discussion note states:

Government departments are running the agenda

Big projects are no substitute for recurrent program funding

Bureaucrats are too political and out of touch

Only a handful of ministers have earned respect

Local solutions and experience don't count for anything

'Community capacity building' is being left to chance

Small towns and villages still out in the cold

As I have indicated, there is certainly much to be recognised with this government, but there is a lot to be done. I think the Eureka Project discussion paper should be given some merit in taking notice of these issues; otherwise we are doomed to repeat the mistakes we already have.

The paper quotes one delegate as saying:

It's a bloody long day, driving 8 hours to Melbourne and back for a 20-minute meeting.

Many people in the bureaucracy do not seem to realise that. The document also reports that added to that, there is an increased influence of ministerial advisers in their own right. I think that becomes a barrier between the community, the public service and ministers, and that there needs to be a greater flow of information going direct to and from ministers and communities.

The paper also states:

'Community building' in country Victoria means that ministers, advisers and most especially bureaucrats need to be spending serious and thoughtful amounts of time in the country on a regular and reliable basis. This needs to be the philosophical backbone of the way the government departments do business rather than just being seen as a cosmetic 'add-on'. The centralisation of authority and policy development has to end.

I think that document should be well read by most members of Parliament. It is not a criticism of the Minister for State and Regional Development. I think he has shone in this area, and I think his leadership led to 28 per cent of the population getting some recognition in capital works — and I think the budget before last showed 40 per cent.

As the second-reading speech says, much is needed to be done, and we need to refocus the balance between city and country. Everybody is deserving of a fair share, and I am sure this Parliament will ensure that that happens. I wish the bill a speedy passage.

Mr MULDER (Polwarth) — I rise to make a brief contribution to the Regional Development Victoria Bill. It is very important that we as members have a good look at this piece of legislation.

I refer to clause 5, which refers to the functions and powers of Regional Development Victoria. I could go through each paragraph, (a) through to (l), and I could

also pick up on some of the amendments. But each paragraph picks up the issue. I start with the first one — facilitate — then the others state the following functions: facilitate, facilitate, propose, facilitate, facilitate, administer money, promote, facilitate, liaise. That is about all this bill does.

This bill does absolutely nothing. It does nothing for the people of Victoria and it does nothing for rural and regional Victoria. It is an absolute brick wall between the minister and local government. It is designed to slow down projects right around rural and regional Victoria.

The bill does nothing! It is a 9-page bill with a 19-page second-reading speech. That we are even discussing this piece of legislation is an absolute slander. We are wasting people's time and we are wasting the Parliament's time, because the bill does nothing. It contains six 'facilitates', one 'propose', one 'promote', one 'liaise', and one 'administer money'. The bill does nothing and it is an absolute disgrace that it has been introduced into Parliament.

Around rural and regional Victoria all we ever hear about is the applications that are being made to the Regional Infrastructure Development Fund (RIDF) and the delays. This bill sets up a brick wall between the minister and local government and the people who are trying to get the projects up and running. Is it any wonder the people out there are saying, 'You are an absolute do-nothing government because you brought legislation into this Parliament which is a stunt. It does nothing. It shuffles around public servants and does nothing. If you could start a project you would be able to put your hand up and say, "We have done something"'.⁶

Mr Trezise interjected.

Mr MULDER — The honourable member for Geelong should not start to interject. There he was through the week walking down the Geelong Road with the Minister for Transport. He should have been over the rail looking at the — —

The ACTING SPEAKER (Ms Barker) — Order! The Minister for Local Government is out of his place and out of order. The honourable member for Polwarth should ignore interjections.

Mr MULDER — I will ignore the interjections, but I will pick up the issue in relation to the honourable member for Geelong, who must be getting very sore from sitting on fences. He has never made a move in any way, shape or form. He was happy to walk down the Princes Freeway and have his photo taken with the

Minister for Transport when what he should have done was jump the fence and have a look at the fast rail projects. With not a spike in the ground in three years how dare you even think of announcing another road project for Geelong when there is nothing happening in that regard.

The ACTING SPEAKER (Ms Barker) — Order! The honourable member should direct his remarks through the Chair!

Mr MULDER — I am sorry, Madam Acting Speaker. As I said, when this piece of legislation was first brought into Parliament we thought it would do something for rural and regional Victoria, but this bill does absolutely nothing.

The government needs to look at issues with reference to the policies of the Liberal Party. There is the policy of the Liberal Party in relation to natural gas in rural Victoria. If only the government had followed the line we took on waste water treatment plants in the small town sewerage schemes right around Victoria and introduced that process into natural gas, allowing municipalities to apply for natural gas projects and get those types of infrastructure programs up and running, I believe it would be heading in the right direction.

This government is the blocker, the filter, the slowdown — a do-nothing government for rural Victoria. You can look at all of those projects and then look at the Liberal Party's current policy on bridges, which is a bridge program to introduce infrastructure into rural Victoria. We would deliver! That is the very difference between the Liberal Party and the Labor Party. We would not talk about it, we would actually deliver.

Mr Maxfield interjected.

Mr MULDER — It would be very interesting if I could show the honourable member for Narracan, who is keen to jump up and down there, the difference between the last two years of the Liberal government and the first two years of the Bracks government. The blue is the Liberal Party, the red is the Labor Party. On infrastructure in rural Victoria \$100 million more was spent by the Liberal Party. Whether it was in education or health the Liberal Party outgunned Labor. The Liberal Party outgunned the government bunch of do-nothings on infrastructure spending in every single quarter looked at.

I could take honourable members through my own electorate of Polwarth. Water initiatives in the electorate included waste water treatment plants for Bannockburn and Timboon, and sewerage work at

Mortlake. What happened to all the infrastructure projects that should have followed on from what the Liberal government introduced? They have all ground to a halt, to the point where the Australian Bureau of Statistics announced that the government had cut spending on water infrastructure.

Mr Maxfield interjected.

The ACTING SPEAKER (Ms Barker) — Order! The honourable member for Narracan will have his turn.

Mr MULDER — The government has cut spending on water infrastructure for the state of Victoria by 55 per cent. That is on top of all the announcements that have been made by high-profile businesspeople around the state that we should be spending more. The government is hopeless. It has done nothing. It is nothing more than an insult to the people of country Victoria. People who pay taxes should not have to listen to this.

Mr HARDMAN (Seymour) — That was an interesting diatribe from the honourable member for Polwarth.

It is a great pleasure to speak on the Regional Development Victoria Bill 2002. I will take a lot less time than the previous member, but I am sure my contribution will have a lot more substance. The bill encapsulates what the Bracks government has been doing for the last three years in Victoria and what it intends to do in the next three or four years as well. Honourable members in this house know the importance of providing investment opportunities for business — —

Mr Perton interjected.

Mr HARDMAN — Madam Deputy Speaker, I would like to have less assistance from the other side.

Mr Perton interjected.

The ACTING SPEAKER (Ms Barker) — Order! The honourable member for Doncaster should cease interjecting.

Mr HARDMAN — Since the election of the Bracks government there has been a massive increase in spending in rural Victoria. I have but to go around my own electorate to see it. I could tell the house about Marysville, where there is \$2.3 million in regional development funding for the Lake Mountain resort. But guess what? The federal government was going to give only a few hundred thousand dollars for part of that,

and although the federal government's part of the money has gone missing Lake Mountain is going ahead. It will be a great centre for people to visit. At the moment honourable members are probably aware there is a car park and maybe somewhere to grab a cup of coffee, but in future there will be restaurants, catering services and places for things like shops to be established. That will be a great boost for my electorate and for country Victoria in general.

Just down the road from Lake Mountain is Marysville itself. Recently at Marysville the government announced \$469 000 from the Regional Infrastructure Development Fund (RIDF) for streetscaping and drainage in the main street. It is a great project. Later on the same day we went to Alexandra. There was an announcement of \$100 000 for the Alexandra visitor information centre, a project that was being worked for under the previous government but could not be funded.

In my electorate the Murrundindi technology project is in place. That \$500 000 RIDF project will assist people in the trout industry, the timber industry and other local industries in general, to get their products to markets in a less damaged fashion. Also, the wine industry in that area is booming. That was a great project from the RIDF.

In the place where I used to teach, Flowerdale, the Treasurer recently announced a great link project. Flowerdale has quite a long town area with little streets off the main road, the Yea–Whittlesea Road. A path to link the people is going to be built 5 or 6 kilometres down to the south of Silver Creek Road, right up through to the Flowerdale hall and school. The hall will be done up and there will be a couple of rest areas. These are facilities the town has never had and it has been crying out for them for a long time. The Bracks government has delivered through this project.

This bill enshrines the importance of regional development in Victoria through what is described as a statutory body. This bill also brings in rural community development officers — probably one of the most important Bracks government initiatives. Members opposite will know, if they are doing their jobs properly, what the officers can do for our local communities. Rural community development officers can get out there into those communities, assist people in finding the types of programs and projects they can apply for and then help them write the submissions and get them in. Communities have been saying for a long time, 'We haven't got the skills, we haven't got the ability. Our volunteers are too old and tired to apply for these types of funds and to know how to go about it'.

These officers are there to assist. That also assures a great spread of funds around country Victoria, which is a great thing as well.

The purpose of the bill is to make sure that economic and community development occurs in country Victoria and to make sure that the right opportunities are there for investment in country Victoria. It would be great if there were not so many election speeches being read by the other side of the house and if we got on and passed the bill to allow time for other important legislation that is coming on later tonight — and there is a great group of people in the gallery who are interested in that. I commend the bill to the house.

Mrs FYFFE (Evelyn) — I read this bill with interest when it first came into the house, only to be so disappointed, because I thought we were actually going to get something happening for rural and regional Victoria.

This government promised so much in 1999, but it is really treating rural and regional Victoria with contempt. There is a lack of interest in country Victoria. We have a 19-page second-reading speech to go with a bill that goes for 9 pages, which is obviously meant to pad it out. And despite this 19-page second-reading speech, this bill was not deemed important enough to be debated last week.

The bill lacks substance, it is not necessary and it is only window-dressing. It is more of the smoke and mirrors that we had so much of in the first two years of the Bracks government. All it does is rename a department. Does it speed up the Regional Infrastructure Development Fund? There is no indication of that anywhere. It is just about rebadging and extra costs. The one thing it does is enable the interface councils, at the minister's request, to access funds from the Regional Infrastructure Development Fund — but that is the only thing it does.

To see what has happened with rural and regional Victoria you should look at fencing. The previous government said the Crown should pay half the costs of fences destroyed or damaged by natural disasters or, alternatively, provide fencing materials or access to timber on Crown land. This government dismissed the costs involved because of the budget implications, yet it can afford more bureaucrats.

What has happened to the regional fast rail? Nothing — not one spike has been laid.

When you look at roads — the Calder Highway and the Carlsruhe Bypass — you see that the funding allocation in 2001–02 was \$25 million but the actual expenditure

was only \$6.48 million. When you look at infrastructure — for example, the passenger rail to Bairnsdale — you see that it is a \$14 million construction project, and the funding allocation in 2001–02 was \$4.8 million. How much has been spent? The answer is \$748 000.

The restoration of the passenger line to Leongatha is a \$5.6 million construction project, and the funding allocation in 2001–02 was \$2.4 million. How much has been spent? Zero. The restoration of the passenger rail to Mildura is a \$7.7 million construction project, and the funding allocation in 2001–02 was \$2 million. The actual expenditure? Zero. The standardisation of the regional freight line is a \$96 million construction project. The funding allocation in 2001–02 was \$10 million, but the actual expenditure was \$5.329 million. And on it goes.

If you look at the Sunraysia horticultural centre, you see there is a \$3.5 million budget to modernise facilities, with funding allocation of 2001–02 of \$1.3 million. The actual expenditure was zero. For regional telecommunications statewide, including a \$630 000 infrastructure installation, the funding allocation for 2001–02 was \$2.4 million — and the actual expenditure was zero.

If you look at police stations you see that the funding allocation for Gisborne police station was \$1.8 million, but the actual expenditure was \$159 000 — and so it goes. Kaniva had a funding allocation of \$554 000 but the actual expenditure was \$51 000 — which shows this is a do-nothing government. Kilmore police station had an allocation \$1.2 million but expenditure of \$239 000. I have pages and pages of these promises and pages and pages of budget allocations — but nothing has happened. For Ocean Grove the funding allocation was about \$1.7 million but the actual expenditure was \$680 000. For Romsey we have the 10-year project to upgrade cells and buildings: although \$5 million was allocated in 2001–02, only \$4.242 million was spent. We also have the diversionary program for Aboriginal offenders: although \$1.75 million was allocated in 2001–02, actual expenditure was \$4000.

We have an integrated road safety campaign for which the allocation has not been spent, as well as an allocation for Yackandandah police station that has not been spent and zero allocations for Apsley, Branhholme and Chiltern police stations.

It was interesting to note that when the honourable member for Portland was listing a lot of things for which the money had not been spent the honourable member for Ripon interjected, probably thinking he

was being clever, saying, 'Ha, ha! Look at the money we have saved'. The government has not done anything for country Victoria. It has been so slow getting off the mark: it has been making promises and making budget allocations but not actually spending. The Bracks government — —

Honourable members interjecting.

Mrs FYFFE — I am trying to talk faster, Madam Acting Speaker, because I understand there is an agreement that we only have 6 minutes each. I really have an awful lot to say.

I want to close by commenting on the timber industry restructuring — that is, the logging cuts that are going to break small communities. Premier Bracks said he would govern for all of Victoria, including rural Victoria. The timber cuts will cost at least 600 jobs directly in the forest industry. The special packages offered to the timber industry are a joke.

During the adjournment debate last week the honourable member for Gippsland East raised the need for the government to make decisions and take action, because its indecision is ruining industry. People do not know what to do, including whether to invest in new machinery. The banks are looking closely at their finances. The timber industry is not progressing while the government sits on its hands and dillies and dallies and does not give clear directions by making clear decisions. There is a lot more I would like to say on what is not being done for rural and regional Victoria. The wide-ranging 19-page second-reading speech opens the door for us to argue all these points.

Ms DAVIES (Gippsland West) — I support the Regional Development Victoria Bill, along with every other member of the Parliament, despite what some honourable members are saying. The bill sets up the statutory body, Regional Development Victoria, which has a significant range of apparent responsibilities, including facilitating new investment, facilitating the operation and growth of existing businesses and facilitating the creation of jobs and so on. I have added a couple of extra duties in the amendments I have circulated in the house, including that the body should facilitate the development of information technology infrastructure in rural and regional areas and liaise with the Department of Education and Training on the development of education and training opportunities in rural and regional areas. I have included those to stress to the minister how important proper IT infrastructure and education and training opportunities are to the development of business and employment opportunities in rural areas.

I agree with the opposition that there are clear and definite elements of window-dressing in the structure to be established by Regional Development Victoria. The issues this body will deal with should be dealt with by the Department of Infrastructure or the Department of Innovation, Industry and Regional Development, as it is now called. The legislation will cause that part of the department to stand out a bit more.

The potential improvement created by setting up this body is in the clarification of roles and in providing a more overt structure for councils, individuals and groups in rural and regional areas. The legislation has the potential to clarify a structure rather than allowing it to be opaque, vague, formatted and bureaucratic. That is enough to encourage me to support the bill.

The clear advisory structure provided through the Regional Development Advisory Committee has the capacity to do good. Creating a responsible authority that is answerable to the minister has the potential to stop the department from being the fiefdom of a minister and enable it to be a more open and overtly obvious structure. Whether it works will depend on the intent and practice of the minister.

I acknowledge the proactive efforts of the Minister for State and Regional Development. He has vastly increased and improved the status of and focus on regional issues under this government compared to past governments. I note there is still a long way to go in rural areas in bringing essential major infrastructure into our region.

Whether it be through this structure or through the minister, the government must ensure the extension of natural gas into rural areas. It must continue its efforts to ensure freight is carried on our soon-to-be reopened rail lines so that those B-doubles are moved off our highways.

The government must acknowledge and commit to the building of the Pakenham bypass. The Gippsland local government network comprises seven councils in the Gippsland region. It made the Pakenham bypass the major priority more than three years ago. I remind the minister of a document I sent him at the end of 1999 which urged the government to accept the network as a body that was able to accurately identify development priorities in Gippsland. That document urged closer cooperation between local councils and the government and urged the government to accept the Pakenham bypass as a priority.

Contrary to the contribution of the honourable members for Warrnambool and Evelyn, who were not correct —

I do not know how many other members of the opposition read the same briefing paper — I am pleased to acknowledge the early work that has been done on the reopening of the South Gippsland rail line. Somewhere between \$600 000 and \$750 000 has been spent on three bridges and track work between Korumburra and Leongatha over the last couple of months. I think the book opposition members have been reading is out of date. The latest work on that line is the upgrading of the station at Nyora. The people of that town have spent a lot of time and effort to make their town square look attractive, and they will be very pleased that the station, an essential part of their focus, will match up. All those things are appreciated by the residents, and they are vital to the development of the South Gippsland tourist rail, a valuable tourism attraction in our region.

The last part of the bill that I highlight is the specific acknowledgment, which I commend, of the special needs of interface shires. Under this legislation the Minister for State and Regional Development can instruct the authority to allow the rural parts of interface shires to participate in programs designated for rural areas, which is important. They will still not be able to access the Regional Infrastructure Development Fund. I have had many conversations with the Treasurer about this issue, and it is clear to me that those shires have special needs and require their own special funds to deal with the growth pressures they face.

This part of the legislation provides a pathway for stepping beyond the barriers that interface shires such as Cardinia shire in my own electorate face. I am pleased that progress is being made on this issue, and as I said before, I look forward to continuing progress.

It is very obvious that rural areas are way behind in the services and infrastructure which metropolitan areas have taken for granted for a long time. It is also obvious that we cannot fully grow, develop or help ourselves without the additional support of that extra infrastructure.

Amendment 3, which I have circulated, aims for a more substantial planning process than the annual reporting, which is required in the bill. It aims to ensure that the authority develops long-term plans that are openly available and capable of being discussed.

The government has indicated that it will not support the amendments but will consider the issues that are raised by the amendments. I ask the opposition to consider whether it can support the amendments. However, in general I am pleased to commend the bill

to the house with the proviso that it is very necessary to make this work, not just make it a token gesture.

Mr JASPER (Murray Valley) — I am pleased to join the debate on the Regional Development Victoria Bill. I have listened with a great deal of interest to the contributions from members on both sides of the house, and particularly the contribution from the Leader of the National Party, who sought to put into proper perspective the legislation that is before the house as far as the National Party is concerned and to highlight the difficulties faced by people who live in country areas of Victoria.

I was disappointed with the rhetoric contained in the second-reading speech presented to the house by the Treasurer. He gave no credit to previous governments — and I repeat, governments — of this state for what they did in the past. I get angry when I hear members in the government benches say nothing happened in country Victoria in the years between 1992 and 1999. I have invited members such as the honourable member for Seymour and the honourable member for Bendigo East to visit my electorate of Murray Valley to see that despite the difficulties we face in country Victoria developments have taken place over a long period of time.

I noted also that in the second-reading speech the minister indicated that the creation of an organisation similar to Regional Development Victoria had been suggested in the early 1970s, and he seemed to blame the conservative side of politics for not introducing an organisation such as that created by this bill. What he forgot was that from 1982 to 1992 a Labor government was running Victoria, and had it been so keen to see development in country Victoria surely it would have introduced this sort of legislation during that period. I take issue with the Treasurer purely and simply on the basis of the comments in his second-reading speech. I commented on the Treasurer's rhetoric in the early part of the speech, and also on his remark that this type of organisation had been suggested back in the early 1970s but nothing had happened. The blame for nothing happening in that period also rests with the former Labor government.

I also indicated earlier, and I do so again while the Treasurer is in the house, that I get angry when I hear honourable members say that nothing has happened in country Victoria. Sure we want more, and there is no doubt about that. Sure problems have developed in country areas, but corrective action has been taken not only by the Victorian Labor government but also by the federal coalition government. I am interested when I hear the Treasurer and others talk about low

unemployment in country Victoria. I note that the federal Liberal member for Indi in a recent media release claimed that credit for the low unemployment levels in north-eastern Victoria should go to the federal government. Perhaps credit should be given on both sides, where credit is due. I suggest to the Treasurer — and to the government — that he should attribute credit for actions taken by previous governments while suggesting that perhaps his government can do it better.

The National Party certainly supports the objectives of this legislation. It understands that since the Regional Infrastructure Development Fund was established in 1999 there have been some advantages for country Victoria. The Minister for Transport visited my electorate recently to open the rail trails project, which is a cycling track that goes from Wangaratta to Bright and covers Beechworth as well. The minister was opening the project and I joined him in riding a bike through that area and reminded him that in fact \$1.5 million that had been approved for that project had been approved by the previous government. I suggested that perhaps it should be given credit for that.

The Minister for Health will be visiting Wangaratta on 22 November to open three projects. One of those projects is the \$15.4 million redevelopment of the Wangaratta District Base Hospital. I remind the Treasurer that that project was approved by the previous government. It is a great project. What I want to ensure is that this government understands that things were done by previous governments that were effective and that those governments should be given credit for them. That is not to say that we cannot get improvements and that better things cannot happen.

Clause 10 refers to a number of municipalities in outer metropolitan Melbourne listed in the schedule of the bill which are to be included in assistance being provided for the development of industry in country Victoria. I suggest that the Treasurer read the part of his budget speech in which he said that the government is giving support to regional areas. But he also made a proviso. He said that the government recognised that the majority of people want to live in outer metropolitan Melbourne and would be giving them support to make sure those areas continue to develop. I suggest to the Treasurer that we need to have an active policy of giving weight to industry that wants to establish in country Victoria. If you drive into Melbourne as I do almost once a week, when you come through Craigieburn you see the enormous development — —

The ACTING SPEAKER (Ms Barker) — Order!
I remind honourable members that the level of

conversation is a little too high. Should they wish to carry on a conversation, I ask them to leave the chamber.

Mr JASPER — I remind the Treasurer, who is also the Minister for State and Regional Development, of the comments he made in the budget speech. I suggest that if we are going to concentrate on funding being provided to outer metropolitan Melbourne it will continue to develop and will grow bigger and bigger. We need an active decentralisation policy, and hopefully through this bill we will have a policy which will support and develop industry in country Victoria.

I come back to the point I made just a short time ago. If you drive into Melbourne as I do almost once a week — not that I want to — you will see the development going on in Craigieburn, where new houses are going up with the building boom out there. We see continued development being supported by the government in outer metropolitan Melbourne. I understand legislation is being brought before the Parliament to have green wedges, but the fact is that the development is taking place.

We need to have specific support provided for industry to establish in country Victoria. Unless the government does that, industry will continue to expand and develop in metropolitan Melbourne and only develop in country areas where it can be related to specific country interests, where it gets support and where it is particularly related to primary industry. I refer to the dairy industry, the factories of Murray Goulburn and Kraft, Uncle Toby's and its factory at Wahgunyah, Dominance Industries in Wangaratta, and the timber industry based in north-eastern Victoria.

I repeat again, the important part of this legislation is that specific assistance will be provided to industry in country Victoria. I repeat that again because I do not think the Minister for State and Regional Development really understands. The minister should read his speech again.

An Honourable Member — No, no!

Mr JASPER — He does not want to read it in the house but he should read it to himself. The rhetoric is unbelievable: the magic the government has created since it came to power.

What I hear so often is, 'The former government closed schools'. I look at my electorate of Murray Valley with its 34 schools. Four schools were closed in that period; they each had less than 12 students and could not be sustained. I could go into the stories behind why each of them was closed, but I will not. We have 34 schools

in Murray Valley. They have had money spent on them and they are in excellent condition. We need more — of course we need more. There is evidence that we need funding to be provided now and the maintenance under the physical resource management system should be reinstated to overcome that situation.

Members opposite talk about the previous government having closed hospitals. No hospitals were closed in the Murray Valley electorate. The only hospital closure was in 1988 when Labor was in power. The greatest change was the change to Glenview Community Care at Rutherglen. My brother was the key person who pushed that change; he was right and I was wrong about changing over and going to Glenview Community Care. The hospital provides a great health service in north-eastern Victoria and within my electorate of Murray Valley.

The government talks about police stations and having more police stations in country Victoria. Members opposite should come and have a look at my electorate. We have new or near-new police stations across the area. We have worked hard for that and we have those stations. I believe we have achieved delivery of excellent policing services in north-eastern Victoria based at the 24-hour police station in Wangaratta. Approval for that police station was provided by the previous Labor government in 1991. I mention that because what I am seeking to achieve is some sort of balance and recognition that good things are done by both sides of the house. We believe that there needs to be more such recognition and we would follow up with that.

The other issue that has been mentioned at length in this house is the extension of natural gas. Natural gas has been extended through the Murray Valley electorate through Rutherglen, Yarrawonga, Cobram and Numurkah. Why? Because I worked on getting that. It took 12 years to get the extension of natural gas into the Murray Valley electorate. The only reason we got it is there was a change. Previously we had uniform charges in Victoria. The Gas and Fuel Corporation told me that with the uniform charges it could not extend the natural gas pipeline to the Murray Valley because it could not be justified on a cost-return basis.

I pressed the corporation for many, many years to do something about it. In the finish a change was made so that the Gas and Fuel Corporation could charge an increment for those receiving natural gas through the electorate. They had probably a 10 per cent increment to cover the infrastructure for the development into country Victoria. So I pressed hard to ensure government funding was provided, and we got it.

I say again to the house, while there has been privatisation of many facilities and government departments and authorities in country Victoria — and I am not being a white-haired boy as far as the coalition was concerned from 1992 to 1999 — one of the mistakes, apart from removing passenger rail services from country Victoria, was privatising the Gas and Fuel Corporation.

Mr Maxfield — Hear, hear!

Mr JASPER — The difficulty the government will have is if private enterprise is to be forced to extend natural gas into country Victoria, the only way it will do it is by using the same program used in the Murray Valley electorate whereby it is allowed to levy an incremental charge. I suggest to the government that if it is going to do that and it is prepared to subsidise that extension I will support it, but it will have to do something in my electorate to offset the charges being imposed at present on those of us living in north-eastern Victoria and within my electorate of Murray Valley. That is the case. That is what the government has to look at, and I suggest that that will be a difficulty.

Bridges were mentioned particularly by one or two speakers. The Rural City of Wangaratta is a typical example which should be mentioned. Within that municipality 8 per cent of bridges are on local roads. It has 365 bridges or culverts and a percentage of them have load limits and need replacement. The government talks about needing more funding. One of the great programs was the Roads to Recovery funding provided by the federal government. Members opposite should give the federal government credit for that program. It needs to be continued for us in country areas, particularly for the Rural City of Wangaratta, which is seeking support to upgrade its bridges. Roads to Recovery is an important program. The government needs to have a look at black spot and other types of funding and jointly provide funding with the federal government to see that that works.

I suggest to the house that unless programs are jointly funded and credit is given to the federal government for what it is doing — —

Mr Cameron interjected.

Mr JASPER — The Minister for Local Government, who is at the table shows, a lack of understanding. I do not think the minister has visited my electorate on many occasions; he would learn something if he did. I honestly believe that the Minister for Local Government has a lot to learn. The smart alec comments coming from the minister at the table are not

acceptable. What the minister should do is listen to other people. He should be able to listen to other people, get a balanced judgment and give credit where it is due occasionally. That is a fault with the government as I see it today. They are the sorts of issues.

Stamp duty has been mentioned. It is a big issue as far as we in country Victoria are concerned. I spoke to the general manager of Bruck Mills only last weekend. The minister at the table is responsible for Workcover and he should be aware of the difficulties being faced by industry. Bruck Mills is one of the great industries in Wangaratta, but it is battling for survival and needs assistance in that sort of area. Where there is 10 per cent stamp duty the government should have a look at what New South Wales put in and consider halving it to 5 per cent. The government received an estimated \$1.8 billion in revenue from stamp duty in the last financial year. We need to get assistance in country areas so that that can happen.

I suggest to the government that while this legislation is supported by the National Party and while members opposite can indicate to the house that they recognise the importance of country areas, what we need is balance generally and in what is being done for us in country areas. I also suggest that the minister at the table as a member coming from a country area does not perhaps have a true understanding of some of the issues of deep concern in country areas. We need to give credit for what has happened in the past, and we need to get action into the future. This legislation will, I think, be able to assist that, provided it is balanced and we get assistance right across country Victoria on a continuing basis. It will not help if, as we have suggested, there is a problem with the municipalities listed in the schedule of the bill cutting into the outer areas of metropolitan Melbourne. If that is the case, we could see funding siphoned off into areas which do not really need support.

I will wind up by saying that decentralisation is not a dirty word as far as the National Party is concerned. What we need to have is active policies to encourage industry to establish in country Victoria. We need to restrict the development that is taking place in metropolitan Melbourne.

Mr Cameron interjected.

Mr JASPER — I have not got onto fast rail, but I should. If you want me to push on to that I can. Fast rail and rail have been a huge issue for me in country areas. To suggest that we have Ballarat, Bendigo, Geelong and the Latrobe Valley — —

Mr Cameron interjected.

Mr JASPER — The minister would do well to listen. I have said it on a number of occasions, but for a minister to shout across the room and not listen to what others have to say is, I think, a disgrace. I would be interested to hear what he has to say. I will sit and listen if he is prepared to speak.

But if we have a look at what is going on in north-eastern Victoria, what we find is that the federal government is supporting funding to upgrade the standard gauge track between Melbourne, Wodonga and Sydney, but in fact is saying to me that the intrastate line between Wodonga and Melbourne is the responsibility of the state government. An amount of \$96 million was to be provided for upgrading of lines in country Victoria and standardisation. Virtually none of that money has been spent. All we see is the rhetoric coming from the Minister for Transport and others that, 'We will upgrade and improve the transport system, the fast rail between Ballarat, Bendigo and Geelong', which most people in those areas who understand it indicate will not improve the delivery of fast rail or improve the service to them anyway.

These are the sorts of issues that should be looked at, and I believe that legislation, while it does have merit, needs to be considered on the basis of the other issues — and major issues — that affect us in country Victoria.

Mr MAXFIELD (Narracan) — I rise to briefly speak on the Regional Development Victoria Bill. Our National Party colleague opposite who has just spoken said some things I found interesting. Certainly his comment about the fact that the previous government of which he was a member should not privatise our gas supplies is one that I wholeheartedly endorse. But when it comes to the principle, how did he vote? Did he stand up and vote with his conscience?

But let's move on to the bill. Certainly it is a bill which is designed to facilitate economic and community development in rural and regional Victoria. The body will be known as Regional Development Victoria.

This is a bill that makes me very proud to be a member of the Bracks Labor government. It is also a bill that tends to point out and explain why the Labor Party has more seats in rural and regional Victoria than the National Party does. It also explains why the Labor Party has more seats in rural Victoria in the lower house than the Liberal Party does. It is because we stand and represent rural Victoria. We understand and know its needs and requirements. Just sitting here before

listening to the debate, I heard some members opposite making the comment that we had not done much in rural Victoria. I thought to myself, 'Let's add up some of the activities that we are engaging in in my electorate alone'.

I started adding up, and first of all was the Ellinbank Dairy Research Centre, with an \$11 million upgrading. I thought about the \$3.5 million for infrastructure development at Mount Baw Baw resort and \$1.8 million for eight projects for revitalising our timber communities. Then I got to education: there was \$5 million for the TAFE Yallourn campus. I got up to a housing call centre in Moe — \$8.6 million to employ over 64 people to provide housing services for this state. I then discovered we are spending \$4 million at Warragul Secondary College. We are also spending \$1 million at the Warragul TAFE college and a tad under half a million dollars at the Warragul Primary School.

Mr Cameron interjected.

Mr MAXFIELD — That is right. I then moved on and discovered that we are spending half a million dollars on our tourism gateway project down near Longwarry, at Sands Road. At the Drouin Secondary College there is a \$2 million redevelopment under way. The Premier will be opening part of that next week. We have \$12 million for the greenhouse research centre, and we are doing the design plan work now in the Latrobe Valley to drive a greenhouse and coalfield development.

Then we have \$2.5 million for the Trafalgar High School, and we have \$3.5 million committed for the nursing home in Trafalgar. We are just waiting on the federal government to give us the beds, but the federal government is slowing down the spending of that money. We have just spent \$850 000 for a new community health centre in Warragul and \$300 000 at the Toorong Falls, as well as upgrading the Moe courthouse.

And there is more! We are spending over half a million dollars for two disability houses in Warragul — one for respite care and one for permanently disabled people.

An honourable member interjected.

Mr MAXFIELD — This is what is happening at the moment — under way, currently being planned or just completed, to respond to the interjection. We are working through these issues. I forgot to mention the \$4.2 million for the half-completed Moe police station, and about \$2 million in black spot funding around my area. On my calculations that adds up to \$60 million,

and I have not even touched on the fast rail development from the Latrobe Valley to Melbourne.

I attended a fast railway community forum in Warragul last night. A range of questions was asked. What I can say about the people who attended our forum is that there was overwhelming support. The National Party opponent who has just been preselected turned up. He sat there silent. He did not say boo. I spoke to that meeting, and I explained what we were doing and answered questions and queries. Certainly people were excited to know about the development that is occurring and to hear about the planning and design work and the trains that are being built in Dandenong for the fast rail.

I will conclude my speech by saying how proud I am to support the Regional Development Victoria Bill. This will drive the benefits further. It will drive the future. It will show that this government is committed to bringing together the bureaucracy in rural Victoria to work for rural and regional Victoria and to delivering a wonderful outcome for all.

Mr PATERSON (South Barwon) — I think this bill pretty well sums up the current Labor government — a whole lot of fairy floss to cover up the fact that it really has done very little over the last three years. You have only to come down to Geelong and the Surf Coast to discover that not much has been going on since the Labor government came to power. This is in stark contrast to the previous seven years, where the great benefits of the previous Liberal government were delivered to the Geelong and Surf Coast regions.

It is interesting to note that at the last election, the Labor candidate in my electorate campaigned very vociferously on the Grovedale railway station project. Since the Labor government has come to power, Mr Acting Speaker, do you know what has happened there? Absolutely nothing. Nothing has happened about the Grovedale railway station, and it has now taken a Liberal Party to promise to build the Grovedale railway station. And still the government remains silent.

In fact when the Minister for Transport was down a couple of months ago he indicated that he would not be building the Grovedale railway station. Realising, I assume, that that was not a particularly popular announcement, he came back a couple of weeks later and said, 'About that thing I said the other day that we were not going to build, we might build it now'. But still there has been no announcement. This is after a consultants report was delivered to the government in 2000. Two years later there has been absolutely no announcement from the Labor government — a Labor

government that pretends to support rural and regional Victoria.

As for connecting gas to Barwon Heads, there has been no announcement from this government. The Liberal Party has announced it will connect the town of Barwon Heads to natural gas.

Another campaign feature of the Labor candidate for South Barwon at the last election was to provide fair compensation for the Barwon Heads Football and Netball Club. This government has had three years to provide fair compensation to the football and netball club — and you guessed it, Mr Acting Speaker, absolutely no money has been given by the government to the club. So you know what value Labor promises have at election time: absolutely none. Labor Party members campaign on issues, they get into government, and three years later they deliver absolutely nothing.

We have seen the botch-up on the Princes Freeway, and I spoke about that earlier today. At the last election the Liberal government promised to make a start on duplicating the Princes Highway to Colac. What did this Labor government do? It cancelled the project. We have seen the farce with the fast rail project, which is going absolutely nowhere. Nothing has occurred on the fast rail project three years down the track.

In opposition the Labor government also promised to create 500 jobs in call centres in Geelong. Do you know how many have been created Mr Acting Speaker? You guessed it. Absolutely none! The Labor Party promised 500 call centre jobs in Geelong and none have been delivered.

Again, we saw a farce when several weeks ago the Minister for Police and Emergency Services came to ceremonially turn the sod at the ambulance station site down there, the money for which had been set aside by the previous Liberal government. Three years down the track nothing has happened, despite the circus of a few weeks ago of the minister pretending to turn the first sod. They had a lovely marquee, and drinks and sandwiches. The circus left town and the site remains vacant with not a thing having happened.

The Labor government when in opposition also made great play of the Grace McKellar Centre, and it has made great play of the money it has supposedly given the aged care centre there. By the end of this financial year, despite its promises of \$19 million, there will still be nearly \$13 million owing on the project.

We have seen so many examples in the public sector asset investment program of promises that have ended

up not being delivered by this Labor government. It promises the money and then does not deliver the projects. It is more fairy floss from this government, which is what we have come to expect from it.

Mr INGRAM (Gippsland East) — It is a pleasure to rise to speak on the Regional Development Victoria Bill. At the outset I state that I support the legislation, and I congratulate the Treasurer on bringing it in. I also endorse the Regional Infrastructure Development Fund and what it has achieved in country areas. It has not all been easy and there have been some limitations on what it has been able to achieve. One of the main limitations on funding to regional areas is the inability of most rural councils to provide funding for infrastructure proposals because of a lack of resources. They are extremely stretched. There is a real funding crisis within most of our rural councils because of the cost of maintaining current infrastructure let alone providing good quality new infrastructure that will promote business and industry development in country areas.

One of the reasons for the bill — and I had a number of discussions with the Treasurer probably nearly two years ago in relation to this — is the duplication of agencies right across rural areas. When business proposals come up in country areas the duplication of agencies creates problems for the businesses involved in getting their proposals up. If this body has the ability to facilitate the absolutely essential development in rural areas by bringing together those agencies and making it easier for businesses that will be a plus.

I listened to the honourable member for Murray Valley and his commitment to decentralisation. I strongly support decentralisation — I have raised that matter a number of times in this house — and the idea of getting some of the agencies and departments out into country areas. This is a real challenge for us in this place because there is currently a disincentive for the creation of those businesses in country areas. We have set up a system which promotes centralisation, with the lower costs associated with bringing businesses into cities. The cost of transport and communication and the lack of essential infrastructure in regional areas need to be overcome to get those businesses out into country areas. If this body is being set up to promote business development, which is very difficult in country areas, it is absolutely essential to overcome that lack of infrastructure. One of the innovations the Wellington and East Gippsland shire councils I represent raised with the Treasurer was a one-stop shop, and that is what this bill creates.

One of the things that is really important in my area is providing tourism infrastructure, particularly in national parks, so that people can utilise those parks in a sustainable and environmentally friendly way. Putting that infrastructure in is absolutely essential. If the bill makes better use of the Regional Infrastructure Development Fund to invest in those essential pieces of infrastructure to promote tourism and business development in country areas that will be a good thing. That is why I support the bill.

Debate adjourned on motion of Mr CAMERON (Minister for Local Government).

Debate adjourned until later this day.

NATIONAL PARKS (BOX-IRONBARK AND OTHER PARKS) BILL

Second reading

Debate resumed from 12 September; motion of Ms GARBUTT (Minister for Environment and Conservation).

Government amendments circulated by Ms GARBUTT (Minister for Environment and Conservation) pursuant to sessional orders.

Independent amendments circulated by Mr INGRAM (Gippsland East) pursuant to sessional orders.

Mr THOMPSON (Sandringham) — According to Dr John Lovering, who chaired the box-ironbark forest and woodlands investigation, the inquiry involved trying to achieve a balance between biodiversity needs and the socioeconomic needs of the users. In recent times the past has caught up with us, and there is no point in deferring the day of reckoning. According to one of the government and departmental publications:

The ecosystem is fragmented and degraded and requires active management to arrest the decline and initiate a recovery. An alarming number of species, including the eastern hare-wallaby and robust greenhood orchid, are already extinct. The nature of the forests has also changed — they now consist of mostly small, younger trees rather than large, older ones. The full effects of this on box-ironbark biodiversity are not yet known. Simply maintaining the status quo would result in further loss of biodiversity within the short term. Active management will be required to recover the natural values of these forests and woodlands.

There has also been a diversity of viewpoints, and widespread consultation has taken place. According to Robin Taylor of the bushland users group, the legislation represents an absolute attack on culture and tradition and is a bushfire waiting to happen. On the other hand, those with a keen interest in environmental

issues are of the view that the people of Victoria are looking to the Liberal Party for leadership on this legislation.

The legislation affects a number of rural communities including Ararat, Stawell, St Arnaud, Dunolly, Inglewood, Castlemaine, Bendigo, Heathcote, Rushworth, Wangaratta, Chiltern and Beechworth. The Liberal Party has a long record of achievement in relation to the environment. It was suggested that one of the factors behind its record of achievement is its striving to achieve high environmental goals that have their origins at the local community level.

The Liberal Party was instrumental in the establishment of the Land Conservation Council. Established in 1970 under the Land Conservation Act the LCC was designed to determine the most appropriate use of Crown land, excluding urban areas, and to make recommendations on land use in order to achieve a balance between conservation and utility. The LCC consisted of an independent chairman and the heads of eight relevant departments, as well as interest groups representing the diverse areas of business, farming and conservation.

Its achievements included the development of a land classification system, with 40 different public land-use categories dividing Victoria into 17 study areas where public land use was analysed. The council made over 4000 recommendations on land management, most of which were accepted and many of which were implemented in the days of the Hamer government.

The Environment Conservation Council, the successor to the LCC, was established in 1997 under the Environment Conservation Council Act. The ECC became directly responsible to the Minister for Environment and Conservation and was designed to conduct reviews as requested by the minister. The present legislation is a product of a review initiated in 1995 under the ministry of the Honourable Mark Birrell in another place as Minister for Conservation and Environment. The ECC is not a decisive body; its role is to complete investigations with the aim of balancing the competing needs of the environment and public land use in order to achieve ecologically sustainable and economically viable land-use outcomes.

The Liberal Party was also responsible for the establishment of the Environment Protection Authority, the first regulatory agency of its type in the world that was designed to look after land, air, water and noise pollution under the one act. The Environment Protection Act reflected the key principles of protecting

intergenerational equity, the polluter-pays principle and protecting biodiversity.

Another key environmental initiative of the Liberal Party was the establishment of a trust for nature under the Victorian Conservation Trust Act 1972. It enables covenants to be entered into between the landowner and the trust to protect and enhance the biodiversity and environmental features on private land. The covenants are legally binding and registered on the property title and thus bind all future owners to protecting remnant habitat.

There was also the recent initiative in 1996–97 to abolish scallop dredging on Port Phillip Bay, which has led to an increase in fish stocks of the bay. Improvements in water quality treatment and sewage treatment and the unprecedented commitment to beach renourishment funding were further initiatives. In the recent ECC report that was implemented in the marine parks legislation it was the Liberal Party that stood up for both the Ricketts Point reserve and the Cape Howe Marine Park when, contrary to ECC recommendations, they had been omitted by the Labor government in the first draft.

In addition there was the establishment of the National Parks Act in 1956, which was later revised under the Hamer government. The Fraser National Park proclamation, the Soil Conservation and Land Utilisation Act, the Vermin and Noxious Weeds Act and the Wildflower and Native Plant Protection Act were passed in 1958. Then there were the Hattah Lakes National Park and the Mount Eccles National Park in 1960, the 1964 national parks provision for the declaration of the Port Campbell Park, the Morwell National Park in 1967, the Little Desert National Park and Kinglake National Park in 1968, and the Lower Glenelg National Park in 1969.

The Organ Pipes National Park was established in 1972, and the Cape Schanck Coastal Park and the Warrandyte State Park were established in 1975, the same year in which the Wildlife Act was passed. Then there were the Nepean and Warby Range state parks, and then Baw Baw, Croajingolong, Snowy River, Hattah Lakes, Cape Nelson, Mount Samaria, Chiltern, Eildon, Beechworth Historic Park, Murray-Kulkyne, and Lake Albacutya, to name but a few parks and reserves that were established in 1978. Then in 1981 the Otway National Park, the Wonnangatta-Moroka National Park and the Gellibrand Hill Park were also established under a Liberal government.

It is apparent that the Liberal Party has a very strong record of achievement in the declaration of national

parks and public land management in this state. It is also notable that it was the Turner government of 1898 that established national parks. Turner was a Liberal who later entered the federal Parliament and was responsible for the establishment of legislation which provided the foundation for parks such as those at Wilsons Promontory, Mount Buffalo, Wyperfeld, Mallacoota and Wingan Inlet.

In Australia at a national level there have been a range of outstanding achievements. Only in the past week or so there was the declaration of the world's largest fully protected marine reserve to be set up in Australia's remote subantarctic waters, announced by the federal environment minister, David Kemp. It is to be a 6.5-million hectare marine reserve on Heard and McDonald's islands and the surrounding precincts of those islands. Dr Kemp indicated that the reserve would help protect some of the world's most important sea creatures, including the southern elephant seal, the subantarctic fur seal and several species of penguin.

Then there was the leadership shown by the Liberal Party in the ban on international whaling in 1978, the Antarctic Treaty Bill of 1960, the abolition of sand mining on Fraser Island and, most importantly in perhaps the last 30 or 40 years, the financial commitment of a Liberal government at the national level to set up the Natural Heritage Trust (NHT), which was to provide an unprecedented \$2.5 billion to the environment. As it is the largest environmental rescue plan ever undertaken in Australia, the federal government recognised the importance of this on-the-ground work and the need to continue to support it. Four major programs were established under the NHT — the Landcare program, the Bushcare program, the Rivercare program, and the Coastcare program.

The legislation before the house is the product of the work of the Environment Conservation Council. The members of that council include Professor John Lovering, a senior academic who is a former chair of the Murray-Darling Basin Commission; Ms Eda Ritchie, a farmer with extensive experience in natural resource management; and Ms Jane Cutler, who holds an environmental science degree and has been engaged in the finance sector. With the important support of the department and a number of individuals who are following the debate today, they went through the process of preparing a draft report and a final report, which was subsequently responded to by the government. The government then set up the Button committee, which reviewed the best way to implement the box-ironbark recommendations.

It has been a process where many diverse community groups and organisations have made submissions at varying stages of the review. They include the Australian Conservation Foundation, the Bendigo and District Environmental Council, the Bush Users Group, the Central Goldfields shire, the City of Greater Bendigo, the Department of Natural Resources and Environment, Environment Victoria, Field and Game Australia, the Field Naturalists Association of Victoria, Friends of Box and Ironbark Forests, Friends of the Earth, the Goulburn Valley Environment Group, the Green Party, Greening Australia, Indigo Shire Council, Loddon Shire Council, Moira Shire Council, Mount Alexander Shire Council, the North Central Catchment Management Authority, the Prospectors and Miners Association of Victoria, the Public Land Council of Victoria, the Pyrenees shire, the Rural City of Wangaratta, Rural People for Parks, the Shire of Campaspe, Timber Communities Australia, the Victorian Apiarists Association, the Victorian Catchment Management Council, the Victorian Eucalyptus Oil Distillers Association, the Victorian Farmers Federation, the Victorian Minerals and Energy Council, the Victorian National Parks Association, and the Wilderness Society. It was through this process of widespread consultation on behalf of the range of agencies that the recommendations were developed.

I would now like to state a number of clear propositions to the chamber. The first thing I would like to advise the house is that today the Liberal Party announces its support for legislation to establish new national and state parks to preserve box-ironbark forests. The Liberal Party has undertaken extensive consultation with the range of stakeholders and interests over many months, and has made the decision to support the legislation as an appropriate balance between conservation values and access for park users.

However, the Liberal Party has fought hard to balance the vital environmental outcomes with the legitimate wishes of park users, including those who have traditionally made a living from the forest. To that end, as announced in a government press release today, the Liberal Party was keen to negotiate several commitments from the government to improve the processes affected by the bill. These include the work of the opposition to try to achieve an improved notice regime for track access closures, a system where local people would be included on park management planning committees, the use of local timber cutters in forest thinning programs and the use of timber cutters working on local fire management.

It should be noted that the Liberal Party will continue to press the government to provide a 10-year phase-out for

eucalyptus distillers and to provide improved access for fossickers in the St Arnaud Range National Park, the Chiltern-Mount Pilot National Park and the Heathcote-Graytown National Park. The Liberal Party will continue to monitor the implementation of the new inclusions in the national state park system to ensure that all parties are adequately consulted and that the best outcomes are achieved, consistent with the ECC report.

I would now like to examine some of those issues in closer detail. In relation to track closures, representations were made that often apiarists had difficulty in accessing their traditional box sites. It is a very important issue, where park management plans are able to define the roads and tracks which will be provided and maintained for the range of uses of tracks, including visitor enjoyment and the management of fire protection and suppression. The well defined tracks will also minimise the impact of vehicles on the parks' natural and cultural values.

With seasonal closures it is important that outcomes are negotiated with key stakeholder groups. The honourable member for Monbulk, whose family farmed in north-western Victoria over many decades, is aware that when the blossom is on, the blossom is on and that apiarists must get their boxes into the regions without delay and must not encounter track closures. So it is important that there be an effective exchange of understanding so that those people who are locating their beehives in the park system are given appropriate time to plan the placement of those boxes so they do not encounter the adverse circumstance of coming across a closed gate.

In relation to thinnings I would like to read from the ECC report, which notes:

The sole objective of thinning as an ecological management tool is to improve the habitat conditions in parks and reserves by increasing the numbers of large trees. Thinning should be carried out in a manner that best achieves ecological goals. It may differ from silvicultural practices. Production of firewood is not an objective. Where it does occur however, thinning will produce wood as a by-product, which can, where appropriate, be sold as firewood.

There is an important note at page 73 of the original Environment Conservation Council report:

... thinning as an ecological management tool is to improve the habitat conditions in parks ...

It is also noted that the opposition has been very keen to look after the employment opportunities of those people who have been working in state forests. Priority should be given to enabling timber workers who have lived and worked in box-ironbark regions to embark upon

silvicultural thinning programs and appropriate ecological management strategies.

There are a number of significant issues in relation to fire protection. It is important that public land be managed in a way that minimises or does not lead to the build-up of fuel hazards. According to the department, this is assessed according to a combination of surface fire and fuel hazard, back hazard and elevated fuel hazard. Heavy ground fuel such as fallen logs is known not to be a critical factor in fire behaviour, but it is important to ensure that it does not contribute to combustion. The departmental approach to managing fire protection is standard, whether it be over state forests, national parks or Crown land reserves.

Jason Doyle of the Victorian National Parks Association noted:

There's no evidence that national parks are any more fire prone than any other forest. If anything the reverse is true — for example, in 2001–02 in New South Wales 101 fires started outside of national parks and spread to them. Only 26 started in parks and spread outside. Over the previous five years the average is 57 going into parks, and 21 leaving them. The point is that any vegetated land will burn, but parks appear to be less likely to be the cause or the seat of fire than most other areas.

It is also important to note that firewood access has been critical to people in rural communities and rural areas. There are a range of firewood users. Preference for firewood collection from public land has been given to residents in the box-ironbark area. Residents will need to produce a domestic licence from the Department of Natural Resources and Environment office 'which allows them to collect firewood from designated areas of state forest'.

One of the key points, according to the information provided by the department, is that elderly and disabled residents will be unaffected by firewood collection methods following the introduction of the box-ironbark parks and reserves. Elderly and disabled residents in the box-ironbark area who are unable to collect their own firewood will still be able to access firewood in the same way they do now. Firewood would still be available for purchase from commercial cutters who have been granted licences to continue to work, and residents will also be able to purchase a domestic firewood licence and nominate someone else to collect the firewood on their behalf.

There is also an issue in relation to a mining amendment affecting the Bendigo region which I understand the government will be introducing to the chamber, and that amendment is supported by the opposition. There is also the role of eucalyptus

distillers. I mentioned earlier on that they currently have six years to continue to operate. It is the opposition's position that it will continue to try and work to achieve an equitable outcome for eucalyptus distillers.

As part of the background to this review I had occasion to embark on a number of trips across key areas of the state, in concert with the then shadow environment minister, the honourable member for Doncaster. The first site we had occasion to visit was the Guildford Forest, which had been logged on multiple occasions. The understorey in the area was not sufficient, in our estimation, to maintain a reasonable biodiversity and habitat for the flora and fauna of the region. We met a number of people there, including Ian Huxley, Phillip Ingamells and Doug Ralph, who provided their own insights into the ecological issues in the region.

Later on that trip we visited the property at Bung Bong, near Maryborough. This is an area which I have visited on a number of occasions and where I saw private land which strongly contrasted with other sites as it had not been the subject of intensive timber operations or mining. Large old trees are a feature of the area, as is the range of age and class sizes and the understorey. It is an example of what box-ironbark woodlands should and could look like if they are allowed to. On a subsequent trip I saw the nest of a wedge-tailed eagle and heard the call of the barking owl.

We also visited a state forest site north of Dunolly that showed the effects of medium-size mining — holes large and small, some filled in, but with little regrowth. Combined with heavy timber cutting, including one 250-year-old tree, it left a scene of modest devastation.

It might also be noted that as a consequence of mining activity in the state a range of trees have been cut down over a period of time. There are not many 200, 300, 400 and 500-year-old trees that provide important habitat for the fauna that rely upon the hollows and other areas of those trees to prosper.

We also visited a site at Tunstall State Forest, near Bealiba, where there was a good selection of larger trees that were crucial to the survival of the nationally endangered swift parrot. I understand that the larger trees also represented a good source of timber for sleepers for timber cutters. But they also have very high conservation values, and it is important that those values be preserved.

A later trip saw a number of us visit Mount Pilot, where we met Dr Barry Trail and Susie Duncan and a number of experts in environmental issues in that particular region, such as Peter Curtis, an expert on grass trees.

They gave members of Parliament, including the member for the area, a detailed insight into their perspective on the flora and fauna of the Chiltern-Mount Pilot precinct. It was in that region that one of the people there indicated that they were looking for leadership from the Liberal Party on this box-ironbark review. Dr Trail had been documenting the extinction of woodland birds for over a decade. He regards that region as a precious and unique place where, as a consequence of 200 years of change, there has been a depletion of what was once a more prosperous area.

Through this process I am aware that parliamentary colleagues have consulted heavily with a range of interest groups, both ecological and industry, and user groups of the box-ironbark region, to gain a detailed understanding of some of the stakeholder concerns.

Stakeholder concerns are not just confined to those who live in the country either, as many of the people who use the box-ironbark forests are city dwellers — miners and prospectors on the one hand, and those who follow the habitat and environs of Australia's great flora and fauna on the other. A gentleman by the name of Michael Norris recorded the arrival of birds in the bayside area. He was of the view that the swift parrot was relatively common in the 1980s, being recorded every other year in the City of Bayside, but that since then it had been absent for about 10 years. The last regent honeyeater recorded was in 1953. It was noted by some of these people that the Environment Conservation Council had undertaken excellent technical work to develop the balance between environmental and socioeconomic concerns.

Then there were the representations of Anna and Manfred Ruff, who had established a property close to the Graytown-Heathcote area and had established a business of Box-Ironbark Birding. They had located some 24 nest boxes on their property, all of which had been used. They still had a few old trees on their block, but the fact that all the nest boxes had been used suggested, in their opinion, that natural hollows are a limiting factor in the region.

In relation to the management of our forests, they say that in order to bring about sustainability — that is, good, sustainable outcomes for the future — it is the responsibility of the current generation to try to implement policies that will deliver better outcomes and better objectives.

In addition to the submissions we received from those with a very keen environmental interest were those who were concerned about the management of state national

parks. There was a very comprehensive submission from Licola. Concerns were raised by a number of Licola residents and forwarded by a Mr Ralph Barraclough, who noted that following a fire there was a major concern regarding the cost of bushfires in the region. Land-holders in Licola were horrified to find that if control lines failed the fall-back position was to be west of Licola, providing some level of danger to private property owners.

He was concerned about erosion and river pollution, and said that massive erosion had occurred after a fire and a thunderstorm in the Caledonia Valley, where alluvial boulder fans the likes of which had not been seen before were deposited. Kilometres of deep channels were gouged, with unstable banks falling in and landslides developing. He referred to water pollution as a result of heavy burns within the forest area — the fact that as a result of the problems of intense heat and the loss of the forest and ashes in the waterways the water became unpalatable and could not be drunk. Then Mr Barraclough raised his concerns about the Caledonia Track, which was partly washed away by the Caledonia River and adjacent creeks. He was concerned about what happened to Kevin Higgins, because no warning was given to this property owner that a fire was burning out of control.

Graziers are also concerned to maintain some of their interests relating to cattle grazing. Mr Barraclough went on to note the weed and dingo programs in the parks, and that there had been little improvement as a result of government expenditure on a range of initiatives.

In addition to the concerns raised by the Licola community, the Timber Communities of Australia have also raised concerns relating to the bill. They have raised the concern about protection for their cultural heritage. Many of these people are second, third, fourth and even fifth-generation timber cutters. They also raised concerns about the action plans for endangered species, and suggested that more needs to be done. If there are 350 endangered species why are there not more action plans to protect them and to develop suitable management strategies?

In terms of the ECC process, this is a point that was not raised by numbers of people whose correspondence I reviewed, but they were keen to raise their concerns following surveys in Chiltern and Mitiamo about the economic benefits of areas being declared national parks. They stated:

Our surveys in fact showed that not one business had grown as a result of the declaration of a national park in their area, with many businesses stating that they are not open on weekends or public holidays due to the lack of business, and

in fact their business had dropped off due to the loss of timber cutters, domestic firewood cutters and prospectors visiting the town.

At this juncture I would like to make some general comments. In relation to one range of stakeholders there was concern regarding firewood supply, the access of woodcutters to forests to reduce the amount of combustible fuel, the fact that some people may have to rely on blankets after 6.00 p.m., access by beekeepers, fire safety and fire track clearance in the Beechworth areas and tourism issues where ecotourism had not matched expectations or the predictions made during the national parks debate.

A serious point made by one person I met is that poverty is such in some country towns that people on welfare are sometimes regarded as the best paid.

Environmentalists are concerned about air, water and soil qualities and the continuity of endangered species. A number of issues are common to both groups of stakeholders. They include the management of parks, the importance of having a long-term strategic vision and the importance of appropriate strategies to manage weeds and pest animals in park regions.

In a letter received by honourable members today reference was made to Victoria's forgotten forests. The government's role is to ensure that not only are forests not forgotten but that as part of the process people are not forgotten. It was mentioned by a parliamentary intern in a survey of Victoria's national parks that one of the strengths of the Liberal Party had been to build its national and state parks on local knowledge and local communities. For the purpose of establishing these reviews it is imperative that there be stakeholder input at all levels in balancing the important needs of biodiversity protection for the future and socioeconomic uses so that in intergenerational terms what we hand on to the next generation will be of a standard equal to or better than the standard we have today.

It is in light of those wider remarks that the Liberal Party will support the legislation. It is the product of a review that was initiated by the Liberal Party, and in supporting it we must continue to act as an advocate for those country towns and community groups affected by its impact.

Mr MAUGHAN (Rodney) — It is with pleasure that I speak on the National Parks (Box-Ironbark and Other Parks) Bill. I desire to move a reasoned amendment, and therefore I move:

That all the words after 'That' be omitted with the view of inserting in place thereof the words 'this bill be withdrawn

and redrafted to provide for the development of management plans for new parks and reserves and additions to parks and reserves proposed within this bill and incorporate a range of other matters that were referred to in the second-reading speech'.

The amendment is couched in terms approved by the Clerk, but we would have included in the reasoned amendment in layman's language the following principles, which I will go through before dealing with the legislation.

The National Party wants the bill withdrawn and redrafted to provide for the development and approval by Parliament of management plans of all national parks, natural heritage parks and conservation reserves proposed within the bill prior to the declaration of those parks and reserves, and the establishment of residential advisory committees to develop those management plans. We want local input into the development of those plans. The National Party also proposes the use of ecological thinning as a management tool, as was recommended by the Environment Conservation Council. We support the notion and believe that it should be implemented. We also want finalisation of the five-year firewood plans for the 13 community firewood supply areas in the box-ironbark region. We want those finalised before dealing with the legislation.

We want business and industry development funding to be made available to those affected by the withdrawal of commercial timber licences. We propose the development of effective, timely and transparent procedures for the approval of exploration and mining activities on newly established parks and reserves. We would also like to see the phase-out of eucalyptus harvesting increased from the present proposed 6 years to 10 years. Finally, we ask that a grievance process be established to ensure that any concerns over discretionary decisions made by land managers can be dealt with in an open and transparent manner.

Before going on to deal with the legislation, I followed with interest the contribution of my good friend and colleague, the honourable member for Sandringham, which was presented in his usual thorough and workmanlike way. I was interested to listen to his Crosby Morrison-type tour of the birds, animals and trees of the box-ironbark parks and woodlands. However, I was very disappointed to learn that once again the city-based conservationists in the Liberal Party had won over the interests of those who live and work in country Victoria, and that the Liberal Party will support the government's legislation. Therefore the National Party stands in contrast to the government and the Liberal Party in its approach to the legislation.

I refer honourable members to the National Party's view on natural resource management generally, which was very competently spelt out by a colleague in the upper house, the Honourable Peter Hall, in an excellent speech on Wednesday, 24 April, when he put the various principles guiding our decision-making process.

I will provide a brief background to the legislation and set the scene for country Victoria. Victoria has about 7 million hectares of public land, and it is timely to remind the house that that is about 34 per cent of Victoria's landmass. About 3.6 million hectares is covered by parks and reserves and therefore has restrictions of various sorts on it. The Environment Conservation Council recommendations we are dealing with tonight cover some 427 000 hectares.

The National Party has expressed the view on many occasions that it is not opposed to parks and reserves, but it does criticise the wanton neglect and maintenance of those so-called protected areas. We reject the notion that just by declaring a piece of land or sea a national park we have done a great job in protecting that area. We have not unless we have in place management plans and are prepared to implement those plans by backing them up with finance. We want to see management plans in place before legislation is introduced. We argue that the key to environmental protection is good management, and that grazing, for example, can be a good management tool in itself by reducing the fuel on the forest floor.

We believe strongly that public land is owned by the public and should be available for use by the public. That use includes recreational and commercial activities, which can be done at the same time as preserving those important environmental values we are concerned about.

Business interrupted pursuant to sessional orders.

ADJOURNMENT

The DEPUTY SPEAKER — Order! Under sessional orders the time for the adjournment of the house has arrived.

Drought: stock feed

Mrs FYFFE (Evelyn) — I raise a matter for the Premier. We are all very much aware of the drought over large areas of Victoria. We know that some farmers are having to sell off their stock because they do not have enough feed for them. In many cases these are breeding stock that three or more generations of the same family have bred into premium stock. Other

families have had no choice but to shoot weak and starving animals, causing not only financial stress but also emotional stress for the whole family.

My request for action has been instigated by a constituent of mine, Mr Arch Carswell, who has asked me to look at how the vast hectares of publicly owned land can be used to help alleviate the problem. I ask the Premier to instruct all government departments that control large areas of land to stop mowing the grass short for aesthetic reasons and to let it grow, and then to have it cut and baled into hay for distribution to farmers. A quick decision followed by quick action is required, because there are only a few growing weeks left around Melbourne.

A few places with large grassed areas that spring to mind are the Melbourne Water easements or pipelines; Silvan, Cardinia, Upper Yarra, Maroondah and Sugarloaf dams; and Parks Victoria land — for example, Warrandyte State Park. I also ask the Premier to urge municipal councils to let the grass grow, where possible, on council-owned land and have it cut for hay. Arch Carswell knows this will not solve the enormous problem of the lack of feed, but it might help save some breeding stock until the drought ends.

Disability services: Shepparton

Mr JASPER (Murray Valley) — I wish to bring to the attention of the Minister for Health representations I have received from Mr and Mrs Colin Davies of Numurkah. Mr and Mrs Davies wrote to me earlier this year, bringing to my attention their concerns relating to an assessment by Goulburn Valley Health of their child for autism. They were told it could take many months before this assessment could be undertaken. They wrote to me on 4 May, telling me that despite there being full-time psychologists, including a consulting psychologist, at that hospital up to 18 referrals were being handled each week and there was a long waiting list. They made further investigations and found that their child could not be assessed until later in the year.

I wrote to the Minister for Health to bring the matter to his attention, pointing out that there should be an investigation as to why there are such delays in getting a response from the hospital on this matter. The minister's response gave details of assessment programs, particularly those undertaken by the Austin hospital and the Monash Medical Centre, but it did not indicate the support being provided at Shepparton. He confirmed that there was a significant waiting list and that the situation was being assessed, but he said there would be private psychologists available within the area.

I provided this information to the parents, and they came back to me with a response dated 13 September, which I have now sent to the minister in a letter dated 4 October. I want to read that letter, because Mrs Davies in her response said:

Having received your letter and a forwarding one from the Minister for Health, I am extremely annoyed the minister did not even research his facts before replying.

We already know that children need a referral by a paediatrician to the Austin —

because they cannot get assessment at Shepparton quickly.

There are no private psychologists ... in the area —

which was mentioned in the minister's letter. She said it would cost them \$500 to get the assessment in Melbourne. She went on:

Our paediatrician has already referred several of his clients to proceed privately ...

That is so children can get assessed so they can enter school next year.

The concern that Mr and Mrs Davies have drawn to my attention is that they cannot get an early assessment from Shepparton service. They need to get an assessment in Melbourne, which will cost them money. And even when they get that assessment they will need to get a referral so they can get a reference to a school for next year, which they cannot receive at this stage. This needs assistance from —

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

Crime: Greater Bendigo

Ms ALLAN (Bendigo East) — I raise a matter for the attention of the Minister for Police and Emergency Services regarding the latest crime data for the City of Greater Bendigo, which is within my electorate. I seek the release of this important set of figures for the city.

Crime prevention and reducing the rate of crime in the City of Greater Bendigo are important issues to many constituents in my electorate, as I am sure they are across many areas of Victoria. I have an increased awareness of the concern in the community of Bendigo through my role as chair of the Safe City forum. That is an organisation under the banner of the City of Greater Bendigo that has broad representation from police, local trade groups, education groups and a number of concerned people around issues to do with safety in our community.

This has been an excellent forum in which to raise and address issues to do with crime, and it has been very proactive in this area. I will give one example, which is the formulation of the Bendigo liquor accord, which has been in place for a number of years now. We have recently re-signed and re-released this liquor accord, which is a fantastic initiative designed to raise people's awareness of the responsible serving and consumption of alcohol and of the side effects too much alcohol can cause. Following on from that, the City of Greater Bendigo, with the Safe City forum and the Tabaret, have put in place a Safe City taxi rank, which ensures that patrons can get home in a safe and timely way in the evening.

The reason I am asking the minister to address this issue is that in recent weeks the ministerial Crime Prevention Council met in Bendigo. I had the opportunity to address the council on the role of the Safe City forum.

It was interesting to see the commonality of issues faced by the ministerial crime prevention council and the Safe City forum, particularly around, as I have already identified, the issues of crime prevention and how these issues affect two specific groups in our electorate. Issues around crime prevention often deal with young people and older people.

I would like to take this opportunity to commend the work done by the Minister for Police and Emergency Services, particularly in the area of police numbers in Bendigo. I hope the minister can confirm that we have around 13 extra police on the streets in Bendigo. That is fantastic when you consider how important this issue has been to our region across central Victoria.

Drugs: government policy

Mrs PEULICH (Bentleigh) — I wish to raise a matter for the attention of the Premier. I certainly hope he comes in here. We all know that he is probably celebrating a birthday, as is the Deputy Premier, but for the rest of us who are also celebrating a birthday the workday goes on. I certainly expect the Premier to come in and respond to a very important issue that has been raised with me time and again in relation to the government's drug policy.

The community sees this government drifting on drug policy and sending out many confusing and ambiguous messages. First of all we had the heroin injecting rooms plan. Then we had a government minister accepting supervised chomping; that minister was then shuffled out of that portfolio to avoid parliamentary scrutiny. Most recently we had the *Stuff* magazine being

distributed to year 12 students. I am the mother of a year 12 student who has friends in year 12 whose parents are concerned. They see this as absolutely reprehensible. They have asked me to call on the Premier to retire the Minister for Consumer Affairs because clearly she continues to peddle the same myths about harm minimisation and the safe use of drugs when there is a growing problem in the community with very serious mental health issues and a range of other issues people are struggling to deal with. They see a continuation of that as an abrogation of the Premier's responsibility. They have asked me to call on the Premier to send a clear and unambiguous message by retiring this minister and taking her out of any portfolio with any influence on drug or youth policy so the community is inoculated from the policies of this irresponsible minister.

Rail: Noble Park crossing

Mr HOLDING (Springvale) — I wish to raise a matter this evening for the Minister for Transport. It concerns the condition of the road and rail crossing at Heatherton Road in the vicinity of the Noble Park railway station in my electorate of Springvale.

Mr Leigh interjected.

Mr HOLDING — As the honourable member for Mordialloc points out, this is an issue I have raised before in this chamber on the adjournment. In fact I think I most recently raised it in March 2002.

Mr Leigh interjected.

The DEPUTY SPEAKER — Order! The honourable member for Mordialloc!

Mr HOLDING — The action that I seek from the Minister for Transport is that the minister or his department take urgent action to address the condition of the road at this level crossing. I would like the minister to instruct his department to take action to address the state of the rail crossing, which badly needs improvement to repair the uneven surface so that pedestrians and road transport can cross at the intersection safely and comfortably.

The level crossing I am referring to is on Heatherton Road, as I have mentioned, in Noble Park near the roundabout that connects Heatherton Road, Douglas Street and Lightwood Road.

Mr Robinson interjected.

Mr HOLDING — The crossing is near the Noble Park railway station and includes a pedestrian crossing.

I know that the honourable member for Mitcham has asked for a *Melway* reference. The reference that I can give is it is just near the roundabout which received \$306 000 in black spot funding. I am very pleased to be able to accurately identify the exact location of the rail crossing I am referring to for the benefit of honourable members.

Members may also recall that this particular rail crossing was the scene of a tragic accident in December last year when a woman in a wheelchair was struck and killed by a train leaving the Noble Park railway station. There has been an inquiry and the government is currently in the process of implementing the many recommendations that came out of that inquiry to address some of the dangers facing disabled people using wheelchairs who need to access level crossings.

Many local residents have contacted me to complain about the poor state of the road at the point where Heatherton Road crosses the train line. I have driven over it many times and I can say that it is far from smooth or comfortable and that at times it is also somewhat dangerous.

As I mentioned earlier, I raised this matter with the minister in March this year. I raised it then in conjunction with the crossing at Corrigan Road in Noble Park. I am pleased to be able to report to the house that the crossing in Corrigan Road, Noble Park has been addressed. Roadworks are currently under way across a portion of Corrigan Road in the Noble Park area. That area is being addressed and this evening I am asking the Minister for Transport to direct his department to take action to ensure that the rail crossing at Heatherton Road in Noble Park is addressed as soon as possible.

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

Rural and regional Victoria: government vehicle sales

Mr SAVAGE (Mildura) — I wish to raise an issue for the attention of the Premier. Much has been said in this place in recent times about regional development and equity for all Victorians. However, unless we have a global view of all aspects of service delivery this principle cannot be delivered. I draw the attention of the Premier to the sale of ex-government vehicles, which are usually pooled into Melbourne and sold at Fowles Auction Group or one of the large auction houses. I ask whether consideration can be given for a more regional view of this arrangement so that local communities can get some of the benefits. I have been approached by an

auction premises based in Wagga Wagga, which operates just out of Mildura.

Mr Jasper interjected.

Mr SAVAGE — Just out of Mildura across the border. It is called Deans Milner Skellern Auction Services. I ask that the Premier look at that.

The other issue I wish to raise concerns a similar situation. A local architect has contacted me. There have been a large number of significant projects because of the good government policy we have seen of building schools such as the Christie Centre, the special school and the Irymple secondary college.

The DEPUTY SPEAKER — Order! The honourable member can raise only one matter during the adjournment debate.

Mr SAVAGE — It is only one matter. I am raising the issue of an architect not getting the opportunity to design some of these premises. It is one architect. I am giving the house some examples of premises which have been built in recent times. There is a principle involved in this. I ask the Premier to give consideration to ensuring that the Department of Infrastructure makes available to local architects opportunities at a local level to be able to contribute to the good design of buildings built with taxpayer funds through the capital works program.

The DEPUTY SPEAKER — Order! I think they really were two distinct matters, so I shall leave the first one for the minister to respond to. The honourable member can raise the other one next week.

Leopold Primary School

Mr SPRY (Bellarine) — I wish to raise a matter for the attention of the Minister for Transport. It is an issue of growing concern for parents of Leopold Primary School students about the safety of children crossing the Bellarine Highway on their way to and from school. About 600 students attend this school. It is an exemplary school with excellent leadership, dedicated staff and an involved and committed parent and community support group.

The township of Leopold is divided in two by a major, four-lane highway. It has a small shopping centre and a kindergarten on each side of the highway. However, the one school serves the whole community on both sides of the highway. I am not suggesting that there should be a second primary school on the other side of the highway, because there is a much simpler solution — that is, traffic lights. The community wants traffic lights

to help the children across the busy highway and to assist the lollipop ladies who currently carry an enormous responsibility. The matter has been on the boil for more than six months with my office and Liberal candidate Frank Kelloway upping the ante. Labor's Elaine Carbines in another place has raised the issue with the Minister for Transport apparently with no effect whatsoever.

In fact, as far as I am aware, he has not even answered her letters. On behalf of the people of Leopold, I now ask the minister directly to get his head out of the sand and address this issue as a matter of prime importance. Children's safety is at stake here, and Leopold parents are becoming increasingly anxious as time goes by and as Labor in government as usual does nothing.

Consumer affairs: motorhome

Mr ROBINSON (Mitcham) — I want to raise this evening an issue for the attention of the Minister for Consumer Affairs. It is a very serious issue for a middle-aged Blackburn North couple. It involves their purchase of a vehicle from Brighton Toyota earlier this year. I will outline the circumstances of that purchase to the house momentarily, but I want the minister to take action to direct Consumer Affairs Victoria to urgently investigate the adequacy of procedures in circumstances like this where the consumer seeking action from the seller faces a situation in which the seller is reliant to a very large extent upon the actions of a third party and in so doing is able to escape what I think most people would consider a reasonable obligation to address defects in the product.

The middle-aged couple involved, as I said, live in Blackburn North. They purchased a brand new Toyota Hilux motorhome from Brighton Toyota in January for the sum of \$84 000. Their intention was to pursue their passion for motoring holidays, including a very long trip to Perth later this month. The vehicle was equipped with a campervan provided by Matilda Motorhomes, a Queensland company, which has a service depot in Tullamarine for hire vehicles it runs out of Victoria. In short, this purchase has been a disaster, with repeated and continuing failures in both the vehicle and the campervan. Since January this year the vehicle has been in for repairs a total of more than 50 days. It has been available for use on only 16 nights.

Some of those defects include — and this was only up until August — that the TV stand, VCR shelf and TV aerial were not installed on delivery; the smart bar was not fitted on delivery; the rear vision mirror on the passenger side does not stay in position; the boot locker does not seal; there are water leaks; the battery saver

light is not working; the refrigerator fuse keeps blowing; there is a crack in the fibreglass in the upper cupboard; the rear bumper bar fits badly; sink water drains into the shower; the pipes for draining tubes are not adequately bracketed; the water pipes are not adequately tied back from the exhaust; the refrigerator door does not close properly; the hoses on the hot water service are not adequately secured; and — this is a ripper — the brakes on the lazy axle were fitted back to front.

There is a also small crack in the fibreglass under the sink; a crack in the fibreglass under the lounge area; the access door to the drain outlet would not stay closed; the on-off switch on the airconditioning was very stiff; there were problems with mains pressure water connection; there was a possible future problem with lounge seating; the shower screen was not supplied on delivery; and the support arms that are used to lift the bed were leaking. The most recent problem involved windscreen cracks. They have been attended to repeatedly, but it has now resulted in the windscreen having to be repaired, which involves further delays.

The couple has sought explanations from the companies involved. The responses have been very unsatisfactory. I note that an email from Peter Dutton of Matilda Motorhomes earlier this year said that he acknowledged the quality of their product in the past had left a bit to be desired. He is not joking! I seek the minister's intervention to address this problem.

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

Melbourne 2030 strategy

Mr LEIGH (Mordialloc) — I wish to raise a matter with the Minister for Planning to clarify the state government's metropolitan strategy and its effect on our community. Indeed, this week the honourable member for Carrum has basically welcomed the fact that Chelsea will be effectively taking high-rise accommodation with her claims that regional housing groups were looking at increasing the areas to take such housing. It also affects Mordialloc.

In 1999 the then opposition leader, Mr Bracks, said that the Premier at that time was arrogant on planning and was not giving local communities an opportunity to be involved. I am seeking clarification from the minister as to what this strategy means to our community. That well-known Labor activist, the secretary of the Victorian Local Governance Association, Mr Mike Hill, then said that we had created a range of problems affecting different areas and it needed a radical

overhaul. Last week, when this strategy was announced, he was quoted in the *Age* newspaper as saying:

The inner city has borne the pain of urban density over the last decade ... but I think some of that pain is now going to be transferred out into these major activity centres, with people saying they don't want some of these developments.

The fact is that what this means to Cheltenham and Mordialloc — to our community there — is that it is going to take high rise.

What I am seeking from the minister tonight is for her to come into this house and clarify for us what this means. What height are developments going to go to in Cheltenham? What height are they going to go to in Chelsea? What height are they going to go to in Mordialloc? Indeed, the Labor Party's own council in our city has taken the view that it does not want high rise, and we know that the former opposition spokesman for planning at an earlier time said he believed the maximum height that should be possible around the bay was three storeys.

The state opposition would like to know for our community's sake what this means. I suspect it means that the government intends to change the face of a community of 22 500 people, and it is time this minister came into this house tonight and told us what heights we are going to be taken to in this area. Because I can tell the house that our community does not want it. This is a dud project that people like the Labor candidate for Lyndhurst know all too well is going to damage our community. Where is the minister? She is gutless as usual.

Mansfield: seniors activities

Ms ALLEN (Benalla) — What a disgusting person! I raise with the Minister for Senior Victorians the very important issue of facilities for retired people in my electorate. I want the minister to take action to ensure that senior Victorians in Mansfield, particularly retired men, have access to facilities so that they may enjoy social interaction as well as be able to have a hands-on activity to be involved in.

The township of Mansfield is a very dynamic community with a diverse population of city professionals seeking an alternative rural lifestyle, local people who have been born and raised in Mansfield, and also many retirees, both local and those having moved into the Mansfield area because it offers a wonderful lifestyle.

Women in country towns are very good at organising themselves into activity groups such as the Country

Women's Association, Probus and other clubs. Retired males, we know, so often have a shed at the back of their homes where they can tinker, repair or build numerous items so they can keep themselves busy and keep their minds active. I suppose there would be a few men and women on the other side of the house who should be retired so they can tinker in their back sheds, sharpening their knives and making voodoo dolls!

Many retired men have over the years of their working lives gained extraordinary talents, and so often they create toys or furniture and/or repair car engines. However, even though these retired blokes love to tinker in their own back sheds there are some who live alone or in units and who often spend a lot of time alone, isolated and without other company. It would be great if there were somewhere for them to go to meet with their mates, old and new, to socialise, talk about old times and still be able to use their skills; and perhaps even offer other members of the community the opportunity to have items repaired.

There is a great need for these men to have a place where they can go to enjoy putting all these aspects of life into practice so they feel their talents are still appreciated, they feel needed, and most of all, they have the company of others. I urge the minister to take action to ensure that these retired blokes in our community are looked after.

Housing: Warrnambool tenant

Mr COOPER (Mornington) — I have a matter I want to draw to the attention of the Minister for Housing. I ask the minister to immediately cease the legal action that she and her department have commenced against a penniless 90-year-old gentleman, Mr James Hubert White, who was until recently a tenant of a ministry house in Alison Avenue, Warrnambool. The matter was drawn to my attention by my constituent, Mr White's son, who lives in Mornington.

Mr White broke his hip and was admitted to the Warrnambool hospital. He is still in the hospital until a place is available at the Koroit and District Health Service nursing home. On 7 August he had a stroke. Following his vacating the house in Alison Avenue, his family cleaned up the premises. Shortly after that the ministry sent in workers who repainted, recarpeted, gardened, et cetera, and then sent Mr White a bill for \$2500. As he is penniless his family requested that the amount be waived, and the ministry refused.

On his behalf the family took the matter to the Victorian Civil and Administrative Tribunal, where an

amount of \$530.15 was awarded against Mr White. The ministry has now placed the matter with Sholl Nicholson Lasky, attorneys at law, at 505 Collins Street, Melbourne, and they are demanding payment forthwith, or else.

When recently asked by a family member to desist from the pursuit of a penniless, 90-year-old stroke victim who is suffering from dementia, a ministry official said that the normal practice of the ministry in such cases is to garnishee the pension. When Mr White is admitted to a nursing home — —

Ms Allan interjected.

Mr COOPER — I am sorry the honourable member for Bendigo East finds this funny, but I do not.

When Mr White is admitted to a nursing home, 85 per cent of his pension will go towards his board and lodgings. The tiny remainder, some \$7 or \$8, will then be subject to a garnishee order by the ministry. This is a disgraceful pursuit of an elderly man who is, as I said, penniless, suffering from dementia and a stroke victim. His family is aghast at the pursuit of this man and at the thought — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The honourable member for Springvale!

Mr COOPER — Yes, I think the honourable members for Springvale and Frankston East are a disgrace.

His family are aghast — —

Honourable members interjecting.

Mr COOPER — The laughter from these members is simply disgraceful. His family are aghast at this prospect, and ask the minister to desist from this action.

The DEPUTY SPEAKER — Order! The honourable member for Keilor has 1 minute 20 seconds.

Keilor Plains: fire prevention

Mr SEITZ (Keilor) — The matter I raise is for the attention of the Minister for Police and Emergency Services. First, I congratulate him on his campaign on fire growth eradication in the country, but the action I seek is to make people aware in the Keilor Plains area. This is the rural part between the satellite cities of Sunbury, Melton and Werribee, where there are large grasslands and a lot of holdings. We have had major

fires across that area at different times, endangering livestock and human beings. Honourable members might remember back to when a woman and her children perished on the Geelong road — although there is no bushland there, just grassland.

I ask the minister to ensure that members of the community and property owners in that region are aware that they have an obligation to remove fire hazards from their grassland areas, because as we saw in New South Wales with the recent fires, it is not just bushland but also the grasslands that are at risk. Keilor Plains and district can be in danger. A lot of this land is not grazed these days but has been held by insurance companies and developers that are hoping to make big money out of it. I hope that the strategy plan for Melbourne has stopped those dreams and that the land will be turned back to rural land.

The DEPUTY SPEAKER — Order! The honourable member's time has expired. Time for raising matters on the adjournment debate has also expired.

Responses

Ms CAMPBELL (Minister for Senior Victorians) — On the matter raised by the honourable member for Mitcham, we all listened in horror as he described the terrible plight of a Blackburn North couple and the trauma involved in their purchase of a motorhome. He outlined eloquently the problems of that couple and the fact that this dream has become a nightmare —

Mr Leigh — On a point of order, Madam Deputy Speaker, this is clearly a horrific case. I ask where the honourable member for Mitcham is, since he raised it? He is not in the chamber.

The DEPUTY SPEAKER — Order! There is no point of order.

Ms CAMPBELL — The facts as outlined by the honourable member for Mitcham are of great concern to me as the Minister for Consumer Affairs. Tomorrow I will make sure that the department investigates exactly the facts as he presented them, follows up the matter with the relevant firm in Victoria, and works with our interstate colleagues in Queensland. I have the facts as presented tonight involving the Matilda Motorhomes company, which has its head office in Queensland, although it has a site in Victoria. That matter will be taken up and thoroughly investigated. I want to make sure that this couple's dream becomes just that and that their nightmare is removed.

The matter raised by the honourable member for Benalla about senior Victorian men in Mansfield is not uncommon in other electorates, where retired men find that their friendship and social networks are often tied up with their paid work and that when they retire they need to establish friendship networks within their own communities. It is really important that some of the initiatives that have already begun, led ably by Mr Don Hodges, to start a men's shed program in Mansfield are supported by the government. I have sought advice from Mr Hodges and from the Mansfield adult continuing education (MACE) centre about planning for the Mansfield men's shed. I understand that they have formed a steering committee that has held promising discussions with officers from the Shire of Delatite.

The honourable member for Benalla has outlined why it is important to support strong, vibrant communities such as Mansfield that are proactive in establishing programs for local older men, for positive recreation and for retirement initiatives that value and allow them to be productive and build on their community spirit. To that end I am pleased to inform the honourable member that Mr Hodges and a MACE centre representative will be able to develop a networking strategy to enable them to source community and business support to forge practical links with other older men's shed programs in Victoria.

I am pleased to offer a small grant of \$2000 to those men and to the local community so that they can learn the importance of the men's shed program and that the wisdom of other communities can be shared with the Mansfield group so that they can get cracking and enjoy their retirement in the men's shed at Mansfield.

Mr HAERMEYER (Minister for Police and Emergency Services) — The honourable member for Bendigo East raised the issue of crime reduction and prevention in Bendigo. I pay credit to her: she is the convenor of the Bendigo Safe City forum and gave an extremely impressive presentation to the ministerial crime prevention council when it visited Bendigo a few weeks ago. She certainly showed a great appreciation of some of the issues, and I am very impressed with some of the proactive work that the Bendigo Safe City forum is doing in that area.

That, together with some of the additional policing resources that have been allocated to the City of Greater Bendigo, is starting to make a real difference. The crime rate in the City of Greater Bendigo is 21 per cent below the state crime average and 29.9 per cent below the average crime rate in the Melbourne metropolitan area. Not only is Victoria the safest state in Australia

but the City of Greater Bendigo is one of the safest municipalities in our safest state. That is a great credit to the Bendigo police and also a great credit to the people who make up the Bendigo Safe City forum.

There has been an increase in the number of police in the area from 73 in October 1999 to 85 effective full-time uniform police officers in April this year. Policing around Bendigo has been significantly improved, although I appreciate that people will always want more. The government has spent most of this term undoing the damage done by the previous government, which had cut police numbers by 800 despite promising 1000. Those cuts made their presence felt not just in Bendigo but across the state.

Honourable members interjecting.

Mr HAERMEYER — Maybe Mordialloc needs a new local member and the crime rate will go down. As I said, the crime rate in Bendigo has fallen this year.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I ask the honourable members for Springvale and Frankston East to be quiet.

Mr HAERMEYER — The crime rate in Bendigo has fallen by 1.6 per cent and there have been reductions in most categories, including property and other crimes, together with an extraordinary reduction of 14 per cent in drug crimes. The activities of the Bendigo Safe City forum and the Bendigo police are making a difference, and I congratulate the honourable member for Bendigo East on the interest she has taken in this area.

Unfortunately, during the years when crime was growing quite dramatically under the previous government and police numbers were being viciously cut, none of the Liberal Party members in the area had a word to say about — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The honourable members for Doncaster and Mordialloc!

Mr HAERMEYER — They were all busy paying homage to the great god, Jeff, and licking his boots.

Mr Perton — Was the police union grateful to you? What did they say on Sunday?

Mr HAERMEYER — They said you should pull your socks up!

The DEPUTY SPEAKER — Order! The minister, to respond to a matter raised by the honourable member for Keilor, not the honourable member for Doncaster.

Mr Perton interjected.

The DEPUTY SPEAKER — Order! The honourable member for Doncaster! I ask honourable members to cooperate so that the adjournment debate can finish at a reasonable hour and to allow the minister to complete his response.

Mr HAERMEYER — It is very unfortunate that some members of this place think that this is some sort of private school debating society.

The honourable member for Keilor raised the very serious matter of growing vegetation and the issue of very high grasslands in the area around the outskirts of the interface suburbs of Melbourne, particularly around his electorate. One of the problems in those outer urban areas is that a lot of people who move into the municipality have come from the inner suburbs and have little appreciation of the fire dangers and the precautions they need to take.

This year we are facing one of the most dangerous fire seasons since 1982. Over the next few months I know the Country Fire Authority (CFA) will be out there proactively raising awareness of people in the suburbs in that urban-rural interface, trying to get them to take precautionary steps to reduce their exposure to fire hazard.

One of the problems is that there is a lot of development land where farmers have moved off their properties, so care is not being taken to reduce the fuel load as occurs where someone is living on a property. This needs to be taken into account, and I congratulate the honourable member for Keilor on raising awareness of this danger. I can assure him that the CFA in its fire awareness campaign over the next few months will certainly be drawing to the attention of the property holders the need to take extra precautions in the run-up to the summer period.

Ms CAMPBELL (Minister for Senior Victorians) — The matter raised by the honourable member for Evelyn with the Premier will be referred to him.

The matter raised by the honourable member for Murray Valley with the Minister for Health in relation to Mr and Mrs Davies's assessment for autism of their child will be referred.

The honourable member for Bentleigh's matter for the Premier will be referred.

Mrs Peulich — On a point of order, Madam Deputy Speaker, I am very disappointed with the Premier, who was here only 15 minutes ago, who has obviously been celebrating his birthday and does not see fit to respond to a very serious community issue. I ask the minister to relay the ire of my community about the failure to treat this institution with the seriousness that is required.

The DEPUTY SPEAKER — Order! There is no point of order. The minister at the table has taken the appropriate action in referring the honourable member's request to the Premier.

Ms CAMPBELL — The importance of telling the truth in this place will also be emphasised, I am sure, by the Premier.

The honourable member for Springvale raised a matter for the Minister for Transport in relation to a rail crossing near the Noble Park station at Heatherton Road, which will be referred.

The matter raised for the Premier by the honourable member for Mildura regarding the importance of local services, particularly in regional communities, being able to be approached for tendering will be referred, particularly given the honourable member's concern in relation to the Department of Infrastructure and architectural services.

The honourable member for Bellarine raised a matter for the Minister for Transport about the Leopold Primary School and the Bellarine Highway. I will refer that matter.

I will refer the matter raised by the honourable member for Mordialloc for the Minister for Planning — —

Mr Leigh — On a point of order, Madam Deputy Speaker, clearly some honourable members in this house and the government, depending on its factions, can get the Minister for Police and Emergency Services to come in here. The Minister for Transport would not come in for the honourable member for Springvale, and clearly other ministers in this government will not come in for members of the opposition. This government said that it would set new standards by ensuring ministers were accountable. All we want to do is raise matters — —

The DEPUTY SPEAKER — Order! There is no point of order. The honourable member for Mordialloc knows that this is not an occasion for debate.

Ms CAMPBELL — The honourable member for Mornington raised a matter for the Minister for Housing in relation to legal action against a man in Warrnambool, which I shall refer.

The DEPUTY SPEAKER — Order! The house stands adjourned until next day.

House adjourned 10.46 p.m.

Wednesday, 16 October 2002

The SPEAKER (Hon. Alex Andrianopoulos) took the chair at 9.35 a.m. and read the prayer.

PETITIONS

The Clerk — I have received the following petitions for presentation to Parliament:

Gunnamatta: sewage outfall

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of the undersigned citizens of the state of Victoria sheweth:

Melbourne Water's outfall at Boag's Rocks on the Mornington Peninsula has been discharging toxic effluent into the marine environment for 27 years, resulting in deplorable environmental damage, documented ill health to beach users and an irresponsible waste of a precious resource, water.

Your petitioners therefore pray that Melbourne Water

1. Upgrade its Carrum treatment plant to produce potable standard water (100 per cent recyclable) using non-polluting technologies.
2. Set a date for closure of the Boag's Rocks outfall.

And your petitioners, as in duty bound, will ever pray.

By Mr DIXON (Dromana) (10 565 signatures)

Voluntary euthanasia

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of the undersigned citizens of the state of Victoria sheweth that due to the failure of the Medical Treatment Act to meet the needs of the citizens of Victoria, your petitioners therefore pray that the Parliament legislate to allow a willing doctor, on request, to assist a person who is hopelessly ill and suffering intolerably to die quickly and peacefully under certain guidelines and safeguards.

And your petitioners, as in duty bound, will ever pray.

By Mr LANGDON (Ivanhoe) (5657 signatures)

Laid on table.

Ordered that petition presented by honourable member for Dromana be considered next day on motion of Mr DIXON (Dromana).

PAPERS

Laid on table by Clerk:

Melbourne City Link Act 1995 — Order pursuant to s 8(4) decreasing the Project Area

Mt Baw Baw Alpine Resort Management Board — Report for the year ended 31 October 2001

Statutory Rule under the *Fair Trading Act 1999* — SR No 95

Subordinate Legislation Act 1994 — Minister's exemption certificate in relation to Statutory Rule No 95.

MEMBERS STATEMENTS**Local government: rate increases**

Ms BURKE (Pahran) — It is clear the letter the Minister for Local Government sent to all mayors on keeping municipal rates within the government rating framework of at or below the underlying rate of inflation has not made any impact at all.

Keeping in mind that rates are only a part of council income, I note that in 1999 rate revenue across the state was \$1.33 billion, yet in 2001 it was well in excess of the consumer price index increase for the same period, at \$1.54 billion — an increase of 16 per cent over the term of this government. It should be remembered that this is accumulative.

In 1999 rates represented 20.2 per cent to 57.8 per cent of council income. Last year those figures had risen to 23.6 per cent and as high as 61.5 per cent. The figures are based on councils' own annual reports across Victoria. It is hard enough that rates have to keep climbing, but the problem is finding out why. Every council is different and one letter does not fit all. There are many reasons for the increases in rates. In some cases it is as simple as increases in Workcover premiums, public liability insurance premiums and cost shifting, but there are many other different causes. The government does not know, nor does it care that the ratepayers — —

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

Dental services: Echuca

Mr MAUGHAN (Rodney) — I wish to draw to the attention of the house the inadequate public dental services in Echuca and other parts of country Victoria. A new public dental clinic was opened as part of Echuca Regional Health in December 2001. That clinic has four chairs, two for the community dental program

and two for the school dental service. As at the end of August the clinic had been without a dentist for six months. Currently there is a part-time locum who is working three days a week for one month only. Waiting lists are increasing and are unacceptably long.

Whilst the Department of Human Services is issuing vouchers so eligible patients requiring urgent dental care can attend private practitioners, waiting lists continue to grow for the residents of Echuca, Kyabram, Rochester and Cohuna. It is little different in other parts of country Victoria or at the dental hospital, where there are totally unacceptable waiting lists, particularly for dentures. Elderly people are stressed and inconvenienced, and patients requiring dental attention are unable to obtain service until their condition becomes urgent.

I call on the government to ensure that the people of Echuca and country Victoria generally are provided with adequate dental services to satisfy their needs.

Reservoir Civic Centre

Mr LEIGHTON (Preston) — An innovative community building is currently being constructed in Reservoir. The \$4 million Reservoir Civic Centre redevelopment by the City of Darebin incorporates a number of environmentally friendly features in both its construction and ongoing use. For example, the building materials, some of which are recycled, are non-toxic, low in embodied energy, low impact, locally produced and sensitive to health concerns such as asthma.

Energy will be saved throughout the use of the building in a number of ways — for example, the minimisation of water use and the use of rainwater to flush toilets should save about 1.2 megalitres per annum; use of green power will save 200 tonnes of carbon dioxide per annum; and solar energy will provide over 20 per cent of energy needs. The building will save 60 to 65 per cent energy over a comparable building, have lighting which will perform over 75 per cent better and produce savings of 50 per cent by using five-star equipment.

When completed the centre will be a great community asset. It will include a youth centre, recording studio, child and maternal health services and a customer service centre. As well as serving the community the centre will be environmentally friendly, ecologically sustainable and a healthy place in which to work. My congratulations to the City of Darebin for undertaking this project which will benefit the community.

Glen Eira: rate increases

Mrs PEULICH (Bentleigh) — The residents of the Bentleigh electorate are angry about the huge rate rises they have suffered over the last three years of the Bracks government. Over that time the Kingston City Council has increased its rates by 18.5 per cent. The Glen Eira City Council has increased rates by a phenomenal 37.7 per cent, with the most recent increase being 28 per cent, reduced by a rate rebate that the Solicitor-General deems to be illegal, yet the Minister for Local Government has ignored his advice and has done nothing about it. The community is angry. Petitions opposing the increases have been made to the council, the mayor of the City of Glen Eira opposes the increases and petitions have been tabled in this Parliament. I have also written to the Minister for Local Government.

Despite the Premier's own social policy adviser being the candidate for Bentleigh at the next election, no-one has lifted a finger to protect my community from these outrageous and unwarranted rate rises. Some examples include: K. L. Sorrell of Bentleigh East has suffered a 41 per cent rate increase this year; H. Kassay, who lives in Atkinson Street, Bentleigh, has suffered a 54 per cent rate increase; A. M. Raftopoulos of Bentleigh has suffered a 40 per cent increase; and A. J. Millar has suffered a 33 per cent increase. These are outrageous increases that my community can ill afford. The Minister for Local Government has done nothing. He is a do-nothing minister in a do-nothing government.

Planning: green wedge strategy

Ms DUNCAN (Gisborne) — I rise this morning to sing the praises of the Bracks government and its green wedge legislation. I personally congratulate the Minister for Planning for all the good work she has done in bringing this proposal to fruition. I also thank her for meeting with several groups in my region and allowing them to put their cases to her. I thank the minister for her good work and consultation on this. I can assure the minister that the front page of our local paper reflects the support this legislation has received in places like Sunbury. Sunbury is on the edge of Melbourne, and this legislation means we can have planning that is not ad hoc — we can have planned development and prevent the urban sprawl we have seen in many other parts of Melbourne.

The green wedge legislation complements beautifully the metropolitan strategy. These strategies will give our councils the tools and support they need to protect their towns. The legislation will allow places like Sunbury to remain unique and not be flooded with development

and overrun by the urban sprawl. This week's paper illustrates the sorts of benefits this legislation will bring. The front page headline is 'New hope for heritage site'. There are a number of very sensitive areas in the region, and this will protect them. I praise the government for its actions.

Wonthaggi Primary School

Ms DAVIES (Gippsland West) — The government needs to take note of and act on the urgent building and maintenance needs of Wonthaggi Primary School in Billson Street, Wonthaggi. This fantastic school has 308 students and lovely 100-year-old red brick facilities and is located in the centre of town.

However, the downside of the age of the buildings is a very high maintenance requirement. The school needs an upgrade. There is a master plan wafting around the regional office somewhere but no commitment has yet been made to upgrade the school. In addition, \$124 000 worth of maintenance was identified by the physical resource management system audit in December 2000. The government has so far allocated only around \$22 000 over the three years to 2003 to complete that maintenance. Obviously the amount allocated so far is completely inadequate.

Since I have been the member for Gippsland West in this Parliament my presence and efforts have helped and encouraged two very different governments to fund new schools or upgrades at Bass Valley, Newhaven, Drouin, Koo Wee Rup, Bayles, San Remo, Lang Lang, Wonthaggi North and Cardinia. There are more, but I have to tell the government that more is still needed. Wonthaggi Primary School needs the government's attention. The issue of outstanding maintenance funding stretches much further than one school. In education it is never acceptable to forget about one issue while dealing with others.

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

Surf Coast: performance

Mr PATERSON (South Barwon) — It is time that police were brought in to investigate irregularities in the Surf Coast Shire. As reported by Garry Cotton in the *Geelong Advertiser* on 20 September this year, auditors have identified that assets worth nearly \$700 000 are missing. If these assets have been stolen, it is a serious police matter.

The government pretends there is nothing wrong with the shire and refuses to listen to local residents. The Surf Coast Shire has lost the confidence of residents. A

recent meeting of 400 locals called for the council to be sacked. The shire is \$9 million in debt. It has had to defer capital works projects because of a lack of money, and it has slugged residents with massive rate hikes. The municipal inspector's report was due on the Minister for Local Government's desk nearly a week ago, but the government remains silent. The government seems to be paralysed and unable to make a decision. In fact, not all that long ago this hopeless Labor government was holding up the Surf Coast Shire as a model council.

Residents must be able to have confidence in their local council, and in this case that confidence has evaporated. One senior officer has been forced to use the protection of the Whistleblowers Protection Act to expose critical information regarding the shire's operations. Residents are now wondering what has happened to hundreds of thousands of dollars worth of missing assets. If they have been stolen, then a serious crime has been committed. The police should be called in as a matter of urgency.

SES: Nunawading unit

Mr ROBINSON (Mitcham) — I pay tribute this morning to the outstanding work undertaken by the State Emergency Service (SES) crews, in particular the Nunawading crew, headed by unit controller Alan Barnard, during a couple of violent windstorms that hit Melbourne early last month. The Nunawading crew received some 300 calls in the 24 hours on the affected day, mainly about trees coming down on roads. In addition they were called to at least one roof dislodged in Vermont which was blown onto not the house next door but to the one beyond that.

There were numerous powerline-related tasks to be done on the night, with many live lines coming down. In one instance a unit member had to spend 11 hours with a live line waiting for it to be rectified. All Nunawading unit's members were active during the storm response period, even for a short period on the Tuesday when they had four vehicles plus up to five private vehicles out on tasks. On the Monday, one vehicle was sent to do a job in the Broadmeadows area where there was a huge unroofing at a block of flats. Most of the 50 volunteers took leave from their employment to do the task. The support from employers in those cases was admirable.

The SES consists of people who are very much unsung heroes to whom we owe a great deal of gratitude. I place on the record my appreciation of the work done by the Nunawading crew at that very difficult time.

Frankston: parking fees

Ms McCALL (Frankston) — The Frankston City Council rates have been increased this year by 6.9 per cent. This is not an excessive amount, and some of the valuations on the properties were quite good, being upgraded in recognition that Frankston is the place to live. However, part of our rate increase has clearly gone to producing some of the largest recycling bins that most of the older members of my community have ever seen. Even though most of them are very keen to take part in the recycling, when the recycling bin is full it is almost impossible to actually wheel the wretched thing up the driveway and out the front to be collected. However, that is not the only problem.

After an increase in rates by 6.9 per cent, which is reasonable enough, we have had a huge increase in the cost of parking in Frankston — an increase of \$50 for a parking fine, which is outrageous. The parking fees around the central activities district itself are actively discouraging people from shopping in Frankston. They go to Karingal or Mornington or Mount Eliza where they can park free, but they do not want to park in Frankston. I cannot understand why, if the council is so keen to encourage the people of Frankston to shop locally and live locally and to recycle along with their huge recycling bins, it would go out of its way to push people out of Frankston to shop somewhere else.

The SPEAKER — Order! The honourable member for Keilor has 1 minute.

St Albans Lunar Festival

Mr SEITZ (Keilor) — I join the Premier in supporting the St Albans Lunar Festival, which started off in an excellent meeting in my electorate office and was then taken over by the St Albans Traders Group. At the moment it seems that the Asian community has got itself involved in a fight with local people of European background. The lunar festival should continue, and I pledge my support for it. In particular the extra rates that I pay for my electorate office should go towards it, because the funds have been stopped. However, I encourage all traders to voluntarily make their funds available to the lunar festival, joining the Premier and me in proceeding with it.

Last year it attracted some 40 000 people, which was a tremendous effort by the St Albans community, organised by the St Albans traders. I welcome the Premier's support for this program, as reported in the local papers, and I certainly will do my bit to ensure that the Brimbank City Council supports the ongoing development of the festival.

The SPEAKER — Order! The honourable member's time has expired, as has time for members statements.

MATTER OF PUBLIC IMPORTANCE

Water: infrastructure funding

The SPEAKER — Order! I have accepted a statement from the honourable member for Polwarth proposing the following matter of public importance for discussion.

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Gisborne will find herself outside the chamber — similarly the honourable member for Mordialloc.

Mr Leigh interjected.

The SPEAKER — Order! The honourable member for Mordialloc well knows that he must remain silent while the Speaker is on his feet.

The matter of public importance for discussion is:

That this house condemns the Bracks government on its \$218 million (55 per cent) cut in water infrastructure spending since coming to office, including water storages and waste water treatment facilities.

Mr MULDER (Polwarth) — As a member of Parliament it embarrasses me to have to bring this matter of public importance before the Victorian Parliament, given that it was not all that long ago that the government hosted a water summit in Victoria to highlight the crucial issue of water and water infrastructure in Victoria. It is well known that the summit was attended by some of the most eminent business people in Australia, who came to voice their concerns about water and water infrastructure. Shortly after the summit concluded in Melbourne, it came to light through the Australian Bureau of Statistics that over the past three years the Bracks Labor government has cut funding for water infrastructure, water storages and waste water treatment plants and facilities by a massive \$218 million, or 55 per cent. Government members should hang their heads in shame given their lack of commitment to water and water storage in rural and regional Victoria in particular.

It has come to light only today that the farmers who are serviced through the Wimmera–Mallee system may be without water next year. In the central Goulburn Valley irrigation district farmers are rapidly culling herds, shutting down and walking off their farms due to the

government's lack of commitment to infrastructure and investment in water in the state of Victoria. Off the back of a drought the government, the minister, the Treasurer and the Premier should be hanging their heads in shame for having the gall to call a summit on water knowing very well that they had cut by 55 per cent their commitment to Victoria's water storages and water infrastructure, including our waste water treatment facilities.

The previous government's commitment of over \$1 billion to water infrastructure in the state recognised the important need for water in Victoria. Work was put into, firstly, establishing our catchment management authorities to improve the health of our catchments, and secondly, the authorities working on small town sewerage schemes to connect many of Victoria's smaller communities to waste water treatment plants, which do a great job for those communities.

What do we have from the government to follow that program to assist small rural communities? The government and the Minister for Environment and Conservation, through the Environment Protection Authority (EPA) and local municipalities, have imposed a massive tax on those smaller communities that have not been connected to waste water treatment plants at this point in time.

I will tell you how this process works, Mr Speaker. At this point in time a code of practice is in place —

Ms Garbutt interjected.

Mr MULDER — Yes, minister you are right. It is a code of practice put in place under the Kennett government, but it was never implemented and never enforced. At the time the Kennett government recognised that the code had problems: it did not recognise the various situations of different locations around the state and did not allow for different household uses or various soil types.

The EPA has been around, saying that it has conducted workshops. There have been no workshops; there have been information sessions — and not all the time with EPA officers, either. They have had told municipalities, 'You will implement domestic waste water treatment plants and you will take on board the code', which means a compulsory three-year inspection and a compulsory three-year de-sludging program. That will hit these very small rural communities right in the hip pocket. These are people who pay for bottled gas. These are communities with people on very low incomes. It will hit them right in the hip pocket.

I think the minister at the table, the Minister for Environment and Conservation, knows and understands, because in a fact sheet she sent out — which I will get to shortly — she tried to cover up the fact by saying that this is not a tax. Any action you take, Minister, through the Environment Protection Authority or through the municipality that hits country Victorians in the pocket is a tax — and you have generated it! For a number of those people that will amount to anywhere between \$300 and \$800.

The DEPUTY SPEAKER — Order! The honourable member will address his comments through the Chair.

Mr MULDER — Thank you, Deputy Speaker. So keen are the water authorities that, as I understand it, Goulburn-Murray Water has already indicated that the costs for accepting de-sludge wastes will rise rapidly — by 50 per cent.

The minister says this will not be put in place. However, Mitchell shire is already preparing its draft waste water domestic management plan. That will come into place, and it will hurt enormously some of these very small communities.

It is interesting to look at the minister's response to my media release.

Mr Maclellan — On a point of order, Deputy Speaker, as a courtesy to you in the Chair, it is usual for the minister to remain at the table or to arrange for another minister to sit at the table if the minister has urgent need to go elsewhere, which we all understand. It is normally a courtesy to the Chair to make sure that there is a member of the executive at the table.

The DEPUTY SPEAKER — Order! There is no point of order.

Mr MULDER — I will quote from a press release by the minister, a minister of the Crown. I apologise to the Hansard reporter and to any other females in the house who are listening to this, but this is a minister's comment in a press release to a rural and regional newspaper. The minister is quoted as saying:

That time, just like this time, Mulder simply balled it up.

Can I quote one of your — and I probably will not be absolutely exact with the quote —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I again remind the honourable member to address his

comments through the Chair, without assistance from the members on the government benches.

Mr MULDER — Thank you, Deputy Speaker. It is very close to a quote from one of Labor's icons, Paul Keating, and it goes something like this: 'If you upset the dullards and underachievers, you must be doing something right'. That is all I will say about the minister because, by gee, it is a bit hard. I have never seen a response like that from a minister who has had to put together a two-page fact sheet to try to clear her name. The minister knows very well about the issues I raised with people right around rural communities, including farmers.

Can honourable members imagine it? When this proposal comes into place a farmer on a 1000-hectare property who has a septic tank and has operated that septic tank for 25 to 30 years without any need for maintenance, an inspection or a de-sludging program will get caught up. Coming off the back of that can honourable members imagine some of these farmers in the Wimmera–Mallee or in the central Goulburn Valley irrigation districts, who have no water and have not had water delivered, working with the government that has cut infrastructure spending on water?

The municipal septic tank inspector will turn up — knock, knock! — and say, 'I am here to inspect your septic tank. By the way, here is an order for some rectification works, here is my bill, here is the name of our new department within our municipality, the Environmental De-sludging Department. We see this as being a very great earner for our municipality. You can contact it and have your tank pumped out. And, by the way, we will probably be back in three years. However, should the weather conditions or the regime change, or should the need change for us to grab a little bit more money, we could be back a little bit sooner'. That is what the code allows for. It allows for a municipality, if it wishes, to either extend or increase the inspection regime. It is very likely municipalities will increase it, and that is what people in country Victoria do not trust about the government of the day.

What people in country Victoria know and understand is that they are being taxed out of their homes by the actions of this minister. So far they have additional taxes of \$1500.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The honourable member for Narracan!

Mr MULDER — When you add to this the additional tax or charge or levy — call it what you

like — that this minister is trying to impose on rural communities, on farmers, those affected will wake up very quickly to what this whole process is about. It is about a tax grab imposed by the minister.

If it is all about investing in water infrastructure, perhaps the government can explain to me the actions of Darren Wilson, who is with the Robinvale irrigation customer services committee. On a number of occasions Mr Wilson attempted to contact the minister and discuss a major piping problem with his irrigation system. He was saying, 'We are not asking for an absolute handout, we are prepared to do a 40:40:20, or a third, a third and a third, but would you at least come down and talk to us about our problems?'.

I will inform the house of how Mr Wilson got an appointment with the minister after not having his telephone calls returned. He rang up the Premier on talkback radio and said, 'My name is Darren Wilson. I have a problem in that I can't get the minister to come to talk to me about the serious irrigation issues we have up here'. The Premier said, 'I will look into it straightaway. Great idea, Darren. I will look into it and make sure you get a meeting with the minister'. In actual fact what happened was that he got to meet with a departmental person who would not have known a dam from a glass of water. He got nowhere and the whole thing disappeared. There was no commitment and no interest by the minister of the day.

Really these are the programs that the government should be looking at. It is not just a matter of water savings; it is a matter of what these types of projects will do for those irrigators and how they will assist them to get their farms working efficiently with water. The problem with the system is that there are some leakage and evaporation issues, but there is also the matter of the mechanics of the system in trying to get water to farms on time and most effectively if they are under pressure. These are the things that those involved want to talk to the government about in terms of spending money on infrastructure, but they cannot even get as much as an audience with the minister.

I will also raise an issue concerning the central Goulburn irrigation district. Currently that irrigation district is able to supply only around 40 per cent of water to the farmers in the district. It also wishes to speak to the minister. To this point in time that irrigation district has lost \$9 million, and \$3 million last year. It will continue to lose money. It wants to discuss its infrastructure upgrade needs, and it cannot even get to talk to the minister of the day. There has been no commitment and no understanding.

The greatest fear I have about this whole process is that we will get to the point of repeating what happened in the Cain and Jolly era, when they tried to sell the Cardinia and Thomson reservoirs to dig themselves out of the dirt. That is exactly what happened in the past. Look at the finances of the state at the moment.

John Cain tried to sell the Thomson and Cardinia reservoirs, Jolly was with him behind it, and they were going to lease it back — and you have the cheek to talk about bringing into this house anti-privatisation water legislation. What an absolute bunch of hypocrites! Your own people, your own mentors, the people you put up there on a pedestal, tried to sell Victoria's water. This is an absolute outrage; it is absolutely disgusting.

Here is an article reporting Rob Jolly headed 'More water, less worry for Melbourne'. You can go through the whole lot. There is another article headed 'Lease plan "criminal" — Kennett'. It was your idea from day one, because you got yourselves into an awful stinking mess with the state's finances and you tried to buy your way out — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I again remind the honourable member for Polwarth — I am sorry to keep interrupting him, but as he persists in not addressing the Chair I have to — to address his comments through the Chair.

Mr MULDER — Thank you, Madam Deputy Speaker.

As I said, this is what it is about. This is what it is going to come to unless we get some serious commitment, some serious money and some serious interest rather than the carping, the harping and the rubbish that comes from this government in terms of its commitment to water in the state of Victoria. There is no commitment. This is what it is all about. This is what it will get back to: selling our water resources to dig the government out of the mud.

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

Mr STEGGALL (Swan Hill) — I should remind the house that the matter of public importance is:

That this house condemns the Bracks government on its \$218 million (55 per cent) cut in water infrastructure spending since coming to office, including water storages and waste water treatment facilities.

One of the issues that has been raised by the honourable member for Polwarth is the fact that there has been a

cutback in the expenditure on water infrastructure. One of the reasons for that is that the government has not replaced, or has not as yet spent, the \$400 million that the previous government put into the small towns and water and sewerage programs. We have still got about three of those programs to complete. What the government has not done is replace that money with new money for an ongoing project.

I can understand why it has not done that. Its members used that particular issue to a great deal of political advantage in the last election, and country Victoria saw this rather strange situation where the opposition, when in government, put \$400 million of cash into small urban water and sewerage programs in the small towns and it became a political negative for us. That was very clever. It was the biggest single — —

Mr Nardella interjected.

Mr STEGGALL — Come on! People like the honourable member for Melton ought to be dealt with right from the word go. He should understand that the public ownership of the water resources in Victoria has been paramount to everyone in this house for many years. His political nonsense and carry-on and the dishonesty with which he and others continue that line have confused people throughout Victoria, and successfully confused them to the government's advantage.

Mr Nardella interjected.

Mr STEGGALL — There are areas of infrastructure expenditure that I am most interested in which have not been dealt with by this government, and I do not believe they should be. Firstly, there is the safety issue, which we have coming at us. What has happened there is that we have changed the standards for our dams in Victoria and in Australia. Because of that change I believe governments need to participate with the water users in the upgrade of that safety. No money has been put forward for that. The last government put \$40 million towards that.

Once again we have not seen expenditures coming forward for the upgrade of our irrigation districts, the Sunraysia Rural Water Authority, the First Mildura Irrigation Trust, Goulburn-Murray Water and Wimmera-Mallee Water. We have not even seen plans, with the exception of Wimmera-Mallee, where we have a feasibility study now going on. It has been a rather drawn-out operation to do that. The opposition supports that very much. What the opposition has not seen is a plan to assist in the upgrade of the irrigation infrastructure in Victoria. I say that because in 1992 we

entered into a process of full cost recovery in our water industry — a total renewals program. We gave the industry 10 years to achieve that, which it has done, although central Goulburn is a little bit behind at the moment, but it is up there with this year's operation and its pricing. What we have not been able to do is to get a plan in place to pick up the shortfall.

For the last 100 years governments have not charged full tote odds for irrigation water even when, in 1983 or 1984, I think it was, we wrote off some \$800 million of notional debt that was sitting there for the water industry. The government did not look at the replacement of the shortfall for the depreciation or the maintenance of our irrigation systems. I say this because we have got to be very careful that we do not end up with our public irrigation infrastructure being the poor man's operation in our country areas.

If you look at the new irrigation projects throughout Victoria at the moment you will be amazed at the sophistication of technology that is being used. It is at world's leading edge and some of the best.

I must admit that one of the areas that the government has been involved in has been the Woorinen irrigation district upgrade, which is the only one of those areas that the government has been involved in. It comes on line in February, it is ahead of time and, believe me, it is going to be a public infrastructure operation sitting right at the top of the world's best programs. That type of thing needs to be done with Mildura, for the First Mildura Irrigation Trust, and for Sunraysia Rural Water. The honourable member for Polwarth mentioned Robinvale. The opposition has been trying to get this type of approach in Robinvale for some time but has not been able to do it.

Mr Nardella interjected.

Mr STEGGALL — Yes, we tried in our time as well, but that does not make any difference to the fact that three years later, with all the progress we made in the seven years, the honourable member for Melton — —

The DEPUTY SPEAKER — Order! The honourable member for Melton will cease interjecting.

Mr STEGGALL — The government has not tried to progress that process. This is a pretty vital area and a pretty vital operation.

The planning and the process in forming Sunraysia Rural Water and getting that system fixed up is quite a task. The other area that has not been handled by the government is the introduction of desalination of our ground water, and for urban and rural water. At the

moment we are in the worst drought we have ever had. The science around the world is quite significant for desalination. We are using it in different areas, but we have not seen government really pick up the ball on the science of desalination and the technology that is involved. At the water summit we had here in May we heard of the work being done on desalination for brackish water and some saline ground waters in America. We have not picked up the ball in Australia on that, and I believe that is open to and available for us.

The other issue we should briefly mention is the Regional Infrastructure Development Fund that this government has talked so glowingly and highly about. Unfortunately it has become just that — a regional development fund, not a country development fund — and as such we have not seen — —

Mr Nardella interjected.

Mr STEGGALL — You come from Melton, my son! You are almost metropolitan — in fact, you are.

Mr Nardella interjected.

The DEPUTY SPEAKER — Order! The honourable member for Melton!

Mr STEGGALL — The honourable member for Melton! I am really going to miss that, mate!

The other issue we are looking at is trying to make sure we have infrastructure expenditure lined up with the development projects that are going on in Australia and Victoria. I have mentioned many water infrastructure areas, including the Macalister irrigation district and the Lindenow Flats, as well as the problems of getting security of water supply into those areas so that more investment and development can take place.

The issue of small towns was mentioned rather strongly by the honourable member for Polwarth. We have made some progress with small towns, and we are still awaiting the completion of many of those schemes in my electorate. When they are completed they will be of great benefit to all of us; but what we are not seeing is government doing the planning for the next phase. The government does not have any infrastructure plans to pick up those other small towns which have requested that they be made available to their areas. The operation of the Environment Protection Authority and the quality and standards that are imposed have been mentioned. These are issues which need to be handled in a sensitive and proper manner, because our small towns are going to need some assistance in this matter, and it would be a very good area for government infrastructure spending.

The fact that the government has not continued the same rate of water infrastructure spending is a point that should be made. The government is still having trouble spending the money that was put aside by the previous government.

Ms GARBUTT (Minister for Environment and Conservation) — The honourable member for Polwarth was absolutely embarrassing! His lack of knowledge would dismay all Victorians, and the points that he raised are hardly worth answering. I will pick some of them up along the way, but it really was cringe material. He is quite obviously a shadow minister who still has the learner plates on and who does not know what he is talking about. Unfortunately he chose to parade that for all to see this morning.

The National Party member who spoke on this matter, the honourable member for Swan Hill, has a huge knowledge of this issue, but he was unfair in some of his comments, and I will pick those up along the way.

When I looked at the topic of this matter of public importance last night I thought, 'Here is a chance to make a ministerial statement on our water management, which is world class, so I am very pleased to have it'. The reaction of some water experts when I told them about this was, 'You're joking! That's the topic of a matter of public importance?'

First of all, let's tackle head-on the so-called facts that the honourable member has paraded about a cut in water infrastructure spending. Under the last three years of the previous government average annual expenditure in water industry infrastructure was \$390 million — and the honourable member should keep that figure in his head. In the three years of this government the average has been \$433 million — so the honourable member for Polwarth has simply got it wrong. He is talking rubbish; he is absolutely wrong.

Mr Mulder interjected.

The DEPUTY SPEAKER — Order! The honourable member for Polwarth has had his turn. I ask him to be quiet.

Ms GARBUTT — Let's go through some of the government's achievements. We have operated on three key principles: first, that all Victorians should enjoy the benefits of clean water and healthy rivers and catchments; second, that all water users should value and conserve water, using it wisely through smarter water use; and third, investment in our water resources will contribute to new jobs and innovative, high-value industries. They, of course, underpin rural and regional economies and the jobs that they create.

Let's go through some of the government's initiatives. The first one was committing \$150 million — and that is with New South Wales, topped up by the federal government, making it \$375 million — to return water to the Snowy River and improve the environmental flows in the River Murray. How are we going to implement that? By upgrading the infrastructure in the northern irrigation areas across the state.

The honourable member for Swan Hill touched on this, but he skimmed over it somewhat and left out a few important facts. Let me tell the house what we have already invested in as a government. Piping the Woorinen irrigation scheme was the one thing he mentioned. That was a \$9 million investment by government, matched considerably by the local farmers, who see the importance of pipelines providing secure, clean water when they need it.

The government has also demonstrated its commitment by already investing a further \$25 million in pipelining the Normanville irrigation scheme. I am surprised that the honourable member for Swan Hill did not mention this, because it is in his electorate. I went there, turned the first sod and launched the scheme with all the community except the honourable member, who was overseas at the time enjoying a jaunt around Europe. Perhaps that is why he forgot to mention that little scheme. That stock and domestic program will provide all that pipeline infrastructure and deliver secure, clean water to those farmers.

The second scheme, of course, is the one at Tungamah, which is well under way. The government is committed to that scheme and it is doing the detailed planning. Tungamah is another area that will be pipelined. Those three areas will enjoy some of the best infrastructure you will find anywhere in the world, delivering much cleaner and much more secure water to the farmers.

Mr Mulder interjected.

Ms GARBUTT — Ask your colleague sitting beside you, because he is the one who has been doing some negotiating and commenting on these schemes.

The next scheme is a metering program in the Goulburn–Murray irrigation area, which will be metering the stock and domestic systems and the stock and domestic dams and producing savings both for the Goulburn–Murray water systems and, of course, for environmental flows in our rivers.

The next program is a channel control pilot program which I inspected twice in Shepparton and surrounding areas, because this is a program that will save vast amounts of water by properly controlling the flow of

water through the channels. There are solar-powered and computer-controlled gates which will allow farmers to control the water timing and save water.

I will also mention the Boort pipeline, which was funded through the Rural Infrastructure Development Fund. Perhaps the member for Melton might like to talk about the Sunbury–Melton recycled water pipeline, which is close to completion and which the government is about to open officially.

Mr Nardella — I certainly will.

Ms GARBUTT — I will move on to some other things that my parliamentary opposition counterpart mentioned — but not properly, and without explaining the detail.

One was implementing the fair deal for all to provide sewerage to around 18 000 rural properties. A total of \$22.5 million has been provided for this purpose over three years to implement 60 sewerage schemes across Victoria, with an additional \$4 million made available for hardship relief. Most of those projects have been completed, are being completed or are about to start.

I refer to the member for Polwarth's reference to \$1 billion. I remember the previous government's advertising that \$1 billion, because I had a flood of phone calls from very angry people saying, 'That's not the government's money, that's our money'. When you analyse that \$1 billion, you realise \$600 million of it was coming out of people's pockets but the former government was claiming it was government money! It was nonsense, and that is why we are on this side of the house and they are on that side.

That \$1 billion did not exist. People were being asked to put their hands in their pockets to the tune of \$4000 or \$6000 for sewerage schemes, and what we were able to do when we came into office was give people back cheques. Several of the members here in this house — —

Mr Helper interjected.

Ms GARBUTT — Here we are. The member for Ripon was able to hand back to his constituents a cheque from this government, because it said — —

Mr Mulder interjected.

Ms GARBUTT — It was \$22.5 million and it was in the budget. I am amazed — this member opposite obviously does not even know what has happened!

Mr Mulder interjected.

The DEPUTY SPEAKER — Order! The minister, through the Chair, without the assistance of the honourable member for Polwarth.

Ms GARBUTT — This is all very recent history. This happened just two and three years ago, and the shadow minister is still learning.

Mr Mulder interjected.

The DEPUTY SPEAKER — Order! The honourable member for Polwarth!

Ms GARBUTT — He should know that two of the big issues during the last election were, firstly, the country sewerage schemes, and secondly, the catchment management authority program, but we will get to that little fact a bit later.

One of our icon projects funded through this year's budget is a \$77 million commitment to the Wimmera–Mallee pipeline to save 93 000 megalitres of water and to put that water down the rivers — the Glenelg or the Wimmera — and provide some for regional development.

Mr Mulder — When are you going to start?

Ms GARBUTT — We will start when federal government coughs up some money!

Mr Mulder — Start now. Start one project!

Ms GARBUTT — The shadow minister would be much better advised to use his time campaigning among his federal colleagues to deliver the money to that project. The federal government has not committed to that project. It is an icon project and a wonderful project that will save water and deliver great benefits to the environment, great benefits to the region, great benefits for farmers and great benefits for employment, but the Liberal Party will not commit to it. I invite the honourable member to campaign for this project as strongly as he has spoken today, but unfortunately all his comments today have been nonsense. Absolute nonsense!

Water management is not just about infrastructure and it is not just about dams and pipes; it is also about management and ideas. One of the things that has been progressed under this government has been new ideas. Our Water for Growth program — in which \$30 million has been invested in regional and rural areas for growth — is about regional development, economic development and jobs, with an emphasis on efficient water use. Coming back to our second principle of smarter water use, the government is

investing heavily in many Water for Growth programs across the state.

Turning to the city, the government has increased spending on sustainable water infrastructure projects in the metropolitan area by \$68 million as part of its environmental partnerships program. This will be for extending the sewerage schemes in the city as well as for a program called the Smart Water Fund, which will receive \$4 million this year and another \$4 million next year to increase our water recycling efforts.

When Labor came to office the percentage of water recycling in Melbourne was just 1 per cent. That is the legacy of the Liberal and National coalition government — 1 per cent recycling of the vast amounts of waste water poured out into the sea. This government has made a commitment to lift that to 20 per cent over 10 years, and it is investing in that.

Mr Mulder interjected.

Ms GARBUTT — Not another announcement, he says. No, that announcement was made months and months ago.

Mr Mulder interjected.

The DEPUTY SPEAKER — Order! The honourable member for Polwarth will behave himself.

Ms GARBUTT — The shadow minister does not know. The shadow minister missed it. The shadow minister does not know the first basic facts about water resources, water resources management or water resources infrastructure. He needs to go back to Water Management 1.01 and find out what he should be talking about!

Let's talk about some of the other areas of the government's achievements in focusing on the health of our rivers and catchments, which is absolutely fundamental to our farmers, to our regional economies and to regional jobs.

Let's talk about the Healthy Rivers strategy that I have released which the government has funded with \$12 million from this budget. That will protect and improve our rivers across the state — all of them — with a focus on two icon rivers, the Ovens River and the Mitchell River, which are in excellent condition and which are heritage rivers, and we want to keep them that way. But this strategy will fund improvements for other rivers which are considerably degraded — that is about three-quarters of our river system — in cooperation with local people, and with local farmers having a say.

Millions of dollars went into the Gippsland Lakes rescue package followed up by the Gippsland Lakes action plan. Obviously I do not have time to go through all that.

If we have a look back to the previous government, which I emphasise spent less than this government has spent on this issue, we can see that its performance was woeful. What was its principle? Sell off the water authorities. Sell them off! That was the aim of every step the previous government took. That was exactly what the previous government wanted to do, and I do not think the shadow minister here ever got over it.

The performance of the Liberal Party in particular has been absolutely woeful. All members of this house will remember the infamous farm dams legislation debates, because we had three of them. The Liberal Party could not get its act right, could not get a consistent position and took seven months and six debates back and forth in Parliament before it finally landed on a position which was where the rest of us had started seven months earlier. The ringleader in all that nonsense, who did not understand the policy, was the current shadow minister.

What a disaster for the Liberal Party this shadow minister has been. He has put out two press releases, one on septic tanks and one on decommissioning of water storages, and we will come to that bill very shortly. Both those press releases were an absolute disaster. His comments on Lake Mokoan were full of the same nonsense, mistakes and lack of accuracy that have already come to characterise this shadow minister.

At least the previous shadow minister knew what he was talking about some of the time, but the Liberal Party's portfolio reshuffle has been unfortunate. I am told that at briefings it is hard to tell who the new shadow minister is.

Mr PATERSON (South Barwon) — It is plain that the new Liberal shadow minister for water resources, the honourable member for Polwarth, has the Minister for Environment and Conservation on the run. It is also plain that when the minister has to resort to personal attacks on a member of the opposition she is in trouble. It is a joke that the minister resorted to the hoary scare tactic that the Liberal Party will sell-off water resources, and the minister knows it.

It is also plain that the new Liberal shadow minister for water resources, an excellent member of Parliament, has caught out the minister, particularly on the issue of septic tanks.

Mr Mulder interjected.

Mr PATERSON — She is certainly on the nose. My constituents and my colleagues across Victoria now know that the government will slug them on septic tanks, and they are not happy.

Mr Mulder interjected.

Mr PATERSON — As the honourable member for Polwarth rightly says, the minister has been flushed out and is flushing herself out of the chamber as we speak.

In Geelong water is a critical issue. I am sure honourable member will remember the water restrictions that residents of Geelong endured over a lengthy period. That situation has now turned around. It is amazing what a heavy downpour of rain can do to water storages. Water storage levels were down to 40 per cent, but as of 8 October they are now up to nearly 80 per cent — a significant turnaround.

Mr Nardella — It must have rained!

Mr PATERSON — The honourable member for Melton has finally caught up with what I said a few minutes ago. If the honourable member reads *Hansard* he will realise he has just repeated what I said 30 seconds ago. The Wurdee Boluc Reservoir, Geelong's main water storage, is now more than 80 per cent full, and the West Barwon Reservoir, Geelong's other main storage, is over 90 per cent full, so there has been a significant turnaround in the water storage levels of Geelong. However, people still remember those years when they had to be very careful with their use of water. That care and attention to conserving water will remain with Geelong people for a long time. I am sure that better water usage practices are now in the minds of the people of Geelong, and if there is any benefit from poor rainfall and water restrictions, perhaps that higher level of awareness is one.

Over a 12-month period the average family in Geelong uses about 35 per cent of its water on garden beds and lawns, about 20 per cent through the toilet, 20 per cent through other bathroom activities, 15 per cent through the laundry and 10 per cent through the kitchen. That is the profile supplied by Barwon Water. Geelong people understand that conserving that precious resource continues to be a high priority.

I point out that Barwon Water has a reuse policy. Not that long ago, prior to the last state election, the previous Liberal government funded an important study into water reuse. It commissioned a \$100 000 study, the authors of which reported, given the change of government, to the new Labor government. Unfortunately this government has done nothing about it. In fact, it has rejected the recommendations. In a

question on notice to the minister last year I asked what had happened to the Barwon Water green industry probe, and she effectively dismissed it. I asked her what level of financial contribution would be available from the government to fund initiatives in the green industry probe report, which, at that point, had recently been released by Barwon Water. The government came into power with a lot of huff and puff, and one of the issues it pretended to be concerned about was conservation and environment. Certainly the response to the green industry probe has proved that to be the lie it was.

As I said, the minister's answer to my question on notice simply dismissed the report, saying that industry was not interested in the proposal and pointing out that industry support would be essential to the financial viability of a reuse pipeline. Many businesses in Geelong are interested in water reuse and are currently employing reuse practices. Issues involving water quality are important, but they are not being addressed by the government. A major turf growing facility in my electorate at Torquay, Anco Seed, has significant issues with the quality of the water it is using and is keen for action from the government, but at this point nothing has been forthcoming.

Other reuse projects that are either being trialled or are in operation include projects in the wine industry, tomato and potato trials, irrigation for tree lots, reuse water for sporting facilities, turf growing at Torquay and flower growing. Unfortunately the government did not take this major green industry report probe seriously and effectively dismissed it.

On average about 50 000 million litres a day go out to sea from the Black Rock treatment facility between Barwon Heads and Breamlea. That facility treats most of Geelong's water supply. It would be a great legacy for future generations if more of that water could be put to good use. Some businesses are using the water, but it requires a lot more water to be put to horticulture and agricultural use for that facility at Black Rock to have a practical and beneficial effect on the area. I encourage the government to revisit the green industry probe and have another look at whether any of the comprehensive recommendations in the report are worthy of reconsideration.

I know it is a high priority among many Geelong residents that waste water is used more widely in the Geelong region than it is today. If I could encourage the minister — who has now left the chamber and is not taking any further interest in the debate — to do anything, it would be to look at the waste water that goes out to sea at Black Rock. The previous Liberal government showed a strong commitment to looking at

other uses for the water, but unfortunately the report was given to the Labor government, which has turned its back on it. I ask it to reconsider, because it is a very important issue for Geelong.

Mr MAXFIELD (Narracan) — I rise this morning to talk on this matter of public importance. When you think about it, this is the sort of matter of public importance that the government would want to debate in this house because, clearly, it is one of its success stories. Here the government has utter credibility; it has delivered more in three years than the previous Kennett government dreamed of delivering in seven years.

The matter of public importance claims that there has been a 55 per cent cut in money, but what are the facts? As the Minister for Environment and Conservation said before, the average water industry infrastructure spending when the previous Kennett government was in power was \$390 million a year. The average amount spent under the Labor government is \$433 million. Those facts are irrefutable. The shadow minister for water resources has lied to the house and is lying to the community about the real truth of water resources in Victoria. I think he should apologise to the people of Victoria.

Mr Mulder — On a point of order, Deputy Speaker, I take exception to the comments that I have lied to the house. The facts I quoted came from figures supplied by the Australian Bureau of Statistics, not figures I put together myself. I ask the honourable member for Narracan to withdraw his comments that I lied.

The DEPUTY SPEAKER — Order! The last part is a matter of debate but the honourable member for Polwarth has taken exception and I ask the honourable member for Narracan to withdraw his remarks.

Mr MAXFIELD — Withdrawn! To follow on from my comments, you can always pull out Australian Bureau of Statistics figures, but the result depends on what you add in and deduct from them. You can come up with almost anything.

Mr Mulder — I didn't touch them.

Mr MAXFIELD — When you get the book out and add up what the government is spending and what the previous government spent you suddenly find that bingo, it has spent more than the previous government. You can pick up any statistics. If you start a statistic midway through the month or start it later you can make it say almost anything you want if you twist and distort it enough.

The reality is: what is the government actually spending? Look at the papers. The opposition should read the budget papers and see what the Bracks government is putting into water resource management in Victoria, and there is the answer. You can quote any statistic you like, but unless it gives you the full story it does not mean anything at all.

That is typical of the honourable member for Polwarth. He has put out press release after press release that bears no resemblance to reality in any shape or form. He seems to suggest that bureaucrats will be running around inspecting septic systems every three years. It might be a great idea for the Liberal Party to do such a thing because it spends much of its time in the sewer, anyway, with a lot of its policy development.

The reality is that that will not happen and the honourable member for Polwarth knows it, but it will not stop him from putting out press releases. He will rush off to the press tomorrow and probably say it again even though he knows the Minister for Environment and Conservation has made it clear that will not happen. Even being told by the minister that it will not happen, he will go out to the press, probably this afternoon, and he will lie again and lie and lie.

Mr Mulder — On a point of order, Deputy Speaker — —

The DEPUTY SPEAKER — Order! I ask the honourable member for Narracan not to use that expression.

Mr MAXFIELD — Withdrawn!

Mr Plowman — On a further point of order, Deputy Speaker, if anyone in this house reiterates the words 'lie and lie and lie', they should not only withdraw but should apologise to the person to whom those comments are directed and who is sitting in the house.

The DEPUTY SPEAKER — Order! The honourable member for Narracan has withdrawn his comment; there is no further point of order.

Mr MAXFIELD — I would urge the honourable member for Polwarth to reflect very much when he goes to the press or talks to people to ensure that what he says is completely honest and correct.

Moving on to the issue of the opposition's plans to sell off Victoria's water resources — —

Mr Mulder interjected.

The DEPUTY SPEAKER — Order! I remind the honourable member for Polwarth that the last speaker on the opposition side was heard fairly much in silence and I ask him to extend the same courtesy to honourable members on the government side.

Mr MAXFIELD — When you look at the issue the opposition says it will not sell off water. However, it said that about hospitals and it sold off hospitals.

Mr Mulder — Who did we sell a hospital to?

Mr MAXFIELD — The Latrobe Regional Hospital. In fact we have already bought it back.

The DEPUTY SPEAKER — Order! The honourable member for Narracan, through the Chair.

Mr MAXFIELD — Through the Chair, Honourable Deputy Speaker: I will ignore the interjection. The closure of the Moe hospital through privatisation is certainly one of the reasons I am here today. The previous government certainly sold it off but I am proud to know that the Bracks government bought it back.

The previous government sold off nursing homes across the state. Moe lost a nursing home as well — sold off, sold, sold, sold! It sold off parts of our freeway and we now pay tolls to drive down parts of our freeways that we used to drive down for nothing. Again, another privatisation exercise. The previous government sold off electricity.

The DEPUTY SPEAKER — Order! I ask the honourable member for Narracan to return to the debate, which relates to water supplies.

Mr MAXFIELD — Certainly, Honourable Deputy Speaker. I am finishing on the list of electricity and gas, but I will revert back to the fact that the only thing left that the previous government did not sell off is water. Its members stand up and say, 'We wouldn't sell off water', even though they have sold off everything else! It stretches the bounds of credibility, doesn't it? We know that publicly they say they will not sell off water, but privately they have already got the pencils out. They are scratching away and trying to work out which of their Liberal mates will pay them the right price and how much of a donation will the Liberal Party get. Sadly, that is the way they work.

I turn to some of the issues about where the government is spending its money. I had the privilege of announcing in my electorate last week a grant of \$200 000 as the first phase of restoring the Murray River–Moe drain project as part of the nutrient flow

into the Gippsland Lakes. The government is hopeful of some federal funding to assist with this project.

A few months ago the previous shadow minister for water came down to my electorate and advised that the federal government had some money but the state government would not contribute. Unfortunately, we still cannot find the federal government's money. We have asked the federal government where the money is: we want it, we have funds and we want matching funds, but not one cent has been provided by the federal Liberal government for this project — not one cracker!

The project is now ready to roll and the Bracks government will not wait for the federal government; it is putting its money in now because that is the sort of government it is. The government will not wait for the Liberals to finally catch up and say they will foot their share of the bill. For seven years the previous Liberal government looked at that Moe drain project and said it was too hard.

What has happened since the Bracks government came to power? It has conducted a study, investigated it and funded it. It is now waiting for the federal government to come up with its funds. The previous government made promises but for seven years it did not deliver a cent.

Members opposite might even make further promises, but we know that they cannot be trusted because when it comes to putting up the dollars they are missing in action. The government has put the cash on the table and the project is starting as a result of Labor's commitment and funding. That is more than we had in seven years of Liberal neglect.

That leads me on to the issue of the Gippsland Lakes. For seven years there was total neglect, but this government has launched a \$12 million rescue package for the lakes. The government is rebuilding the lake system, but what is important is the nutrient flow from the creeks and streams running into the Gippsland Lakes. We need to ensure that the nutrient flow going into the lakes is reduced. Stream health is very important, and this funding package delivers on the ground the sort of action on which the Liberal government was utterly silent for seven years. The National Party was guilty of complicity in showing the same sort of contempt as the Liberal Party.

We hear comments made on the other side of the house, but who has put up the money for the Moe drain, the Gippsland Lakes in my electorate and the Snowy River? The Bracks government has put up the money, when in the seven years of the Kennett government we

did not get a cent. I stand here proud of what the government has delivered.

Looking at the issue of sewerage, members opposite said they did a bit of sewerage when they were in power. They did, but they forced people who could not afford it to pay amounts they did not have and could not pay for their sewerage. It was a proud day when the honourable member for Ripon was able to hand back the cheques. Here were low-income people who had been forced by the Kennett government to pay money they did not have. They did not know whether they could eat or pay their rates or pay their electricity bills because they faced horrendous sewerage bills imposed on them by the Kennett government. Members opposite say that was the shining light of their seven years in power — that they forced unaffordable bills on low-income earners for a sewerage scheme they did not want.

The Bracks government has delivered by ensuring that the sewerage schemes it puts in are affordable. The government has budgeted \$22 million to assist water authorities to implement 60 sewerage schemes across the state. A further \$4 million has been made available in hardship relief for eligible property owners who connect to sewerage. We have a caring and compassionate government that I am proud to represent.

Mr PLOWMAN (Benambra) — I was not going to mention the speech made by the honourable member for Narracan because I did not think it was worthy of comment. However, when he said that not 1 cent was spent on water infrastructure by the Kennett government I could not believe my ears. No government prior to or since the Kennett government has spent anywhere near the amount of money it spent on water infrastructure. It was the biggest single expenditure on infrastructure by any government anywhere in Australia in the nation's history. What we spent and what we achieved is on record. For the honourable member for Narracan to say that belies belief. I am so surprised!

Mr Maxfield — On a point of order, Deputy Speaker, I stated in my speech that the former government spent \$390 million and we are spending \$433 million a year.

The DEPUTY SPEAKER — Order! There is no point of order. That is a matter of debate.

Mr Mulder interjected.

The DEPUTY SPEAKER — Order! The honourable member for Polwarth!

Mr PLOWMAN — This debate is wholly and solely about how much money is being spent on water infrastructure. I think it is a worthwhile debate. Nothing is more important to this state and nation than how we manage water. I applaud some of the things the government is doing, but I believe it is falling short in this area of expenditure on water infrastructure. The shadow minister for water resources got it right — since the Bracks government came to office there has been a 55 per cent reduction in expenditure on water infrastructure. It is important to remember that this is the most important issue we are facing.

The main area of concern is that there have been plenty of promises of money. I accept that those commitments to spend money are made in good faith but the money is not being spent on the ground, and that is what makes the difference. Unless you actually spend the money and achieve those infrastructure improvements it does not matter how much money you have committed. The difference with the Kennett government is that it spent that money. It implemented sewerage schemes and water treatment plants right around country Victoria. In my area alone the townships of Corryong, Tallangatta, Bellbridge, Yackandandah, Beechworth, Mount Beauty and Chiltern all had either their water treatment or their sewerage plants upgraded. There had never, ever been a program like that across country Victoria with that amount of money spent on infrastructure. It was the single greatest expenditure in Australian government history. I ask anyone on the government benches to tell me whether that is true.

That is what this matter of public importance is all about. I listened with a deal of interest to the contribution made by the Minister for Environment and Conservation. She made a list of claims, and I will come to them. However, the major issue raised by the minister was the contribution that this state has made to the diversion of water from the Murray River system to the Snowy River system. Frankly I think that is an environmental nightmare. To be sending water down the Snowy River from the Murray system in a year like this is unbelievable. Why that could not have been delayed is beyond my understanding. I cannot understand how this year, in the worst drought in living memory in Victoria, a government could possibly put water down the Snowy when all those irrigators are crying out for it. We have had circumstances where dairy farmers in northern Victoria have had to walk their cows to the abattoir in the afternoon after milking them in the morning. In many cases half their herds have gone.

The situation is critical, yet we have taken this step to put water down the Snowy. Obviously that is

something that makes the government feel happy. I cannot understand that. Obviously the government does it because it sounds like a good thing to do environmentally, but I can promise members opposite that to take water from the major river system in Australia when it is under more stress than any other river system in the country and put it into the Snowy River, which currently injects into the ocean 60 per cent of the water that runs into the river, belies belief. I cannot understand it. When you look at the issues raised by the Minister for Environment and Conservation and at why we are doing this — the Boort pipeline, the Sunbury–Melton pipeline, the Woorinen pipeline — —

Ms Beattie — That was our project.

Mr PLOWMAN — These are the government's projects, I am not arguing with that. I am just saying that these are the things the minister listed — the Normanville irrigation pipeline, the Tungamah pipeline, the metering of stock and domestic water and the channel control pilot program are all good programs. I am not arguing about that. However, the money is going into those programs to find the water for the Snowy scheme. It is extraordinary that we are spending money not on the most important projects but on those projects which will meet the water requirements to tip water from the Murray system into the Snowy system. As I said, I applaud the fact that these programs are being introduced, but I do not applaud the fact that the priority is being overturned in order to meet the government's need to find the water required for the Snowy scheme.

The other interesting project that has been mooted by this government is the decommissioning of Lake Mokoan. Having lived in that area for much of my life and having met with the people in the area I can say that it would be a disastrous decision by this government to decommission the Mokoan dam in order to meet the water requirements of the Snowy River. There are many more means to manage Mokoan better and it does need improvement in management but the suggestion that we decommission it in order to meet that water need is environmental nonsense.

The shadow minister mentioned the issue of septic tanks. This is a major water policy of this government. Again, it is a stupid policy. I have lived on farms and relied on septic tanks for sewage effluent disposal all my life. The worst thing you can possibly do to a septic tank is empty it because you lose the micro-organism that treats the sewage. The best thing for a septic tank is to take a bit of water off the top but to allow the sludge to stay there to keep the system rolling. To have a

system whereby it is imperative every three years to have inspections and de-sludging operations of septic tanks is environmentally nonsensical. Where will it all go? It will end up either in water treatment plants or in our streams or rivers — one of the two.

The other thing that is absolutely abhorrent about this proposal is that it is a tax in disguise. The shadow minister suggested that this will be an income-revenue issue for local government. It is a stupid thing and local government does not want it, yet we are faced with this idiotic suggestion that the government knows more about septic tank management than those people who have operated septic tanks for the past 150 years. My experience is that this is exactly the wrong way to go in septic tank management.

Briefly, there are two major areas in my electorate that are crying out for the government to fix up their problems. One is Chiltern, which is desperately in need of more water. I have about three articles from the *Indigo Herald* by people wanting the government to act on this issue. They ran out of water last year and they are looking at running out again this year. What is the government doing? It is not approaching the problem.

The other is the debacle with the honourable member for Benalla.

The ACTING SPEAKER (Mr Lupton) — Order! The honourable member's time has expired.

Ms ALLAN (Bendigo East) — It is becoming a regular occurrence that I follow the honourable member for Benambra in debate. It is opportune, but before I refer to comments from the honourable member for Benambra on the matter of public importance on water resources I refer to the honourable member for Swan Hill. In his comments on the Regional Infrastructure Development Fund the honourable member complained that it is not a country development fund; it is only a regional development fund, and he complained about the lack of funding that had gone into smaller communities. I take the opportunity to remind the honourable member for Swan Hill that every municipality across the state, apart from Queenscliff, has received funding through the Regional Infrastructure Development Fund. In his backyard, the township of Boort has received \$3.27 million to help facilitate an olive project by the timber company — —

Mr Cameron interjected.

Ms ALLAN — It is a marvellous project, as the honourable member for Bendigo West indicates, and something I will have the opportunity to see first hand next week when I go to Boort.

This is another part of country Victoria which is massively affected by the drought and we know, as many speakers before me have already mentioned, that we are experiencing the worst drought conditions in history or in the past 100 years. It is interesting to note the quite philosophical statement by the honourable member for South Barwon that ‘When it rains, there is water’. That shows the standard of debate on the matter of public importance brought forward by the honourable member for Polwarth. It is just another attempt by the Liberal and National parties to spread more doom and gloom around country Victoria about a number of strong initiatives and programs put in place by the government.

Let’s reflect for a moment on what the previous Liberal–National coalition did in water resourcing in country Victoria. A number of members on this side of the house know full well what the former government’s compulsory sewerage scheme meant for many country communities. It was forced on them by the former government and caused great concern and hardship to many people who were on low incomes and were going to be forced to pay outrageous fees for sewerage and in many cases did not feel it necessary — —

Mr Vogels — Name one!

Ms ALLAN — We can name many towns for the honourable member for Warrnambool: Clunes, Donnelly, Boort, Bridgewater, Inglewood, Wedderburn. We could go on but I do not have enough time. The good thing to note is that on coming to government the Bracks government acted immediately on this matter, the matter of most concern to country Victorians, and immediately reduced the cost to either an \$800 one-off charge or \$80 each year over 10 years — a substantial reduction on what these people would be faced with. In addition, we provided grants to assist low-income households with the connections. I know from my experience in my own electorate that this was very welcome in many parts of country Victoria.

Let’s look at one of the other great initiatives by the former government in the area of water resources and that is the catchment management tax — that wonderful tax that the former government put in place just for country Victorians. We got our own special little gift from the former government in the form of this catchment management authority tax. In my region this meant that people were forced to pay \$31. It might not sound much to members in this house, but the bill came out right on Christmas with no explanation.

People did not understand what the bill was for, but when they were told they were paying for a \$20 million cut by the former government to the Department of Natural Resources and Environment’s budget they began to see what was going on. They began to see the path the former government was taking them down: cutting core budgets of departments and then forcing country Victorians to make up the shortfall. Again, this was something the Bracks government moved very quickly on in coming to office, immediately abolishing the much-hated anti-country catchment management authority tax.

The third thing I would like to talk about regarding the former government’s record in water resource management is the privatisation and ownership of water. We know the former government’s record on electricity and gas, and we know that water was the next cab off the rank to be privatised. The former government just did not get the time. The 1999 election came around just a little too quickly for it to get its hands on and sell off our water.

We know the opposition’s position on water privatisation and on the bill that will come before the house over the next few weeks. We must ensure our water is in public ownership — we must protect it for future generations — because we have seen what privatisation means in country areas with electricity and gas. It means country people end up paying more because of inequitable costs and charges. We cannot allow this to happen with water, considering how precious a resource water is. Many people in central Victoria are still concerned that the return of a Liberal and National Party government will mean a return to the privatisation agenda and that water will be the first thing it will try to flog off, just as it did with electricity and gas.

We have a fantastic water supply service in central Victoria. Recently the honourable member for Bendigo West and I attended the opening by the Premier of the new Aqua 2000 water treatment plant, a fantastic project which has seen water quality in our region improve enormously and which has been welcomed greatly by many people. Central Victorians do not want to see this flogged off into private hands.

It is also important to note that in opposition the Liberal and National parties continue to knock positive initiatives. The best example of that is the Wimmera–Mallee pipeline. In recent days and weeks we have heard that a number of concerned Australians are getting together — this has been particularly brought about by the impact of the drought — to look at solutions for drought proofing Australia and at ways in which we can conserve more of

our water. One of the key themes that comes up time and again is the piping of our channel system in country areas.

We have to ask why, if it is obvious to everyone else, it is not obvious to honourable members opposite and to their mates in the Howard government in Canberra. Why will they not match the \$77 million the Bracks government has allocated to the Wimmera–Mallee pipeline, which will save an enormous amount of water in that part of Victoria? It is desperately needed. Currently this part of Victoria is facing a harsh climate with the drought, and people are certainly crying out for this type of initiative. That is why the Bracks government moved to put \$77 million in this year's budget for the piping of the Wimmera–Mallee pipeline. However, we are still waiting on the federal government to match that commitment. That is a disgrace, when you consider the harsh climate and dry conditions being experienced in north-western Victoria.

The Bracks government has achieved much. I have mentioned the Wimmera–Mallee pipeline, and previous speakers have referred to the return of the environmental flow to the Snowy River. It was great to see the water summit that was held in May this year. It is important that people get together to look at issues concerning water resources.

As the Minister for Conservation and Environment said earlier, the Bracks government has invested an additional \$43 million in Victoria's water industry. That is an enormous increase in annual expenditure from what the previous government put in place. That is why for many of us on this side of the house it is laughable that we should even be debating this matter of public importance.

I will briefly finish on the drought. The Bracks government has put in place a \$27.7 million drought relief package which has been welcomed right across country Victoria. It was absolutely outrageous that again yesterday in the house we heard the honourable member for Benambra criticise this initiative. In his contribution he called the drought relief package a cynical exercise. I find that outrageous when people in my region of country Victoria and up in the north-west are experiencing the worst conditions on record. They are crying out for assistance.

As I said, the Bracks government has put in place that \$27 million package, which is much appreciated, and it will provide direct cash grants to these people who need assistance. But all we hear from honourable members opposite is that it is a cynical exercise, which is outrageous!

The ACTING SPEAKER (Mr Lupton) — Order! The honourable member's time has expired.

Mr MACLELLAN (Pakenham) — The honourable member for Bendigo East accused the opposition and the National Party of spreading doom and gloom by way of criticising the government for its want of enthusiasm and commitment over its three-year term to developing appropriate water policy and providing funding for works in rural Victoria. The honourable member of course claimed credit for the abolition of the catchment management charge.

I paid a catchment management charge, as did many of the electors of the honourable member for Bendigo East, which was abolished by legislation introduced by the Bracks government. Today the honourable member for Polwarth brought to the attention of the house the fact that instead of having a catchment management charge of, say, \$31, country Victorians by and large face a septic tank inspection charge of even more, as well as a de-sludge charge and a charge for the delivery of the sewerage sludge to the nearest water board reception point.

If a country hotel which was boomingly popular and which was relying on septic tanks was creating an environmental difficulty, I could understand that it ought to be inspected, perhaps de-sludged, and appropriate action taken. But why, I ask, would it be appropriate for that to happen with shearers quarters, which are occupied only by shearing teams during the shearing season? Why should the municipality have to come and inspect and de-sludge every three years in areas of the state where that is not an appropriate response? Frankly, if I had the choice of having the catchment management authority charge back or being spared the Labor government's proposals for septic tanks, I would be only too willing to have the catchment charge back.

What is this doom and gloom that is being spread? Well doom and gloom in the government's view is any criticism of government policy. Of course the honourable member for Bendigo East was not kind enough to indicate that the piping of the Wimmera–Mallee pipeline was initiated under the Kennett coalition government. That is where it started, and I think it is a welcome thing that the Labor government is continuing that program. I think it should be commended for that, and I do not have any difficulty in saying, 'Well done, you are continuing an initiative that was introduced by the former Kennett government by piping channels to reduce the waste of water by evaporation'.

The fact is that water leaks out of even the best channels, and much of the water which is so precious and so important in the northern parts for good agriculture use is in fact lost. Let's hope that we learn lessons from this drought, as we learned lessons from previous droughts, and not forget them so we remain active and engaged in this issue of trying to reduce the waste of good agricultural water.

Surely we have got to heap some praise on the National Party, because it has led the charge for many years in trying to get adequate storages of water, upgrades of storages of water, and indeed extension of irrigation areas. What we need to do is say, if we — —

The ACTING SPEAKER (Mr Lupton) — Order! The honourable member for Dromana will please stop talking to people in the gallery.

Mr MACLELLAN — If we look at the goodwill that exists across the house in relation to these matters, not only now because of drought but generally because of our concern in Australia to make sure that water is used wisely, then we have to say that there are many initiatives from the National Party, from the Liberal Party and from Labor which ought to be backed, and backed with greater energy. But what do we hear? We hear about what is supposed to be a current issue — that is, that if you elected the Liberals there would be privatisation of water, whatever that means.

But I have a memory long enough to remember when the Honourable Rob Jolly, the then Treasurer of Victoria, seriously contemplated in a moment of the financial chaos of the Cain and Kirner governments selling the dams of Melbourne and leasing them back by way of a funding arrangement. It led to a save-our-dams campaign. There were stickers on cars saying 'Save our dams', because Rob Jolly was contemplating that. He sold the trains and leased them back on 29 June, and by the time he got round to the dams the situation financially was pretty desperate. That is why electricity was privatised, and the proceeds were used to repay the debt. That is why gas was privatised. It was privatised to repay the debt.

Mr Nardella interjected.

Mr MACLELLAN — With great respect to the honourable member for Melton, I find that although it is very laudable that the quality of water supplies for the suburban areas of Melton should be upgraded and the pipes improved so that there will not be any restrictions and water quality can be guaranteed, I do not regard that as being a rural water project. The honourable member for Polwarth said that this

government cut the effective funding of rural water programs, and it has done it over the last three years. What the minister then desperately tried to do was include outer suburban upgrades in the water program to try to establish that it has advanced.

What amount were we talking about? We were talking about \$350 million a year. That is not much if we look at what the challenge is today. Can I say to the honourable member for Bendigo East and her colleagues that the Bracks Labor government was ungenerous in its failure to recognise the drought conditions in northern Victoria earlier than it did. The Minister for Agriculture is in the house, and I know that he would have been well aware of the circumstances that were being faced in northern Victoria. We in the south were certainly aware of it because we were getting the requests for agistment. We were getting inquiries about the possibility of buying some hay. When the Premier went north he said, 'No, there isn't a drought'. And then what? A fortnight later he discovered a drought. A fortnight later he found there was a drought! That was a foolish mistake; and it is even more a foolish mistake for the honourable member for Bendigo East and her colleagues to stand up in this house as if they are the only ones who have discovered that we have a critical drought situation in Victoria.

In this matter of public importance debate the opposition is drawing attention to the fact that consistently for the last three years this Labor government has found priorities for its expenditure other than rural water. It has found other priorities in the metropolitan areas which may all make sense, but if they make sense at the expense of the effort of rural Victoria, then they are frankly a misplaced priority. What this government has got to do is cut back on some of the nonsense offerings it makes and get serious about solving some of the rural water problems. This is a drought year when we are all called to account for our views on this matter. My people from the south will willingly give up programs for the northern parts of Victoria.

The ACTING SPEAKER (Mr Lupton) — Order! The honourable member's time has expired.

Ms DUNCAN (Gisborne) — It is with great pleasure that I respond to the matter of public importance raised by the opposition this morning. The only part of it that I agree with is that water is a matter of public importance, and a critical issue at that. I also suggest that the honourable member for Pakenham actually read the matter of public importance statement. He seems either not to have read it or to have

deliberately misunderstood it, suggesting that the focus of today's debate is simply about infrastructure in rural Victoria. In fact the matter of public importance is about government spending on water infrastructure and water storages across the whole of the state. It might illustrate the fact that the Liberal opposition does have trouble focusing on all things together. It can either focus on the city or focus on the country, but it cannot do both at once. It cannot walk and chew at the same time. We have seen that evidenced by the speech from the honourable member for Pakenham.

I go to the key point of the matter of public importance. Supposedly it is about comparing the government's spending on water infrastructure with the previous government's spending. I could say a whole lot of stuff about that as a topic generally — 'We spent more than you spent' or 'You spent more than we spent' — but I am very proud of the amount of investment that this government has made in water infrastructure. I do not doubt the figures quoted by the minister earlier in regard to the average spending per year in the last three years of government compared to the Kennett government's last three years. I have no doubt that we are well and truly up with spending on water infrastructure.

I also point out a simple, basic issue — the Kennett government had seven years and this government has had three years. It is hardly surprising that there are many projects that are in the pipeline, if you will pardon the pun, and that we need additional time to actually get them on the ground.

Like a lot of things that are presented in political debate, statistics can be extremely misleading. I think it was one of our former Prime Ministers who referred to big lies, little lies and statistics, and we are seeing that here this morning. Regarding Australian Bureau of Statistics figures, you cannot compare one year's ABS figures to another year's figures without considering what changes have been made in ascertaining those figures. It would be illuminating for the honourable member for Polwarth to go back to the ABS statistics and compare what was counted in this year's tally with what was tallied in previous years. I think he will find there are loads of infrastructure projects, but because of the change in the nature of ownership, they will not be included in those figures.

Regarding the issue of water, we have all been talking about drought. That is clearly an issue in Victoria, and in fact through most of Australia at this time. I just point out that while the issue of water is critical during drought conditions, it is critical for us all the time. Australia is the driest continent on earth. As water users

Australians are the most wasteful of any country — I think we have the second-highest per capita consumption while living in the driest continent on earth. We have to seriously address the issue of water consumption. I can assure the people in the gallery and those in this chamber that you only have to live without town water, to live on water from tanks, to really appreciate how much water you can save and how incredibly frugal with water you can be. That is something that all Australians and all Victorians need to come to terms with.

We can not continue to hose concrete. We cannot expect to have brilliant green grass in the middle of summer. We cannot put in plants that require huge amounts of water and will wilt if they are not watered twice a day. These are things we all have to come to terms with. We can sit here on both sides of the chamber and debate how much each government has spent on water infrastructure, but we are missing the point if we focus on that.

Regarding infrastructure spending, I am disappointed that the matter of public importance is clearly focused only on water storage and infrastructure when anyone with any understanding of water conservation and use would realise that it is a lot more than dams and pipes and that this is the sort of issues that this government is seeking to address — in addition to improved water infrastructure — because we can do two things at once. We can also focus on land management issues like salinity, weeds, pest animals and remnant vegetation management, which we know all impact on the health of our rivers, waterways and coastal environment.

If anyone wanted to get a clear understanding of the attitude of the Liberal and National parties to water management they should have sat through the farm dams debate. You may say, 'Which farm dams debate?', because we have had several. It took us seven months to get that bill through. The opposition criticises the government for undertaking reviews and studies before we take action. This is a government that listens, takes into account all the different positions, then finds the best available outcome for this state. I am proud of the government taking considered action. It is not something the government should be criticised for.

If you had sat through the farm dams debate you would have seen the lack of understanding by many people about water management issues. I note that the honourable member for Warrnambool continued this morning to say that water that is left to flow through a river is absolutely wasted. I am afraid it is a bit embarrassing sometimes to sit here and listen to some of the arguments. In the course of the farm dams

debate — and I sat through all of it — I absolutely cringed when I heard the suggestion — I believe it was from the Liberal Party — that we should not consider any kind of regulation of dams in areas where the catchment is not yet stressed. That was the most illuminating statement of all those I heard in the debates. I guess the logical extension of that argument would be to say, ‘We’ll wait for the catchment to become stressed. When it is stressed we will do something about it’.

I cannot believe that in the 21st century we would have elected members of Parliament who would stand in the chamber and make such assertions. It is mind boggling, it is embarrassing and it is extremely worrying that we would have that sort of petty politics when we are talking about the most critical natural resource in this country. It distresses me enormously to watch the level of this debate, with the opposition saying, ‘We spent more money than you spent, therefore we have been more effective’. I refute the assertion to start with, but it also illustrates to me — and it causes me even greater concern — that this is the way this opposition measures the performance of the government. It is so simplistic as to be frightening.

There are a number of other issues I will talk about in terms of my own electorate. As other speakers have said, the abolition of the catchment management tax brought great benefit and was seen as an equitable thing to do, particularly when weighed up against the enormous cuts the Kennett government had made to Department of Natural Resources and Environment. We are still paying the price of many of those cuts. In order to accommodate those cuts the former government implemented that catchment management tax across the state. I was very pleased when this government not only abolished this tax but more importantly recognised that the funding issues like catchment management were more properly dealt with through the state budget.

Many people in small towns in my electorate were very pleased to have the ability to pay off their sewerage costs either in a one-off payment of \$800 or by paying \$80 a year over 10 years instead of having to pay a minimum bill of \$1900. That brought great relief to many people who were about to have the sewerage connected.

The opposition should be lobbying its federal counterpart to make sure that Victoria gets its share of Natural Heritage Trust money. I cannot believe opposition members are not screaming about the reduction in that funding to some of our most seriously stressed catchment management areas. Some of those

catchment areas have had more than \$1 million cut out of their funding this year. Instead of sitting here trying to compare Australian Bureau of Statistics figures on funding, their efforts would be much better put towards working with this government and with our society on water consumption issues and on lobbying the federal Liberal–National Party government — their federal counterparts — to increase funding to Victoria so we can get on with this critical job.

Mr VOGELS (Warrnambool) — The matter we are debating says:

That this house condemns the Bracks government on its \$218 million (55 per cent) cut in water infrastructure spending since coming to office, including water storages and waste water treatment facilities.

The Labor Party just does not seem to get it. It does not understand that water is the most crucial commodity out there, not only in Melbourne but all over Victoria. The Kennett government set a target of achieving \$12 billion worth of food exports by 2010. The Labor Party has adopted that target, and it is building up obviously because of the hard work of our agricultural workers and farmers out there in rural Victoria.

To achieve this goal those people need to have equity in water rights, and the water needs to be of World Health Organisation standards — and it needs to be available! They are the three main things our farmers need. By ‘equity’ I mean that the water needs to be affordable. There should also be sensible returns. You should not just be running water into an area when there is no return on it. In fact a lot of people have commented to me that perhaps we should not be growing rice in Australia. That issue probably needs looking at, because if you worked out the cost of a megalitre of water and compared it with the return on rice production, the comparison would not be favourable.

However, we have also been told that 75 per cent of Melbourne’s water consumption is used to water gardens, wash cars and footpaths or spray onto golf courses and recreational reserves. Once again you could question whether that is a good way of using this scarce resource.

Victoria should be spending money on infrastructure to upgrade the use of grey water. It is imperative that Victorians do that, and money should be spent on providing an incentive to do it. The Kennett government spent \$1.2 billion on upgrading water quality to better than World Health Organisation standards, and that was necessary because we are a state of exporters. In the dairy industry, for example, our cheeses, skim milk powders and butter are largely

exported. A large amount of water is used in the manufacture of these products, and it has to be clean and needs to be up to World Health Organisation standards because it is used to rinse and sterilise equipment et cetera.

The availability of water is also crucial. At present this government — the honourable member for Gisborne read my mind — is much happier to tip water into the ocean than to use it properly. We should think back to our forefathers who built the Snowy Mountains scheme. They had some foresight because they built a scheme so the water could be turned inland — remember that we are the driest continent in the world — and used for generating hydro-electric power, which is the cleanest power in the world, and then used for irrigation.

I have been told that in today's water market the value of the 38 000 megawatts that has been sent back down the Snowy River is about \$10 million. That is a complete waste of money. However, the \$300 million it will cost to redirect the water in piping — you name it — is only the tip of the iceberg. Think of the loss of the hydro-electric power that will no longer be generated because the water is going the other way. Think of the loss to Victoria of the exports that could have been grown with that water.

If the government had done its homework on the cost savings nobody would have objected to environmental flows, but to pluck it out in a drought year — probably the worst drought year we have had on record, and who knows what next year will bring — and just turn water going inland back out into the ocean is ludicrous.

During the Kennett years, as a mayor and shire councillor I was continually being invited to openings of upgrades at towns that were being connected to either water or sewerage. In my area Camperdown, Cobden, Timboon, Peterborough, Port Campbell, Koroit and Warnambool all received either new or upgraded water plants. The towns of Koroit, Mortlake, Timboon and Allansford were also connected to the sewerage scheme for the first time. All these schemes have a lead-in time; it does not happen overnight.

Last week the Treasurer tabled the damning document I have here, called the *2002–03 Public Sector Asset Investment Program*. I have gone through that program and looked at what money this government has spent on new projects in the year just finished. Let's look at the figures for the Gippsland and Southern Rural Water Authority, for example. Page 78 of this report shows that the total estimated expenditure on new projects to 30 June 2002, based on information provided by the

agencies on 2 August 2002 — which is only a couple of months ago — is nil. According to the report, \$25 570 000 is to be invested in new projects, yet the estimated expenditure was nil. The government expects to expend \$6 million in the next financial year.

I turn to the Goulburn-Murray Rural Water Authority. It has \$175 409 000 sitting there to be spent on new projects, and last financial year it spent only 20 per cent of it — \$33 million. This is the same Goulburn-Murray system where irrigators are now down to getting 40 per cent of their water allocations. I would have thought it was urgent to get on with the job, but as I said, expenditure on new projects by one authority was nil, and by another, 20 per cent.

Let's look at the expenditure last financial year on new projects by some of our regional urban water authorities: Barwon Region Water Authority, nil; Central Gippsland, nil; Central Highlands, \$464 000 — so it did pretty well; Coliban, \$1 347 000; East Gippsland, nil; First Mildura Irrigation Trust, nil; Glenelg, nil; Goulburn Valley did well — it had \$705 000; Grampians, nil; Lower Murray, nil; North East, nil; South Gippsland, nil; Portland Coast, nil; South West, nil; Western Region, nil; and Western Port, nil.

These figures are a damning indictment of the government. In the last 12 months these water authorities have in total spent only \$2.5 million on new projects. It is absolutely disgraceful. This is in a drought year, when we all know how important water is. Basically the government has not spent a cent.

As I have said, this is the driest continent in the world, and it is urgent that we get on with the job. There is no need to reinvent the wheel. The technology for the reuse and desalinisation of water and for better delivery methods is all out there. We should get on with the job and start delivering the projects.

The farm dams legislation proved once again that this government does not understand. This year is a drought year, yet south of the Divide the south-west of Victoria has probably had one of its wettest years, and the water is pouring out into the ocean. Scotts Creek has been flooded continually for the past three months, as has the Hopkins River, yet not one permit has been granted by the department for anybody to put another dam in so that next year, if there is a dry year, they could be drought proof. Not one permit! It is absolutely outrageous.

I do not believe that this government, and I stand to be corrected, has connected one new town to a sewerage

scheme — not one! Yet what it is going to do is, as the honourable member for Pakenham said, start charging people in these towns to have their tanks inspected and de-sludged at least once every three years. It could cost anything. Council officers will come out and call in a plumber to remove the sludge from the system, and he may say that your pipes need replacing, which could cost big dollars.

In conclusion, members of the Labor Party should be ashamed of themselves for gloating about the \$27 million for drought relief when compared with the \$90 million to its union mates at the Melbourne Cricket Ground, \$60 million wasted at Seal Rocks and another \$60 million on a wild goose chase for the royal commission into the ambulance service. Country Victoria depends on water, and that \$27 million is a pittance.

Mr HELPER (Ripon) — I will not say that it gives me a great deal of pleasure to speak on this matter of public importance. The lack of pleasure comes from the sheer hypocrisy of this matter of public importance, and I stress the word ‘importance’. To draw a word picture for *Hansard*, there are two members of the opposition in the chamber engaged in the debate on this matter of public importance, with the honourable member for Warrnambool now walking out.

Mr Perton interjected.

The ACTING SPEAKER (Mr Lupton) — Order! The honourable member for Doncaster will refrain from using that language. I do not tolerate that language in the house. I ask the honourable member to withdraw.

Mr Perton — I withdraw the use of the word ‘liar’ in respect of the honourable member, but I will take up that issue on the point of order.

The ACTING SPEAKER (Mr Lupton) — Order! the honourable member on a point of order.

Mr Perton — On a point of order, Mr Acting Speaker, there are certain standards in the house that do not permit a member to engage in bland lies. The honourable member for Ripon, who is on his feet, in the presence of only three of his own members at the time he made that comment, and there were at least four members of the Liberal Party in the house — —

Honourable members interjecting.

The ACTING SPEAKER (Mr Lupton) — Order! I am listening to the honourable member for Doncaster on his point of order. I will not tolerate any other interjections.

Mr Perton — Although I apologise for having used the word ‘liar’, the reality is the honourable member was lying and that the standards of the house do not permit that sort of behaviour.

The ACTING SPEAKER (Mr Lupton) — Order! Will the honourable member explain the point of order?

Mr HELPER — On the point of order, the honourable member for Doncaster has again called me a liar or implied that I was lying and stated that I was lying. I take offence and ask him to withdraw.

The ACTING SPEAKER (Mr Lupton) — Order! The honourable member for Ripon has taken offence at the comments made by the honourable member for Doncaster. I ask the honourable member to withdraw.

Mr Perton — I withdraw.

Mr HELPER — On a point of order, Mr Acting Speaker, the honourable member for Doncaster in raising his point of order said that there were four members of the government present in the chamber. Firstly, he misses the point and secondly, there were clearly five members of the government in the chamber. The second issue I raise — —

The ACTING SPEAKER (Mr Lupton) — Order! That point is irrelevant. I will rule on the point of order. I believe the comments were made in the heat of a burst of passion during the debate. I rule there is no point of order and I call on the honourable member for Ripon to continue his contribution.

Mr HELPER — Thank you, Mr Acting Speaker; it is obviously a sensitive revelation for members of the opposition.

I turn now to the matter of public importance. It has an incredible stench of hypocrisy about it and it is factually flawed. The matter of public importance implies there has been a reduction in infrastructure spending under the Bracks government in the water industry. Clearly that is a misinterpretation of figures. I will be polite in stating it as that. The real figures are that in the last three years of the previous Kennett government, which honourable members opposite seem to be so proud of for some delusionary reason — —

Mr Perton — On a point of order, Mr Acting Speaker, I have closely watched the honourable member and for the last 3 minutes his eyes have not risen. He is clearly quoting from a document and I ask that he make the document available.

Mr HELPER — On the point of order, clearly these are handwritten notes that I am referring to and I shall continue to refer to them. I was also referring to the matter of public importance notice.

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

Mr HELPER — Thank you, Mr Acting Speaker. Returning to the statistics, in the last three years of the former Kennett government, average infrastructure expenditure on the water industry was \$390 million per annum, yet under the current government — the guts of the matter of public importance — the average annual expenditure on water industry infrastructure is \$433 million, making a farce of this matter of public importance.

During this debate opposition members have frequently lamented that the government actually consults with communities as infrastructure projects are put in place.

The ACTING SPEAKER (Mr Lupton) — Order! There is too much audible conversation in the chamber. I ask honourable members who want to carry on conversations in the chamber to go out into Spring Street.

Mr HELPER — I cite one instance of the supply of drinking water to the township of Clunes in my community. The government consulted extensively with the Clunes community to the point that it voted 75 per cent in favour of an option to supply water to Clunes from the Ascot aquifer just outside Clunes. About 75 per cent of the community that would be directly affected supported that scheme to supply water. Yet my Liberal Party opponent at the next election, Mr Rob de Fegely, indicated that he would turn that community decision on its head at the cost of an extra 12 months delay in getting water to the people of Clunes. I have had shown to me a water filter out of a dialysis machine which was oozing black crap after a short period of use with the current water supply system in Clunes. My opponent Mr de Fegely would expose the user of that dialysis machine to a further 12 months delay in getting decent, quality water to the township of Clunes. On a local level, that is abominable.

Because of the frivolous points of order taken by the honourable member for Doncaster, who is no longer in the chamber, my time is limited. I touch on one other issue that again exposes the hypocrisy of this matter of public importance — the Wimmera–Mallee pipeline.

Mr Mulder — On a point of order, Mr Acting Speaker, on the issue of relevance: I have listened with interest to the honourable member's contribution in

relation to the township of Clunes and his particular consultation process, but what he has failed to mention is that the bore water supply to Clunes is going to wipe out every single one of their — —

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

Mr HELPER — I thank the so-called shadow minister for taking that point of order because I will return to issues regarding Clunes. The supposed shadow minister and the Liberal Party candidate for Ripon at the next election slunk along to a meeting of Ascot ground water users, not talking to the people of Clunes but simply talking to one interest group on this issue — —

Mr Mulder — On a further point of order, Mr Acting Speaker, the honourable member for Ripon knows very well that the issue is not about connecting Clunes. It is about selling Newlands Reservoir to Daylesford.

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

Mr Pandazopoulos — On a further point of order, Mr Acting Speaker, I have only been in the chamber for 20 minutes but the number of vexatious points of order that have been raised concerns me. They are really points of debate that waste the time of the house and bring down its reputation. We are lucky that there are not many people in the gallery. It is a serious matter. These vexatious points of order occur on a regular basis, and I ask that acting speakers consider whether they should ask honourable members making points of order to ensure they are clearly points of order and not vexatious.

The ACTING SPEAKER (Mr Lupton) — Order! I thank the Minister for Gaming for his comments. However, if he had been listening he would know that I have not ruled in favour of any points of order. Every member of this house is entitled to raise a point of order as he or she thinks fit. The honourable member's time has expired.

Mr DIXON (Dromana) — This matter of public importance is important for Victoria but it is especially important for the Mornington Peninsula. Regarding the spending that has not been done on the Eastern Treatment Plant at Carrum over a number of years, the proposed spending now to be done and the extension to the outfall over the next number of years, I am here to give the government an idea of how to save \$60 million of infrastructure spending that could be better spent elsewhere.

The Eastern Treatment Plant treats and disposes of about 42 per cent of Melbourne's sewage. Once the effluent is treated it runs 56 kilometres through a pipeline and reaches the ocean at Gunnamatta Beach in the middle of a national park. The stench of the outflow is incredible, as is the look of it — a brown plume that goes out into Bass Strait. It is disgusting whether you are on the beach looking at it, surfing in the water or even if you see it from the air.

The treatment plant is treating a growing amount of hospital industrial waste, which it was certainly not set up to treat. This is adding to the problem because the plant was only set up to treat domestic waste. At the moment the sewage is treated to a class C or secondary stage, which is not good enough in this day and age. Only a pathetic 1 per cent of the total outflows of the treatment plant is recycled. There should be far more recycling than that.

The past lack of work on the treatment plant, the infrastructure and the proposed future spending is very important to many people in my community. Last Sunday some 1500 people blockaded Gunnamatta Beach where the outflow is. It was advertised as a way of the community sending a message to the Bracks government that the current outfall and the plans to extend same are not good enough.

A petition with over 10 000 signatures was presented today to this Parliament. It is one of the largest petitions ever presented, which is incredible. The signatories were not all local people but came from all over Melbourne and Victoria protesting about the outfall and the lack of work which has gone on. There was to be a protest on the steps of Parliament House today which was cancelled in light of events at Bali. Another protest has been organised for 1 November at the State Library of Victoria, where a number of union representatives will attend to voice their concerns about the treatment plant and the outfall extension. I fully support that.

Melbourne Water needs approval for the money it plans to spend at the Eastern Treatment Plant. It is licensed by the Environment Protection Authority, which appointed a community panel to listen to the community — although I have my doubts about how much it did actually listen — and it made a number of recommendations to the EPA, which have been adopted.

I will read into the record three quotes regarding the outfall which I think are relevant to the debate. The first is from Peter Smith, the president of the Clean Ocean Foundation, who says:

Future generations must be protected from short-term, knee-jerk reactions to long-term problems. We need infrastructure now.

Graham Quail, a spokesman from Clean Ocean Foundation, is quoted as saying:

The Bracks government needs to make decisions and commitments for future generations, not just the next election.

Finally, Peter Johnston, a local fisherman in the area, says:

Why have marine parks if they are just going to end up polluted wastelands thanks to some mega outfall?

It is incredible that this outfall flows through a national park, and with an extension to 2 kilometres further out to sea the effluent will flow down to the Heads towards the new national park.

I support the upgrade of the Eastern Treatment Plant proposed by Melbourne Water because the quality of the effluent certainly needs upgrading. It hopes to get the quality up to class A standard through extra filtration and disinfection, and through a reduction in the amount of ammonia in the effluent as the result of a program that will be implemented over the next few years. All this is laudable and wonderful. If the quality of the treated effluent water is better it is more likely to be recycled over a wider variety of uses, which is fine, and no-one has any arguments with that.

As I said earlier, I can save Melbourne Water some money. Part of the proposal included in the EPA's recommendations is to extend the outfall by 2 kilometres. No-one that I know has asked for that extension or even sees it as a viable option. The concerns I have with this extension are, firstly, that no-one wanted it, and secondly, that it will only spread the problem. The EPA is proposing that this outfall extension happen before work is carried out on the treatment plant.

First of all it will just be piped 2 kilometres out into Bass Strait. That will put it out of sight and out of mind, but it will also spread the effluent over a larger area — 2 kilometres out it will hit the ocean currents, head down to Cape Schanck, up to the marine national park and onto the Heads. That is all the extension will do. The damage already done at beach level and on the rock shelves can probably never be recovered, and we will have another problem 2 kilometres out. The \$60 million cost could easily be used by instead spending a lot more money on improving the filtration of what flows out of the Eastern Treatment Plant.

My major concern with the extension of the outfall is the environmental damage that will be done during its

construction. This is a major piece of construction. For it to happen a road has to be built through the sand dunes to the work site. Hectares of sand dunes will have to be bulldozed just so a work site can happen there. The area is valued not only for its environmental values but I understand that there are very important Aboriginal middens in that area, and to have the area bulldozed to construct this extra pipeline is criminal. The actual construction, whether it is drilled or put out on derricks, is going to cause major disruption and environmental damage. It will be an absolute eyesore and need not happen in the first place.

I take my hat off to the wonderful work done by the Clean Ocean Foundation in bringing this issue to the consciousness of not only my local community, but more importantly to the consciousness of Melbourne and Victoria because that is where the effluent comes from and where the changes have to happen. I proudly have the Clean Ocean Foundation's sticker on the back of my car.

I would also like to commend the action group at Gunnamatta for the work it is doing in supporting the Clean Ocean Foundation, especially the 10 000 strong petition that was presented here today. One of the local newspapers, the *Mail*, has taken up the fight as well and is providing some publicity in spreading the word about what is going on down at Gunnamatta. It is doing a wonderful job.

My federal colleague Greg Hunt, the honourable member for Flinders, is now working on a national strategy, and that is something we need to look at, too. This is one of about 160 outfalls, and one of 17 outfalls in Victoria. We need a national strategy, and Greg Hunt is working on that.

As well as treating what goes into the treatment plant we need to reduce what goes into the treatment plant in the first place. That involves education and encouraging people in new housing developments to separate their stormwater. It also involves giving incentives for people to recycle grey water within their own homes. It involves setting up things like composting or worm toilets to reduce the load going into the sewerage system and on to the treatment plant. We also need to have a change of mentality so we see effluent as a resource to be used. There is a mountain of sludge — some people would call it something else — just mounting up in Carrum, and it absolutely stinks! Uses are available for it and that should be addressed as well.

To be crassly economic, \$60 million is to be spent on extending that outfall. It must not go ahead. There is absolutely no reason for it: it is a waste of money which

could be far better spent, not forgetting the environmental damage that will be caused. We must upgrade the eastern treatment plant, and I am glad that is going to happen, because in that way we will be recycling the water that comes out of that plant to a far greater extent and therefore less will be going out of the outfall, but we must have the guts to eventually aim to close that outfall. The technology exists to do it and the will of the people is there to do it. There is nothing stopping us from eventually aiming to close that outfall.

Applause from gallery.

The ACTING SPEAKER (Mr Kilgour) — Order! There should be no clapping from the gallery.

Mr NARDELLA (Melton) — Honourable members have just had a demonstration of where the opposition is lazy, does not understand the government's policies to do with water and has no idea of what it wants to do. Opposition members have had two and a half hours to put their policies before the house. It is the shadow minister's motion and he is not even in the chamber! He has no policies.

Let us turn to the Gunnamatta outfall. As a surfer I understand the issues at Gunnamatta, although I have not been surfing for a while. The \$60 million for extending the pipeline is part of the wider process of cleaning up the oceans and the sewage in that area. That is what the honourable member for Dromana does not understand.

The government is putting a massive amount of money into the Carrum treatment works to do two things. One is to clean up the sewage to a much higher level as it goes through. Secondly, we are in the process of recycling a lot of the sewage. That is what the opposition does not understand. It does not understand the issues or policies to do with water, water infrastructure or recycling.

Instead of just finding this issue after seven years, opposition members have come in here and suddenly got on their high horse to say that we should not be building an outfall pipeline. They do not know what to do because they have no ideas or policies. Liberal Party members attended a state council last weekend where their leader, who is not here to debate these important issues, did not come up with any policies on any of these important matters before the house.

The people who are taking matters on water and water recycling forward after the summit earlier this year are the members of the Bracks Labor government. There has been no leadership from the Liberal Party whatsoever, and the honourable member for Dromana

has just left his seat. The opposition comes in here and pontificates about all the things that the government is doing.

The motion before the house is very telling. The opposition claims that the government is not spending enough money on infrastructure. During the last three years of the previous government \$390 million was spent on average each year on water infrastructure. Over the last three years of this government, \$433 million has been spent. So already the hypothesis of the motion before the house is wrong. The Liberal Party always gets it wrong. The National Party should know better but it is worse because it has even less understanding of what is happening. The honourable member for Dromana is skulking away, leaving the chamber because he cannot hack it.

We now have the disgraceful situation where the honourable member for Bennettswood is the only opposition member of Parliament in the chamber. It is the opposition's motion before the house, and it is appalling!

Mr Wilson — On a point of order, Mr Acting Speaker, the honourable member is casting aspersions on the opposition. He might like to explain why the Minister for Environment and Conservation is not in the chamber.

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

Mr NARDELLA — We have just had another demonstration of how lazy opposition members are — all they can do is raise points of order instead of talking about the substantive issues.

Let's have a look at the great things the government is doing in my area by working in partnership with the water boards. Central Highlands Water is spending more than \$600 000 at Blackwood to upgrade the water purification plant serving that community. That is real money.

The honourable members for Tullamarine and Gisborne and I have had to beat Western Water into submission. Since being elected we have put Western Water in a much better position to take into account what needs to occur in our communities. Western Water has invested more than \$3 million at the Sunbury treatment plant to extend water recycling into Sunbury. The honourable members for Tullamarine and Gisborne have been critical of the project. Water recycling is also being extended through my community into Rockbank, and hopefully all the way through to Centenary Avenue and the Melton Valley Golf Course. There is real money

and real commitment there — \$360 000 of state government money has gone into a grant for that project.

Western Water has also spent more than \$1 million — I think it is about \$1.5 million — on undergrounding pipes from the Keilor–Melton Road to connect up the pipeline so that if it is necessary Melbourne Water can cover both Melton and Bacchus Marsh in the future. The government is planning for the future. It is looking at what is necessary today to look after our communities in the future.

We had the water resources review. The honourable member for Gisborne and I, and prior to that the honourable member for Tullamarine, worked through these issues for our regions as part of that review. We have had that leadership from the chairman of Western Water, Terry Larkins; and from Les McLean, Mary Tissaaratchi, Rob Franklin and Suzanne Evans. We now have great leadership from John Wilkinson, the new chief executive officer. We are going forward and we are dealing with the matters before us.

The previous government's policy was not one of commitment to local communities but one of ripping them off. It was a policy of setting up the water companies so it could flog them off. The previous government did not want to look after those communities but it wanted to privatise the water companies. Let's have a look at a demonstration of the Liberal Party's commitment to water infrastructure and recycling in Victoria. What greater contrast can we get than City Link, where 1.5 billion litres of drinking water was being used to stabilise the tunnels every day. That was the previous government's great icon project, and every day 1.5 billion litres of potable drinking water was used to stabilise the tunnels. Who fixed it and who worked through these major problems with City Link?

Honourable members interjecting.

Mr NARDELLA — The honourable members for Tullamarine and Coburg are correct — it was the Bracks Labor government. It was not the Liberal Party — the Libs could not care. The National Party is surviving by the skin of its teeth and the Liberal Party is going to take it over. Here we have a real commitment on the part of the Bracks Labor government to ensuring that potable water is not wasted. We talk about recycling, but that was one of the greatest wastes of water ever.

We have this furphy that the government was not quick enough with its drought response. After the interim

measure the government put in place a \$27.7 million full measure. The Liberal Party has a policy espoused by the Honourable Philip Davis in the other place — it is a failed policy that not even the Victorian Farmers Federation wants — of subsidies for the transporting of fodder. That would spread weeds and would destroy any likelihood of really dealing with the drought.

The Liberal Party did not recognise the year-after-year green drought in Gippsland. The then Leader of the Opposition and current Treasurer addressed a meeting of 300 farmers when the former government had not recognised the drought conditions down there for two years, yet after Labor's swift action on the drought members opposite have the gall to come in here and say the government is not doing the right thing.

The issue of Lake Mokoan was raised. It was built in the 1960s under a Liberal government and it is too shallow. Every year 42 000 megalitres of water evaporates from Lake Mokoan and is lost. We have had algal blooms in 10 out of the last 12 years. The economic and environmental vandals in the Liberal Party have no idea. They want to keep this disaster. Labor is working with the community to try to sort these matters out.

The motion before the house is a disgrace. The opposition is wasting the Parliament's time and the motion should be rejected.

The ACTING SPEAKER (Mr Kilgour) — Order! The honourable member's time has expired. The honourable member for Wimmera has 8 minutes.

Mr DELAHUNTY (Wimmera) — I am pleased to rise on behalf of the Wimmera electorate to speak on this important discussion this morning, particularly in relation to water infrastructure in western Victoria.

With regard to some of the comments made here today and yesterday in relation to the Regional Development Victoria Bill, I was thinking about a statement I have seen on television. It was made not by an Essendon man but by John Kennedy, the former coach of Hawthorn. It highlighted to me that this government is all about talk. John Kennedy was in a huddle of players during a grand final and he said, 'Don't just stand there, do something!' The reality is we want this government to do something.

The previous government has been hammered in relation to this, and I want to pick up on some of the points made by the honourable member for Bendigo East.

Mr Perton interjected.

The ACTING SPEAKER (Mr Kilgour) — Order! The honourable member for Doncaster!

Mr DELAHUNTY — The honourable member for Bendigo East made some statements in relation to water, sewerage and particularly the catchment management levies. Levies administered by the councils were in place in a lot of areas of Victoria, and they were very well accepted. This model was developed right across Victoria. I think this is an example of where we all talk about doing something for the environment but we are not prepared to put our dollars into it. It was worked through. No-one likes paying any more money but the reality is we needed those dollars to do some restoration work and repair decades of damage to the environment.

I turn now to water and waste water facilities. The objective of the National Party is that all those towns should be entitled to water and waste water facilities which match world health standards. Is that not appropriate? Why should people who live in Murtoa, Minyip, Edenhope, Casterton or anywhere in western Victoria not be entitled to world health standard water and waste water facilities? Many water facilities were upgraded by the previous government; unfortunately most were opened by this government, but they were implemented by the last government. They include facilities at Murtoa, Rainbow, Dimboola, Stawell, Great Western and Halls Gap. The government provided about \$500 million out of a total of \$1.2 billion for those types of facilities in regional and rural Victoria. I compliment the former Leader of the National Party, Pat McNamara, for his strategy in driving this, because it is important that we have these facilities.

I will talk about sewerage and focus on one town in my electorate — that is, Minyip. I know the town has been working for three years or probably more to try to get sewerage facilities, and Hopetoun and Ouyen are also working through that. After three years of this government we have not seen any action in relation to those matters. Where have we seen this government talk about the next stage of planning for these small towns and their water and waste water facilities? I do not believe the government has any plan at all. At least the National Party and the previous government had a plan, and it was being implemented.

We also talk about safety standards. I know that because of safety concerns money was put into Lake Wartook to improve the wall there. I am pleased to see that the government has continued that work in the Wimmera area at Lake Bellfield.

Another issue I wish to focus on is desalination. Unfortunately because of the drought a lot of our lakes are empty, so places like Edenhope have had to get water out of underground storages. However, most of this water is very salty. Grampians Water and I lobbied the government very hard but without success to get some support to put in a desalination plant. That plant is now working very well, and I congratulate Grampians Water for its efforts, but no help was provided by this government.

I would like to talk about the Wimmera–Mallee pipeline, and I am sure this will light up their eyes. Many members in the Parliament have talked about the Wimmera–Mallee pipeline today, but I can highlight to this government that it has not spent \$1 on Wimmera–Mallee infrastructure in the three years it has been here. The reality is that it has all come from previous governments, and in saying that I give credit to previous Labor governments. But if the northern Mallee pipeline had not been done, the Wimmera–Mallee would have been in diabolical trouble last year — not this year and next year.

I congratulate the government on the fact that it has at least committed to do the Wimmera–Mallee pipeline, but again we do not need that money for probably nearly two years. Before that stage, we need to do the detailed design work, which is starting to take place at this stage. The detailed design work will look at the size of the pipes and the infrastructure requirements and where those dams and lakes need to be filled. It will also look at pricing and all the Country Fire Authority requirements. There is a lot of work to be done with the whole of the Wimmera–Mallee community, and that includes the Glenelg region.

I know the minister has appointed a steering committee and has now appointed a 12-member community committee. But again I think she has dropped the ball. A member of her staff, James O'Brien, spoke to me about this matter, and I give him credit for ringing me once to say, 'This is a list of people we are thinking about putting on a community steering committee'. I had no problem with any of those members, but I said to him, 'Make sure you have representation from the Glenelg region, because they are the ones who have been working with the Wimmera–Mallee people on water management over the last couple of years to address environmental flows, water harvesting issues and, in particular, water storage issues in western Victoria'. But the minister has dropped the ball. I sent a fax to her, which she has not had the decency to respond to, about including membership from the Glenelg River region.

There is not one member on that community steering committee from north of Balmoral right down through the Glenelg River region to the sea. Those people are quite angry, and I think that will impede the consultative process they are going through in relation to the detailed design work.

Water is vital to the continuing growth of any community in rural Victoria but even more so in the Wimmera–Mallee area, where we believe we have done the work. We have done the feasibility study that shows it will stack up, and it is now time to get on with the detailed design work. It is important that the minister review that decision and put someone on the committee from the Glenelg River region.

I am pleased to say that the government, after a lot of cajoling, has admitted that there is a drought in country Victoria and has implemented a drought package, including cash grants. There are some concerns, though, that that is not moving fast enough.

One thing I want to focus on is the shortage of water we have had for the last three to five years, particularly the last three years. Farmers this year are only getting 50 per cent of their water entitlements. The irrigators will get none next year. Diverters did not have any last year and have been promised none for next year, but they are still paying those service charges.

The Victorian Farmers Federation wrote to me and to the Minister for Environment and Conservation to try to get a deputation to meet with the minister. It was to be a proactive meeting to inform the minister of what was happening in the Wimmera–Mallee region. We know there are other major problems, because we were briefed about the Goulburn area, and no doubt that community has enormous problems because of the shortage of water. But the Wimmera VFF, with some community people, wanted to come down and spend half an hour with the minister to inform her from a local perspective of what was happening in the Wimmera–Mallee region. Guess what? After two weeks I got a phone call back to my office which said, 'Go and speak to the Minister for Agriculture'. The Minister for Agriculture does not administer the water pricing structure. That is under the Minister for Environment and Conservation. I again ask the minister to review that decision.

Water is vital to the continuing development of western Victoria — whether it be water infrastructure for piping the system, water that meets World Health Organisation standard requirements or sewerage that meets those requirements. It is important that this government develops a plan, as we in the National Party have,

leading up to the next election. As I said, I believe — as all of us in the National Party believe — that people in rural towns are equally entitled to have infrastructure at the standard required by larger cities.

I finish by congratulating the water authorities — and we now have water authorities that operate outside Melbourne. We can all remember back to the State Rivers and Water Supply Commission, which was administered from Orrong Road here in Melbourne. The previous government distributed the decision making out into country areas, and the water authorities, which are facing difficult circumstances with low water allocations, are getting through that. I ask the government to do the same for country Victoria.

The ACTING SPEAKER (Mr Kilgour) — Order! The honourable member's time has expired. The time for raising matters on the matter of public importance has also expired.

PORT SERVICES (AMENDMENT) BILL

Introduction and first reading

Mr BATCHELOR (Minister for Transport) introduced a bill to amend the Port Services Act 1995 to give further power to the Melbourne Port Corporation and for other purposes.

Read first time.

HEALTH LEGISLATION (AMENDMENT) BILL

Introduction and first reading

Mr THWAITES (Minister for Health) — I move:

That I have leave to bring in a bill to make miscellaneous amendments to the Drugs, Poisons and Controlled Substances Act 1981, the Health Services Act 1988, the Human Tissue Act 1982, the Lord Mayor's Charitable Fund Act 1996, the Mental Health Act 1986 and the Nurses Act 1993 and for other purposes.

Mr WILSON (Bennettswood) — Could I ask the minister for a brief explanation of the intent of the bill?

Mr THWAITES (Minister for Health) (*By leave*) — The intent of the bill is to make some minor amendments to those acts on certain issues. For example, the Nurses Act will enable nurses in training who have completed part of their division 1 nurse training to work as division 2 nurses.

In relation to the Drugs, Poisons and Controlled Substances Act, the bill will ensure that certain pharmaceuticals that might be administered by nurses and nurse practitioners are administered in a consistent way.

The Human Tissue Act is being amended in relation to certain human tissue that might be used for therapeutic purposes, such as bone pieces, so that that can be done according to the provisions to be set out in the act.

Motion agreed to.

Read first time.

PAY-ROLL TAX (MATERNITY AND ADOPTION LEAVE EXEMPTION) BILL

Introduction and first reading

Mr BRUMBY (Treasurer) introduced a bill to amend the Pay-roll Tax Act 1971 to grant an exemption from pay-roll tax in respect of paid maternity leave and paid adoption leave and for other purposes.

Read first time.

RESIDENTIAL TENANCIES (AMENDMENT) BILL

Council's amendments

Message from Council relating to following amendments considered:

1. Clause 100, page 48, lines 10 to 18, omit all the words and expressions on these lines.
2. Clause 100, page 48, line 19, omit "12." and insert "11."
3. Clause 100, page 48, line 26, omit "91" and insert "90".

Ms PIKE (Minister for Housing) — I move:

That the amendments be agreed with.

These amendments are consequential amendments that were moved in the other place as a result of an amendment that was passed in this house.

Motion agreed to.

BUSINESS LICENSING LEGISLATION (AMENDMENT) BILL

Second reading

**Debate resumed from 16 May; motion of
Ms CAMPBELL (Minister for Consumer Affairs).**

Mr PERTON (Doncaster) — The Liberal Party will support the bill, although in my view it does not go far enough nor will it resolve the problems that exist in the area of e-government.

The purpose of the bill is to enable transactions between government and business and associations on such matters as licence applications, renewals, registration of business names, formation of incorporated associations, annual statements and auditors' reports to occur online. It is also to enable certain public registers to be searched online. Where necessary safeguards will include passwords, confirmation of change by letter and access to private information on restricted registers. The bill also permits small associations to appoint an unregistered liquidator to oversee a voluntary winding up.

The opposition has consulted the Victorian Employers Chamber of Commerce and Industry, the Australian Retailers Association Victoria and the Microbusiness Network as well as a range of people, and there is no objection to the bill.

Although most of the briefings were conducted when my predecessor held this portfolio, I attended one of the briefing sessions and what I found most unsatisfactory is the lack of commitment of the Bracks government to modernising government by using information technology in appropriate ways.

Today is not the day for me to repeat all of the achievements of the Kennett government in these areas, but we will recall that in 1996 the Kennett government established the office of multimedia headed by John Rimmer. It also established the first minister for multimedia anywhere in the world. We went about the business of modernising government using the tools of the new economy — information technology, modern forms of telecommunication, the Internet — to improve the interface between the citizen and government. It was our view that the great achievement in this area would be to have a genuine citizen-centric service by government that permitted the citizen to conduct and complete any major transactions that involve government and/or the private sector.

This was driven well through agencies like Vicroads and others such as the VicOne network that we

established — so much so that you will recall, Mr Acting Speaker, that you were at events where Bill Gates described the performance of the Victorian government in this area as the best in the world — —

Ms Fyffe — That's right!

Mr PERTON — As the honourable member for Evelyn rightly says. In his book, *Business @ the Speed of Thought*, which was written for the international marketplace, Bill Gates referred to Victoria — —

The ACTING SPEAKER (Mr Kilgour) — Order! I ask the honourable member for Doncaster not to turn his back on the Chair. I am interested in what he is saying, but it is very difficult to hear while he is speaking facing the other way.

Mr PERTON — Sure. I guess it is a bit difficult when there is such an absence of government members in the house to turn in that direction, especially with Liberal Party members being so active and having such infectious enthusiasm for these matters. I apologise that I turn my back on the Labor benches, but it is understandable.

The ACTING SPEAKER (Mr Kilgour) — Order! I advise the honourable member for Doncaster that the concern was that he was turning his back on the Chair.

Mr PERTON — Indeed, Mr Acting Speaker. Let us proceed. The honourable member for Evelyn — —

Honourable members interjecting.

Ms Campbell — Put a mirror up!

Mr PERTON — In your case it is probably more entertaining than the blank wall that you are, Madam!

The ACTING SPEAKER (Mr Kilgour) — Order! The honourable member for Doncaster, on the bill.

Mr PERTON — I wish *Hansard* could record the minister waving her hands around like a child in kindergarten.

The ACTING SPEAKER (Mr Kilgour) — Order! On the bill.

Mr PERTON — It is a lovely image: what a pity it is only in black and white.

As the honourable member for Evelyn rightly points out, Bill Gates did not describe us as being best in the world just because we use computers or the Internet. Bill Gates described us as best in the world because we were seeking to improve the interface between the

citizen and government. In creating a business channel, an education channel, a health channel and a land channel the idea was that citizens would in one place be able to find both the government tools and the private sector tools to make their lives easier and better. For instance, under what we had devised, when buying a new house the citizen ought to be able to conduct the whole transaction online, including land transfers, notification to government agencies, including licence changes and changing of gas, telephone and electricity accounts. It all ought to be done on one screen and it blurs the boundaries between the government and the private sector — —

The ACTING SPEAKER (Mr Kilgour) — Order! Will the honourable member for Doncaster take note of what the Chair asked him to do just a few moments ago. Since that time he has on three occasions turned his back directly on the Chair, and I would ask him not to do that.

Mr PERTON — Thank you for that contribution, Mr Acting Speaker. The Kennett government, of which you were a part, Mr Acting Speaker, left a record that is a matter of pride. One would have thought that in 1999, when the previous government was unfortunate enough to lose government — but it was a democratic decision of the people — the Bracks government would have maintained that program. In its rhetoric it indicated that it would maintain that program.

But what we have seen since that time is a government that is bumbling, inept and incapable of focusing on these matters. The real disgrace with the Minister for Consumer Affairs, the former Minister for Community Services, introducing this bill is that in the case of community services there should have been a client tracking system in place almost a year or more ago so that if a child under protection or a person of interest to the department was to be a matter of alertness — —

Mr Wynne — On a point of order, Mr Acting Speaker, I do not mind the honourable member for Doncaster casting a relatively wide net in this debate, particularly around the issue of technology and so forth, but clearly his most recent exploration of the department of community services and its tracking is clearly off the bill. I ask you to draw him back to the bill before the house.

Mr PERTON — On the point of order, Mr Acting Speaker, obviously the honourable member has not focused on this bill very well. He need only look at the explanatory memorandum to see that the entire bill revolves around issues of e-government and e-services by government. I am the lead speaker for the

opposition, and I am entitled to a wide ambit. The honourable member may be a bit sensitive about this minister's failure, but it does not disentitle me from addressing such matters.

The ACTING SPEAKER (Mr Kilgour) — Order! I have heard enough on the point of order. I do not uphold the point of order. The honourable member for Doncaster, continuing his contribution.

Mr PERTON — Thank you, Mr Acting Speaker. The disgrace of this minister leading this bill, when in her last department, where electronic tracking and transactions were so important — —

Ms Campbell — On a point of order, Mr Acting Speaker, the bill before us relates to the Associations Incorporation Act, the Business Names Act, the Estate Agents Act, the Motor Car Traders Act and the Travel Agents Act. Those are the acts this bill covers. I ask that the honourable member be drawn back to the bill before us.

The ACTING SPEAKER (Mr Kilgour) — Order! I do not uphold the point of order at this time. I believe the honourable member for Doncaster is setting the scene with his contribution to the bill; although I ask the honourable member for Doncaster to be cognisant of those issues.

Mr PERTON — It would have been only three or four sentences, Mr Acting Speaker, but there is a clear sensitivity of this minister and this parliamentary secretary to her utter failure in her previous ministry.

Honourable members interjecting.

The ACTING SPEAKER (Mr Kilgour) — Order! I have ruled on the point of order. The minister knows that interjections across the table are disorderly. The honourable member for Doncaster.

Mr PERTON — If they were even funny and witty they might add something to the debate, but their banal nature probably betrays the banal nature of the minister. This minister failed in her previous department, and she has taken too long in supporting such innovation across into her current department.

The provisions contained in this bill that enable the delivery of more services by electronic means to those in business is a good thing, but I would have thought that by 2002 we would have been a long way further down the track on this. One only has to talk to the leading vendors of information technology (IT) services, equipment and consultancy services in this state to find that this state government is genuinely the

worst government in the country — nay, not just the worst government in the country, but one of the worst governments in the Western World with its adoption of new technology to deliver its own services better for the citizen.

The minister inanely grins and giggles again, but one only has to look at the judgment of the international community on this. One week ago Ericsson shut down 380 jobs in this state. They were not just 380 ordinary jobs; 380 of the brightest people in the world lost their jobs in Melbourne as a result of Ericsson losing faith in the ability to do this sort of business in Victoria.

One only has to go a little bit further back to remember Nokia Broadband Research making the decision to close a couple of its research laboratories. It had 15 in the world, and one of those it chose to close was the one in Victoria. I recall a situation that occurred not far away from you in your electorate, Mr Acting Speaker. Selectron, a major world producer of IT equipment, after having to make choices about where to close, closed its Wangaratta plant. It was not to take the jobs to some low-income environment to get the benefit of low wages; it took the jobs to Sydney and Singapore. If there ever needed to be a great indictment on this government, it could be found in those three decisions alone. It was the IT minister of the government, the Honourable Marsha Thomson, the so-called Minister for Small Business, who crowed to the newspapers that she had brought Infosys to Melbourne. What is Infosys? It is a major Indian software production house whose office in Melbourne is designed to suck jobs out of the Victorian IT industry and take them to India. The minister is on the record as being attacked not just by members of the IT industry but by columnists like Stan Beer from the *Age* and national columnists at the *Australian* for a lack of understanding of the need for jobs of the future.

Under the Kennett government Victoria was renowned as the world leader. Not just Bill Gates but the group of eight industrialised states came here to look at what we were doing. People came from European and American countries to look at the programs we were undertaking to deliver new services to the citizen that had never been delivered before because it could be delivered through the means of new information technology via the Internet and new means of telecommunications. This was a wonderful thing. Of course it brought interest, and as a result people decided to invest in Victoria and to adopt Victorian practices, and our designers were able to sell their intellectual property around the world. It was because we were the leader.

Under this government we have become a mere follower in information technology — and not just in information technology, but in technology in general. There is such a lack of focus, courage and risk taking that this community has been betrayed — not just the people of Melbourne, but the people of your electorate of Shepparton, Mr Acting Speaker, and the people of Ballarat and of Bendigo. The people of Ballarat were promised a televillage. They were promised that each household would be equipped in the same way as those in the town of Ennis in Ireland. Every household was to have a broadband connection and a computer so they could access the sorts of services referred to in this bill, and that ought to be made available.

This minister is again giggling and chortling in her lack of understanding of her own department. The manifest incompetence is breathtaking. This is the minister who, in introducing the real estate agents legislation last week, believed a cooling-off period applied to auctions. Not only did she say it in her statements to journalists and on radio, but she put it in the explanatory memorandum. So how could anyone believe this minister was able to implement this bill?

Ms Campbell — I raise two points of order, Mr Acting Speaker. The first is on the bill and the second is that the honourable member is misleading this Parliament in relation to the radio comment.

Honourable members interjecting.

The ACTING SPEAKER (Mr Kilgour) — Order! The minister and the honourable member for Doncaster know that they should not be conducting conversations across the table.

I do uphold the point of order because of the fact that I think we have given the honourable member for Doncaster a fair go, as the honourable member for Richmond has said. It has given the honourable member for Doncaster the opportunity to have a very wide-ranging debate over information technology issues. I ask the honourable member to come back to the bill.

Mr PERTON — I hope that this government does bring on the election, and I hope that in the course of that election campaign the arguments that we are talking about today, the arguments about modernisation and about government actually delivering the services wanted in the way they are wanted, become a political issue. I am prepared to debate this minister anywhere, any time in the course of the coming election campaign on these issues because they are important.

The Minister for Consumer Affairs may giggle about it. She may not be focused on it, but it is hugely important that Victoria be an icon, a leading light in the delivery of government services online, re-establishing the position we held in the late 1990s so that we actually get economic development as a result and so that in this world of footloose capital we attract attention in respect of these matters, and so that every businessman, every potential businessman, and every student in school who wants to become an entrepreneur is able to go online to get the tools they need to undertake business.

It is nice to be able to get your registration online. It is nice to renew your registration online. That is timesaving and it is a good thing, but it is three years later than it should have been. As I have said earlier and as the minister with a glass jaw has taken objection to, it does not need to be repeated. What we ought to be looking to is delivering a whole range of new services to entrepreneurs, to business people and to investors so that we can make Victoria a centre for these matters, and so that we are looked on as doing something new and different.

This sort of bill has been done in probably 20 or 30 American states already. It is operating across most of Europe. Even in Australia other states now lead us in these areas, and this minister brings this bill in too late and too slow, and I hope too late and too slow for her government.

Mr DELAHUNTY (Wimmera) — On behalf of the National Party I am pleased to rise and speak on the Business Licensing Legislation (Amendment) Bill. My understanding is that my colleague the Honourable Ron Best in another place was briefed on this issue. He is our spokesperson on this issue, but he tells me that Victoria is only catching up to New South Wales. Unfortunately Victoria has numberplates which used to say, 'Victoria on the move'. Now we have 'Victoria: The place to be'. We have become very stationary but, as we all know, this legislation is non-controversial and will not be opposed by the National Party.

The main purpose of the bill is to amend the Associations Incorporation Act 1981, the Business Names Act 1962, the Estate Agents Act 1980, the Motor Car Traders Act 1986 and the Travel Agents Act 1986 to enable transactions under each act to be delivered online via the Internet.

It is good to see this finally happening, but I raise one concern. I know that a lot of government agencies are now purchasing online, and that is a very efficient way of doing things, but it is important that I put on the record that we make sure that country businesses also

are given every opportunity to do this. Too often we have seen some of the larger government agencies, whether they be the Department of Natural Resources and Environment or the Department of Human Services, purchasing online through large distribution companies in Melbourne. That takes jobs out of country Victoria, so it is important that we give every opportunity for country businesses to be able to get online and put their produce and services online so that they can compete. I am sure country businesses are very competitive and, given the opportunity, will tender for services and equipment to supply government businesses.

Another purpose of the bill is to remove the existing requirement that the document lodged with Consumer and Business Affairs Victoria or the Business Licensing Authority be signed by more than one person. That is commonsense legislation, which is supported by the Liberal Party and, again, it will not be opposed by the National Party.

Another purpose of the bill is to remove the existing requirement that a document be accompanied by a statutory declaration. It is interesting that at my offices in the main street of Horsham, Firebrace Street, one of my staff, Joanne Bibby, is a justice of the peace. We get an enormous number of requests for the signing of statutory declarations. If we can minimise that, it would be a very efficient way of doing business, and also save the time of some of my staff!

Another purpose I want to talk about is the insertion of a purpose and to clarify the contents of the public registers established by each act affected by this bill. My understanding of this legislation is that the fees and charges will still be set by regulation, so I do not want any businesses to get the idea that this legislation will deal with those issues.

What I am really concerned about is business charges. I want to touch on that at this stage. We are seeing businesses constrained because of cost increases, particularly under this government. The previous government had a great record in lowering those costs. We are seeing increases now under this government through council rates, Workcover premiums and many other charges. The National Party is looking for this government to come forward as we have put forward some positive discrimination to help these businesses, not only with this bill, which helps them go online through the Internet, but also in relation to stamp duty, land taxes and all those other taxes. Before the honourable member for Richmond jumps out of his chair, that is all I want to say in relation to that.

As I said, Victoria is catching up to the New South Wales legislation. It brings this legislation in line with that of other states and provides the opportunity for these services, such as the registration of business names and motor car transactions, to change.

I will quickly cover a couple of clauses. In clause 67 a new requirement is inserted in the amendments to the Motor Car Traders Act 1986. The new requirement in proposed section 29B(2A), that an application to the authority for permission to hold a motor car trader's licence where a person has been convicted or found guilty of a serious offence must be made in the form approved by the authority, is commonsense. It gives the opportunity for the authority to ask for more information and make further inquiries.

I bring to the attention of those people in the motor trades the amendments to the Motor Car Traders Act. The bill also incorporates amendments to the Travel Agents Act 1986. Unfortunately not only have people lost some dear friends because of the events of 11 September and last Sunday in Bali but those events will obviously have an enormous impact on the travel industry. I hope we can get that back on track as soon as possible.

Clause 80 inserts new section 41 into the Travel Agents Act 1986 to require persons who send a copy of a document or notice to the director or authority to retain the original of that document or notice for seven years. That is common practice in the business sector, and this act will put more pressure on travel agents to do it.

Lastly I touch on the amendments to the Business Licensing Authority Act. Clause 85 amends the delegation power contained in section 11 by substituting paragraph (a) and (b) to enable the authority to delegate some of its powers and functions. I will be interested to see how that is implemented, and the honourable member for Richmond might have a few minutes to explain that. I wonder if that is going out to private companies. I see that the government could, with this legislation, be working with private companies much more than in the past, and that is good. If we have government agencies working with private authorities for the benefit of our communities, we all support that.

With those few words I say that the National Party will not be opposing this legislation.

Mr WYNNE (Richmond) — It gives me pleasure to rise to support the Business Licensing Legislation (Amendment) Bill. I indicate that my contribution may well go over the luncheon break, given the time of day.

I acknowledge the contributions of the honourable member for Doncaster and the honourable member for Wimmera. But I have to say that, in particular, the honourable member for Doncaster's contribution was long on rhetoric — his was a wide and free-ranging discussion of this bill — but paid scant regard to the really important initiative which the government is implementing through this bill. It was interesting that his contribution was very much geared towards what he saw as the deficiencies of the government in promoting the information technology sector in this state. Frankly nothing could be further from the truth. I know that this is a pet project of the honourable member for Doncaster, because he has had a long and involved interest in the question of — —

Mr Perton — Passion!

Mr WYNNE — Indeed, he interjects, he has a passion for the matter. But I wanted to indicate to the honourable member for Doncaster that the proof of this is in the delivery, not only in relation to this bill. It was only very recently that I, along with the Minister for Manufacturing Industry, had cause to visit an information technology organisation near my electorate office in Church Street, Richmond, which is an extraordinary success story. It is an organisation that has grown from a very small base to become one of the world leaders in mapping aeroplane movements, not only in Australia but also Asia and Europe. What a wonderful symbol, that a modest organisation in my electorate is reaching out to the world and is truly a success story in an international information technology context. It shows the incredible power of the research and development that operates out of this state.

Business interrupted pursuant to sessional orders.

Sitting suspended 1.00 p.m. until 2.03 p.m.

QUESTIONS WITHOUT NOTICE

Able Demolitions and Excavations Pty Ltd

Mr DOYLE (Leader of the Opposition) — I refer the Premier to evidence given at the Cole royal commission, where the government admitted it behaved inappropriately in delaying a demolition contract to Able Demolitions and Excavations Pty Ltd at the Latrobe Regional Hospital because the company was not respected by the Construction, Forestry, Mining and Energy Union. Why has the government rejected a bid from Able Demolitions to demolish housing commission flats in Kensington, despite Able being the lowest bidder?

Mr BRACKS (Premier) — As with all tender arrangements, the government reserves the right to accept all or none of the tenders. That has always been the case. This particular matter is currently being examined by the royal commission, and the government will await its findings and determination before offering a comment on that matter.

Bali: terrorist attack

Mr LANGUILLER (Sunshine) — I ask the Premier to update the house on the latest developments concerning the Bali attack, particularly in so far as it directly affects Victorians.

Mr BRACKS (Premier) — I think all honourable members would wish to put on record their appreciation of the response of the people of Victoria to the tragic events in Bali last weekend. The floral tributes on the steps of Parliament House have been a fitting and appropriate way of commemorating and honouring those people who died, those who were injured and their families and friends. Again I congratulate you, Mr Speaker, and the President in another place, for allowing that to occur.

Most honourable members would have seen that today not only were more floral tributes arriving but that Victorians were standing three to four deep when paying tribute to the people who died and to those who have been injured and affected by this tragedy.

As I mentioned yesterday, the condolence books are now available to all members of Parliament, at all strategic government sites and at Parliament House itself. We expect them to be filled in and then transferred to the federal government for appropriate acknowledgment.

Over the next few days, including this coming Sunday, around Victoria all religious denominations will hold services to commemorate the events in Bali. This Sunday a minute's silence will be observed at the Phillip Island motorcycle grand prix.

I also want to thank Victorians who are working in or associated with key government agencies, including the Department of Human Services staff who are stationed at Tullamarine airport and who are working to provide assistance in the form of counselling and support for families and people directly affected by the Bali tragedy. I thank the Victoria Police, who are on stand-by and who are supporting the federal government in this effort.

I thank the major hospitals that are currently treating about nine patients who have been transferred from

Darwin to Victoria. Most of the victims are from Victoria, but some are not. Those nine patients are being treated at the Alfred, the Royal Melbourne and St Vincent's hospitals. As you would expect, they are receiving the best of care. The Alfred, for example, is treating some six burns victims from Bali while already treating five other burns victims, whereas its usual workload is something like three people in that category. Staff have actually offered to cancel their annual leave and come in to give support to people who need it. I congratulate those people for volunteering and for their support in coming to work so that more beds can be opened.

Following a request from the Australian Federal Police, Victoria Police has also stationed additional police at Tullamarine to assist in the processing of patients, families and others involved who are arriving on incoming flights. One Vicpol bomb technician is now on his way to Bali and others are awaiting advice from the Australian Federal Police to assist in the crime scene investigation and the forensic examinations that will be required.

On behalf of the people of Victoria I also thank other agencies, including the Australian Red Cross, in conjunction with the Indonesian Red Cross. Today at around this time the Red Cross will be launching an appeal for the families and victims of the Bali tragedy. That appeal will be in two parts: firstly, to assist Australians and their families; and secondly, to assist the Red Cross in both Australia and Indonesia in its efforts to support and assist the recovery of people in Bali who have been affected. I am pleased to report to the house that the Victorian government will be offering initially \$500 000 towards that appeal. This money will be transmitted to the Australian Red Cross today.

I hope that not only other jurisdictions but the people of Australia show the same generosity they have shown over the last two days by supporting this appeal to assist families who find they are without the support they would otherwise have had, and that in doing so they will assist the Red Cross itself, which is doing a fantastic job in the recovery effort.

Melbourne Wholesale Fruit and Vegetable Market

Mr RYAN (Leader of the National Party) — My question is to the Premier. I refer to the fact that consultants have been employed by the Department of Infrastructure's division of major projects to report to the Treasurer by the end of the month on the future of

the Melbourne market. Is it the intention of the government to privatise the Melbourne market?

Mr BRACKS (Premier) — I thank the Leader of the National Party for his question. I have always wanted one of these questions. The answer is no!

Economy: performance

Mr MILDENHALL (Footscray) — Will the Treasurer advise the house of any recent evidence which demonstrates the strength of the Victorian economy and any potential threats to our current economic position.

Mr BRUMBY (Treasurer) — I am pleased to advise the honourable member for Footscray and the house that there is more evidence that the Victorian economy is still leading the way — and certainly leading the way in terms of private business investment and employment growth across Australia.

This was confirmed yesterday with the release of the National Australia Bank's quarterly business survey, which reported that Victoria experienced one of the strongest growth rates in business conditions, doubling to an index of 12 in the September quarter — above New South Wales. This is the highest level of business conditions in almost three years. The survey also showed that employment conditions rose strongly — up 14 points in Victoria. That is again above the national average and above New South Wales.

In looking forward, which is most important, the survey showed that Victoria has the strongest business expectations since December 1994.

Dr Dean interjected.

Mr BRUMBY — If the shadow Treasurer refers to the figures he will see that Victoria's position in relation to consumer confidence is much stronger than the national figures.

The National Australia Bank survey yesterday confirms what we have been seeing in the state for some time. The unemployment figures issued last week showed Victoria's level of unemployment was 5.8 per cent, well below the national average of 6.2 per cent and the lowest in Australia. Building approvals are at \$14 billion over the last year, a record high, and business investment over the last year is up 8.1 per cent, again well above the national average.

The last two weeks in Victoria paint a good picture of what has been occurring. Last Friday — we know what happened last Friday, because the Leader of the

Opposition had to cancel his trip to Bendigo, which was unfortunate — there was a positive announcement of 140 new jobs at Empire Rubber in Bendigo. The Premier was in Ballarat to announce 300 new jobs for IBM, and on 9 October Savage Boats announced its new \$4 million boat manufacturing plant in Laverton North, resulting in 50 new jobs. On 1 October Dana Corporation announced its new \$8 million facility, with 67 new jobs; and tomorrow is the official opening of the Knox City Shopping Centre, a \$150 million redevelopment with 120 new stores and about 1000 new jobs. It is a very strong picture.

Dr Dean interjected.

Mr BRUMBY — The honourable member for Berwick is still whingeing and whining about the economy. At the weekend someone said this about the Victorian economy: 'The state is in good shape and investment is pouring in'.

Mr Mulder — Who said that?

Mr BRUMBY — The Prime Minister!

Honourable members interjecting.

Mr BRUMBY — This is the new Dynamic Duo, those two over there!

The SPEAKER — Order! I ask the honourable member for Polwarth to cease interjecting, and I ask the Treasurer to come back to the question.

Mr BRUMBY — On a serious note, the figures released are very positive. We all understand that the international economic environment is very difficult. We have seen that with the tragic events in Bali, we saw it last year with 11 September, and we have seen it with the decline in equity markets. Despite the difficult economic environment, there is great strength in the Victorian economy.

I was asked whether there were any other threats to that strength going forward. I have mentioned the international economy. Obviously we have succeeded because we have provided a good framework for economic growth, delivered prudent financial management and kept the AAA credit rating. As I said the other day, we are one of the few governments anywhere in Australia or anywhere around the world which in this environment is producing sustainable budget surpluses.

The major threat is the \$3 billion of unfunded election commitments made by the opposition — \$2 billion from the former leader and an additional \$1 billion from this

leader — which would throw the budget into deficit. Last week on *Stateline* the Leader of the Opposition was asked a question about the costings — —

Dr Dean — On a point of order, Mr Speaker, the question was quite clear. The Treasurer has been hovering around debating it, but now he is debating the question. He is taking a political position regarding the opposition and the government. It is an abuse of question time for the Treasurer to use questions without notice to debate issues instead of answering the question, and if he does so he must expect the opposition to take points of order.

The SPEAKER — Order! The Leader of the House, on the point of order.

Mr Doyle interjected.

Mr Batchelor — Not as desperate as you!

On the point of order, Mr Speaker, the Treasurer is absolutely answering the question asked. I remind you, Sir, that he was asked to provide evidence and also asked to identify potential risks to the economy, which is exactly what he is doing. The point of order, which has been taken on other occasions and presumably will be taken subsequently, is designed to thwart the thrust of the answer and should not be allowed.

The SPEAKER — Order! I have heard sufficient on the point of order. I ask the Treasurer to cease debating the question and to come back to answering it.

Mr BRUMBY — On this issue — —

Mr Perton interjected.

Mr BRUMBY — We will stay on the same one, thank you very much!

Mr Perton interjected.

Mr BRUMBY — Go out and have a cup of tea and calm down.

The SPEAKER — Order! The Treasurer, addressing the Chair.

Mr BRUMBY — The economy is growing well, and the budget is in good shape. The threat posed is the \$3 billion worth of unfunded election commitments made by the opposition.

Dr Dean — On a point of order, Mr Speaker, if we are now going to enter into a slanging match in relation to the so-called budget proposals by the opposition, which by the way are so deceitfully untrue it is

stunning, then we will enter into a debate. The whole point of raising points of order in relation to debating is so this does not happen.

The SPEAKER — Order! I have heard sufficient on the point of order. I am not prepared to uphold it. I am of the opinion that the Treasurer was not debating the question but was answering it, and I will continue to hear him.

Mr BRUMBY — In relation to this issue, when asked about the \$3 billion the Leader of the Opposition said:

Well we do reject that and we have no official ...

I'm sorry but I can't do the addition for you straightaway but ... I do have an idea.

The fact is that the opposition has promised \$3 billion in funding commitments and has no idea — —

Dr Dean — On a further point of order, Mr Speaker, the Treasurer is debating the question.

The SPEAKER — Order! I do not uphold the point of order raised by the honourable member for Berwick. However, even allowing for interjections, the Treasurer's answer is now getting lengthy, and I ask him to conclude his answer.

Mr BRUMBY — The economy is growing well and the budget is in a strong position, with a AAA credit rating from Standard and Poor's. In an environment of some international difficulty this is an outstanding performance for the state.

One thing, though, which the state cannot tolerate is \$3 billion worth of unfunded election commitments which would throw the budget into deficit. You will not see the Bracks government promising \$3 billion of unfunded commitments. Its commitments will be responsible and will be fully funded, and it is about time that the Leader of the Opposition and the shadow Treasurer did their jobs, properly costed their policies and explained to the Victorian people how they would pay for them.

ALP: union donations

Mr McINTOSH (Kew) — I refer the Premier to the fact that the Construction, Forestry, Mining and Energy Union has donated almost \$500 000 to the Victorian branch of the Australian Labor Party since 1995 and I ask: can the Premier guarantee to the house that the CFMEU has had no influence over the awarding or withholding of any government contract?

Mr BRACKS (Premier) — I thank the honourable member for Kew for his question. He may be absolutely sure that the government operates independently, thoroughly and without influence. The honourable member for Kew referred, as I understand it, to donations since 1995. If you look at donations to all parties in 1995, including the Labor Party, you see the amount of corporate donations far outweighs any donations from any particular union. The government acts without fear or favour and will continue to do that.

Geelong bypass

Mr TREZISE (Geelong) — Will the Minister for Transport inform the house of the latest costing for the preferred Geelong bypass option and explain what other options have been rejected and why?

Mr BATCHELOR (Minister for Transport) — Honourable members would be aware that the government has recently released the Geelong Road strategic study, which identified and analysed the route options for the bypass around Geelong. The document clearly and unambiguously said that the west was the best. This strategic study was overseen by key stakeholders, including the local councils, the Geelong Chamber of Commerce, the Victorian Employers Chamber of Commerce and Industry and the Geelong Environment Council.

The study evaluated the merits between an eastern and a western bypass and strongly recommended that the western bypass was superior on the basis of cost, economic returns and benefits, environmental benefits and social amenity, and best in traffic management.

The eastern bypass was rejected by the study. It is, however, the option favoured by the Liberal Party. The former Leader of the Liberal Party announced that in the *Herald Sun* on 18 August. The eastern bypass option is also favoured by the honourable member for Bellarine and the Liberal Party candidate for Geelong, Mr Srechko 'Stretch' Kontelj who, on behalf of the Liberal Party, has promised to build all three bypasses — the western, the southern and the eastern — all three! In addition to the unfunded promises of \$3 billion the Liberal Party's Geelong candidate has just added another \$2 billion.

According to this strategic study the eastern bypass would service only a small market; it would threaten the environment, particularly around the sensitive Avalon wetlands, and it would open up the Bellarine Peninsula to significant pressure for residential development. The property developers want to get in there.

The eastern bypass by itself would cost between \$680 million and \$1.4 billion. The western bypass would cost between \$270 million and \$375 million. Not only does this demonstrate that the Liberal Party policy is in a complete mess but its members are divided on the issue. The shadow Minister for Transport has refused to support any funding for a bypass of Geelong. He described the Naphthine and Kontelj commitment as wild — and that is from the honourable member for Mordialloc!

Mr Perton — On a point of order, Mr Speaker, in accordance with all of your previous rulings the Minister for Transport is clearly debating the question, and I ask that you bring him back to order.

The SPEAKER — Order! I ask the Minister for Transport to cease debating the question and come back to answering it.

Mr BATCHELOR — I understand that the honourable member for Bellarine is going to retire as a real estate agent on the Bellarine Peninsula as the basis — —

Honourable members interjecting.

The SPEAKER — Order! I ask the Minister for Transport to come back to answering the question.

Mr BATCHELOR — This study that was undertaken was a strategic study and it clearly identified that on all the conditions and factors that are important to be taken into account the western option was the best.

Mr Doyle interjected.

Mr BATCHELOR — It is no use the Leader of the Opposition interjecting. He has to stop ducking and weaving, stop slipping and sliding away and declare what the Liberal Party is going to do.

Mr Perton — On a point of order, Mr Speaker, you have already ruled twice against this minister. One only has to observe him to know that he is now reading from a script. He clearly intends to defy your ruling, Mr Speaker, and I ask you to sit him down.

The SPEAKER — Order! I have on two occasions called the Minister for Transport to come back to answering the question. Proceedings are not assisted by the Leader of the Opposition interjecting and asking further questions of the minister. I ask him to cease doing that, and I ask the minister to come back to answering the question.

Mr BATCHELOR — In finalising my answer to the question, which asked me to explain what options have been rejected, the government has clearly analysed the options in a detailed way together with the Geelong community and its key stakeholders. We have analysed which options are environmentally sensible and economically beneficial and which options will actually address the traffic issues which are alive in Geelong at this time.

Mr Perton interjected.

The SPEAKER — Order! The honourable member for Doncaster should cease interjecting!

Mr BATCHELOR — The honourable member for Doncaster takes points of order to interrupt the flow of answers, and now he is continuing to do that by way of interjection. We know what is best for the City of Greater Geelong, and that is the western bypass. What we want to know is what the Liberal Party has committed itself to and whose policy it will support — that of the shadow Minister for Transport, its former leader or its current candidate.

Minister for Education Services and Minister for Housing: conduct

Mrs SHARDEY (Caulfield) — My question without notice is to the Minister for Housing. It has been revealed in the Legislative Council today through reference to Office of Housing documents that the Minister for Housing and the Minister for Education Services have abused their positions of power and — —

Honourable members interjecting.

Mr Batchelor — On a point of order, Mr Speaker, the Leader of the Opposition is carrying on as if he is still back at Scotch trying to boss — —

Mr Doyle interjected.

The SPEAKER — Order! I ask the Leader of the Opposition to cease interjecting.

Mr Batchelor — The point of order I wish to raise, Honourable Speaker, is that the honourable member for Caulfield is referring to the *Hansard* of a current session and a debate that is still under way, in clear breach of standing orders.

The SPEAKER — Order! I do not uphold the point of order. I do not believe that the honourable member was doing that.

Mrs SHARDEY — My question is to the Minister for Housing. It has been revealed in the Legislative Council today through reference to Office of Housing documents that the Minister for Housing and the Minister for Education Services have abused their positions of power and were knowingly involved in the fabrication of a priority housing application on behalf of a family who both ministers knew had been assessed by the Office of Housing as not meeting the priority housing eligibility criteria. Why did the Minister for Housing actively participate in this deliberate abuse of responsibility to provide this family with a house it was not eligible for?

Ms PIKE (Minister for Housing) — Here we have it again today — this rather bizarre, desperate and, I think, futile attempt to fabricate impropriety in what is a commonplace occurrence.

Honourable members interjecting.

The SPEAKER — Order! I ask the opposition frontbench to cease interjecting in that way, particularly the honourable member for Doncaster.

Ms PIKE — My role as Minister for Housing is to accommodate people, to find houses for people. As I said to the house yesterday, I get many, many requests from members of Parliament to advocate on behalf of their constituents and provide appropriate housing for them. Here I have a request from the honourable member for Forest Hill and several requests from the honourable member for Brighton. I have requests from a member for Gippsland Province in another place, from the honourable member for Mildura, a member for North Western Province in another place, several from the honourable member for Mooroolbark and the honourable members for Sandringham and Evelyn. I could go on and on and on.

Honourable members interjecting.

The SPEAKER — Order! I warn the honourable member for Doncaster!

Mr Batchelor — On a point of order, Mr Speaker, I am only three seats away from the minister answering the question and I cannot hear what she is saying. I would like her to repeat the information she is supplying to the house and I ask members opposite to show some respect.

The SPEAKER — Order! I ask the whole house to quieten down so we can all hear the answer.

Ms PIKE — For the benefit of the Minister for Transport let me repeat: I think it is the honourable

member for Brighton from whom I have the largest number of requests, but I also have requests from the honourable member for Swan Hill. The honourable member for Bentleigh has asked me to assist a constituent who is eligible for public housing and to make representations from my office to the Office of Housing to ensure that people receive their entitlement.

One particular request that I have here was received in my office in March and came from an electorate office. The electorate officer in question was very distressed on behalf of this constituent but was also concerned to check out whether a personal approach to the minister's office was appropriate. I understand that the electorate officer concerned was assured that this is a commonplace occurrence and that we receive many letters, representations and phone calls from electorate officers on behalf of particular constituents.

Members may well ask who this particular electorate officer was representing — in fact, it was the honourable member for Caulfield. I would like to assure the honourable member for Caulfield — —

Mrs Shardey — On a point of order, Mr Speaker, this minister is clearly debating the issue. The issues she is raising are irrelevant to the question, which related to a family that was not eligible, and I ask her to come back to the question.

The SPEAKER — Order! I ask the minister to come back to answering the question.

Ms PIKE — I would like to assure the honourable member for Caulfield that she has nothing to fear, that it is quite appropriate for her office to make representations, as it was appropriate for the minister's office to make representations. My office will continue to support people in the Victorian community who are eligible for public housing.

Basslink project

Mr CARLI (Coburg) — I ask the Minister for Planning to advise the house of what independent costings have been provided for the undergrounding of Basslink and whether any other costings have been provided.

Ms DELAHUNTY (Minister for Planning) — I thank the honourable member for his question and his interest in major infrastructure projects.

Basslink is an enormous project that is supported by three governments — the Tasmanian government, the Victorian government and the commonwealth government. This is a massive, multimillion dollar

electricity connector that will provide 550 construction jobs in Victoria, most of them in Gippsland. It will give Victoria extra electricity, including renewable power, during those peak periods, particularly in summer. The entire Basslink interconnector is — —

Mr Cooper — On a point of order, Mr Speaker, the minister is clearly reading from either a script or a document of some kind. I ask her to table the document.

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

Ms DELAHUNTY — The entire Basslink interconnector is 330 kilometres long. It will carry 600 megawatts of power and will cost half a billion dollars to build.

As far as the cost of undergrounding the Victorian leg goes, which was the point of the question — —

Mr Ryan interjected.

Ms DELAHUNTY — No, that's what you did!

The cost of undergrounding the Victorian leg of Basslink was reported by the independent panel appointed by the three governments, on advice from Halliburton KBR, to be \$91.1 million. That is what the independent report said. The report also found that emerging technologies have technical limitations.

Mr Ryan interjected.

Ms DELAHUNTY — Actually the Basslink figure was even higher than that, to answer the specific question, but the independent report said \$91.1 million.

It also found that emerging technologies had technical limitations and unjustifiable costs. The government further tested this advice, seeking independent expert opinion from the international energy expert Parsons Brinkerhoff Power Systems. It said that it did not provide the power rating or the transmission distance required by Basslink.

To go to the other costings on undergrounding, which the honourable member for Coburg asked me about, last Tuesday the Leader of the Opposition said:

... we simply do not know whether it is \$30 million or \$640 million ... it is much more likely to be of the order of \$30 million or maybe a little bit more than that.

He went on to say that another estimate said the overheading of the project might cost \$33 million, yet a

mere two days later the Leader of the Opposition said on the ABC's *Stateline* program:

... the generally accepted figure is about \$60 million.

I will read the whole quote:

One figure is \$30 million from one particular provider company but the generally accepted figure is about \$60 million because we think this is an intergenerational project.

That is what he said on *Stateline*. So in the space of about three days we have \$30 million, \$640 million, \$33 million, and then on Friday — —

Dr Dean — On a point of order, Mr Speaker, I can understand the government's sensitivity about not putting the pylons underground, but the minister is clearly debating the question. She was asked a question about the cost of the project, and now she is concentrating on what the opposition may or may not have said, and she is debating the question.

The SPEAKER — Order! I ask the minister to come back to answering the question.

Ms DELAHUNTY — The question specifically asked what other costings have been provided. We have \$30 million, \$640 million, \$33 million and now \$60 million. That is what the Leader of the Opposition said. No wonder the people of Gippsland simply do not believe you. They simply do not believe you.

The SPEAKER — Order! The minister will address the Chair.

Ms DELAHUNTY — It's like *Pick a Box!* This is another case of Liberals in limbo, absolute limbo. They do not know what the figure is; they make it up as they go along.

We do not need these rubbery figures. It is all there in the independent report. That is where the figures are; that is what you need to use. We thought that the Leader of the Opposition, when they changed horses, would be an improvement, but you — —

The SPEAKER — Order! I ask the Minister for Planning to cease directing her remarks to the Leader of the Opposition and to direct her remarks through the Chair and conclude her answer.

Ms DELAHUNTY — The people of Gippsland know what the figure in the final report is. They also know that the Liberal Party stands for nothing, and they do not believe anything they say. Liberals in limbo!

Superannuation: public sector

Mr CLARK (Box Hill) — I refer the Minister for Finance to the fact that Victorian taxpayers lost \$515 million between the presentation of the state budget and 30 June this year, mainly as a result of falls in local and international share prices. I further refer to the fact that US share prices have declined by an additional 17 per cent in the three months to 30 September. Is it a fact that in May 2001 the Treasurer authorised the Government Superannuation Office and other public sector superannuation funds to increase their investment in overseas shares from 30 per cent to 40 per cent of their total portfolios, and if so, how much money has been lost through increases in unfunded superannuation liabilities as a result of the Treasurer's action?

Mr LENDERS (Minister for Finance) — I would have thought that the answers from the Premier and myself last week would have clearly answered the first part of the question for the honourable member for Box Hill. Given that the second part of the question deals with the administrative responsibility of the Treasurer at a time I was not a minister, I suggest the honourable member ask the question of the Treasurer.

Mr Clark — On a point of order, Mr Speaker, the Minister for Finance is the minister responsible for government public sector superannuation funds, and therefore I submit he should answer the question.

The SPEAKER — Order! I have called the Minister for Finance to answer the question, and he has concluded his answer.

Police: government initiatives

Mr SEITZ (Keilor) — Will the Minister for Police and Emergency Services inform the house about the changes made to support police operational matters and why it has been necessary to make these changes?

Mr HAERMEYER (Minister for Police and Emergency Services) — The government has taken many — —

Mr Ryan interjected.

Mr HAERMEYER — I do thank him for the question. Okay?

Mr Ryan interjected.

Mr HAERMEYER — I am glad you do.

The government has taken many initiatives to support Victoria Police. We have not just made promises; we have actually delivered and in full. We did not just promise 800 police officers; we did it. When we made that commitment the people opposite said that we were not serious and that we could not do it in the time we allowed ourselves. We did it, and we delivered in spades — 18 months ahead of time! The police officers are making their presence felt in the community. We have falling crime rates across almost all categories and in most parts of the state.

We have also given our police the biggest pay rises in the history of the Victorian police force. Australia's best police force deserves to have the best remuneration. We have done it not grudgingly and not by cutting police numbers; we have done it because they deserve it. We also have the biggest police facilities building program in history — \$125 million worth, including 65 new police stations. We have new equipment, state-of-the-art helicopters, lightweight utility belts and ballistic vests, none of which the honourable members opposite had considered when they were in government. We have done it.

Apart from that we also promised we would reinstate what was taken away from Victoria Police — the right on disciplinary matters to appeal to an external tribunal and to have that determination made binding. The former government took it away and we gave it back. We also restored the legal fees reimbursement agreement which they took away because they wanted to punish the Police Association because it dared to question them over cutting police numbers. They took it away and we put it back. We also instituted an indemnity against civil litigation for police officers acting in good faith. We did it. That is what I call supporting our police force 100 per cent. It is a proven fact. It is not just words. We have matched our words with actions.

I was asked why these actions have been necessary. It is because we inherited a great police force that had been run down, that had been decimated by having 800 members cut. As the first act of the previous government when it came to office 34 police station contracts were cancelled and another 400 were threatened with closure. The police force was made to work with outdated equipment. That is a very sorry record. The previous government took away the right of binding appeal to an external tribunal and the legal fees reimbursement agreement. We gave it back, but the Leader of the Opposition calls what they did supporting the police force 100 per cent.

The SPEAKER — Order! The minister, coming back to answering the question.

Mr HAERMEYER — I was asked why these changes were necessary, and I am explaining why. The Leader of the Opposition said that was backing the police 100 per cent. Police officers tell me that they have had enough support from the Leader of the Opposition and from the members opposite. They cannot take any more support from the members opposite!

On the weekend the Leader of the Opposition said, 'Well, the Kennett government made a mistake. It should not have cut police numbers'. But he was a part of that government; they were all a part of it. When asked whether he would increase police numbers, he said, 'Yes, we will increase police numbers'. He was asked by how many, and he said, 'Oh, I don't know. A number between 1 and 10.'

The SPEAKER — Order! I ask the minister to cease debating the question.

Mr HAERMEYER — They promised 1000 police; they cut 800. They promised 400 last time, and then the police force further declined in numbers. We promised 800; we delivered 800. The people of Victoria and Victoria Police have to ask themselves whether they can believe anything these people promise. They can believe what we promise because we have delivered. It is what you do, not what you say.

BUSINESS LICENSING LEGISLATION (AMENDMENT) BILL

Second reading

Debate resumed.

Mr WYNNE (Richmond) — Prior to the luncheon break I was indicating the importance of investment which has flowed into Victoria since the election of the Bracks government. I referred to a most interesting company which is developing cutting-edge technology in the aerospace industry, particularly related to air traffic control and movements of aeroplanes, and is competing not only within a national market but internationally and is extraordinarily successfully.

Since the election of the Bracks government we have seen a renaissance in the high-tech cutting-edge industries, because it has put in place the correct economic climate and settings for that level of investment.

Mr Perton — On a point of order, Mr Speaker, the honourable member on his feet took a number of points of order against me during my response to the second-reading speech and took a very strong view that this was a very narrow piece of legislation relating to business licensing registration rather than a general debate on the investment climate. While the lead speakers for the opposition have a wider ambit, I ask you to bring the honourable member back to order.

The SPEAKER — Order! The honourable member should restrict his remarks to what is contained in the bill.

Mr WYNNE — I thank you for your guidance, Mr Speaker. In doing so I will finish that thought by saying that today in answer to a question the Treasurer neatly summarised the position the state finds itself in by indicating that the National Australia Bank index suggests that we have had the highest level of appropriate business conditions in the last three years. Need I say any more, other than that further independent advice to the government is that our policy settings are entirely correct.

I return to the bill itself. The bill facilitates the delivery of online services by amending a number of pieces of legislation to improve the delivery of services to businesses, associations and most particularly consumers. I was interested in the contribution by the honourable member for Doncaster, who ranged far and wide in his contribution. He was rather silent on the question of the real potential outcomes for people who are living in rural and regional settings within Victoria. That was taken up, I think very appropriately, by the honourable member for Wimmera, who is providing me with ample assistance on this side at the moment. I think that reflects the positions people come from in this debate.

As we know, the former government's view of rural and regional communities was, in the famous terminology of the former Premier of Victoria, that rural and regional communities in Victoria were really the toenails of the state. Clearly that is not a view of this government. It governs for all Victorians, and this bill will benefit all Victorians, whether one lives in metropolitan Melbourne or in rural or regional Victoria.

A discussion paper was distributed to key stakeholders seeking their feedback on the proposed changes that are detailed in the bill. Not surprisingly, there is widespread support for the proposed changes.

Online services are critical to country Victorians in particular, because they offer easy and fast access to

information and reduce the disadvantage that many people from rural centres suffer due to their isolation from regional centres, where many services are conglomerated. If you are out in a more remote or isolated regional setting, this bill will be a real boon for you in very practical ways.

The bill sets the foundations for online services for most licence applications and renewals — for instance, for applications for the registration of a business name and for applications to form an incorporated association, and the like. The Electronic Transactions Act enables documents to be lodged electronically via the Internet. However, amendments are required to remove other impediments to the conducting of business online.

As was indicated in the contributions of both the honourable member for Doncaster and the honourable member for Wimmera, five acts are to be amended to facilitate the delivery of online services — the Associations Incorporation Act 1981, the Business Names Act 1962, the Estate Agents Act 1980, the Motor Car Traders Act 1986 and the Travel Agents Act 1986.

In our view online judgments will be quick and efficient and transactions, particularly under the Associations Incorporation Act as well as the Business Names Act, will be available online during 2002. Transactions under the other acts will be phased in over the subsequent year.

The transactions that will be available online include applications for incorporation; registrations of business names; the granting of estate agents, car traders or travel agents licences; and notifications of changes to registered particulars, such as the standard sorts of things that people obviously have to advise the appropriate government agency of, such as their address, place of business or contact details. Also available online are things such as an extract or copy of information contained in the register.

I think this is a good bill. It goes to some very practical issues, particularly for people living in regional centres. Where in the past they may have had to go into a regional town or a larger provincial city to conduct this sort of business, they will now be able to conduct it on an online basis. Substantial risk analysis and business process planning has been undertaken, and business processes have been developed to minimise the risks associated with online transactions. I think even the honourable member for Doncaster would concede that in this burgeoning online community we are living in there are potential risks involved in the engagement of

online services, so there need to be some checks and balances to ensure the authenticity of people's applications and so forth.

In that context a pass code issued by Consumer and Business Affairs Victoria or the Business Licensing Authority will be used to verify transactions and for fee payment by use of a credit card or electronic funds transfer. It is our view that this provides an appropriate set of protections. A fundamental tenet of the Minister for Consumer Affairs, who is sitting at the table, is that appropriate checks and balances be put in place to protect consumers in these transactions.

Provisions have been developed — and this is very important — in consultation with the Privacy Commissioner to protect the privacy of people whose personal information is held on the public register.

The bill inserts a purpose for each register and clarifies their contents. Both consumers and businesses will be aware of what information is publicly accessible by the register and will assist with meeting privacy obligations regarding people's personal information.

So we are both opening it up and, at the same time, ensuring that people's personal information is appropriately protected. The registers are publicly accessible; however, a person can make an application to have public access of their personal information restricted.

Finally, the bill enables consumers to identify the proprietors of a business they are dealing with or to satisfy themselves that a person holds the appropriate licence by conducting an online search of a public register. The government believes this will be a significant time saver for consumers, and we believe the reforms outlined will be an important step towards providing online access to information from the public register to the community generally. So if you live in metropolitan Melbourne or in a rural or regional — —

Mr Perton interjected.

Mr WYNNE — Well, Mr Acting Speaker, this is the honourable member for Doncaster who had absolutely — —

Mr Perton interjected.

The ACTING SPEAKER (Mr Savage) — Order! The honourable member for Doncaster will refrain from interjecting over the table.

Mr WYNNE — This is the honourable member for Doncaster who in his contribution had absolutely

nothing positive to say about the rollout of these online initiatives, which are fundamental to regional and rural Victorians because they will provide them with decent access to information. If that is the position he seeks to take, that is fine, and people will judge him accordingly.

This is an important bill that has come at a very appropriate time. Yet again this government is indicating its strong support not only for people living in metropolitan Melbourne but also for people living in rural and regional settings. I commend the bill to the house.

Mr COOPER (Mornington) — I note that the principal purpose of the bill is to enable government services under each of the acts that it proposes to amend to be delivered online via the Internet. I recall the words said by the honourable member for Richmond in his address, that online transactions will be quick and efficient. Virtually everyone in this house would say we can all hope so. It is important that online transactions are improved to remove a lot of the problems which are still bedeviling the private sector.

It is on that note that I advise the house of a problem that was recently brought to my attention regarding the registration of a business name, because I think it brings it down to the sort of issue we all need to be made aware of. One would hope that this bill, together with actions taken administratively by the department, will resolve this sort of problem.

I take people back to the days when the registration of a business name was regarded very seriously. Usually people wanting to register a business name would put in a number of names for consideration by the government, or by the bureaucrats, in the hope of their ultimately approving one. In a similar way people register the names of racehorses. They do not just put one name in; they put a number of names in. If one of those is regarded as acceptable, not contradictory and not similar to other names, that will be the horse's name and it will always be able to race with it.

It is the same with businesses and similarities in business names. Given the activities of people who are interested in consumer affairs and in pursuing people who have breached the law — you only have to look at current affairs programs to see that occurring all the time — we know how precious a business name is to the reputation and credibility of a company and, importantly, how precious it is to its credit rating throughout the nation.

Just last week I was visited by a constituent who operates in the building industry. Back in the 1970s when he started up as a builder he submitted a list of some 40 names for consideration. Ultimately the bureaucrats who were looking at that came back and said, 'This is the name we believe you should have', and he agreed to it, although it was not one of his preferred names. The name his business is registered under — as I say, it is a building business — is Top Notch Homes Pty Ltd. He has operated successfully under that name for many years. A few years ago his son decided that he would branch out. Whilst they are not in the same businesses they are father and son, so the son registered the name, with his father's approval, of Top Notch Homes Peninsula. He operates his business from Langwarrin; the father, Top Notch Homes Pty Ltd, operates his business from Mount Eliza.

Recently Mr Noel Marshall, the owner of Top Notch Homes Pty Ltd, became aware through a newspaper advertisement that there was a company operating in the same geographic area, somewhere out to the east of Frankston, under the name Top Notch Builders and Maintenance. He thought it was quite peculiar that a company could advertise using the name Top Notch, so on 1 October, just recently, he wrote a letter of objection to the Register of Business Names. He received a reply dated 7 October from Consumer Affairs Victoria dismissing his complaint and saying that the name Top Notch Builders and Maintenance is sufficiently dissimilar from the names that Mr Marshall and his son have registered.

I quote from the letter from Consumer Affairs Victoria:

Examination of the matter you raise has determined that Top Notch Builders and Maintenance was not registered in contravention of the Business Names Act 1962 as it [is] sufficiently dissimilar and identifiable from the business name Top Notch Homes Peninsula and it is not identical to the company name Top Notch Homes Pty Ltd.

The letter is signed by a Mr John Stevens, team leader, business affairs.

I find the decision of Consumer Affairs Victoria to be quite extraordinary. At the end of the day this matter really relates to the two words 'top notch'. The term 'top notch' is being used by companies operating building businesses in the same geographic area. It is not as if this latter company — Top Notch Builders and Maintenance — is operating in Mildura, for example, and the other two are operating in the Mornington Peninsula: they are all operating in the Frankston and Mornington Peninsula area. There is absolutely no doubt that there is a similarity. There will be a

similarity seen by suppliers. There will be a similarity seen by people who are checking credit ratings. It could well be that if this later company gets into financial difficulties and its credit is cut off mistakes will be made by credit companies which will impact on the two companies owned and operated by Mr Noel Marshall and his son.

It would be quite clear to any sensible person that that similarity should have ruled out the registration of the business name Top Notch Builders and Maintenance. I hope that action will be taken by the minister and her department to resolve this issue. It is not a minor issue. It is a matter that comes down to the potential problems of credibility, of financial ratings, et cetera, that are so important — in fact intrinsic — to the continued success of building operations. Mr Marshall and his son operate successful building operations, and they are extremely concerned about the impact this may have on the future of their businesses. This is an issue that I hope would be resolved by some of things in this bill, but certainly it is an issue that stands on its own and demands urgent action from the minister.

Debate adjourned on motion of Mr LANGDON (Ivanhoe).

Debate adjourned until later this day.

MURRAY-DARLING BASIN (AMENDMENT) BILL

Second reading

Debate resumed from 12 September; motion of Ms GARBUTT (Minister for Environment and Conservation).

Mr MULDER (Polwarth) — I rise to contribute to debate on the Murray-Darling Basin (Amendment) Bill. This is mirror legislation to legislation that is making its way through both the federal and New South Wales parliaments. The bill does nothing more than amend the Murray-Darling Basin agreement so there is nothing very contentious in it. However, there are a couple of issues that we will touch on as we work our way through it.

I express some concern regarding the briefing and a request I made of the department after the briefing for a copy of a document called the *Snowy Water Inquiry Outcomes Implementation Deed*. I made the request to the department on three occasions last week, and I also spoke to the Minister for Environment and Conservation in the house about getting a copy of that document. While it was indicated to me that I would get

a copy, it was not delivered to me via the department. I am not sure what took place, and I rang the department on a number of occasions, as I said.

The document is in fact a commercial-in-confidence document, which may have something to do with the reason the minister did not want to release it. However, in a contribution earlier today the minister commented that at that particular briefing I had with her department the department officers were not really sure who the real shadow minister for water resources was because the previous shadow minister and I were both present at the briefing. But somewhere along the way someone has certainly worked out who the new shadow minister for water resources is, because the document — marked commercial in confidence — somehow arrived at my office. I am not sure who has been kind enough to ensure I got a copy of it, but to whoever saw fit to do that: I do appreciate it. It is quite obvious that the minister had no intention whatsoever of making sure I got the document.

The legislation comes about as a result of the issues regarding the government's commitment to the return of flows to the Snowy River. The amending agreement makes new arrangements for sharing water made available in the River Murray catchment above the Hume Dam by the Snowy scheme. I understand the water savings are to be achieved through water savings primarily, environmental improvements and regional development projects and diversions from the River Murray and from the Murrumbidgee and Goulburn river systems.

A business plan is currently being prepared in relation to the Snowy River savings, and those savings will be audited. The bill protects Victoria's water allocation from unilateral New South Wales actions, and it requires the Murray-Darling Basin Ministerial Council to develop environmental objectives and a strategy for increased environmental flows to the Murray River. Those particular strategies are picked up in the document entitled *The Living Murray*, a discussion paper which sets out the various reference points for improved environmental flows.

One thing that comes to the minds of all members of Parliament but particularly to the minds of those who live in rural communities and who have had the opportunity over the last two to three months to travel through north and north-west Victoria and get a very sound understanding of the drastic affect that the drought is having on that part of the state is that I do not believe you could find a person in Victoria who could genuinely look you in the eye and say that the stunt that was pulled by the Premier of New South Wales and the

Premier of Victoria to open the floodgates and send water down the Snowy River during one of the worst droughts in the history of this country was a sound decision made in the best interests of all Victorians.

There is no doubt that at this point in time our city cousins are starting to come face to face with what is happening in country Victoria in relation to the drought. I am sure they would have looked on that act as nothing more than one of the most outrageous political stunts that has ever been pulled in the state of Victoria. For the life of me I cannot in any way, shape or form understand what would motivate anybody to think that that could be done at such a time.

Having made that statement, of course the Liberal Party supports providing environmental flows to rivers. Of course the Liberal Party will pursue studies such as *The Living Murray* to improve environmental flows into the Murray River. Of course the Liberal Party understands and supports the fact that all of our rivers and streams across country Victoria need to be looked after and rehabilitated. We have to turn around much of the past damage that has been done to our rivers and streams, and the Liberal Party will undoubtedly support all of initiatives to ensure that we have healthy rivers and streams. However the stunt — and the manner in which it was carried out could only be described as a stunt — hit a very sour note right across Victoria, resonating into our rural sectors, and I doubt very much whether the government has gained any political kudos by being involved in that process.

In terms of Victoria's commitment, the projects that are to be identified under the joint government enterprise for water projects and savings within the system are well and truly slow off the mark. They have made very little impact, and they have one hell of an amount of catch-up work to do. The projects identified in the commercial-in-confidence document — the piping of the Tungamah stock and domestic water system, the piping of Normanville and the metering of unmetered stock and domestic outlets — would have to be considered a fairly slow process. The government has not got off the mark. It has not been out there identifying where the real savings are going to come from, and one wonders what the government is going to do in relation to finding waters for the Snowy River.

I refer to some notes I made on information in the commercial-in-confidence document that the minister refused to hand over to me. These relate to the review processes for the flows to the Snowy River, and they say:

27.1 Parties to initiate reviews.

At any time the parties may agree to initiate a review of any or all of: ...

27.4 Reviews of increased flows —

- (1) Snowy River increased flows; and
- (2) Snowy-Montane rivers increased flows.

There had been some concern expressed all through this process that perhaps Victoria was creating a massive water debt and locking itself into the position where if it could not find the particular projects it would end up with a massive water debt. Quite clearly the commercial-in-confidence document which the minister was not keen to release opens up the possibility that if at any stage in time all parties — that is, the federal, New South Wales and Victorian governments — agree we have to go back and address the issues of these increased flows, then this can take place. I do not see that there was such an issue in making that type of information available.

The issue that concerns the Liberal Party most of all is the purchase of water entitlements by the Victorian government. If the Victorian government fails to identify good water-saving projects throughout the state, where will it go for water and where will the water come from? It has always been obvious to us right throughout the process and throughout this debate that at this time, given the positions of many eminent people around Australia who are all talking about and identifying particular piping projects, the last thing you would think could or should happen would be that the government would enter the water market and attempt to purchase water, particularly when we are experiencing one of the worst droughts in this country in possibly 100 years.

Yet that was sold on the basis initially that there would be no water purchases and that it was purely a process the government was putting in place as a joint government enterprise to analyse various projects put forward as water-saving projects. The commercial-in-confidence document that the minister was very keen not to hand over, at clause 10.4(3) headed 'Functions of the Joint Government Enterprise — water purchases', states that one of the functions is:

to purchase water entitlements from willing sellers of those water entitlements in the River Murray system upstream of the South Australian border, the Murrumbidgee River system and the Goulburn River system.

The clause brings into question the issue of identifying a willing seller. In the marketplace, if the government were to attempt to buy into the marketplace today, a willing seller who has water at a highly inflated price

could do nothing more than damage other parties within the water trading arrangement. A willing seller at this point would be someone who would sell his water only to the highest bidder, and it would be of concern to all members of Parliament, particularly rural members who are involved with people in irrigation districts, to see the government enter the water market and start to purchase water.

In relation to the commercial-in-confidence document that the minister failed to hand over, clause 13.2(2), 'Limits on joint government enterprise', raises alarm bells and concerns with rural members, particularly those representing irrigation farmers, people with water entitlements and people in the marketplace who are trying to purchase water to keep their farming enterprises going, knowing full well that the cost of water could hit \$600 — it is about \$400 now and will continue to rise as the competition increases and people support their businesses to stay afloat. The clause states:

... primarily fund water savings and only purchase water entitlements if necessary.

As I said, this was in the commercial-in-confidence document that the minister was very keen not to hand over. That clause raises some concerns, especially for members in rural Victoria who work with irrigation farmers and who know and understand what they are going through at the moment. The government has nothing in front of the joint enterprise at this point in time for assessment in terms of water-saving projects, yet wherever you move around rural Victoria, especially through irrigation districts, you are knocked over in the rush from water customer consultation committees and the various interests representing irrigators, who all seem to have water-saving projects they can put to the government that you would think would be worthy of consideration.

The real concern we have at this point, given that at the moment there is not a project in front of the entity for it to look at and to be evaluated by the Victorian government, is why it is holding off until after what appears to be the run-up to an early election before deciding what it will do with clause 13.2(2), which is to 'primarily fund water savings and only purchase water entitlements if necessary'. If 'if necessary' means it is cheaper to buy water than it is to fund a water project we have a hell of a problem in front of us. The government is very quickly running out of time to meet its commitments regarding the Snowy River, and there is a real fear within the water community, those people who rely on their entitlements and on water being available for sale, and if there is any spare water in the

system, particularly in the drought period, it should go the irrigators' way.

If we get another year of very dry conditions where it may take a couple of years after that for our storages to pick up, where will it leave the agreement and the government of the day in meeting its commitments to the agreement? When we see media reports that the government has gone from saying that it will not be purchasing water to that it will be primarily funding water savings and only purchasing water entitlements if necessary, and then only buying from willing sellers, that says to me there is a shift in the position of the government from funding irrigation projects, pipelines, pump stations and the infrastructure that people in rural Victoria and irrigation districts need and that it will at some stage attempt to enter the water market and compete with farmers and people who need water in these drastic times in rural Victoria.

I have a real concern with that. I understand now why the government has decided that it is probably not in the best interests of anyone, particularly the opposition, to have a copy of this document, because it lays out some open clauses that allow the government if it wishes to enter the water market and in particular to push up the price. One can only hope that if we were to look at further amendments in some way there would be some social responsibility regarding what is happening in rural areas of Victoria when these droughts occur. As I said, we are currently facing one of the worst droughts on record. I ask that in summing up the minister give a commitment to the house that the clauses in the commercial-in-confidence document relating to entering the water market only if necessary and only purchasing from willing sellers will be taken up by the government and only enacted once the water storages have completely recovered from the drought conditions and that the government will not, under any circumstances, enter the water market and put undue pressure on farmers.

The document addresses the issue of the ministerial council working with the body currently working on *The Living Murray* discussion paper. One only has to look through the staged steps of this document and the reference points for the increased environmental flows to the River Murray that it is hoping to achieve of 350 gegalitres per year, 750 gegalitres per year and 1500 gegalitres per year to understand that it is one hell of a challenge. One has to take on board communities going down the river system, the towns, the tourism operators, the irrigators, the people with bulk entitlements and come out with a solution to improve the health of the river and not upset or leave behind any of those interest groups, particularly of irrigators. When

you put the two river systems together, the Snowy and the Murray river systems, the attempts being made to increase environmental river flows, coming off the back of a prolonged drought running in some parts of Australia for four or five years and slowly moving south, pose an enormous challenge.

I will not pursue further issues regarding the legislation. It is mirror legislation that is currently passing through the federal and New South Wales parliaments. It presents enormous challenges and the Liberal Party will not oppose it. I wish the bill a speedy passage.

Mr STEGGALL (Swan Hill) — I rise to support the legislation and also make a few comments. The bill gives effect to the Murray-Darling Basin Amending Agreement, which amends the Murray-Darling Basin Act of 1993 and recognises that it establishes and protects Victoria's share of the water in the event that New South Wales fails to ensure environmental flows to the Snowy River or the required annual releases from the Snowy scheme to the River Murray.

It provides for the irrigation water rights to be purchased under the various state laws and for the transfer of water savings to environmental entitlements and subsequent reduction of the caps. It enables the Murray-Darling Basin Commission to make increased environmental flows to the River Murray and requires the Murray-Darling Basin Ministerial Council to develop environmental objectives and a strategy for environmental flows to the River Murray. It provides detailed means of accounting for and arrangements to support increased Snowy and Murray flows with accounting notification, modelling and verification processes, and removes the reference to the Snowy River Hydro-Electric Authority which is no longer there.

The legislation is part of the ongoing debate and discussion we are having concerning the politics of water and the law under which the Murray-Darling Basin agreement is operated and the way in which we handle the issue, which has been raised many times in this place, being the issuing of water to the Snowy and the difficulties which come from that. This legislation opens up and draws together, if you like, the total picture of the Murray and the total challenge we have with regard to the stated objectives of various governments.

I will run through some of those because for the first time we are seeing savings in the Murray being legislated for in this Parliament. Up until now we have just seen discussion on the Snowy with Murray waters to the Snowy. We knew that the Murray was to achieve

some 70 000 megalitres of extra environmental water from the agreement on the Snowy with commonwealth participation. If we put it totally into place, over the next 10 years we are looking at achieving 212 gegalitres for the Snowy from New South Wales and Victoria and on top of that achieving 70 gegalitres for the River Murray. In addition, the Premier last year announced and committed Victoria to 30 gegalitres of extra environmental water to South Australia.

Since that happened the commonwealth has entered into *The Living Murray* discussions. The documents that have gone with it have increased the activity with regard to environmental water to the Murray to three standard points and the impacts of 350 gegalitres, 750 gegalitres and 1500 gegalitres of extra water down the Murray each year. And so we see the totality of this issue, which has been raised in this place on many occasions with the argument of the Snowy and the emotion with which that issue has gathered ground in Melbourne and Sydney and in the Victorian Labor Party and the subsequent commitments.

The honourable member for Polwarth mentioned the rather farcical thing that we saw — the timing of which was shocking: the montane rivers being put down the Snowy. There is an agreement, which I will go through shortly, for that to happen, but one wonders exactly why it would be done in a year like this.

I will run through some of the items in the heads of agreement from the Snowy water inquiry of December 2000 because we need to marry the Snowy agreements with the Murray agreements. The federal, New South Wales and Victorian governments have adopted a target flow for the Snowy of 21 per cent annual natural flow, which is 212 gegalitres, to be achieved progressively within a 10-year period.

The environmental flow of 70 gegalitres allocated to the River Murray per annum was part of that agreement. All increased flows to the Snowy and the Murray will be offset with water acquired through verified water savings from the Murray, the Murrumbidgee and the Goulburn systems and, if necessary, through purchases from these areas. I say to the honourable member for Polwarth that the quotes he was using about the purchase of water rights and the matters which were of concern to him have been the language of the government since the introduction of those rights. It has consistently used that language and it must be recognised that it is a legal way in which a government can achieve water rights. There is no doubt that the Victorian Water Act allows it, as does the New South Wales Water Act.

The issue that we have in this chamber is the suitability of purchasing or using the government in the water market. I do not believe the government has changed its position; it has always been there. Water rights and entitlements would be purchased from holders, if necessary, in a manner that promotes the water trading market. This legislation actually changes the language for that a little but it just adds to the issues. I guess we are maturing as we go through our discussion.

Compensation would be made for all net forgone revenue resulting from the reduced availability of water paid to Snowy-Hydro for any Snowy flows above 21 per cent or 212 gegalitres.

According to the agreement no adverse impacts would be caused to water entitlements for irrigators, the Murray–Murrumbidgee–Goulburn environmental flows or South Australian water security and quality.

The joint government enterprise which has been set up has a charter to acquire water at the least cost through savings and purchases. The enterprise will be funded over 10 years, with \$150 million each from Victoria and New South Wales and \$75 million from the federal government.

I think we should pause and have a look at the stages for increased flows. This picks up the initial release from the Mowamba River. The agreement specifies that the initial release of unspecified volume from the Mowamba River and the Cobbon Creek is to be borrowed from storages and paid back within three years in a way that does not affect water allocations, and that is to be offset by verified water savings.

This has happened, and we saw the nonsense which went on. That volume is a maximum of 38 gegalitres in any one year. The system has not been changed in a way that means that if we had a big rainfall up there now and 38 gegalitres went into the Snowy it would be turned back into Jindabyne for the rest of the year. We have to understand that that was initially part of the agreement. Not all of us agree with it; those of us who represent people struggling in this year of drought think that in many ways it has been a political exercise in insensitivity. So that is the first year.

From year 2 to year 7 the target flow in the Snowy below Jindabyne is to be 15 per cent. Now 15 per cent of the flow is 142 gegalitres. Dedicated environmental flows of up to 70 gegalitres per annum — this is for the Murray — will be progressively implemented. That is 1 gegalitre for the Murray for every 2 gegalitres for the Snowy to a maximum of 70 gegalitres for the Murray over 10 years. Under the agreement the water releases

to the Snowy are to mimic natural flows, and I will come back to that later.

The third stage of the agreement is from year 8 to year 10, and the target flows in the Snowy below Jindabyne at that stage are to reach 21 per cent. That is a total of 212 gigalitres, of which I believe Victoria's share — this is not a common view; it is one of the things the Labor Party and I disagree on, but there are reasons for that — should be equal to the amount by which it benefits from the Snowy scheme — that is, 25 per cent.

I have always believed that Victoria's share of water going to the Snowy should be no more than 25 per cent, but interstate trading starts to make the edges a bit fuzzy. In addition, if Victoria comes up with really top-line water saving opportunities for our irrigation and water distribution systems, maybe it would be in our best interests to get a benefit out of it. I am probably not as vigorous about that 25 per cent rule as I was at the start. Done properly, under Victorian law we will have more opportunity than New South Wales at this time to achieve flows here. However, we must remember that interstate trading is coming, which could change all this around. We should look at the Victorian–New South Wales Murray system supplying 212 gigalitres in that first 10 years.

The fourth stage is beyond 10 years, so now, for the first time, we know what the medium term and the long term are. The fourth stage is virtually a Victorian Labor Party promise, with some token but not strong agreement from New South Wales, that an additional 7 per cent of flows up to the 28 per cent will be achieved following major capital works programs beyond those required to offset the 21 per cent.

That is the program we are under at the moment, and it has been going along okay. There is a great deal of friction between the northern communities along the Murray and the government over its targets in these areas. Politically we have a problem inasmuch as we have a handful of people — six members of Parliament — against Melbourne's 72 members of Parliament who are responding to the green issues of the state and the times.

I will not be here, but it will not be all that long before we have a debate in this place about the production of food and fibre and the things that sustain us. Then we might understand that some of the natural resources that we use and are improving on every year are vital to our wellbeing and our society. Then we might understand that those water issues are a bit bigger than the issues we are seeing today. I saw one of the environmental

groups the other day advocating 4000 gigalitres of water for the Murray. Honestly, you really have to scratch your head!

One of the things happening now is the Living Murray program, which is the Murray-Darling Basin Commission's introduction to the next phase of development on the Murray. It marries in with this bill, which sets up the legislation needed for action under the Living Murray program. State and federal ministers from Victoria, South Australia, New South Wales and the commonwealth have agreed to one year of discussion on *The Living Murray* document — and I imagine the Queensland minister is there too. That 12 months of discussion has started, and it is pretty interesting.

The issue is whether there is a better way to run the river, a better way to allocate environmental flows and a better way to utilise those environmental flows for the health of the Murray. There is a lot of emotion around today, as the mouth of the Murray has been closing. The Murray and Goulburn rivers have had well below average rainfall in their catchments for about six years, while we have gone up and down with the Darling — although at the moment it is flat and dead.

We are in our sixth year of the dry. When we did the *Sharing the Murray* report we tried to plan it so that irrigators on the Murray River would be able to receive 100 per cent of their water rights 97 years out of 100. If you translate that down to how we looked at the droughts over the past 100 years, it would mean that the seventh year of a dry, not seven drought years, would be the time when we would probably get back to the water right and then possibly to below the water right. This year the Murray has 129 per cent of its water right, and at this stage it does not look like getting any more. It seems to me that those predictions in the *Sharing the Murray* report were pretty accurate and pretty good. You have to look at the discussion on the river we are having today in light of the fact that these are not normal times. We need to take a lot of care in how we approach the issues we are wrestling with now.

Let's look at the vital issues in *The Living Murray — Restoring the Health of the River Murray* document, which is based on trying to get a healthy, working river. I wish some of the environmentalists in this state would understand that. I know a lot of them do, but I get a bit wild when journalists start picking up others who make everyone who lives on the river look like a criminal in the eyes of the people of Melbourne, who sit here in the glorious beauty of this wonderful city far away from the issues.

Some of the vital issues covered in *The Living Murray* document include the impact on current uses such as irrigation and recovering water for the environment. What does the health of the River Murray really mean for our industries, our drinking water, our environment and us? That is a big question, particularly if you are from South Australia. Drinking water is a vital issue, and the health of the South Australian stretch of the River Murray is the main thing driving the problems at the moment.

Another issue is how should environmental water be managed to achieve the optimal environment, social and economic outcomes. I wish the honourable member for Gippsland East was here at the moment. I am sure he would be listening. The very point we had with the Snowy River argument right back in the mid-1990s was that we must know how we are going to manage environmental water being supplied to any of our areas. We must understand what will get the best value for the environment and not sit and argue, as we did in the first part, 'Just give us water, give us water, give us water'. Even today, as I will go through a bit later, some of the Snowy studies and decision-making bodies are not yet in place. Those things are there for the Murray River. This legislation provides that the governments, through the Murray-Darling Basin Commission, must set up environmental management studies on how to best use the water. That is most vital.

The next issue is how much water needs to be saved. Where would it come from; how should it be used; what would it cost; and, more importantly, who should pay for it? How do we minimise the chance that any regional group, such as those in broadacre irrigation, might be disadvantaged or dealt with unfairly? How could we share fairly among Australians the benefits and costs, which are likely to be high? Let the people of Sydney and Melbourne understand that they are very much part of this debate that is going on on the biggest and mightiest river in Australia. They should not run away. They might have been carried away and flushed with emotion over the Snowy River issues, but the River Murray is a far bigger issue and one which is going to test the governments of all states and the commonwealth when they are coming to grips with how we might resolve this issue. Should water given up for the environment be kept for the environment until it reaches the Murray mouth, or should irrigators be able to use it after it has performed an environmental function? We have that situation in Victoria, where we use some of the water after it has been used for the flooding of our forests.

However, these issues raise further questions. Should water for the environment be just taken back or

acquired through compensation? That is a pretty interesting little subject, to say the least, and I will come to that a little later. For your information, Madam Acting Speaker, the legislation which puts in place the mechanism for the accounting of water in that regard is very pertinent to the legislation before us today. Should water for the environment be acquired compulsorily or voluntarily? That is an interesting point. I have some pretty strong views on that, but this is not a time for volunteers. If we are going to settle on environmental water then we have to settle on a mechanism by which that can be acquired, and we have to have a system by which the benefits can be measured.

One of the arguments we have had with scientists about the river over the 20 years that I have been involved in this place has been that the accountability of the science has not always come back to the river communities. We are very keen to be able to understand and participate in the science that goes on so that we can help and understand better the environmental process that we have, and in sharing the Murray, we did that quite well. The changes that came about there for the Victorian area were pretty good. It was the first stage, if you like, of what we are now talking about — the living Murray.

Next, what are people's access rights to water; how secure are they; and how will they be affected? When you look at Victoria and New South Wales and try to marry the two together on that subject you have a lot of trouble because the security is very different in New South Wales. In New South Wales today you have water rights on the River Murray to the tune of about 11 per cent and on the Victorian side of the river you have water rights to the tune of 129 per cent, because we have a totally different allocation system to New South Wales. Hence we need to be very wary of the differences in the law between the two states, and it will take many years before they are harmonised and before we start taking water, whether for the Snowy or for the Murray.

Going to other questions in the document, how can water trading help; how could we run a more efficient water market? Today the Victorian market is going along pretty well. The price reached \$400 on the Goulburn last week, and interestingly enough I noticed that in the cotton areas up in New South Wales the Darling water reached a price of \$1600 a megalitre. People should not get too carried away with the numbers there. It is a mathematical calculation for our farmers to do as to what they can get for a megalitre of water. In my electorate the variation of return on a megalitre of water ranges from \$25 to \$30 per megalitre used up to \$3000 to \$3500 per megalitre used. There is a big variance in the way we use the water.

The question of whether water should be purchased by the government on an open market is going to be part of this discussion. This legislation before us today is saying that we expect that government will be able to purchase water on the open market, as of course it can now, and puts an accounting process in place if that should happen.

How do we achieve more efficient irrigation practices and how do we share the water savings? These are issues that are going to test us all. How effective will environmental flows be in restoring the health of specific environments along the River Murray? That is the point on which we have not done very well in the past — that is, accounting to the communities and towns along the river as to what the benefits have been and what the measures are.

One of the things I have proposed to the Living Murray committee in discussions, and I shall put it before the house this afternoon, is something I believe we should be doing here or that we should be prepared to do. If governments, and I start off with the 'if', purchase water it is pretty clear to me given the volumes I went through earlier that we should understand that we are not going to get that water from savings. We go and get as much as we can, and that is good because we all benefit. Every time there is a saving achieved the communities of the area involved are going to benefit and so is the environment. It is going to be good. There are more savings to come — there is no doubt about that — and more work to be done, and we will achieve it.

We have argued from the Snowy point of view that that should be the only source of water for the Snowy — that is, coming out of savings created by the distribution system — but when *The Living Murray* document comes along on top of it that changes things, and it puts us out of the ball game of achieving enough savings to be able to handle even the first or the second target points in this discussion — the 350 ggalitres or the 750 ggalitres. We need to work out how we might do that if a government then decides to go ahead with all the other bits in place.

What I have said is that capital works on distribution systems should be met by governments. That basically is for the Snowy. We have had the Woorinen operation going now for a few months. It will be completed in February and will be fully operational next year. It is going to be the most magnificent public irrigation system we have in Australia, but it is going to have to match the private ones. As I said in this morning's rather strange debate, we have a big problem in that the government-owned irrigation distribution systems in a

lot of areas — First Mildura Irrigation Trust, Sunraysia Rural Water and the like — are falling behind the private operations in those areas. We need to catch them up.

If governments are going to look at taking water I believe they should first acknowledge the water right as a property right, and any clawback on these property rights should be legislated and compensated for under just terms. That takes the volunteer bit out, because when you start playing with the volumes we are talking about, forget about the volunteers. This is not a time when country people are going to put their hands up and volunteer those type of volumes. They cannot afford it, and they cannot do it. Property rights should be acknowledged. Under Victorian law they are clear, understandable and good. Under New South Wales law they are not so good. New South Wales is taking steps to correct that.

The integrity of the water market and property rights should be continued to allow movement of irrigation water to higher valued production.

The water market we have today has been the main driving force behind the investment and development we have seen in this state in the past few years. I hope all governments, particularly Victorian governments, will keep the integrity of the water market. Keep the governments out of it. If governments are going to take back big volumes of water and agree to a process for environmental flows in whichever rivers, then that should be done by legislation and compensation on just terms, not by higgledy-piggledy going into the market and opportunistically buying water because that will ruin the water market. If it has to happen the process can go on and the investment and development in our international food and fibre industries can adjust. We are talking about a 10-year period, not what is going to happen in the next few months.

Governments need to work with river communities for the ongoing reporting of river quality improvements so that the target of river quality improvements is seen to be being achieved. If the scientists cannot prove that, if after five years down the track certain things have happened and we cannot see a benefit, then it needs to be revisited and checked — as I hope it will be at each step on the way through.

The legislation sets out the accountability of the process. It is good legislation for Victoria and for the Murray River and it helps account for the waters in the Snowy.

The points I have made are the points that need to be considered as we go forward with the targets for the environment and the management of our river systems.

I draw the attention of the house to clause 2(40) of schedule G inserted by clause 6 on water entitlement — not the water entitlements of New South Wales and Victoria as we know them to be but, for the purposes of the bill, the water entitlement purchased by government. The definition of water entitlement in this agreement is different from those in the water acts of New South Wales and Victoria. For example, for Victoria the clause states that water entitlement means:

- (b) a water right, licence to take and use water or bulk entitlement under the Water Act 1989 (Vic) together with any transferable allocation of sales water made to the holder of such a water right or licence,

in either case purchased for the purpose of achieving either or both of:

- (c) environmental flows from the Snowy Scheme; and
- (d) River Murray Increased Flows;

We have not called them environmental flows to the Murray but increased flows. That is the difference.

We then run into the issues contained in clause 15 of schedule G which picks up the translation factors, which are the New South Wales factors, and also acknowledges the exchange rates which will be used for that water. The water will have an exchange rate and we achieved the exchange rates here in the principle of the farm dams debate earlier on. It was a big breakthrough. The exchange rates for the Murray River interstate — South Australia, New South Wales and Victoria — will be settled in the Living Murray program and for the interstate trade. We have settled them in Victoria for our intrastate trade along the river.

There are the translation factors and the water entitlements, and the other area is the Murray-Darling Basin Commission, dealt with in clause 24, which states:

A Contracting Government must inform the Commission of any proposal:

- (1) to achieve Water Savings or to purchase Water Entitlements for the purpose of transferring those Water Savings or Water Entitlements to the Environmental Entitlements; or
- (2) to modify the reliability of a supply of water pursuant to an Environmental Entitlement,

in accordance with sub-clause ...

Ideally that is how it is set up, and that is the accounting of the purchase of the water for us.

The bill also covers a couple of other areas. One of the differences, one of the things we do not always understand — and I have difficulty sometimes — is the above-target water. This is water collected in the Snowy scheme in excess of that needed to maintain the required annual releases which were previously called the minimum notification — that is 1062 gigalitres on the Murray — to irrigation. Half of that would be for us and the other half would be for New South Wales.

Any water caught above the minimum requirement needed to meet the target is called above-target water. It averages about 138 gigalitres a year but this year, my understanding is — the Snowy electricity boys have been very smart because this is a battle between electricity and water; make no bones about it — they are holding in excess of 600 gigalitres at the moment.

That is all right. We always had the rules for that and the above-target water is the water collected in the Snowy above and beyond that which is required for the minimum releases.

I draw the attention of honourable members to part 5, clause 20 of the schedule inserted by clause 6:

- 20. Environmental Objectives And Strategy For River Murray Increased Flows

...

- (2) The Strategy:

- (a) must include a provision to the effect that River Murray Increased Flows have first priority from River Murray Above Target Releases;

Let us remember the situation we are in. We are going to have this battle between the production community, the consumer users of the towns and the irrigation industries and the Green movement and the health of the environment. I ask all those people involved to be very careful on their way through that they do not tilt the environment too quickly.

If they do, we will lose the goodwill that exists on the River Murray, particularly on the Victorian side. In South Australia the goodwill is also there to achieve the environmental operation. People in New South Wales have a bit to go; they are not as certain as our people are about the security of their water. They have different issues which are a little bit testy. We should remember that the Goulburn is having a terrible time, with only 41 per cent of the water right being allocated. New South Wales irrigators are looking across a river where

we in Victoria have 129 per cent and they have about 11 per cent. So a few tensions are already there. Victoria has prosecuted irrigators for stealing water quite often. Whereas we can really enforce the integrity of the water law in Victoria, I would have to say that in New South Wales that is not quite the way. Tensions will also gather in New South Wales as conformity with the law is brought to bear.

Let's not rush these things, because this area is dangerous. If the populations of the cities of Sydney and Melbourne alienate the river communities of South Australia, Victoria and New South Wales, we as a community and as a society will not achieve what we want. I believe we can achieve it as long as we understand it, as long as we understand the emotions, and as long as we give enough time for the process to take place.

This legislation sets up the rules and the accountability mechanisms to measure it. It does not give us the power to do anything, because that power already exists in the water acts of Victoria and New South Wales. We need to take our communities gently through this, to learn and to force — 'force' — the scientific community to answer those questions which it does not always answer. There are questions in South Australia about the barrages and the Coorong: a huge amount of water behind the barrages evaporates each year, and there have been huge losses.

There is the argument going on about Lake Mokoan, a small issue that can be resolved. Although it will get caught up in the political bunfight over the next few weeks, Lake Mokoan has a vital role to play in the management of the water system around Benalla, and it also has a big benefit for us in the Murray system, because it is not restricted by and can get water around the Barmah choke. We also have to respect the fact that the people who live there have consumptive rights, which can be looked after, and recreation needs, which they have had and have enjoyed. Those needs and rights should be looked at and upheld.

I have looked at the way governments around Australia spend money on cities, given the work that has gone on in the last 10 years in the city of Melbourne. My God, I tell you what, we can afford as a society to do some of these things which people will at first think are outlandish when they get put up. But let's not hurry in the implementation of this. *The Living Murray* discussion has a long way to go, and it is not easy.

I have two other points to make. Firstly, with the Murray-Darling Basin (Amendment) Bill there is the Snowy Scientific Committee. This has been a point of

argument in this place. Remember, this legislation will look after the interests of Victoria while another state regulates much of our water, the Snowy River water being basically regulated by New South Wales. This bill protects Victorian interests in case the New South Wales government decides it wants to do some things which are not kosher and which we would not agree with. The legislation is pretty vital, which is why we support the process.

I turn to the Snowy Scientific Committee. The New South Wales Hydro Corporatisation Act 1997 established the committee, its principal functions being to advise the New South Wales Water Administration Ministerial Corporation on the environmental flow release regime each year, the adequacy of those releases, and programs for the management and restoration of the catchments receiving the releases — in this case, it is the Snowy. The committee will be required to produce a public state-of-the-environment report each year. This is the nub of it; this is why people like me get a bit cranky about the Snowy River. The committee has not yet been constituted, but it will consist of six members, of which Victoria will nominate two.

We have missed a lot already, with the politicking that has gone on between the premiers of Victoria and New South Wales and with satisfying the Green wants and the feel-good appetites of the people of Sydney and Melbourne. It is only fair that I add to that the following about the Snowy River benchmarking project, which has been going for three years.

The aim of the benchmarking project is to quantify the current environmental status of the Snowy River and to provide a quantified benchmark against which changes can be measured — and the house should remember what I said before about measuring the changes. The project is developing a scientifically defensible methodology to quantitatively measure the magnitude and direction of ecosystem changes following any environmental flow releases below Jindabyne dam. This is the first time that changes resulting from increased flows will be measured over the full 350 kilometres of the Snowy River. The project is both multidisciplinary and interdisciplinary and measures geomorphology and hydrology and the effect on water quality, macroinvertebrates, macrophytes, microalgae and fish.

The project has been funded by both New South Wales and Victoria — the Victorian Department of Natural Resources and Environment and East Gippsland Catchment Management Authority — and we have seen the budget for this come through in the past few

budgets. The project has now collected data for three years, and it is envisaged that the project will continue to collect data for another 10 years. Annual costs are of the order of \$300 000. That is the background work. I hope the scientific committee at the top end will have a pretty good input into all that so we can get the best value for environmental releases in the Snowy and so we can get into action very soon and be able to operate on that data. Under this bill the Murray-Darling Basin Commission must do that first up and get its scientific work done very quickly.

The legislation is necessary, but it is dangerous. It sets in place measurements that we have not had before, and it gives us the way to account for future changes in the River Murray and the Snowy River. I would hope that the principles contained within it would be used for other rivers as well through our stream-flow management plans. Because those plans are just micro versions of these plans, the principles should be there.

The introduction of this legislation at this time, in which accounting for the government's purchase of water is to be legalised, is appalling. It is on about the same level as the arguments we had when water was opened up from the montane streams to flow down the Snowy. Doing that in the middle of a drought with a very small trickle was of absolutely no benefit to the Snowy itself.

That is not the way people envisaged environmental flows being achieved or benefiting the Snowy in the future. It was so silly. The pictures on television that night through northern Victoria were just a complete and utter turn-off, I can tell you. The people of the Goulburn, who are on 41 per cent, were just horrified. The New South Wales people, who are not planting rice this year on their 11 per cent, just could not believe that their Premier would be seen at such a stunt.

This timing for the allocation of government-purchased water almost falls into the same bit. I understand that it is going to be in the New South Wales legislature before Christmas and in the commonwealth legislature next year, which is probably a better time for it.

However, it is here; it has been presented. The National Party supports this legislation. I hope the governments will be careful with its implementation. I hope the Green movement in Melbourne and Sydney will actually appreciate and understand the people who make up the river communities and the changes they have made over the last 20 years, which have been astonishing to say the least. I know we cannot get decent media on good news stories in our river areas. The newspapers keep telling us: 'If we can't have tears

and fears, we don't want to know you. If you want to say something along those lines, come along and we will report you'. We just cannot get a positive message across. I hope that since I have been here some of those positive messages have been able to get through, because we have a wonderful state and a wonderful river.

Mr HOWARD (Ballarat East) — I am pleased to be able to speak on the Murray-Darling Basin (Amendment) Bill. Earlier on I was advised by the opposition whip that the honourable member for Swan Hill was going to speak on this bill for about 2 minutes. I found that a little bit hard to believe, and the honourable member certainly has proven my prediction to be a little more correct than that of the opposition whip.

However, as we have heard, the honourable member for Swan Hill and the shadow minister are not opposing this particular bill, because they recognise it is about the ratification of an agreement that has already been signed; that the agreement involves the commonwealth, this state, New South Wales and South Australia; and that the original Murray-Darling Basin agreement was signed on 28 June and was followed up on 5 October by a ministerial council where the arrangements were further detailed and signed off. The agreements are now in effect and binding on the governments and the other parties involved.

Mr Steggall interjected.

Mr HOWARD — They are already in effect. They are binding in that sense, so ratification is important. The passage of the bill is essential to protect Victoria's interests under the newly established arrangements.

Snowy Hydro Limited, as it formerly was, took over the operation of the Snowy scheme under the provisions of the New South Wales Snowy water licence on 28 June, and the other Snowy water agreements also came into effect that day. The agreement protects Victoria from unilateral action by New South Wales under the administration of the Snowy water licence. Under this agreement the Murray-Darling Basin Ministerial Council will develop a strategy to maximise the environmental benefits, as we have heard, of the 70-gigalitre dedicated environmental flow allocated to the Murray River system.

In ratifying this important and historic agreement the Victorian Parliament will be honouring the commitment made by the four governments. To not ratify the agreement would seriously undermine all

those discussions that have been held to date and seriously undermine the bipartisan and intergovernmental support that has been developed through this process. I am pleased to see that neither the Liberal Party nor the National Party is seriously contemplating that we should do that.

As I have indicated, the main aspect of this bill is to provide protection for Victorian water users. How does the bill do that? By establishing Victoria's rights to the headwaters of the Snowy scheme. It also establishes water accounting arrangements to protect Victoria's rights and interests from unilateral action by New South Wales, and it ensures that the Murray-Darling Basin Commission independently monitors and manages the water sharing arrangements. It establishes translation factors to protect the security of the water supply when water savings are transferred to the scheme for environmental purposes. Lastly, it codifies arrangements to provide greater certainty in the annual releases from the scheme, which underpin irrigation commitments.

As we have heard, particularly from the honourable member for Swan Hill, this is clearly a bill that is of great interest to the many farmers and other water users in the north of this state who use water from the Murray River system. Of course that does not just affect farmers and water users in Victoria; it also affects water users from New South Wales and South Australia.

Why has it been necessary? As we heard about again, we have all seen the vision of that historic release of water down the Snowy River. We recognise that while the timing of that release of water seemed to cause concern in some sectors of the community because of the drought conditions which we know are occurring in other parts of the state, it is important to realise that the two issues are separate. While there is a visual image that people might misunderstand, the fact is that we have dry conditions and a drought in the northern part of this state, and this government is working to provide appropriate support for the relevant land users. However, we know that an agreement was made between the commonwealth Parliament and the people of Victoria and New South Wales that recognised that the Snowy had fallen victim to the original Snowy River scheme and that water flows had been seriously depleted over many years, which had seriously degraded the river.

It is quite encouraging to notice that people across the state are starting to change their views on water use. We know that early on, when this state was settled by white settlers, there was this philosophy that you just moved onto the land, cleared the vegetation, planted

European crops, introduced European animals — cattle, sheep, or other species — established your farm, and wherever water was flowing you made use of that water because to not do so would be wasting it. Then we came up with schemes about how to turn other water which would have flown into the sea — and people saw that as an enormous waste — into the interior and make use of that too. There was a general view that you could just do whatever seemed practical, and it would be of great benefit to the agricultural communities and therefore to the overall population of the state.

But we have seen on so many occasions that our understanding of the environment at the time was completely overlooked. We know that the clearing of our land has caused not only the loss of many species but major environmental disasters through the destabilising of the delicate nature of the character of our country in Victoria, which is quite different from the European environment. By recognising that our original land clearing was wrong we are also recognising that it is not necessarily wrong to see water running down river systems and going out to sea — that in fact it is quite important that some water does run out to the sea. It is a matter of ensuring that we get that balance right, and of not getting it so far wrong that it causes severe environmental degradation in other areas.

The arrangement for the Snowy River scheme is not to do anything too dramatically but to gain 21 per cent of the original flow of the Snowy River back down the river over a 10-year period. We are looking at a total of a 212 gigitalitres annual flow down the Snowy River within 10 years.

The first stage of that commitment was to have 38 gigitalitres by the end of three years. The Bracks Labor government is intent on maintaining all the commitments made to the people of Victoria both before and after the 1999 election. In keeping with this commitment it was appropriate to show the people of the Snowy River area and other people around the state that we were serious about maintaining that commitment, and that we were serious — along with our partners in New South Wales and the commonwealth government — about following through on the agreement that was made. Therefore the first flow of that 38 gigitalitres has now taken place, and people are beginning to hope that the government is starting to get it right in terms of recognising environmental imperatives.

That 38 gigitalitres of water was never going to go into irrigation. The irrigation commitments that are already out there are continuing to be met. The initial 38 gigitalitres has been taken on the over-target figures

for the water. At the same time, we are working to make sure that we can make savings to make up for that amount and that the next stage of the releasing of water does not have to occur for another four years, because we have said that the 15 per cent — the 142 gigalitres — will be released after seven years. We are not rushing with this process; we are working through it in a very sensible way.

In terms of the savings we are looking to make — and that is a vitally important part of this process — people have always known how important water is but in a lot of cases they have never taken it so seriously as to deal with the way they use water. It has perhaps needed greater resolve from governments in the past to look at government infrastructure schemes that will provide savings. In so many areas with irrigation water flowing down open or cracked channels we can lose, as we do in the Mallee, 90 per cent of the water present at the start of the system before it gets to the end, simply through evaporation and seepage. That is a huge loss. That does not affect the Murray–Darling system as such, but we see that happening in so many of the irrigation areas in northern Victoria that are irrigated out of the Murray–Darling system.

What has the government done to date to find these savings? I was pleased to visit Normanville with the Minister for Environment and Conservation on 1 August and launch the pipeline project that will be taking place in that area. These projects are slow to get under way because you need to ensure that you work with the land-holders involved and that there is an appropriate cost-sharing agreement established to work with those projects. As anybody would know, when you are dealing with a large number of land-holders they do not want to let go of their money too easily. They want to be totally satisfied that they understand the nature of the project and the benefit to them, and that the government is living up to its side of the commitment.

It takes a while to work through these projects, but we have certainly got there with Normanville. The people of Normanville were very excited on the day we were there for the opening. It was a very well-organised day and people from the town were all out there celebrating. But there were also people there who were there to provide advice on how land-holders needed to do the surveying of the land, do their assessments, in order to put their irrigation systems in place.

We are not quite so far down the track with the Tungamah pipeline project. In my discussions with them Department of Natural Resources and Environment staff told me that although they are not up

to the stage of starting work they are very confident that the project is progressing well.

On the same day that I went to Normanville I went to Woorinen. As the honourable member for Swan Hill knows, the Woorinen project is well under way and is due to be opened in June of next year. It was most impressive to see the huge pumping station set up on the banks of the Murray River and the pipes that have gone in across the area around the Woorinen project. It was also good to talk to some of the local land-holders, who are really looking forward to coming on line and being able to use that water. They know that they are going to be assured of their water usage and that there will no longer be any wastage.

This is not just about the wastage of that valuable resource, because we know that salinity problems often occur with the seepage of water as water tables rise. We are addressing the salinity issues in those areas as well as providing for the piping of the water.

Metering is another means of creating savings. An extensive stock and domestic metering pilot project has been established at Shepparton, and the results of that project will be evaluated with the aim of extending a system of metering small pipe outlets for larger users. The government is confident that that will contribute significant savings to the Murray–Darling system. With the Normanville, Tungamah and domestic and stock metering project at the moment we are looking at saving a total of 28 gigalitres of water, getting us well on the way to finding the savings for that initial flow of water into the Snowy River scheme. I understand that Woorinen adds another 2 gigalitres.

The Bracks government is doing some great things through its commitment to the Snowy River project, not because it is benefiting those people along the Snowy but because it is also benefiting the many irrigators and other water users from the downstream areas of the Murray–Darling Basin. That is something those land-holders know they can benefit from, and they can feel more confident in the future about their water rights. While I understand the concerns raised by the honourable member for Swan Hill about ensuring that we get a two-way communication going so that people in the cities understand the issues facing the land-holders and irrigators in the Murray–Darling Basin, let's not be fooled, because there will be lots of benefits for those land-holders through the government's determination to find savings and pipe that water. I am very pleased to see that it is the Bracks government that has undertaken these projects.

There will of course be many more projects undertaken in the years to come. We know that the Wimmera–Mallee pipeline is another significant project that has been committed to by this government. It will not be saving water out of the Murray–Darling system, but it will be saving water out of the Grampians water system. It will be of great benefit to the farms in that area, as well as provide the opportunity for environmental flows down the Glenelg River.

Some great benefits have been achieved right across this state through our looking seriously at how our irrigation waters have been used in the past and ensuring that we do not continue to go down the wrong path of extending those irrigation systems in wasteful ways. We recognise that we need to find ways of saving water and of finding a balance between providing environmental flows and using water to generate growth in our agricultural areas through the implementation of sensible irrigation systems.

The Bracks government has made some great steps forward. The Murray–Darling Basin (Amendment) Bill recognises the steps this government has taken and ratifies the agreements that have been worked on with ministers in the states of South Australia, New South Wales, Victoria and the commonwealth. I am very pleased to commend this bill to the house.

Mr INGRAM (Gippsland East) — I rise to make a brief contribution and to thank the honourable members who have spoken before me for indicating their support for this change to the Murray–Darling Basin agreements. This is a fairly simple but historic bill. It outlines an agreement that has taken some very dedicated individuals from a number of areas, particularly my electorate of Gippsland East, a lot of years to achieve.

I would like to take this opportunity to identify some of those people and highlight the dedication and commitment they have shown. Through this process we have made contact with members of Parliament from New South Wales, Victoria and the commonwealth, whom we have lobbied hard over a number of years. We have run into people who work hard within the bureaucracies. I would also like to congratulate the people in government agencies who have put in an effort behind the scenes to make sure this agreement came about.

There are people who have worked within government for over 10 years, not as elected as representatives, to make these changes and achieve this outcome, and I would also like to thank them. I refer to people like the Whites; the Richardsons; the Adamses; my grandfather,

Jim Nixon; Peter Nixon; and Genevieve Fitzgerald. There are a number of people in Victoria who have made total and absolute commitments. Paul Leate and Joe Garland from New South Wales and others have given their all over a number of years to achieve this agreement.

I recognise them in this house today. The agreement is historic and I know through the grapevine that when the Prime Minister was about to sign the document he said that it was a special thing that we were doing. While some honourable members will disagree with the way the Snowy Mountains hydro-electric scheme was built and its importance to the country, nevertheless it had a significant impact on the environment, not just on the Snowy River, which has been recognised, but through the damage it has caused in the alpine regions. The scheme was too efficient in harvesting water, but it played an important role in the nation building of this country. I recognise that, but it came at a cost. Diverting large amounts of water from river catchments is unsustainable. That has been proved. With all natural resources, there must be sufficient resources left within the environment to ensure the ecological functioning of those systems, whether it be timber, fisheries or water extraction. That level must be set.

When the Snowy Mountains hydro-electric scheme was built it was not given the consideration it should have been given. We hear often that it was not recognised: it was recognised. Many of the environmental factors were recognised when the scheme was first being considered. During the debates in this place and in the New South Wales Parliament a lot of those factors were considered, particularly the salinity aspects of some of the effects of irrigation.

Back then it was recognised when the scheme was being established that we should not be growing rice in Australia and that a lot of the water would be sent to New South Wales to grow rice. It was also recognised that the financial resources were not available at that time to pipe the channels. There were people around with foresight who knew that we should have been doing it: the technology was available, but the financial resources were not available at the time.

We should acknowledge that some of the environmental effects were recognised and it is great that we are returning to a sustainable use of one of this country's most precious resources. We are also returning some of what has been taken away from the Snowy River to fix some of the problems that have been caused.

It was a special day of celebration for the community of southern New South Wales, eastern Victoria and the Snowy community when the environmental flows were officially released into the Snowy River. You cannot say there is any right time, but it was good to see the premiers of New South Wales and Victoria on that occasion. Although the event was well organised, on the day we all got upstaged by a mad canoeist who decided to create a stunt by canoeing over the edge of the weir. He got a severe knock on his head. He drove a fair way across New South Wales to get there on the day, but he got the most publicity, so there is some justice and some things never go according to the script.

What has been done is to return the headwaters to the Snowy River — something we have not had for 35 years. Seasonal and daily variability of flows have been returned that we have not had for some time. A couple of days after the weir was turned off the river was running at a nice rate — at about 490 megalitres a day. I note that some honourable members have criticised the timing and candidates for some state seats have made some derogatory comments to the effect that we should not be returning any flows to the Snowy River. This has no impact on the allocation to the River Murray, and that should be recognised by all members of this place. I am sure the Murray-Darling Basin Commission and the Prime Minister would not have signed the agreement unless those interests were protected.

I thank the Honourable Nick Minchin, the federal Minister for Finance and Administration, for his work in driving the agreement, especially since it was quite difficult; the Victorian Minister for Energy and Resources in another place for the effort she put in; and the Special Minister of State for New South Wales, Mr Della Bosca, for his involvement. They all played a role in this historic agreement, which returns pride in our region back to democratic elected institutions, because that was taken away when the water for the Snowy River was taken away. Some of that has been returned.

As part of the agreement environmental flows will go to the upper montane rivers, to the upper Murrumbidgee River and to the River Murray. We all should recognise that the returning of a sustainable level of flow back to those rivers is a great outcome. The upper Murrumbidgee River has not been recognised as a seriously degraded system, so these measures will assist in the restoration of the river. The bill also codifies the water rules, which is a good outcome for water users of the River Murray in particular, and provides for water accounting, which is a good system.

This is an historic achievement. I thank all honourable members of this place for getting behind it, and I look forward to their continuing support in making sure that savings are achieved and that we invest essential dollars into the irrigation infrastructure, because there is a lot to do. A lot needs to be done within the irrigation districts to ensure we are using our water as efficiently as possible. It is a topical issue at the moment and it should be given a high priority. I give strength to the arm of the government to make sure the joint government entity is progressed as soon as possible and the next stage of the agreement is reached.

Debate adjourned on motion of Mr RICHARDSON (Forest Hill).

Debate adjourned until later this day.

LIMITATION OF ACTIONS (AMENDMENT) BILL

Introduction and first reading

Mr LENDERS (Minister for Finance) — I move:

That I have leave to bring in a bill to amend the Limitation of Actions Act 1958 to limit further the period within which certain actions for damages for personal injuries can be brought.

Mr PERTON (Doncaster) — I ask the minister to give a brief explanation of the purpose of the bill.

Mr LENDERS (Minister for Finance) (*By leave*) — The bill will limit the period during which the statute of limitations can be invoked from six years to three years, and related purposes.

Motion agreed to.

Read first time.

TRAVEL AGENTS (AMENDMENT) BILL

Second reading

Debate resumed from 9 May; motion of Ms CAMPBELL (Minister for Consumer Affairs).

Mr PERTON (Doncaster) — The Travel Agents (Amendment) Bill is supported by the opposition. Funnily enough, despite its being a small bill, it comes at a very significant time for the travel industry. Yesterday we had the very solemn motion and debate in relation to the events in Bali. Those events obviously bring home to all of us the fact that we are not necessarily safe in any environment.

I am conscious of the fact that during the last holiday my wife and I took overseas we were in the Helsinki market where there was last weekend a terrible event for the people of Finland. Now we have had these terrible events in Bali which hit home to us as Australians, Victorians and Melburnians.

Clearly there will be a practical effect on the travel industry and travel agents as people reassess their travel plans not only to countries that have been perceived as dangerous but now to places where Americans, Australians or Europeans are known to congregate. Lest that not be broad enough, we know that in many parts of the Middle East and elsewhere people of all faiths, including Muslims, Jewish people, Christians and the like, have all been affected by such terrible events.

For the travel industry this debate comes at a time where many people who would travel are probably reviewing their plans. Matters that are within the ambit of this national scheme — that is, does the traveller have a right to a refund in the event that the travel agent has not properly accounted for the funds, and what is the recourse for the traveller? — are raised at an opportune time by this bill.

Having said that, the bill is relatively small and administrative, and I believe it is supported by all sides of the house. What it does is enable the trustees of the Travel Compensation Fund to sue and be sued in the name of the Travel Compensation Fund and to enable the Victorian Civil and Administrative Tribunal (VCAT) to review a decision of the trustees of the Travel Compensation Fund concerning payment of compensation.

To quote from the second-reading speech:

The trustees of the Travel Compensation Fund are responsible for the operation of the compensation scheme established by the trust deed.

In the course of administering the Travel Compensation Fund the trustees may take action against a travel agent to recover moneys which have been paid from the fund to a consumer by way of compensation in respect of the actions of a travel agent. This is obviously to seek reimbursement.

It was originally intended that the provisions relating to this would be uniform, but when the bill came in in the mid-1980s for some reason this area was not uniform. It is believed that it is appropriate nationally that the trustees of the Travel Compensation Fund should be able to sue and be sued in the name of the fund instead of in their own names as trustees. I suspect that is because trustees turn over and change over, and if

litigation is ongoing over a period of time one does not necessarily have to seek leave to amend proceedings or the like. The bill is sensible, appropriate and one that the opposition supports.

Having said that, recently a travel agent within my electorate has made some complaints with respect to this area, so problems do exist. I have sent that correspondence to the Minister for Consumer Affairs. It is not a political debate between us at this stage, but there are some anomalies in the way the thing operates given that it is, as I understand it, Sydney based. There is some dissatisfaction with some Victorian travel agents as to the precise ways in which that operates, but it can be discussed later between the parties.

As I said earlier, the second element of this bill is to enable VCAT to review a decision. At the moment a review is heard by an appeal committee appointed by the minister. What that means is that the minister has to set up a new appeal committee perhaps on every occasion, or certainly quite frequently, and the notion that VCAT is properly staffed to undertake these tasks makes this a very sensible amendment.

Today during lunch I attended a business function across the road at which Richard Pratt spoke. He spoke to that business audience about the uncertain times in which we live. In these uncertain times people must still travel for business or family reasons, and of course for pleasure and relaxation. The bill helps to deal with the administrative problems relating to travel agents who may not have done the right thing in terms of their professional responsibilities. Clearly, this is a matter where the opposition, the government, the National Party and the Independents must work together to ensure that those who travel for whatever reason can do so in safety and security.

Mr Wynne interjected.

Mr PERTON — As the honourable member for Richmond says, that is very much an agreed position. The Liberal Party wishes this bill well. As a result of the events of this week, clearly there are greater responsibilities that we hold as members of Parliament working in this area than the mere administrative problems. We now have the very practical problems of security and safety and we will work together as a Parliament to achieve those ends.

Mr DELAHUNTY (Wimmera) — I am pleased to rise on behalf of the National Party to speak on the Travel Agents (Amendment) Bill. Members need to know that the second-reading speech for this bill was made on 9 May this year. It is unfortunate that it has

taken a long time for this bill to be debated in the Parliament. It is a pity we did not start a little earlier than last week — we could have got a little bit more done in relation to bills and maybe we would not have had to go through the night to achieve the government's aim of moving some legislation through.

The bill has a few purposes. Firstly, it amends the Travel Agents Act 1986 to enable the trustees of the Travel Compensation Fund to sue and be sued in the name of the Travel Compensation Fund. Secondly, the bill enables the Victorian Civil and Administrative Tribunal, commonly known as VCAT, to review a decision of the trustees of the Travel Compensation Fund concerning the payment of compensation. Thirdly, the bill regulates travel agents under the national scheme.

The National Party has consulted reasonably widely. My colleague the Honourable Ron Best in another place has carriage of this bill within our party and has spoken to many people including the Australian Federation of Travel Agents — I will come back to that a little later — the Australian Business Travel Association, and the Travel Compensation Fund people themselves.

The National Party will not be opposing this legislation as we know it comes about following the collapse of Ansett Airlines. This bill will provide a better process to sue and appeal for compensation. The fund has a reserve of about \$9 million but because of the potential claims following the collapse of Ansett and other things there is likely to be a review of the fee structure; I will come to that a little bit later.

The federal government and each of the states are committing \$5 million to top up the Travel Compensation Fund. It is my understanding that this legislation brings Victoria into line with other states, but there are some concerns that we are again hitting the public purse to prop up agents within an industry. These unforeseen circumstances do occur and, as with public liability and all these other things, it is important that we provide for the times when these things happen.

Ansett and Kendell airlines were very important for the travel industry in Australia and across the world. I want to congratulate the Deputy Prime Minister, John Anderson, for his work in relation to regional airlines. He kept them running in difficult circumstances following the collapse of Ansett.

The incident in Bali last weekend will have a major impact not only on the families of those involved but also on the travel industry in general. I do not often see

a lot of television, but I saw an item on the news this morning which highlighted the fact that the beaches and industries of Bali will be devastated in the short term because of what happened last Sunday.

In researching this bill I looked up on the web site of the Business Licensing Authority how to become a licensed travel agent. It says:

You cannot be licensed as a travel agent until you meet the eligibility criteria:

The criteria for an individual is to be over 18 years of age, be a fit and proper person to be a licensed travel agent, and not be or have been disqualified from acting as a travel agent or being involved in any such business. Corporations can also become licensed travel agents and there are eligibility criteria for them. The web site states further:

Individuals and corporations must also be deemed eligible to join the Travel Compensation Fund.

The costs involved at this stage are a \$250 application fee and an annual licence fee of \$240. For additional premises agents must pay another \$240. On top of these fees, there are costs associated with joining the Travel Compensation Fund.

I also looked at the Business Licensing Authority's Travel Compensation Fund web site. It says:

Every licensed travel agent in Victoria must be an ongoing member of the Travel Compensation Fund (TCF). This national compensation fund has been established to compensate people who have suffered financial loss as a result of a travel agent's failure to account for money or other considerations entrusted to them. The fund is made up of subscriptions from licensed travel agents, money forfeited by unlicensed travel agents and income from the investment of fund money.

I raised that because my colleague the Honourable Ron Best received a letter from Mike Hatton, the chief executive of the Australian Federation of Travel Agents (AFTA). I will not read all the letter out but in relation to this legislation it says:

AFTA does not have a problem with the appeal process except where it may relate to any payment made by the compensation fund in the wake of unlicensed trading.

It is interesting that when I looked through the Business Licensing Authority web site it said that every licensed travel agent should pay a subscription to the Travel Compensation Fund. It seems to me from the research the National Party has done that that does not always happen, and we have these unlicensed operators who are not doing any good for the industry but are in fact causing a lot of harm.

The letter goes on to say:

By way of explanation —

All travel agents in Australia must be licensed and members of the Travel Compensation Fund, however, the fund does give trustees certain discretionary powers in relation to payments made to consumers. In the past, payments have been made from the fund to consumers who have lost money through the collapse of unlicensed travel agents, who by virtue of the fact that they are unlicensed, are, in fact, illegally operating in the marketplace.

It is therefore our view that as each agent must display its licence number, that events of this nature (unlicensed trading) should not be covered or subject to payout in the event of a claim on the TCF.

That highlights the need for the government and Minister for Consumer Affairs to make sure that these people are licensed and operating in an appropriate manner. At the end of the day, these unscrupulous operators are the ones who do not do the travel industry any good, particularly in these difficult times.

I turn now to the clauses the bill. Clause 5 inserts a new section 46AA into the principal act to provide for a new appeal scheme providing that a person whose interests are affected by a decision of the compensation scheme trustees relating to the payment of compensation under clause 15.1 of the trust deed may apply to VCAT for review of that decision. Currently an appeal is determined by an appeal committee established under the trust deed. The clause also provides for a time within which review can be sought under the new scheme.

I think that is appropriate but my big fear is VCAT is being loaded up more and more. Every week we seem to see legislation coming into this Parliament loading up VCAT. I am not sure that VCAT has the resources to handle all these matters in an appropriate and timely manner. At the end of the day, people making a claim on the fund need that dealt with as quickly as possible. If they are knocked back by the scheme they need to enact the appeal process fairly quickly to get their funds. Most people hoping to travel overseas are saving for their one and only or first trip and it is very difficult if they have lost out because of some unfortunate circumstance like that we have seen in the past couple of weeks.

This is fairly standard legislation. It is non-controversial. The only concern some members of the National Party have is we are again dipping into the public purse to prop up an industry. We have to be careful that we do not do this. We seem to be doing it more and more every day. I know it was done at a very unfortunate time with the collapse of Ansett and no-one

complains when that happens. Importantly the industry funds as such should have been able to cope with that. It is always difficult when we dip into the public purse to prop up those agents and people within the industry who are not doing the right thing by being licensed.

With those few words, I repeat that we in the National Party will not be opposing this legislation.

Mr WYNNE (Richmond) — I rise to support the Travel Agents (Amendment) Bill and thank the honourable members for Doncaster and Wimmera for their contributions.

It is appropriate at this time in the debate that we reflect upon the circumstances we find ourselves in as a state and indeed a country in relation to the travel industry. I refer in particular to the appalling circumstances that confronted so many of our fellow Victorians and Australians in Bali as a result of the atrocity that was wreaked upon innocent individuals going about their leisure. This community has always responded when individuals have been struck down in such a vicious way and families have had such suffering inflicted on them. It gives us cause to pause as individuals and as we have in a bipartisan way in this Parliament in paying tribute to those people.

The impact of an atrocity like this has an impact not only upon individuals and their families but also on the travel industry. We are well aware of that impact. We saw the direct results of the events of 11 September in New York and Washington a year or so ago. It has an impact upon the way people choose to conduct their social and recreational lives. As we know, events like that give people cause to be more cautious about their travel plans, and undoubtedly that impacts in a very deleterious way upon an industry which is a major employer in its own right.

The purpose of the bill is to ensure that under the leadership of the Minister for Consumer Affairs we have a strong, credible travel industry, because that is vital for the growth and development of tourism, not only in Victoria but certainly Australia. We are quite dependent as a state, and indeed nationally, on tourism as a major generator of income and employment.

The amendments in this bill will ensure that consumers have an efficient process by which to pursue a claim for compensation when they need to. In an effort to place adequate controls over the industry, the Minister for Consumer Affairs, who is at the table, has been incredibly active in ensuring that travel agents are members of the Travel Compensation Fund, known in its abbreviated form as TCF. This membership is

necessary in order for a company to obtain or keep a licence to trade as a travel agent in Victoria. As we know, the TCF is a cooperative scheme for the regulation of travel agents which operates in all states and territories apart from the Northern Territory.

The fund has been established under a trust deed to assist those who pay money to a travel agent and find themselves in the unfortunate position where the travel is not provided and the money not returned. The honourable member for Wimmera in his contribution asked whether firms had been prosecuted in relation to their status as unlicensed travel agents. In that context I indicate to the honourable member that in the last couple of months there have been at least two instances of unlicensed travel agents seeking to operate — one in Swan Hill and the other in Kerang. It is therefore important that we take a vigilant approach to this, because we must protect consumers who legitimately attend a travel agent seeking to be provided with services and who find that, firstly, they are unlicensed, and secondly, they have no capacity to seek recompense. On a bipartisan basis we should applaud the minister for her work in getting straight on top of these unlicensed and inappropriate dealers.

If the travel agent does not have a licence obviously there is no backing from the fund, and in the worst-case circumstance consumers can lose their money. Where a family has saved up to take a trip to, say, northern Australia or overseas, the cost is substantial. A family of four travelling up to Asia on a package-type holiday could spend \$6000 to \$8000, I would imagine, and of course Europe would be something else again. So people are expending significant amounts of money, and they should be properly protected. That is very much what the core of this bill is about. The fund obviously fulfils an important consumer protection function, as the trustees can take action against travel agents to recoup moneys already paid out.

When this regulation of the industry was originally established in 1986, it was expected that the states would follow with uniform legislative provisions. However, this did not occur in Victoria. As a result, the process of recovery actions in this state has been in our view unnecessarily complicated, inconveniencing trustees and providing an avenue for procedural delay by defendants. We believe the bill corrects these problems by allowing the trustees of the Travel Compensation Fund to sue and be sued in their own name. This will bring Victoria into line with other participating states and will provide a more administratively convenient and clean process.

The fund receives registration fees from travel agents. However, shortfalls in funds must be met by a combination of commonwealth and state contributions. That is why I believe it is appropriate that we have a uniform approach across the states. Although in many respects there is often rivalry between states — and indeed constant friction between the states and the commonwealth almost regardless of political persuasion on each count — when you are proposing uniform legislation the level of unanimity that is reached both among the states and between the commonwealth and the states is remarkable. Because it is widely recognised that these sorts of schemes which protect consumers are for the common good, perhaps some of that argy-bargy that usually occurs between the states and the commonwealth gets washed away.

We are of course well aware of the Ansett collapse, which tragically provided us with a situation that increased substantially the heavy workload on the Travel Compensation Fund. People were left stranded after the sad collapse of Ansett. Apart from the huge inconvenience to travellers, there was of course the appalling loss of jobs, particularly in Victoria, because a large contingent of Ansett workers were Victorians. Although we never want to see anything of that magnitude again, this bill provides us with a more efficient process for making compensation payments that will not only be of great benefit to the claimants but also reduce significantly the workload.

Currently, appeals against the decisions of the trustees of the fund are made to an appeals committee appointed by the minister, which the government regards as unnecessarily cumbersome. The committee needs to be established each time there is an appeal. However, the amendment before the house requires that appeals be heard, in our view appropriately, by the Victorian Civil and Administrative Tribunal. We believe that VCAT is the appropriate forum for consumers to attend in seeking to have their claims dealt with, as it has wider powers of subpoena than the appeals committee.

Finally, it is important to say that the board of trustees supports the proposal and requires an amendment to the trust deed as recommended to the ministerial council, which my colleague at the table, the Minister for Consumer Affairs, sits on. In our view these amendments improve efficiency by reducing the administrative burden. More importantly they significantly improve consumer protection, and if there is one thing that the minister is on about it is protecting the rights of consumers. In that respect the bill enjoys bipartisan support, and I applaud the minister for her initiative in bringing the matter speedily before the house. I sincerely wish the bill a speedy passage.

Debate adjourned on motion of Mrs SHARDEY (Caulfield).

Debate adjourned until next day.

NATIONAL PARKS (BOX-IRONBARK AND OTHER PARKS) BILL

Second reading

Debate resumed from 15 October; motion of Ms GARBUTT (Minister for Environment and Conservation); and Mr MAUGHAN's amendment:

That all the words after 'That' be omitted with the view of inserting in place thereof the words —

'this bill be withdrawn and redrafted to provide for the development of management plans for new parks and reserves and additions to parks and reserves proposed within this bill and incorporate a range of other matters that were referred to in the second-reading speech.

Mr MAUGHAN (Rodney) — When I started my remarks last night I moved a reasoned amendment on behalf of the National Party which is now in the hands of all members. I briefly outlined the approach of the National Party to natural resource management in general and specifically to the box-ironbark forest. I want to continue my remarks tonight by expanding on those, but first I want to comment on a couple of points made by the honourable member for Sandringham during his contribution last night.

It is now clear that both the government and the Liberal Party have a different approach from the National Party to natural resource management. This has become clear in our approach to the forest industries, for example, where again there is a clear difference between the National Party and the Liberal and Labor parties; and likewise with marine parks and national parks. There seems to me to be a general belief out there in the community and among members of the government that simply declaring an area a national park ensures its preservation. We entirely reject that notion — that is, that simply drawing a line on a map, putting a fence around an area and calling it a national park preserves those values that we all appreciate.

As I said last night in my contribution, the National Party is not opposed to national parks — we support national parks. The difference between ourselves on the one hand and the Liberal and Labor parties on the other is that we believe that before we declare any more areas as national parks we should have management plans presented to and approved by the Parliament and resources provided in order to properly look after those proposed national parks. That is the essential difference.

Mr Richardson — You have opposed every park!

Mr MAUGHAN — We have not opposed every park; that is not correct. Be that as it may, I still hold strongly to the view that the proper way of going about it is, firstly, to have management plans and then to approve the national park rather than doing it the other way around. The results of that flawed approach are evident where a national park is declared, nothing is done and it is overrun with blackberries, rabbits and wild dogs — honourable members should go and have a look at our national parks. One could go on and on. I do not intend to do that, but we have national parks that are covered with weeds, have wild dogs in them, in which fire tracks have been closed and there is a build-up of potentially explosive fuel on the forest floor.

On the issue of the build-up of fuel on the forest floor, in his contribution the honourable member for Sandringham quoted some figures given by Jason Doyle on national parks in New South Wales. In essence, the honourable member argued that most of the fires came from private land into national parks rather than going out from national parks and that therefore the notion of keeping the forest floor relatively free of that build-up of material was not a sensible argument. I respond to that by saying that I do not think it matters a hoot where the fire comes from — whether it comes from inside the park or it goes in from outside — if there is a great heap of build-up on the park floor clearly there will be a much hotter fire and much more of a likelihood of the forest being destroyed than otherwise. Again I advocate that keeping the litter down, either by grazing or by controlled burning, or both, is a very sensible management tool to preserve those very values that we all hold dear — not only the vegetation, but the wildlife, the birds and animals, that we all want to protect. There is no argument about that.

On that line I argue that grazing is a very effective management tool which has been used by successive generations for years to effectively manage the forests and parks. There is no better example of that than the Barmah State Forest in my electorate, which I think is better today than it has ever been in the whole of human history. That is because of good management and controlled grazing. The forest is multi use, and I really think it is a tribute to the people who have been managing it, not just the Department of Natural Resources and Environment people — almost in spite of DNRE — but the foresters, the cattlemen — all the people in that area who love, work in and manage that park, and who have protected it. That is an outstanding example of what can be achieved by people who are passionate about looking after a park. Already 34 per

cent of Victoria's land mass is in public ownership. About half of that — 16 per cent of the whole area of Victoria — is in some sort of park or reserve. This legislation proposes to add another 105 000 hectares to that.

I do not intend to go through the whole mechanics of how this inquiry came about in great detail, except to say that it started off in 1995 with a reference to the then Land Conservation Council, which subsequently became the Environment Conservation Council and took over the inquiry in 1997. That body handed its final report to the minister on 23 August 2001. Following that there was the box-ironbark implementation committee chaired by the Honourable John Button, a person I have a great deal of regard for. I think he is a great Australian who has made a great contribution to our nation, and I think he was an appropriate person to chair the committee. I do not agree with all his recommendations or believe that he necessarily consulted as widely or listened to the views put to him as closely as he could have. However, I do not intend going into all the detail of that, except to say that there were people in my electorate who were not satisfied with the hearing they got from that committee. Nonetheless, the report was tabled on 26 February this year, hence the legislation we now have before us.

The bill before the house does a number of things. It establishes an expanded parks system in the box-ironbark region of north-central Victoria totalling more than 105 000 hectares. That will include five new or expanded parks — Chiltern-Mount Pilot, Greater Bendigo, Heathcote-Graytown, St Arnaud Range and Terrick Terrick; and five new or expanded state parks — the Broken-Boosey, the Koyoora, Paddys Ranges, Reef Hills and the Warby Range. It includes the Castlemaine Diggings National Heritage Park and seven new conservation zones, five of which are reserves along the Broken-Boosey and the Nine Mile Creek. It also adds a couple of lighthouses on Wilson's Promontory to the national park area.

I will comment a little more about the Broken-Boosey Creek as I go through, but I want to start by going through and picking out a few points from the minister's second-reading speech. In the opening of her speech the minister said:

The box-ironbark forests and woodlands of north-central Victoria are a special part of the state's natural and cultural heritage.

None of us in this house would disagree with that; that is a statement of fact. She then goes on to describe the light, flaky appearance of the box trees and the dryness of the forests and so on. She then says:

... the forests play an important part in the everyday lives of the local communities that depend on them for various products and visit them for recreation.

Well of course they do. No-one knows that better than I. Part of the park is in the Rodney electorate. Many of the people who live and work in the park are constituents of mine, and I know them well. Of course they depend on it for their various products and their recreation. Whole communities have grown up living and working in the forest — in the Rushworth area, in the Heathcote area, and through the areas from Chiltern on the one hand right down to Maryborough and St Arnaud on the other.

The minister goes on to say:

... the box-ironbark forests and woodlands that exist today cover only a small proportion of the area they once did. Since European settlement, the box-ironbark region has been substantially cleared. The remaining native vegetation covers only some 17 per cent of the original cover and has been heavily modified by ongoing land-use activities.

Many people would dispute that claim. It has been disputed by a number of people personally in representations to newspapers. I will quote just one, although there have been many.

This letter is from Tracee Spiby, Timber Communities Australia (TCA), Rushworth, to the *Numurkah Leader* on 27 March. She wrote:

Ms Garbutt proved yet again she has not listened by still saying there is only 15 per cent of the box and ironbark forest left. Is she really deaf, or is this a deliberate lie?

The fact is, and we have been telling her for over five years, the forest has not been cleared. She knows very well it's the box-ironbark forest and woodlands —

and I stress that —

... and woodlands investigation, yet she deliberately continues to drop the and woodlands in order to persuade people the forests need locking up.

So the letter goes on:

... 85 per cent of the study area is private land and only 15 per cent public land, and that most of the woodlands was cleared for agriculture to feed us, or covered with tar and cement to house us in our sprawling urban developments. These forests were not cleared, and are in no danger whatsoever of disappearing.

So the point there is that many of these so-called endangered species are on the grasslands that have been cleared for agriculture so that we can enjoy our way of life: to provide the food, the fibre and the recreation.

She goes on:

We have said over and over the list of species faced with 'imminent extinction' is another deliberate fallacy to convince people to lock up the forests. The fact is, according to the ECC report of the 350 species she goes on about, almost 300 are plant species. Considering the woodlands were cleared, it's pretty obvious what caused them to be on the list.

How can she keep saying these species are facing 'imminent extinction' when only 28 of those 350 species have had action plans prepared for their protection, which are essential under the Flora and Fauna Guarantee Act?

That is a very important point that has been made. If these species are so important — they are in danger of extinction, we really do have to do everything to preserve them — why is it that as at today there are only 28 of them that actually have action plans prepared under the Flora and Fauna Guarantee Act?

The government cannot on the one hand talk about all these endangered species and on the other take absolutely no action to do anything about it.

I mention in passing that the box-ironbark forest and woodlands actually straddle the Rodney electorate from the Broken-Boosey in the east of the electorate, through Rushworth, the Whroo forest, Graytown through to Heathcote — all of which is in the Rodney electorate — and on then on through Bendigo to St Arnaud and Maryborough. It is a very important part of the electorate as far as I am concerned.

I will go through the second-reading speech because I want to make a few points. Under the heading 'Enjoying the parks' it states that the parks will be:

... places for visitors to enjoy and appreciate the diversity of the box-ironbark country.

It talks about tourism, and this is a furphy if ever I have heard one. It talks about phasing out all of these timber industries, the ones that have been creating employment for generations. There are generations of people who have earned their living out of the forest, and have looked after the forest. This legislation is going to get rid of them. Many of them have already taken voluntary redundancy packages. What the government is saying is, 'Yes, we can afford to lose those jobs because think of all the benefits that we are going to get from tourism'. I think the evidence is fairly clear that the statistics are that visitor numbers do not increase, certainly not in the short to medium term.

I can accept with a very attractive national park that visitor numbers will increase and tourism will add to that area, but this is not the case in the box-ironbark forests. I quote from a survey by Timber Communities Australia, which did a survey in the Chiltern and Mitiamo–Pyramid Hill area. The conclusions were that

not one business had grown as a result of the declaration of a national park in their area, with many businesses stating that they are not open on weekends or public holidays due to the lack of business, and that their business had dropped off due to the loss of timber cutters, domestic firewood cutters and prospectors visiting the town.

In the areas that we have made into national parks, and in response to the honourable member for Forest Hill, I did support the declaration of national parks in those areas, but it has not generated the tourist employment that the government infers.

Mr Vogels interjected.

Mr MAUGHAN — As my colleague, the honourable member for Warrnambool, points out, it is a furphy. As somebody said to me the other day, 'How silly is it to expect somebody who has been working in the forest all of their working life, who has callused hands and a crook back and is sunburnt, to be serving lattés and croissants for all the tourists who are going to flock through the so-called national park?'. It is a furphy and the government knows it, so I dismiss the notion that we are going to have large numbers of tourists who will generate employment in these areas, at least in the short term, unless there is something else to add to it as there is in Heathcote, for example, and as there will be in Rushworth as those lovely old buildings are developed and the Whroo forest is developed and people come to the area for reasons other than just the forest. We can see tourism as being an important employer in the future, but not as a sole result of declaring a national park.

The minister's speech further states:

In a broader context, a region-wide recreational framework is being prepared ...

The National Party would argue that this should have been prepared and tabled prior to the declaration of the national park. There are a number of these statements through the speech — that things are being prepared, that they are being considered. So we declared the national park and were considering things, we are looking at them, but we have not taken any action. Later the speech states that the bill will enable the minister to:

... consent to minor mining infrastructure under a mining licence in the existing Deep Lead Flora and Fauna Reserve ...

... the government is consulting with industry ...

Again we ask the question: why are we getting to the stage of actually making it into a national park and the

government is still consulting with industry? Surely it should have consulted with industry prior to getting to this stage. So, again, the National Party argues that the government is putting the cart before the horse, and all of these things should have happened prior to the declaration of the national park rather than flowing on afterwards, with no specific time scale and no commitment that they are going to be completed.

At page 10 of her second-reading speech the minister refers to firewood and says that one of the big issues confronting the box-ironbark region is the future availability of firewood for local communities.

Of course it is! It is a major problem in communities in my electorate — in Rushworth and in Heathcote — where there are large numbers of people on low incomes who really are dependent on cheap firewood for heating their homes and for cooking. This legislation is going to reduce the volume of firewood coming out of the forest by about half. Again it would have been much better if the government, prior to getting rid of timber cutters and reducing the amount of available firewood, had said, 'Okay, as some sort of compensation we will extend the natural gas line to Heathcote and Rushworth, and we will provide an alternative before we remove the firewood'.

In talking about the future availability of firewood the minister said she is:

... developing five-year firewood plans.

Again, it is about something in the future — 'Trust me, we will do it sometime further down the track'. This speech is full of phrases like 'we will do something' and 'we have reports'. What have we got here?

In accordance with the ECC recommendations, grazing will not be permitted in national, state or national heritage parks but will be used as an ecological management tool in Broken-Boosey State Park.

That is a bit of a turn-up if ever I saw one. On the one hand the government has been arguing that you cannot have grazing in national parks or reserves at all because that is inconsistent with what it is trying to do, yet — as it should, because this is a sensible statement — the second-reading speech talks about how grazing can be used as an ecological management tool in the Broken-Boosey State Park. I commend the government for bending a little on that to come to some accommodation with landowners in that area. Again in relation to forest management plans it says that a grievance process is also being established. Why is it not there yet? Why don't we have it already? Again the government says, 'Trust us and everything will be okay'.

In passing I want to mention something that has nothing to do with box-ironbark but is about the lighthouse reserves in Wilsons Promontory. I know Wilsons Promontory reasonably well, and I had cause some 18 months ago to walk from Tidal River to one of the lighthouses with the honourable members for Bellarine and Prahran and some friends. We had a wonderful time — a full day's hike out to the lighthouse, staying there overnight and hiking back again. It is a great part of Victoria, and I am delighted to see that the reserves are now going to be included in the Wilsons Promontory National Park.

An honourable member interjected.

Mr MAUGHAN — Make the lighthouse work? We certainly did: it was flashing all night! I can thoroughly recommend it to anybody. Let me now turn to a number of specific issues that are dealt with in this legislation.

An honourable member interjected.

Mr MAUGHAN — If you walked 22 kilometres out to the lighthouse you wouldn't be flashing all night either!

I am familiar with Risstrom's timber mill at Rushworth and with the families that have run it for three generations. It is a very important part of Rushworth's history and has been a very important contributor to Rushworth's employment. The mill has turned over the years to kiln drying and value adding to the beautiful box-ironbark timber, which makes beautiful furniture — and when it is kiln dried and properly crafted there is nothing more beautiful.

I have toured and looked through the forest together with my colleagues in the other place the Honourable Bill Baxter and the Honourable Jeanette Powell and people involved in the forest industry. I am very concerned that parts of the forest have been managed for the last couple of years as if they were already in a national park. Some of that timber, which could and should have been harvested to keep Risstrom's Mill going, has been out of bounds and locked up as if it was in a national park when it was not.

I have a letter here from the Minister for Environment and Conservation, with whom I raised the issue in the adjournment debate on 30 October 2001. I expressed my concern that the future of this mill was being threatened because of a lack of adequate timber resources. The minister referred to me raising the matter and said:

Your concern for the management of the Rushworth and Heathcote state forests over the past 12 months and the effects

of this management on Risstrom's timber mill in Rushworth is noted.

The concern is noted but no change is made. It is still managed like it is a national park even though it is not a national park. The letter goes on to say with specific reference to Risstrom's timber mill:

... the Environment Conservation Council (ECC) says that there is a future for the timber industry in Rushworth, and that the Rushworth-Heathcote State forest should be used for the production of high-value, kiln-dried timber for furniture and floorboards. The total volume of timber products will continue to be made available from state forests.

That all sounds fine, and I should have a nice warm feeling that Risstrom's mill is now protected and the resource is going to be there to keep it going well into the future. The reality is that the mill has to travel further and further to get its logs and many of those logs are of a standard that is lower than it is looking for. It is lesser timber than it really wants, lesser timber than it has been used to and it has to go further and further to collect it, so I do not know about the future of Risstrom's mill. I think it is under threat because of the distance it will have to go to get its natural resource.

I would like to touch on the issue of firewood, because as I mentioned previously it is a very important source of fuel for households in the box-ironbark area, not just Rushworth and Heathcote but through to Eldorado and a whole range of other communities. In the area surveyed 61 per cent of all households — and that was 268 000 households — use firewood and 51 per cent use firewood as a primary source of heating. It is fair to say that the majority of people in that area use firewood and more than half of them use it as their main heating source.

When the survey was done the consumption was 100 000 cubic metres of firewood per annum with the average household using about 6.5 cubic metres per annum at an average price of \$64 per tonne. The price has gone way up since then, and it will go even further because of the restriction of available firewood in the forest. As the volume has declined the price has obviously gone up, and in some areas it has gone up by 100 or 150 per cent already and people would forecast that it is going to go up even higher. The government is encouraging private plantations to provide firewood into the future. While that is commendable there is obviously going to be a time lag of some 15 or 20 years before those plantations start producing any sort of sustainable yield of firewood.

Secondly, there is the issue of long-term security. I raise that issue advisedly. I mentioned that the government has already reduced the take of firewood from public

land by half and is looking to regulate and control collection of firewood on private land. The National Party has been accused of scare tactics by raising that issue, but the government did produce the *Victorian Firewood Strategy Discussion Paper* and canvassed those very issues about controlling firewood on private land. It is not just a furphy; it is not just something that the National Party dreamed up. The government itself put out a discussion paper that canvassed that issue.

I refer to a letter published in the *Waranga News*. It is from Tracee Spiby on behalf of the Bush Users Group, and it says:

More government propaganda: The Bracks Labor government has been wrongfully accusing the National Party and the Liberal Party for using 'scare tactics' regarding the government's plan to restrict and control collection of firewood on private land.

The fact is the government is currently discussing the best ways to prevent and regulate the collection of firewood on private land.

It's written in black and white in the document entitled *Victorian Firewood Strategy Discussion Paper*.

The government's denial is just more propaganda and is further proof of the Bracks government's continual attempts to deceive country people.

How can they say that they care about rural communities when it is this government that is reducing the amount of available firewood from the box and ironbark forests by over half, has already cancelled the licences of all firewood cutters and is therefore guilty of creating the shortage of firewood?

All because of the recommendations of the ECC —

note this —

which also began as a discussion paper!!!

So beware of discussion papers and some of the consequences that might flow from them.

I have another letter — and I will not quote it all — from Robin Taylor, president of the Bush Users Group, who writes amongst other things:

BUG is also suspicious of the government rhetoric surrounding the availability of firewood. To close down most of the timber industry in the region and expect guaranteed supplies to continue is absurd.

I agree with those sentiments. Another letter is from Rita Bentley, the vice-president of the Bush Users Group. It states:

The Bracks Labor government should be ashamed of the heavy-handed tactics it is using to close down small timber harvesting businesses across central and northern Victoria.

The selective timber harvesters of the box and ironbark region of Victoria have all been told their businesses will be forcibly closed and that they have no option but to accept 'adjustment packages'. A few will be successful in tendering for the handful of residual log licences or part-time firewood collection licences that will eventually be made available at the whim of the bureaucrats. The businesses that are carrying on an 150 year old country tradition are being bullied onto the scrap heap by a government that claims to be 'listening and caring'.

Next time readers want to buy firewood they should ask Steve Bracks why so little is available at such exorbitant prices.

A series of those letters have appeared in the press over time.

I also have a letter from Janine Haddow, who is the project manager of the box-ironbark project. The letter is addressed to my colleague in the other place the Honourable Peter Hall. She says, amongst other things, that the survey that was done showed that:

... 79 per cent of households recognised the need to better manage firewood to ensure a sustainable supply in the future.

I agree with that sentiment. We do need to better manage our supplies of firewood into the future. The government has therefore developed five-year firewood plans for the 13 community firewood supply areas in the box-ironbark region. The five-year firewood plans are now available on the web site.

There was no consultation whatever on developing the five-year plans. I would have thought that people involved in working in the forests all their lives would have been the obvious people to ask. In spite of its rhetoric about consultation, the government does not seem to have the slightest interest in talking to people who actually work in and know the forest back to front and who could give it some good advice. Ms Haddow goes on to say:

In the longer term the government is developing a community energy plan for the box-ironbark region.

I will be interested in the result of that.

This plan will look at alternative energy sources, and initiatives to reduce the box-ironbark communities dependence on firewood.

Ms Haddow says she will keep me informed, and I look forward to receiving further advice on that. I am not holding my breath, because I do not expect to see anything in the next three or even five years. But as I said earlier, the government could have acted in good faith and shown it was fair dinkum about these sorts of issues by giving the people of Rushworth and Heathcote and other towns in the box-ironbark area some alternatives to extending the natural gas pipeline

to the communities that are large enough. Rushworth and Heathcote are certainly large enough, and it would have been a great initiative that would have taken the angst out of removing that volume of available firewood from the area.

Another issue I touch on briefly is the structural adjustment packages available to firewood cutters, those preparing fencing materials, residual log licensees and sawlog licensees. If you go to Heathcote or Rushworth or anywhere in the area and talk to some of those licence-holders to see what they think about these so-called voluntary packages, you may get an earful. I have spoken to many of those who have been forced to surrender their licences. The package goes up to \$58 270. There is also a plant and equipment allowance, so if you have a truck you may get \$6000 for your plant and equipment — but the maximum you will get is close to \$60 000.

I have not spoken to a single person who has received the maximum amount. I know many people who are getting half of that, but none of them are happy because a gun was held to their heads and they were given a matter of days to make up their minds — about 10 days to be precise. I spoke to many people who were in the difficult situation of trying to make up their minds about whether to take the package and voluntarily surrender their licences or hang on hoping something would happen. Kersten Gentle from Timber Communities Australia said in writing to her members on 23 August:

You have probably all received information from the Department of Natural Resources and Environment about the amount of timber you have cut for the last five years and information about the 'assistance packages' they have decided upon.

They have also told you that you are to apply for this by 6 September.

TCA is extremely alarmed about this whole approach.

The way they have set it up, it is possible that licensees could be seen to be applying to leave the forests of their own free will, when in fact many, if not most of you, do not wish to leave the industry at all and are being forced.

They are the sentiments that I have got from the many farm workers, timber cutters and others I have spoken to. The letter goes on:

We are also concerned at the indecent time frame they have given, as we do not believe that anyone can fully understand the implications and consider their future in just two weeks.

I agree with those sentiments. Similar sentiments were expressed in an article in the *McIvor Times* of 3 July

entitled 'Woodcutters face payout decision'. The article commences:

Heathcote district forest workers are expecting to receive payout offers from the state government in the next few weeks to cease work in the forests.

It further states:

Woodcutters to be paid out to cease work

The establishment of national and state parks around Heathcote will mean there is not enough forest for a sustainable yield to meet Heathcote's future firewood requirements

Woodcutters will have to source firewood in the forests around Rushworth to satisfy the demand in Heathcote.

Rushworth is some distance from Heathcote. A further article in the *McIvor Times* of 10 July states:

Timber cutters from throughout central Victoria have reacted angrily to the state government's proposed compensation packages which will see them forced out of the box-ironbark forests.

Victorian state manager of Timber Communities Australia, Kersten Gentle, said this week the packages 'highlighted the fact that the government is out of touch with rural workers'.

The article further states:

The minister is once again misleading the public as only half a dozen or so cutters will be eligible for the maximum package with most cutters walking away with between \$8000 and \$40 000.

I repeat: most cutters are receiving between \$8000 and \$40 000 as a total package for walking away from their employment — and in many cases, it is the only employment they have known for the whole of their lives. Some people in their 50s will have to take that package and try to find some work in a town where there is already high unemployment. The package is lacking in compassion.

The Leader of the National Party has criticised the minister for trying to rush through compensation arrangements for timber cutters in the box-ironbark forests. His media release of 29 August states:

Mr Ryan said the Vic Nats were appalled that the government had given only two weeks for licensees to apply for a compensation package to compulsorily exit the industry.

'The government is making a real mess of this. To expect people to make a decision on their future by 6 September is just unrealistic and unfair. We know the government wants to get the compensation out of the way before Parliament resumes and before an election, but it is being deeply unfair to the licensees'.

There is no doubt that the minister wanted people to accept the packages before we resumed for this sitting of Parliament and before the government goes to an election. The final paragraph of the media release states:

'In the first instance we are totally opposed to this buy-out, particularly given that it is occurring well before any legislation is presented to Parliament to create new box-ironbark national parks. It is another instance of the Labor government sacrificing country jobs in favour of winning some city votes'.

That is what this is all about. The government does not care about jobs in country Victoria, and it does not care about the individuals whose lives are being changed. If it wants to force out people who have been in the industry for the whole of their lives it would have been far more sensible for the government — I accept it has the right to make decisions about national parks — to have said, 'Okay, if you are under 45 years of age you will receive a package to retrain and do something else, but if you are over 45 you will be able to serve out the rest of your time, doing what you are doing until you retire'.

That would have been a sensible way of treating those people with dignity without making any impression on the forest at all. You could still have had national parks and all the things you are trying to protect, but you could have given those who are now being asked to accept the package a little more dignity when they are being kicked out of an industry that they know and love and have worked in all their lives.

I now deal briefly with mining and prospecting. I note the press release issued today by the Victorian Minerals and Energy Council. I received an earlier letter from Mr Chris Fraser, chief executive officer of the body, who in his press release issued today states:

The Victorian Minerals and Energy Council (VMEC) has been actively involved in the public review of the box-ironbark forests and woodlands over the past four or more years and is concerned to ensure that the recommendations of the Environment Conservation Council regarding access procedures for exploration and mining are implemented.

... one of the greatest uncertainties of the minerals industry in Victoria is the ad hoc approval rules and processes of the Department of Natural Resources and Environment when dealing with parks and reserves. Throughout the box-ironbark review the Victorian Minerals and Energy Council has consistently sought effective, timely and transparent procedures for the approval of exploration and mining activities on newly established parks and reserves. We were pleased to note the ECC recommendations that effective approval procedures be established.

The next paragraph I will read out is typical of the comments I have received. Mr Fraser said:

... we are still waiting to be effectively consulted by the department on the proposed procedures for the approval of work plans and for access to restricted Crown land. We remain very concerned that effective approval procedures will not be established.

This is typical of this whole procedure right from day one — the lack of willingness to consult, the lack of willingness to go and talk to people. The government is very strong on rhetoric and in some cases it is very good about consultation. In this area it has been absolutely appalling. The Minister for Environment and Conservation has refused to talk to people and has refused to consult, and the department has refused to talk to people who are intimately involved. Here we are tonight dealing with legislation about a whole range of people who have not effectively been consulted. They do not believe that their views have been taken into account, nor do they believe that they have been consulted. They have been told what the government is going to do rather than being asked and engaging in some sort of a dialogue, with their input being noted.

As to prospectors and miners, these are people who prospect on a small scale, and Victorian prospectors and small-scale miners will be seriously affected by the government's box-ironbark legislation. Prospectors should retain access to all known goldfields and prospective areas in the region. A management plan should be in place prior to the declaration of any new park, which is what the National Party has been consistently advocating over all natural resource areas to ensure that the government's stated intention in respect of prospecting is honoured.

Prior to the 1999 election the government made a commitment that it recognised the strong social and recreational importance of prospecting in Victoria and said it was committed to ensuring that it remained a vibrant pastime into the future. That is what the government said in 1999, but the Prospectors and Miners Association is still waiting for that high principle to be put into place. The association is very concerned about prospectors being forced out of the goldfields. I have a letter from the association, which says in part:

The government's proposal to further limit prospecting in the goldfields region has prospectors considering burying their picks permanently.

It talks about banning prospecting in the new St Arnaud and Heathcote-Graytown national parks, and continues:

State president of the Prospectors and Miners Association, Rita Bentley, said 'the viability of prospecting as a sustainable

activity has been put at risk — it is not our minuscule environmental impact that government should worry about now, it is whether or not country Victorian towns will survive without us. You simply cannot keep limiting the area available for prospecting and expect the level of expenditure by these people to continue — it simply doesn't add up'.

It is a very good point to make that the prospectors and miners support the economies of many of these smaller country towns. If we are going to restrict their activities then certainly the prosperity, or the very survival, of those smaller country towns will be limited in many cases.

I will quote briefly from a letter from a constituent at Rushworth by the name of Anne Flower. Anne and Jim Flower both have a long history of being involved in the area. Anne Flower's letter states:

It is with utter amazement and great concern that I have viewed the recent decisions made by the Labor government concerning the control of the forests in our area. The locking up of 121 000 hectares of box and ironbark forests and closing of these areas will eventually be their graveyard —

that is the graveyard of the forests —

from tree overcrowding, infestation by feral animals and increase of weeds by visitors. The native fauna and flora that is now cared about will be destroyed by people who have no idea how fragile they really are when exposed to an uneducated tourist.

She goes on about trees being vandalised, young ones being broken and so on. The letter continues:

Coming from a family of foresters and conservationists of five generations, I am aghast at the lack of knowledge held by those who are making decisions for the management and control of our forests, and who are now making decisions for the future care and use of them.

There are many letters along that line.

I now turn briefly to ecological thinning, which is something the government has consistently rejected, although the report of the Environment Conservation Council (ECC) did recommend ecological thinning. Recommendation 12 states:

Dense eucalypt regrowth be thinned to enhance the growth of retained trees.

It is further recommended that:

DNRE initiate an ecological management strategy to achieve a system that more closely resembles the pre-European forests ...

There are very sound arguments for ecological thinning, not just from the forest point of view but to create employment for those who have been displaced from their normal activities.

I have a very good publication called *Flamin' Parks*, which clearly spells out the risks to the parks from management plans that are not well thought out. Practices such as allowing fuel to build up on the forest floor pose risks to the forests that we are all trying to protect but which we will not protect if we allow some of these harebrained schemes to go ahead.

I conclude by referring to the issue of consultation. Whilst the National Party sought a briefing prior to this debate, two weeks ago in fact, as of today no briefing has been provided. This has become a standard pattern in that the National Party has been waiting for two weeks for briefings on three pieces of legislation.

I refer to the Heathcote timber cutters. I know the minister has been there, but she was not prepared to talk to them, so there has been no consultation. The Bush Users Group has been wanting to meet with the minister to discuss issues of concern, but there has been a no-show by her. The minister does not want to talk or consult.

I have a letter from Win Morgan, the president of the Indigo region of the Bush Users Group. It says:

Ms Garbutt consistently tells us we have been consulted with; this is absolutely untrue, she has not answered letters, refused to meet with stakeholders in this area, and has never listened to our concerns about fire.

Another group, the Black Dog Creek graziers, writes that it was never given the courtesy of a letter or telephone call to alert it to the proposed change of status, and says it is disgusted at the lack of communication from the minister. She has neglected to even answer letters.

The National Party has moved a reasoned amendment, and when we get into the committee stage I will be moving further amendments. Those amendments will seek to do a number of things. They aim to allow the use of ecological thinning as an appropriate management tool within the box-ironbark forests. They aim to allow the minister to consider allowing fossicking to take place in the Chiltern-Mount Pilot National Park, the Heathcote-Graytown National Park, and the St Arnaud Range National Park.

The amendments will aim to increase the phase-out period for affected eucalyptus oil harvesters from the present six years to a period of ten years. I encourage the Liberal Party to support the National Party on that. I note that yesterday the honourable member for Sandringham said the opposition would work to achieve that. The National Party will be moving an amendment to that effect in the committee stage so the

honourable member for Sandringham will have an opportunity to support that amendment and bring that change about.

The amendments the National Party proposes will also expand the Chiltern Box-Ironbark National Park and retain the existing multipurpose park classification north and east of Eldorado. That amendment aims to provide greater protection from fire for that township and facilitate the adding of the historic Woolshed Falls area to the national park. It will also enable the continuation of fossicking and camping along Reedy Creek.

Those amendments have been prepared by the National Party and parliamentary counsel and they will be moved when we get into the committee stage.

In conclusion, I think this legislation is being pushed through to satisfy philosophical and political objectives rather than being primarily concerned about the preservation of those very important areas of box-ironbark forest. I do not believe the bill is in the best interests of the forest. It is certainly not in the best interests of the people who live, work and recreate in that area. As I have just indicated, there has been totally insufficient consultation with the stakeholders and the major players in the area.

The evidence presented to justify enclosing even more land in national parks is certainly not convincing. The National Party is totally opposed to further areas of public land being locked up with blanket prohibitions on recreation and commercial activity. National Party members are opposed to that happening without firstly having management plans drawn up with widespread community support to determine those appropriate uses of public land. We believe that use is an excellent management tool which should be considered in the management of the parks. We believe that in the past the forest has generally been well managed by those who have worked there for generations. We do not have confidence in the government's ability to manage public land and/or commit the necessary resources. We believe that Parliament should be presented with the proposed management plans prior to the consideration of any new national parks.

In conclusion, the National Party will not be supporting the creation of new parks until the management of existing parks has been vastly improved. I conclude by saying that country people are sick and tired of governments taking away their access to public land and then mismanaging that land, as has happened all over the state. It leads to problems for neighbouring landowners such as the spread of weeds and pest

animals and the very real risk of bushfires. The National Party will be moving amendments in the committee stage but it will be opposing this legislation.

Debate adjourned on motion of Mr HOWARD (Ballarat East).

Debate adjourned until later this day.

SENTENCING (FURTHER AMENDMENT) BILL

Second reading

Debate resumed from 12 September; motion of Mr HULLS (Attorney-General).

Opposition amendments circulated by Mr PERTON (Doncaster) pursuant to sessional orders.

Independent amendments circulated by Mr SAVAGE (Mildura) pursuant to sessional orders.

The ACTING SPEAKER (Mr Seitz) — Order! The honourable member for Doncaster will have the call when the chair is resumed at 8 o'clock. I believe this is an appropriate time to break for dinner.

Sitting suspended 6.26 p.m. until 8.02 p.m.

Mr PERTON (Doncaster) — This is a very important piece of legislation, but like most pieces of sentencing legislation brought in by Labor governments during the last 20 years, it seems to have a remarkable timing coincidence with the lead-up to an election. Whilst the government has had three years to develop some reasonable policies in relation to sentencing, it has taken it until the death knell of the election to introduce this legislation.

Sentencing, as you would know, Madam Acting Speaker, is something that is not just the stuff of newspapers, television news and the like. It is dinner table conversation. It is the conversation of people on public transport. It is the concern of every citizen.

When we think of the last few weeks, we think, for instance, of the extraordinary sentences that have recently been handed down in New South Wales in respect of gang rape — sentences handed out to young men that are in excess of 50 years, 40 years and 20 years. I can honestly say that were we to do a survey around this chamber or go down Collins Street or Bourke Street, there would be almost unanimous support for that level of sentencing in respect of gang rape.

Yet at the other end of the spectrum we have the S11 prosecutions. Melbourne two years ago was held to ransom by a group of thugs who prevented a conference of some of the world's leading exponents of globalisation and the like — of people like our own Premier, our own Leader of the Opposition, and the Premier of Western Australia. We had the most violent demonstrations in the history of this state with lit cigarettes being pressed against police horses, with urine being thrown at policemen, with ball bearings being thrown at policemen, and with policemen being injured. Yet in the state of Victoria there was one conviction recorded and not a day of jail served in respect of those offences! We had the Premier of this state and the Attorney-General virtually acquiescing in these matters.

The people are not happy about sentencing, Madam Acting Speaker. I am sure in your electorate when people raise questions of law and order and of personal security, they express a lack of confidence in respect of the sentences that are being handed out by the magistracy; they are expressing a lack of confidence in respect of the sentences that are being handed out by the judiciary; and to the extent that we as politicians try to argue the opposite, to the extent that commentators try to argue the opposite, the public just looks at us as if we are out of touch. They regard us, they regard the judiciary, they regard the elite that supports the existing system of sentencing as being out of touch.

Is this a reality or is this not a reality? The weekend before last I had the benefit of attending the International Criminal Bar Association conference. There was a session held there with a distinguished panel talking about the issues surrounding this bill — that is, the question of guideline judgments. I think one of the most significant contributions to that debate was made by a senior prosecutor. It was this senior prosecutor's view that, to the extent that there are statistics about sentencing in this state, were they to be aggregated and published for the benefit of the public, the public would be shocked by the leniency of sentencing in this state.

But do people have the aggregate figures? Do they have the sentencing figures? Do they have accurate results? This is an Attorney-General who promised last year to produce within months the 1997 sentencing statistics; in other words, the awful truth in relation to sentencing in this state is that nobody actually knows what the average sentence is in respect of most offences. They do not know what the median is. They do not know what the range is — —

Ms Duncan interjected.

The ACTING SPEAKER (Ms Davies) — Order! The honourable member for Gisborne is out of her place, I think, and disorderly.

Mr PERTON — It is after dinner and it is her usual after-dinner performance in the house.

Honourable members interjecting.

The ACTING SPEAKER (Ms Davies) — Order!

Mr PERTON — You have a government that has not even kept its promise to reduce crime statistics from the term of the last government.

There are two elements to the bill, which is a pre-election bill. The two elements are the introduction of guideline judgments to the state of Victoria and the introduction of a Sentencing Advisory Council. Where do guideline judgments come from? Why are they being introduced into this bill?

Guideline judgments exist in New South Wales, they exist in the United Kingdom, and they are to be introduced here, according to the Attorney-General, in line with the Freiberg report's recommendations. When one reads the Freiberg report one notes that there are absent from this bill a large number of the recommendations of Freiberg himself.

Mr Stensholt interjected.

Mr PERTON — I am glad the honourable member for Burwood says it is an excellent report, because it is based on Freiberg's report, on which the amendments that we will be moving in respect to the publication of sentencing statistics are based.

The ACTING SPEAKER (Ms Davies) — Order! The honourable member for Doncaster should not respond to interjections.

Mr PERTON — So I am glad that the honourable member for Burwood might exercise his independence on this occasion and vote with us on those recommendations.

What does the guideline judgment do? Under this bill it requires the Court of Appeal on the receipt of an appeal and in appropriate circumstances to determine that it will establish a guideline judgment.

Under this piece of legislation it will take evidence from the parties to the appeal that have brought the case to it; submissions from the Director of Public Prosecutions; submissions from Victoria Legal Aid and advice from the Sentencing Advisory Council.

The honourable member for Richmond, who will no doubt follow me in the debate, needs to explain to us why, when Freiberg recommended that the Court of Appeal have a guideline judgment power on the receipt of a request from the Attorney-General, that has been deleted.

If the Attorney-General was really determined to have a system of guideline judgments to deal with the issues that are of concern to our community he would have adopted the recommendation of the Freiberg committee report and given himself a power to request the Court of Appeal to have a guideline judgment. Instead, what we have is the Court of Appeal acting of its own volition to determine a guideline sentence. It is typical. It is a government working on remote control.

When the public expresses a concern about the inadequacy of sentencing in respect of a particular offence or type of offence, we will have the Attorney-General saying, 'Well, that is in the hands of the Court of Appeal', as the Premier did last week in respect of a notorious criminal currently held in a Victorian prison. When asked by 3AW, 'What will you do, Premier, about this criminal who is violating the prison codes, terrorising other prisoners and prison officials?', what did the Premier say? He said, 'Go and ask the Commissioner for Corrections'. It is a government by remote control.

If the Premier of the state and his Minister for Corrections cannot be responsible for the operations of the corrections system they should hang their heads in shame. There is still a system of ministerial responsibility in this state, and if a question arises in respect of the way in which a particular criminal is behaving in the prison system and there is concern that he or she is perverting the way in which the prison system is operating, it ought to be the responsibility of the Premier or his minister, not this remote control type of behaviour — 'Oh, that is the responsibility of the Minister for Corrections'.

In this respect the bill is a lowest common denominator. It is a bill designed as window-dressing so that every time there is public outrage about the inadequacy of a sentence the Attorney-General will say, 'We have put it in the hands of the Court of Appeal'. What is the problem with putting it totally in the hands of the Court of Appeal? I see the honourable member for Richmond is now having to take some advice on these provisions that have been left out.

What is the problem? The problem is that the bar and the judiciary do not think there is anything wrong with the sentencing system. The bar and the judiciary are

opposed to guideline judgments. Had the honourable member for Richmond bothered to attend the session on guideline judgments at the International Criminal Bar Association conference he would have found near-unanimous opposition among those experienced in criminal law, both judges and practitioners to guideline judgments.

I wish to read from a submission, dated 15 October 2002, that came to me from Robin Brett, QC, vice-chairman of the Victorian bar. In his submission Mr Brett states:

The Victorian bar is opposed to sentencing guideline judgments. High Court Chief Justice Gleeson, in his judgment in Wong [2001] 76 ALJR 79, quoted with approval the following statement by the Honourable John Winneke, president of the Victorian Court of Appeal:

It then quotes the Honourable John Winneke as saying:

Experience in other areas of the law has shown that judicially expressed guidelines can have a tendency, with the passage of time, to fetter judicial discretion by assuming the status of rules of universal application which they were never intended to have. It would ... be unfortunate if such a trend were to emerge in the sentencing process where the exercise of the judge's discretion, within established principles, to fix a just sentence according to the individual circumstances of the case before him or her is fundamental to our system of criminal justice.

Those are the words of the vice-chairman of the Victorian bar, so I am not sure who the honourable member for Richmond has been consulting on the legislation, but crucially the High Court in Wong says the entire principle is wrong. That opens the question of whether the High Court will ultimately determine whether these sorts of guideline judgments may be unconstitutional at a federal level.

Critically, the Court of Appeal in the judgment of Wong quoted from our own president of the Victorian Court of Appeal, who in that statement indicates that he and his court are opposed to the principle of guideline judgments. What the legislation says and the practical effect of the legislation is that we are putting the power of setting the circumstances in which guideline judgments are to be made and the publication and preparation of guideline judgments in the hands of judges who do not believe in them. This is extraordinary to me.

On the one hand this is said to have come out of the Freiberg report, but central to that report was the notion that the Attorney-General would ask the Court of Appeal to prepare a guideline judgment. But the bill has him abrogating that responsibility, saying it will be put in the hands of the Court of Appeal, and the president

of the Court of Appeal has been quoted by the Chief Justice of the High Court as saying that he does not support guideline judgments. How will it work? I put it to you that it is not going to work.

Years down the track, if these people are re-elected to government, we will find that it has not worked. If we are elected to government and we find it has not worked there is going to have to be major law reform. All this bill is about is a bit of window-dressing before an election campaign.

You have then got established alongside this new power for a guideline judgment on the part of the Court of Appeal the new Sentencing Advisory Council. Were we to go out to the community and ask people whether a Sentencing Advisory Council was a good idea — the notion of having an expert group of people, hopefully including members of the general public, to actually take an objective viewpoint in relation to sentencing — I think the public would say that that was a good thing. But let us again look at how a guideline judgment is going to work, when you have got the judges saying it is not going to work and when you have the bar saying it is not going to support it.

Again I will read from the submission of Robin Brett, vice-chairman of the Victorian bar. He wrote:

The bar is also opposed to any proposed role of the Sentencing Advisory Council in making submissions to the Court of Appeal in particular cases. Such a body can play an important role in gathering information on sentencing, and in keeping, recording and publishing statistics and research on such statistics, and in informing the public of the processes and practices of the criminal justice system in relation to sentencing. It is entirely a different matter for it to be making submissions to the Court of Appeal in particular cases.

He goes on to say, and I think it is relevant to include this in my quoting from this submission:

Section 108C(1)(a) of the bill provides that one of the functions of the council is to 'state in writing its views in relation to the giving or review of a guideline judgment'. Section 6AD requires the Court of Appeal, before it gives or reviews a guideline judgment, to notify the Sentencing Advisory Council, and to consider any views stated in writing by that council. Section 6AE(c) of the bill requires the Court of Appeal, 'in considering the giving of, or in reviewing, a guideline judgment' to have regard to 'any views stated by the Sentencing Advisory Council ... under section 6AD'. The bar is opposed to all these provisions.

What we are doing in this bill in the way that it is structured is putting the power in respect of sentencing into the hands of a Court of Appeal which says it does not believe in this system, advised by barristers who do not even support the public input that a Sentencing

Advisory Council should give. In other words, you are setting up a system that is doomed to fail.

The Liberal Party has quite a different stance. We accept the view of the judges, we accept the view of the lawyers and we accept the view of the community. And the view of the community is that it expects its Parliament to act when the judges and the magistrates indicate that the sentences they are going to be handing out are quite different from those that the public would expect in the case of quite serious offences, such as those against the police in the case of the S11 protests and those in the cases of many acts of arson and other violent offences. We need not go through them case by case, but we know that almost on a weekly basis the public is disgusted by the inadequacy of one sentence or another. It is quite clear that what the public is calling for is that people like you and me, Madam Acting Speaker, and the other parliamentarians in this chamber actually engage in setting proper guidelines in the legislation we pass.

It is quite clear, for instance, from the brief summary I have received over the last week in respect of arson, that where the Parliament has set a 15-year maximum for arson, to the extent that you can find reported sentences in respect of arson the courts are regularly handing out sentences of less than five years. The courts are regarding even cases of the firebombing of people's houses as relatively trivial offences. The public is saying, 'We want you as a Parliament, we want you as parliamentarians, to do something about that'. In the policy we released the week before last in relation to required minimum sentencing the opposition has taken that message from the community. We have indicated that, for instance, in the case of the murderer of a policeman a minimum sentence ought to be 20 years. I defy the honourable member for Richmond to set out circumstances in which he believes that a murderer of a policeman ought to be given a sentence of less than 20 years.

We accept that there may be unusual circumstances, so we have said that if a judge finds that there are exceptional circumstances in the case they can go below the minimum sentence. But the Liberal Party has certainly heard the message of the people. That message is that where there is a serious offence that violates public view on what the minimum sentences ought to be then the Parliament should act. We have done the same thing in setting a minimum for those who engage in sexual offences against children, and we have done the same thing in respect of those who assault nurses, fireman and policemen in the course of their duty and occasion grievous bodily harm.

In respect of bushfire arson, for instance, it is extraordinary that the government introduced a bill in which it set a maximum penalty for that offence that was the same as the maximum penalty for ordinary arson. As I have indicated, the maximum penalty for arson is 15 years yet I have been able to determine from looking at the written reports that the average sentence is less than five years. Is this government saying that a two or three-year sentence is adequate in respect of someone who sets a bushfire that causes widespread terror to people but does not actually kill anyone?

Mr Stensholt — That's illogical, Victor, and you know it.

The ACTING SPEAKER (Ms Davies) — Order!

Mr PERTON — I am glad that the honourable member for Burwood has — —

The ACTING SPEAKER (Ms Davies) — Order! The honourable member for Doncaster should not respond to interjections.

Mr PERTON — But I would like to have it recorded, Madam Acting Speaker, so his constituency can understand his attitude to these matters. When the Liberal Party suggested that bushfire arson, which is a new offence determined to be different from ordinary arson but less serious than arson causing death, should carry a maximum penalty of 20 years rather than 15 years we were met with absolute derision by the government. In fact you, Madam Acting Speaker, did not even speak on the bill — —

The ACTING SPEAKER (Ms Davies) — Order!

Mr PERTON — You did not even speak on the bill.

The ACTING SPEAKER (Ms Davies) — Order!

Mr PERTON — And yet you voted against it.

The ACTING SPEAKER (Ms Davies) — Order! I would like the honourable member for Doncaster to apologise for his previous comment, which was disrespectful to the Chair, not relevant to the issue being debated and not appropriate for this topic of conversation. The person in the chair is to be treated as the Chair of this Parliament and not referred to in the way the honourable member just did. I would like an apology and a withdrawal.

Mr PERTON — Madam Acting Speaker, the rules permit a withdrawal, and I withdraw the comment in deference to the Chair.

The ACTING SPEAKER (Ms Davies) — Order! I accept that withdrawal.

Mr PERTON — When the Liberal Party introduced an amendment with a 20-year maximum and a 5-year minimum for bushfire arson, it was treated with such derision by the government and the honourable members for Gippsland West, Mildura and Gippsland East that they did not even have the courage to give a speech in this house to tell their communities why they were not prepared to vote in favour of it.

The ACTING SPEAKER (Ms Davies) — Order! I have just suggested to the honourable member for Doncaster that his previous comments were out of line. I regard his continuation with this theme as also out of line. If the honourable member for Doncaster would like to continue his speech on the bill, and if he is prepared to do it in a properly respectful fashion, then I will continue to hear him. But I ask that he shows behaviour appropriate to this chamber.

Mr PERTON — Madam Acting Speaker, as I said before you interrupted — —

Honourable members interjecting.

The ACTING SPEAKER (Ms Davies) — Order! I suggest again that the honourable member withdraw those intemperate and out-of-order comments or I shall ask somebody to ask the Speaker to come in. Perhaps he will be able to extract a bit more respect for the Chair than the honourable member is currently showing. I ask the honourable member for Doncaster to withdraw his intemperate comments.

Mr PERTON — Madam Acting Speaker, if someone finds intemperate comments in what I have said, in deference to the Chair I withdraw them.

Clearly there is a distinction between this side of the house and the other on this matter. Whilst we will not oppose the bill — in fact, we will support it as an experiment — we will see, over the next 12 to 24 months, whether the system of guideline judgments can work within the state, despite the fact that those who are professionally obliged to work within the system have expressed their lack of confidence in it. We will allow the legislation and examine its operation. Indeed in respect of the Sentencing Advisory Council, we will be moving amendments in committee to improve its operations and structure.

Let me briefly outline those amendments so we can hear the other lead speakers in the debate before moving into committee. Essentially the difference between us relates to the role of the public on the

Sentencing Advisory Council. We note that in new section 108C of the Sentencing Act, which sets out the way in which the advisory council is to operate, the functions of the council are to include, at subsection (d):

... [gauging] public opinion on sentencing matters...

In our view, that requires a proper system of consultation, similar to that which is set out in the Subordinate Legislation Act. The amendments set out our view that the public should have at least 28 days in which to make submissions to the Sentencing Advisory Council and that the council should have sufficient time, before making a submission to the Court of Appeal on a guideline judgment, to take public opinion into account.

It is also our view that the membership of the advisory council certainly should not just be as set out by the existing Attorney-General or his successors — which I hope will include me. We ought not just pick out people of our own choosing, or people who may be congenial to our own political opinion, but rather ask the public to suggest people with the appropriate qualifications to serve on the Sentencing Advisory Council. Those amendments will be put in committee by our party.

We also believe that victims of crime should have a very special place on the advisory council.

Mr Wynne — We agree with that.

Mr PERTON — You will support our amendment? Excellent, I am pleased to hear that.

The ACTING SPEAKER (Ms Davies) — Order! The honourable member for Richmond can have his say in a minute.

Mr PERTON — It is important that in Parliament we establish agreement where necessary, so I am pleased to hear that from the honourable member.

Further, we will be moving an amendment to require that the terms and conditions of the members of the council should be transparent and ought to be published in the *Government Gazette*.

Mr Wynne — Process questions, which we will deal with in committee.

Mr PERTON — I am glad to hear that.

The ACTING SPEAKER (Ms Davies) — Order! I ask the honourable member for Richmond to hold his fire until the honourable member for Doncaster is finished.

Mr PERTON — I come back to the other set of amendments we will be moving, which relate to the sentencing statistics and their method of publication. Clearly the government has no interest in or commitment to publishing those statistics.

One would have thought that by late 2002 the government ought to be able to publish the statistics for 1997. That is the opposition's view, given that all the magistrates use computers in the preparation and processing of their decisions and County Court judges or their associates use computers, as do the Supreme Court and the Court of Appeal, whose judgments are quickly put on the Internet. The opposition believes that the type of technology used, for instance, by the Environment Protection Authority to provide hourly updates of the complex data that is picked up around the state for the benefit of Victorians should be used with sentencing.

It is only in the light of day that sentencing statistics will make sense. If when people see a particular sentence for rape or the assault of a policeman or the like they can look at both the circumstances of the case and the general sentencing of people in respect of those offences, there will be more informed public opinion and a demand for greater accountability on the part of the judiciary, the bar and prosecutors to make sure that those who commit serious crimes receive the appropriate sentences — if you like, the sentence that fits the crime.

It is totally appropriate in a modern age that the judiciary and its sentencing practices be utterly open and transparent, because then we can meet any criticism head on. Judges keep saying, and the Attorney-General says, that the public is misguided and does not understand and that if it really knew the sentencing statistics it would be in a better position to judge. I challenged the Attorney-General and the honourable member for Richmond a week and a half ago on radio when I said, 'Why don't you put five public servants to work and get them to produce the statistics?'. I would have thought it would be a week's work to put the 1997 figures into public circulation and that it would not take many weeks more to ensure the publication of the other statistics right through to the current period on a monthly basis.

The smug Minister for Consumer Affairs is laughing and chortling about these matters. This is a government that does not take these things seriously. However, my party does take them seriously, and I look forward to moving these amendments in committee and, from the comments of the honourable member for Richmond, to the government's support on some of them.

Mr RYAN (Leader of the National Party) — The Sentencing (Further Amendment) Bill is one that the National Party and I have grave concerns about, and I want to explain why. Having carefully considered the situation we will not oppose the legislation — but as I said, we have severe reservations about it. In explaining why, I point out that I am not interested in what may or may not be the case in other jurisdictions. I am interested in what ought to happen in the Victorian jurisdiction.

I start from the fundamental aspect of our democratic system, the separation of powers. We properly have a time-honoured division between the Parliament, the judiciary and the executive. I believe all members understand and respect that basic tenet of our democratic system. What concerns me about the legislation is that it is as close as you can get to breaching the principle of the separation of powers. I say that because I believe trenchantly that matters relating to the functions of the judiciary and the way in which members of the judiciary, at whatever level of the justice system, discharge their responsibilities fall entirely within the province of those directly involved.

To put the corollary of the proposition, I strongly believe that it is utterly inappropriate for those outside the judicial system to be involved in the process whereby sentencing is given effect. It is a matter that ought properly remain directly, specifically and in an unfettered way in the hands of those obliged by their position to exercise the judgments that go into imposing sentences. Although it is a critical component of what they do, those members of the judiciary at all levels whom I know and used to brief as barristers universally say that the most difficult aspect of fulfilling the judicial role relates to sentencing.

The bill purports to achieve two fundamental outcomes. The first is to create the principle of guideline judgments. That is set out in new section 6AA, the definition provisions. A guideline judgment as defined stipulates the guidelines to be taken into account by the courts in sentencing offenders. The basic idea is that the Court of Appeal is to be equipped with the power to deliver a guideline judgment either on its own motion or on the motion of a party to an appeal against sentence. I emphasise that it is against sentence where the capacity to issue a guideline judgment actually appears.

The saving grace in these provisions, which has persuaded me on behalf of the National Party to not oppose the bill, is that the word 'may' appears in new section 6AB(1). What the legislation does is empower the Court of Appeal to deliver a guideline judgment

should it so choose, but that is to be distinguished from obliging the Court of Appeal to deliver guideline judgments. On the same point I note that the word 'may' appears throughout new sections 6AB and 6AC. If the Court of Appeal determines that it will issue a guideline judgment, it is also given a discretion as to the content of that judgment. To that extent — and by the skin of its teeth if one approaches this from a particular aspect — I can allow for the fact that the Court of Appeal is empowered to deliver guideline judgments should the court so desire.

The saving grace is that the Court of Appeal may never deliver a guideline judgment. I listened carefully to the contribution of the honourable member for Doncaster, and I must say that on this pivotal point we differ somewhat. While on balance I am not opposed to the Court of Appeal being given the power to deliver guideline judgments, I do not believe that it should be obliged to deliver such judgments.

Mr Wynne interjected.

Mr RYAN — Under any direction! I hear the interjection from the honourable member for Richmond to the effect that no power should be forced upon the Court of Appeal under the direction of the Attorney-General.

Mr Wynne — Exactly.

Mr RYAN — The only distinction I make about that principle is that absolutely no-one should be able to impose upon the Court of Appeal of this state an obligation in the nature of that which this legislation contemplates. If you do that, by whomever this imposition might be caused, then the separation of powers is immediately breached.

Mr Wynne — Exactly.

Mr RYAN — I believe that is untenable. Many people who are not perhaps associated with the law might regard that as being terribly pompous. The fact is that this is an absolutely fundamental aspect of the way in which our democratic system works. I do not believe that one can talk about a principle of an objective view of sentencing. I do not think there is such a concept. What that conveys is that somehow there is a power out there in the public at large which has the capacity to directly interfere with the way in which sentencing is carried out. I would simply disagree with the principle of that concept if it were to exist. I say again that this issue of sentencing, difficult though it is, is something that rests within the province of the judiciary at whatever level of our courts, and certainly within the

Parliament we do not have the power under our system of democracy to interfere or intervene with that.

In making those comments I am very aware of concerns that have been expressed in the public arena at different levels by different people about the level of sentencing. I am very aware of recent commentary about the way in which sentencing has been given effect to as an outcome of the S11 demonstrations a couple of years ago. I am also very aware that public comment has occurred with regard to the subsequent — 'condemnation' is too strong a word — criticism of some police officers who are said to have wielded the baton with a little too much gusto during those demonstrations.

There will inevitably be public comment on all such issues because they are matters of significant public importance. If ever anything engenders comment in the public arena it is issues such as these. By its nature sentencing will draw comment from various aspects of community, but that is a very different thing from translating that sort of sentiment in the public at large to having it impacting directly upon the way in which those who administer sentences are obliged to react to that opinion. I say again how important it is that we keep those principles in mind when discussing these important issues. If you do not do that it does not take long to slip down the path that applies in so many countries.

It does not take long to get to the point of other jurisdictions in other parts of the world where no separation exists between those who hold political office and those who are purportedly exercising judicial functions. There are many examples of there being no such division. Many of the regimes under discussion in terms of terrorism and the like are replete with examples of no such division occurring — where there is a direct nexus between the way in which politics, as it is defined in those regimes, is exercised and the way in which sentencing, loosely described, occurs. The last thing we want in this country is the notion of going down that path.

I reiterate that the National Party has grave concerns about the whole nature of this legislation. The fact that this provision in the bill is an empowering provision rather than one that obliges the Court of Appeal to take note of and act in accord with some sort of prescribed mechanism is the reason that on balance the National Party determined that it would not oppose this legislation.

The second aspect of the bill relates to the creation of the Sentencing Advisory Council. The capacity for the

delivery of guideline judgments having been dealt with in part 2 of the bill, part 3 deals with the Sentencing Advisory Council. This entity used to be a statutory authority with functions defined within the legislation. Amongst those various functions is the capacity in proposed section 108C(1)(d) to gauge public opinion on sentencing matters. As a matter of general principle there is nothing wrong with that.

Set out in the balance of the clauses are issues to do with the powers of the council, its board of directors, the way it will be constituted, issues regarding terms of office, payment and the like, and the general paraphernalia that goes with a statutory authority. The key point about this body is that it is empowered to undertake certain activities which are intended to reflect a gathering of various points of view and statistical information on the issue of sentencing.

However, I think the bill then sails very close to the wind because under the terms of the legislation this council will have the power to make direct submissions to the Court of Appeal concerning matters about which it is empowered to record information in the way that is set out in the bill. I renew the point that this seems to me to be sailing very close to the breeze where an entity such as this is in a sense being given direct access to the court to put its point of view regarding sentencing issues. Inasmuch as this might be interpreted by anybody reading this legislation as a direct imposition on the court's capacity to deal with sentencing as it sees fit, that is a concept which troubles the National Party considerably.

On balance the National Party does not oppose the legislation, but I conclude my contribution to this aspect of the debate by reiterating the point that the separation of powers is fundamental to the way our democracy functions, and no government of any persuasion is entitled to interfere in the way that structure occurs. To the extent that any such interference were to be reflected in legislation before the Parliament, certainly from the National Party's perspective that legislation would be opposed.

Mr WYNNE (Richmond) — I thank the Leader of the National Party for his contribution. By any assessment it was a measured review of the Sentencing (Further Amendment) Bill. In both his opening and closing comments to the debate the member went to the heart of that fundamental tenet of our justice system — that is, the separation of the powers between the Parliament, the executive and the judiciary.

I do not seek to go very much further with that aspect of the debate. I am delighted to have the company of my

learned colleagues on the other side of the chamber. I would have thought that the honourable member for Kew, who is sitting on the opposition frontbench, would have been dismayed at best by the performance — the blustering, the posturing and the bullying — of the shadow Attorney-General in his contribution here tonight, which in essence sought to undermine that separation of powers.

I notice that the honourable member for Berwick has left the chamber. This is not a line of argument I heard him pursue in the two and a half years he was shadow Attorney-General, but this new shadow Attorney-General has dipped down into the barrel to see what he could pull out and pulled out this pathetic attempt to justify mandatory minimum sentences. This has been a constant thread running through the honourable member's contributions over the last couple of months, since he took over this portfolio responsibility.

As I think the Leader of the National Party indicated, either you accept the basic tenet of the separation of powers and the independence of the judiciary or you do not. I would have thought that it was a very simple proposition. This side of the house stands for separation of the powers and the independence of the judiciary. Being a member of the judiciary is a difficult job and we should not make it any more difficult. If by chance members of the judiciary had a small opportunity in their very busy lives to peruse *Hansard* and read these rantings of the shadow Attorney-General they would surely be dismayed.

I want to make a brief contribution to debate in relation to the Sentencing (Further Amendment) Bill itself. As members will recall, in October 2000 the government commissioned a review of sentencing laws amid some community debate and media calls to increase the use and severity of sentences of imprisonment in Victoria. The review conducted by Professor Arie Freiberg was an extensive review: it took quite a lengthy period of time, with lots of opportunities for public meetings and for people to come along and express their views about the sentencing process.

It is interesting to note that the review did not find any evidence to support a significant shift away from the use of imprisonment only as a last resort in the sentencing process. I refer to the executive summary of Professor Freiberg's review. Victoria's sentencing system has often been held up as a model by other jurisdictions and the government believes that the review found good reason for ongoing confidence in the structure and operation of our judicial system.

It behoves us as members of Parliament and participants in this debate to show a level of moderation. I must say this level of moderation was absent in the contribution made by the shadow Attorney-General. I know other members who will contribute to this debate this evening will show a level of balance and moderation. It does no credit to the honourable member for Doncaster to be strutting around seeking to make fairly cheap political points about the judiciary, which does not have a chance to defend itself against these rather trite throwaway lines and offhand comments. It is simply unfair and unreasonable to do that.

Another important element indicated in the contribution made by the shadow Attorney-General was picked up by the Leader of the National Party — that is, the question of whether the Attorney-General of the day should be provided with the statutory power to apply to the Court of Appeal for guideline judgments. I can go no further than to simply endorse the comments made by the Leader of the National Party. In a very succinct and measured way he essentially stripped the argument down to its core element — that is, either you accept that there is a separation of powers between the judiciary and the Parliament and executive government or you do not. It is not the role of the Attorney-General of the day to be interfering in the sentencing process, plain and simple. It is no more complicated than that. No doubt the Attorney-General, who is at the table, will have plenty to say about that when we get the summary of this debate and the committee stage of the bill. That is essentially where that argument needs to sit.

Labor has a very proud record in relation to making improvements to the justice system. It has sought to respond to the contemporary issues confronting it as a government in relation to the judiciary. The government has responded in ways which, ironically, are supported by both sides of the house. A couple of months ago we debated some legislation in relation to the Koori court.

That was widely supported by both sides of the house, and the shadow Attorney-General — all bluster, all razzamatazz and flashing lights — was up there in Shepparton with the Attorney-General. Good on him for being there and supporting in a bipartisan way the establishment and launching of the Koori court. The government acknowledged that in the debate, and it welcomed the bipartisan support for that court.

Similarly the government has also rolled out the drug court, and Victoria now has drug courts operating. People have said, again on a bipartisan basis, that it is important that we have specialist courts that deal with

the most difficult issues surrounding people who are tragically addicted to drugs, because we do not want them just going in and out of courts and in and out of prison in a revolving circle, and a more intensive and appropriate treatment program supervised by the courts is the way to handle the drug problem. Those programs are being piloted, and the early indications are that they are being very widely supported by the community.

Our well-established credit programs and diversion programs to try to get people diverted out of a life of drugs are a further manifestation of how the government has sought to provide, in partnership with the judiciary, a more contemporary response to those issues confronting our community.

What are these measures about? They are about trying to reduce the level of crime in our community and ultimately to protect our community. The weight of expert opinion is that harsher sentences bring about quite small reductions in crime rates. In the *Pathways to Justice* report, Professor Freiberg notes that states with the largest increases in incarcerations ironically experience some of the smallest declines in levels of crime. There is a whole criminological debate around those issues, and although now is perhaps not the time to canvass them in any detail it is quite an interesting area of criminological debate and study which perhaps we will have an opportunity to air at another time. No doubt further debates around these issues will come up.

The bill introduces guideline judgments and establishes the Sentencing Advisory Council. These two major reforms will unquestionably modernise the criminal justice system and in the view of the government will ensure that it is more responsive and better informed about community views on sentencing issues. As we all know, sentencing is a highly complex task and cannot be reduced to a simplistic formula; and it certainly cannot be reduced to mandatory sentencing. It is the role of the courts to apply the law fairly and consistently to the individual circumstances of each case. No two cases are the same. The reforms in these bills will support the courts in this important and critical role.

Guideline judgments have been handed down by the courts of England since the early 1970s for a range of offences including rape, drug trafficking, incest, causing death by driving and other related offences. A sentencing advisory panel was established in the United Kingdom in 1999 to provide fully researched and objective advice and information to the Court of Appeal for the formulation of sentencing guidelines. I understand that in the United States of America the federal government has introduced commission-based

sentencing guidelines in approximately 20 states, with the primary aim of eliminating disparities in sentencing. In New South Wales the Court of Criminal Appeal adopted the practice of delivering guideline judgments for certain types of offences back in 1998.

The model developed in Victoria has similar objectives to the New South Wales practice; however, Victoria is proposing a Sentencing Advisory Council which will have the power to make submissions to the Court of Appeal. The government believes the council will be uniquely placed to consult widely with the community, to conduct research into sentencing matters and to gauge public opinion on sentencing.

At this point I will close my contribution because there will be further discussion as we move into the committee stage, but I indicate that when we get to the committee stage an amendment will be proposed by the honourable member for Mildura pertaining to victims. The government will most certainly be supporting that amendment because it clearly articulates the type of organisation from which the government would seek to draw members of the advisory council. In that respect I can indicate, as no doubt will the Attorney-General in his summation, that the government is very keen to ensure that there is proper representation of a victims group within the council.

I am pleased that, in a half-hearted way, the honourable member for Doncaster has indicated the support of the Liberal Party for this bill. I thank the Leader of the National Party for his measured response to the bill.

An honourable member interjected.

Mr WYNNE — If he is half hearted, that is okay. At least the Leader of the National Party understood that fundamental tenet of the separation of powers. This government will never undermine it. I commend the bill to the house.

Mr HULLS (Attorney-General) — In closing the debate I thank all honourable members for their contributions, and I will make a couple of comments in relation to those contributions. I am still very perplexed — and I said this last Thursday — about who is now the shadow Attorney-General. I am asking for the real shadow Attorney-General to declare himself and to please stand up, because the honourable member for Doncaster, the Victor Perton whom we all once knew and loved and who was that same Victor Perton who says on his web site that he is known throughout the Western World as a civil libertarian, as I said last week has undergone an extraordinary change on the road to Damascus, where he has gone from being a

civil libertarian to what I can only describe as a mandatory sentencing maniac.

Some of the comments he has made in the last few weeks about sentencing — including comments on this bill — were really quite extraordinary.

One of the most extraordinary things I read recently, and he has repeated it to some degree in his contribution to this debate, was in relation to the S11 protesters, so called, and the sentences and penalties handed down by the magistrates to those protesters. The shadow Attorney-General actually made the comment on ABC radio that in effect the sentences handed down by the magistrates were congenial to the government of the day. In making those comments, the shadow Attorney-General has in one fell swoop branded the entire Magistrates Court as having kowtowed to the government of the day and done the government's bidding. That is what he did by making those comments on ABC radio, and I have no doubt that those comments have been distributed widely throughout the entire judiciary and legal profession. It is important not only that I am a wake-up to the transformation from civil libertarian to mandatory sentencing maniac but that everyone else in the legal profession who is involved in justice understands exactly what it is that this shadow Attorney-General now purports to stand for.

The shadow Attorney-General mentioned the criminal law conference that took place in Victoria recently — I was also a contributor at that conference — and said he learnt a lot from it. Honourable members should have no doubt that he was noticed at the conference. I received a number of emails and pieces of correspondence in relation to his contribution. One I recall said, 'His contribution was noted. Please don't allow him to be elected. He is an accident waiting to happen'. But that is wrong, because the accident has already happened!

Mr Plowman — On a point of order, Mr Acting Speaker, I believe the Attorney-General is straying right away from the bill. He is here to sum up the bill, and I think his comments are aimed specifically at the shadow Attorney-General and not at the bill before the house.

Mr HULLS — On the point of order, Mr Acting Speaker, the shadow Attorney-General raised the issue of the sentences handed down by magistrates in the S11 matter. He also raised in his contribution the criminal law conference that was held here recently, and I am referring to that. It is the job of the minister in summing up on the bill to address matters that have

been raised in debate if the minister believes it appropriate, and this was absolutely raised in the debate.

The ACTING SPEAKER (Mr Jasper) — Order! I do not uphold the point of order. The minister to continue closing the debate.

Mr HULLS — We will deal with the amendments that have been foreshadowed by the shadow Attorney-General in committee, but I find it very difficult — and it disturbs me somewhat to say it — to take anything he says seriously, because he stands for nothing. He is prepared to flip-flop in the breeze almost overnight.

I would like to touch on the interesting contribution made by the Leader of the National Party. I agree with most of what he had to say. From memory he said — and I was listening in my room — that it is not appropriate for those outside the judicial system to be involved in sentencing and that the role of the judiciary in the sentencing process must be unfettered. He also said that sentencing is the most difficult aspect of a judicial role. He said he could not agree — I am sure I am not misinterpreting what he had to say — with the shadow Attorney-General's proposal that the Attorney-General have the power to direct the Court of Appeal to issue guideline judgments. It appears to me that the National Party leader was saying that that should not be the role of an Attorney-General. He said he is prepared to support the legislation by the skin of its teeth because the word 'may' is there and because he does not believe that in any way fetters the discretion of the courts.

He said — and I think I am quoting correctly again — that no-one should be able to impose directions on a Court of Appeal in relation to guideline judgments. By that comment I assume he was referring to the view of the shadow Attorney-General that an Attorney-General should be able to direct a Court of Appeal. He also said — and I think I am again quoting correctly — that sentencing properly rests within the province of the judiciary and that we should not have the power to intervene. I agree with that.

Great arguments were put by the National Party leader in opposing mandatory sentencing. But I recall that during a debate last Thursday, unless I am mistaken — I do not think I am, although I have a cold at the moment and maybe my memory is fading — the Leader of the National Party said that on balance he also supports mandatory minimum terms in relation to fire offences.

Let's not kid ourselves, mandatory minimum terms by any other name are mandatory sentencing. So whilst I respect the comments that have been made by the Leader of the National Party tonight, I find them very difficult to reconcile with the comments he made last Thursday. I would have thought, and I said at the time — —

Mr Perton — On a point of order, Mr Acting Speaker, the minister's summing up at the end of the debate is generally narrow. Re-debating a debate that took place on another bill last Thursday is clearly outside the ambit of this bill, and I ask you to bring him back to order.

Mr HULLS — On the point of order, Mr Acting Speaker, I am referring to comments that were made tonight by the Leader of the National Party in relation to his apparent opposition to mandatory sentencing. I was simply making a side comment that that seemed to be at odds with comments that he made last week. I think that is absolutely on point, and I would be happy to hear the Leader of the National Party justifying his position.

Mr Ryan — On the point of order, Mr Acting Speaker, the discussion which the Attorney-General now wants to debate is utterly irrelevant to the bill before the house. He ought be brought back to the bill so we can all get on with it.

The ACTING SPEAKER (Mr Jasper) — Order! While I do not uphold the point of order, I remind the minister that he is summing up the debate and should relate his comments directly to the bill before the house.

Mr HULLS — I think it is important for all members of this house to be consistent in their views, and I was pleased to hear the Leader of the National Party tonight enunciate clearly and in pretty categorical terms his opposition to mandatory sentencing. I know he is a well-qualified lawyer, and I hope he can use whatever persuasive powers he has to convince the shadow Attorney-General that he also should change his extraordinary views in relation to sentencing. I also thank the honourable member for Richmond for his usual excellent contribution. He fully understands the importance of the sentencing process.

I conclude by saying that, as we all know, this is an important piece of legislation, because sentencing is a difficult task at the best of times. The bill will allow the Court of Appeal to give guideline judgments and enable a Sentencing Advisory Council to be set up. The advisory council will obviously allow properly ascertained and informed public opinion to be taken

into account in the operation of the criminal justice system on a permanent and formal basis, but without infringing upon judicial discretion — and I reiterate ‘without infringing upon judicial discretion’. Guideline judgments will also provide a mechanism to promote greater consistency in sentencing. I believe these two reforms will modernise our criminal justice system and ensure that it is more responsive to and better informed of community views on sentencing issues.

I conclude on a matter raised by the shadow Attorney-General that related to sentencing statistics. I think it is important that he understands — and I am sure he does — that there was a case-flow analysis unit within the Department of Justice that was totally dismantled under the former government. That unit used to produce statistics, and when it was dismantled I do not recall the shadow Attorney-General making any complaint about it. Indeed that unit has been and is being rebuilt after its dismantling. I am quite sure I would have the full support of the shadow Attorney-General in turning around the previous government’s policy of dismantling this unit.

This is important legislation. I thank honourable members for their contributions, and I wish this legislation a speedy passage.

Motion agreed to.

Read second time.

Committed.

Committee

Clauses 1 to 3 agreed to.

Clause 4

Mr PERTON (Doncaster) — I move:

1. Clause 4, page 5, line 9, before “If” insert “(1)”.

2. Clause 4, page 5, after line 27 insert —

“(2) The Court of Appeal may cause notice of its decision to give or review a guideline judgment to be published —

(a) in newspapers circulating generally throughout Victoria; and

(b) on the Internet —

and by that notice invite members of the public to make comments or submissions to the Sentencing Advisory Council within the period specified in the notice.

(3) There must be at least 35 days between the day on which the Sentencing Advisory Council is

notified under sub-section (1)(a) or a notice is published under sub-section (2) (whichever is the later) and the day on which submissions are heard under sub-section (1)(b).

Note: The period of 35 days is set so that members of the public will generally have 28 days within which to make comments or submissions to the Sentencing Advisory Council. The Council then has to consider those comments and submissions before stating its views to the Court of Appeal (see section 108C). The timeframe gives the Council at least one week to do this.”.

This is consistent with clause 6, which inserts new section 108C into the Sentencing Act. One of the functions of the council is to gauge public opinion on sentencing matters. It is the view of the opposition, and the view of a wide cross-section of the public, that if there is to be a guideline judgment then the public ought to be able to have its say. In particular amendment 2 is structured in such a way as to ensure that there are at least 28 days in which the public has the opportunity to comment. Should the Court of Appeal wish to give notice of its decision in the newspapers it may do so, and by doing that give members of the public the right or the opportunity to give comments to the Sentencing Advisory Council. Then there is a requirement that there be at least 35 days between that advertisement and the further hearing of that case.

As you will see in the explanatory note, the public will have 28 days in which to make comments or submissions, and the council will have at least seven days in which to consider the last of those submissions. It is pretty much in line with what we do in the Subordinate Legislation Act and other similar acts, and one would have thought that with the role of the sentencing council in providing advice to the Court of Appeal it is appropriate that there be a sufficient time for members of the public to have their say.

Ms McCALL (Frankston) — I wish to make a contribution to the debate on this clause in the bill. There is much concern in the community in general, and while there would be no suggestion that it would be appropriate for people to interfere in court judgments, it is not unreasonable that if a guideline judgment is to be issued the Court of Appeal give notice to members of the public so that they may comment on it. It is not unreasonable that those guideline judgments be made public so the public can view them and understand them. To a certain extent that will dispel many of the myths that surround some of what the community tends to judge as rather peculiar judgments from the courts.

I urge the government to support the amendments. They have merit because they do much to dispel some

of the myths surrounding appeals and judgments in sentences given out by the courts.

Mr RYAN (Leader of the National Party) — The National Party does not oppose these amendments. The key word is ‘may’ in that if the Court of Appeal is minded to deliver a guideline judgment, under the terms of this amendment it may adopt a certain course in the nature of that which is contemplated by the terminology within the main amendment. Such being the case, I reiterate the point I made in the debate on the bill that given the expression ‘may’ appears within the opening provisions of the legislation so that the Court of Appeal is in effect empowered to deliver guideline judgments but not obliged to, I suspect that the pragmatics are that we will never see the bill come into effect let alone the amendments which are contemplated to the bill by this provision.

Mr HULLS (Attorney-General) — These amendments and most of the other amendments being proposed by the shadow Attorney-General attempt to impose legislative obligations as to how the Sentencing Advisory Council ought to operate. These are operational matters — that is the reality — that are not required in legislation. These are implementation matters for the Sentencing Advisory Council. The way the council, when it is constituted, disseminates information is an implementation issue. I do not believe it appropriate or desirable for legislation to set out implementation issues in such prescriptive details. The amendments to clause 4 and other clauses proposed by the opposition would make the bill unduly cumbersome and complicated and, I suspect, unworkable.

The rigid requirements being proposed by the shadow Attorney-General would impose unnecessarily bureaucratic processes on the council, restricting its ability to work in a collaborative and flexible way with the courts and with members of the general public. It should be a matter for the council itself to work with the courts and other interested persons and bodies to determine the most effective and efficient way of disseminating information to the public. I believe the amendments are unwarranted, and they will be opposed by the government.

Mr PERTON (Doncaster) — I hope the public reads the record, because what you have in this Attorney-General is someone who in opposition was the great hero of transparency. The government was going to be open and transparent. There was going to be a freedom of information system that worked. There was going to be information flowing to the public. All we say is that if you are going to have a Sentencing Advisory Council which is obliged to gauge the opinion

of the public, give the public the opportunity to participate.

The Attorney-General says this is bureaucratic and rigid. The Acting Chairman has worked with the Subordinate Legislation Act and the systems the Parliament has to review subordinate legislation. One of the critical advances made by Victoria over every other jurisdiction in the world was to say that there ought to be a period of around a month in which interested members of the public can participate in law making. If you are going to have guideline judgments you have really important issues in relation to the type of crime, the sentence that is appropriate, and the sentence that is appropriate in a range of circumstances. There will be lawyers and victims of crime who want to comment, and ordinary interested members of the public who want to express their points of view. To hear an Attorney-General say that giving people 28 days in which to comment is a bureaucratic impediment is the language of George Orwell’s *1984* and the ministry of truth.

Mr STENSHOLT (Burwood) — I feel that the amendments proposed go against the current intent of the bill. The Sentencing Advisory Council is set down to perform specific tasks drawn from a reasonably wide cross-section, as can be seen in the bill. What we do not want, for good governance, is to impose too many prescriptive conditions. We set up councils and expect them to implement things.

Amendments negatived; clause agreed to; clause 5 agreed to.

Clause 6

Mr PERTON (Doncaster) — I move:

3. Clause 6, page 9, line 21, after “persons” insert “and publish that information on the Internet”.

Amendment 3 is a requirement that the information that the Sentencing Advisory Council is to publish ought to be published on the Internet. People always say they have trouble getting government reports. Almost inevitably reports are hugely expensive, oftentimes it costs up to \$90 or \$100 to get reports that ought to be available to people. Clearly publishing on the Internet allows people to read reports at a relatively low cost. Should they choose to print a report out for themselves they can obviously control the costs of what they print. This is amendment just makes sense in this century — that is, it provides that where something can be published it ought to be published on the Internet, and it conveys that this Parliament believes that information

ought to be available to the public easily, efficiently and at low cost.

Ms McCALL (Frankston) — I may not be as passionate about information technology as the shadow Attorney-General is, but I recognise that within the community the need to access information and the desire to access information are important, and that there is a recognition within the community that access on the Internet is the most available and the most cost effective. All of us know of the prohibitive prices of \$90 or \$100 that are charged for government and local government reports, and that it is much easier to download that information.

I am aware of the information that the Attorney-General gave about the lack of statistics coming out of the department. I consider the community will have a far greater belief in the information that is available to it the faster you get a department producing those statistics. I urge the government to support this amendment to clause 6, which provides that in the absence of any other statistics being available all that information should be available on the Internet.

Mr RYAN (Leader of the National Party) — The National Party does not oppose this amendment.

Mr HULLS (Attorney-General) — Again, this obviously is a matter for the relevant body — the council. For us to be directing how information should be disseminated is just nonsense. Whilst I would not be surprised that the Internet is used, since when have parliaments directed in legislation that certain information ought be published in a particular way when an independent body is being set up? This is entirely a matter for the council. The government believes the council ought be making these decisions, and it is opposing this amendment.

Mr PERTON (Doncaster) — The Attorney-General is not very good on this stuff. I understand he is not great on transparency of publication, but he might be aware that his own government, in the legislation for the Victorian Environment Assessment Council, accepted precisely these amendments and these requirements. But this is not some godly body, this is the Sentencing Advisory Council set up under this bill by this Parliament. If we require it to publish its reports on the Internet so that the citizenry can get access to it, it is our right as a Parliament to do it.

It is an absolutely mindless and stupid statement to say, ‘We set up a body and we give it complete discretion as to how it goes about its task’, particularly where this

Attorney-General gives himself the power to appoint most of the membership. We already have in the submission of the Criminal Bar Association a complete reluctance to make this information available to the public because it does not trust the public with this information. It seems that the Attorney-General is a complete prisoner of that school of thought — that is, that it is better to keep the public in the dark about what the actual sentencing statistics are. As the Attorney-General’s reports from the Criminal Bar Association are so accurate he would be aware that his own prosecutors have a complete lack of faith in the system of sentencing in this state, particularly the weakness that that sentencing statistics are not available for the judiciary, the bar or the public.

Amendment negatived.

Mr PERTON (Doncaster) — I move:

4. Clause 6, page 9, line 33, omit all words and expressions on this line and insert —

“sentencing matters;

- () if the Court has not itself done so, to cause details of sentences passed by the Supreme Court (whether the Court of Appeal or the Trial Division) or the County Court, and the reasons for those sentences, to be published on the Internet (within 7 days of the sentence being passed) in a form that complies with any direction as to publication given by the sentencing court, whether generally or in relation to the particular proceeding (which may include a direction that the sentenced person, the victim of the crime or any other specified person not be identified by, or not be reasonably capable of being identified from, the publication);
- () to cause details of any sentence passed by the Magistrates’ Court or the Children’s Court, and any written reasons for that sentence given by the Court, to be published on the Internet (within 7 days of the sentence being passed) in a form that —
 - (i) except as otherwise directed by the Court (in the case of the Magistrates’ Court), does not identify (or enable the identification of) the sentenced person or the victim of the crime; and
 - (ii) complies with any direction as to publication given by the sentencing court, whether generally or in relation to the particular proceeding;
- () so as to keep interested members of the public fully informed of sentencing practices, to publish on the Internet statistics, tables and graphs relating to sentences imposed within a specified period for offences against (or for which the maximum penalty is fixed by) the **Crimes Act 1958**, the **Summary Offences Act 1966** and any other Act

that the Council considers appropriate, or the Attorney-General directs it in writing, to include;

- (1) to update, on a monthly basis at least, any statistical information on sentencing published by it on the Internet.

Note: A model for Internet published updated statistical information may be found at <http://www.epa.vic.gov.au/Air/Bulletins/default.asp> (Environment Protection Authority hourly air quality bulletins).

- (2) Statistical information published under sub-section (1)(i) must show average sentences, median sentences and the range of sentences (including graphical representation of the range) and be accompanied by such other statistical analysis as the Council considers appropriate, or the Attorney-General directs it in writing, to include.”.

Amendment 4 requires complete transparency in the facts of sentencing in this state. Generally the response of the judiciary or this Attorney-General when the public complains about inadequate sentencing in a particular case is, ‘Oh well! If you knew all of the facts, if you knew all of the cases, if you knew the actual average of sentences in the state of Victoria you would not worry as much’. That is a bit of a mystery because the figures are not available — they have not been collated and they have not been published.

The Liberal Party proposes that if the courts themselves do not publish their sentencing material the council would do so. However, we already know that in respect of the Court of Appeal that it is very keen to get its judgments on line quite quickly. Obviously there would be work to be done by the sentencing council to make sure that the sentences passed by the Supreme Court and the County Court were published in a speedy way. In the case of those courts of record, it is appropriate that unless a judge directed that the names of the parties not be published they would in the ordinary course of things be published.

In the second section of the amendment in respect of the Magistrates Court or the Children’s Court, obviously the great volume of cases and the misuse of that data might be inappropriate and so we said that the names of the parties would not be mentioned unless a magistrate so directed.

The next component says — and I understand the Attorney-General is going to oppose this — ‘to keep interested members of the public fully informed of sentencing practices’ we would require the council to publish on the Internet statistics, tables and graphs relating to sentences imposed, and it goes on from there. I understand the honourable member for Mildura

obviously does not spend much time on the Internet. He blurted out earlier that it was much too complicated to put on the Internet. I invite him — in fact I will lend him my laptop now — to have a look at the Environment Protection Authority web site. The EPA manages to publish on an hourly basis air pollution figures, not just for Melbourne and the suburbs but for the Latrobe Valley and a range of regional and rural areas. For the honourable member for Mildura to try to put a case that graphs and charts and the like are a bit too complicated to put on the Internet is a bit odd.

What this says is that this Parliament requires that this creature of statutes, the Sentencing Advisory Council, will publish this sort of material. We have had some discussions and there have been some very good suggestions put this evening just to clarify the time limit within which these matters ought to be published. There is a view put that maybe seven days is just a bit too speedy, and I am happy to indicate that between houses we will be having talks with a range of people about this amendment remaining in its current form, but there will be a slightly longer period within which these matters can be published.

Mr SAVAGE (Mildura) — I am opposed to this amendment, and it is a bit of an irony that the previous government abandoned or abolished the statistical unit in the Department of Justice and now wants it recreated. It is logistically impossible to publish sentences on the Internet within seven days. I understand the government is working towards the publishing of sentences, but in a more realistic way than that being proposed by the honourable member for Doncaster, who perhaps needs his medication adjusted when he comes up with ideas like this. Therefore I am opposed to this amendment.

Ms DUNCAN (Gisborne) — I oppose this amendment not just because of it being a legislative requirement and imposing incredibly onerous time frames, but I would also ask the shadow Attorney-General what costing and staffing implications would be involved in this.

Mr RYAN (Leader of the National Party) — Sorry to elbow my way into this, but such is life. I will not even talk about mandatory sentencing either; I will deal with the bill and the issue now under discussion. I understand the general intent of what the honourable member for Doncaster has in mind, but I think the time frame is a bit tight and he needs to consider that further. I have had some discussion with him in that regard and I am pleased to hear his comment.

Other issues that I think need a little consideration are: what are the actual details that are contemplated to be incorporated in the material that will be published? Furthermore, there is the issue of the extent to which it is feasible for the details of sentences passed by the range of courts which are referred to in the totality of the legislation being able to be published in the manner which is contemplated. I think the intent behind the amendment is laudable because the more the public knows about the detail and the basis for sentences being imposed, the better informed people will be, and the public debate about this issue will be all the better for that fact. I have said already that the issue of actual sentencing should lie entirely within the province of the court that is involved in its imposition. On the other hand, it is a good thing as a matter of general principle for the public at large to be informed about the issues that go to make up the reasons for the sentence ultimately being imposed.

I see the intent but I wonder whether the mechanics of it perhaps need some further consideration by the honourable member for Doncaster.

Mr PERTON (Doncaster) — We will be talking with the National Party while the bill is between houses about giving more detail on the information to be published and about extending the time. In respect of the question of the honourable member for Gisborne, it is interesting that each of the courts referred to already prepares its judgments and sentences and disposes of all matters by computer. So it is just a matter of making some adjustments to the software and setting up some sort of database in which these matters are collected.

As the honourable member for Gisborne might be aware, the Victorian government and Parliament use a Lotus Notes database system, which allows for the easy automatic publication on the Web of not just text but diagrams and charts. So all these matters could be relatively inexpensively dealt with, given the high costs of the courts and the operation of the system of justice. The costs would probably be in the tens of thousands — not in the hundreds of thousands — particularly if the system is automated in the way the Environment Protection Authority automates its publication of data, which is quite expensive to collect and prepare but relatively inexpensive to publish for the public. I think it is a cost that members of the public would believe would be appropriate in order to get the information to them and to other experts who would want to interpret it.

Mr HULLS (Attorney-General) — We do not support this amendment.

Amendment negatived.

The CHAIRMAN — Order! As the honourable member's amendment 4 has failed, therefore his amendment 5 also fails.

Mr PERTON (Doncaster) — I move:

6. Clause 6, page 10, after line 3 insert —
 - “() The Attorney-General must cause a copy of any written advice given to him or her under sub-section (1)(f) —
 - (a) to be laid before each House of the Parliament within 3 sitting days of that House after the advice is received by him or her; and
 - (b) if a House of the Parliament is in recess at the time the advice is received by him or her, to be sent by e-mail to each member of the House within 7 days after its receipt; and
 - (c) to be published on an Internet site maintained by the Council or the Department of Justice in such a format as to enable anyone accessing it to print the information and freely distribute it to others.
 - () For the purposes of sub-section (4), a House of the Parliament is in recess when it stands adjourned to a date to be fixed by the presiding officer of that House.
 - () The Attorney-General must issue to any person employed by the Secretary to the Department of Justice under Part 3 or 9 of the **Public Sector Management and Employment Act 1998** any direction that is necessary to ensure that the Council is provided with any information that it requires to enable it to perform its functions.
 - () Courts must take steps to ensure that information referred to in sub-section (1)(g) and (h) is published on the Internet, or made available to the Council for publication by it on the Internet, within the time limits set out in that sub-section.
 - () The Council must commence to perform its function to publish information, or cause information to be published, on the Internet no later than 3 months after its establishment.
 - () If the Council does not comply with sub-section (8), it must cause an explanation of the failure to be sent by e-mail to each member of the Parliament on the first business day of each month while the failure continues.
 - () A function of the Council to publish information, or cause information to be published, on the Internet is sufficiently discharged if —
 - (a) the information is published on an Internet site maintained by the Council or the Department of Justice; and

- (b) the Internet site on which the information is published is so constructed that data may be entered directly on the site by users authorised to do so by the Council; and

Note: It is intended that publication of tables, graphs and other data will be automated as much as possible so that fresh data can be published quickly and tables and graphs kept up-to-date.

- (c) the information is published in such a format as to enable anyone accessing it to print it and freely distribute it to others.

Note: This format of publication will give interested citizens accurate resources and thus facilitate discussion and debate among them on sentencing issues and the putting of their views to the Executive, the Parliament and the Sentencing Advisory Council.

- () As soon as practicable after being notified by the Court of Appeal under section 6AD of its decision to give or review a guideline judgment, the Council must publish notice of the matter —

- (a) in newspapers circulating generally throughout Victoria; and
(b) on the Internet —

and by that notice invite comments or submissions from members of the public within the period specified in the notice.

- () The period specified in the notice published under sub-section (11) must be as long as is practicable and in any event not less than 28 days unless comments or submissions have previously been invited by the Council on the same matter within the preceding 12 months.
- () The Council must —
- (a) publish on the Internet all comments or submissions received by it within the period specified in the notice published under sub-section (11) unless the maker of the comment or submission has asked the Council not to so publish it or has not provided the Council with an electronic copy of the comment or submission; and
- (b) make available any comment or submission to any member of the Parliament on request; and
- (c) ensure that all comments or submissions are considered by it before it states its views to the Court of Appeal.”.

This is a very simple amendment. Under this bill the Sentencing Advisory Council will give advice to the Attorney-General. Given that this is to be a public body providing unbiased advice, I believe it is very appropriate that its written advice to the Attorney-General should be made available to

Parliament. This amendment sets out that it ought to be laid before the house or, if the house is not sitting, emailed to honourable members.

Mr HULLS (Attorney-General) — We believe the council should be free to decide the most affective way of publicising the advice it provides to the Attorney-General. On that basis, we do not support the amendment.

Mr RYAN (Leader of the National Party) — We do not oppose this amendment.

Amendment negated.

Mr SAVAGE (Mildura) — I move:

Clause 6, page 11, lines 12 and 13, omit “have experience in issues affecting victims of crime” and insert “be a person who is a member of a victim of crime support or advocacy group”.

I have taken an interest in sentencing and in compensation for victims of crime, and I was represented on the victims compensations scheme review committee, which was chaired by the parliamentary secretary and honourable member for Richmond. I am well apprised of that process. I believe victims of crime should be represented on the Sentencing Advisory Committee, and like the opposition, I am concerned that the requirement in proposed section 108F(1)(c), that one director must have experience in issues affecting victims of crime, is too broad. It would defeat the purpose of the bill if a director occupying this position did not have the support of victims of crime and did not have access to their networks.

The process suggested by the opposition for selecting an appropriate director is too cumbersome and would also be unworkable and inefficient given the number of organisations, including at least the Crime Victims Support Association, the Victims Referral and Assistance Service, the Victorian Community Council Against Violence, Crime Victims Services and the Centre Against Sexual Assault, that are advocates for victims of crime. Consequently I had moved that this subsection be amended so the director must be a person who is a member of a victim of crime support or advocacy group.

Mr HULLS (Attorney-General) — The government supports the amendment. If one has a look at proposed section 108F(1)(c) one sees that one director must have experience in issues affecting victims of crime. Quite obviously the amendment being moved by the honourable member for Mildura will ensure that that person — a member of a victim of crime support or advocacy group — will certainly have experience in

issues affecting victims of crime. We believe it is an appropriate amendment.

Mr PERTON (Doncaster) — What I find extraordinary about this amendment is that I wrote at the first possible opportunity to the honourable member for Mildura and his Independent colleagues, setting out our amendments. I did not get a response, save from his adviser at 9 o'clock this evening. It seems remarkably opportunistic that the honourable member proposes this amendment and that the Attorney-General is aware of and accepts it. I also find it remarkable that it was the Liberal Party that consulted the independent victims of crime groups. They indicated to us that they wanted a provision nominating a person who was appropriately qualified. They said it might not be a member of their group but might be someone who is active in the treatment of victims of crime or an academic working with victims of crime — certainly someone with hands-on experience with victims of crime. I find it interesting that the honourable member for Mildura names a range of groups, many of which are government instrumentalities rather than independent victims groups.

I think it was churlish of the honourable member not to respond to our attempt to involve him in our amendments until the debate was on the go and, secondly, to cook up an amendment — obviously drafted with the Attorney-General — that does not deliver what victims groups want but which is somehow a means to give him some inappropriate publicity. We will proceed with our amendment in the upper house, and we will put it again to this place in the terms that the victims groups have put it. But clearly if the government and the Independents support this quite cynical amendment it will obviously go through this chamber.

Mr RYAN (Leader of the National Party) — I do not see the proposition being advanced by this amendment and amendment 7, foreshadowed by the shadow Attorney-General, as being mutually exclusive. Whatever might be the machinations of how they have respectively come about, I simply ask the committee to recognise that there is a common claim as to what it wants to achieve and having regard to the body of persons engaged in this aspect of the discussion it might be time for temperance in the expression of views.

Mr WYNNE (Richmond) — I support the amendment moved by the honourable member for Mildura. The tenor of this debate is distressing. We are seeking to ensure we get an outcome regarding the board of directors which is as representative as possible.

The honourable member for Doncaster said that perhaps an academic could fulfil the criteria. If the honourable member for Doncaster looked at the requirements for the proposed board of directors he would note in proposed section 108F(1)(b) inserted by clause 6 that:

one must have experience as a senior member of the academic staff of a tertiary institution;

We have already covered the academic area. Proposed section 108F(1)(c) states:

one must have experience in issues affecting victims of crime;

The honourable member for Mildura approached the government and said that he did not think the provision was defined clearly enough. How does one define 'must have experience in issues affecting victims of crime'? The honourable member put a submission to the government which said that the person should be drawn from an organisation which has a track record of involvement in supporting advocacy with victims of crime — some constituency from which the person would be drawn, whether it is from centres for sexual assault or organisations that which the honourable member for Mildura indicated.

That makes sense. You just do not pluck someone from the community who may have been a victim of crime, as many of us may have been over the years. We all have experience as victims of crime, but what we are seeking is to further clarify that the person to be appointed to the board represents a constituency group, a support group of victims of crime or an advocacy group of victims of crime. It is in that context that the approach was made to the government by the honourable member for Mildura and it has been taken on board and is supported, as I would have thought the opposition would do, and not play silly and pathetic point-scoring politics on this issue.

Mr SAVAGE (Mildura) — I am surprised the honourable member for Doncaster does not accept the amendment as being relevant to the bill. I am disappointed about his observations of the lack of consultation, because on the last occasion I consulted with the honourable member on the arson bill and I agreed with his tenet that the sentence for that should be 20 years, I read in the paper that I had not agreed with it and I was being cooked alive by this man. When it comes to negotiations, the honourable member has a deceptive way of doing things. If you cannot trust the man, you cannot negotiate with him.

Amendment agreed to.

Mr Savage — On a point of order, Madam Chairman, the honourable member for Doncaster said I was a liar. I find that remark offensive and I ask him to withdraw.

Mr Perton — I said, ‘You are the most deceptive member I have ever had to deal with’. If those words are offensive I withdraw them in deference to the Chair.

The CHAIRMAN — Order! I call on the honourable member for Doncaster to move amendments 7 and 8.

Mr PERTON (Doncaster) — I move:

7. Clause 6, page 11, after line 30 insert —

“() Before an appointment can be made under this section, the Attorney-General must —

(a) publish notice of the vacancy in newspapers circulating generally throughout Victoria; and

Note: The requirement to give public notice of a vacancy is intended to ensure that the Attorney-General will gain the assistance of the public in identifying appropriate appointments to the Sentencing Advisory Council.

(b) in the case of a vacancy of a director referred to in sub-section (1)(c), request in writing non-government bodies recognised by the Attorney-General as representing victims of crime to nominate a panel of between 2 and 5 names of persons with experience in issues affecting such victims.

Note: The panel nomination process is intended to ensure that victims have confidence in the person appointed as having experience in issues affecting victims of crime.

() A body requested to nominate a panel of names may submit the panel in writing to the Attorney-General within 28 days after receiving the request or any longer period that the Attorney-General may allow.

() If —

(a) one or more panels of names are submitted to the Attorney-General; but

(b) the name of the person appointed to the vacancy was not included on any such panel —

the Attorney-General must cause to be laid before each House of the Parliament, within 7 sitting days of that House after the appointment was made, a statement of his or her reasons for nominating that person and (to the extent possible without unduly embarrassing any individual or adversely affecting his or her personal privacy) for not nominating any person included on a panel”.

8. Clause 6, page 12, after line 21 insert —

“() The Attorney-General must cause details of the terms and conditions on which a director holds office to be published in the Government Gazette.

Note: The requirement for public notification of terms and conditions of appointment is intended to ensure transparency and enhance public confidence in the Sentencing Advisory Council”.

I have already spoken extensively about amendment 7. Clearly we will proceed with it in the upper house if it is rejected in this place. Amendment 8 seeks transparency, and I understand the honourable member for Evelyn will have more to say about that.

Mrs FYFFE (Evelyn) — Amendment 7 relates to the nomination of representatives of victims of crime, that being between two and five persons with experience in issues affecting victims of crime and comes about in response to conversations with victims of crime. They say it is not necessary that the representatives have been victims of crime but that they be people they have worked with and respect, people who can advocate for them. It could be people who come from a range of professions who have worked with them and for whom they have great respect. It could be a psychiatrist, a psychologist or even an academic. It may be a retired lawyer or a retired judge. They are asking for someone they have empathy with and who can advocate for victims of crime.

Proposed section 108F(1)(b) states that of the board of directors one must have experience as a senior member of the academic staff of a tertiary institution. That person may not necessarily be the person that the victim of crime believes can best represent him on this board. It can be two to five people nominated from a wide range of professions. They may not necessarily be victims of crime themselves, but someone whom they respect and have confidence in and who can advocate and represent them on the board.

Mr RYAN (Leader of the National Party) — The National Party supports amendment 7. In looking at the provisions of proposed section 108F, all the directors are to be appointed on the nomination of the Attorney-General. That is the literal reading of proposed section 108F(2). Proposed section 108F(1) names various categories of persons who, in some instances, in the view of the Attorney-General, are to have particular experience and in other instances they are not. The reality is that the structure of subsection (1) as it refers to the Attorney-General is of no relevance at all, because in the end everyone appointed to the council will be appointed on the nomination of the Attorney-General. The Attorney-General, by definition,

will look at the experience of every person who nominates for the council. There needs to be no reference at all to the Attorney-General within subsection (1). It is completely unnecessary.

What appeals to me in relation to amendment 7 is that it is important if you are to have this organisation, and I have already had enough to say about that, but granted for the purposes of the discussion that the organisation will be created by the legislation, the more that can be done to engender confidence in the way it is appointed and the people on it, the better outcomes we will have. As the bill sits at the moment it does not do anything to prescribe the way the directors are to be appointed, save for the comment that they are to be appointed by the Attorney-General. This amendment sets out a process whereby the vacancies can be advertised so those who wish to nominate can submit the names.

In the case of the issue just being discussed, the composition of the board having an affinity with victims of crime, I think there is a sensitive mechanism set out in the amendment to make sure the Attorney-General will have a good breadth of people from whom to draw to ensure that he achieves the best outcome — that is, to appoint someone to the crucial role in the way which I understand the organisations are recommending to the opposition.

The amendment has much to offer. It gives some certainty to the way the appointments are to be made; it takes it past the situation where the appointments, as the bill now stands, will be appointments by the Attorney-General on a basis where, although the general aspects of experience are outlined, the actual mechanisms of how it happens are not stipulated. I hear the Attorney-General has responded to other amendments by saying, 'This is a process issue'. On this critical aspect of the appointment of the board of directors it ought properly remain within the province of the Attorney-General. After all, it is the Attorney-General who will be making the appointments, and the more that can be done to engender public confidence in the way that he ultimately does, that will be a good thing in terms of achieving a best outcome.

Mr STENSHOLT (Burwood) — I believe the amendment is unnecessary. It is far too prescriptive of detail and is not in the context of good governance. With respect to the suggestion regarding proposed subsection (1)(c), I think the amendment we have already looked at is quite specific and engenders the confidence the honourable member for Evelyn was seeking insofar as it must be a person who is a member of a victims of crime support or advocacy group. They

will clearly have the experience and will clearly have the confidence.

Mr HULLS (Attorney-General) — The government believes that it is unnecessary that legislation should provide for these positions, apart from anything else, to be advertised. This is an implementation issue. I suspect that these positions will be advertised. I vividly recall being criticised for being the first Attorney-General in this state who advertised for judicial appointments. I recall the former shadow Attorney-General saying advertising was inappropriate. It is all about getting the best and brightest.

In all likelihood advertising is the way to go to get the best and brightest for this position, where the bill sets out the types of people required. However, advertising is not always the most effective means of attracting suitable candidates. People with relevant experience and expertise may not be interested in responding to an advertisement. Yes, we want the best and brightest, but the government does not believe that being as prescriptive as is proposed here is necessary, and it opposes the amendment.

Amendments negated; clause agreed to.

Reported to house with amendments.

Remaining stages

Passed remaining stages.

The SPEAKER — Order! The time being 10.00 p.m. I am obliged under sessional orders to interrupt the proceedings of the house.

Sitting continued on motion of Mr HULLS (Attorney-General).

REGIONAL DEVELOPMENT VICTORIA BILL

Second reading

Debate resumed from 15 October; motion of Mr BRUMBY (Minister for State and Regional Development).

Mr CAMERON (Minister for Local Government) — This bill is a great bill and the government thanks all honourable members who made contributions to the debate. One thing stands out — only one side of this house cares for country Victoria and only one side of this house believes in the whole of Victoria. It believes in Melbourne and it believes in country Victoria.

When the Bracks government came to power only 2 per cent of jobs growth occurred in country Victoria. The situation today is that country Victoria is leading the way. It is leading the nation. That did not happen by accident; it happened because this government is committed. The one thing that country Victorians certainly do not want is a return to those bad, evil and dark days of the former Liberal–National Party government.

Motion agreed to.

Read second time.

Committed.

Committee

Clauses 1 to 15 agreed to; schedule agreed to.

Reported to house without amendment.

Remaining stages

Passed remaining stages.

Remaining business postponed on motion of Mr BATCHELOR (Minister for Transport).

ADJOURNMENT

Mr BATCHELOR (Minister for Transport) — I move:

That the house do now adjourn.

Insurance: engineers

Mr ROWE (Cranbourne) — I raise a matter for the attention of the Minister for Finance that was raised with me by a Mr Peter Holmes from Nilsson, Noel and Holmes, consulting engineers in my electorate. Mr Holmes was in great distress when he rang me today as his company is unable to obtain professional indemnity insurance. It seems that it is a problem not only for Mr Holmes but also for 100 other engineers. This problem has been brought about by inaction on the part of the government, particularly the Minister for Finance, in not providing insurance guarantees in this area.

Consulting engineers, particularly structural and construction engineers, are required to register with the Building Commission, and as such they are required to provide professional indemnity insurance. The problem has arisen because engineers must provide a rollover indemnity — that is, when they retire the indemnity must continue for 10 years. The insurer, R. E. Brown

Australia, has withdrawn from the market, which is causing great consternation within the industry. Nilsson, Noel and Holmes, along with 80 to 100 other engineers, will go out of business at the end of October.

I ask that the Minister for Finance take urgent action to ensure that consulting engineers are covered by insurance and to prevent this problem rolling over to building surveyors, who I understand are in a similar situation, being without insurance. This is a government which said it would fix the insurance problem. It has not done that, and it must get on with the business of doing it. I ask the minister to fix it immediately.

Ovine Johne's disease

Mr HARDMAN (Seymour) — I raise a matter for the attention of the Minister for Agriculture. When I first came into Parliament I was alerted to a disease which has had a disastrous effect on many of the farmers and farms in my electorate and indeed across country Victoria. Ovine Johne's disease (OJD) was poorly managed by the previous government, and that poor management meant devastation for many farmers and their families right across my electorate and country Victoria.

As honourable members are probably aware, ovine Johne's disease is a wasting disease that affects sheep and, I believe, goats, and it has some relation to the bovine Johne's disease which affects dairy farms. Notwithstanding that, on behalf of the farmers in my area whose flocks have been affected by OJD I ask the Minister for Agriculture to advise of the progress being made by the important OJD advisory committee in developing a program to deal with the effects of the disease. I urge the minister to listen carefully to the committee's advice about where it is up to and to deliver a positive response to its proposals. I am seeking a response which will work for and meet the needs of farmers and others who have been affected as well as those who have not. It is a tough line to walk, but I believe it is necessary in my electorate and in the rest of country Victoria.

As many people know, ovine Johne's disease has caused great hardship, uncertainty and worry among many families. The effect on communities is devastating. It is mostly hidden, but we see it when we go to OJD rallies where people talk about how it is affecting them. There are disputes between neighbours, and there is suspicion over whether farms have been tested, whether the results are positive or negative and whether the sheep should be in quarantine — and the list goes on. We have seen depression developing as

people have seen what is in many cases their life's work going down the tube.

The previous government's program resulted in a \$16 million debt for the industry, but I believe the Bracks government has fixed that. The issues of particular concern to my local producers include support in using vaccinations, accurate advice and business planning, financial support for the cost of testing and support if decisions are made to cull high-risk animals. I know the advisory committee has been faced with the difficult task of protecting the industry's markets while safeguarding the economic and social needs of the affected farming businesses. I urge the Minister for Agriculture to listen and deliver a positive response.

The ACTING SPEAKER (Mr Nardella) — Order! The honourable member's time has expired.

Euroa: petrol station sites

Mr RYAN (Leader of the National Party) — I wish to raise a matter on behalf of Mr Rob Asquith of Euroa for the consideration of the Minister for Environment and Conservation, particularly in her capacity as the minister responsible for the Environment Protection Authority. I raise this issue with the minister in the first instance, but I think some aspects of the matter should be of concern to the Minister for State and Regional Development.

The issue relates to the disused service station sites in the township of Euroa. On a recent visit to the township I met with a number of community groups, which is where Mr Asquith raised this issue with me. The problem is that there are three former petroleum sites which are a blight on the township. Euroa has now been bypassed by the Hume Freeway, and the amount of traffic passing through the town along the old highway is far less than it once was. This may have led to the service stations being abandoned over the years. Whatever might be the rationale for its occurrence, three of these service stations now sit there disused, for the most part looking unkempt and generally detracting from the pride the people of Euroa have in their lovely township.

I raise with the minister the prospect of her intervening to force these sites to be cleaned up. It will have to occur in a variety of ways. The sites should be better maintained, but apart from anything else the longer term problem is that their previous operation as service stations has implications for their future land use, given the degradation caused by the leaking of fuel and other products over the years. This in itself is a deterrent

because of the cost factor involved in effecting a clean-up. That means those responsible are not going about what one would regard as their proper responsibility of bringing these areas of land back into use, and in turn that means the township of Euroa is stuck with this blight on its landscape for time immemorial.

The sites in question are an old Mobil service station, a former Shell service station and an unused Esso-Mobil service station. I ask the minister to intervene to ensure that an appropriate land use is required of these particular sites.

Firefighters: emergency medical response

Mr SEITZ (Keilor) — I raise for the attention of the Minister for Police and Emergency Services the matter of firefighters attending medical emergencies. The issue I want the minister to take up is the growth area in my electorate, where we have the Taylors Lakes fire station, which is handier to that outlying area than the ambulance service when there is a medical emergency.

As all honourable members know, firefighters have now been trained by the ambulance service to assist with immediate first aid when they attend a scene. That is something new to the general population, and people have actually asked me what is happening. I ask the minister to broaden the education of the community about this new service. In some other countries that service is the norm, but in Australia it is a new program that has been developed. I congratulate the minister and the two emergency services — that is, the ambulance service and the fire service — on cooperating and providing this service for the community in my electorate. Such a service is vitally important in a growth area, where government services are lagging behind, in particular following the seven years of neglect by the Kennett government. This government is making up the lost ground and repairing the damage done in that area.

I welcome the fact that firefighters are now able to assist with medical emergencies. We all know that the first 1 or 2 minutes after someone has had a heart attack are very important and that if you are in a coma it is vital that you have proper medical assistance from people who know what they are doing. In most cases the people at home who surround a person with a medical problem are not trained to assist and do not know how to help — for example, how to roll the person onto their side or check that their airway is clear. I wonder how many members of this house have a current first-aid certificate. Probably none of us has a

valid certificate, because they have to be renewed every two or three years.

This is a very important and encouraging step. I intend to promote it through the local media to make sure that members of my community know about it and feel safer because that service is available. I intend to ensure that when members of the fire brigade turn up at their houses they do not say, 'No, we don't have a fire, we have a medical emergency' and send them away. That is important, because people from different backgrounds who are settling into a new area may not be familiar with those issues in their own neighbourhood.

Having said that, I urge the minister, the emergency services and the media to publicise and welcome these activities both in my growth area and across the broader Melbourne area.

The ACTING SPEAKER (Mr Nardella) — Order! The honourable member's time has expired.

Disability services: integration aide

Mrs ELLIOTT (Mooroolbark) — I ask the Minister for Community Services to look again at the possibility of providing an integration aide for a small boy called Joshua Rowe, who is currently at kindergarten. I received a letter from Mrs Rowe, Joshua's mother, as did the minister and the shadow minister for education, in which she points out that Joshua has autistic tendencies and is struggling to cope at kindergarten.

Mrs Rowe also points out that, unless Joshua is assessed as being at significant risk of causing serious injury to himself or to others or as having restricted capacity for movement or exceptional support needs that require medical intervention, he will not qualify for an aide. However, various psychologists and other professionals have assessed Joshua as being well behind his peers in all performance indicators. As his mother points out, without support Joshua would be unable to thrive in the classroom situation and at risk of becoming further developmentally delayed and possibly frustrated as he will be unable to understand his environment or his peers. Joshua clearly shows autistic tendencies and has other problems as well.

I point out to the minister — I am sure she is aware of it — that children with mild to medium disabilities who would benefit from integration aides are not getting that help, which retards their progress and makes their entry to school even more problematic.

I am asking the minister in good spirit if she could assess Joshua Rowe's case again and see if it is possible to provide him with an integration aide. Mrs Rowe's very articulate letter would move anybody, and plainly this little boy would benefit from that sort of support at preschool.

North Warrandyte Community Centre

Mr LANGUILLER (Sunshine) — I raise a serious matter for the attention of the Minister for Community Services. I regret to inform this house that in the early hours of this morning the North Warrandyte Community Centre was all but burnt to the ground. It is believed this fire was the work of an arsonist who has lit at least four other fires in the north-eastern suburbs in the last fortnight.

The loss of this community centre is a tragedy for the residents of North Warrandyte, particularly for the children, as it is the only community centre and facility they have. But importantly this community is also facing a severe fire season this summer, and it happens that this is the only centre that is used as a fire refuge.

Not only is the centre a community hall that houses the Yarra Warra kindergarten, which caters for approximately 70 children in both three-year-old and four-year-old programs, but a maternal and child health service facility and a toy library also operate from there. The only structures that remain largely intact are two sheds on the site containing some outdoor equipment. The community is concerned about the ongoing viability of these important services. I ask the minister to ensure that the community affected by this tragic event can get back into operating premises as soon as possible and that any licensing requirements that may have to be met in the short term can be expedited by the minister.

The local Labor candidate for Yan Yean, Danielle Green, turned up to the site early in the morning, talked to parents, talked to teachers and talked to the community. She has made strong representations to us on behalf of the community she represents so well to ensure that the minister delivers a quick process by which the community, the centre and the children and parents can resume their normal activities. I am sure the North Warrandyte community would be most grateful for anything the minister can do to alleviate the burden of this wicked crime.

I put on the record my appreciation of all the work done by Department of Human Services staff at the local northern region office and the immediately adjacent eastern region office, the staff at the local schools and

the staff of the local shire — one of whom I understand was on site soon after 6.00 a.m. — to address the needs of this community, which desperately needs the centre to resume its activities as quickly and as normally as possible.

Police: New Year's Eve

Mr DIXON (Dromana) — I raise a matter for the attention of the Minister for Police and Emergency Services. I ask the minister to support the provision of divisional vans, brawler vans and extra personnel at Sorrento next New Year's Eve.

Dr Napthine — Kim Wells will deliver them!

Mr DIXON — Yes. I will put this one on notice; I will speak to him later.

I understand this is a command decision, but I am seeking the minister's support on this matter. Over past years we have had a lot of problems at Sorrento on New Year's Eve, and those problems have certainly grown over the years, not only in terms of crowds but also in terms of injuries and brawls, damage to property and just general disruption.

Last year there was a disturbing incident with gangs coming from outside areas not to celebrate New Year's Eve but just to cause trouble. There were also a lot of problems with knives, and I welcome the control of weapons bill that will be coming back to this place later in the sitting, because it will go a long way towards alleviating some of those problems.

Following the problems of last New Year's Eve the shire employed former police commissioner Bob Falconer to review the situation. I am part of the reference group that is following up the review done by Bob Falconer. This year the new approach is absolutely no nonsense, with no entertainment to be provided. It is a vital year. It is a change in direction. It is for this one-off year that we seek that extra support in terms of the provision of brawler vans and divisional vans, and some extra police resources.

We are trying to advertise amongst the young people that the entertainment is not on this year. We think this extra support will complement the cooperative approach that we will have between the police and the by-laws officers and also private security. I ask the minister to give this due consideration.

Community jobs program

Ms BEATTIE (Tullamarine) — I wish to raise a matter for the Minister for Employment. I am confident

that he will be in a position to deliver it. I ask the minister to take action to provide finance for ongoing programs in the Hume area through the community jobs program.

I am a member of a group called the Jobs for Hume task force. I was a member of that body before my time in Parliament, and I have continued on that. I have presented certificates many times to graduates of the community jobs program, so I am well aware of the success of these programs and the positive outcomes they can deliver. The north-western area, as you may well know, Acting Speaker, has higher than average unemployment figures in all age groups — both in the 44-to-55 age group and in the youth age group. Of course the collapse of Ansett has impacted upon those figures, and with the collapse of Ansett there has been the ripple-down effect of those job losses.

We all know that having training programs and being job ready is a major bonus of community jobs programs. Not only that, but the networking, the friendship and the support that those community jobs programs provide are a major part of their success. The City of Hume through the task force has put up many imaginative programs that have already proved to be a great asset to the area. A lot of work has been done in the area.

We have the providers in the north-west to provide the community jobs programs. We have Youth Futures and Work Force Plus. Work Force Plus does a fantastic job. In particular, I would like to mention John Catto-Smith, who is an absolute dynamo at Work Force Plus in getting these programs, getting people signed up to the programs, getting them through the programs and then getting successful outcomes and having people job ready. It is a wonderful scheme, and I want it to continue. I want more programs like that in the area, an area with many needs, where there are people who are culturally and linguistically diverse. Many are from non-English-speaking backgrounds. Many have other problems which lead them to unemployment. These programs are absolutely fantastic. They are a great initiative of the Bracks government, and I am asking the minister to continue to finance those programs.

Templestowe Heights Primary School

Mr KOTSIRAS (Bulleen) — I raise a matter for the attention of the Minister for Education and Training. It concerns funding for Templestowe Heights Primary School through the Students with Disabilities program.

The school has recently made an application to the department in respect to a 10-year old student by the

name of Vicki. I wish to read a letter from her classroom teacher.

[Vicki] is not able to take the initiative in discussing a text nor is she able to make comments relevant to the text ... [Vicki] has not worked out how to use basic punctuation — full stops and capital letters ... there is no comprehension of the text and Vicki does not use any strategies when reading. If she does not recognise a word she substitutes another ... Similarly, Torch test indicates that her level of comprehension is too low to score.

Vicki's maths ability is also at a very low level, at best CSF level 1. She can count out concrete materials to 20. She cannot accurately record answers in a formal sense. She does not understand that groups joined together make a new group, e.g. $2 + 2 = 4$... She cannot tell the time ...

Vicki's AIM test results in 2001 showed scores below the accepted range in all areas tested.

While her application is currently being assessed, I ask that the minister make sure that there are no mistakes like those made with her brother's application 12 months earlier. The administrative error by the department caused much distress to the family, to the student and to the school. There is no amount of compensation that will replace the assistance that Vicki needs, so I urge the minister first to provide the money to the school and to make sure there are no mistakes. This will ensure that Vicki is able to participate in the school classroom and at home and feel part of the community.

Calder Highway: funding

Ms ALLAN (Bendigo East) — I raise a matter this evening for the Minister for Transport regarding the completion of the Calder Highway duplication between Bendigo and Melbourne, and specifically the Kyneton to Faraday section, and I am also seeking that the federal government match the \$70 million that the Bracks government put in place in the state budget this year for the completion of that section.

The action I am seeking from the minister is for him to urgently review federal and state Liberal Party policies on the Calder Highway, because I am quite concerned, and the community of central Victoria is very concerned, about these policies.

On Monday of this week the new Leader of the Opposition came to Bendigo. He said that he would soon be releasing his party's policy on the Calder Highway as part of an overall infrastructure strategy. This is very concerning, because last year we had the shadow Minister for Transport make the comment that the federal government is under no obligation — —

Dr Napthine — On a point of order, Mr Acting Speaker, the adjournment debate is to raise issues for the minister and to seek government action. As I understand it, the honourable member is seeking for the minister to review Liberal Party policies. That is not seeking government action. I would ask you to bring her back to seeking government action on the issue, and perhaps I could deal with the planning impasse in the Harcourt area which is holding up the Calder freeway.

Ms Pike — On the point of order, I clearly heard the honourable member raise a matter for the Minister for Transport and ask for advice on the progress of the duplication.

Dr Napthine interjected.

Ms Pike — I am getting to that — and the upgrade of the Calder Highway duplication and what action he was going to take to facilitate to duplication, so I believe there is no point of order.

The ACTING SPEAKER (Mr Nardella) — Order! I ask the honourable member for Bendigo East to ask for some action from the Minister for Transport.

Ms ALLAN — I am asking for the minister to reject federal and state Liberal Party policies on the Calder Highway and continue apace to put in place the government's policy on the Calder Highway to ensure its completion by 2006 between Bendigo and Melbourne.

I am concerned because the new Leader of the Opposition has made statements in Bendigo that he will soon be releasing his party's policy on the Calder. The state shadow minister has already told his mates in Canberra that they do not have to fund the Calder Highway. That is really surprising, considering Monday was the first time other than when the Parliament sat in Bendigo last year that the new Leader of the Opposition has bothered to make the trip to Bendigo, using the Calder Highway for political purposes.

The ACTING SPEAKER (Mr Nardella) — Order! The honourable member's time has expired.

Brauerander Park, Warrnambool

Dr NAPHTHINE (Portland) — I wish to raise a matter for the Premier. The action I seek from the Premier is to keep his commitment to the people of Warrnambool and district to provide \$1 million from the state government for the very exciting Brauerander Park development.

Brauerander Park is the proposed new recreational and community sporting facility for south-west Victoria. It will include an Olympic standard all-weather athletic track and facilities, soccer field, football field, sporting ovals and very good quality open space areas which will provide for great community access and community recreation.

It will be on a 30-acre site which has been donated by a very generous benefactor. It is strategically situated between the existing Warrnambool indoor basketball, netball and sports stadium and Brauer College. Brauer College has 1400 students, which I understand makes it the largest secondary college in country Victoria.

The federal Liberal government has already committed \$1 million to this very important development for south-west Victoria. In late 2001 Premier Bracks when he was visiting Warrnambool was quoted in the *Warrnambool Standard* as having said:

We're happy to contribute to a three-way partnership between state, local and federal governments and I think we're well on the track to achieving that.

Late last year Mr Bracks said he was going to match the federal government commitment on this. However, the people of Warrnambool, the people behind Brauerander Park, have not seen the colour of his money.

Tonight we are asking the Premier to back his rhetoric with real dollars. What we want from the state government is for the Premier to match his words with action and to write out a cheque for \$1 million so the project can get under way. This facility will serve the entire south-west of Victoria, including the municipalities of Glenelg, Southern Grampians, Moyne, Corangamite and Warrnambool, with a population of over 100 000. The land value which has been donated to this facility is worth \$1.65 million — a magnificent community contribution by a generous benefactor. The federal government has put in \$1 million; Brauer College has committed \$1.4 million; and the community is putting in \$700 000.

The only thing missing from this magnificent project, which will be of lasting benefit to the young children, adults and people of all ages of south-west Victoria, is the state government contribution. Over 12 months ago the Premier said in the *Warrnambool Standard* that he was happy to contribute, yet we have not seen the colour of his money. Tonight I call on the Premier to make a commitment of \$1 million to this very important and vital project for Warrnambool and south-west Victoria.

The ACTING SPEAKER (Mr Nardella) — Order! The honourable member for Springvale has 20 seconds.

Motor vehicles: numberplates

Mr HOLDING (Springvale) — I wish to seek action from the Minister for Transport on a very important issue in my electorate. As we are trying to tackle the road toll I ask the minister to take action to deal with the problem of obscured numberplates.

The ACTING SPEAKER (Mr Nardella) — Order! The honourable member's time has expired.

Responses

Mr HAERMEYER (Minister for Police and Emergency Services) — The honourable member for Keilor raised the issue of the Metropolitan Fire Brigade turning out to medical emergencies and wanted reassurance for people who had rung for an ambulance and found that a fire truck turned up. This occurs because of an agreement in place between the Metropolitan Fire Brigade and the Metropolitan Ambulance Service called First Responder. MFB officers are trained in defibrillation, cardiopulmonary resuscitation (CPR) and enhanced first aid particularly to deal with cases of cardiac arrest. It is not the intention to supplant the MAS but to keep the patient alive until the ambulance gets there; and it provides an enhanced level of service.

The very good response times of the fire service, particularly making better use of the down time that exists in that service, means that in those circumstances where a truck can get to the patient first and administer that important first aid, CPR or defibrillation it can be despatched by the MAS until an ambulance can get there. It provides a better chance that the patient will still be alive when the ambulance arrives and enhances the patient's chance of survival. People can be reassured that the fire officers who turn up are highly trained and that this service provides patients with an enhanced level of emergency medical response. I thank the honourable member for Keilor for raising this important issue. It is important that people be reassured that this arrangement is about improving their safety.

The honourable member for Dromana raised the issue of obtaining an additional police presence, I think in the form of police divisional vans, in Sorrento on New Year's Eve. The police are conscious that Sorrento has become a popular New Year's Eve revelling spot. There is nothing wrong with that, but unfortunately it brings with it some people who do not know how to

handle their alcohol or how to behave. I think the police are conscious of the need for a strong police presence in Sorrento, but I will make sure the issue is taken up by Victoria Police.

Ms PIKE (Minister for Housing) — The honourable member for Mooroolbark raised with me the matter of an integration aide for Joshua Rowe, a young child who has autistic tendencies and is currently at preschool. I assure the honourable member I will investigate the matter, follow it up and get back to her and the family with further advice regarding support.

The honourable member for Sunshine raised with me a disturbing matter of an arsonist who has been causing havoc in the Warrandyte area. The community house in North Warrandyte has been burnt out, as have facilities such as the maternal and child health service and the Yarrowarra kindergarten. It is pleasing that the community has banded together. The Department of Human Services has begun detailed discussions with the Andersons Creek Primary School and the Warrandyte Primary School, and both schools have offered temporary accommodation for the kindergarten.

I understand that negotiations are currently under way between the Department of Human Services and the Warrandyte community centre so that long-term accommodation arrangements for the kindergarten can be determined. I have asked my department to look at the temporary licensing requirements. I am advised that Danielle Green, the Labor candidate for the Yan Yean electorate, has been working very hard to support the local community and to facilitate a swift outcome for all parties.

The honourable member for Cranbourne raised a matter with the Minister for Finance. The honourable member for Seymour raised a matter with the Minister for Agriculture. The honourable member for Gippsland South raised a matter with the Minister for Environment and Conservation.

Matters were raised for the Minister for Transport by the honourable member for Springvale, and by the honourable member for Bendigo East regarding the Calder Highway duplication.

The honourable member for Tullamarine raised a matter with the minister responsible for employment regarding the community jobs program extension in the Hume region.

Mr Honeywood — On a point of order, Mr Acting Speaker, yet again we have one minister in the house. We have a whole range of questions asked, including one by the honourable member for Springvale, who is

so upset that his own ministers are not in the house that he has fled the chamber before listening to the answer.

When is this government going to get its act together and be true to its accountability? It publicised the claim that it would have open and transparent government, yet we have the lone minister who flick passes questions on to the bureaucracy and we never hear from them again.

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

Ms PIKE — The honourable member for Bulleen raised a matter with the Minister for Education and Training regarding disability support services at the Templestowe Heights Primary School.

The honourable member for Portland raised a matter with the Premier regarding funding for Brauerander Park.

I will be very pleased to forward all these matters to the relevant ministers.

Dr Napthine — On a point of order, Mr Acting Speaker, I wish to reiterate the points made by the Deputy Leader of the Opposition. It is an absolute outrage and a disgrace and an insult to the Parliament and people of Victoria that this Labor government continues to thumb its nose at members who raise issues on the adjournment. Members who raise issues on the adjournment do so in all sincerity on behalf of their constituents and in a very genuine way to seek responses on key issues in their electorates and key issues of concern to individuals and families in their communities.

It is only fair and reasonable that the government treats those issues with respect and has the responsibility to come in here and respond to those concerns. I think it is an insult to the Parliament and an insult to the people of Victoria that they do not, particularly from a government which, when in opposition, said it would seek to improve and enhance the standing of the Parliament in our community. Is it any wonder that the Parliament and members of Parliament in this community are not held in very high esteem? It is because of the way this government treats this Parliament with absolute contempt and disrespect.

I ask you, Mr Acting Speaker, to pass on to the Speaker the concern of members of Parliament who have raised matters and to ask the Speaker to take it up with the Premier and his government to ensure that ministers take their task seriously, that they have a responsibility to the people of Victoria in this Parliament and that they

have a much higher attendance in the adjournment debate.

The ACTING SPEAKER (Mr Nardella)—

Order! There is no point of order, but may I suggest to the honourable member that he personally take up the matter with the Speaker and make those points directly to him so that he can then take those points to the Premier.

Motion agreed to.

House adjourned 10.46 p.m.

Thursday, 17 October 2002

The SPEAKER (Hon. Alex Andrianopoulos) took the chair at 9.34 a.m. and read the prayer.

INDIGENOUS AFFAIRS

Report

Mr HAMILTON (Minister for Aboriginal Affairs) — By leave, I move:

That there be presented to this house the *Report on Indigenous Affairs* for the period November 1999 to October 2002.

Motion agreed to.

Laid on table.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Regulation review

Ms GILLET (Werribee) presented annual report 2001, together with appendices.

Laid on table.

Ordered to be printed.

PAPERS

Laid on table by Clerk:

Auditor-General — Performance Audit Report — Mental health services for people in crisis — Ordered to be printed

National Parks Advisory Council — Report for the year 2001–02

Parliamentary Committees Act 1968 — Response of the Minister for Health on the action taken with respect to the recommendations made by the Public Accounts and Estimates Committee's report on the Department of Human Services — Service Agreement for Community, Health and Welfare Services.

BUSINESS OF THE HOUSE

Adjournment

Mr BATCHELOR (Minister for Transport) — I move:

That the house, at its rising, adjourn until Tuesday, 29 October 2002.

Motion agreed to.

MEMBERS STATEMENTS

Bali: terrorist attack

Mr DOYLE (Leader of the Opposition) — I wish to make a suggestion to the Premier. In recent days the floral tributes placed on the front steps of the Parliament have been a moving reminder of our community's reaction to the horror and tragedy of recent events in Bali. There will come a point in time when those tributes will be cleared away. I believe it would be a great pity if we lost the sentiments contained in the cards that also accompany many of those floral tributes. I was particularly struck by one obviously very young person, Caitlin Cassidy, who simply wrote, 'Let's prove to these bad men Australia is better than them'.

The sentiments contained in those cards are worthy of preservation. It would be a pity to lose them. I suggest to the Premier that we could collect the cards from the floral tributes, display them in Queen's Hall so that people could come and read the messages from our community, and when that display is complete incorporate the cards in one of the commemorative books the Premier has arranged to be placed throughout the community. They would then become a permanent reminder of our sympathy for the Bali victims at this terrible time and our determination to remain a strong and coherent society and community.

Bali: terrorist attack

Mr BRACKS (Premier) — I welcome the suggestion from the Leader of the Opposition. I thank him for the bipartisanship which I would have expected and which has been enjoyed over this issue. I welcome this particular suggestion because, as the Leader of the Opposition said, there are many messages from many people from many walks of life, including messages from people involved in the tragedy, and their families and friends, and from young people who are trying to absorb the shock and horror of the events in Bali.

In taking up the Leader of the Opposition's suggestion I will seek to discuss with you, Mr Speaker, and with the President in the other place the appropriate collection of those cards and their display in Queen's Hall, and with the support of the Leader of the Opposition I will seek to have that occur in the future.

There have also been suggestions on what can be done with the flowers following the day of commemoration on Sunday. They have included that the flowers be delivered appropriately to hospitals around Victoria and to some of the people who might be in need of them.

That will be determined as well, and I will also inform the Leader of the Opposition of that. I thank him for his suggestion.

With your indulgence, Mr Speaker, and that of the President, we will proceed to implement the suggestion of the Leader of the Opposition.

Schools: maintenance

Mr KILGOUR (Shepparton) — I want to report to the house the sad situation with our schools because of the government's having welshed on maintenance money for them. We are four and a half months into this financial year, and what do schools have for maintenance money? Not a thing — zero for maintenance money. Honourable members will remember that when the coalition came to government in 1992 following the Cain–Kirner era we were 14 years behind in cyclic maintenance. Yes, we fixed that. Yes, we introduced the physical resources management system, which was very successful so long as it was funded. But is this government going to fund it? No, it is not. Our schools are desperate to spend money on fixing problems with their buildings such as painting, carpets and all the usual things that go wrong.

When I ask the schools, 'What is going to happen with your maintenance money?', they say to me, 'We haven't got any maintenance money, there has been no maintenance money provided for this financial year'. They have no indication whether they will get any maintenance money. We are going back to the bad old days, folks! This government is as bad as the governments of the Cain–Kirner era. It is not going to look after our schools. It will ensure that our schools go back to the level they were at when we became the government in 1992 — and our schools are going to wake up to this.

If there is any money in the kitty for maintenance I call on the government to advise schools as soon as possible on when they are likely to get it.

Molly Hadfield

Ms DELAHUNTY (Minister for Planning) — Today in Northcote the *Women's Web* will be launched. It is a story for women, one of whom is Molly Hadfield, a local Darebin resident and a fantastic community activist.

In 1940 Molly joined the Progress Association, and one of the first things she did was campaign very successfully to get a school bus for those kids who were walking a mile to the station in all sorts of weather. She raised funds for money to build a community centre

and a kindergarten. She was also involved as a long-time member of the Union of Australian Women. It was all voluntary work, and she was always the activist. Molly got involved in the Older Persons Action Centre, the Consumer Forum for the Aged and the Housing for the Aged Action Group. She has been in everything.

Molly was one of the many brave women who stopped the train intended to break the Maritime Union of Australia picket line in 1998. Molly is not a young woman, but she was there with a whole range of brave women when they stood against that train.

I will quote Molly:

I have been protesting for over 50 years now. I had better stop, I suppose, but no, I don't want to stop. I am not going to stop while I have breath in my body and a working head to think about it all. There have always been worries and struggles — it is just that they come in a different package.

Molly Hadfield, we salute you. Your story is celebrated today by Adele McBride at Women's Health in the North.

Water: infrastructure funding

Mr MULDER (Polwarth) — The Bracks Labor government's \$218 million cuts to water infrastructure spending since coming to office have been identified as the major reason behind the proposed 20 per cent-plus increase in household water costs to Victorians.

Victoria's peak water body, the Victorian Water Industry Association, has identified ageing infrastructure as the prime reason behind the massive hikes in household water prices, with country Victorians expected to be hit the hardest. Country Victorians have watched in disbelief and despair as the Bracks Labor government has procrastinated, delayed and hidden behind a raft of reports and committees instead of getting on with the job of building Victoria's critically needed water infrastructure.

Is it that the Bracks Labor government has something to hide? Has the surplus left behind by the Kennett government disappeared without a major water infrastructure project being started in this state? It is critical at this point that the government kick start vital water infrastructure projects in rural areas to assist rural communities fight off the ravages of drought.

It is not good enough that country Victorians should bear the brunt of the Bracks Labor government's inability to advance projects. As in business you only stop buying or spending when you have one problem,

and that is when you run out of money. That is exactly what has happened!

Parthenon Marbles

Mr PANDAZOPOULOS (Minister for Employment) — I express my extreme disappointment that at the Commonwealth Parliamentary Association Victorian branch annual general meeting last night the Liberal and National parties used their numbers to not support a request from the Premier that the CPA Victorian branch rules be amended to include an additional requirement on members of Parliament on study tours to raise the issue of the return of the Parthenon Marbles with British parliamentarians when visiting the British Parliament and with the CPA secretariat in London.

For a long time this has been a bipartisan issue. The previous Premier has done some very good work, as has the Prime Minister, and the honourable member for Caulfield has run petitions on this matter. Those who have been campaigning for the return of the Parthenon Marbles know it is a world issue requiring a world effort, and they have been asking for more practical support from members of Parliament. They appreciate the moral support they have been given by people lending their names, writing letters and signing petitions, but they have asked for more practical support. And when on government-funded study tours in the United Kingdom what more practical support could members of Parliament give than to raise the issue with those who have direct influence on the decisions — that is, British parliamentarians?

I am disappointed that the Liberal and National parties used their numbers to not support this issue. I call on them to ensure that there is ongoing bipartisan support in the future. This is an important world issue and parliamentarians should be supporting it.

Parthenon Marbles

Mr HONEYWOOD (Warrandyte) — I am appalled that the minister would question the bipartisan support on this issue when virtually every member of the parliamentary Liberal Party and parliamentary National Party have supported the return of the Parthenon Marbles to Greece, and that the government would use a political stunt on an independent parliamentary body, the Commonwealth Parliamentary Association, to try to railroad its own political agenda.

The fact remains that virtually all members of the Victorian Parliament, including you, Mr Speaker, support the return of the Parthenon Marbles, and we

will be raising that issue voluntarily when we meet with British parliamentarians, but it is a Big Brother tactic in the extreme for the Premier of the day to require members of Parliament to support a government policy as such. There is such a thing as the separation of powers.

We will not be fooled by this government trying to play Big Brother. As members of Parliament we will independently stand up for the rights of Greece and for the return of the Parthenon Marbles. It is not good enough for this minister to go running off to his Greek media straight after the Commonwealth Parliamentary Association meeting to whinge on behalf of Labor Party policy.

Where was the Labor Party on the Macedonian issue? It refused to support the then government on that issue. The Labor Party has egg all over its face on that issue, and it knows it. It is too late for it to try to use the Commonwealth Parliamentary Association as its political plaything.

Australasian Study of Parliament Group

Mrs MADDIGAN (Essendon) — Last Friday and Saturday I had the pleasure of attending the annual Australasian Study of Parliament Group conference, held in this chamber on the subject of privileges attached to Australian parliaments — a current topic not only for parliaments around Australia and New Zealand but particularly for this one in relation to the upper house activities at the moment. It was an excellent conference, attended by over 80 people from parliaments all around Australia and New Zealand. It went off extremely well. There were excellent papers and many members learnt a great deal from it.

I would particularly like to thank the parliamentary staff involved in the organisation of the conference; they did a great job. In particular I thank Stephen Redenbach, who is attached to the upper house; our own Serjeant-at-Arms, Gavin Bourke; and our education officer, Karen Dowling, as well as the attendants who worked here on the day under the inestimable control of Warren Smith, who made the Victorian Parliament available and was welcoming to our guests from interstate. I also thank the Premier for organising a reception for the delegates in the Melbourne Room on Friday night. I know they were most appreciative of that.

It was a great opportunity for members of Parliament and parliamentary staff from a wide number of parliaments to talk together on issues of great importance of the moment, and privilege is certainly

one of those. I congratulate all the people involved in the conference held at the weekend. It was a great occasion for all involved.

Drought: public response

Mr KOTSIRAS (Bulleen) — In times of hardship and adversity Australians have a unique ability to come together. Victoria's drought has had a devastating effect on our farmers. Farming families are struggling to put food on the table or provide the basic necessities for their children, but they are not alone. Victorians from right across the state, including Melbourne, have come to their assistance. Many of those people have never lived on farms but understand the hardship and suffering that many of our farmers are experiencing. Even my 12-year-old son, seeing the dramatic images of land in desperate need of rain, asked: what are we doing to help? Those concerns, fears and sincerity are an illustration of how Victorians unite to comfort and assist others.

We owe gratitude to the people who have stepped in to offer much-needed assistance to our farmers. We must thank those people. We must thank newspapers like the *Herald Sun* that launched the biggest-ever appeal for farmers. We must also pay tribute to the executives who have formed a foundation to tackle the drought by giving \$4.5 million to help farmers. We must also thank Australia's best-known performers for uniting for a drought relief concert later this month.

Australians continue to assist those in need, believing in a fair go for all, always ready to lend the hand of mateship. No matter whether they live in metropolitan Melbourne, the outer suburbs, regional centres or country Victoria, they have shown compassion and empathy, and for that we thank them.

The SPEAKER — Order! The honourable member for Geelong has 1 minute and 20 seconds.

Greater Geelong: garbage collection

Mr TREZISE (Geelong) — On behalf of the ratepayers of Geelong, especially the elderly and the frail, I raise concerns about a new garbage collection system being introduced by the City of Greater Geelong.

The city has recently retrenched more than 50 of its garbage collection employees and hired a private contractor to perform the garbage collection service. The contractor will utilise the services of one employee driving a truck that has an automated collection arm to pick up and empty the bins.

The problem with this system is that the automated truck can only pick up bins on relatively straight sections of road. Therefore if you live in a court, as thousands of people do, the council has told people that they must wheel their bins to a designated point at the end of the court. That suggestion is absolutely ludicrous, arrogant and uncaring but typical of the City of Greater Geelong. It is typical of a council that treats its ordinary ratepayers with absolute contempt. This council expects elderly or frail people to load up their three bins and in some instances wheel them 100 metres down the road.

I therefore call on the City of Greater Geelong to immediately review this soon-to-be-introduced service and ensure that its contractors employ extra staff on the garbage collection rounds specifically to collect bins from the front of homes where automated trucks cannot provide that service.

CONTROL OF WEAPONS AND FIREARMS ACTS (SEARCH POWERS) BILL

Second reading

Debate resumed from 12 September; motion of Mr HAERMEYER (Minister for Police and Emergency Services).

Government amendments circulated by Mr HAMILTON (Minister for Agriculture) pursuant to sessional orders.

Mr WELLS (Wantirna) — It gives me a great deal of pleasure to join the debate on the Control of Weapons and Firearms Acts (Search Powers) Bill and to give notice that the Liberal Party opposition will be supporting this piece of legislation because it is consistent with the Liberal Party's policy on being tough on law and order.

I firstly thank the minister for the briefings he gave to me and to the committee and for the time he took to organise briefings on the house amendments, which were gratefully accepted.

I guess the first thing we need to say on this bill is that the Bracks Labor government is struggling with the issue of crime in this state. There is no doubt about that. Crime in this state has increased under this government, especially violent crime, and it has taken a long time for this government to act. It is interesting to look at its policy on community safety when it was in opposition. The policy was brought out about three years ago, in September 1999. Under 'Community safety, knives and dangerous weapons' it says:

Since 1993–94 offences committed with a weapon have increased by nearly 50 per cent, offences committed with a knife have increased by a massive 59 per cent.

I agree that is totally and utterly unacceptable. But then it goes on:

Labor recognises that the proliferation of knives and other dangerous weapons must be addressed. Labor will develop innovative strategies to address this problem including:

banning the sale and display of knives and other weapons that have no legitimate occupational, ceremonial or sporting occupation;

banning the sale of knives to under 18-year-olds;

tough new restrictions on the marketing of knives and weapons in a way that encourages violent behaviour or in any way suggests a violent application;

a limited period amnesty on knives and other illegal weapons; and

sufficient flexibility to provide appropriate exceptions to bona fide collectors, antique dealers, hunters, fishermen and legitimate supervised youth organisations like scouts, guides, et cetera.

A Labor government will address this increase in the proliferation of knives and other dangerous weapons in our community.

Three years later the government brings in a bill which addresses only part of what it set out to do in 1999. I guess this is typical of a do-nothing government — it is fantastically high on rhetoric, but when it comes to delivering on law and order it is sadly lacking.

I go back to one particular point. I agree with this statement in the Labor Party's policy in 1999:

Since 1993–94 offences committed with a weapon have increased by nearly 50 per cent, offences committed with a knife have increased by a massive 59 per cent.

As I said, that is totally unacceptable. However, let's look at that. A 59 per cent increase in six years is unacceptable, so what is the minister now saying — that in the last 12 months, in just one year, knife attacks have increased by 33.1 per cent?

In its pre-election policy the government bitterly complained about knife attacks over a six-year period being up by 59 per cent. I admit that that is unacceptable, but what the government has done in its reign is totally unacceptable and shows its contempt for law and order.

Let's look at some of the increases in crimes over the past 12 months. The figures for weapons used in assaults in 2001–02 are: bottles and glass, up by 48.4 per cent; firearms, up by 46 per cent; bats or bars,

up by 36.7 per cent; and — as I said — knives, up by 33.1 per cent. So the use of weapons in assaults over the past 12 months is up by 37.8 per cent. They are not Liberal Party figures; they are from the Victorian Police provisional crime statistics for 2001–02.

I will take that one step further and look at violent crime, which over the three years of the Bracks Labor government has increased by 24.7 per cent. In 1999–2000 there were 29 694 violent crime offences — that is: homicide, rape, robbery, assault, abduction, arson and aggravated burglary. In 2001–02, on the last official police statistics, this figure jumped to 37 023 — an increase of 24.7 per cent. If other offences such as the use of weapons and explosives are included, that figure increases to 25.9 per cent.

I know the minister is keen to talk about how overall crime has decreased, but I am still not sure whether that is actually correct. What does the Victorian community expect from the government? We are concerned, for example, about the theft of bicycles, but is it not more important to focus on offences against the person and other violent crimes, part of which involves the use of knives?

In 1999 the government set out a plan of what it would do. Three years later it has introduced a bill which addresses only part of what it promised. This is typical of the do-nothing Bracks government, which has total contempt for law and order.

I suppose the trigger that pushed this government to take some sort of action was the horrific deaths in South Yarra. I will refer to a couple of wire reports on that. A report by the AAP *Australian General News* of 8 July 2002 under the headline 'Vic: man stabbed to death in South Yarra' states:

A man was stabbed to death during an altercation in inner Melbourne earlier this morning.

Homicide squad detectives have closed off Chapel Street in South Yarra between Toorak Road and the northern end of the Church Street bridge while investigations are under way.

...

'Investigators believe an altercation left a man suffering mortal wounds', a police said ...

The dead man is yet to be identified.

Then the story became a lot worse. Another wire report states:

... the man was attacked with something similar to a machete, a sword or a meat cleaver at about 3.15 a.m. ... He says the death followed an altercation that began at licensed premises in Daly Street and continued along Chapel Street to Alexandra Avenue, where the man died.

Men were running for their lives. Another report of the same day, headed ‘Vic: one dead, two feared drowned after nightclub fight’, states:

A fight in a suburban Melbourne nightclub has led to one man being hacked to death while another two men may have drowned in the Yarra River.

The fight happened almost exactly a year after another man was fatally stabbed in a nightclub in the same South Yarra street.

Police say the unidentified man killed overnight suffered horrendous injuries from a meat cleaver, sword or machete.

His body was found in Alexandra Avenue in South Yarra at 3.15 a.m.

Police believe he was involved in a fight in a nightclub —

and the story goes on, as we all remember it. Knives and machetes seem to be the things that gang members carry these days. Hopefully this legislation will go some of the way to addressing this totally and utterly unacceptable culture that has developed among some gangs.

I refer to some of the purposes of the bill, which include enhancing police powers and other measures to search for and detect dangerous weapons and firearms. To achieve this aim the bill proposes to lower the belief/suspicion threshold required by a police member to justify a lawful search without warrant for weapons and firearms that are controlled or prohibited under the Control of Weapons Act 1990 or Firearms Act 1996. I will come back to that and give some examples.

The belief threshold for undertaking a search without warrant changes from one of ‘reasonable grounds for belief’ to one of ‘reasonable grounds for suspicion’. The legal interpretation of ‘reasonable grounds for suspicion’ is recognised by the courts as having a lower evidentiary criteria.

The use of ‘reasonable grounds for suspicion’ will bring the threshold test in Victoria into line with similar legislation in the United Kingdom and most other Australian states and will be consistent with the threshold applying for drug searches under the Drugs, Poisons and Controlled Substances Act 1981.

To assist police to make a decision on whether there are reasonable grounds for suspicion to justify a search without warrant, the fact that a person/s is present in a location with a high incidence of violent crime will be of relevance, although not a sufficient justification in its own right.

The bill provides for a number of counterbalancing measures designed to minimise the potential abuse of

power and the police victimisation of individuals.

These safeguards include ensuring a police member states his name, rank, place of duty, providing evidence of being a police officer; requiring a police member to make a record of search; allowing for a person searched to obtain a copy of the police record of the search; and requiring the chief commissioner to report to the police minister on the details of searches without warrant. The bill also enables regulations to be made pertaining to search procedures and record keeping. We have been assured by the minister’s office and departmental staff that the opposition will be kept informed about the development of these regulations.

Police will be provided with the power to demand production of firearms licences or an approval to carry prohibited weapons where there is reasonable suspicion that an offence has been or is about to be committed. Police will also be provided with the power to demand production of any article suspected of being a prohibited or controlled weapon or firearm. This is designed to maximise the safety of police officers with their now having to carry out more intrusive searches.

Other provisions of the bill include Department of Natural Resources and Environment officers being provided the same powers as police to search threshold criteria — obviously in national parks; the creation of a new offence of hindering or obstructing DNRE officers in their search powers; and extending police search for weapons powers to non-government schools. Searches without warrant under the Control of Weapons Act 1990 are currently limited to public places and of course would exclude Catholic schools, for example. This amendment addresses that point.

I will go to the crux of the bill as I see it — that is, lowering the threshold from one of reasonable belief to one of reasonable suspicion. Not being a lawyer, ‘having reasonable belief’ and ‘reasonable suspicion’ seem the same to me.

Mr Cooper — We always knew you were a decent man.

Mr WELLS — There is some hope for us accountants.

Mr Hamilton — You just blew it; you were going well for a minute.

Mr Wynne — We need you once a year.

Mr WELLS — Once a year at tax time — yes, I know!

Let's look at the issue of the distinction between reasonable grounds for belief and reasonable grounds for suspicion. We have relied on the Victorian Bar Council, and I thank them for their input into this. It is important that we get this reported in *Hansard* so we can demonstrate to the house and to the people who read it what the court's interpretation is of the difference and why the Victorian police force is being given greater powers to search for prohibited or controlled weapons.

The Victorian Bar Council says:

The distinction between 'reasonable grounds for belief' and 'reasonable grounds for suspicion' was made clear by the High Court of Australia in *George v. Rockett and Another* (1990) 93 ALR 483. That case concerned the validity of a warrant to search property, and the duty of a justice to be satisfied of certain matters before issuing such a warrant.

The relevant legislation required that a justice be satisfied that there are reasonable grounds for believing that a specified thing will afford evidence as to the commission of an offence and that there are reasonable grounds for suspecting that the specified thing exists and is in any house, place etc.

The court held that, for there to be reasonable grounds for a state of mind — including suspicion or belief, there must exist facts which are sufficient to induce that state of mind in a reasonable person. The court said that a 'suspicion' that something exists is more than a mere idle wondering whether it exists or not; it is a positive feeling of actual apprehension or mistrust amounting to a slight opinion, but without sufficient evidence. A 'belief' is an inclination of the mind towards assenting to, rather than rejecting, a proposition and the grounds which can induce that inclination of the mind may, depending on the circumstances, leave something to surmise or conjecture. The difference between the two states of mind is this: 'suspicion' is a state of conjecture or surmise where proof is lacking, whereas 'belief' is a state of clear inclination towards the existence of the subject matter based on the existence of some evidence short of actual proof.

Can I make it any clearer? That is a clear and precise definition of reasonable suspicion versus reasonable belief.

We also support the bill because it is now consistent with the search powers for when a police officer searches for drugs. Under the Drugs, Poisons and Controlled Substances Act 1981 a police officer only has to have reasonable grounds for suspicion that the person is in possession of drugs. This is a lower threshold than is required for a search for weapons, so the new legislation makes the two acts consistent.

The Victorian Bar Council argues that because it exists in one part of legislation it does not necessarily need to flow to another part of legislation. However, the opposition disagrees with that. We believe consistency between the two is important: that you can search the

same way for drugs as you can for prohibited or controlled weapons.

It is important to put on record some of the examples of what are prohibited and controlled weapons. For example, a prohibited weapon, one that you cannot hold or carry without a permit, are things like the following: knuckle knife, double-end knife, push knife, thrown blade, ballistic knife, shark dart, knuckleduster, weighted or studded glove, slingshot used with an arm brace and crossbow capable of being concealed and used with one hand. A cat-o'-nine-tails is also a prohibited weapon.

On the other hand, a controlled weapon is a spear gun, a sword, a bayonet or a cattle prod. They are defined as controlled weapons because if a farmer is carrying a cattle prod he would not be committing an offence because he is using it in his day-to-day business. If he works in a cattle yard he would need a cattle prod in the same way as you would expect a farmer to have a pocketknife.

The legislation also mentions that searches would be more likely to take place in a situation where there is a high incidence of violent crime. That makes sense. Chapel Street is a nightclub and entertainment precinct, so you would expect the police would focus on that area especially after what happened in July this year with the knife attacks. You would hope and expect the police would be able to go into these areas and identify and search to ensure the crime rate is reduced. We welcome that part of the legislation.

There are some concerns that people will be targeted but it is fair that you focus where there is a high incidence of violent crime and that the police are moved in there to make it safer.

The Victoria Police Association has some concerns that under the legislation there is now a mandatory requirement for a police member to inform a person being searched of his or her rank and place of duty in all cases regardless of whether the information has been requested. The association believes this is unnecessary. Police members are always under an obligation to reveal their identity on request and all police officers in uniform are required to wear identifying name tags. The Police Association also believes that requiring a member, if not in uniform, to provide evidence that he or she is a police member is unnecessary in terms of a specific legislative clause for the reasons already provided.

I can understand the concerns of the Police Association. If they are doing a search of someone in a high

incidence crime area, and the person being patted down has not requested the name of the police officer, is it necessary to provide the name, rank and place of work every time a search is done?

The opposition believes in the overall principles of the bill, which is why it will not move any amendments. We raise the issue in debate on behalf of the Victoria Police Association, but we will look at how this works in practice and if it is totally impractical we will return to it.

We believe this is good legislation. It has been a long time coming. Three years ago the Bracks Labor government said something about it in opposition, but it has taken an ugly incident in Chapel Street before the government moved towards implementing part of its policy. It is bordering on disgraceful that it has taken three years to take action.

I will finish on this note: the opposition supports this piece of legislation. It is consistent with the Liberal Party's policy of being tough on law and order. Of course this particular piece of legislation has the support of the Crime Victims Support Association. I received a letter from its president, Noel McNamara, in which he writes that he believes that people should be searched. He says that if they do not have a lawful reason for having weapons their weapons should be confiscated and they should be charged forthwith. He points to items such as hammers, iron bars, acids, and various chemicals in all their aspects. His association believes that in all other aspects police should be:

... given every possible piece of modern technology by way of equipment, to search any person, or persons suspected of having on their person any weapon considered dangerous to members of the public.

I think that is a fair point.

In regard to the latest house amendments that are being proposed this morning, the government wants to broaden the definition of illegal weapons to include dangerous articles. We had a briefing yesterday afternoon, and we believe they are commonsense amendments. We were not aware of the latest phase of the use of weapons by a lot of gang members — that is, they steal shopping trolley bars and fill the handles with cement, and because the bars are plastic and not metal they cannot be detected by metal detectors. The departmental people who talked to us made the point that there have been 20 000 shopping trolley handles stolen over the last few years. As I said, they are filled with cement, and these people can put them under their jackets and use them as immediate weapons.

I just cannot believe the mentality of these sickos. They cannot use the argument that it is self-defence. We are not going to accept that argument. It is totally unacceptable for our young people when they go to a nightclub or to a party to be in fear that someone is going to have something under their jacket and that if a bit of pushing and shoving comes around someone can immediately pull out one of these shopping trolley handles filled with cement. Honourable members can imagine the amount of damage that would cause.

The opposition agrees strongly with the house amendment that has been circulated. The inclusion in the bill of a reference to dangerous articles will enable the police to ensure community safety, which is of paramount importance. As I said, it is disappointing it has taken so long for us to get to this stage, given that over the last 12 months the use of knives in assaults has increased by 33.1 per cent. That is totally unacceptable. The opposition supports the bill, because it is consistent Liberal Party policy to be tough on law and order.

Mr KILGOUR (Shepparton) — I rise on behalf of the National Party to speak on the Control of Weapons and Firearms Acts (Search Powers) Bill. I say at this initial stage that the National Party will not be opposing this bill. It is a good piece of legislation that has been brought in, albeit a little late, because of changes in the ways that people act in our society. We need to change our legislation to ensure that the issues that come up are acted upon.

According to the second-reading speech this bill will be:

... providing our police with a greater capacity to search people for dangerous weapons and firearms.

That is a good thing. We need to ensure that we can get into the marketplace anything that supports our police. We need to give the police as much support as we can. I am sure the honourable members for Wantirna and Mornington, among others, will have been absolutely appalled at the way the police have been treated in regard to the S11 protesters. Some of those people used dangerous articles but not necessarily controlled weapons. They threw nuts and bolts at the police, in many cases missing by just fractions of an inch. Those articles could have taken out the eyes of police or caused seriously broken jaws or similar injuries.

We find that the police are in trouble because of excessive use of batons yet these people were allowed to spit in their faces and throw condoms full of urine at them. It was appalling behaviour. I would wonder why the police would not simply say at the end of the day, 'Well, what are we here for? What is it all about?' So it

is good to see at least that we now have legislation that is going to help police with the way that they work and give them a better opportunity to more easily search people to detect items.

When I looked at the legislation I thought that we should contact some of the people who may be affected by it, people who would have an interest in the control of weapons and in people who hide weapons on their bodies or around them.

The Victorian Amateur Pistol Association wrote:

We have no comments on the proposed legislation, except to say that this association is fully supportive of any measures taken to remove illegal firearms from general circulation.

I also contacted the Sporting Shooters Association, and I received a very interesting reply. I had sent the association a copy of the bill and a copy of the second-reading speech, and I had asked if it would like to make any comments to me before I spoke about it in the Parliament. Their reply was very interesting. It states:

Please also accept our gratitude for posting to us a copy of the Control of Weapons and Firearms Acts (Search Powers) Bill and second-reading speech. We have been appalled —

say the sporting shooters —

that even though we have been in regular contact with both the minister's and Department of Justice staff, nobody ever mentioned it to us, and when I mentioned the bill and speech —

and I want to make this quite clear, Mr Acting Speaker —

to the minister's adviser, David Youssef, he claimed to know nothing about it!

Here is a bill that was already in the Parliament, with the second-reading speech having been given by the minister, yet his own department knew nothing about it. Who is running the department? Who is running this issue? What is the Minister for Police and Emergency Services doing if his own staff do not even know there is a bill in the Parliament.

Mr Cooper — Who is in charge of it?

Mr KILGOUR — I wonder who is in charge of the situation.

The Sporting Shooters Association further state that they have since made it clear to the:

... Labor Party officials about stakeholders regularly being left out of all consultation in relation to these matters.

This is a government that says it consults the people and consults the stakeholders when it brings forward legislation! Not only was the Sporting Shooters Association not contacted — it has absolutely got an interest in this issue of people concealing guns on their bodies — but when it asked the ministerial staff they did not know anything about the bill coming through.

I then contacted the Police Association and, while it was certainly generally satisfied with the proposed legislative change, particularly the amendment from 'belief' to 'suspicion', given the courts have held that belief requires a higher degree within the minds of police members than suspicion, it said:

... we are of the view that a mandatory requirement for a police member to inform the person being searched of his or her name, rank and place of duty in all cases, regardless of whether or not the information is requested, is unnecessary.

The police are saying that if they are requested to give their name, place of work, et cetera, then they should be able to do that, but they do not believe it is necessary unless it has been asked for.

The Police Association goes on to say:

Police members are already under an obligation to reveal their identity on request and all police officers in uniform are required to wear identifying name tags. We also believe that requiring a member, if not in uniform, to provide evidence that he or she is a police member, is also unnecessary in terms of a specific legislative clause for the reasons already provided. It is clear that police members are required to produce evidence of their identity when out of uniform. This requirement is already within existing policy.

It goes on to say:

The association also has some concern in terms of limiting the power to direct the removal of items of clothing to coats, jackets, hats and gloves. We understand that the use of metal detectors in assisting our members to conduct searches for prohibited weapons is a useful tool in our work but in the event that a metal detector does detect what could be a prohibited weapon on the person of someone being searched, it is important that our members be provided with all legislative approval to conduct a full body search. If our members have a reasonable suspicion that a weapon is hidden in a body cavity or other personal space, the search should be undertaken by a qualified medical practitioner.

I think one would support the Police Association in those comments. I ask the minister to take note of that.

I turn to the amendments put before the house yesterday — and I thank the Minister for Police and Emergency Services for providing us with a briefing yesterday afternoon. This came in at a fairly late stage. Basically, what it does is expand the situation as far as a weapon is concerned and bring into the legislation a

new type of weapon called a dangerous article, and there are many of those around.

We already have prohibited weapons and controlled weapons, and we now have dangerous articles. A prohibited weapon is generally specifically designed to harm, with little or no legitimate use in the community. The law requires an approval from the Chief Commissioner of Police to import, possess or sell a weapon of this type. The onus is on the seller to check the purchaser's approval and identity. They are clearly prohibited weapons which everyone understands to be prohibited.

We then get to controlled weapons, which generally have potential to harm but have broad legitimate use in the community. The law requires a lawful excuse for possession, use or sale of these weapons.

Prohibited weapons are things like some crossbows, flick-knives, daggers, trench knives, throwing blades — or many types of large knives — and also knuckledusters, extendable batons, studded gloves, maces, and whips with metal lashes. Controlled weapons can be used in the community and include things like, as the honourable member for Wantirna said, a cattle prod, which could be very well used in a saleyard, but if you get a cattle prod in a busy nightclub it could cause mayhem and awful damage. It then becomes a controlled weapon. If you use a cattle prod not to prod cattle — not in that sort of area — but to prod people then it very well should be a controlled weapon, and police should be able to take it away from people.

This new category of dangerous articles is an interesting one, and one that people probably have not thought about very much. It is very good to see it being brought into this legislation, because there are things that are used that become dangerous and that we need to look at, and some of them are very simple things. For instance, a screwdriver that has been put on an emery wheel and made into a pointed object becomes a weapon. As the honourable member for Wantirna said, an incredible number of supermarket trolley handles have been taken off the trolleys, filled with concrete — some of them still have a chain attached — and used as weapons, but because of the type of material they are made of they are not detected with a metal detector. An item like this becomes a dangerous article, and while not itself a weapon that should be treated as prohibited or controlled, if it is used in that way it certainly is a dangerous article.

So there are a number of things that could be used as dangerous articles that this piece of legislation will

cover. If a person has them on their body they can be searched if the police believe they are using them to harm people.

It is unfortunate that weapons-related offences in Victoria have risen alarmingly in recent years. A weapon was used, threatened or displayed in an average of 14.2 per cent of reported personal offences in 1996–97, and the figure has risen to 20.4 per cent in 2000–01. So quite clearly the message is there that we need to do something about this. I hope that this legislation will go a long way towards the police being better equipped to find these sorts of things on people. The trend certainly justifies the police being better equipped to find these things on people, maybe before an offence can be committed.

This bill brings in a few other things that have been needed in our community and it is pleasing to see them introduced. There certainly can be problems when authorised officers of the Department of Natural Resources and Environment (DNRE) are doing their job. This bill creates a new offence of hindering or obstructing an authorised officer in the exercise of their duty without reasonable excuse if they demand the production of a licence or something similar. There will be an increase in the penalty to a maximum of 30 penalty units for that offence.

We need to beef this up a little bit because there have certainly been areas where people have been obstructed in their duty, for example RSPCA officers moving onto a property where horses have not been fed and look emaciated in their paddock. Some of those situations have not been very nice and officers have been obstructed in their duty. I hope this bill will make better provision for these officers to carry out their duties.

Then we had the anomaly as far as searches were concerned that police or authorised officers could go into a government school at the request of or in association with the principal of the school, and conduct a search to see whether students in that school actually had weapons in their bags or concealed in their property. Previously, this was not allowed in non-government schools. We now have an extension which solves the problem that the warrant could only be exercised in a public place, defined in the Summary Offences Act, and it did not include non-government schools. This created an anomalous situation where searches could be conducted in government schools but not in non-government schools. Therefore the definition of a non-government school has been included in the bill. This now allows police to exercise their increased search powers in non-government schools, but more importantly does not undermine non-government

schools' status as private places. So whilst public schools are certainly public places, non-government schools remain non-public places but the availability to search is there.

In the second-reading speech quite a bit was made of the introduction of metal detectors. When you look at the bill you notice metal detectors are not actually mentioned, but almost a page of the minister's speech is taken up in talking about the opportunity now for police to use metal detectors in the course of their duty. So this bill which allows increased search powers will facilitate the use of that equipment across the state, although metal detectors are not actually mentioned in the bill.

This bill with its increased search powers will make it mandatory for a police officer to inform a person to be searched of the officer's name, rank and place of duty. As I said earlier, the Police Association has some concerns about that and in regard to a member who is not in uniform presenting evidence, whether they have been asked for it or not. The bill also provides for the Chief Commissioner of Police to provide an annual report to the minister on the details of searches without warrant. I hope that annual report will at least give the police department and the government an opportunity to have a look and see how this legislation works.

Overall the main point about this part of the bill is that it lowers that standard of conviction required by a member of the police force to justify, without warrant, searches for prohibited or controlled weapons. As we see the proliferation of these dangerous articles being carried in bags, hidden on bodies or carried in coat pockets then the police must be given extra powers to ensure that if they believe somebody is carrying a weapon they can carry out a search without having to get a search warrant and it can be done on the spot. Any reduction in the threshold for searches without a warrant under the Control of Weapons and Firearms Acts (Search Powers) Bill 2002 must, of course, be accompanied by an amendment to the Firearms Act because this obviously involves firearms as well. This is being done in this legislation.

I think that the reasonable grounds for suspicion provision will bring the threshold test into line with that adopted in other legislation around Australia and in the United Kingdom and most other jurisdictions in Australia. It will make the standard of conviction necessary to conduct a search for weapons and firearms without a warrant consistent with those applying to a search for drugs. This means the police will not have to think very much about what legislation they are involved in when they are conducting a search for drugs or a search for a weapon.

I congratulate the minister on introducing this bill. Any legislation that supports the work of our police and makes it easier for them to perform their duties and help keep the community safe is good. I wish the bill a speedy passage through Parliament and hope it is not too long before the police have these extra search powers, which will mean a safer community.

Mr WYNNE (Richmond) — I rise to support the Control of Weapons and Firearms Acts (Search Powers) Bill 2002. In doing so I would like to acknowledge the contribution of the honourable member for Wantirna and the honourable member for Shepparton in their opening addresses on behalf of their respective parties. It is pleasing that this legislation enjoys bipartisan support.

We well remember the horrendous attack in Chapel Street, Prahran some months back which the police subsequently investigated — and matters are afoot — which involved the use of dangerous weapons.

The government has responded to the issue. Over the past five years there has been a significant increase in weapon use in reported personal offences. Indeed, a weapon was used, threatened and/or displayed in an average of 14.2 per cent of reported personal offences in 1996–97 and that had risen to 20.4 per cent in 2000–01, which is a disturbing trend. It is important that the government address this trend and it is doing that through the legislation. The trend highlights the need to increase the capacity of the police to detect and remove weapons before any offence is committed.

The government has a comprehensive policy for crime prevention. Indeed, it is a counterpoise against the position of the opposition parties, which essentially hold to a position centred around mandatory sentencing. The government believes there should be a comprehensive response to these issues and argues that mandatory sentencing, in whatever guise, is not the way to go forward. We support the separation of powers between the Parliament, the executive and the judiciary. We particularly support the judiciary in its most onerous task of properly dealing with people who come before the courts and ensuring appropriate sentences are enacted for crimes.

Apart from the legislation before the house today, the government's strategy includes a weapons community education program. I am sure honourable members have heard the effective radio advertisements that have been run recently about the dangers for people who are detected carrying illegal weapons. They highlight the illegality and the dangers of carrying illegal weapons.

It is important to indicate that the government undertook extensive consultations regarding the framing of this bill. I was reminded by my colleague the honourable member for Sunshine that he attended a large community forum auspiced by the Victorian Multicultural Commission and attended by people of more than 100 nationalities to discuss the Control of Weapons Act and the Firearms Act and the implications for the community generally. This is a hallmark of the way the government approaches not just this legislation but its obligation to engage and consult the community about the key policy initiatives it is seeking to implement. The control of weapons and firearms legislation is a good example of where the government has thoroughly explained what it is seeking to do.

The purpose of the bill is to amend the Control of Weapons Act 1990 and the Firearms Act 1996 to provide police with a greater capacity to search people for dangerous weapons and firearms and to provide additional safeguards against the potential abuse of increased search powers. It addresses the question of searching while ensuring there are checks and balances. I think we would all agree it is important to ensure that balance is in place.

A key element of the bill is that the lowering of the standard of conviction required by a police member to justify a search without a warrant from having reasonable grounds of belief to having reasonable grounds for suspicion that an offence is being or is about to be committed. The courts have held that the word 'belief' denotes a higher standard of conviction than the word 'suspicion'. This was made clear by the High Court of Australia in *George v. Rockett and Another* (1990) 93 ALR 483, where it was held that suspicion was a state of conjecture or surmise where proof is lacking, whereas belief was based upon the existence of some evidence but short of actual proof. This change to the words 'reasonable grounds for suspicion' will bring the threshold test in Victoria into line with that adopted in comparable legislation in the United Kingdom and in most other Australian jurisdictions.

It also makes the standard of conviction necessary for a search for weapons without a warrant consistent with the search for drugs under the Drugs Poisons and Controlled Substances Act 1981. We now have consistency between those two search powers. Concerns have been raised that the reasonable grounds of a suspicion provide the opportunity for circumstances such as being in a location with a high incidence of violent crime to be elevated above other considerations. The government believes this is not

likely to occur as the wording of the provision includes 'may be taken into account' and a court would not consider that this fact alone could ever be sufficient for a police member to form a reasonable suspicion. It is important to understand that location may only be taken into account.

These increased search powers come, as I indicated earlier, with additional safeguards against any potential abuse, including the requirement for the police member to advise their name, rank and place of duty to the person being searched, and if not in uniform to provide evidence of membership of Victoria Police.

Another important safeguard is that the Chief Commissioner of Police must provide an annual report to the minister on the details of searches without warrant. In our view this will provide an effective accountability measure and assist in the evaluation and effectiveness of these reforms over a period.

The Labor government, a year ahead of time, has put an extra 800 police on the beat. It has ensured adequate resources are available to the police. In the context of this bill the government has funded 420 new hand-held metal detectors and complementary technology to assist them in undertaking searches. The metal detectors are less invasive to the person being searched and are safer for the police as there is no need to have direct physical contact with the person. As well as increasing the number of police in Victoria, following the savage cuts under the former government, we are ensuring that the police are better equipped. I think that in almost every aspect — the new pay deal, the new metal detectors and the protective gear available to members — Victoria has one of the best police forces in the country.

I refer to some issues raised by the honourable member for Shepparton, including the amendments. The bill contains an anomaly in the definition of public place. It has been taken from the Summary Offences Act and does not include non-government schools. Clause 3 allows police to exercise their increased search powers in non-government schools as well as in government schools. Clause 4 extends this provision to provide that it is an offence to carry a dangerous article without a lawful excuse in non-government schools.

Staff, parents, students and visitors at non-government schools will have the same protection under the legislation as those in government schools. Obviously we are picking up an anomaly here.

A new power introduced in clause 5 of the bill enables police to demand evidence that a person has approval to carry a prohibited weapon if reasonable grounds exist

for that suspicion. The penalty for being unable to produce such an approval will be the same as the maximum penalty for failing to produce a firearms licence.

Obviously a limited number of groups are exempt from the requirement relating to carrying a prohibited weapon. The police and correctional officers will be exempt from having to produce such documentation — that would be self-evident.

A house amendment to clause 7 provides for differing fee levels to be set for approvals to possess, use or carry a prohibited weapon. This will allow a lower fee to be set for applicants already in possession of a firearms licence. Those provisions clean up a number of the anomalies that have existed.

The final thing I shall touch on is a house amendment which has been canvassed quite appropriately by the honourable member for Wantirna and the honourable member for Shepparton in their contributions to the debate. This is an amendment to further define ‘dangerous article’ within the meaning of this bill. I guess we all learn things as we go along — certainly I have in my period of time working as the parliamentary secretary in the justice area. You certainly learn things about the community that you did not know before.

Mr Langdon interjected.

Mr WYNNE — Indeed, as my colleague says, some things that perhaps we did not want to know. But clearly this notion of people being able to take the handles off shopping trolleys, fill them up with concrete, attach a chain to them and use them, clearly, as dangerous articles would not have been captured in the existing legislation. So the amendment that has been put in the bill captures those sorts of weapons within the purview of the legislation. Clearly all of us on both sides of the house would support a prohibition on all these sorts of items.

It is hard to imagine — but clearly this is the case — circumstances where people are going to nightclubs and venues armed with these weapons, for want of a better word — and they are weapons — to do harm to others. So any assistance that we can provide by broadening the scope of this legislation to pick up those sorts of anomalies is welcomed by both sides of the house.

I conclude my contribution by saying that this is an important response by the government to a quite disturbing phenomenon. There has been a significant increase in the number of offences recorded where weapons have been used. We have broadened the scope of what is regarded as a weapon under this legislation,

but we have ensured there are appropriate checks and balances in there to safeguard against potential abuse of these increased search powers. In this respect I think the government has actually got in place the right policy position.

I welcome the fact that this legislation is supported by both sides of the house, and I wish it a speedy passage.

Mr COOPER (Mornington) — By arrangement I will make my contribution very brief. I join the honourable member for Wantirna in stating that the Liberal Party will be supporting this legislation and the amendments that will be brought into the house at a later time. Usually this sort of legislation, the basis of control of weapons, is reactive; it is not proactive. It is very difficult to be proactive in regard to these matters, and the government has very correctly reacted to circumstances that have been occurring in recent times in our community. To that extent certainly we on this side of the house believe it has done exactly the right thing.

As the honourable member for Richmond stated, and before him the honourable member for Wantirna and the honourable member for Shepparton, there are circumstances occurring in our community now with dangerous weapons that one would not even imagine would have been available or been used in times gone by. But I think the shopping trolley handles description has captured the imagination of those who have been listening to this debate, because that is really the terrible extension of the sorts of things that are going on in places like nightclubs around Melbourne and elsewhere.

We on this side of the house note that since 1999 violent crime in Victoria has increased by 24.7 per cent. That is a figure that would startle and alarm the community. Members of the community would be saying, ‘Whatever happened to the 1999 promise that was made prior to the general election by the Labor Party when it said it had “a comprehensive plan to combat crime”?’ It appears that the comprehensive plan may well have failed comprehensively. When you look at a 24.7 per cent increase just in violent crime alone, you have to start asking questions about just what this government is doing.

I take it to a more local level. Let us look at the official Victoria Police statistics on offences recorded by postcode. I have three postcodes in my electorate, and they are the postcodes that cover Mount Martha, Mornington and Mount Eliza. In the period 1998–99 and 2000–01, which are the latest statistics that are available from the Victoria Police — I would expect the

2001–02 figures to be available soon, but they are not available now — in Mount Martha recorded offences have gone up by 29 per cent; in Mornington by 6.5 per cent, and in Mount Eliza by 49.1 per cent. So overall in my electorate, as it will be after the next election, recorded offences have gone up by a shade under 19 per cent.

This alarms my community because it is a community that comprises young families and a lot of older, senior Victorians. Of course in the case of the latter, the senior Victorians, they feel very vulnerable not only in their own homes but when they walk down the street. We have an increasing number of bag-snatching and similar crimes occurring in supermarket car parks, so therefore the apprehension of the community in regard to crime is one that is felt, one that is real and one that must be reacted to.

This bill deals with one section of that — that is, the section regarding the offences committed by use of dangerous weapons of all kinds. It seeks to control weapons and provide increased powers to the police in regard to searching. They are all very welcome indeed and they are all very important, but other aspects of crime need to be dealt with. They are the kinds of crimes that are impacting on people on an hour-by-hour, day-by-day basis in places like Mornington, Mount Martha and Mount Eliza, and on sections of the community that feel vulnerable, that are apprehensive, and that very clearly do not believe that enough is being done by this government; and they are asking for more to be done.

While I welcome this bill, and I do not do so in any kind of way other than to say it is very welcome, I would not like the government to believe this is the end of the line. It needs to do a lot more and it certainly needs to keep the commitment it gave in 1999 to introduce a comprehensive plan to combat crime — a promise it made in 1999 prior to an election, and a promise which it has still failed to keep.

Mr LANGUILLER (Sunshine) — I rise today in support of the Control of Weapons and Firearms Acts (Search Powers) Bill. The purpose of the bill is to amend the Control of Weapons Act 1990 and the Firearms Act 1996. Given the arrangement agreed between the parties in respect to the amount of time members will be allowed to speak in this debate, I wish to make some very brief points.

It is important to put on the record the fact that these amendments are part and parcel of this government's strategy to deliver to the people of Victoria in relation to community safety issues. When Labor came into

office members on this side made it clear that we would do everything we could in a range of jurisdictions in order to ensure that community safety standards and the quality of life of Victorians were improved. Minor as these amendments might be, they are very important and they are part and parcel of that commitment.

I commend the government and the Minister for Police and Emergency Services for their readiness to consult with a range of communities. I participated in a very important forum conducted and organised by the Victorian Multicultural Commission to bring together people from more than 100 ethnic groupings and backgrounds in the Victorian community. It was one of the best examples of engagement of the community in the process of developing legislation and taking into account the community's views. I commend the community leaders who attended those workshops for their contributions. I further commend the community leaders, because if there was a common thread in their contributions it was that while this issue is fundamentally the responsibility of the government in relation to legislation, they recognise that community leaders, members of the media, educators and parents have a responsibility to play an active role on a day-to-day basis in changing the culture of violence and the use of weapons because it is simply not warranted or accepted.

The contributions made by those community leaders reminded me of one of the most successful public campaigns we have had in relation to drink-driving, if I may draw that parallel. Legislation can be pushed through the Parliament. That is fundamental and very important, but it must be accompanied by education and a change of culture in the community. Government has a responsibility to promote this change by bringing debate into this chamber and taking debate and education back into the community. However, it is also the responsibility of the community. As a parent I think it is my responsibility to ensure that the value standards of my children and those of my friends and others are such that weapons become an intolerable and unacceptable medium in our community. That is why I draw a parallel with the campaign on .05 — that if you drink then drive, you are a bloody idiot. I reckon that had some of the things we should continue to work with.

While I do not wish to entertain recent events given the time restrictions in this debate, in light of those events we need to reflect on the importance and responsibility of not only governments — I believe governments have the primary responsibility — but also sections of the media, educators, parents and community leaders in relation to the issue of the use of weapons and firearms

in our community, particularly by youth, and indeed children, as reports appear to indicate.

I commend the government for undertaking this commitment and delivering on its promises to the community of Victoria. I also put on the record that this bill has received the support of all parties in this chamber. I wish these changes a speedy passage.

Mr LUPTON (Knox) — In rising to support this bill I would like to make mention of the amendments to be introduced in the committee stage in relation to dangerous articles. The description of a dangerous article given in the briefing is ‘any device or article whatsoever that has been adapted to be a weapon or is carried with the intention of being used as a weapon’. One of the examples given was that of baseball bats, which people can carry and use later on.

One of the concerns I have with this particular definition is that I wonder whether it will include ball bearings and fish hooks — the type of things used against members of Victoria Police in the S11 demonstrations. The fish hooks may have been adapted but the ball bearings were not, yet they were used against Victoria Police officers in the manner of what I believe to be very serious weapons. I wonder whether the dangerous articles definition will go far enough to capture those items. We must ensure, if there is another situation like that, that police have the protection of the law in dealing with anybody using ball bearings, fish hooks, condoms filled with urine, et cetera. I hope that definition satisfactorily captures those items.

This is a reactionary bill, but that is only fit and proper, because I do not think anybody in this legislature could ever have imagined that some of the weapons being used by people in the community would be used. As a result this is a reactionary bit of legislation. The government should be commended for taking the steps it has. I particularly return to the dangerous articles amendment that is to be proposed because of the initiative shown by certain elements of our community in converting various items into weapons. I do not think that anybody in this place or the bureaucracy could ever have imagined some of the things these young people are using as weapons. The legislation is good, it is reactionary and it is attempting to address the issues which have been raised.

It is regrettable that the murder of a young man who was hacked to death in South Yarra and the drowning of two others has led to this legislation being introduced. I am concerned about this because even when the Kennett government was in power we were

looking at controlling weapons. At that time a great argument was put up about people who want to wander down the street with a machete or a meat cleaver. For the love of me I cannot in any way, shape or form imagine anybody in this world who would be walking around the streets of Melbourne or anywhere in Victoria with a machete or meat cleaver for any legal reason — it has to be used for either self-protection or to harm somebody.

The legislation is doing the best it can. I congratulate the government, particularly on the dangerous articles amendment. That is a great step forward. However, I am concerned about the requirement for Victoria Police officers to identify themselves and give their work location before they can conduct a search on suspicion. That may be a little bit over the top, particularly in a dangerous situation. I have a real concern about police officers putting themselves in that sort of position. I commend the bill to the house.

Debate adjourned on motion of Mr HOWARD (Ballarat East).

Debate adjourned until later this day.

NATIONAL PARKS (BOX-IRONBARK AND OTHER PARKS) BILL

Second reading

Debate resumed from 16 October; motion of Mr GARBUTT (Minister for Environment and Conservation); and Mr MAUGHAN's amendment:

That all the words after ‘That’ be omitted with the view of inserting in place thereof the words —

‘this bill be withdrawn and redrafted to provide for the development of management plans for new parks and reserves and additions to parks and reserves proposed within this bill and incorporate a range of other matters that were referred to in the second-reading speech’.

Further government amendment circulated by Mr HULLS (Attorney-General) pursuant to sessional orders.

Mr HOWARD (Ballarat East) — I am pleased to rise to speak in support of the box-ironbark legislation. In doing so I should outline why we have come to this point. It is because across the north of this state there are significant areas of box-ironbark forest in various states of repair or disrepair. These areas identify a particularly significant habitat type for the Australian landscape. There are 73 different vegetation types within the overall box-ironbark forests and woodlands, including some 1500 species of flowering plants and

over 250 vertebrate species. Of those at least 297 plant species and 53 faunal species are now classified as extinct, threatened or near threatened. That has taken place because over the last 100-plus years large areas of those box-ironbark forest and woodlands areas have been diminished through clearing for agricultural purposes, through the harvesting of timber and through a range of other activities that have taken place.

That is an issue that has been recognised right across this state. It was the former Kennett government that set in place the Environment Conservation Council (ECC) to consult widely across the regions and to determine and evaluate how best we could protect those box-ironbark woodlands areas. We know that there was a regional forest agreement (RFA) process whereby state forests across Victoria were evaluated and determinations were made about the logging that should continue in those areas into the future. The box-ironbark areas were accepted as being of such importance as to be taken out of the RFA process and considered separately.

The Environment Conservation Council considered this matter for quite some time, and while that was continuing there was a change of government. The Bracks government certainly supported the ECC, and it wanted to see the evaluation of our box-ironbark areas continue. The terms of reference asked the ECC to identify and evaluate the extent, condition, values and uses of the box-ironbark forests and woodlands areas in northern Victoria; to make recommendations on the balanced use of these areas; to have regard to the economic and social value of any existing and proposed development or use of the land or resources; and lastly to have regard to nationally agreed criteria for a comprehensive, adequate and representative parks and reserves system.

The ECC spent six years deliberating over these issues. We know its report was released last year, and since that time the government has further had consultations with groups across those areas. We recognise the environmental significance of the box-ironbark woodlands and the importance of retaining them and ensuring that we do not further endanger the plants and faunal species in those areas. We also recognise that they have a social significance to those communities, both economically and in terms of cultural and recreational values. Those have clearly been taken into account. I cannot recall a more extensive process of consultation with a range of interest groups across the communities that have interests in the box-ironbark woodlands.

The government has essentially supported the recommendations of the ECC in establishing an extensive system of parks and reserves within that area to ensure the ongoing survival of those ecosystems and in some cases their reinstatement. What will these parks provide? I get a bit concerned when I hear some people say that we are locking these areas away. As somebody who has done a lot of bushwalking over the years and enjoyed recreating in our natural environment, I have never seen a national park that has been locked away. In fact I have appreciated doing a lot of walking in a broad range of our Victorian national parks. These parks are places for visitors to enjoy the diversity of the box-ironbark country. They cater for a wide range of recreational activities, and they can and will provide added stimulus for tourism.

I am aware that this will not create a rush of tourism into these areas, but given the range of parks available there are a lot of opportunities for communities living nearby to build tourism into their economic development opportunities for their regions. It will not happen overnight, and there will not be a great influx in a lot of those areas, but there are certainly opportunities to build upon.

What will be allowed in these areas? The answer is most ranges of recreation, including walking, picnicking, camping, car touring, birdwatching and all of those sorts of things, plus orienteering, rogaining, horseriding, mountain climbing, trail bike riding and so on. Prospecting and car rallying are among other activities that will be permitted, subject to the protection of park values. All of these uses will be provided for and will ensure a balance of community use and community appreciation of these parks systems.

Certainly the government, following on from the ECC report, has continued with a very extensive range of consultations — a list starting from 30 June last year when the draft report of the ECC was brought down right through to the present time. I am pleased to see that the government has been listening to all of the groups that have taken part in the process. Some of those groups have talked with local members of Parliament, including myself, and others have talked with the minister and her office and other representatives that the government has had in place, including John Button, who was asked to carry out extensive consultation following the release of the box-ironbark report. We have considered all of the information we have gained from people feeding their concerns and their views about the box-ironbark woodland back to us, and we have tried to work through them in a balanced and sensible way.

We have established a very extensive park system right across the north of this state. I know the honourable member for Bendigo East will be talking enthusiastically later on in this debate about the Greater Bendigo National Park. Certainly the Chiltern-Mount Pilot National Park is another one we have extended significantly, and near my electorate the Castlemaine Diggings National Heritage Park is a new addition that will be greatly appreciated by many people in that area. Within this system we see a great range of community values that the government will look to ensure are protected and enhanced.

There has been a lot of discussion about prospecting. A number of people have spoken to me about their concerns that they will be prevented from prospecting in a range of areas. After working through the consultation process and in making its determinations the government has acknowledged that prospecting will be allowed in a range of zones within this park system. Very few areas which are presently prospecting sites will be taken off the list as areas at which prospecting can continue to take place.

The government has said that it will allow prospecting in zones within the Greater Bendigo and Chiltern-Mount Pilot national parks. Prospecting will also be allowed in certain parts of the Castlemaine Diggings National Heritage Park, a new category of park which recognises the special historic character of the area south of Castlemaine. Prospecting can take place in three of the five state parks, except in areas that are identified as zones having high conservation values. There is also provision for prospecting for gemstones in specific areas within the Heathcote-Graytown National Park, the Warby Range, and the list goes on.

The government has provided detailed information sheets right throughout this process. Some have been in a simple, basic form and others have been in the form of glossy information leaflets. The government has been intent on ensuring that all of those who have an interest in the development of the park can be fully informed and up with the latest information available.

The comments made by the honourable member for Rodney caused me significant concern. He misrepresented many aspects of the legislation. For example, he tried to suggest that the government has not consulted widely and has not looked at and does not have plans for firewood strategies. They are out there in written form. There is a five-year firewood plan for Bendigo at the community firewood supply area, there is a five-year firewood plan for Castlemaine at the community firewood supply area, and there are five-year firewood plans for Dunolly, Inglewood and

Heathcote — and the list goes on. It has taken considerable time and consultation to plan to ensure that we can provide an ongoing firewood supply for people in these areas.

An honourable member interjected.

Mr HOWARD — Unfortunately there has been a lot of misinformation, much of it being derived from National Party members, who have certainly not been interested in providing a positive input into the box-ironbark system development process. In fact, we know — —

Honourable members interjecting.

The ACTING SPEAKER (Mr Kilgour) — Order! The Attorney-General should not be inciting people in this house. I ask him to desist. The honourable member for Ballarat East, without assistance.

Mr HOWARD — Certainly, Mr Acting Speaker. I do not need that assistance, because it is clear that at no stage has the National Party seriously looked at protecting any of the significant areas within the box-ironbark area.

Honourable members interjecting.

Mr HOWARD — They will want to interject, but the fact is that at every opportunity they have tried to throw up spurious information and to support any of those who wish to push misinformation. At no stage has the National Party taken a constructive role by saying that this is an area that needs to be supported. Even with the so-called reasoned amendment it moved yesterday it wanted to present a lot of misinformation and find ways of saying, 'We do like our environment and we sort of respect it, but no way do we want another national park. No way do we want any national parks'. National Party members are always using terminology such as 'locking up our national parks'. I do not know whether we have seen chains or anything around our national parks, and as so many people enjoy — —

Mrs Fyffe — On a point of order, Mr Acting Speaker, the honourable member is misleading the house. No-one has said they do not want national parks — no-one!

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

Mr HOWARD — Thank you, Mr Acting Speaker. So as to the locking up of our national parks, many people from across this state, from other states and from overseas find that our national parks are open and are

great places to visit and appreciate the special features of our state and nature of our country. The national parks, state parks and reserves proposed to be within the box-ironbark system will add to those opportunities for so many visitors.

Issues have been raised by concerned prospectors, apiarists and so on about how to determine which areas they are not able to go into because of the special environmental values that need to be protected. The government has drawn up a draft grievance process that is out there and on which it is again consulting. The initial feedback from groups is that they think the grievance process does take into account their concerns. At every stage along the way this government has listened to and taken into account people's concerns, but at the bottom line it recognises that it has to be true to the Environment Conservation Council (ECC) determinations and that these box-ironbark forest and woodland areas have been depleted too much. We must ensure that they are depleted no further, that they are protected and that the many species of plants and animals found in those areas continue to be found in those areas.

I have talked about the firewood plans this government has presented and about the grievance process which is in draft form and is out there for further consultation. There is also the issue of ecological thinning. The honourable member for Rodney also suggested that this government is not looking seriously at ecological thinning. The government has identified within this bill a process whereby it has committed a significant amount of money — over \$600 000 — to have teams of people do extensive trials around key towns to evaluate the ecological thinning process, and silvicultural thinnings will take place in other areas outside the reserve system.

The government has also provided for a range of advisory committees to be set up and has sought expressions of interest from community members across the box-ironbark areas so they can have an ongoing say in the development of management practices within the particular parks they have interest in.

An honourable member interjected.

Mr HOWARD — We have to get this bill through as a first stage so that the parks will be in place. Right along the way the government has done some great planning and has worked with the community to ensure that it can be really proud of the protection being provided. It is pleasing that initially the former government was fully supportive of this process and

that it set in place the ECC, because that has recognised its importance. I hope that those on the other side of the house, particularly members of the Liberal Party, will recognise that this bill is important and support it. I am disappointed but not surprised that the National Party still wants to walk away, present misinformation and not work in any constructive form to protect the box-ironbark woodlands. In this case I am very pleased to support the bill before the house.

Mr PLOWMAN (Benambra) — There comes a time when every one of us during our political careers is confronted by legislation which has two diametrically opposed outcomes. The National Parks (Box-Ironbark and Other Parks) Bill is such a piece of legislation.

On the one hand we have those vast areas of public land which all of us want to see maintained and improved. On the other hand, we have a big group of people across country Victoria who have had traditional use of the land and for a variety of purposes have improved the value of the land that they have been involved in over those years. They have enjoyed that opportunity for up to four or five generations. These two outcomes are not mutually exclusive: in this case the latter outcome is not required to meet the former outcome. We can and should manage this area of land, as described in the box-ironbark forest and woodland report, in a manner which is ecologically sustainable. However, at the same time we should be able to retain the vast amount of local knowledge that exists in those people who have been the users of these areas of land over the past four to five generations and let them do what they have done for those many years.

These non-contiguous parcels of land throughout central and north-eastern Victoria are not what I would call an iconic park. Very little of this area is significant enough for it to even be called a national park. Most people when asked about the box-ironbark do not know that it is not one tree. Most people believe it is one species of eucalypt, which indicates the little knowledge and understanding the majority of Victorians have about the area. Very few people visit the areas of box-ironbark. The areas where the box-ironbark grow comprise mostly light shale and ironstone, which is not attractive to the eye, intermingled with quartz, gold-bearing stone and shale.

As a consequence this area of land has been extraordinarily disturbed over the years — that goes back almost to the time of settlement. In most cases the majority of its natural vegetation was removed for firewood. Clearly when that occurred it was not a pretty sight. The photographic evidence available from libraries throughout Victoria and the Department of

Natural Resources and Environment illustrates the ravages of that early mining. I have a pamphlet about the mining at Eldorado which started in about 1861 and a photograph from it clearly shows the ravages that occurred in those days, the decimation of that land and the loss of vegetation cover. It was not a pretty sight. Things have changed dramatically since then.

I would like to quote, selectively, from a letter from Malcolm and Phyllis McClure from Castlemaine, who state:

I have lived most of my 75 years in Castlemaine district ...

Remembering in the 1930s 13 goldmines were working and being developed in the local area which all burned wood to produce steam to drive the various machines such as winding machines and massive air compressors and water pumps. My father supplied the firewood and split timber to some of these mines ...

The local hospital, meatworks and the old folks home all had large steam boilers needed for various needs such as heating et cetera, besides that almost 100 per cent of the houses and some businesses were using firewood for heating and cooking. All the combined total of firewood burned was approximately 200 000 tons per year.

This is just from the Castlemaine area.

In the late 1940s when the NSW coal miners went on strike for 18 months, firewood for the Melbourne area was needed to replace the shortage of coal as a lot of houses were using coal for cooking and heating. At first the wood was loaded onto railway trucks and sent down to various Melbourne suburbs. Then the railway workers went out on strike and the wood was carted directly to Melbourne by road transport.

... the government built two camps of approximately 200 each for displaced persons from Europe and had them cutting firewood to try and keep up with the demand, this went on for approximately three years until the coalmines got going again. The demand slowly went down, and when the natural gas was piped through the area in the early 1970s it was slowed down to a mere trickle as it is today.

This indicates that so much of this gold-bearing area, the box-ironbark woodland and forest, was severely denuded from the very first time that goldmining started through until the mid-1900s. As the letter indicates, that has slowed to a mere trickle.

Debate interrupted.

DISTINGUISHED VISITORS

The ACTING SPEAKER (Mr Kilgour) — Order! I interrupt the honourable member for Benambra to welcome to the gallery a parliamentary delegation from the Socialist Republic of Vietnam led by Dr Nguyen Phuc Thanh, MP, vice-president of the National Assembly. Welcome to the Victorian Parliament. We

hope you find your visit to our Parliament interesting. Thank you for visiting.

Debate resumed.

Mr PLOWMAN (Benambra) — I am sure the Vietnamese delegation will be most interested in the debate.

It is important to realise that the areas of box-ironbark forest and box woodlands which are managed by the Department of Natural Resources and Environment are not declining. That is one of the points I want to make clear in my presentation. The box-ironbark areas are far healthier today than they were in the 1930s and 1940s and far healthier than in the time described in the letter I have just quoted — around 130 years ago.

Four major mistruths have been used throughout the debate which need to be discussed. The first one is the issue of the declining forest, which I have just talked about. It simply is not true. I lived in the box-ironbark areas for about 40 years before I moved into this profession. In all those years I was fully aware of what was happening in those forests in my area. I have to say that during that period of time the forests have certainly improved. They have grown substantially and they are now at that stage where, if you look at the Chiltern box-ironbark forest, it is at that stage where there is natural selection going on, where the lesser species are being weeded out. There is a problem throughout much of this area of increased weed invasion and vermin invasion — invasion by feral cats and wild dogs — but the forests continue to improve.

The second mistruth which I think needs to be brought forward is the argument that there is only 17 per cent of the box-ironbark forests remaining compared with those present in pre-white settlement days. Again this is clearly untrue. I will quote figures from appendix 3 of the *Box-Ironbark Forests and Woodlands Investigation — Final Report*. In this we are looking at ecological vegetation classes and vegetation communities. The pre-1750 extent of the box-ironbark forest was 410 862 hectares. It is now estimated to be 208 080 hectares, or 50.6 per cent of the total pre-1750 area. The broombush mallee was 43 907 and is now 25 572, or 62.8 per cent; the heathy dry forest was 104 822 hectares, and is now 62 153, or 59 per cent. If you look right across the Talbot forest areas you will see that they are down to 42.12 per cent of the original area. I reiterate that the box-ironbark forest is at over 50 per cent of the pre-1750 area, yet how many times have we heard that it is 17 per cent? It is strictly not true and this report that we are supposed to be debating says so.

The third mistruth is about the 350 endangered species in the box-ironbark study area. Appendix 1 of the final report also deals clearly with this. Only 29 species of flora and fauna are listed as endangered with an action statement. A further 70 species are listed but do not have action statements. That is a far cry from the 350 species that we have all been told are endangered in these areas.

The fourth mistruth is the myth of ecotourism. It has been said that ecotourism will restore the viability of all of those smaller towns when the timber cutters leave with their families, when the fossickers stop coming to camp and stop sourcing their requirements from small country towns and when firewood becomes inaccessible. It certainly has not happened in the past in the parks in the north and west of this state and it will not happen in the box-ironbark forests of Victoria. Even the Button report makes it quite clear that ecotourism is not a magic pudding and that it will not replace the income that is going to be lost to those communities.

What should we need to do to ensure that the best management practice applies to these areas? Personally I accept the report and its recommendations that vast areas of these forests are going to go into national parks, state parks and different reserves, but I have four major reservations. The first is that silviculture thinning in the national parks and the state parks should be done by existing local woodcutters, as is the case in state forests, and that all of the vegetation thinnings should be made available for firewood for communities in those areas.

The second reservation is in regard to prospectors and fossickers. I have a gold nugget in my hand. That is the sort of size nugget that prospectors look for.

An Honourable Member — What's it worth?

Mr PLOWMAN — It is worth quite a bit of money. Unfortunately I do not own it. This is what they are looking for. It does not take a bulldozer to uncover something of that size. Might I say that I am delighted to hear that at the very last moment the government is coming up with amendments in order — —

Mr Helper — On a point of order, Mr Acting Speaker, I am wondering whether the honourable member is prepared to table the nugget.

The ACTING SPEAKER (Mr Kilgour) — Order! There is no point of order. The honourable member is prepared to table the nugget. I would be careful about who looked after it, as a matter of fact. The honourable member for Hawthorn has taken off with it! I hope that nugget finds its way back to its owner.

Mr PLOWMAN — I thank the honourable member for Ripon for recognising the importance of nuggets in the detecting and fossicking that goes on throughout country Victoria.

The point is that access to the St Arnaud Range National Park, the Heathcote-Graytown National Park and the Chiltern-Mount Pilot National Park should be available for both fossickers and prospectors. I am delighted to hear that the government at the last moment is introducing an amendment to make that happen.

The next point is that I believe it is very important that all park management plans should involve advisory committees made up of local people, particularly local people from user groups, and that the management plans be made up of the decisions of those committees.

The next point, and maybe one of the most important, is the extension of the period for the phase-out of eucalyptus oil harvesting from 6 years to 10 years. Again it is thanks to the National Party and the Liberal Party for sticking to their guns that at the last moment the Labor Party has introduced amendments to achieve that.

I would also like an assurance from the government that there will be adequate — total — fuel reduction burning in all of these box-ironbark park or forest areas. Just because there is a change in the status of these areas does not mean there is not just as much need for that fuel reduction burning, especially around towns like Eldorado, which are scattered throughout the state.

The second point is that the track-closure policy should be discontinued in new national parks. It is vital for firefighting that these tracks remain open. It is also sensible for the pursuits that are going to be allowed in these areas, like horseriding, that these tracks remain open and that people do not need to share them with vehicles. It is important that farmers and hunters be permitted to assist in feral animal control.

There are two other very important points. Current mining licences should not be affected by the introduction of these new parks, and most importantly, the approval process for mining and exploration should be made more transparent in the introduction of this park process.

To summarise all of that, there should be a full review of the management and funding of existing parks before any more parks are established in Victoria. We should demand that that occur.

I am very concerned about the linear parks along the Broken and Boosey creeks and along the Black Dog Creek. I do not understand why they are included in the study, as those of us who live in the area know there are no ironbark trees on any of those creeks and very few box trees — they are almost totally inhabited by red gums. I cannot understand why the top ends of both the Broken and Boosey creeks are being treated one way and the bottom ends another way. It just does not make any sense. I cannot understand why the government is doing that. It is of enormous concern to me that Black Dog Creek was included in this study at all. It is typical of hundreds of creeks throughout Victoria.

There are many issues that need clarification about the box-ironbark report. The apiarists need certainty that their sites cannot be closed without at least three months notice.

One of the things that came up in debate was that the Victorian National Parks Authority suggested that national parks did not experience as many fires as other areas in Victoria because they were not managed with a regime that included fuel-reduction burning. That is absolutely untrue. I have seen the devastation on the eastern side of Mount Buffalo after the fires went through there in the middle of the last decade, and it was appalling. Those people who suggest that the lack of fuel-reduction burning did not make that fire 100 per cent worse than it might have been do not understand how important fuel-reduction burning is.

I quickly make the point that the mill at Rushworth has been closed. Why? We got from that mill timber which has outstanding qualities of durability and colour and is used for outdoor furniture.

The last issue I wish to raise is the \$20.8 million the government has promised for the introduction of this report. I see in a memorandum from the office of the Minister for Environment and Conservation that the only new funding is \$6.95 million and that the rest is Department of Natural Resources and Environment corporate redirections and Parks Victoria corporate redirections. This is nothing more than a hypocritical exercise in deception on all country Victorians.

Substituted Independent amendments circulated by Mr INGRAM (Gippsland East) pursuant to sessional orders.

Mr JASPER (Murray Valley) — I am pleased to join the debate on the National Parks (Box-Ironbark and Other Parks) Bill. I have listened with a great deal of interest to the contributions made by previous speakers. I listened to the contribution of the honourable member for Benambra, which indicated an

understanding of this legislation and the areas that are proposed to be included in parks in Victoria. While listening to him I thought he should be strongly supporting the reasoned amendment put forward by the National Party.

I also listened to the contribution of the honourable member for Sandringham earlier in the debate. I have had a great respect for the honourable member and the contributions he has made to debates in Parliament, but I indicate to the house my disappointment with the information he provided to the house, which I believe showed he does not have a true understanding of the issues relating to the legislation.

On the other hand the contribution made by the honourable member for Rodney was excellent. He provided an overview of this legislation, including its development and how it affects people living in the north-eastern, northern and central parts of Victoria. He indicated clearly that the National Party has discussed this issue with people right across this area — not only with people from the Environment Conservation Council and the government through the Department of Natural Resources and Environment, but more importantly the people who live in these areas. That is the bottom line as far as we are concerned. We believe that the people living in these areas have not been given enough consideration in looking at this legislation.

What I want to do is to go back in history a little. When the interim report on the box-ironbark forest and woodlands investigation was presented to us by the Environment Conservation Council (ECC), like many honourable members I looked at the areas that particularly affected me within my electorate of Murray Valley. Those areas cover the Broken-Boosey State Park, the Killawarra State Forest and the Chiltern-Mount Pilot National Park. I undertook extensive investigations and there is no doubt that the ECC responded very well to the representations I made to it. I organised one meeting at St James on the western end of my electorate. About 200 people attended and the chief executive officer of the ECC, Mr Shane Dwyer, and senior officer Mr Paul Peake addressed the meeting, went through the report and answered clearly and as they understood it questions on what was included in the report and its recommendations.

I organised a further meeting at the township of Eldorado where there were further discussions relating to the interim report. There was a lot of concern raised about some issues in the report during those discussions and areas were identified which the community believed should be further investigated. I must say that

the ECC responded positively to the representations which had been made by groups and organisations and I believe its representatives went out of their way to discuss the issues with the people and organisations involved and then came up with the final report. Further meetings were held, including one which I organised at Eldorado earlier this year which over 200 people attended. Mr Dwyer and Mr Peake attended that meeting and whilst there was some hostility in relation to the responses from the ECC representatives, a great deal of information was provided.

Somebody — I think it was the honourable member for Ballarat East — mentioned that there was a lot of misinformation. What they tried to do was to get into perspective what the true situation was in relation to this report and the subsequent legislation which is now before Parliament.

Three resolutions came out of that meeting in January this year at Eldorado. The first was that people believed the proposed park came too close to the township of Eldorado. Secondly, they were concerned with the reduction along the Reedy Creek, because that is an area where people go camping and undertake activities such as fossicking. They bring their families there, they go horseriding and do other activities which they believed may be restricted. Thirdly, they felt there should be protection for people involved in wood collection. There has certainly been movement in that respect and the government has tried to respond to some of the issues that have been raised. In fact the legislation before the Parliament sought to respond to that. If you have a look at the three specific park areas which I mentioned earlier, you see there are a number of varying activities allowed in those areas and that is the way these concerns should be responded to.

I was also interested to see in the final report that the Wangaratta Common was mentioned. That was the first time this area had been mentioned in the report and it was disappointing that the ECC had not had any prior discussions with people from the Rural City of Wangaratta who were quite prepared to negotiate and talk about what was proposed. There have been some changes in relation to that issue.

Looking at the three proposed park areas I mentioned, including the Broken-Boosey State Park, there is no doubt there have been changes. I acknowledge that we have the reduced area along the two creeks and that other parts of the proposed park in that area will now be natural feature reserves. That is certainly a move in the right direction. I rang and spoke to one of the key ladies involved in the representations made on this matter and her comment was, 'We are not worried about the

National Party because we believe the National Party will do the right thing to support us in this area, the Boosey–Broken Creek area'. These people said, 'We have had the negotiations with the government'. The government has moved and sought to respond to the representations they had made.

Their comment was, 'Our concern is the Liberal Party. Our concern is what the Liberal Party will do and in fact what we need to see is a response from the Liberal Party in recognising where the National Party is coming from on this issue and perhaps we could get to a better conclusion'. So we have seen the discussions which have taken place and we have seen the actions that have been taken by the National Party in moving this reasoned amendment before Parliament today.

I come back to the Killawarra Forest. It is interesting when you talk to people who live in the area. One of the people I spoke to was Mr Garnett Frost, a person of 77 years of age who has been working as a post-cutter, one of two, in the Killawarra forest area for over 25 years. He knows the area and he has some understanding of it. I wrote down some notes on what he said to me and I think they are worth quoting. He said, in effect, that he did not want Killawarra to be taken by the national parks and allowed to become a mess like the Warby Ranges. He said wildflowers will not compete with all the litter that is on the ground in the Warby Ranges, and that the forest needs thinning to let the other smaller trees come through. He mentioned that he has a contract each year for 1000 fence posts, 100 strainers and 50 stays.

The second post-cutter in the area has an allocation of 300 posts, 150 strainers and 100 stays. Mr Frost told me that the allocation that has been made is realistic as they are cutting out of the forest the equivalent of three-quarters of a post per acre per year. He told me they are being forced to cut down the smaller trees and leave the bigger trees there so that those that are over 40 centimetres in circumference at chest height — that depends on what height your chest is, I guess — will remain and the smaller trees will be cut down. He indicated that larger trees often have mistletoe in them. They eventually die and become litter on the ground. Here is a person who has lived in the forest area all his life, and has worked 25 years as a post-cutter. He is a conservationist. He wants to retain the natural beauty of the area.

I understand the argument of conservationists. I have spoken to them — and I have had correspondence with Mr and Mrs Curtis from the Rural City of Wangaratta — and they have a genuine interest in this, but so have we. We want a balance — a balance

between the people who want to retain these areas as natural habitat and those who want to enjoy and partake in other activities.

About three weeks ago I spent two hours in the Warby Ranges with the Country Fire Authority (CFA). Anyone who has visited the ranges will know the road that runs along the ridge. When we drove along that road we noted that there was an enormous amount of timber lying on the ground and extensive undergrowth. Do honourable members know what will happen if a fire starts in the Warby Ranges? The whole lot will go up. The CFA has told me that its members will not go in there. We need better control and management. A contract could be let to remove some of the timber lying on the ground, which could be taken out and put to some productive use. I am not suggesting that we go right through the area and that we should not protect the sorts of things that are going on, but we need balance so that we can look at the needs of all the people.

I refer to Mr Garnett Frost, who has lived in that area nearly all his life. He is a post cutter who has been in the Killawarra Forest for 25 years. Mr Acting Speaker, you will be aware that the report indicated that post cutters would be phased out within six years, which seems to be a reasonable objective. Mr Frost says that he is 77 years of age and about six years should nearly see him out. He is a very fit person. He received a contract to sign from an officer of the Department of Natural Resources and Environment some two months ago. He said he would consider it. About a month later he received another contract, but this time it said he would be paid compensation of about \$16 000 to \$17 000 and that he would finish on 30 June 2003. The National Party is concerned about that. People in these areas have varying demands. We are not opposed to national or state parks, but there must be balance in this arrangement. We want the government to take account of all the people who live in the area and who enjoy a range of activities.

I acknowledge that the report recognises many of these activities, but the National Party is concerned about some areas of the department. Garnett Frost tells me that officers from the department tell him the trees that should be taken down but they do not recognise his knowledge when they tell him this.

I refer to the Eldorado area, which is an interesting area. I recognise the changes made by the government in the legislation in drawing back the proposed national park from the township of Eldorado and creating the Eldorado Historic Reserve around the historic dredge and beyond. I recognise the work done by the Honourable Peter Hall, a member for Gippsland

Province in another place, supported by the Honourable Bill Baxter, a member for North Eastern Province, on the amendments recognising the changes in the development of this forest area of the national parks and giving greater recognition to the fact that people in the Eldorado precinct have concerns. During the committee debate the National Party will move an amendment that will ensure that the area around Eldorado continues the multipurpose park and extended state forest. There is recognition that the owners of the three or four private properties in the area are concerned about access to the national park and whether there will be appropriate protection for the activities they undertake.

When I talked to officers of the Department of Natural Resources and Environment they said those property owners would be able to use the access roads, which would be maintained by the Rural City of Wangaratta, and that they would still be able to carry dogs and guns in their vehicles if they wished. The National Party is concerned about that. The honourable member for Benambra said that many of these areas are not strictly box-ironbark forest areas, and I have been told by Mr Anthony Carey, who has lived in that area all his life, that there is only a small amount of box-ironbark forest but that it should be maintained as a state forest. The National Party is proposing that most of that area be rezoned as state forest, which would protect Reedy Creek and the people living in the Eldorado area and would extend the park to the Woolshed Falls area.

I received representations from Michael Bear, who lives in the Wangaratta area and owns a block of land adjacent to the township of Eldorado. He said that according to the report he would have to drive through a national park to get to his block of land, on which he is building a house. What had happened was that this area had been included as part of the national park and that would have precluded his having access to his privately owned property. I am pleased that the Environment Conservation Council responded to my recommendations and that a small sliver of land was taken out of the park. I highlight that issue because it indicates some of the problems that we may have. Unless you go out and look at the area you do not really know where the boundaries are and what is included. Some of the people at the Environment Conservation Council were not aware of the boundaries for the proposed state or national parks. The National Party believes that while an excellent report has been prepared and there has been movement by the government in responding to the needs and desires of people, it does not go far enough.

In closing, I highlight the three issues that are of concern and are important to the National Party. The government has said it will establish management committees for each of these areas, but the bottom line is that the Department of Natural Resources and Environment or Parks Victoria will have the final say in the activities that will take place in those areas. The people in the Broken–Boosey Creek area, in the Eldorado area and in the Killawarra Forest do not believe that is acceptable. They are concerned about what will happen within the department and about the people who will manage these areas.

Without appropriate funding these parks cannot be properly managed or maintained. That is a key issue with national parks already. Insufficient government funding is being provided for the protection and development of those areas. If we are to have additional state or national parks more funding must be provided by the government so that they are managed effectively. We must take account of the wishes of all the people living in the area.

The third issue of concern to the National Party is wood collection. Many people in my electorate regularly collect and use firewood. Even though we have a strategy developed by the government and a grievance process, I am concerned about the possible phasing out of wood collection. Many people living in my area believe it is a natural activity to collect firewood to burn in their homes. I have mentioned other issues of concern during the debate.

The National Party strongly believes that the house should support the reasoned amendment moved by the honourable member for Rodney that will allow further discussion and debate and allow us to gain appropriate assurances from the government about our concerns. An apiarist told me earlier this week that although there were appropriate protections for his activities he was concerned the government may curtail those activities. The same thing may occur with prospectors and miners.

Ms Allan interjected.

Mr JASPER — The honourable member for Bendigo East says I am scaremongering. You go and talk to the apiarists!

Ms Allan interjected.

Mr JASPER — Well, you have not listened to them.

I have concerns about what the department may do if these activities take place. That is the major issue so far as the National Party is concerned. We want to see a

government that is honest and will make sure that appropriate protections are in place and that we get the management for them to go forward. I am disappointed with the actions taken by the Liberal Party, which has been critical of the legislation and the things that have happened but has not come forward and said, ‘We will support what is a logical amendment being put forward by the National Party’.

Further government amendments circulated by Mr HAMILTON (Minister for Agriculture) pursuant to sessional orders.

Mr HELPER (Ripon) — The debate over the creation of a new network of parks and reserves in box-ironbark forests has been a long and at various times a very contentious one. At the outset I acknowledge the various groups that have engaged in this debate, and on the whole they have done so in a spirit of fairness — obviously wishing to advance their particular cause but nevertheless doing so in a spirit of fairness. I acknowledge my appreciation of the input from a range of groups, organisations and individuals.

The legislation has come into the house after an investigation into the protection of box-ironbark forests that the then Land Conservation Council commenced back in 1996. That pays some recognition to the length of the process. The LCC’s successor, the Environment Conservation Council, followed on that investigation and presented its recommendations to the government last year. During the LCC and ECC’s investigation there was an enormous amount of community interest, but of course that rose to a crescendo after the circulation of the ECC’s draft report and has continued through to the legislation being before the house today.

In response the government accepted the ECC’s recommendations on the land areas to be protected. Also the government commissioned the Honourable John Button to produce a report into how the ECC framework and recommendations could be implemented. It should be acknowledged across the chamber that the process the government has engaged in in implementing the ECC’s recommendations has been about trying to value add and seek the best possible outcomes for the community.

The Button report informed the development of the government’s \$20.8 million package to implement and manage the parks and to undertake structural adjustment programs to assist those commercial timber cutters who will be affected by their creation. It is worthwhile pointing out that if the ECC recommendations had been implemented by a coalition government I doubt very much that we would have

seen a recognition of the individuals displaced through the creation of parks and reserves. I suspect somehow that they would have been hung out to dry and that there would not have been an adjustment package.

There always will be issues with any adjustment package — that is part of the natural dynamic. As any changes in our community occur the people who get affected by them have a broad range of interpretations of the effectiveness of any adjustment package. But overall I think it is fair to say — as I say, it is a hallmark of this government — that it recognises that in the creation of these parks and reserves people and their livelihoods are affected and it has a responsibility to address their needs in this process of change.

To date the government has had 119 applications for assistance under the package — and I think the word ‘assistance’ should be seen as being used quite loosely. The licence applicants have engaged in the adjustment program, as we have invited them to, so that is something I welcome. Of the 119, 21 licensees are full time, 15 work between half time and full time, and 83 work less than half time. So we can see from those figures the quite broad spread of activity that occurs in the box-ironbark forests. We can see the broad range of industry interaction within the box-ironbark forests, from a little bit of part-time activity through to full-time work.

The government will now work with the applicants and those who are engaging in the adjustment process with a view to developing a fair and balanced package as a consequence of the creation of the new parks and reserves. However, I can announce a government initiative that it gives me a great deal of personal pleasure to see discussed in conjunction with the legislation — that is, that those timber workers will have access to work again in these parks as part of a \$600 000 package of ecological and silvicultural works throughout the box-ironbark region.

For the benefit of those honourable members who do not quite understand the ecosystem of the vast bulk of box-ironbark forests, I point out that it has been extensively modified through human activity. In most cases the forests have been logged, and in many cases the soil has been disturbed through mining activity. That is part of history. We are here now, but there needs to be a clear understanding that we are not talking about anything resembling old-growth forests but talking about an ecosystem which has been extensively modified and which many would argue needs to be managed in the transition towards a natural state of ecological balance. This \$600 000 allocation will

provide up to 10 positions, and priority will be given to employing displaced timber workers in these jobs.

I congratulate the government on working through a process that provides a maximum outcome not only for environmental concerns but also for the community’s wellbeing in those areas that are affected by the parks and reserves. It is great news for regional Victoria and further demonstrates, as I say, the Bracks government’s commitment to listening to the concerns of regional communities and then acting upon what it hears.

This program will not only help return Victoria’s box-ironbark forests to pre-European condition but provide real jobs for those affected by the change. The plan has two components — the silviculture thinning program in the state forest, and an ecological management strategy (EMS) within the new national and state parks. As I said, this twin approach will not only facilitate and repair the health of the forests but provide a jobs dividend by creating new employment opportunities for timber cutters in those parts of Victoria affected by the creation of the parks. Any honourable member that looks at this initiative in a fair and balanced way would have to acknowledge that that is indeed a win-win outcome.

The idea is to remove competing smaller trees to allow habitat trees to grow even bigger. That is in parks and reserves. This technique will stimulate the growth of the remaining trees and help improve the ecology of the forests.

I live on a property with 10 acres or so of box-ironbark forest.

Mr Hamilton interjected.

Mr HELPER — Is that what it is? I can never keep up with this newfangled stuff.

Perhaps it should be explained to members that the box-ironbark forest regrows from stumps left by previous woodcutting. This is called coppice growth, and you often have multiple stems on a single trunk. There has not been any cutting activity on my property for quite some time and I am observing that quite young, immature coppice stems are falling over left, right and centre as a consequence of there being multiple stems on a single trunk and the single trunk not being able to support them. If my property is any example to go by, it is important that we derive the environmental outcomes of ecological thinning.

It is expected that ecological thinning will take place in these parks in the long term but it is important to do the research and determine the best approach to managing

national and state parks in the longer term. The government is not saying that it has completed the entirety of the management response in terms of the box-ironbark ecosystem. We have a certain amount of knowledge at this particular point, we understand that ecological thinning will play a part in restoring the box-ironbark forests, and we understand that we have more to learn in this regard and we intend to do so.

The silviculture thinning program will be undertaken immediately throughout the state forest. It will be principally designed to reduce the existing density of trees, thus increasing the quality of trees for sawlog, post and firewood production in working forests.

This program will give regard to managing fire risk through northern Victoria. That is an extremely important point. Forestry activities have played a part in reducing the fuel load in box-ironbark forests. As a consequence of a change in forestry practices there needs to be an understanding that the necessary fuel load reduction should be taken account of. The ongoing dry conditions have created significant fire risk in the area and these programs will ensure that fire protection is a priority throughout the region. If the product of thinning constitutes a fire risk, there will be a commitment to reduce fuel build-up throughout the parks and reserves as part of increased fire management efforts across northern Victoria.

I am also pleased to confirm that the Bracks government will move an amendment to extend the phase-out of eucalyptus oil harvesting from the Greater Bendigo National Park from 6 years to 10 years. That is an extension to 2012.

Honourable members interjecting.

Mr HELPER — I think there comes a point in resource management debates when we should toss out politics; I advise the National Party to do that. We should get on with trying to establish the best possible outcome. Frankly, I am not fazed by the cries of members of the National Party for recognition: if they are suffering from relevance deprivation syndrome, I am happy to oblige in whatever way possible. It must be terrible to suffer from the affliction of relevance deprivation, so National Party members should tap me on the shoulder and let me know how I can assist them to overcome the scourge of it.

The Bracks government will also move an amendment to allow fossicking with metal detectors in the Chiltern-Mount Pilot, St Arnaud Range and Heathcote-Graytown national parks.

Honourable members applauded.

The ACTING SPEAKER (Mr Nardella) — Order! Honourable members who have been here for a long time understand that clapping is disorderly, especially when they are out of their seats. I ask honourable members to desist.

Mr HELPER — In my presentation I have drawn attention to three government proposals in relation to this bill. First, I provided more detail of the government's intentions in terms of ecological thinning. I consider that to be an incredible victory for commonsense and a victory for the ecology of the box-ironbark forests in both the parks and reserves system and working state forests. Given the way the government has gone about it, this is an outcome that contributes significantly to the wellbeing of those most directly affected by the creation of box-ironbark parks and reserves.

The second point I made is that the government will act to extend the phase-out period of eucalyptus harvesting from 6 to 10 years, taking it to 2012. That is a recognition of what is going on in the community and a practical way of addressing a real issue.

The third point I highlighted was the announcement foreshadowing an amendment to allow fossicking with metal detectors in a number of parks. Again, it is fair to say that that has come from the government being prepared to listen to the community and accept feedback from it.

All of those initiatives clearly and plainly indicate that after a lengthy, exhaustive and often emotional process of engagement with the community on these matters, the government has listened to very many of the issues brought up and has acted on them in the final delivery of the bill as it passes through the Parliament. I think that all bodes well for this government and its engagement with the community.

I want to make one last point before concluding — that is, I urge the upper house, the Legislative Council of this Parliament, to facilitate speedy passage of this piece of legislation, which has been value added through the consultation the government has undertaken and its adoption of positions members of the community have put to it. In that sense, I commend the bill to the house.

Mr HONEYWOOD (Warrantyte) — We have just seen the most incredible double pike flip with a degree of difficulty of 10 by a party in government which only this morning said there would be no amendments to this bill; it seems the government had a conversion on the road to Damascus. The opposition is pleased to

accommodate the government's difficulties. The government has struggled through this debate because it has not consulted with the key people.

In this debate we have to acknowledge the incredible work done by the Bush Users Group and the Victorian National Parks Association. In my 14 years in Parliament I have never before seen the type of lobbying that has been done by these volunteers, who are passionate about their respective communities and the environment.

On behalf of the parliamentary Liberal Party I congratulate them for their incredible volunteer effort for and on behalf of their respective constituencies. At the end of the day this debate has proven yet again that the Australian Labor Party is a party of the city. The longstanding, accepted political rule has been that Labor governments do not know anything about what happens beyond the tram tracks of Melbourne. What we have seen in its performance in this debate in the last week or two has been nothing short of testimony to the fact that it does not understand rural Victoria.

By contrast the Liberal Party is a party for all of Victoria. The Liberal Party has had its parliamentary leader, the honourable member for Malvern, in the company of the honourable member for Benambra and honourable members from all around rural Victoria up in the local communities. He has sat down with those communities, consulted with them and discussed the key issues of concern. He has also sat down with groups such as the Victorian National Parks Association to ensure that a true balance has been brought into this debate today.

Importantly only two parties in this Parliament can form government — on the one hand the Labor Party, the party of the city, and on the other hand the Liberal Party, the party for all Victoria. At the end of the day, the National Party has the luxury of doing lots of talking but with not much chance of implementing anything, and the Independents have a similar role. So it comes down to the parliamentary Liberal Party to make a commonsense stand that balances the genuine needs and views of local residents and the environmental protection concerns of the whole community of Victoria. We have only to see the passion that both the honourable member for Benambra on the one hand and the honourable member for Sandringham on the other have brought to this debate to highlight the fact that the parliamentary Liberal Party has taken on board all of the concerns.

Even with my own family I find that on the one hand my wife's family earned its living from the cutting of

timber many years ago in the Chiltern box-ironbark forest. My wife's grandfather used to send the timber to Melbourne from a siding that is still located in the township of Chiltern. But if you go to the townships of Chiltern or Beechworth nowadays you find that tourism is booming. Whenever my wife and I go up to the family home in Rutherglen we go for bike rides and picnics in the Chiltern box-ironbark park. Those two townships are doing very well.

However, we also have to acknowledge that other townships such as Eldorado are doing it very hard indeed. Some of these smaller rural communities need acknowledgment that they have particular requirements, be it their reliance on timber as their main resource for heating in winter in particular, be it their reliance on the local box-ironbark forest for much of their recreation, or be it even the fossicking issue which affects many people who are engaged in fossicking from right around Victoria. There are legitimate local concerns, and indeed concerns being put forward by legitimate park user groups from right around Victoria.

But on the environmental protection side of the equation, national parks are vital for future generations. National parks and reserves are accepted by international, national and state governments as being the cornerstone strategy for the protection of biodiversity. These views are reflected in national and international conventions. All Victorian governments have had policies to develop a parks system that supports representative samples of the state's ecosystem and threatened flora and fauna. Designation of park systems has been a key function of the Land Conservation Council, and subsequently the Environment Conservation Council (ECC), since the early 1970s. As a result our state can lay claim to having established a truly representative parks system which is unparalleled in the world and which now covers a majority of the remaining ecosystems of our state. There are a few notable gaps, but box-ironbark forests and woodlands have been significantly under-represented in Victoria's park system.

In 1996, as we all know, the then Land Conservation Council commenced the investigation that has led to this point today. It investigated the box-ironbark areas and consulted widely before making recommendations to the then government. The ECC attempted to resolve potential conflicts by carefully choosing areas with important biodiversity values to add to the parks and reserves system, but at the end of the day we have to trust the fact that local communities that have been living with these forests, parks and reserves are also passionate about their local environments and are

passionate about the ability to interact and engage with those local reserves and local parks.

On that basis, what we have today is a win-win for all the people of Victoria. It is not going to lock out — which is the Labor Party's philosophy — people from enjoying their parks. It is not going to lock out fossickers. It is not going to lock out people who, according to what we have heard today from the honourable member for Ripon in his double pike flip, are going to be able to in some cases do some ecological thinning, subject to pilot studies. It is certainly not going to lock out the eucalyptus oil extractors. As we have just heard in another flip from the government — another reversal of its previous intransigent stand — it is going to allow for that crucial industry for much of regional Victoria an extension from 6 years to 10 years.

For all those reasons we have now reached a virtual consensus position. The parliamentary Liberal Party now hopes the bill will go through and can only plead with the government to get it through. There is no good reason why the parliamentary Labor Party, having done the main reversal today because it is worried about the election on 30 November and is worried about votes, cannot get this legislation through Parliament before the state election is called — one year early, I might add! It is up to the government to ensure that it manages this Parliament properly as the party of government to ensure that interested groups, whether it be the Victorian National Parks Association or the bush users groups, can see closure to the incredible effort they have put into this debate. They deserve that closure, and the government would have to provide good reasons as to why that would not occur.

Certainly from our standpoint of being, if you like, the guardians of parliamentary democracy in Victoria through our majority in the upper house, we are willing to facilitate the bill, as we have done with 96 per cent per cent of the government's legislation — in other words, 96 per cent of its legislation has got through the upper house. We are willing to facilitate debate on the bill to ensure that the upper house gets this bill through, if need be in record time, given the incredible amount of consultation that has gone on and the incredible number of changes that the government has made us witness today. The honourable member for Ripon re-enters the chamber, probably having just been given his latest speaking notes about the latest reversal by the government!

What the opposition hopes to achieve, of course, is to effect closure on this issue right around regional Victoria, and in the whole Victorian community, where

people are concerned to have more park systems and more national parks. We want that closure to occur today.

Ms ALLAN (Bendigo East) — I am very proud today to be standing and speaking in support of this legislation that will introduce in my own region a Greater Bendigo National Park. I will talk about that in a moment, but picking up on the comments of the honourable member for Warrandyte and what he seems to think country Victorians know and think about the box-ironbark forests, I would like to remind him and many honourable members in the Liberal and National parties that many of their own voters in country Victoria support the protection of the box-ironbark forests — the protection that this piece of legislation will afford. So they cannot afford to forget in their rhetoric and in their bluff and bluster that there are many people who are supporting this legislation through the Parliament.

I want to make the point that from the beginning, when the Minister for Environment and Conservation accepted the Environment Conservation Council (ECC) report and moved to introduce this legislation in the Parliament, the Labor Party has been the party that has supported the passage of this legislation. The National Party to its credit has been very firm in its views throughout the debate on this piece of legislation. It has always held firm in its opposition to it. It has been the Liberal Party that has waxed and waned on this piece of legislation. Its members are the ones who have had more positions on the box-ironbark legislation than a team of synchronised swimmers!

What they have done over the box-ironbark legislation is a complete joke. They have not been able to hold firm on a position on the box-ironbark forests. That shows why it is important that this legislation is passed today. We cannot afford our parks in the box-ironbark regions right across country Victoria to be under threat from what a future Liberal government may do in this area. The last two days have really exposed its inability to make key decisions on important issues in country Victoria.

A number of speakers before me have spoken in detail and at length on the history of this legislation and what the ECC report formulated. But I want to talk specifically about the formation under this piece of legislation of the Greater Bendigo National Park. The park will comprise the Kamarooka State Park, One Tree Hill Regional Park and the Mandurang South and Sandhurst state forests. These are all well-known parks around the City of Greater Bendigo.

I grew up on the doorstep of the One Tree Hill Regional Park. The honourable member for Warrandyte spoke about his family history in box-ironbark regions, and I have my own history in the box-ironbark forests in central Victoria around Bendigo. My family and I grew up on the doorstep of the forests, and I have many childhood memories of treating them as a great playground. During that time I gained a strong appreciation for the native wildlife and vegetation that can be found in the central Victorian box-ironbark forests.

One of the great things about this legislation is that it will create a city in a park. It will mean that future generations can, on their own doorstep, go out and enjoy the box-ironbark forests in and around the City of Greater Bendigo.

I would like to congratulate a few of the groups and individuals in my area who for well over a decade have campaigned strongly and consistently for the establishment of the Greater Bendigo National Park. They include the Greater Bendigo National Park Group, the Bendigo Field Naturalists, the Bendigo and District Environment Council and the more recently formed Young People for Parks in Bendigo. That shows that young people appreciate the importance of legislating to protect these parks for the future. I would like to congratulate those groups and the many individuals within them and throughout the broader community. My office has received an enormous amount of correspondence, through letters, emails and telephone calls, from people who really want to see this legislation go through Parliament and who understand its importance, not only for the environmental future of our region but also for its economic future, which I will come to in a moment.

I will briefly talk about the characteristics of the Greater Bendigo National Park. The park will be 177 000 hectares in size and will go right around the City of Bendigo. It really rings the City of Greater Bendigo, and the phrase 'a city in a park' captures what that means nicely. The Greater Bendigo National Park will contain a high flora and fauna conservation value, and this legislation will protect several nationally endangered species and their habitat. Again that is why this bill is important. A number of other speakers have talked about the century-and-a half decline in box-ironbark forests and how we are left with only 17 per cent of the original forests in Victoria. Having endangered species in those areas highlights why it is important to protect them.

The Greater Bendigo National Park also has great diverse vegetation value, including the highest quality

box-ironbark forests in the area, the most substantial area of broombush mallee in the region and one of the largest areas of grassy woodlands in Victoria. It is also the most important site in Australia for the Kamarooka mallee.

The new Greater Bendigo National Park includes areas where there are three nationally endangered species, including the McIvor spider orchid, the Whipstick *Westringia* and the only Victorian population of the pink-tailed worm lizard. Its protection of those three endangered species again highlights the importance of this legislation.

Honourable members interjecting.

Ms ALLAN — The National Party might find that pretty funny, but many people in my community welcome support for these types of endangered species and many others in the national park.

I will briefly refer to the Castlemaine Diggings National Heritage Park. The creation of this national park with the passage of this legislation creates an Australian first. It recognises not only the environmental importance of the area but also its cultural and heritage value and really shows how those three things can work together.

In the time I have left I would like to highlight the following matters. The honourable member for Ripon has spoken at length about how the passage of this bill will create difficulties for some people who rely on the box-ironbark forests for timber and other products. If there is a range of views in the party, then I suppose the honourable member for Ripon and I represent different sides of those views. But we on this side of the house have been constructive in working together to talk with a number of concerned groups, such as Timber Communities Australia and the Bush Users Group, both on a statewide level and with those who live in our own electorates. This bill has meant that difficult decisions have had to be made and will have to be made in future, because they will impact on people's livelihoods.

The honourable member for Ripon spoke about the structural support and compensation packages the government has put in place. One example the honourable member has highlighted often is the compensation for average firewood or fence post cutters, whose livelihoods are affected. They can apply for compensation in this area.

The discussions that have taken place before the introduction of this bill have been around ensuring that members of Parliament are aware of the impact on and changes to people's lives that will occur. I appreciate the dialogue we have had with those groups, who have

been very constructive in talking to us — constantly and repeatedly — about this legislation. That has been fantastic, because it has given members like me a much greater appreciation and understanding of the issues.

I will give an example from my own electorate. Last year I met with Geoff Hartland, who runs Hartland's Eucalyptus Distillery in the Huntly area. During that meeting he raised concerns about the need for a transition process and some structural assistance for his moving off public land and onto private plantations. Provisions such as the 10-year time frame to be put in place for him to make the transition are welcomed by the Hartland family. I must say that I highly recommend Hartland's eucalyptus products. They are good products!

The Greater Bendigo National Park will have positive spin-offs for the City of Greater Bendigo. The ECC report has documented the fact that there will be increased visitor numbers in recognition of a world-class park system, which will certainly complement Bendigo's built-up history. We have a strong heritage going back to the goldfields, and the passage of this bill will complement that very well. During the committee stage I would like to talk about the amendment dealing with Bendigo Mining.

In conclusion this bill protects the box-ironbark forests for the future, which members of the community, particularly the young people, recognise. It is the future that we are passing this legislation for today, and in saying that I commend the bill to the house.

Mr VOGELS (Warrnambool) — I am pleased to have the opportunity to say a few words on the National Parks (Box-Ironbark and Other Parks) Bill. I suggest that if the honourable member for Bendigo East, who has just been on her feet, looks in the gallery she will not recognise anyone sitting up there, because the government has refused to meet with them for the last two or three years.

The ACTING SPEAKER (Mr Nardella) — Order! The honourable member is not to draw attention to members of the gallery. I ask him to desist.

Mr VOGELS — It is only because the Liberal Party has the numbers in the Upper House to force this government kicking and screaming to the line that we have got to this stage.

Ms GARBUTT (Minister for Environment and Conservation) — I thank honourable members for their contributions to the debate. It has been an interesting one and it will continue to be interesting.

I underline the importance of the bill for the protection of our natural heritage. It creates a significantly expanded parks system in the box-ironbark forest and woodlands region. It further protects Wilsons Promontory National Park, which is an icon national park — one of our first. It also enhances the Mitchell River National Park and prevents the damming of this magnificent heritage river. The box-ironbark parks will play a major role in ensuring that the remnant box-ironbark forest and woodlands are adequately conserved. There are 350 endangered plants and animals in the area and the bill will provide sufficient protection for them to enhance the biodiversity of this region.

I thank all of those in the community who have contributed to the process and who continue to be involved. It is the ongoing support and commitment of the community which will ensure the success of the changes which are being put in place for the box-ironbark region. In particular I thank Timber Communities Australia and the various communities in the box-ironbark region. I also thank the public servants of the Department of Natural Resources and Environment who have worked very hard on this program, the development of the transition programs and the final bill.

All along the government has been committed to protecting box-ironbark forests and woodlands. It was a significant promise in our election platform. I am pleased that today we have seen the Liberal Party finally finish flip-flopping around and stop its spinning on different positions — yesterday it was one position, today it is another. It is obvious to all that the new leader is consistent with the old one and faced an embarrassing backdown following a backroom revolt. He will now protect the box-ironbark forests.

There has obviously been quite a change of heart and honourable members on the other side of the Parliament do not know their position. They are absolutely divided on every environmental bill, whether it be on farm dams, and we remember the somersaults about that, or marine national parks, and we remember the constant position changes about that. Now we have seen it with the box-ironbark national parks. The government has always maintained its position. We want to see these bills go through. We want to see the national parks established. It is the Liberal Party that has finally come to rest at a position. The problem is that it does not know what it stands for. I am pleased that the Liberal Party is at least showing signs that it will allow these proposals through.

I have to place on record that the government never considered allowing bulldozers — doze and detect methods — inside national parks. We have absolutely rejected that. However, in the interests of a sensible outcome, at least an outcome which will establish these national parks, we have accepted the handheld prospecting and the extension of the phase-out for the eucalyptus harvesters.

I am pleased that at last we will have an outcome on these proposals for the significantly expanded parks system in the box-ironbark region.

House divided on omission (members in favour vote no) :

Ayes, 81

Allan, Ms	Senders, Mr
Allen, Ms	Lim, Mr
Asher, Ms	Lindell, Ms
Ashley, Mr	Loney, Mr
Baillieu, Mr	Lupton, Mr
Barker, Ms	McArthur, Mr
Batchelor, Mr	McCall, Ms
Beattie, Ms	McIntosh, Mr
Bracks, Mr	Maclellan, Mr
Brumby, Mr	Maddigan, Mrs
Burke, Ms	Maxfield, Mr
Cameron, Mr	Mildenhall, Mr
Campbell, Ms	Mulder, Mr
Carli, Mr	Naphine, Dr
Clark, Mr	Nardella, Mr
Cooper, Mr	Overington, Ms
Davies, Ms	Pandazopoulos, Mr
Dean, Dr	Paterson, Mr
Delahunty, Ms	Perton, Mr
Dixon, Mr	Peulich, Mrs
Doyle, Mr	Phillips, Mr
Duncan, Ms	Pike, Ms
Elliott, Mrs	Plowman, Mr
Fyffe, Mrs	Richardson, Mr
Garbutt, Ms	Robinson, Mr
Gillett, Ms	Rowe, Mr
Haermeyer, Mr	Savage, Mr
Hamilton, Mr	Seitz, Mr
Hardman, Mr	Shardey, Mrs
Helper, Mr	Smith, Mr (<i>Teller</i>)
Holding, Mr	Spry, Mr
Honeywood, Mr	Stensholt, Mr
Howard, Mr	Thompson, Mr
Hulls, Mr	Thwaites, Mr
Ingram, Mr	Trezise, Mr
Kosky, Ms	Viney, Mr
Kotsiras, Mr	Vogels, Mr
Langdon, Mr (<i>Teller</i>)	Wells, Mr
Languiller, Mr	Wilson, Mr
Leigh, Mr	Wynne, Mr
Leighton, Mr	

Noes, 6

Delahunty, Mr (<i>Teller</i>)	Maughan, Mr (<i>Teller</i>)
Jasper, Mr	Ryan, Mr
Kilgour, Mr	Steggall, Mr

Amendment negated.

Motion agreed to.

Read second time.

Business interrupted pursuant to sessional orders.

Sitting suspended 1.05 p.m. to 2.03 p.m.

NATIONAL WEEK OF DEAF PEOPLE

The SPEAKER — Order! I wish to advise the house that this is the National Week of Deaf People. I have given permission to a request for two interpreters from the Victorian Deaf Society to sign today's proceedings for members of the gallery who are either deaf or hearing impaired.

QUESTIONS WITHOUT NOTICE

Superannuation: public sector

Mr CLARK (Box Hill) — My question without notice is for the Premier. I refer to the repeated failures by the Premier and the Minister for Finance to disclose what further losses to Victorian taxpayers have been caused as a result of share price falls since 30 June this year and as a result of the Treasurer authorising public sector superannuation funds to increase their investments in overseas shares from 30 per cent to 40 per cent of their portfolios. I further refer to disclosures by the Victorian Funds Management Corporation that it has restructured its clients' international equity portfolios and has set up a new international equities trust —

The SPEAKER — Order! The honourable member should come to his question.

Mr CLARK — Will the Premier now undertake to make public the full facts about the losses that have occurred in Victoria's public sector superannuation funds and about the Treasurer's role in such losses?

Mr BRACKS (Premier) — We have provided for a significant buffer on the operating account, and within that buffer we have accounted for a downturn in the international stock market and still had a surplus. A surplus! That is good housekeeping; that is good financial management. Initially we committed to a minimum \$100 million surplus. In fact we put a \$500 million buffer on for any external shock, and you can see how necessary and important that was when you see that the adjustments that were made post-11 September 2001 and the downturn in the stock

market have accounted for a substantial surplus. That is how we will structure the accounts in the future as well, to account for any downturn in the stock market and still produce a surplus.

Drought: government assistance

Mr RYAN (Leader of the National Party) — I refer to the Premier’s answer last week in question time when he said he was happy to negotiate with the federal government over an improved exceptional circumstances (EC) package for Victoria’s drought-affected rural areas. Given this statement and the fact that the federal Minister for Agriculture, Fisheries and Forestry has since offered to pick up 90 per cent of new business support measures in the first year of an EC declaration, will the Premier now agree to the improved federal drought relief package?

Mr BRACKS (Premier) — I thank the Leader of the National Party for his question. The offer remains for continued negotiation, and we would welcome that occurring in the future.

This government expects to have its exceptional circumstances submission to the commonwealth prepared in early November — 4 November for some parts of Victoria, and a bit later for other parts of Victoria. I note that the federal minister, Mr Truss, has said that once he receives that submission he will automatically pay for drought relief. I welcome that assurance from his office. We will prepare the best possible case for that to happen. In the meantime we will also negotiate with the federal government on these matters, but we want to see money and support flowing to drought-affected areas in Victoria, just as we have done and just as other state jurisdictions have done. I reiterate: \$30 million is going from the state government to drought assistance, which is necessary, appropriate and something which is required in the future.

What is happening with the federal government? How much has it contributed? Absolutely zero! This is a chance for Mr Truss to address this. He will have a submission soon. He said he would automatically apply it. The big test for him will be to see if he actually applies that money as he said he would.

Natural Heritage Trust: allocations

Mr WYNNE (Richmond) — Will the Minister for Environment and Conservation update the house on the latest developments concerning allocations from the Natural Heritage Trust and explain what impact this

and other developments may have on critical environmental projects around the state?

Ms GARBUTT (Minister for Environment and Conservation) — I am concerned that today I have to advise the house that there is a range of environmental programs right across the state that are under threat. The basis of that threat relates to advice from the federal government about Victoria’s share of the Natural Heritage Trust Mark 2 — Mark 2!

An honourable member interjected.

Ms GARBUTT — You are right; it is bad news.

Last year regional Victoria shared around \$30 million in funding from the NHT. This year, however, the indications are that regional Victoria will get around half that — a 50 per cent cut, down to \$15 million. That is very bad news for country Victoria, but it gets worse! The federal government is set to announce that it will take its share of funding for the Wimmera–Mallee pipeline — nearly \$8 million — out of that reduced \$15 million. So we are going from \$30 million to \$15 million to \$7 million for regional Victoria. That will have devastating impacts on a whole range of groups right across the state.

I want to go through the impact that that would have on the North East Catchment Management Authority — an excellent organisation that is doing great work. Last year it got \$2.8 million through the Natural Heritage Trust; this year it looks like it will get less than \$1 million — —

Mr Perton interjected.

Ms GARBUTT — You really don’t care about the environment, do you? The North East Catchment Management Authority — —

Honourable members interjecting.

Ms GARBUTT — Why do you hate the environment so much?

The North East Catchment Management Authority has around 50 Landcare groups all working on the ground and doing excellent work to manage salinity and improve land and water quality. Those are very good, high-priority areas to be working in. The great irony is that the federal government has allocated eight Landcare facilitators to help with this work, but due to these cuts they will have nothing to do — there will not be projects funded for them to do. They will be sitting around twiddling their thumbs with nothing to do.

The North East Catchment Management Authority is of course doubly vulnerable because it is receiving no money through the national action plan for salinity and water quality. Of course the Premier has written to the Prime Minister seeking a matching contribution of \$5 million to fund these works. The silence is deafening. There has been no reply.

Quite clearly the Liberal Party, both here in Victoria and federally, does not care about the environment. We have seen that demonstrated time and again. Clearly the Liberal Party does not know what it stands for and is absolutely divided when it comes to the environment. We have seen the half twist, the half pike and the palace revolt in the Liberal Party rooms today on the creation of new national parks. It is the latest, I have to say, in a series — —

The SPEAKER — Order! I ask the minister to come back to answering the question.

Ms GARBUTT — When it comes to the environment the Liberal Party is absolutely consistent — it is divided. It stands for nothing, whether it be on farm dams, marine national parks, box-ironbark national parks or the Victorian Environment Assessment Council — the list goes on and on.

Able Demolitions and Excavations Pty Ltd

Mr McINTOSH (Kew) — I refer the Premier to the fact that on or about 20 April 2000 the Premier received written advice from his own departmental secretary that a senior representative of the Construction, Forestry, Mining and Energy Union warned that if the government awarded the National Gallery demolition contract to the government's own preferred tenderer, Able Demolitions and Excavations Pty Ltd, then the CFMEU would take industrial action on several government construction sites. Can the Premier inform the house why the government withheld awarding the National Gallery demolition contract to Able Demolitions for a further three and a half months?

Mr BRACKS (Premier) — As the honourable member for Kew would no doubt know, this matter has been examined by the building royal commission. It has determined its findings, and the government response is absolutely on the record.

Drugs: Kilmore rehabilitation centre

Ms DUNCAN (Gisborne) — Will the Minister for Health advise the house of the latest developments in the government's expansion of drug treatment services,

especially for country Victoria, and explain why this has been necessary.

Mr THWAITES (Minister for Health) — I thank the honourable member for Gisborne for her question. The drug problem is not just a city problem. We know that drug and alcohol abuse affects towns and regions all over Australia. I am very pleased to announce today an expansion of our drug treatment effort by the establishment of a new \$775 000 residential rehabilitation centre for young adults to be located in the Kilmore area. It will target in particular 18 to 25-year-olds from rural Victoria. The service will provide a new approach to residential rehabilitation, offering shorter and more intensive rehabilitation and linkages with employment and support services. Based on a 12-week stay, over 100 young adults will be able to access this program each year.

I am very pleased to advise the house that this announcement has been made after a tender process and that the Salvation Army has won the tender. The Salvation Army, despite the questioning from the members of the opposition — —

An honourable member interjected.

Mr THWAITES — They were trying to have a go at this.

Honourable members interjecting.

Mr THWAITES — They were. The Salvation Army has an impeccable record and will manage this new service.

The Bracks government's record of achievement in the area of drugs and young people stands on its own. For example, there has been a 26 per cent increase in the provision of treatment courses for young people. Since 1999 there has been a 72 per cent reduction in waiting times for treatment, and there has been an 18 per cent increase in the number of clients accessing drug treatment. This government has nearly doubled the number of drug treatment beds, which is now 120.

This government has had to take initiatives in country Victoria because almost nothing was done for drug detox services in country Victoria by the previous government. This government has put in place a residential drug detox service in Ballarat, a residential drug detox service in Bendigo and adult and youth residential detox services in Geelong. We should not forget that between 1994 and 1996 the previous government actually closed drug treatment beds. All we get on drug and alcohol issues from the current Leader of the Opposition, who was then a junior health

minister, is populist rhetoric! We have not had a policy. He will not tell us what the opposition's policies are on drug and alcohol.

The government is putting in place a comprehensive drug strategy. Unlike the Leader of the Opposition, it is not indulging in cheap rhetoric, which is what he is doing now. Cheap rhetoric! The opposition leader will not say what his policy is, and the opposition — —

Mr Honeywood interjected.

Mr THWAITES — This government will continue to put extra services in place in country Victoria. It is about time that we heard one single health policy from the opposition.

Planning: wind farms

Ms DAVIES (Gippsland West) — Will the Minister for Planning guarantee that the decisions the government makes on the basis of the recently announced wind farm guidelines will conform in full with the requirements of the Victorian coastal strategy?

Ms DELAHUNTY (Minister for Planning) — I thank the honourable member for Gippsland West for her question. Last week the wind farm guidelines were approved after a period of community and council consultation. They have been supported by councils and by the Municipal Association of Victoria in particular.

The question goes to the consistency between the wind farm guidelines and the Victorian coastal strategy. I can assure the house and the honourable member that the Victorian coastal strategy and the new wind farm guidelines are entirely consistent. Under the Victorian planning provisions councils must take into account both the coastal strategy and the wind farm guidelines.

The wind farm guidelines are important. This is an industry in Victoria that is developing, and it is one which the Victorian government wants to support. It is renewable power and will reduce green house emissions, and the government hopes these guidelines will facilitate the generation of up to 1000 megawatts of electricity by wind power. If that occurs over a period of time in Victoria, it will provide about 10 per cent of the electricity for all Victorians. It is therefore important that we have these wind farm guidelines not only to support this industry but also to ensure that wind farms are developed in an environmentally sustainable way. Under these guidelines coastal areas and national parks will be protected. I think that around 43 per cent of the coastal area is excluded from any development under the wind farm guidelines and also that they are forbidden 1 kilometre in from the coast.

The government is supporting the wind farm energy industry because it is about facilitating a sustainable, affordable and secure energy supply for Victorians.

Deakin University

Mr BAILLIEU (Hawthorn) — My question is directed to the Premier. Given the two years of local heartache and the fact that the formal but draining and costly processes have now been concluded, will the proposed student activities centre at the Deakin University Burwood campus be approved or rejected?

Mr BRACKS (Premier) — I thank the honourable member for Hawthorn for his question. It will go through the proper processes, as it is now, and the minister will receive a recommendation and make a decision on that very soon.

Employment: statistics

Mr MAXFIELD (Narracan) — Will the Minister for Employment advise the house on the latest employment statistics for regional Victoria and explain how the government has contributed to this outcome and why this has been necessary?

Mr PANDAZOPOULOS (Minister for Employment) — I thank the honourable member for Narracan for his question. The latest employment figures were published last Thursday, and they again show that Victoria has the lowest unemployment rate in Australia, at 5.8 per cent. Today the regional labour force figures were released, and they show more great news for Victoria.

We all know the Kennett government ignored regional Victoria. It was the toenails of Victoria. Communities such as Gippsland, which the honourable member for Narracan represents, had an unemployment rate in June 1998 of 13.8 per cent. In May 1999, the Loddon–Mallee region had an unemployment rate of 11.3 per cent. Governments had to act to support regional Victoria. The Labor government was elected to grow all of Victoria, not just Melbourne. Regional Victoria is no longer the toenails of Victoria but a key part of the government's decision-making process.

The Bracks government is investing in regional Victoria. There is now record investment in capital infrastructure, record building approvals, record tourism growth and great programs like the Regional Infrastructure Development Fund. Victoria is now the economic powerhouse of Australia and our region.

Today's regional figures show the great news that the unemployment rate has reduced from 6.7 per cent to

6.1 per cent — that is 13 100 new jobs over the last month. Unlike the opposition, the government has detailed plans and strategies for growing all of the state and all of our industries. The number of new manufacturing jobs has grown by 21 000, contrary to the lies of the opposition that 21 000 jobs have been lost. These are 21 000 extra jobs from when the government was elected.

The way to grow Victoria is to understand Victoria. You must not be lazy. We know that opposition members are not prepared to spend time travelling around regional Victoria or talking to people. All they have is one simple plan: spend big! Spend, spend, spend — \$3 billion — but reduce taxes!

The biggest damage to the Victorian economy and its regions is caused by being economically irresponsible. That damages the economy and job opportunities. Because the government is responsible we have seen not only growth in jobs in regional Victoria but, since we have been in government, massive job growth in the outer suburbs of Melbourne as well. In the southern suburbs there are 25 600 extra jobs; in the south-eastern suburbs, 15 100 extra jobs, and in the outer-eastern suburbs 38 700 extra jobs.

This government understands regional Victoria. It works with communities and has plans for them. The government is continuing to grow all Victoria. The only threat is the policy-free zone of the opposition.

Police: consultants

Mr WELLS (Wantirna) — I refer the Minister for Police and Emergency Services to the employment of two former New South Wales senior police officers, Mr Jeff Jarratt and Mr David Bradley, as consultants to Victoria Police and the fact that their positions were never advertised; there were never any job descriptions; they never had any written contracts and that the remuneration was based on a handshake. Will the minister explain why documents relating to their employment were created only after a freedom of information request was lodged?

Mr HAERMEYER (Minister for Police and Emergency Services) — The Chief Commissioner of Police is employed effectively as the chief executive officer of the Victoria Police. As there is a separation of powers between the role of government and the role of Victoria Police, these matters are left to the chief commissioner to determine. I do not expect honourable members opposite to understand.

Mr Perton — You are responsible — you are the minister!

The SPEAKER — Order! The honourable member for Doncaster should not interject in that vein.

Mr HAERMEYER — The honourable member for Doncaster seems to find his way onto the front bench in opposition, but for some reason they can never find a space for him in government!

Honourable members interjecting.

The SPEAKER — Order! Enough is enough! The minister, coming back to answering the question.

Mr HAERMEYER — I do not interfere in the capacity of the chief commissioner to make these appointments. That is properly the role of the chief commissioner. We do not have the secretary or president of our bills committee running around the country shopping for a chief commissioner. We do not do things that way; we observe the separation of powers.

Regional Development Victoria: establishment

Ms OVERINGTON (Ballarat West) — Will the Minister for State and Regional Development inform the house of recent actions by the government to revitalise regional Victoria, including the new Regional Development Victoria, and explain why it has been necessary?

Mr BRUMBY (Minister for State and Regional Development) — I thank the honourable member for Ballarat West for her question. She is a wonderful representative for the Ballarat area. Honourable members are aware that last night the house gave the green light, without amendment, for the establishment of Regional Development Victoria, a dedicated body to attract new investment, new jobs and new opportunities for regional Victoria.

Many speakers contributed to the debate, and I particularly highlight the contributions of the honourable members for Narracan, Bendigo East, Ripon and Gisborne, who spoke so eloquently in support of the legislation.

Why is Regional Development Victoria significant? It is significant because it is the next stage of the Bracks government's agenda to grow opportunities in regional and rural Victoria. It is also significant because it has taken almost 30 years for such a body to be established in Victoria. It was first mooted in 1973, yet it has taken the best part of 30 years, but it is the Bracks government that has delivered on this commitment for country Victoria.

It is also significant because it builds on the achievements of the Bracks government over the past three years. We have massively boosted infrastructure spending in country Victoria. We have reinvested in schools, hospitals and country roads and we have facilitated billions of dollars of new private sector investment.

As a result, in country Victoria today employment and investment are up, new opportunities are up, building approvals are up and exports are up across country Victoria.

Dr Dean interjected.

Mr BRUMBY — The shadow Treasurer interjects again. The question is why it has been necessary to introduce this bill and why it has been necessary to put in place our plans for country Victoria. We remember — —

Honourable members interjecting.

Mr BRUMBY — You should apologise!

The SPEAKER — Order! The minister should address his remarks through the Chair.

Mr BRUMBY — Twelve country hospitals were closed and privatised under the opposition in government, and 178 country schools were closed. Country Victoria lost 17 500 jobs during the Kennett period, and 16 passenger rail services were closed.

As I said, I am delighted that the Regional Development Victoria legislation has been passed by this house. I have to say it has received enormous support across country Victoria. Here is the Ballarat *Courier* headline: ‘New move to attract regional investment’. Here is the *Portland Observer* headline: ‘Development boost for rural and regional Victoria’. Here is the *Camperdown Chronicle* headline: ‘Rural development profile lifts’. The *Sunraysia Daily* headline is ‘Boost for the bush’; the *Ararat Advertiser* headline is ‘Development boost for regional and rural centres’; and the editorial in the *Weekly Times* says:

RDV has the potential to rebuild the front desk and face of state government that was rationalised out of many country towns during the Kennett years.

Recently a member of this house was reported as saying:

Country Victorians are awake to the fact that if people turn up at 5 minutes to midnight trying to sell their wares that’s not the sort of thing that will appeal amongst country Victorians.

That statement was made by the Leader of the National Party, and of course he was talking about the Liberal Party. The fact of the matter is that during the seven years of Kennett government country Victoria was decimated.

Mr Perton — On a point of order, Mr Speaker, the minister is clearly debating the question, and I ask you to bring him back to answering it.

The SPEAKER — Order! I am not prepared to uphold the point of order. However, I remind the Minister for State and Regional Development of the need under sessional orders to be succinct, and I ask him to conclude his answer.

Mr BRUMBY — That was the statement by the Leader of the National Party, and that is the fact of the matter. Everybody remembers the record of the Kennett government — the toenails, the hospitals, schools and country railway lines that were closed, and the jobs that were lost. On Friday the new Leader of the Opposition was too busy and too tired to make his visit to Bendigo.

Mr Perton — On a further point of order, Mr Speaker, you have already cautioned the minister and asked him to conclude his answer. He is just proceeding with his pre-written script, and I ask you to sit him down now.

The SPEAKER — Order! I do not uphold the point of order. I ask that the minister, however, desist from debating the question.

Mr BRUMBY — The Bracks government is getting on with the job of rebuilding and renewing country Victoria. We have the results on the board. Regional Development Victoria represents the next stage of an exciting agenda to realise even more of the potential for country Victoria. As for the Liberal Party, given it has a leader who I think was too tired to visit country Victoria, country Victoria is too tired of the Liberal Party.

Dr Dean — On a point of order, Mr Speaker, in relation to debating, you would have thought that after his deceitful misquotes to the house yesterday the minister would not have the gall to show his face and debate anything again!

The SPEAKER — Order! The honourable member for Berwick is clearly attempting to make a point in debate. There is therefore no point of order.

The minister has concluded his answer.

NATIONAL PARKS (BOX-IRONBARK AND OTHER PARKS) BILL

Committed.

Committee

Clauses 1 and 2 agreed to.

Clause 3

Ms GARBUTT (Minister for Environment and Conservation) — I move:

1. Clause 3, line 5, after this line insert —
 “**“exploration licence”** means an exploration licence under Part 2 of the **Mineral Resources Development Act 1990**.”.
2. Clause 3, line 6, omit “**“miner’s”** and insert “**“miner’s”**”.

Amendment 1 inserts the definition of ‘exploration licence’ in section 3 of the National Parks Act 1975 so that it is clear that this refers to an exploration licence granted under the Mineral Resources Development Act 1990. This is a consequence of amendments 3, 4 and 10, which insert the term ‘exploration licence’ in section 40. Amendment 2 is consequential to the first amendment.

Amendments agreed to; amended clause agreed to.

Clause 4

Mr INGRAM (Gippsland East) — I move:

1. Clause 4, lines 17 and 18, omit all words and expressions on these lines and insert —
 “**4. Amendments to sections 17 and 19**”.
2. Clause 4, line 18, after this line insert —
 ‘(1) In section 17(2) of the **National Parks Act 1975**, after paragraph (a) **insert** —
 “(aa) have regard to all classes of management actions that may be implemented for the purposes of maintaining and improving the ecological function of the park;”’.
3. Clause 4, line 20, after this line insert —
 ‘(3) In section 17 of the **National Parks Act 1975**, after sub-section (2) **insert** —
 “(2A) In relation to a national park or State park created after the commencement of section 4 of the **National Parks (Box-Ironbark and Other Parks) Act 2002** the Minister must cause a report for that park, setting out the information prescribed in sub-section (2B), to be laid before

each House of Parliament within 12 months of the creation of that park, or, if either House is not then sitting, within 5 sitting days of that House after that date.

- (2B) A report prepared under sub-section (2A) must —
 - (a) set out the priorities for the achievement of the management objectives listed in sub-section (2); and
 - (b) set out the actions that are required to achieve those priorities through the management plan; and
 - (c) set out the funding that has been allocated to achieving those priorities; and
 - (d) be independently assessed.”’.
4. Clause 4, line 22, after this line insert —
 ‘(5) In section 17 of the **National Parks Act 1975**, after sub-section (4) **insert** —
 “(5) A report prepared under sub-section (2A) may be wholly or partly disallowed by a House of Parliament in the same manner as a statutory rule may be disallowed under section 23 of the **Subordinate Legislation Act 1994**.”’.

I shall outline the reasons why I have moved these amendments, as I did not get an opportunity to speak during the second-reading debate because of the time element. The first amendment I have moved inserts paragraph (aa) into section 17(2) of the National Parks Act, which outlines a range of the objects of the act. The new paragraph reads:

- (aa) have regard to all classes of management actions that may be implemented for the purposes of maintaining and improving the ecological function of the park.

In my view some of the clauses are fairly broad and a little bit unclear. Basically I included that paragraph because it covers some of the things that may not be recognised.

Amendment 2 includes an obligation for the government in relation to the creation of these new national parks to basically put to Parliament a report that outlines the priorities for achieving the management objectives listed in section 17(2) of the National Parks Act. The report will have to set out the actions required to achieve those priorities preceding the management plan, the priorities that should be included in the management plan, and the funding allocated to achieve those priorities. That report should be independently assessed and presented to Parliament.

These amendments would change clause 4 of the bill and in my view provide greater accountability in the implementation of national parks. They will also mean that when we pass amendments to national parks legislation members of Parliament will recognise the cost of maintaining national parks. One of the challenges we face right across Victoria, particularly in areas like mine, a large proportion of which is national park and state forest, is the inability to get sufficient resources to manage the threats to the ecological functioning of those areas.

If we declare national parks it is absolutely essential that we maintain those areas for the reasons we set them aside in the first place. In my view the ultimate crime is to set aside some of the best areas of this state in perpetuity without providing the resources needed to protect the issues identified in the National Parks Act, such as preserving an area's cultural and ecological integrity. These amendments provide more accountability for all members of Parliament when making changes to national parks legislation.

Mr DOYLE (Leader of the Opposition) — Members of the opposition find ourselves in a somewhat strange position. We agree with what the honourable member for Gippsland East proposes but not the way he wishes to go about it. The opposition thinks there are some pitfalls in enshrining this in legislation. In his amendments the honourable member requires the report to detail priorities, management objectives, actions and funding, and be independently assessed. The opposition thinks that is an appropriate management plan and appropriate information but we will not be able to support the amendments because we do not believe these sorts of things should be enshrined in the legislation.

That is not to say that we do not support what the honourable member for Gippsland East is trying to achieve through these amendments. We suggest that if you wanted to change that you would need the flexibility so you did not have to come back to this Parliament to do it. As I said, while we certainly support the thrust and the principles the honourable member for Gippsland East has proposed in his amendments, we will not support them. That is not because we do not agree with this but because we do not believe the way to achieve it is to put it in the legislation. I thank the honourable member for what I think is a very useful contribution to the debate.

Ms GARBUTT (Minister for Environment and Conservation) — The government is prepared to accept the first three of these amendments. The government believes this is a relevant accountability mechanism,

and this is a government that is committed to openness and being accountable. However, we do not think the fourth amendment is necessary, and we are not prepared to accept the provision of disallowance by either house of the Parliament. The government does not see that that adds any value.

Of course, none of these provisions can, nor are they intended to, take the place of the management planning process which takes place for all national parks and involves extensive community consultation. Many people are interested in national parks and are supportive of them, particularly local residents, and they wish to be involved in the development of relevant management plans. That will continue to happen. However, the government is prepared to accept the first three of these proposals.

Mr INGRAM (Gippsland East) — I would like to make a small further contribution. Both the Liberal and Labor parties have mentioned management plans and the planning process. I would like to reiterate that the purpose of these amendments is not to replace management plans, because I believe the management planning process is essential. However, I will point out that I had great difficulty when looking at this bill and the National Parks Act because there is no definition of a management plan even though there is a set formula for management plans contained in the vaults of the Department of Natural Resources and Environment.

I concede that sometimes my research skills are not as good as they could be so I went to the library and asked the library staff to find the definition of a management plan and where it is included in the legislation. They could not find it and had to go to Parks Victoria to get assistance with that. There needs to be a future look at the principal act to include a definition of a management plan and a recognition that that process includes public consultation and a range of other measures so it is spelt out very clearly.

I also believe there should be a time line in which management plans should be implemented. If we are establishing national parks there should be a very structured formula that allows community consultation, reports to go out and a reporting back to Parliament in a set time line. I think the Minister for Environment and Conservation should look at that in the future.

I reiterate that my amendment is not about replacing management plans, it is about the precursor to that, and I think it would assist with the establishment of management plans, especially when you look at the cost of those management actions, including public

access and how we manage community access to our precious natural areas.

Mr MAUGHAN (Rodney) — The National Party will be supporting these amendments. We have a different approach. We believe the management plans should be prepared and finalised before the legislation goes to Parliament. Nonetheless the amendments moved by the honourable member for Gippsland East are a step in the right direction, and we will be supporting them.

Mr DOYLE (Leader of the Opposition) — I thank the honourable member for Gippsland East for that explanation. The opposition will not oppose these amendments, given the member's explanation. However, as I said, opposition members do not think this is necessarily the way to go about it, although we support the principles. The opposition will not oppose this.

I do not mean this by way of trying to be difficult, but I said before that one of the problems is that if you enshrine these things in legislation and if they are interpreted in a way that you never intended or they say something that you never intended, the cumbersome mechanism of having to come back to the Parliament and make alterations does not bring greater flexibility. One of the examples of that is — and I say this in all good faith — the first set of amendments proposed by the honourable member was changed, I believe in a better way, by the second set he proposed.

In the first set of amendments the honourable member wanted the time within which it was believed each objective would be achieved listed. In the second set of amendments that was changed to set out the actions required to achieve those priorities through the management plan. I agree that the second set of amendments is a better set of principles. However, imagine, for instance, that we had passed the first set of amendments into legislation and then found that we actually meant what the honourable member has now brought in with this second set of amendments.

The point the opposition is trying to make is not that it opposes what the honourable member is trying to do but that it is unsure about locking it into legislation. Given the honourable member's explanation and the minister's statement that the government will support some of the amendments, the opposition we will not oppose these amendments.

Amendments 1 to 3 agreed to; amendment 4 negatived; amended clause agreed to.

Clause 5

Mr MAUGHAN (Rodney) — I move:

1. Clause 5, line 30, after this line insert —
 - '(2) In section 25B of the **National Parks Act 1975**, after sub-section (1) **insert** —
 - “(1A) In relation to any part of a park described in Part 30, 41, 42 or 43 of Schedule Two or in Part 13, 15, 26, 30 or 38 of Schedule Two B or Part 8 of Schedule Four, the Governor in Council may, by notice published in the Government Gazette, authorise the taking of forest produce for the purposes of ecological thinning, subject to the conditions set out in the notice.”.
 - (3) In section 25B(4) of the **National Parks Act 1975** —
 - (a) after “agreement under sub-section (1)” **insert** “or a notice under sub-section (1A)”;
 - (b) in paragraph (b), after “the agreement” **insert** “or the notice (as the case so requires)”.
 - (4) In section 25B(5) of the **National Parks Act 1975**, after “the agreement entered into under sub-section (1)” **insert** “or the notice made under sub-section (1A) (as the case so requires)”.

Section 25B of the National Parks Act 1975 is headed 'Extraction of Forest Produce from Parks'. This amendment has the effect of allowing under agreement by the secretary of the department the extraction of forest produce for the purpose of ecological thinning within the following parks: the Chiltern-Mount Pilot National Park, the Greater Bendigo National Park, Heathcote-Graytown National Park, St Arnaud Range National Park, Kamarooka State Park, Kooyoora State Park, Paddys Ranges State Park, Warby Range State Park, Reef Hills State Park, and the Castlemaine Diggings National Heritage Park.

In my response to the second-reading speech I talked about ecological thinning. I will quote from the final report of the Environment Conservation Council. On page 73, talking about ecological thinning, the report says:

The sole objective of thinning as an ecological management tool is to improve the habitat conditions in parks and reserves by increasing the number of large trees. Thinning should be carried out in a manner that best achieves ecological goals. It may differ from silvicultural practices.

It talks about the production of firewood not being an objective.

Where it does occur however, thinning will produce wood as a by-product which can, where appropriate, be sold as firewood.

We would argue that ecological thinning is a practice that we should be encouraging and that it will create some employment for those that have been displaced from their current jobs in the timber industry, so I am pleased to move that amendment.

Mr HELPER (Ripon) — We are in opposition to the amendment proposed by the honourable member for Rodney. It seems that the honourable member may not have been in the chamber when I outlined in a little more detail what the government's intent is in terms of ecological thinning. It is intended to have an ecological thinning regime in parks and reserves, which is very much driven by the environmental outcomes and the outcomes in relation to ensuring that box-ironbark forests do transit into a self-sustaining ecosystem. To that extent the government has committed \$600 000 to a package of ecological thinning and silviculture.

The opposition to the amendment basically comes from a very firm belief that such management techniques and processes need to be part of management techniques rather than part of legislation. I think the management of parks is something that needs to be adapted and needs to be relatively flexible within a framework of desired outcomes and ought not to be encumbered by a legislated-for management regime, and on that basis the amendment is opposed.

Mr DOYLE (Leader of the Opposition) — I am pleased to hear the honourable member for Ripon say that. I was somewhat disappointed when the minister in summing up the second-reading debate did not give those guarantees, and with due respect to the honourable member for Ripon, I would expect the minister to make the same commitments.

Ms Garbutt — There is no division on this side of the house!

Mr DOYLE — How would we know whether there was division or not when we have not heard what the minister has to say in this place?

Ms Garbutt interjected.

Mr DOYLE — The minister says it's very precious. If now the honourable member for Ripon is the official government spokesperson on these matters and not the minister, we will know who to go to, and that may well be — —

An honourable member interjected.

Mr DOYLE — They are one and the same, they say. What a terrible insult to one or the other of you! And you can draw your own conclusions from that.

I believe it is important that the minister does give these assurances. Consistently with our last position on the amendment as proposed by the honourable member for Gippsland East, we would also agree that this is a management technique and that this is something that can be managed in a way that does not require the legislation. But that does mean, I think, that it is incumbent upon the responsible minister to stand in this place and give due weight and effect to the fact that there will be ecological thinnings and that that will be adhered to. I say that particularly from first-hand experience, because I recall at the invitation of the honourable member for Benambra going up to the Eldorado area and talking to a group of people from there. They made a very persuasive case to me about ecological thinnings and about having access to those forests, particularly for firewood, but also for fire safety purposes, and also, as they pointed out, for ecologically sound practice. So I was persuaded by those arguments, but I am not persuaded that this is something that should go into the legislation.

I think it is incumbent on the responsible minister to give the assurances that are appropriate to this house, certainly to this side of the house, and to the communities that will benefit from this program. I must say in discussing with the honourable member for Benambra — someone who has a great deal of knowledge in this area — I think we would need also to look at whether it needs to be a program, or how long the program needs to be, and once we do a pilot program to evaluate it, we can give some certainty to communities. I am sure this will be a policy on which we can move quickly to help those communities who will benefit from the fire safety, the firewood and the ecologically sound management practices.

So on the basis that the minister does give the appropriate assurances and stands by the words of the government, we would agree that this is not something that needs to be managed through legislation, and I would ask the minister for that assurance.

Mr RYAN (Leader of the National Party) — The National Party has moved this amendment because, like the many community members who are concerned about the totality of this legislation, we simply do not trust the government to deliver upon that which it says it is going to deliver.

It is interesting that the government is prepared to accept the amendment of the honourable member for

Gippsland East in relation to a hands-on management issue, and yet when it comes to this amendment, which is very directly related to a similar issue, it will not do so. It is only of recent times that I was in Heathcote talking to some of those who are now being disenfranchised because their licences are not being renewed for the purposes of taking timber out of these areas that are the subject of this legislation.

I was hearing their stories about the way in which it is going to impact upon their livelihoods and talking about what they are supposed to do. Many of them have been living their lives in these areas for literally decades, and here is an opportunity on the part of the government to accept a sensible amendment which will tell these people, in a legislative form, that their interests are going to be properly protected. Yet in the scheme of it all, these people are supposed to fall back upon some sort of half-baked assurance given by the government, and the government cannot even work out itself who is supposed to be giving it.

We strongly believe that this amendment is appropriate and that the government should accept it, and we urge it to do so.

Dr NAPTHINE (Portland) — I was reluctant to rise on this issue. I wanted to give a bit of time for the minister to get to her feet and respond.

Ms Garbutt interjected.

Dr NAPTHINE — I thought it was very appropriate that the minister outline to the house, as the minister responsible for this legislation, what the government's position is with regard to ecological thinnings.

Ms Garbutt interjected.

Dr NAPTHINE — With due respect to the honourable member for Ripon, he is not a minister of the Crown. He is not the one who has the carriage of this legislation. He is not the one sitting at the table in a responsible way to deliver the government's position on this legislation, who can give some assurance to the communities that are affected by this decision. As the Leader of the Opposition has said, there are real issues that have been raised by —

Honourable members interjecting.

Dr NAPTHINE — The Environment Conservation Council report, from my recollection of it, advised that ecological thinning was an integral part of the proper conservation and environmental management of these sorts of forests, so ecological thinnings do have a role to

play. They are important in both the conservation and the environment of these forests. They are also important as a source of firewood for many communities, particularly areas such as Heathcote, where there are many individuals and families from lower socioeconomic circumstances who do not have access to natural gas, who find that bottled gas is extremely expensive and that electricity for heating is extremely expensive, and the access to firewood through the box-ironbark areas is very important to their financial viability. It is also important for them to have ongoing access to those forests.

As the Leader of the Opposition also pointed out, there is also the important issue of ecological thinnings in providing fire safety within the forest. So ecological thinnings do have real relevance in terms of the conservation of the forest, access to firewood and fire safety in the box-ironbark area.

Here is the opportunity for the minister, speaking with the authority she has as a minister of the Crown, to give the people who are vitally interested in this issue an assurance on the government's exact position on the future management of ecological thinnings, both in state parks and in the proposed national parks.

I can assure you, Madam Chair, that the people of Victoria, particularly the people of central Victoria who live in the vicinity of the box-ironbark area, are vitally interested in knowing what the minister's and the government's position is so they can make a judgment on those issues. It is absolutely incumbent on the minister to stand up and tell us exactly what the government's position is.

Ms GARBUTT (Minister for Environment and Conservation) — This would be a joke if it were not a serious issue. There is absolutely no division on this side of the house. Despite the honourable member's attempts to beat it all up and make it into some grand problem, there is absolutely no division — unlike on the other side of the house, of course, which has many, many positions.

It goes right back to a meeting I had in Heathcote, when the ECC report first came out with comments about ecological thinnings. I had the meeting with Timber Communities Australia — I see representatives of TCA here in the house — and we talked about ecological thinnings. Subsequent to that I met with many people throughout many communities — again in Heathcote and later in Maryborough, St Arnaud, Stawell and Ararat — where we talked about these issues.

We have always made it clear that we understand and have great sympathy for the timber workers who are affected, and we have put in place a fair, equitable and generous scheme for them. We have always said we understand that fire protection is a key issue, and we respect that. We have reviewed the fire protection plans throughout those areas, and we put out a press release about this some time ago. But no doubt, because the opposition is so involved in its own trench warfare, it probably missed it.

We understand clearly the need to improve the ecological values of the forests. So together with my colleague the honourable member for Ripon I was very pleased to recently put out exact details of the program we have put in place to pick up the commitments on ecological thinning and on management. They are in two parts — on forestry management and on management of the parks.

Mr Doyle interjected.

Ms GARBUTT — But it is the opposition which has beaten this issue up as though there is some grand problem. What an imagination! What a drama, for goodness' sake.

Mr Doyle interjected.

Ms GARBUTT — You really do hate good news, don't you? You hate the environment and you hate good news.

Mr Doyle interjected.

The CHAIRMAN — Order! The Leader of the Opposition.

Ms GARBUTT — I will go through the commitments that have been made. Although I have no doubt that the opposition leader does not want to hear about them, let's have the details on the record. There is a \$600 000 package for ecological and silvicultural works throughout the box-ironbark region, which will employ 10 full-time timber workers from those displaced across the region. There were about 30 effective full-time positions, but most, of course, were part time.

Works will be undertaken in two areas: a silvicultural thinning program within the state forests, and an ecological management strategy within the new national parks. We announced the ecological management strategy in response to the ECC report months and months ago. Of course opposition members are not interested in the environment until they get in here and have to make the hard decisions.

Mr Doyle interjected.

Ms GARBUTT — You did not bother to read it, did you? Here we are, announcing \$600 000 worth of — —

Mr Doyle interjected.

Ms GARBUTT — What nonsense, what absolute nonsense — \$600 000 worth of problem! I advise the opposition that there is no division on this side, no division at all. You have to change your point of view when you think of the government compared to the opposition side, which is divided and all over the place, subject to regular palace revolts and leaderless.

Mr Doyle interjected.

Ms GARBUTT — You don't know what you stand for, do you?

Mr INGRAM (Gippsland East) — In speaking on the amendment moved by the National Party I can say that I understand the issues with the box-ironbark forests, which have had a long history of utilisation. Most of the original trees were cut down after the gold rush, and the forests have continued to be harvested over a long period of time. With the suckers and coppice regrowth that comes with that, there needs to be very active management of those areas.

The real issue behind the National Party moving the amendment is that ecological thinning could be carried out under the National Park Act as it stands. That could be determined through the management plan process. I think the minister has given an undertaking that that would be addressed. I think everyone in this place should agree that ecological thinning should only be undertaken to improve the ecological integrity of those park areas. If an area is declared a national park, that should be the priority. The Environment Conservation Council box-ironbark report recognised that this is something that should be done.

I think the reason the National Party moved this amendment is that in areas where it is feasible to have that management in the best interests of the forests the produce could be utilised instead of just left on the forest floor. That is the real nuts and bolts of this discussion. In that instance, if it could be done in a way that is ecologically viable and causes no damage to the area, and it is promoted and will improve its value, it should be allowed. That is why the National Party amendment has some merit.

Mr MAUGHAN (Rodney) — I thank the honourable member for Gippsland East for his comments. The basic reason we have moved this

amendment is that we do not trust the assurance the government has given. That is because it has given many such assurances that it has not honoured. You can talk about press releases and assurances and figures, but when you look at the compensation package, which talks about \$20 million, the reality is that there is only about \$9.6 million of new money. That is just one example.

We believe this is an important principle, and we think it should be enshrined in the legislation. We also think this is an important ecological practice. It will create employment for those people who are being displaced in the forest, particularly around Heathcote and Rushworth. We would like to see it in legislation so we know that it is there and the government cannot wriggle out of it.

There have been assurances, but for heaven's sake, we are at the 11th hour and the minister has only today stood up and given those assurances. Yes, there have been comments in the past, but what do we know about the government's real assurance until the minister stands up in this place and gives an assurance, as she has at 2 minutes to midnight? That is why we came up with the amendments, and we came up with them days ago. The minister has moved on, and I accept her assurance. I think that is a good thing. We would still like to see this in legislation so that we can be absolutely sure.

Mr HELPER (Ripon) — A significant point has been missed in the debate, which is — and I agree with the honourable member from Gippsland East — that the ecological management of parks should be driven purely by ecological outcomes. In conjunction with that, of course, is the management imperative of fire fuel reduction in parks and reserves. If you were to view those in conjunction, you would obviously have a need to reduce forest fuel in parks and reserves. That to me spells out that there is some imperative to remove ecologically thinned material from the parks.

Dr Napthine interjected.

Mr HELPER — The honourable member for Portland's imagination does not seem to go very far in terms of practical management.

The other point I stress again is that to my knowledge — I stand to be corrected — the management regime of parks is not enshrined in legislation. The management regime of parks is something that requires a level of flexibility and adaptability that makes it extremely clumsy to enshrine in legislation. It is for that reason that the minister has

clearly spelt out a significant input to the management plan for the parks and reserves in ecological thinning, silviculture thinning and fire management. To enshrine that in legislation would create a level of complexity and it is unprecedented — I have not heard any corrections shouted from across the chamber — to take forward the management of these parks.

Mr VOGELS (Warrnambool) — It is sad that we are debating whether we trust the government. That is the issue and why the National Party moved the amendment. The minister spoke about the dams debate when we were assured that stock and domestic dams would not be affected. I have here the *Upper Wimmera River Water Resources Management Plan* of October 2002 from Sinclair Knight Merz, the government consultants on these issues. I quote recommendation 4, which states:

Efforts should be made to modify the current dams (including stock and domestic) in Heifer Station and Howards creeks to include a low-flow bypass on the dams all year;

That clearly states that stock and domestic dams will be affected, yet the minister promised us —

Honourable members interjecting.

Mr VOGELS — The issue is that the government cannot be trusted.

Mr PLOWMAN (Benambra) — This issue is one of the most fundamental in the whole of the legislation before the house, on three bases. The first is that this will give employment to those forest workers who would otherwise be tipped out on the scrap heap. It is all very well to say that we will give them a package to assist and retrain them, but how many of those people who are forest workers will readily find jobs of the sort they have had over their lifetimes with their callused hands barely able to hold a pen? I ask you! That is the most important thing: that those people are properly looked after. If it is done properly this will give access to jobs for a lot of those people who otherwise will not find jobs.

The second important point is that, as the report says, the sole objective of thinning as an ecological management tool is to improve the habitat condition of parks. Clearly this is an improvement to parks; it is something that must happen.

The third point, and in my communities it is most important, is that this provides the opportunity for a bank of firewood which otherwise will not be available to those communities. When you consider that most of those smaller communities are in the lower

socioeconomic group it is imperative that we look after their needs in this respect. Again I ask the minister to give us the assurance that this will occur.

Mrs FYFFE (Evelyn) — I have listened intently to the minister talking about the \$600 000 package that will employ 10 full-time workers, but there are many more than that working in the timber industry and their livelihoods will disappear. They may not be earning their full income from the industry but it is an important component of their annual income and there is no replacement for it.

The minister says that they will work in silviculture in the state parks and there will be ecological thinning. I would like to know from the minister what volume will come out of there and what can be done with the timber. What will the timber be used for from the various sites? Will it just lie on the ground or can it be used by these people who need to work?

Mr DOYLE (Leader of the Opposition) — This has become an important point of the debate. The honourable member for Ripon has been more fulsome in his explanation than the minister, but she assures us there is no division between them so we will take the honourable member for Ripon at his word and we intend to hold the minister to her word.

As can be heard from the honourable members who have spoken, this issue of ecological thinning is a matter of great importance and passion. I reiterate, it is our expectation that the regime the government is setting out would provide a firewood strategy, a fire safety strategy and an ecological management strategy. The honourable member for Benambra said that if it was done properly this could work. He also reiterated through his entire contribution that it must be done properly. This is no time for being mealy-mouthed or for slipping and sliding. We are saying that we agree with the minister that it does not need to be enshrined in legislation, but it must be done properly. We say it has to include all those aspects that have been raised by members on this side, and if they are included, as the minister has already stated, we agree that it does not need to be in legislation and we will take it that that is the government's position.

Ms GARBUTT (Minister for Environment and Conservation) — We are all in furious agreement about what needs to be covered. I have outlined the position of the government. I have said we have committed \$600 000. I have acknowledged that we will address fire protection, jobs and ecological management in order to return these forests to the condition they were in before European settlement. I have given all of those

assurances and I am pleased the opposition supports those positions and that it is not necessary to have this in the bill.

Dr NAPTHINE (Portland) — I wish to raise again the point that was raised by the honourable member for Evelyn. We have heard about the \$600 000 package, and we all say that this does not need to be in legislation — the Liberal Party agrees with the government on that — but what we want are assurances about what will happen with respect to ecological thinning. The minister has talked about a \$600 000 package but she has not advised the house what timber will be available for what purpose. Will the timber be merely thinned and left to lie on the forest floor to add to the fire risk, or will the timber from both parks and state forests be thinned and be able to be used for firewood and for other productive purposes?

What we need to know from the minister on this \$600 000 package is what volumes of timber she expects to be taken out as ecological thinnings.

Ms Garbutt interjected.

Dr NAPTHINE — Well, if you know about the management of the park you should know what timbers are likely to be available in ecological thinnings. I would have thought it was fairly obvious for the minister to have that knowledge. If she has not then she ought to get it. She ought to be able to advise us about the sorts of uses that the timber will be put to. Will it be merely thinned and lay on the forest floor or will it be able to be taken from the parks and state forests and used as firewood for local families or used for other productive purposes?

Ms GARBUTT (Minister for Environment and Conservation) — I find this extraordinary. The honourable member is supporting the position of the government yet he is going on with this ridiculous level of trivia. I am getting very suspicious here about what the opposition is really on about. I have announced the program. I have said that it will have regard to fire protection, and of course the Department of Natural Resources and Environment has responsibilities for fire protection in forests.

I have asked the department to review all the fire protection plans in that area, as well as allowing thinning.

Dr Napthine interjected.

Ms GARBUTT — Of course they will, for heaven's sake! I find it just ridiculous — —

Honourable members interjecting.

The CHAIRMAN — Order! The minister, without interruption!

Ms GARBUTT — I suppose we should accept in this house that the opposition will twist and turn and does not know where it is going; and of course it hates the environment as a basic proposition.

Let's go through it carefully again. We have an ecological management system put in place in the newly established parks. That will involve thinning for ecological purposes. Of course it will also have to be watched very carefully for fire management, therefore much of the wood will have to be removed. All of that will be monitored scientifically so that we get a good result ecologically and have bigger, healthier trees in the forest. At the same time that will provide jobs — 10 full-time positions, which might be many more part-time positions. It is a \$600 000 commitment up front by the government.

Dr Napthine interjected.

Ms GARBUTT — So we are in furious agreement.

The CHAIRMAN — Order! The honourable member for Portland!

Dr Napthine — For firewood sales?

Ms GARBUTT — Yes! How thick you are!

Honourable members interjecting.

The CHAIRMAN — Order! The house will come to order.

Mr INGRAM (Gippsland East) — With respect to the house, I would like a point of clarification. My understanding of the amendment proposed by the National Party is that without that amendment, for all the reasons the minister has explained, produce that has fallen could not be removed. I would like that to be very clearly explained to all members of the house before this issue is resolved. My understanding is that without this amendment produce would not be able to be removed from the parks. Can I have that clarified?

Ms GARBUTT (Minister for Environment and Conservation) — The purpose of the program will be threefold. The first is to do with fire management, which will mean an assessment has to be done of the fire protection needs in the forests and in the parks. That may mean some of it has to be removed. The second is to do with jobs. The government is committed to regional and rural Victorian jobs — and we have

seen a boom in jobs in rural and regional Victoria. Those timber workers displaced by this bill have been accommodated with a fair and generous package, but we will also put in place 10 extra full-time jobs through this particular package. We know that we have to make that accommodation. The third purpose is that we have in mind the ecological health of the forest, which we are seeking to improve. There will be continuous scientific monitoring of this program, and that means where it is necessary for fire protection some will have to be removed, and that can then be used for other purposes, including for firewood.

Honourable members interjecting.

Ms GARBUTT — Do you want me to spell it out? It is pretty obvious, and I have said it time and again, but faced with such ignorance on the other side I will repeat it: we are in furious agreement on this! There we have it!

The CHAIRMAN — Order! The question is:

That the amendment moved by the honourable member for Rodney be agreed to.

Committee divided on amendment:

Ayes, 8

Delahunty, Mr	Maughan, Mr (<i>Teller</i>)
Ingram, Mr (<i>Teller</i>)	Ryan, Mr
Jasper, Mr	Savage, Mr
Kilgour, Mr	Steggall, Mr

Noes, 77

Allan, Ms	Leighton, Mr
Allen, Ms	Lenders, Mr
Asher, Ms	Lim, Mr
Ashley, Mr	Lindell, Ms
Baillieu, Mr	Loney, Mr
Barker, Ms	Lupton, Mr
Batchelor, Mr	McArthur, Mr
Beattie, Ms	McCall, Ms
Bracks, Mr	McIntosh, Mr
Brumby, Mr	Maclellan, Mr
Burke, Ms	Maxfield, Mr
Cameron, Mr	Mildenhall, Mr
Campbell, Ms	Mulder, Mr
Carli, Mr	Napthine, Dr
Clark, Mr	Nardella, Mr
Cooper, Mr	Overington, Ms
Davies, Ms	Pandazopoulos, Mr
Dean, Dr	Paterson, Mr
Delahunty, Ms	Peulich, Mrs
Dixon, Mr	Phillips, Mr
Doyle, Mr	Pike, Ms
Duncan, Ms	Plowman, Mr
Elliott, Mrs	Richardson, Mr
Fyffe, Mrs	Robinson, Mr
Garbutt, Ms	Rowe, Mr
Gillett, Ms	Seitz, Mr
Haermeyer, Mr	Shardey, Mrs

Hamilton, Mr	Smith, Mr (<i>Teller</i>)
Hardman, Mr	Spry, Mr
Helper, Mr	Stensholt, Mr
Holding, Mr	Thompson, Mr
Honeywood, Mr	Thwaites, Mr
Howard, Mr	Trezise, Mr
Hulls, Mr	Viney, Mr
Kosky, Ms	Vogels, Mr
Kotsiras, Mr	Wells, Mr
Langdon, Mr (<i>Teller</i>)	Wilson, Mr
Languiller, Mr	Wynne, Mr
Leigh, Mr	

Amendment negatived.

Clause agreed to; clause 6 agreed to.

Clause 7

Mr INGRAM (Gippsland East) — I move:

5. Clause 7, line 1, omit “**30L**” and insert “**30N**”.
6. Clause 7, page 10, line 19, after this line insert —

“30L. Reports to be prepared for certain parks

- (1) In relation to the parks described in Parts 8, 23, 30, 40, 41, 42 and 43 of Schedule Two the Minister must cause a report for each park, setting out the information prescribed in sub-section (2), to be laid before each House of Parliament within 12 months of the commencement of section 12 of the **National Parks (Box-Ironbark and Other Parks) Act 2002**, or, if either House is not then sitting, within 5 sitting days of that House after that date.
- (2) In relation to the parks described in Parts 15, 26, 30, 37 and 38 of Schedule Two B the Minister must cause a report for each park, setting out the information prescribed in sub-section (2), to be laid before each House of Parliament within 12 months of the commencement of section 13 of the **National Parks (Box-Ironbark and Other Parks) Act 2002**, or, if either House is not then sitting, within 5 sitting days of that House after that date.
- (3) A report prepared under sub-section (1) or (2) must —
 - (a) set out the priorities for the achievement of the management objectives listed in section 17(2); and
 - (b) set out the actions that are required to achieve those priorities through the management plan; and
 - (c) set out the funding that has been allocated to achieving those priorities; and
 - (d) be independently assessed.”.

7. Clause 7, page 10, line 20, omit “**30L**” and insert “**30M**”.

8. Clause 7, page 10, line 29, omit “impose.” and insert “impose.”.
9. Clause 7, page 10, line 29, after this line insert —

“30N. Disallowance of a report

A report to which section 30M applies may be wholly or partly disallowed by a House of Parliament in the same manner as a statutory rule may be disallowed under section 23 of the **Subordinate Legislation Act 1994**.”.

Similar to the last lot of amendments these amendments are for all future national parks. They would mean any future changes to the national parks act would have the same scrutiny, and the report would be presented to Parliament at the time of the introduction of the bill. They are really about accountability and about making sure that all members of this house acknowledge the cost and the management options that are needed to manage the park properly.

Mr DOYLE (Leader of the Opposition) — I presume these are the same as those proposed to clause 4 and that the government will accept those parts. I think the reasoning is the same. Although the Liberal Party will not oppose them, it does not believe this is an appropriate regime to be in legislation but, rather, should just be part of the management. But on the same basis that we argued in clause 4, we will not oppose them.

Ms GARBUTT (Minister for Environment and Conservation) — The government is in the same position as it was on the previous set of amendments proposed by the honourable member for Gippsland East. It will support the ones putting into place a statement to be tabled in Parliament setting out those objectives, but once again it will oppose amendment 9, which applies to disallowance in the Parliament, for the same reason.

Amendments 5 to 8 agreed to; amendment 9 negatived; amended clause agreed to.

Clause 8

Ms GARBUTT (Minister for Environment and Conservation) — I move:

1. Clause 8, page 11, line 5, omit “Part 41” and insert “Part 30, 41, 42 or 43”.
2. Clause 8, page 11, lines 13 to 18, omit all words and expressions on these lines.
3. Clause 8, page 11, line 19, omit “(c)” and insert “(b)”.
4. Clause 8, page 11, line 20, omit “or 42”.
5. Clause 8, page 11, line 26, omit “(d)” and insert “(c)”.

These amendments are sensible and represent a fair and balanced outcome for the users of these parks. The government came to the decision that the Liberal-dominated upper house could delay the bill indefinitely — and today, through its leader it has threatened to do that — despite pressing conservation needs.

An Honourable Member — Thank God for the upper house!

Ms GARBUTT — It is interesting that the honourable member on the back bench opposite says, ‘Thank God for the upper house!’ Quite clearly he is opposing these amendments.

These amendments concern prospectors. They are confined to allowing only prospectors using hand tools to continue to operate in these proposed parks. I have to say that the government would never allow doze and detect operations in national parks, so it has stopped ‘Doyle’s dozers’ in that way. It is prepared to protect our precious parks from that sort of operation. These amendments are only about hand-held tools, and it is in the interests of further protecting endangered birds, animals, flowers and so on in these national parks that we propose these amendments.

The CHAIRMAN — Order! In calling the honourable member for Rodney I point out that his amendments 2 to 6 are identical to the minister’s, so he cannot move them. However, he can speak on them in relation to the minister’s amendments.

Mr MAUGHAN (Rodney) — It is funny you should mention that, Madam Chairman, because it is the very point I was about to make. The government’s amendments are identical to the amendments circulated by the National Party. I am pleased that the minister can say they are sensible amendments, because they make good commonsense. I am pleased that the government has accepted them and I will have the pleasure of making similar comments further down the track, where the government has again accepted word for word what we have put up. I commend the minister for taking up that point.

Why is it that this morning, at 5 minutes to midnight, the government agrees to the National Party amendments? There is no point in going on and on because I have made this point before. I make the point that they are sensible amendments. We feel strongly about them, and I am pleased that the government has seen fit to pick them up and run with them.

Mr DOYLE (Leader of the Opposition) — I assure the minister that the only dozing I do is during her

speeches, but I managed to stay awake for this one. As the honourable member for Rodney pointed out, the government’s amendments follow word for word the National Party’s amendments. How embarrassing! They must have put the heavy roller over the minister. If the honourable member for Rodney were not such a gentleman he would have been more pointed in his remarks. I will leave the Leader of the National Party some time to do that. I also need to leave some time for comments on clause 11, where the same arguments can be made.

What an absolutely transparent farce by the government. What an insult to the honourable member for Rodney, who proposes the amendments and has given the government the wording. The government could not even introduce both amendments at the same time. It is not as if either of them is different; they are separate and, as I said, the minister has gone through a few trees in preparing her amendments.

Ms Garbutt interjected.

Mr DOYLE — Does the minister support her own amendments or not, or does she admit they are actually not hers and she just got forced into them? Fantastic!

I make this important point. The opposition has said it will support the amendments in this place. That has been our intention from the outset. It was our intention to push them through last Tuesday when we first started making comments on it.

They are sensible amendments for prospecting and fossicking, as the honourable member for Rodney has said. We commend him for putting them up. We go one step further because we said this morning, and we intend to hold to that as far as possible, given cooperation, but it may not be entirely possible, that the bill is of such importance that we were prepared, if the amendments were passed, to put the bill not just through this place, but through the other place later tonight.

Ms Garbutt interjected.

Mr DOYLE — They are your amendments. Do you support your amendments or not, you turkey?

Honourable members interjecting.

The CHAIRMAN — Order! I ask honourable members to work with the Chair to ensure that as much of this debate as possible occurs with as little interruption as possible.

Mr DOYLE — One wonders what the government would do and how it would react if we opposed the amendments. Remember that we are supporting them, after all. The one thing we said was that we want the bill passed quickly — —

Ms Garbutt interjected.

Mr DOYLE — Minister, they are your amendments, remember!

The CHAIRMAN — Order! The minister will cease interjecting and the Leader of the Opposition should ignore interjections.

Mr DOYLE — It is most disorderly to take up interjections. The opposition will support this amendment, and moreover, if it is not possible to pass the bill through this house tonight by leave we will do it as expeditiously as possible, which may well mean tomorrow. That is our commitment to pass the bill. We say that on account of this clause. We think it is sensible, and we are delighted to support it.

Mr RYAN (Leader of the National Party) — The government has no shame — it absolutely has no shame. We have amendments that were circulated by the National Party some considerable time ago, and we heard nothing from the government for days about all this. Now at the last blink not only is it prepared to accept the amendments moved by the honourable member for Rodney but it has adopted precisely the same wording. It is plagiarism in the worst form! Not only that, the government compounds the sin by this half-baked apologist commentary about trying to help a particular aspect of the community which it had stitched up before it was prepared to accept the amendments today.

The real tragedy of this is that this is but one group whose rights at least in part have been properly reflected when so many others have been disenfranchised by this government over this disgraceful legislation.

Mr HELPER (Ripon) — I have not been in this house for a long time — —

Mr Doyle — Don't get used to it!

Mr HELPER — Where did you buy your sense of humour from? It is low and pathetic. I have observed many amendments and much legislation and I have never seen a copyright sticker on any of it. This harebrained claim springs out of that sad condition of relevance deprivation that the National Party suffers from — that sense of 'It's gotta be ours, it's gotta be

ours!'. National Party members can walk away from the chamber and the debate thinking what they wish. If they wish to have a particular interpretation of history I am happy for them to have it and I am sure everybody on this side is also happy for them to have it. Frankly, let's get on with this important legislation.

I reflect on the gross hypocrisy of the Liberal Party. For the Liberal Party to claim that anyone has unduly backtracked on a particular issue is astounding. Take for example the AAP news wire report this morning which states, 'Victoria's Liberal Leader, Robert Doyle, has been forced into an embarrassing backdown on his party's support for legislation to protect the state's box-ironbark forest'. That is fantastic!

Amendments agreed to; amended clause agreed to; clause 9 agreed to.

Clause 10

Ms GARBUTT (Minister for Environment and Conservation) — I move:

3. Clause 10, line 17, after "mining licence" insert "or an exploration licence".
4. Clause 10, page 13, line 5, after this line insert —
 "(1E) An exploration licence granted in accordance with sub-section (1C) is subject to any terms and conditions that the Minister thinks fit to impose."
5. Clause 10, page 13, line 6, omit "(1E)" and insert "(1F)".
6. Clause 10, page 13, line 14, omit "(1F)" and insert "(1G)".
7. Clause 10, page 13, line 24, omit "(1G)" and insert "(1H)".
8. Clause 10, page 13, line 26, omit "(1F)" and insert "(1G)".
9. Clause 10, page 13, line 33, omit "(1F)" and insert "(1G)".
10. Clause 10, page 13, line 33, after this line insert —
 "(3) In section 40(6) of the **National Parks Act 1975**, for "lease licence permit or consent" substitute "lease, licence or permit to which sub-section (1) applies or any such consent of the Minister under sub-section (1A) or (2)."
 (4) In section 40 of the **National Parks Act 1975**, after sub-section (6) insert —
 "(7) The Minister must cause notice of any mining licence or exploration licence to which sub-section (1C) or (1G) applies and any consent of the Minister to the granting of any such mining licence or

exploration licence to be laid before both Houses of Parliament.”.

These amendments recognise that exploration in the national park is needed to enable decisions about the future of mining which can occur in the Greater Bendigo National Park and the Deep Lead Nature Conservation Reserve (No. 1), whose boundaries go for about 100 metres, unlike existing national parks where the boundaries usually extend to the centre of the earth. The recommendation of the Environment Conservation Council was that it would accommodate the needs of Bendigo Mining, which had exploration licences in this area and major proposals for the development of mining which would be a significant boost to Bendigo and surrounding areas. However, the ECC did not provide guidance on exploration through the proposed national park which would have allowed mining to continue under it.

The amendments will enable extensions or new exploration licences to be granted only over the Greater Bendigo National Park and the Deep Lead Nature Conservation Reserve (No. 1). The provision will require tabling of any notices of exploration licences: they will not be subject to disallowance. It gives greater certainty to miners in this region in relation to the outcome of the section 40 process of the National Parks Act. The proposal will accommodate the needs of Bendigo Mining.

We think we have accommodated Bendigo Mining's concerns without detracting at all from the proposed national park.

Ms ALLAN (Bendigo East) — I shall make some brief comments on the importance of the amendments to the region of Bendigo. As the minister has outlined, they are sensible and specific to the Greater Bendigo National Park and the Deep Lead Nature Conservation Reserve. I commend the negotiations that have taken place involving Bendigo Mining's managing director, Doug Beurger, the Victorian Minerals and Energy Council and the private office of both the Minister for Environment and Conservation and the Minister for Energy and Resources in another place.

These are important amendments, and they are something the company sought through the passage of this legislation. There is a recognition that there are significant gold reserves in the box-ironbark region which are important to the economic future of central Victoria. I guess this also recognises that Victoria is a closely settled community where mining companies, the environment and residential areas have to exist in close proximity. These are very sensible amendments, and I support their passage through Parliament.

Amendments agreed to; amended clause agreed to.

Clause 11

Ms GARBUTT (Minister for Environment and Conservation) — I move:

11. Clause 11, line 1, omit “*50M*” and insert “*50N*”.

This is a consequential amendment.

Amendment agreed to.

Ms GARBUTT (Minister for Environment and Conservation) — I move a further amendment to clause 11:

Clause 11, page 17, line 16, omit “2008” and insert “2012”.

This amendment pushes out the phasing-out time for eucalyptus harvesters from 2008 to 2012, so an extra four years has been made available for eucalyptus distillers who harvest in the proposed national and state park areas. Once again this amendment follows a decision we took. The Liberal Party-dominated upper house threatened to delay the bill indefinitely, despite the pressing conservation needs.

Mr Doyle interjected.

Ms GARBUTT — Of course we support this amendment, that is why I am moving it! We want to see these national parks enacted. We have been committed to this process, and we made the commitment at the last election. We have worked consistently for it, and we intend to see these national, state and regional parks enacted. That is why we are prepared to extend this phase-out time for the eucalyptus distillers. Interestingly we have also had strong representation from Victoria's peak environmental groups, the Wilderness Society and the Victorian National Parks Association (VNPA), which have expressed their support for the prospecting and the eucalyptus extension for the same reason. They want to see this bill go through, and they were concerned with the Liberal Party's threats to block this in the upper house. Of course we want to see this go through!

Mr MAUGHAN (Rodney) — I am delighted to support this amendment. It just so happens that it is also identical to the amendment proposed by the National Party. For the very reasons the minister has explained, it is a sensible amendment. It gives the eucalyptus distillers additional time to adjust in going from public land to private land. We have obviously responded to the representations we have received on their behalf. We have proposed it, and we are delighted to see that the government is now supporting our amendment.

Mr RYAN (Leader of the National Party) — Again we have the government adopting entirely the proposals of the National Party. Again it has no shame. And again this is an instance where at the last gasp it is trying to garner support from those communities whom it has absolutely stitched up in many respects over these past weeks, months and years. It just goes to demonstrate the absolute falseness of the way the government has presented itself to various communities over the course of time. Apart from anything else, this is a further commentary on its efforts in the course of bringing this legislation before this Parliament.

Business interrupted pursuant to sessional orders.

The CHAIRMAN — Order! The time has now come for me to interrupt business.

Amendment agreed to; clauses 11 to 27, schedule and government amendments 12 to 19 as follows agreed to:

12. Clause 11, page 23, line 16, after this line insert —

‘50L. National Parks (Box-Ironbark and Other Parks) Act 2002 — Transitional provision — Existing authorities under the Mineral Resources Development Act 1990

(1) For the purposes of the renewal of an exploration licence over any relevant Greater Bendigo land that is in force immediately before the commencement of the **National Parks (Box-Ironbark and Other Parks) Act 2002**, the licence is to be taken to be, on and from that commencement, an exploration licence to which section 40(1C) applies.

(2) In this section **“relevant Greater Bendigo land”** means that part of the park described in Part 41 of Schedule Two that is shown by hatching or cross-hatching on the plans lodged in the Central Plan Office and numbered N.P. 105A and N.P. 105B.’.

13. Clause 11, page 23, line 17, omit **“50L”** and insert **“50M”**.

14. Clause 11, page 23, line 28, omit **“50M”** and insert **“50N”**.

15. Clause 15, line 25, omit “less” and insert “less.”.

16. Clause 18, page 33, line 4, omit “land.” and insert “land; and”.

17. Clause 18, page 33, line 4, after this line insert —

“(c) is deemed to be permanently reserved under this Act for public purposes, being, in particular, the purposes of the protection of cultural and natural heritage.”.

18. Clause 20, lines 7 to 11, omit all words and expressions on these lines and insert —

“(3) Despite sub-section (1), that part of the park described in Part 41 of Schedule Two to the **National Parks Act 1975** that is shown by hatching or cross-hatching on the plans lodged in the Central Plan Office and numbered N.P. 105A and N.P. 105B is not exempt from being subject to a mining licence, to the extent of the entitlements set out in section 40(1D)(a) of that Act, or from being subject to an exploration licence.”.

19. Clause 27, line 12, omit “land.” and insert “land;”.

Reported to house with amendments.

Report adopted.

Third reading

House divided on motion:

Ayes, 81

- | | |
|-------------------------------|-----------------------------|
| Allan, Ms | Lenders, Mr |
| Allen, Ms | Lim, Mr |
| Asher, Ms | Lindell, Ms |
| Ashley, Mr | Loney, Mr |
| Baillieu, Mr | Lupton, Mr |
| Barker, Ms | McArthur, Mr |
| Batchelor, Mr | McCall, Ms |
| Beattie, Ms | McIntosh, Mr |
| Bracks, Mr | Maclellan, Mr |
| Brumby, Mr | Maddigan, Mrs |
| Burke, Ms | Maxfield, Mr |
| Cameron, Mr | Mildenhall, Mr |
| Campbell, Ms | Mulder, Mr |
| Carli, Mr | Naphine, Dr |
| Clark, Mr | Nardella, Mr |
| Cooper, Mr | Overington, Ms |
| Davies, Ms | Pandazopoulos, Mr |
| Dean, Dr | Paterson, Mr |
| Delahunty, Ms | Perton, Mr |
| Dixon, Mr | Peulich, Mrs |
| Doyle, Mr | Phillips, Mr |
| Duncan, Ms | Pike, Ms |
| Elliott, Mrs | Plowman, Mr |
| Fyffe, Mrs | Richardson, Mr |
| Garbutt, Ms | Robinson, Mr |
| Gillett, Ms | Rowe, Mr |
| Haermeyer, Mr | Savage, Mr |
| Hamilton, Mr | Seitz, Mr |
| Hardman, Mr | Shardey, Mrs |
| Helper, Mr | Smith, Mr (<i>Teller</i>) |
| Holding, Mr | Spry, Mr |
| Honeywood, Mr | Stensholt, Mr |
| Howard, Mr | Thompson, Mr |
| Hulls, Mr | Thwaites, Mr |
| Ingram, Mr | Treize, Mr |
| Kosky, Ms | Viney, Mr |
| Kotsiras, Mr | Vogels, Mr |
| Langdon, Mr (<i>Teller</i>) | Wells, Mr |
| Languiller, Mr | Wilson, Mr |
| Leigh, Mr | Wynne, Mr |
| Leighton, Mr | |

Noes, 6

- | | |
|---------------------------------|-------------------------------|
| Delahunty, Mr (<i>Teller</i>) | Maughan, Mr (<i>Teller</i>) |
|---------------------------------|-------------------------------|

Jasper, Mr
 Kilgour, Mr

Ryan, Mr
 Steggall, Mr

Remaining stages

Motion agreed to.

Passed remaining stages.

Read third time.

**CONTROL OF WEAPONS AND FIREARMS
 ACTS (SEARCH POWERS) BILL**

Remaining stages

Second reading

Passed remaining stages.

The SPEAKER — Order! The time being past 4 o'clock, I am required under sessional orders and the government business program to put the necessary questions.

Debate resumed from earlier this day; motion of Mr HAERMEYER (Minister for Police and Emergency Services).

Motion agreed to.

**BUSINESS LICENSING LEGISLATION
 (AMENDMENT) BILL**

Read second time.

Circulated amendments

Second reading

Debate resumed from 16 October; motion of Ms CAMPBELL (Minister for Consumer Affairs).

Circulated government amendments as follows agreed to:

Motion agreed to.

1. Clause 6, line 22, omit "or controlled weapon" and insert ", a controlled weapon or a dangerous article referred to in sub-section (6)".
2. Clause 6, lines 32 and 33, omit "or controlled weapon" and insert ", controlled weapon or dangerous article referred to in sub-section (6)".
3. Clause 6, page 5, line 2, omit "or controlled weapon" and insert ", controlled weapon or dangerous article referred to in sub-section (6)".
4. Clause 6, page 5, lines 11 and 12, omit "or controlled weapon" and insert ", a controlled weapon or a dangerous article referred to in sub-section (6)".
5. Clause 6, page 5, lines 34 and 35, omit "or a controlled weapon" and insert ", a controlled weapon or a dangerous article referred to in sub-section (6)".
6. Clause 6, page 6, after line 9 insert —
 '(6) This section applies to a dangerous article within the meaning of paragraph (b) of the definition of "dangerous article" in section 3.'
7. Clause 7, at the end of the clause insert —
 '() In section 12 of the **Control of Weapons Act 1990**, after sub-section (1) insert —
 "(1A) The regulations —
 (a) may be of general or limited application; and
 (b) may differ according to differences in time, place or circumstances."'

Read second time.

Remaining stages

Passed remaining stages.

**MURRAY-DARLING BASIN
 (AMENDMENT) BILL**

Second reading

Debate resumed from 16 October; motion of Ms GARBUTT (Minister for Environment and Conservation).

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

TRAVEL AGENTS (AMENDMENT) BILL

Second reading

Debate resumed from 16 October; motion of Ms CAMPBELL (Minister for Consumer Affairs).

Remaining stages

Motion agreed to.

Passed remaining stages.

Read second time.

LIMITATION OF ACTIONS (AMENDMENT) BILL

Second reading

Mr THWAITES (Minister for Health) — I move:

That this bill be now read a second time.

This is the second in a series of bills that are aimed at addressing problems regarding the availability and affordability of public liability insurance and medical indemnity cover.

The *Review of the Law of Negligence*, chaired by the Honourable Justice Ipp, was recently presented to commonwealth, state and territory governments.

This report makes a total of 61 recommendations to address problems in relation to insurance and medical indemnity. Governments across Australia are considering all of these recommendations. It is important to determine whether national uniformity in this area is achievable. This will be considered by COAG shortly.

Governments are also considering a separate report prepared for the Australian Health Ministers Council by the Legal Process Reform Group, which was chaired by Professor Marcia Neave. The Neave report proposes a variety of measures relating to medical indemnity cover. This includes the desirability of establishing a scheme for catastrophic injuries.

The reports cover a broad range of legal and administrative reforms, including options to alter the law of torts. Victoria is assessing all of the proposals, and will consider what measures should be taken.

One of the key areas dealt with in these reports relates to establishing a nationally uniform law regarding limitation periods that would apply to proceedings where damages are sought for personal injury.

The government acknowledges that for some kinds of personal injury, a long time can elapse between an incident that is alleged to have caused the injury, and the determination of the claim by a court. For insurers and medical defence organisations, this can translate to a long tail in their claims portfolio. This creates significant financial uncertainty, which can contribute to premium increases, as insurers and medical defence organisations seek to ensure that adequate reserves are set aside to meet potential future liabilities.

The Ipp report refers to four rationales for having statutory limitation periods that govern when civil proceedings can be brought.

First, as time goes by relevant evidence is likely to be lost.

Second, it is oppressive to a defendant to allow an action to be brought long after the circumstances that gave rise to it occurred.

Third, it is desirable for people to be able to arrange their affairs and utilise their resources on the basis that claims can no longer be made against them after a certain time.

Fourth, the public interest requires that disputes be settled as quickly as possible.

These objectives need to be balanced with the interests of plaintiffs. The Ipp report notes that plaintiffs need sufficient time to appreciate that they have legal claims that can be pursued, investigate those claims, and commence proceedings.

Both reports set out extensive proposals relating to matters such as when a limitation period should start to operate, whether there should be an outside limit on when a personal injury claim would be statute barred (known as a long stop period), and what kind of rules should apply in the case of children and mentally impaired adults who are injured and have a right to sue.

As part of considering all of the recommendations in the two reports, the government will look at this extremely complex area of the law over the next few months to determine what legislative reform is required.

A thorough review is needed to assess whether alterations to the Victorian law regarding limitation of actions can assist in addressing problems regarding the availability and price of public liability and professional indemnity insurance, and medical indemnity cover. This involves balancing the interests of plaintiffs, defendants and the community as a whole.

However, there is one key recommendation that warrants immediate action. Currently, the general limitation period for personal injury proceedings in Victoria is six years. Both reports propose that the limitation period for legally competent adults for these proceedings should be three years.

The government therefore proposes that this limitation period be reduced from six to three years. This is intended to assist insurers and medical defence organisations in the management of their claims portfolios. It should enable them to recognise some of their potential liabilities more quickly. As a result it will give these organisations a greater level of certainty

about their capacity to meet their future financial obligations.

The reduced time lag in the lodging of legal proceedings that are currently brought in years 4, 5 or 6, also assists in the cost effective management of claims. Knowledge of the circumstances that are alleged to have given rise to an injury should be clearer in people's minds, if proceedings are generally commenced within three years.

This allows for a more timely assessment of liability, and quicker estimation of the likely quantum of claims.

It is acknowledged that this change will not address all of the unpredictability of claims costs that applies to those organisations providing insurance or indemnity cover in long tail areas, such as medical negligence.

Nonetheless, the changes proposed will provide additional certainty to insurers and medical defence organisations, as they will know that in this state the general limitations period is three years, as is the case in many other jurisdictions, including NSW.

It is necessary to further consider the impact of any law reform on persons who are under a legal disability. This vulnerable group includes children, and also adults who suffer from mental impairment or disabilities. Such injured persons are unable to bring legal proceedings on their own behalf.

The purpose of these amendments is therefore to reduce the limitation period to three years, but only for adults who are not under a disability, at the time when their cause of action accrues, or is taken to have accrued.

The limitation period for personal injury claims that have accrued in relation to persons under a disability is not altered by this bill. It will continue to be six years from the date on which the person ceases to be under a disability or dies. For example, if the cause of action for a minor accrues when the person is 17 years, proceedings seeking damages for personal injury can still be brought by or on behalf of that person from six years after they turn 18, that is, until they attain the age of 24 years.

The law regarding persons who are under a legal disability, including minors, will be reviewed in the context of the consideration of the full range of proposals outlined in the Ipp and Neave reports.

This bill also preserves the ability of the courts to grant extensions of time in the circumstances set out in section 23A of the Limitation of Actions Act.

I wish to make the following statement under section 85(5) of the Constitution Act 1975 of the reasons why it is the intention of this bill to alter or vary that section.

Clause 4 of the bill proposes to insert a new section 38 into the Limitation of Actions Act 1958. Proposed section 38 states that it is the intention of section 5 (as amended by this bill) to alter or vary section 85 of the Constitution Act 1975. The amendments to section 5 involve the insertion of a new subsection (1AA) and amending subsection (1A). Proposed section 5(1AA) provides that an action for damages for personal injury whether founded on contract or tort, including actions for damages for breach of a statutory duty, may not be brought after the expiration of three years from the date on which the cause of action accrued. The amendment to section 5(1A) also limits the period for bringing actions to which that subsection applies to three years from the date on which the cause of action accrued. Proposed section 5(1AA) and section 5(1A) as proposed to be amended therefore have the effect of limiting the Supreme Court's jurisdiction to award damages in actions brought after the expiration of three years from the date on which the cause of action accrued.

The purpose of proposed section 5(1AA) and section 5(1A) as proposed to be amended is to reduce the time in which an action for damages for personal injury may be brought. The interests of the community as a whole are best served where a legally competent adult brings an action within three years, rather than six, from when the cause of action accrues. In the case of the contraction of a disease or disorder the three years will run from the date on which the injured person knows that he or she has suffered personal injuries and that those injuries were caused by the act or omission of some person.

This bill also inserts a new section 39 into the Limitation of Actions Act 1958. This is a transitional provision.

In cases other than contraction of a disease or disorder, the law provides that the cause of action normally accrues at the time of injury. In the case of a disease or a disorder that is contracted by a person, the cause of action is, by virtue of the current section 5(1A) of the Limitation of Actions Act, taken to have accrued on the day on which the injured person first becomes aware that he or she suffers from the disease or disorder, and that this was caused by the act or omission of some person.

The effect of new section 39, when read with the commencement clause in the bill, is to ensure that the amendments to sections 5, 23 and 23A of the Limitation of Actions Act will apply to causes of action that accrue — or in the case of a latent disorder or disease, a cause of action that is taken to have accrued — on, or after, the day that is after the day on which the bill receives the royal assent. In other words, the amendments do not apply to causes of action that accrue, or are taken to have accrued, before the commencement of these amendments.

In conclusion, I note that this bill reflects a further major step in the process of altering the law to act in the interests of the Victorian community and deal with current problems regarding medical indemnity and insurance. The government has decided that reform of the general limitation period for legally competent adults is an important measure that can be adopted at this stage. It is committed to considering what further reforms are required, in the forthcoming months.

I commend the bill to the house.

Debate adjourned on motion of Mr WILSON (Bennettswood).

Mr THWAITES (Minister for Health) — I move:

That the debate be adjourned for one week.

Mr WILSON (Bennettswood) — Mr Acting Speaker, on the question of time, there have been negotiations between the opposition and the government to allow this to come back within one week. I make the point that this should not be seen as a precedent with bills but that these are extraordinary circumstances.

Mr JASPER (Murray Valley) — The government has also had some discussions with the Leader of the National Party on this issue, and we accept the recommendation for one week.

Motion agreed to and debate adjourned until Thursday, 24 October.

**HEALTH LEGISLATION (AMENDMENT)
BILL**

Second reading

Mr THWAITES (Minister for Health) — I move:

That this bill be now read a second time.

This bill amends six acts within the health portfolio:

the Drugs, Poisons and Controlled Substances Act 1981;

the Nurses Act 1993;

the Lord Mayor's Charitable Fund Act 1996;

the Mental Health Act 1986;

the Health Services Act 1988; and

the Human Tissue Act 1982.

The Drugs, Poisons and Controlled Substances Act

In 2000, the Nurses Act and the Drugs, Poisons and Controlled Substances Act (DPCS Act) were amended to establish the role of the nurse practitioner and to allow suitably qualified nurse practitioners to prescribe some scheduled drugs and poisons. Those amendments to the Nurses Act empower the Nurses Board of Victoria to recognise nurses qualified for advanced practice. The DPCS Act was amended to authorise those nurse practitioners whom the board endorsed and deemed properly trained, to prescribe drugs and poisons.

The bill inserts a new subsection 14(3) of the DPCS Act to protect the public by ensuring that if the nurses board imposes a condition, limitation or restriction on the practice of a nurse practitioner, with the intention also of restricting the right to prescribe drugs and poisons, then the nurse practitioner's authorisation to prescribe such drugs and poisons under the DPCS Act is automatically restricted to the same extent.

This amendment is designed to bring the regulation of nurse practitioners into line with similar provisions in section 14 of the DPCS Act that regulate the prescribing rights of medical practitioners and Chinese medicine practitioners.

The Health Services Act and the Mental Health Act

The Health Services Act and the Mental Health Act are the principal pieces of legislation governing the operation of Victoria's public and private hospitals, day procedure centres, community health centres and mental health services. As such, they make provision for ensuring the confidentiality of patient and client information.

Section 141 of the Health Services Act and section 120A of the Mental Health Act provide that information must generally be kept confidential if a patient or client could be identified from that information. These provisions operate alongside the broader information privacy and health records laws.

The proposed amendments are designed to clarify the operation of both provisions. They allow information to be given to others where this enables hospitals or services to carry out statutory functions and exercise statutory powers. The provisions also list a number of specific circumstances when information may be given to others. For example:

they allow for appropriate discussions to take place with a patient or client's family and other health service providers;

they allow identifying information to be provided to the Red Cross for the purpose of tracing the recipients of infected blood;

a patient or client may consent to staff giving information about them to somebody else.

The first amendment will deal with circumstances where hospitals or mental health services disclose patient or client information for the purposes of initiating or defending legal proceedings, of obtaining legal advice, or of notifying the organisation's insurers about an incident or adverse event involving a patient or client, in order to fulfil their duties under insurance or indemnity arrangements.

Neither provision currently includes these circumstances in its list of specific authorised disclosures. Such communications are obviously in the public interest, as they enable hospitals and mental health services to assess negligence claims, comply with their duties to insurers, and defend litigation. Such communications form part of responsible health service management, and are consistent with, and permitted under, the Health Records Act 2001.

Given the increased emphasis on privacy, it is timely to explicitly provide that hospitals and mental health services have specific power to engage in such communications, rather than have them continue to rely on the power to give information to fulfil their statutory powers and functions.

The second amendment clarifies the meaning of 'consent' in both provisions. Sections 141 and 120A allow staff to give information about a patient or client to somebody else, if they have the consent of the patient or client. At law, consent can be either express — that is, clearly and specifically articulated by the person — or it can be implied — that is, inferred from the person's conduct or words. The amendment is designed to remove any doubt that consent includes both express and implied consent and is thus consistent with the Health Records Act.

The third amendment is made only to section 141 of the Health Services Act and is a technical clarification of its operation. It is understood that hospitals have generally applied the provision as if it governed only the giving of information to a person outside the hospital, a third party. The internal use of patient information by hospital staff is better governed by health privacy principle 2 of the Health Records Act, and this was the basis on which that act was drafted. The third amendment makes explicit that section 141 does not apply to the exchange of information between staff of the same hospital, provided they comply with the standards regarding use of health information that are set out in the Health Records Act. This will ensure that the two acts continue to operate in a complementary fashion.

The Lord Mayor's Charitable Fund Act

The Lord Mayor's Charitable Fund has been a Melbourne institution for almost 80 years. Each year the fund distributes public donations to over 150 hospitals and other organisations involved in community health and welfare across Melbourne, under the banner Sharing Your Caring.

The governance arrangements for such a longstanding part of Melbourne's charitable sector are obviously important, and these will inevitably need occasional updating to better reflect current approaches to management in the not-for-profit sector and the board has requested these amendments to improve its operation.

The bill amends the Lord Mayor's Charitable Fund Act in relation to the period of office of members of the board that governs the fund, and the retirement of board members.

Board members currently hold office for 12 months, and are eligible for reappointment. The general period of appointment for board members will be increased from 12 months to 2 years, and a process will enable half the board to retire annually. This will allow board appointments to be staggered.

Such amendments will provide for greater efficiency and continuity in the operation of the fund, and enable there to be a desirable mix of new and experienced board members at any one time.

The Mental Health Act

Section 10 of the Mental Health Act allows police to apprehend a person who appears mentally ill, if the police believe that person has recently attempted to cause serious bodily harm to himself or herself or

another person or is likely to do so. Currently the police must arrange for a person apprehended under this section to be examined by a registered medical practitioner as soon as practicable.

The purpose of the examination is to determine whether or not involuntary treatment can be given if the criteria under the Mental Health Act are met. A recommendation, along with a request (that may be made by any person), results in admission and detention as an involuntary patient. Registered medical practitioners can also determine whether a person who appears mentally ill is in fact suffering from another condition.

In practice, a crisis assessment and treatment (CAT) team often attends when police apprehend a person under this provision. Usually a CAT team attending in such a situation would not include a registered medical practitioner but would include a mental health practitioner, such as a psychologist or psychiatric nurse.

Mental health practitioners in CAT teams are familiar with the necessary criteria for determining whether a person should be admitted for treatment as an involuntary patient. They are also usually able to assess whether or not a person is actually exhibiting symptoms of a mental illness.

The bill amends section 10 to enable the police to release a person apprehended under that section if a mental health practitioner assesses the person as not requiring involuntary admission. Alternatively the mental health practitioner may advise the police that they need to arrange for the person to be examined by a registered medical practitioner. In some cases, the mental health practitioner will be able to authorise the transport of the person to an approved mental health service to be examined by a medical practitioner.

The proposed amendments will make better use of the expertise of mental health practitioners by allowing them to make an initial assessment as to whether a person apprehended by the police should be released or whether a registered medical practitioner should examine the person. In some instances, this will enable a person apprehended by police under section 10 to be released more quickly than is currently the case. The amendments will also ensure that police resources are not directed to arranging unnecessary medical examinations.

The Nurses Act

This amendment is designed to allow the Nurses Board of Victoria to register nursing students who have completed part of a Bachelor of Nursing degree that

will eventually qualify them as fully trained division 1 nurses as division 2 nurses while they are training. These students will be required to complete a number of units of study specified by the board and to satisfy the board they have achieved the level of skill and knowledge required to demonstrate competence as a division 2 nurse before being registered as division 2 nurses.

This will allow division 1 nursing students to work in nursing services as division 2 nurses while still studying. It is expected to increase the division 2 nursing work force while providing valuable opportunities for nursing students to gain on the job experience prior to graduation.

The Human Tissue Act

The Human Tissue Act prohibits the unauthorised selling of tissue. This prohibition was intended to prevent the exploitation of individuals by those proposing to trade in tissue for profit.

Advances in technology are occurring in the area of tissue engineering which enable donated human tissue to be used in more efficacious ways. However, an organisation such as a donor tissue bank incurs costs in assisting in medical or scientific endeavours.

Equivalent legislation in all other states and territories provides a form of exemption to enable the sale and supply of human tissue when it is used for therapeutic, medical or scientific purposes.

The amendment to the Human Tissue Act will create new provisions that will allow tissue banks to be prescribed and will allow them to recover their costs in relation to removing, evaluating, processing, storing and distributing donated tissue.

One example of this is a product that is a mixture of demineralised bone and calcium sulphate. This product provides a framework for the growth of new bone and may actually promote and induce new bone growth. It is used to fill bone defects that commonly occur, for example, in bone cysts and in longstanding hip replacements.

Some of these technologies are not yet available to patients and their medical practitioners in Australia.

The proposed amendment will enable the development of such products. It is sensible to amend the act to allow prescribed tissue banks to use human tissue in more efficacious ways for the benefit of the community.

Existing consent requirements are not affected by this amendment, and there is no impact on the rights of next of kin.

The development of the bill has involved a process of consultation and discussion with a range of stakeholders across the health sector, who have provided valuable input into the development of these amendments.

I commend this bill to the house.

Debate adjourned on motion of Mr WILSON (Bennettswood).

Debate adjourned until Thursday, 31 October.

PORT SERVICES (AMENDMENT) BILL

Second reading

Mr BATCHELOR (Minister for Transport) — I move:

That this bill be now read a second time.

The bill amends the Port Services Act 1995 to give further power to the Melbourne Port Corporation (MPC) to enable it to manage specified port waters, including the channels in those port waters, when directed to do so by an order of the Governor in Council.

The bill provides for:

the definition of ‘channel operator’ under the act to be expanded to include MPC when acting under an order in council;

the objectives of the MPC to be expanded to include the management of specified port waters on a fair, reasonable and commercial basis, when so directed by an order in council;

the expansion of the functions and powers of the MPC, consistent with those allocated to the Victorian Channels Authority (VCA) under the act, to enable MPC to effectively manage the port waters allocated to it by an order in council.

The proposed amendments enable the implementation of a key element of the government’s action program announced in response to the independent review of port reform in July of this year, specifically the implementation of transitional improvements to channel management arrangements for Melbourne.

A key plank of the government’s response to the review is the proposal to create a new, single corporation for the port of Melbourne to replace the MPC and the VCA with a broader charter and a capacity for integrated management of land and waterside functions.

The independent review noted that the current institutional model which splits responsibilities for the port of Melbourne between a land manager (MPC) and a water manager (VCA) is highly unusual and found that it had detracted from the effective management of the port of Melbourne and its positioning to compete vigorously on the national and international stage. The government supports this view and in preparing its response to the review, found there to be overwhelming industry support for a single integrated entity to manage the port of Melbourne.

It is proposed that creation of the new corporation will occur in conjunction with a number of other initiatives identified in the government’s response. These initiatives are targeted for implementation in mid-2003 and will require a separate, more substantial legislative amendment which the government proposes to introduce to a subsequent sitting of the Parliament.

Pending the establishment of the new corporation, the government proposes that the benefits of land and waterside integration in the port of Melbourne be pursued without delay by requiring the VCA and the Melbourne Port Corporation (MPC) to implement administrative measures and agreements which have the effect of transferring responsibility for the port waters and channels servicing Melbourne to the MPC. The government notes that arrangements with this effect are already in place and operating successfully for the ports of Portland and Hastings. Channel operating agreements with the VCA already provide these ports with the benefits of integrated control of both their land and waterside operations.

In the case of the port of Melbourne, an amendment is required to provide for the immediate implementation of integrated management, as the objectives and functions of the MPC are currently so narrowly defined as to prevent it from taking on the management of any waterside functions.

While there is a capacity under the Port Services Act 1995 for the Treasurer, in consultation with the minister, to give written directions to port corporations, this power of direction is restricted by a requirement for directions to be in accordance with the port corporations’ objectives and functions.

The bill is intended to provide the MPC with powers comparable to those which the VCA currently exercises in relation to port waters and channels, but only in relation to those port waters specified by an order of the Governor in Council. These functions and powers relate to managing, dredging and maintaining channels, providing and maintaining navigation aids and, through the appointment of a harbourmaster, directing and controlling vessel movements.

The government's intention is to apply this mechanism to allocate responsibility for the port waters of the port of Melbourne to the MPC, pending the establishment of a new corporation for Melbourne with a broader charter for integrated management. Under this approach, the MPC would become a channel operator with the necessary powers directly allocated to it in respect of the specific port waters which it is directed to manage under the Governor in Council order.

The bill provides a clear, direct and robust basis for implementing the government's stated policy of moving without delay to achieve the benefits of integrated land and waterside management for Australia's premier port, the port of Melbourne. These benefits will include planning and operational efficiencies flowing from integrated management control of the port as a whole and a clearer and simpler management interface with customers and users of the port who currently deal with multiple port managers.

I commend the bill to the house.

Debate adjourned on motion of Mr WILSON (Bennettswood).

Debate adjourned until Thursday, 31 October.

PAY-ROLL TAX (MATERNITY AND ADOPTION LEAVE EXEMPTION) BILL

Second reading

Mr BRUMBY (Treasurer) — I move:

That this bill be now read a second time.

The purpose of this bill is to make amendments to the Pay-roll Tax Act 1971, to provide employers with an exemption from payroll tax in respect of wages paid to workers taking maternity or adoption leave. The exemptions will apply to all employed women taking maternity leave of up to 14 weeks. The exemption also includes adoption leave for a period of up to 14 weeks, available to both women and men.

The Victorian government is committed to encouraging employers and employees to strike a balance between family, work, and their ability to participate in community life. Striking the right balance will help build a better and fairer Victoria. The government's commitment is evidenced in our Growing Victoria Together statement, and in our Work/Family/Life Strategy, to be released later this year, that will outline key actions for the state government in this area.

The Victorian government supports a national 14-week paid maternity leave scheme. The exemption outlined in this bill is a demonstration of the government's good faith in this area. It adds substance to the government's commitment that the commonwealth should introduce a national scheme and it shows that we will do our part by providing Victorian employers with an incentive to voluntarily provide paid maternity leave.

I now turn to the particulars of the bill.

The bill provides a payroll tax exemption for paid maternity leave for women and paid adoption leave for men and women. To minimise any inflexibility in leave arrangements between an employer and employee, for the purposes of the exemption, leave can be taken before or after the birth or adoption.

The exemption is limited to wages payable in respect of a total maximum of 14 weeks full-time pay, or the equivalent. For part-time employees, the exemption is limited to wages payable in respect of a maximum 14 weeks part-time pay for part-time employees who take leave at less than their usual part-time pay. The exemption excludes fringe benefits, on the basis that excessive complexity would result if employers were required to apportion the fringe benefits component of wages over a 14-week period.

Employers who claim the exemption in relation to maternity leave must keep a medical certificate or statutory declaration in relation to the pregnancy of the employee. Similarly, employers who claim the exemption in relation to adoption leave must obtain and keep a statutory declaration by the employee that an adoption order has been made or that the child is in the employee's custody pending such an order.

This bill sends an important message to the commonwealth that Victoria is serious about a national paid maternity leave scheme. The exemption also rewards employers who voluntarily provide paid maternity leave.

I commend the bill to the house.

Debate adjourned on motion of Mr WILSON (Bennettswood).

Debate adjourned until Thursday, 31 October.

LOCAL GOVERNMENT (UPDATE) BILL

Second reading

Mr CAMERON (Minister for Local Government) — I move:

That this bill be now read a second time.

This bill aims to improve the system of local government and to improve the public accountability of local government in particular.

Councils exist to provide good local government for their areas. They are elected by the voters of their municipalities and they collect rates from property owners to finance services and activities.

Local communities have a right to expect a high level of accountability from their councils, both for the decisions they make and for the way they use public resources.

This bill establishes public accountability as an essential requirement for local government. It does this through changes to electoral provisions to improve democracy and through changes to other provisions to ensure transparency and accountability in council decision making and reporting.

Mr Thompson — On a point of order, Deputy Speaker, it is important that honourable members in the chamber are able to follow the second-reading speech that is being made, and not only the members but also the other people within the precinct who perhaps are attending Parliament with a view to hearing what is being debated in the chamber. If the speech could be delivered in a manner that enabled people to hear it might be beneficial, not only to members but to people in the gallery as well.

The DEPUTY SPEAKER — Order! Does the honourable member have a copy of the second-reading speech?

Mr Thompson — I do not believe it has been distributed to the gallery, Deputy Speaker.

The DEPUTY SPEAKER — Order! No, I am asking if the honourable member has a copy.

Mr Thompson — Am I authorised to distribute it to the gallery as well?

The DEPUTY SPEAKER — Order! I asked the honourable member if he had a copy of it.

Mr Thompson — I have a copy of it.

The DEPUTY SPEAKER — Order! Thank you. There is no point of order.

Mr CAMERON — The bill also proposes changes to the Constitution Act to better formalise the place of local government within the Australian system of government. This will also recognise the democratic basis of local government.

The proposed changes represent the results of a careful analysis of local government legislation issues and an extensive public consultation process.

I will now outline some of the main features of the bill.

Electoral representation reviews

The conduct of fully democratic elections is a cornerstone of any modern system of government. The bill proposes to correct a number of failings in the current act.

The existing requirements for the review of electoral structures are seriously deficient. At present, the electoral boundaries for local councils are reviewed by the councils themselves and, where councils are unsubdivided, reviews are only conducted at the discretion of councils.

At other levels of government these types of reviews are conducted at arm's length from the elected body to ensure independence and probity. Considerable concern was expressed in public submissions about the current system.

It is proposed that, in future, independent electoral representation reviews be conducted for every council on a six-yearly basis and that the reviews consider both the electoral structure and the location of electoral boundaries. Every council will be required to appoint an electoral commission to conduct its representation review.

Election campaign donations

Council decisions can have a significant bearing on the financial and other circumstances of particular people. Given the stakes involved it is not inconceivable that such people may donate generously to the election campaigns of candidates for council elections. Public transparency in regard to such donations is essential.

The bill proposes that all candidates complete a campaign donation return within 60 days of the election. These donation returns must provide details of all donations valued at \$200 or more.

Enrolment entitlements

Under the existing legislation, councils are required to automatically enrol people who occupy rateable property for non-residential purposes. However, this is impractical because councils do not have ready access to information about these occupiers. As a result, very few are actually enrolled.

This touches on the basis of democratic electoral systems, which require that people with a stake in their government not only have a legal right to vote but that they can exercise their rights without administrative impediments.

It is therefore proposed that the process for enrolment of non-resident occupiers be by application and that the council be required to publicly advertise people's enrolment rights before the rolls close.

An additional, related difficulty for councils is that they have no practical way of determining if a person that has previously applied to be enrolled is still eligible. In theory the legislation requires electors to notify their council if their entitlement details change, but this does not occur in practice. As a result, council rolls are frequently inaccurate.

It is therefore proposed that, where people are enrolled by application, their enrolment will be valid for the term of the council only and will need to be renewed for the next election. To ensure these people are not disadvantaged, councils will be required to notify them in writing before the next election of their right to re-enrol and provide them with an enrolment form.

It is expected that these measures will significantly improve the accuracy of councils' rolls and will maximise opportunities for eligible people to enrol.

The place of local government

While the main objective of this bill is to enhance the accountability of local government, this needs to be balanced by recognition of the important role councils play in providing good government for their communities.

People in local government, especially councillors, take on tasks that are often thankless and demanding. As a community, we often fail to give these people the appreciation they deserve.

It is proposed that the Constitution Act be amended to formalise the place of local government as a distinct and essential level of government and that councils are democratically elected and accountable to their constituents.

It is also proposed to amend the Local Government Act to include a preamble that describes the place of local government in the Australian system of government and a charter that more clearly describes the purposes and functions of councils.

These amendments will not change the actual functions and powers of councils, but they will provide greater clarity.

It is also intended that the criteria under which a council can be suspended should be more clearly set out. The bill proposes that councils be able to be suspended where there has been a serious failure to provide good government or when a council has acted unlawfully in a serious respect. To ensure that suspensions are not done lightly it will also be a requirement that consideration be given to steps taken by a council to address and remedy the failure.

Conduct of councillors

While we recognise the contribution made by people in public life the community also expects a certain standard of behaviour from its elected councillors. Councillors have control of significant public resources and make decisions on behalf of their communities.

This bill proposes to include certain rules of conduct for councillors and members of council committees. These rules have always been implicit requirements of people in public office, and it is desirable that they be made explicit. Doing so provides councillors with clearer guidance and enables the community to be more confident that their elected representatives are acting with due probity.

The rules of conduct include:

- acting honestly;
- exercising reasonable care and diligence;
- not making improper use of their position; and
- not making improper use of information.

The bill also proposes that all councils be required to adopt codes of conduct that include the rules of conduct as well as including procedures to resolve disputes between councillors and procedures for implementing conflict of interest requirements.

Conflict of interest

The provisions of the Local Government Act are generally acknowledged as being inadequate in regard to conflicts of interest. While the act addresses pecuniary interests, it makes no provision for other interests. In fact the current provisions appear to compel a councillor to vote when they have an interest in a matter that is non-pecuniary.

This bill introduces significant improvements in regard to conflicts of interest. It will require councillors and members of council committees to declare all interests in matters being considered by the council or committee

Where these interests are pecuniary in nature, or where the person considers that their interest may be in conflict with their public duty, they must declare a conflict of interest and refrain from voting.

The affect of these provisions will be to provide a public surety of openness where councillors have interests relevant to matters under consideration. They will also ensure that councillors are not bound to vote where they have a conflict of interest.

Conduct for council staff

A closely related matter is the conduct of council employees. The bill proposes that the principles of conduct that currently apply to public sector employees under the Public Sector Management and Employment Act should be included in the Local Government Act to apply to council staff.

These principles will require council officers to:

- act impartially;
- act with integrity and avoid conflicts of interest;
- accept accountability for results; and
- provide responsive service.

Financial management principles

Major improvements included in this bill relate to the financial management of councils.

The bill will replace some ineffective and out-of-date regulatory provisions with a requirement that councils comply with principles of sound financial management similar to those that apply to public sector bodies under the Financial Management Act.

These principles include:

prudent management of financial risks in regard to debts, assets and liabilities;

rating policies that provide reasonable stability in the level of the rate burden;

having regard to the financial effects on future generations of council decisions; and

providing full, accurate and timely disclosure of financial information.

Councils will also be required to establish and maintain budgeting and reporting frameworks that are consistent with these principles.

The bill will also establish a system of financial reporting for local government which will ensure that consistent reporting frameworks are used in all council plans, budgets and annual reports. This will enable ready comparison of projected resource use with actual outcomes.

In line with this, it will be a required that where there is a material variation between a budget and an actual outcome the variation will be fully explained in the council's annual report.

The revised system for financial reporting will be complemented by revised agreements between the state government and councils regarding national competition policy. The state government shares its commonwealth NCP payments with councils, although it is not required to do so. Councils will continue to receive these payments subject to compliance with the revised NCP agreements.

The bill also includes improved processes for local government entrepreneurial activities. It will require councils to consider a formal risk assessment before approving any new venture. This will be subject to ministerial guidelines.

Where previously all entrepreneurial activities, including very minor matters, had to be approved by the minister and the Treasurer, the level of approval will now depend on the scale of the proposed activity. Ministerial approval will be required where total risk exposure exceeds \$500 000 or 5 per cent of a council's rates and approval of both the minister and the Treasurer must be obtained when the total risk exposure exceeds \$5 million.

Accountability framework

Council plans, budgets and annual reports are important public documents. The amendments proposed in this

bill will increase public input to the development of council plans and ensure that the activities and performance of councils are more open to public scrutiny.

The current provision for corporate plans is confusing and is to be replaced by a requirement that a council adopt a new council plan after each general election. These council plans will be developed in consultation with the community and will specify the objectives, strategies, resources and performance indicators for the council for the next three years.

Budget documents are to be substantially upgraded to include standard financial statements on an accrual basis, to support financial viability, but also to include a description of the activities that are being funded in the budget. This will significantly improve the transparency of council's budget funding.

Budgets will also list targets and measures for the key strategic activities that the council will undertake in the budget year. These will then be reported against in a performance statement that will be audited by the Auditor-General and published in the council's annual report.

Rate capping

The previous government used rate capping as a way to limit the ability of councils to raise revenue after amalgamations. This proved to be a very arbitrary and clumsy measure and has been widely rejected by the community.

The bill proposes to remove indiscriminate rate capping from the act. The ability to limit the rates of an individual council will be retained, however, as a reserve power.

Special rates and charges

The government considers it important that councils levy rates and charges in a fair and equitable manner, and the proposed local government charter emphasises this requirement.

There have been considerable concerns expressed in the community about the practices of some councils in respect to the levying of special rates and charges. The bill therefore proposes to amend these provisions.

Councils will now be required to determine the proportion of the benefits of a project that will be of special benefit to the people who will pay a special rate or charge. The council may not then levy special rates

and charges to recover an amount that exceeds the proportion of special benefits.

In addition, the bill proposes a further requirement in respect to the construction of existing roads. If a council wishes to raise more than two-thirds of a road's construction costs under a special rate or charge it must first obtain written agreement from a majority of the people who will be required to pay the rate or charge.

Rate rebates

The bill proposes a tightening of the rate rebates provisions of the act. This follows concerns about the inappropriate use of rate rebates.

The provision for rebates and concessions will be restricted to:

no more than a third of rateable properties and following public consultation; or

the owners of properties that agree to fulfil terms specified by the council that provide benefits to the community as a whole.

The act will also be amended to make it entirely clear that a council may waive rates or charges for a class of people on grounds of financial hardship.

Conclusion

In addition to the matters I have described, the bill will make a number of other amendments to the act. The full impact of all these changes will make local government significantly more democratic, more transparent, more accountable and more effective.

This legislation commenced in another place. During debate in another place there were provisions relating to proportional representation which were removed. The government intends when this matter is debated to have house amendments to bring back the intention to have proportional representation in unsubdivided municipalities or in multimember wards.

I commend the bill to the house.

Debate adjourned on motion of Mr WILSON (Bennettswood).

Debate adjourned until Thursday, 31 October.

Remaining business postponed on motion of Mr CAMERON (Minister for Local Government).

ADJOURNMENT

Mr CAMERON (Minister for Local Government) — I move:

That the house do now adjourn.

Sandringham: boat harbour

Mr THOMPSON (Sandringham) — I raise a matter for the attention of the Minister for Environment and Conservation regarding the siltation taking place in Sandringham harbour. Mr Jack Eggleton, a long-term resident of Hampton who has taken a very active interest in boating and infrastructure issues along the foreshore, has drawn to my attention on numbers of occasions his concern about the impact the siltation of Sandringham harbour is having on other users in that precinct, including the Sandringham Yacht Club, the Sandringham Sailboard Centre, the Victorian Guide-Scout Sailing Centre and the Sandringham Angling Club. Since the early 1950s when a major groyne was built around the Sandringham Yacht Club area, there has been extensive siltation of the harbour as a result of the movement of sand along the shore, coming down from the north without the opportunity of the prevailing southerlies to shift the sand along the coast.

There have been progressive adaptations and adjustments to the harbour, and the beach has grown by some 70 metres to 100 metres. The problem now is that with the siltation continuing to take place as a result of extensive beach renourishment works in Hampton and in Brighton, there is little available water for the users of the harbour — the sailors and people from the Victorian Guide-Scout Sailing Centre and the Sandringham Angling Club to easily access the harbour waters.

I ask the minister to develop a strategic plan in concert with her department to dredge the harbour to a level, perhaps back to that of 1980, to enable all harbour users to have continuing access to the harbour.

Drought: cloud seeding

Mr MAUGHAN (Rodney) — I raise with the Minister for Agriculture the matter of cloud seeding in order to create rain. Honourable members will be well aware that the northern part of the state, particularly the electorate of Rodney and those areas serviced by the Goulburn irrigation system, are suffering enormous problems because the level of the reservoirs, particularly the Eildon Weir, is so low.

A member of the federal Parliament, the honourable member for Mallee, Mr John Forrest, has recently visited the United States and Texas in particular to look at the progress people there have made. Honourable members will recall that the CSIRO conducted extensive research on cloud seeding from the 1950s through to the 1970s, and because the results were not conclusive, the research effort in this country has decreased over recent years. It appears, from reading some of the material that Mr Forrest has collected, that science has moved on in terms of the techniques used and that timing, location, and precision dosing are critical to the process, as is the radar network to locate suitable clouds for seeding.

Given our situation in northern Victoria and given that there is some hope that the techniques have improved, it is urgent that the government and the minister take every possible initiative to encourage officers of this department to talk with the CSIRO to see whether representatives of the department or the CSIRO can, as a matter of urgency, travel overseas and look at the techniques in Texas to see if they can apply in Victoria, so we can get trials going quickly. Northern Victoria is in desperate straits and needs large volumes of rain in the catchment areas, particularly the Eildon catchment.

I ask the minister to make every effort to ensure the latest techniques of cloud seeding are thoroughly investigated with a view to applying them to cloud seeding in northern Victoria, particularly the Eildon catchment.

Drayton Corp

Mr ROBINSON (Mitcham) — I raise with the Minister for Consumer Affairs the legitimacy of and claims being made by various get-rich-quick racehorse tipping schemes. I exclude myself from those schemes although I have given out tips on a regular basis. I seek from the minister an investigation and ongoing monitoring by Consumer Affairs Victoria of the schemes.

During a grievance debate earlier this year I referred to a company called Drayton Corp which had put out a glossy prospectus encouraging people to invest in what it considered and was claiming was a failsafe punting methodology — an expensive investment. These sorts of schemes seem to flourish, particularly around the Spring Racing Carnival in Melbourne.

I confess that I do not come to this event as a puritan and I have been known to have the occasional wager, especially to dabble on Cup doubles. I assure the house that should the double I took three months ago on

Fields of Omagh to win the Caulfield Cup and Vinnie Rowe to take out the Melbourne Cup salute the judge I will be happy to shout the bar. I got some good odds three months ago.

I know that I am not alone in the house in being keen to back a winner. On behalf of a number of members I put the honourable member for Polwarth on notice that his horse Fantastico and the tips he has given out about that horse have worn out both the patience and the wallets of members of this house. I think it is now up to its 15th or 16th start in maiden company.

Victorians who are interested in having a wager have at their disposal tried and true methods for ascertaining the form of various racehorses. I can think of no better recommendation than *Miller's Guide*, now in its 130th edition, which is full of information and is a useful reference for anyone interested in a punt. The *Winning Post* form guide must stack up as the best going around.

We need Consumer Affairs Victoria to monitor the activities of people who are peddling get-rich-quick betting schemes. There is no such thing as a certainty on a racetrack and people ought to be assured that Consumer Affairs Victoria is monitoring the behaviour and activity of these companies to make sure that at all times the claims made can be substantiated. I look forward to the minister assuring the house this monitoring is under way.

Minister for Education Services and Minister for Housing: conduct

Mrs SHARDEY (Caulfield) — I wish to raise a matter for the attention of the Minister for Housing. A number of questions have been raised this week in Parliament regarding the allocation of a transitional public housing property to a family which Department of Human Services documents reveal they were not eligible for. The minister's response has been that the treatment of this family is a common occurrence. At the outset, the action I require of the minister is to conduct a full independent departmental inquiry and that she table the report and the findings of the inquiry to this house.

The Department of Human Services documents reveal that the Minister for Housing and the Minister for Education Services were knowingly involved in the fabrication of a priority housing application on behalf of a family named White who they knew did not meet eligibility criteria.

Documents also reveal that the Minister for Housing had knowledge of the fraud and directed others to

falsify the White family's application during December 1999 and January 2000. This apparently was done because the Minister for Education Services had promised this family a house.

Mr Pandazopoulos — On a point of order, Madam Deputy Speaker, the honourable member would know that casting aspersions like this is a serious matter and that there is a procedural process to go through rather than saying whatever she wants to say about ministers acting fraudulently. The house should not be used like that. Certainly allegations can be made, but it is entirely inappropriate for the honourable member to be using that sort of language.

The DEPUTY SPEAKER — Order! There is no point of order, but I ask that the honourable member for Caulfield address to the minister her comments on what action she would like taken.

Mrs SHARDEY — I have already done that. I have already asked for specific action to be taken. The documents reveal that Office of Housing staff interviewed the White family and found them to be ineligible for the following reasons: that they were already living in secure private rental accommodation; that the combined income of the family exceeded the income limit for priority housing status; that the family had owed outstanding rent, bond and maintenance debts of more than \$4000 to the Office of Housing; and that the family did not supply adequate financial and medical documentation to back up its application.

The DEPUTY SPEAKER — Order! I remind the honourable member that she cannot make imputations against ministers. She must do that by substantive motion. She seems to be continuing along that line. The honourable member needs to identify the problem and ask for action to be taken.

Mrs SHARDEY — I have identified the problem, and I have already asked for particular action. I think that is very clear. I am referring to some Department of Human Services documents which prove what I am saying.

The DEPUTY SPEAKER — Order! The honourable member is suggesting fraud. She is making imputations against ministers or members of this house. She has to do that by substantive motion.

The honourable member has finished.

Crime: Sunbury

Ms DUNCAN (Gisborne) — I ask the Minister for Police and Emergency Services to report on levels of

crime in our area and on what actions are being taken to maximise the sense of community wellbeing and to address issues such as violence, theft and vandalism.

Over recent weeks and months there have been considerable media headlines about vandalism and burglary in general. We have had a series of letters — in fact a bit of a campaign of letter writing — to the local newspapers, describing in some instances the streets of Sunbury, for example, as being a war zone. Alternatively we have had other letters that have argued that terms like ‘war zone’ are absolutely over the top and have referred to some of the behaviours as youthful exuberance. We have this enormous difference of opinion as to what is occurring in the streets of Sunbury, for example. It is very difficult for people to know what the truth is when you have such opposing points of view being expressed in the local newspapers.

We have recently had an unsigned flyer circulated throughout the region which states that in the Macedon region the rate of crimes against the person has increased by 6.2 per cent since the Bracks government came to office. This same flyer also reports that the rates of assaults, harassment and homicide have all risen. It is enough to really make people worry; and especially with the recent outcomes in Bali, people are feeling even more vulnerable and scared. I remember many years ago living in Melbourne and feeling quite terrified in the place I was living in. There was no particular reason for me to be afraid, but I just had an enormous sense of fear. It was a terrible feeling to live in fear in your own home, and I feel for people who find themselves in this situation.

The most recent article suggests that police resources are being diverted away from patrols in town to focus on operations such as Operation Vehicle Watch. An article states that one of our residents is saying the enormous drop in car thefts of some 25 per cent in the region has occurred only because the government has diverted police resources from elsewhere. I ask the minister to respond to these concerns and to provide information on whether or not, as has been suggested in this recent article, police have been taken off patrol to focus on car thefts. I presume it means foot patrols around the town. There has certainly been a reduction in car thefts, which I would have thought was a good news story, but clearly the suggestion is that it is at the expense of other areas of patrol. I ask the minister to provide the house with that information.

Mallacoota: emergency and critical care

Mr INGRAM (Gippsland East) — I raise for the attention of the Minister for Health the ongoing critical

situation in Mallacoota regarding the emergency and critical care services in that town. Today I led a delegation to the minister about that problem. We basically presented the minister with a report which identifies the problems that exist and some potential solutions to them.

The action I seek is for the minister to basically go through the report and respond to the recommendations in it as soon as possible to address that urgent situation. Those recommendations, some in particular, could be achieved reasonably easily. One is communication. Because of the extreme isolation of that area — the distance of Mallacoota from other towns — and its proximity to the New South Wales border the inability to access communication systems causes great problems when patients are being transported.

The other issue is providing paramedics to the area. Currently the town has a volunteer-based service. Because of the problems that are associated with transportation of patients and the limitations that are put on volunteer ambulance officers they cannot transport patients. That means that the doctors currently in the town — and we have good doctors in Mallacoota — have to go to most of the call-outs to stabilise patients and travel with them when they are transported away. Some of these transportations can take a number of hours, because the town is extraordinarily isolated. Mallacoota is 520 kilometres from Melbourne. The hospital at Orbost is 147 kilometres away. The hospital at Eden is 100 kilometres away. The nearest hospital with a fully staffed accident and emergency care centre is Bairnsdale, which is 240 kilometres away, or at Bega, which is 144 kilometres away.

The difficulty in providing air ambulance services and the length of time it takes to get patients to and from Mallacoota is critical. We are at risk of losing doctors from the town and the community wants action. It wants a response to this report as soon as possible to address the urgent critical care and emergency services situation within the town. I ask the minister to address those issues.

Motor vehicles: permits

Mr ASHLEY (Bayswater) — I also have an issue for the Minister for Police and Emergency Services. I originally raised this matter with the minister back in June. It relates to difficulties that are inherent in using unregistered vehicle permits after assessments have been made by a licensed vehicle tester and the problem of police intervening to declare a car unfit to be on a highway. In his response to me the minister said:

I believe that, in the absence of a court-based defence, the Ombudsman's office is well placed to consider this matter. Consequently I will not pursue the issue further.

In responding to me on the issue of a constituent, the Ombudsman said:

I have completed my inquiries in relation to your constituent and as a result of those inquiries the penalty notice against him has been withdrawn. The reason for the withdrawal was information supplied by Mr Hedrich, a licensed vehicle tester who when interviewed indicated that ... he took the vehicle for a road test and he would not have done so if he believed it was unsafe to do so.

The action I am seeking from the Minister for Police and Emergency Services is that he institute into the certificates of assessment that are given for vehicles that are under unregistered vehicle permits that if they are safe to drive on the highway there be no intervention by the police during the term of validity of that permit.

Liberal Party: Yan Yean candidate

Mr SEITZ (Keilor) — I raise with the Minister for Police and Emergency Services a matter relating to an article that I happened to read in the *Age* of Saturday, 12 October, in which it was reported that a Liberal Party candidate for the seat of Yan Yean, Mr Matthew Guy, said that his motor vehicle was damaged after it was attacked with a wheelie bin, which was banged into the rear of his hatchback.

Mr Guy has apparently reported the incident to the police. My concern is that in the article in the *Age* Mr Guy stated, without any apparent evidence, that he believes the damage was the work of his political opponents. I am concerned that Mr Guy has used this unfortunate incident of a wheelie bin running amok to cast aspersions on either the current honourable member for Yan Yean — —

Dr Naphine — On a point of order, Madam Deputy Speaker, I do not want to take up the honourable member's time, but he has been here long enough to know when he has been speaking for over a minute he has to come to the point of which minister he is raising this for and what action he is seeking.

The DEPUTY SPEAKER — Order! The honourable member has indicated which minister he is speaking to, and he has up to 3 minutes to give us what action he wants.

Mr SEITZ — Mr Guy was casting aspersions on either the current honourable member for Yan Yean, the Minister for Police and Emergency Services, or the

Labor candidate for seat at the next election, Ms Danielle Green.

I request that the Minister for Police and Emergency Services take any administrative action required to look into this issue and determine whether there are any grounds to validate the comments made by the Liberal candidate. There appear to be no grounds for Mr Guy attributing this damage to his opponents or other candidates.

In the middle of the last election campaign my government-provided vehicle was attacked, but I did not cast aspersions on the Liberal candidate or even the Independent candidate, who was running on a platform of no safe injecting rooms. The car was attacked with syringes — they were stuck in all parts of the vehicle, including the tyres and the rubber windscreen wipers. That was a foolish thing to do as it posed a danger to children in the community. I probably could have got cheap publicity in the middle of the campaign, but I did not lower myself to casting unfounded, unsubstantiated aspersions against my political opponents.

The Minister for Police and Emergency Services should look administratively at the real situation in this case, particularly since it is affecting either him or the Labor candidate for Yan Yean, Danielle Green.

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

CFA: industrial agreement

Mr WELLS (Wantirna) — I have a matter of grave concern for the Minister for Police and Emergency Services. It is fascinating that the honourable member for Keilor has called on the Minister for Police and Emergency Services to investigate the matter he has when question time this afternoon was all about the separation of powers. It suits the Labor Party to raise issues at some times but during question time it suits the minister to say no.

I ask the Minister for Police and Emergency Services to take immediate action to ensure that Country Fire Authority volunteers are fully consulted about the current enterprise bargaining agreement (EBA). I am asking the minister to take this action because the CFA volunteers were well and truly shafted by the Bracks government, and this minister in particular, in the last EBA.

They were shafted in two ways. Firstly, the 63 000 volunteers were totally excluded from the EBA process. They cannot have community support facilitators any longer because the United Firefighters

Union (UFU) did not like them and the minister rolled over and agreed to their removal. Secondly, we previously had a situation where CFA volunteers were able to deliver operational training but under the EBA they are no longer able to do this because the CFA is not able to employ casual or part-time staff. This was clearly a case of the government and this minister paying the UFU back.

The current EBA runs until September 2003. It has almost 12 months to go, so there is no need for the Minister for Police and Emergency Services to rush to sign the new EBA. If he does it will be seen as clear political payback between the Bracks Labor government and the UFU for the work the union has done in supporting the government. I am calling on the minister to support the 63 000 CFA volunteers and ensure they are looked after in this enterprise bargaining agreement.

Austin and Repatriation Medical Centre

Mr LANGDON (Ivanhoe) — I call on the Minister for Major Projects to take action to introduce an information program for the Ivanhoe electorate and the opposition on the great work the government is doing on the Austin and Repatriation Medical Centre. On Tuesday the honourable member for Bennettswood had the audacity to raise the issue of the Austin hospital.

Mr Wilson interjected.

Mr LANGDON — The honourable member is very proud of the fact that he raised the issue, but he did not inform the house that he is a former chief of staff of the Minister for Health who tried to privatise the Austin hospital — the same Minister for Health who did absolutely nothing for the hospital, the same Minister for Health who did anything but do any work for the Austin hospital. The honourable member did not tell the house any of that, but he had the audacity to raise the issue of what this government and its Minister for Health, and now its Minister for Major Projects, are doing at the Austin hospital. If honourable members go to the site they will see exactly what the government is doing. There has been enormous development, and the electorate of Ivanhoe and I are very proud of it. Everyone on this side of the house is exceptionally proud of this development.

An education program for the opposition and the electorate is greatly needed. Honourable members opposite have no idea of the great mess the former government left the Austin hospital in and the great work this government is doing there. They clearly need educating. I am calling on the Minister for Major

Projects to do that. It would be a great help if honourable members on this side of the house could educate opposition members so that they would know the mistakes they had made.

I am pleased to say that two weeks after we came into government the current Minister for Health went to the Austin hospital and cancelled its privatisation. I have never seen a happier bunch of people. Since that time the government has committed to spending up to \$340 million on building the hospital. I commend this government and call on the Minister for Major Projects to educate the opposition.

Monash Medical Centre

Mr WILSON (Bennettswood) — I raise a matter for the attention of the Minister for Health. I refer the minister to the ever-expanding crisis of the waiting list for elective surgery at Monash Medical Centre. The waiting list has grown from 3355 in June 1999 to 4432 in June 2002, representing an increase of 32 per cent. That is an enormous growth in the waiting list at the centre and is typical of the trend across Victoria's public health system. The action I am seeking of the minister is that he have the Department of Human Services investigate the way Monash Medical Centre is monitoring its waiting list.

I want the Minister for Health to clearly establish that Monash Medical Centre is ensuring that all patients who require semi-urgent and non-urgent procedures are receiving appropriate advice and assistance from the hospital and the network. A constituent has recently contacted me concerned that a letter he received from Monash Medical Centre would not give adequate support or encouragement to patients anxiously awaiting important surgery. The letter says in part:

We are conducting an audit of the waiting list to confirm that our information is correct ...

We would also like to take this opportunity to advise you that there are currently long delays experienced by patients awaiting certain semi-urgent and non-urgent procedures. This is due to the demand placed on the hospital by patients in the emergency department and those requiring more urgent surgery.

My constituent was concerned that the letter concludes with what I can only describe as a rather bold and uncaring demand that:

If we have not received a response within four weeks, your name will be removed from the waiting list.

Honourable members interjecting.

Mr WILSON — Obviously members of the government do not think this is an important issue; I and my colleagues on this side of the house certainly do. Many people on waiting lists for elective surgery are elderly, infirm or from non-English-speaking backgrounds.

I seek an assurance from the minister that he will insist that the Department of Human Services conduct an investigation to ensure that Monash Medical Centre makes every effort possible to ensure that any patient who does not respond to this correspondence is contacted and that their medical needs are paramount in the minds of the centre's administrators. It is very important that the government understand that people waiting on elective surgery lists are usually going through very emotional times, and for them to receive the sort of correspondence I have just read into *Hansard* is very disturbing. The Minister for Health must take action to ensure that these people are receiving correct and timely advice.

The DEPUTY SPEAKER — Order! The honourable member for Geelong North has 1 minute,

Community jobs program

Mr LONEY (Geelong North) — I raise a matter for the Minister for Employment regarding the present Community jobs program round. A number of organisations in the Barwon south-western region have made applications to the minister. I would like to commend those applications to the minister, particularly those from South West Victorian SEAL, a great organisation that I have had the opportunity to visit, and the two community projects from the Warrnambool City Council and Flagstaff Hill. I was down there some time back and looked at those projects. They are doing a great job.

Colac Adult and Community Education is a great organisation and one that I would thoroughly support. There is also the Geelong Ethnic Communities Council application, as well as the City of Greater Geelong application for the Eastern Park restoration project. There is the Courthouse Youth Arts Centre application and also one from the Colac Community Development Association, as well as a further project from South West Victorian SEAL.

The DEPUTY SPEAKER — Order! The honourable member for Geelong North's time has expired, and he did not ask for any action by the minister.

Mr LONEY — I ask the minister to support those applications.

Responses

Ms CAMPBELL (Minister for Consumer Affairs) — I thank the honourable member for Mitcham for raising yet another important issue in consumer affairs on a matter that is dear to his heart — and to his wallet, I am sure.

The Spring Racing Carnival will be enjoyed by thousands of Victorians, but I want to alert consumers to a couple of traps that are around at the moment in relation to unfair practices. Consumer Affairs Victoria receives many complaints each year, and a number of them around the Spring Racing Carnival relate to horse betting scams. Punters are lured by the promise of instant fortunes, not only by the tips I am sure they get from the honourable member for Mitcham but also from those who are a little less reputable than he is and who suggest that they can provide them instant fortune in picking winning horses, but consumers get left with empty pockets and broken dreams.

We have had examples where consumers have been asked to pay from \$500 to \$20 000 for computer programs that promise winning tips. The programs of course cannot guarantee the tipping of winners, and a great deal of data entering is required before such a program could work. The users often give up before that program actually works, and even if they do enter all the data they are expected to enter, no wins are guaranteed.

Some of the schemes are worse. Not only do they charge a significant amount of money for the tipping programs but they offer a help line which users ring to receive horse tips. Unfortunately the STD call is charged at a premium line service fee and is extremely expensive to the consumer.

The consumers of Victoria are strongly advised to ignore all horse tipping programs. It is fine to get advice from the honourable member for Mitcham, but others may not be quite as qualified as he is on this matter.

Ms Beattie — Or astute!

Ms CAMPBELL — Or astute! Consumers should save their money: if such a scheme is brought to their attention I suggest they save their \$500 to \$20 000. I am asking consumers in Victoria, should they come across any of these horse betting scams, to alert Consumer Affairs Victoria on 1300 558 181. We will be happy to log those particular complaints and assess whether they are breaking Victorian law — and if they are, they will be prosecuted.

An honourable member interjected.

Mr HAERMEYER (Minister for Police and Emergency Services) — If you do not think the matters raised by your own members are important, then — —

The DEPUTY SPEAKER — Order! The minister, through the Chair.

Mr HAERMEYER — The honourable member for Bayswater raised an issue that he has raised with me previously in relation to an unregistered vehicle permit. He referred to someone being effectively pulled over by police for driving a vehicle that had a current unregistered vehicle permit, and he recited a copy — —

An honourable member interjected.

Mr HAERMEYER — Sorry — being pulled over for being unsafe to be on the road. He gave me prior to this sitting a copy of a letter from the Ombudsman in which the Ombudsman indicates that this matter will be taken further.

He is asking us to ensure that if a vehicle is safe to drive on the highway that there be no intervention by police during the validity of an unregistered vehicle permit. Certainly where that invention relates to the driveability or roadworthiness of the vehicle, I will certainly put that issue to the police. Where there is an unregistered vehicle permit but where there is a determination that the vehicle is safe to drive, I cannot off the top of my head think of any reason why the police should or would intervene. But I will certainly take that further with Victoria Police and get back to the honourable member in due course.

The honourable member for Wantirna raised the issue of Country Fire Authority volunteers and asked that they be consulted in relation to the current enterprise bargaining agreement being negotiated with career firefighters in both the CFA and the Metropolitan Fire Brigade. That is not an unreasonable request. However, he then went on to talk about volunteers being shafted. For seven years the CFA and its volunteers were very sadly neglected. Their funds were frozen and they got damn near no support from the then government. It is for that reason that this government needed to provide that \$100 million injection through the strategic resource initiative to give those volunteers the support they need and the training that they need.

There is nothing more fundamental to their safety than training to ensure that there are no more Lintons. It is for that reason that we provided the community support emergency services program to ensure that volunteer brigades in the CFA and the volunteer units in the State Emergency Services (SES) would be able to get some matching funding from the government for the very

assiduous fundraising they do every year. It is also for that reason that we provided for the volunteers charter, which for the first time cites the mutual obligations of the CFA, the government and the volunteers in relation to the very valuable work that is done in this state each year by the CFA's volunteers. We are now working with the SES volunteers to replicate that charter. However, that volunteer charter requires that the government consult the volunteers in relation to any matter that is of effect to them.

We are currently negotiating an enterprise bargaining agreement with career firefighters in the CFA and the Metropolitan Fire Brigade, and if there are matters in relation to that which impinge upon the volunteers, there will certainly be some consultation with them.

An honourable member interjected.

Mr HAERMEYER — Did you ever consult with anybody?

Mr Wells interjected.

Mr HAERMEYER — A member of the Fourth Reich.

Mr Wells interjected.

The DEPUTY SPEAKER — Order! I am on my feet, and I ask the minister to sit down. I ask the minister to address the Chair, and I ask him not to take up interjections. I ask the honourable member for Wantirna not to interject.

Dr Napthine — On a point of order, Madam Deputy Speaker, the minister went over the top in his comments just before when he referred to the opposition as members of the Fourth Reich. I think that is highly offensive and absolutely outrageous, and I ask him to withdraw and desist from that sort of absolutely obnoxious comment.

The DEPUTY SPEAKER — Order! I ask the minister to withdraw.

Mr HAERMEYER — They are sensitive petals! I withdraw.

Mr Wells — Madam Deputy Speaker, on a point of order, the withdrawal should be unconditional. I ask you to direct the Minister for Police and Emergency Services to withdraw unconditionally.

The DEPUTY SPEAKER — Order! I understand that the withdrawal was unconditional.

Mr HAERMEYER — Madam Deputy Speaker, as I say, we do have a policy of consultation with the community, and particularly we have codified that consultation requirement in our charter with the CFA volunteers, something the members opposite never sought to do.

The honourable member for Gisborne raised the issue of a report in her local paper headed ‘Refocus, police urged’. It relates to a complaint made by a fellow out there by the name of Steve Medcraft. The article goes on to say:

Victoria Police initiative designed to combat car theft is straining local police resources, according to the president of a local crime-fighting group.

An Honourable Member — Crime-fighting?

Mr HAERMEYER — ‘Crime-fighting group’. It then says:

People Against Lenient Sentencing president and Sunbury resident Steve Medcraft claimed criminal damage had increased in the Sunbury region because police resources were concentrated carrying out functions such as Operation Vehicle Watch.

Under the campaign launched in March, special vehicle theft task groups were set up in each of the state’s five police regions to investigate car thefts and implement crime prevention strategies.

This program has led to a significant fall in car theft locally. I understand there has been something like a 25.3 per cent fall around the Sunbury and Macedon Ranges area, or in region 3, which incorporates that area. Overall throughout the state the police have seen a reduction of some 28.7 per cent, or 5000 vehicles, which I understand is the lowest level of car theft on record.

Mr Medcraft seems to think that somehow police cracking down on car theft means they are not doing what police should be doing. He should tell that to those thousands of people each year who have their cars stolen. It is a proper police responsibility.

As far as police resources being stretched is concerned, I have to say that I had never heard of Mr Medcraft until this government came to office. People Against Lenient Sentencing is an organisation that cropped up after Bernie Finn was tossed out as the honourable member for Tullamarine. Mr Medcraft has announced his intention to run as an Independent for the seat of Macedon. Mr Medcraft is a good friend of Bernie Finn. His sole reason for running is to pump preferences into Bernie Finn. Throughout the seven years of the previous government he never once expressed a bit of

concern about rising crime rates and falling police numbers.

We now have more police numbers out there. In the Shire of Macedon Ranges we have a crime rate — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The honourable member for Tullamarine and the honourable member for Wantirna!

Mr HAERMEYER — In the Shire of Macedon Ranges the crime rate is 43.1 per cent below the state average, and the crime rate this year, overall, is down 3 per cent. Crimes against property are also down 3 per cent; homicide, rape, and abduction are all down; and drug offences are down 16 per cent.

Mr Wells interjected.

Mr HAERMEYER — You had nothing to say — —

The DEPUTY SPEAKER — Order! I again remind the minister to address his comments through the Chair, and I ask the honourable member for Wantirna to cease interjecting.

Mr HAERMEYER — Through the years of the Kennett government cuts to policing and exponentially rising crime rates the honourable member for Wantirna, like Mr Medcraft, had nothing to say.

Crime is coming down and police numbers are going up in the area. Mr Medcraft stands exposed as somebody who is simply trying to expose the issue for political gain to assist his mate Bernie Finn. I had not heard from Bernie in a while, but this week I picked up an article in the local Sunbury paper featuring Bernie Finn’s former campaign manager, Mr Darren White. An article headed ‘Please forgive me’ says:

Suspended CFA volunteer — —

Mr Wells — On a point of order, Deputy Speaker, I do not want to stop the flow of what the police minister is saying, but this is not relevant to what the honourable member for Gisborne required the minister to do. I ask you to sit him down now, because he is straying from the request from the honourable member for Gisborne.

Ms Beattie — On the point of order, Deputy Speaker, the honourable member raised a question about crime in Sunbury, and the minister was just about to go into a crime that occurred in Sunbury.

The DEPUTY SPEAKER — Order! I uphold the point of order. The honourable member for Gisborne

asked the minister to report on crime in the area, so while he may mention other things in passing, I ask him to return to the subject of the question.

Mr HAERMEYER — I wish to report on a particular crime that involved a member of the Sunbury community making a false report to Intergraph so he could then turn out in his fireman's outfit. That person was Mr Darren White, who was Bernie Finn's campaign manager. Bernie Finn — Mr Tough on Law and Order — suddenly found a heart. He said that Mr White would continue to remain a good friend and that he had been through an illness but had come out of that.

Dr Napthine — On a point of order, Deputy Speaker, the minister is going over the top in attacking an individual who, from what has been reported here, has had health problems and, from what has been alleged, has been involved in some incident. To attack that private individual in this way is going beyond the pale. For a minister of the Crown to not uphold normal standards of decency is not very good for this house and not very good for the standards of the Parliament, and I suggest that he should desist.

The DEPUTY SPEAKER — Order! I do not uphold the point of order. There are avenues open to members of the public who are mentioned in this house if they are unhappy about what is said about them.

Mr HAERMEYER — The illness referred to is what is claimed to have been a gambling problem, but the person involved still seems to be driving around Sunbury in a fairly fat, silver — —

The DEPUTY SPEAKER — Order! I ask the minister to return to responding to the matter raised by the honourable member for Gisborne, which was to provide a report for the electorate on crime figures in Sunbury.

Mr HAERMEYER — Let me say that this sort of crime is not acceptable, because it diverts the resources of the Country Fire Authority, including the volunteers who are required to turn out at an incident. In doing so they would have been called away from workplaces and called away from family events because this fellow decided to make a false report to Intergraph. I find that totally unacceptable, and I find the Liberal Party candidate for Macedon's tolerance of this quite unacceptable as well.

The honourable member for Keilor raised for my attention a report in last Saturday's *Age* which is headed 'Lib candidate accuses Labor on car damage'. It goes on to say:

The Liberal Party candidate for one of Victoria's most marginal seats has hit out at Labor after his car was damaged in a night attack.

Matthew Guy, Liberal candidate for Yan Yean, said his 1998 Laser was damaged after a full 120-litre rubbish bin was rammed into the rear of the hatchback, which was covered in Liberal Party stickers.

In the article Mr Guy says:

I believe this is the work of my political opponents.

He made this report to other journalists as well, claiming that he knew who had done it. When he made his report to police he did not provide a name and did not give any indication as to who he thought had done it. What we have here is a candidate who goes out and makes allegations against people, but the only modicum of evidence he has for this assertion is that he thought it was done because his car has Liberal Party stickers on it. I find this sort of dirty trick quite intolerable.

I understand Mr Guy has been running around the electorate parading on a law and order platform. He has gone to Nillumbik, which is — —

Mr Smith — On a point of order, Deputy Speaker, I have been listening carefully to the minister in my office. He is breaking police confidentiality. He is also getting information that the police should not be giving him. This is an absolute outrage. The worst part about it is that confidentiality has been broken. This is a serious breach of police confidentiality.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I ask honourable members to restrain themselves. Has the honourable member finished his point of order?

Mr Smith — I just want to make the point that the minister has confidential information, private information. The police have unlawfully given it to him, if they have given it to him. This is an absolute outrage and right against what our democracy is all about!

The DEPUTY SPEAKER — Order! There is no point of order. That was a point of debate, and the Chair is not in a position to make any such judgments.

Mr HAERMEYER — This particular individual seems to have some form, because I am informed that on 19 February 1996 Mr Guy was one of two Young Liberals picked up by police in Eltham — —

Dr Napthine — On a point of order, Deputy Speaker, this is absolutely outrageous that the police

minister has accessed police reports. It is absolutely outrageous.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The honourable member for Wantirna! I ask honourable members to listen to the point of order in silence.

Dr Napthine — I listened very carefully to the minister, and he said he was referring to what was in the police report — what Mr Guy had reported to the police. That is what he said. He was referring to a police report, and we have to ask the rhetorical question: how did he get access to that report? Did he use the power of a minister inappropriately to demand reports from the police? Now he is going on to another issue which is not the subject of what was raised in the adjournment. It is irrelevant, and he should be ruled out of order. This is an outrageous abuse of power by the Minister for Police and Emergency Services, and he ought to be called to account.

The DEPUTY SPEAKER — Order! A large part of that point of order was in fact points in debate. There is no point of order. I ask the minister, however, to address himself to the matter raised with him by the honourable member for Keilor, which was to take administrative action on a report that was in the *Age*.

Mr HAERMEYER — What we have is someone who is making accusations without foundation against the Labor Party, against his political opponents.

Dr Napthine — On a point of order, Madam Deputy Speaker, the matter has been reported to the police and is being investigated. For the Minister for Police and Emergency Services to say it is making accusations without foundation is pre-empting the investigation of the police and any subsequent investigations. It is absolutely outrageous for the minister to do that. It offends the rule of justice, it offends the rule of fair play and it offends all standards that belong in this Parliament. I ask you, Madam Deputy Speaker, to ask the minister to desist from going down that line.

The DEPUTY SPEAKER — Order! The Chair is not in a position to make a decision on the matters raised by the honourable member for Portland because they are not matters within knowledge of the Chair. I ask the minister to respond to the matter raised by the honourable member for Keilor.

Mr HAERMEYER — Madam Deputy Speaker, the *Heidelberger* of 28 February 1996 states:

Eltham police interviewed — —

The DEPUTY SPEAKER — Order! The minister, responding to a matter raised with him by the honourable member for Keilor, which was to undertake an administrative — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order!

Mr HAERMEYER — As I say, on 28 February 1996 — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I ask honourable members to cease interjecting. I have asked the minister to respond to the matter raised with him by the honourable member for Keilor. It is not an occasion for general abuse of people in the community. I ask the minister to conclude his answer in relation — —

Mr Wilson interjected.

The DEPUTY SPEAKER — Order! I remind the honourable member for Bennettswood that the Chair is on her feet and it is polite not to interrupt when that is occurring.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I ask honourable members to be quiet until I sit down. If they have a point of order they may then raise it.

Mr HAERMEYER — Madam Deputy Speaker, the honourable member for Bennettswood just accused me of being involved in an illegal act. I ask him to withdraw the remark. The honourable member for Wantirna just said the same thing. I ask for that to be withdrawn.

Honourable members interjecting.

Mr Perton — On the point of order, Madam Deputy Speaker, this honourable member asked you for the protection of the Chair. This is the honourable member who on a previous occasion stood in this house and gave a Nazi salute and clicked his heels together as if he were wearing jackboots. On a day when the mosque in my electorate has been attacked, for this honourable member to be engaging in racist and Nazi abuse is beyond the standards of this house.

The DEPUTY SPEAKER — Order! I ask honourable members to remember where they are. The behaviour of the honourable member for Doncaster was

unacceptable. I ask him to follow parliamentary procedures.

In relation to the point of order, I will not continue to hear it while there is so much noise in the house. I ask the honourable member for Doncaster to conclude his point of order.

Mr Perton — This member cannot ask for protection when he has engaged in deliberate abuse of this side of the house. This is the Minister for Police and Emergency Services who only — —

An honourable member interjected.

Mr Perton — The point of order relates to this member asking for the protection of the Chair. This is an honourable member who 2 hours ago during question time said that he had no responsibility for the police whatsoever and who now is bringing police files and police material into this house. This is a shocking abuse of process, Madam Deputy Speaker, and for this member now to ask for the protection of the Chair when he has abused the standards of this house is beyond the pale.

I ask you, Madam Deputy Speaker, not just to rule against this point of order raised by the Minister for Police and Emergency Services, but to no longer hear him because he has so demeaned the standards of this house — and this is not the first occasion that he has — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! Has the honourable member for Doncaster completed his point of order?

Mr Perton — I ask that you no longer hear the minister because he has so flagrantly abused the standards of this house.

Mr Seitz — On the point of order, Madam Deputy Speaker, standing orders provide for every honourable member in this house to ask for the protection of the Chair and have matters withdrawn. For the honourable member for Doncaster to argue that any member of this house has not got that right and to advise the Chair not to provide the democratic rights under the standing orders is outrageous. There is no point of order in what the honourable member for Doncaster has raised.

Mr Perton interjected.

The DEPUTY SPEAKER — Order! The honourable member for Doncaster!

Mr Plowman — On the point of order, Madam Deputy Speaker, this issue is all about the separation of powers. You have here a police minister — —

An honourable member interjected.

Mr Plowman — This is a point of order, it is not debating. You have a police minister who has actually used police files to denigrate someone in this place when an investigation is actually taking place.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The point of order is about the withdrawal of words. The honourable member for Benambra seems to be embarking upon a point in debate on another subject.

Mr Plowman — Madam Deputy Speaker, the point of order goes far beyond the protection that the Minister for Police and Emergency Services is after. The reason that the minister is after that protection is on the basis of what he actually said. What he said was introducing into this place police records on an issue that is under investigation. I believe that on that issue you should hear the minister no more. On that basis I do not believe he deserves the protection of the Chair.

Mr Thompson — On the point of order, Madam Deputy Speaker, the words related to the term ‘illegal act’. During the contribution of the Minister for Police and Emergency Services earlier on he alluded to his understanding and direct knowledge of a police file and the progress of investigations. In relation to the separation of powers, I am not aware of a responsibility where a minister can both serve as police minister and also understand and follow up police files at local police level and then report the results of that inquiry to Parliament while the matter is still under investigation.

The DEPUTY SPEAKER — Order! On the point of order, the minister has requested that words used against him be withdrawn on the basis that he found them offensive. It has been the normal system of this house that when that occurs honourable members do withdraw.

In relation to a number of other matters that have been raised in relation to the point of order, the Chair is not in a position to rule on facts in this house, as all honourable members know. Before some of the members came into the house and contributed on the point of order I had already asked the minister to respond to the matter raised for him by the honourable member for Keilor and to conclude his answer. I ask the honourable member for Bennettswood to withdraw.

Mr Wilson — Madam Deputy Speaker, I made my comments based solely on the statements made by the minister to this house, but out of — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I ask honourable members to be silent to allow the honourable member for Bennettswood to be heard.

Mr Wilson — Madam Deputy Speaker, as I was saying, I made my comments based solely on the comments that the minister made to this house in his contribution, but to assist the Chair I withdraw.

The DEPUTY SPEAKER — Order! The comments are withdrawn. I now ask the minister to conclude his answer in relation to the matter raised by the honourable member for Keilor.

Mr HAERMEYER — As I said, I find it rather incongruous that someone goes to the media and makes an accusation without naming the person involved and without providing any evidence of the person involved but says, ‘It was my political opponent’, then parades around the electorate preaching law and order in the safest municipality in Melbourne — he tries to portray it as the Bronx — and then we find that he is one of two people picked up by the police for stealing signs!

Dr Naphine — On a point of order, Madam Deputy Speaker, the minister has been warned twice by you about going down the track of another matter he was referring to previously. He is trying to do it again. I ask you to rule him out of order and to sit him down.

Mr Smith — On the point of order, Madam Deputy Speaker, I would like to know if he will admit that the Chief Commissioner of Police gave him this file; and if she did, both she and the minister should resign or be sacked!

The DEPUTY SPEAKER — Order! The honourable member for Glen Waverley’s contribution was in the manner of debate rather than a point of order. I overrule the point of order, but I ask the minister to conclude.

Mr HAERMEYER — This individual is responsible for a deceit against the electorate. He has lied to the media, he has lied to the electorate — —

Dr Naphine — On a point of order, Madam Deputy Speaker, twice in the minister’s contribution he has attacked individuals who are not in this house in a most disgraceful and despicable way. It is beneath the dignity of the minister and beneath the dignity of this

Parliament. I urge you, Madam Deputy Speaker, to counsel the minister to desist from those sorts of scurrilous, unfounded attacks on individuals who are not here to defend themselves.

The DEPUTY SPEAKER — Order! There is no point of order, as I have previously explained to the honourable member for Portland.

Mr HAERMEYER — I can understand — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I ask honourable members to desist. I will not allow the debate to continue with such a loud level of background noise. I ask the minister to conclude his answer.

Mr HAERMEYER — I understand the person concerned used to be on the staff of the honourable member for Portland, so I understand the honourable member’s sensitivity.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! Has the minister concluded his answer?

Mr HAERMEYER — Madam Deputy Speaker, to conclude I say only this: somebody — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The honourable member for Brighton! The honourable member for Doncaster!

Mr Maughan — On a point of order, Madam Deputy Speaker, this is appalling. The minister is defying the Chair time after time. It brings the whole Parliament into disrepute when a minister can stand up and attack a person with unsubstantiated allegations. This is not what the adjournment debate is meant to be about, and I ask you, if the minister is not prepared to abide by the rules, to sit him down and let us move on.

The DEPUTY SPEAKER — Order! This has been a very long response, partly due to many interjections and points of order. In fact the minister had said he was giving his concluding comments when the honourable member for Rodney spoke on a point of order. I overrule the point of order and ask the minister to conclude his answer.

Mr HAERMEYER — I think somebody who is a liar and a thief is unfit for public office.

Dr Naphthine — On a point of order, Madam Deputy Speaker, I have been in this Parliament for 14 years.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I ask honourable members to be silent so I can hear the point of order being raised by the honourable member for Portland.

Dr Naphthine — I have been in this Parliament for 14 years under both Labor and coalition administrations, and I have never in those 14 years seen such a disgraceful performance from a minister on the adjournment debate. The unsubstantiated, abusive attack from this minister on individuals outside this house is absolutely uncalled for and unparliamentary. The minister should apologise. This brings this Parliament into absolute disrepute. I call on you, Madam Deputy Speaker, to speak to Mr Speaker and ask him to issue guidelines to this minister and other ministers in terms of standards of behaviour so that the people of Victoria can once again have respect for this house.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The Minister for Agriculture, to respond to a matter raised by the honourable member for Rodney.

Mr Thompson — On a point of order, Madam Deputy Speaker, the comments that have been made strongly assassinate the character of an individual who is running as a candidate — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I ask honourable members to assist the Chair in allowing the honourable member for Sandringham to give his point of order. I ask the honourable member for Melton and honourable member for Knox to cease interjecting.

Mr Thompson — The person mentioned is running as a political party candidate at the forthcoming state election. It is also a fact, as I understand it, Madam Deputy Speaker, that the person he is running against is the electorate officer for the Minister for Police and Emergency Services. I think it is an outrageous attack on the processes of the Victorian Parliament for the minister to use the chamber to defame the character of a person this way.

If the minister is prepared to walk out onto the front steps of Parliament House and repeat those words then I

would call him a man of guts and a man of principle, but to state those words inside this chamber is unacceptable and outrageous.

The DEPUTY SPEAKER — Order! There is no point of order. I will hear no further on the point of order. I invite the Minister for Agriculture to respond to the honourable member for Rodney.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I ask honourable members to assist the Chair in allowing the Minister for Agriculture to respond to a matter raised with him by the honourable member for Rodney.

Mr HAMILTON (Minister for Agriculture) — The honourable member for Rodney raised with me a very important matter related to the drought conditions operating in northern Victoria and he referred to a report by the Honourable John Forrest, the member for Mallee in the federal Parliament, which related to some — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! If honourable members wish to continue their activities I suggest they go somewhere else.

Mr HAMILTON — The report related to cloud seeding experiments which have been conducted in Texas in the United States. I thank the honourable member for Rodney for the way in which he raised this matter and for the information he has supplied to me. I assure him that I will ask the department to give a full response to the matters he has raised because they are serious, and if this can assist those in drought-affected areas the government and the department will do all they can to pursue the matter raised by the honourable member for Rodney.

The DEPUTY SPEAKER — Order! I now ask the minister at the table, the Minister for Gaming, to respond to a matter raised by the honourable member for Sandringham for the Minister for Environment and Conservation; to the honourable member for Caulfield on a matter raised with the Minister for Housing; to the honourable member for Gippsland East on a matter raised with the Minister for Health; to the honourable member for Ivanhoe on a matter raised with the Minister for Major Projects, and a matter raised by the honourable member for Bennettswood for the Minister for Health.

I have ruled that the honourable member for Geelong North is out of order but he is welcome to raise the

matter again at the next adjournment debate when we sit again.

Mr PANDAZOPOULOS (Minister for Gaming) — That is interesting; I thought he asked me for some action. Nonetheless, the honourable member for Sandringham raised a matter for the Minister for Environment and Conservation, and I will pass that on to her.

The honourable member for Caulfield raised a matter for the Minister for Housing, and I will pass that on to her as well.

The honourable member for Gippsland East raised a matter for the Minister for Health, as did the honourable member for Bennettswood, and I will pass those on to the Minister for Health.

The honourable member for Ivanhoe raised a matter for the Minister for Major Projects, and I will pass that matter on to him, too.

Motion agreed to.

House adjourned 6.17 p.m. until Tuesday, 29 October.

QUESTIONS ON NOTICE

Answers to the following questions on notice were circulated on the date shown.

Questions have been incorporated from the notice paper of the Legislative Assembly.

Answers have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.

The portfolio of the minister answering the question on notice starts each heading.

Tuesday, 8 October 2002

Environment and conservation: arsenic-based treated pine

- 446. MR THOMPSON** — To ask the Honourable the Minister for Environment and Conservation with reference to the decision in Queensland by local governments to ban the use of arsenic-based treated pine in parks and gardens — (a) what is the attitude or policy of the Victorian Government on its use in — (i) gardens; and (ii) any other places; (b) what Departmental regulations and protocols are in place to prevent the mulching of arsenic-based treated pine as part of local government recycling processes; and (c) are there any protocols or directives in place to encourage the use of recycled plastic products.

ANSWER:

I am informed that:

Neither the Queensland Environmental Protection Agency nor the Local Government Association of Queensland have placed a ban or are aware of any statewide ban on the use of arsenic-based treated pine in parks and gardens. However I understand that the opportunity exists for individual local governments to consider such a ban under local by-laws.

- (a) The Victorian Government is committed to the safe use and disposal of arsenic based treated pine. I understand that the CCA (copper chrome arsenate) solution must be well fixed into the timber and not readily leached, consistent with the *Australian Environmental Guidelines for Copper Chrome Arsenate Timber Preservation Plants, September 1996*. Therefore CCA treated timber is widely and safely used as park and garden furniture and as end posts for vineyards.
- (b) CCA treated pine is not recommended to be used as a fuel source or for composting/mulching. EPA Victoria has a variety of regulatory and enforcement measures in place, such as Works Approvals and Licences, that prohibit or control the acceptance of certain materials at composting facilities. EPA's *Best Practice Guidelines for Composting and Other Organic Recycling Facilities June 1996*, details specific standards and limits for contaminants in compost.
- (c) Eco Recycle Victoria encourages the uses of recycled products including a range of plastic products through the Market Development Program that aims to expand and diversify recycled materials. The Buy Recycled Purchasing Program involving the Buy Recycle Business Alliance (BRBA) encourages organisations to 'Buy Recycled'. The program aims to increase demand for recycled products and help to support sustainable markets for these products. With funding support from Ecorecycle Victoria, the Local Government Buy Recycle Alliance (LGBRA) specifically targets Local Government organisations – a high priority due to their significant purchasing power and their involvement in, and commitment to, recycling. This year Ecorecycle has commenced working with a number of key State Government Departments to assist them in establishing purchasing policies and practices, which include buying recycled products where the products are competitive on price and quality. In addition, every year Ecorecycle Victoria awards grants to product and market development projects aimed at increasing the use of recycled materials. Ecorecycle Victoria also offers a range of resources to help businesses working with recycled materials and products.

Environment and conservation: Mount Baw Baw management board

454. MR THOMPSON — To ask the Honourable the Minister for Environment and Conservation with reference to the acquisition by Mt Baw Baw Alpine Resort Management Board of the ski lifting infrastructure prior to the 2001 ski season —

1. What is the itemised breakdown of costs paid for by the Government or the Board for — (a) legal advice; (b) litigation; (c) purchase; and (d) maintenance.
2. What has been the revenue received by the Board from ski lift operations for the 2001 season.
3. What has been the net profit/loss of the Board for the 2001 season to date.

ANSWER:

I am informed that:

The financial year of the Mount Baw Baw Alpine Resort Management Board commences on 1 November and finishes on 31 October in the following calendar year. The Board has advised that the information requested will not be available to be released until after the figures for the financial year ending 31 October 2001 have been audited.

The figures have been submitted to the Auditor General. However, as a result of the Auditor General's requirement for changes in the methodology for valuation of the Board's land assets there has been a delay in finalisation of the figures. When the audited financial reports are available, they will be publicly released in the Board's Annual Report for the 2000/2001 financial year.

Environment and conservation: Hobsons Bay EPA tests

455. MR THOMPSON — To ask the Honourable the Minister for Environment and Conservation — what are the — (a) dates; (b) times; and (c) results of the Environment Protection Authority water quality tests in Hobsons Bay from 1 December 1997 to date.

ANSWER:

I am informed that:

From 1 December 1997 to the date of the question, 18 September 2001, there were almost 100 occasions when water quality data was collected by EPA Victoria in Hobsons Bay. The documentation is extensive and I invite the Member to arrange with EPA Victoria to view the data.

Environment and conservation: Yarra River storm water drainage

456. MR THOMPSON — To ask the Honourable the Minister for Environment and Conservation — what are the — (a) dates; (b) places; and (c) annual costs of E. coli and other readings from stormwater drainage into the Yarra River for the years — (i) 1998; (ii) 1999; (iii) 2000; and (iv) 2001 to date.

ANSWER:

I am informed that:

Monitoring stormwater drainage into the Yarra River is undertaken as part of detailed investigations of specific issues. In response to EPA Victoria concerns about E-coli contamination in the lower Yarra River, Melbourne Water carried out an investigation in the Prahran Main Drain system over the period June 1998 to January 2001.

(a) & (b) Dates and Places

	Dates	Places	
(i)	7 Jun 1998	Prahran Main Drain (5 locations)	
	9 Jun 1998	Prahran Main Drain (9 locations)	
	10 Jun 1998	Prahran Main Drain (9 locations)	
	11 Jun 1998	Prahran Main Drain (10 locations)	
	22 Jun 1998	Prahran Main Drain (5 locations)	
	7 Oct 1998	Prahran Main Drain (5 locations)	
(ii)	10 Dec 1999	Prahran Main Drain (8 locations)	
(iii)	22 May 2000	Essex Street Drain (5 locations)	
	23 May 2000	Essex Street Drain (5 locations)	
	24 May 2000	Essex Street Drain (5 locations)	
	25 May 2000	Essex Street Drain (5 locations)	
	26 May 2000	Essex Street Drain (5 locations)	
	2 Jun 2000	Essex Street Drain (5 locations)	
	3 Jun 2000	Essex Street Drain (5 locations)	
	7 Jun 2000	Essex Street Drain (5 locations)	
	8 Jun 2000	Essex Street Drain (5 locations)	
	9 Jun 2000	Essex Street Drain (5 locations)	
	1 Aug 2000	Essex Street Drain (3 locations)	
	21 Dec 2000	Essex Street Drain (3 locations)	
	(iv)	8 Jan 2001	Essex Street Drain (3 locations)

(c) Annual Costs

(i)	1998	\$9690
(ii)	1999	\$1406
(iii)	2000	\$7140
(iv)	2001 to date of question	\$ 430

Environment and conservation: Lang Lang weed control

457. MR PERTON — To ask the Honourable the Minister for Environment and Conservation with reference to weed infestation of the centre median strip and fringes of the South Gippsland Highway near Jetty Lane, Lang Lang — (a) what agency is responsible for control of the weeds and the area; and (b) what action has the Minister's department taken to have the weed infestation controlled.

ANSWER:

I am informed that:

- (a) Vicroads is the responsible agency for the control of weeds in the area referred to.
- (b) To enable planning and control works in relation to roadside weed management to be conducted in a collaborative manner with community programs in the area, the Department of Natural Resources and Environment liaises with Vicroads at a regional level.

Vicroads had scheduled the control of blackberries in this area for December 2001, which is the most appropriate time of the year for their control. However, due to unseasonal weather conditions, the work was completed in April this year.

Environment and conservation: weed and pest management

475. MR McARTHUR — To ask the Honourable the Minister for Environment and Conservation with reference to money spent by the Department of Natural Resources and Environment on weed and pest management —

1. How much did the Department spend on weed and pest management statewide during 2000–2001.
2. How much of this money was spent on — (a) public; and (b) private land.
3. How much of the total expenditure was spent on — (a) department overhead or administrative costs; and (b) actual weed and pest control.
4. What is the breakdown of this money spent on the catchment areas of — (a) Mallee; (b) Wimmera; (c) Glenelg; (d) North Central; (e) Goulburn-Broken; (f) Port Phillip; (g) North East; and (h) West Gippsland for — (i) public; and (ii) private land.

ANSWER:

I am informed that:

1. The Department allocated \$18.0 million for pest management activities, including research, in Victoria.
2. Spending on weed and pest management statewide on:
 - (a) public land activities was approximately \$4.4 million (includes \$1.8 million Good Neighbour Program funding on the public/private land boundary); and
 - (b) private land support activities was \$13.5 million (this includes \$2.3 million in Second Generation Landcare Grants) as well as research activities and the employment of facilitators under the Government’s Good Neighbour Program.
3. The breakdown between (a) department overhead or administrative costs and (b) actual weed and pest control cannot be readily determined as every person funded by the Department of Natural Resources and Environment (DNRE) has specific components built in to their allocations relating to salary and salary on costs as well as operational costs. The latter would include computer lease and standard NRE corporate cost contributions.
4. Breakdown of money spent by catchment areas for:
 - (i) public land is not available as funding expenditure is based on DNRE regional boundaries not catchment areas; and
 - (ii) private land for the catchment areas referred in the question is as follows:

	Mallee	Wimmera	Glenelg Hopkins	North Central	Goulburn Broken	Port Phillip	North East	West Gippsland
\$000s	492	436	650	801	817	1,044	1,069	719

Environment and conservation: public land management protocols

477. MR PERTON — To ask the Honourable the Minister for Environment and Conservation with reference to protocols and agreements to provide for Aboriginal communities to be consulted, or advise, on the management of public land —

1. Which — (a) national parks; (b) state parks; (c) state forests; and (d) other Crown land areas do the protocols and agreements apply to.
2. What are all the protocols and agreements.
3. Which of the protocols provide for veto over Department of Natural Resources and Environment actions, and what is the nature of such veto.

ANSWER:

I am informed that:

1. There are a number of statutory processes to provide for Indigenous communities to be consulted, or advise, on the management of public land. Collectively they cover parks, state forests and other Crown land areas which are referred to in the information below about the statutory processes.
2. Relevant processes:
 - Under the Commonwealth’s *Native Title Act 1993* and the Victorian Government’s Native Title Policy, any proposal for the ‘use and development’ (a future act) on Crown land and waters is assessed against the requirements of the Act. Depending on the type of proposal, the Act affords various procedural requirements including the ‘right to comment,’ ‘right to negotiate’ and in some circumstances a requirement to negotiate an Indigenous Land Use Agreement. These procedural requirements are afforded to native title claimants and their representative body Mirimbiak Nations Aboriginal Corporation.
 - The Victorian *Planning and Environment Act 1987* requires formal referral to Indigenous community representatives for particular ‘use or development’ applications, under Heritage Overlays. These applications are also subject to the Victorian *Archaeological and Aboriginal Relics Preservation Act 1972* and the Commonwealth *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*. Aboriginal cultural heritage places, sites and objects in Victoria are protected by both of these pieces of legislation. The Commonwealth Act states that Aboriginal heritage places and objects cannot legally be damaged, defaced or otherwise interfered with or endangered without the prior written consent of the relevant local Aboriginal community organisation. This protection applies equally on all land, and does not depend upon any listing or registration process. If consent is refused, there is no provision for appeal. Fines may apply for breaches of the Act.
 - Also, under the Commonwealth *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*, an emergency declaration of preservation may be made in relation to an Aboriginal place or object. Such a declaration is made if the inspector appointed under this Act, Minister, or magistrate, believe that there is a threat to an Aboriginal place or object that cannot be otherwise averted. Emergency declarations cease to be in force after 30 days, or not longer than 44 days. Terms of such declarations normally prohibit the doing of any action that may threaten an Aboriginal place or object.
 - Coastal Action Plans are prepared under the *Coastal Management Act 1995*. Under the Act, relevant authorities, landowners and other interested parties must be consulted during the development of the plans. Indigenous communities may be consulted as part of this process. The Victorian coast is broadly defined to include the sea and the sea bed to the State limit which is 3 nautical miles or 5.5 kilometres, and land and inland waters within the coastal catchment including land reserved as a National Park under the *National Park Act 1975* and land reserved under the *Crown Land Act 1978*.

In addition to these statutory processes, a number of other mechanisms are employed in Victoria to provide for Indigenous communities to be consulted, or advise, on the management of public land:

- NRE has recently employed six Regional Indigenous Partnership Facilitators to continue to develop effective relationships with Victoria's Indigenous communities.
 - In relation to catchment management, there is an Indigenous representative on the Victorian Catchment Management Council, and on two of the Catchment Management Authorities.
 - In relation to State forests, an Aboriginal Heritage Management System is being developed. Indigenous representatives are also involved in the development of Draft Wood Utilisation Plans, Fire Protection Plans, Fire Operation Plans and road and recreation facility construction within forests. Forest Services has been working with indigenous communities in the north west in order to undertake a range of forest projects including:
 - construction of a cultural heritage trail,
 - rehabilitation of Merbein Common, and
 - protection of cultural heritage sites.
 - Parks Victoria manages Victoria's national, state, regional and metropolitan parks, conservation reserves, and Melbourne's bays and waterways. Parks Victoria currently employs 30 Indigenous staff, who are involved, both directly and indirectly, in the management of public land. Parks Victoria has an Indigenous Management Team, which includes eight Indigenous Parks Victoria staff. The Team provides strategic and policy advice to Parks Victoria on Indigenous matters and provides advice and information on Indigenous cultural heritage management to Indigenous and non-indigenous staff. Parks Victoria has developed 'Draft Guidelines for Working with Aboriginal Communities and Protection of Cultural Sites', is preparing an 'Indigenous Partnerships Strategy' and regularly liaises with Indigenous communities to discuss work programs and Indigenous cultural heritage management.
3. Aboriginal communities have no formal powers of veto over Department of Natural Resources and Environment actions, however there are a number of processes under Acts and informal arrangements which give Aboriginal communities involvement in decision making in relation to public land.

Environment and conservation: waterways — pesticides/nutrients

479. MR PERTON — To ask the Honourable the Minister for Environment and Conservation with reference to rivers, streams, coastal areas, and other waterways in Victoria in 2001 — whether any unsafe or dangerous levels of — (a) pesticides or pesticide components; and (b) nutrients and biostimulants have been found in each, and what action has been taken in respect of each finding.

ANSWER:

I am informed that:

- (a) There is no routine monitoring undertaken for pesticide or pesticide components. Apart from being prohibitively expensive, contamination by these toxicants tends to be localised and episodic and is most unlikely to be detected in statewide programs.
- (b) Nutrient levels (as measures of biostimulants) are routinely measured in inland waters, Port Phillip Bay and Westernport, and the Gippsland Lakes.

While there are no water bodies in Victoria where the levels of nutrients are so high as to be directly unsafe or dangerous to human health, nutrient levels have been found to be generally too high to adequately protect ecosystem values in lowland rivers, the Western District Lakes, Lake Wellington and Port Phillip Bay.

The Government's Victorian Nutrient Management Strategy provides for joint action between the Government and communities in tackling the problems of excessive nutrients in Victoria's inland waterways. In addition to statewide nutrient management activities, there have been 18 catchment nutrient management plans developed throughout the State.

Environment and conservation: waterways — metallic elements

480. MR PERTON — To ask the Honourable the Minister for Environment and Conservation — which rivers, streams, coastal areas and other waterways in Victoria have been found to carry unsafe or dangerous levels of — (a) mercury; (b) cadmium; (c) chromium; (d) zinc; (e) copper; (f) lead; and (g) nickel.

ANSWER:

I am informed that:

Two sets of criteria are used to assess whether levels of metals are unsafe or dangerous with respect to the protected beneficial uses of the water body. These are objectives to protect human health and objectives to protect ecosystem health. Generally speaking, the objectives to protect ecosystem health are more stringent than those for human health. This is because aquatic organisms are exposed 100 per cent of the time to any water-borne contaminants, while people drink or bathe in waters but are rather inefficient at absorbing most metals through the skin or the gut when undertaking these activities.

An assessment of routine monitoring data indicates that there are no unsafe or dangerous levels of metals in lakes or marine waters.

(a) Mercury contamination however has been detected in rivers and streams near old gold mining tailing dumps which are a legacy of the early gold mining activities of the late 19th and early 20th centuries. EPA studies, conducted from the late 1980s to the mid-1990s, found mercury contamination (as well as other metals) in Swifts, Stringer, Creswick and Birch creeks, Bethanga and the Goulburn River catchment upstream of Lake Eildon, including the Goulburn River, Gaffneys, Raspberry and Morning Star creeks. However, the contamination is primarily in the sediments (not the water) and is only evident close to old tailings dumps.

(b), (c) & (g)

While not considered unsafe or dangerous to human health, rivers and streams in Victoria have been found, on occasion, to carry levels of cadmium, chromium or nickel that exceed the objectives for ecosystem protection.

(d),(e) & (f)

While not considered unsafe or dangerous to human health, levels of copper, lead and zinc exceed the objectives for ecosystem protection in most urban waterways in the Yarra, Dandenong Creek, Westernport, Maribyrnong and Werribee catchments. These metals are associated with urbanisation, and urban stormwater is typically contaminated with these metals as well as other pollutants.

Environment and conservation: Port Phillip Bay environmental study

489. MR THOMPSON — To ask the Honourable the Minister for Environment and Conservation with reference to the Port Phillip Bay Environmental Study report funded by Melbourne Water between 1992–96 —

1. With reference to Recommendation 2 on page 28 — what local catchment management strategies have been implemented since the report to reduce toxic inputs into the creeks and drains leading into Port Phillip Bay.
2. With reference to Recommendation 3 on page 28 — what investigations have been initiated to evaluate the impact of long-term chronic effects of low level toxicants on the biota of Port Phillip Bay.
3. With reference to Recommendation 4 on page 28 — what protocols have been developed to manage the disposal of dredged spoil.
4. With reference to Recommendation 5 on page 28 — (a) what monitoring systems have been developed to review changes in the extent of sea grass beds; and (b) what community organisations and volunteer naturalists groups have been enlisted to assist with this monitoring.

5. With reference to Recommendation 6 on page 28 — (a) what habitat protection programs have been initiated from 1999 to date; (b) what artificial reefs have been established; and (c) which community groups have been involved in habitat restoration and artificial reef establishment.
6. With reference to Recommendation 7 on page 28 — (a) what is the current assessment of the impact of exotic species in the ecology of Port Phillip Bay; and (b) what monitoring around port areas has been initiated and what are the results to date.
7. With reference to Recommendation 9 on page 28 — what are the plans and methods of the Government to implement the target reduction in the overall load of 1000 tonnes of nitrogen per year.
8. With reference to Recommendation 10 on page 28 — what steps have been taken to reduce total suspended solids and N loads to Port Phillip Bay from the Yarra River and major creeks and drains.
9. With reference to Recommendation 11 on page 28 — what steps have been taken to improve the denitrification efficiency of the Western Treatment Plant.
10. With reference to Recommendation 13 on page 28 — what monitoring programs have been established to review the ongoing health of Port Phillip Bay and to measure performance on a year to year basis taking into account water quality, sediment fluxes, benthic biodiversity and other indicators of Bay function.
11. With reference to Recommendation 15 on page 28 — what changes have been recorded in N loads in Port Phillip Bay over the past four years.
12. With reference to Recommendation 16 on page 28 — what models of Port Phillip Bay have been developed and integrated into catchment models to assist in the long-term sustainable management of the Bay.
13. With reference to Recommendation 1 on page 28 — what steps are being taken to monitor toxicants in valued ecosystem components.

ANSWER:

I am informed that:

The questions directly relate to the CSIRO recommendations from the Port Phillip Bay Environmental Study. In recognition of the strong connection between individual recommendations CSIRO grouped them into the following four broad themes:

- (1) toxicants, (2) ecology, (3) nutrients and (4) general arrangements related to the long-term management of the Bay.

Protecting the Bay environment is the joint responsibility of government agencies, industry and the community. Resources are most effectively used when they are applied to those issues, that if left untreated, pose the greatest risk. The high priority environmental risks to the Bay as a whole that emerged from the CSIRO Study are the impacts of nutrient inputs, which are mainly in the form of nitrogen, and marine pests.

Many individual projects currently under way address several CSIRO recommendations. Actions are therefore listed to illustrate the scope of Government agency response to the four themes identified by CSIRO. Technical support for these actions has been provided by Melbourne's universities, the Centre for Environmental Stress and Adaptation Research, Centre of Environmental and Applied Hydrology, Centre for Catchment Hydrology and CSIRO Marine Research.

1. *Toxicants – CSIRO Recommendations 1, 2 and 3 (parts 13, 1 and 2 respectively)*

CSIRO indicated that toxicant concentrations were at low levels and largely restricted to the mouths of creeks and drains. Nevertheless, they recommended that ideally toxicants should be reduced and periodically assessed.

Stormwater is a major source of toxicants. Twenty four Bay-catchment councils have completed or are finalising storm water management plans that will help protect and improve the quality of storm water from urban and rural catchments. The plans have been developed under the auspices of the Urban Stormwater Partnership, an agreement between EPA Victoria, the Municipal Association of Victoria and Melbourne Water.

The effects of the low levels of toxicants on the Bay's biota are currently being investigated through the trialing of a program based on sampling mussels.

2. *Ecology – CSIRO Recommendations 4, 5, 6 and 7 (parts 3, 4, 5 and 6 respectively)*

CSIRO highlighted that marine pests are a significant threat to the Bay's ecology. Shipping is the main means by which marine pests are introduced and actions are being implemented as part of a broader state wide and national response to this risk. Given that it is more effective to deal with the source of the problem, the priority is to reduce the risk of further introductions to the Bay.

CSIRO recommendations also addressed dredging, the distribution of seagrass, and the role of artificial reefs. 'Best Practice Environmental Management Guidelines for Dredging' were finalised in 2001 and will provide a systematic basis for considering proposals that routinely arise in the Bay and elsewhere in Victoria. The Marine and Freshwater Resources Institute (MAFRI) is finalising the detailed mapping of the Bay's seagrass and this mapping will form a baseline for assessing future changes in its distribution. In May 2001 MAFRI released a review of the worldwide literature on artificial reefs to help inform a long-term approach to this issue in the Bay.

3. *Nutrients – CSIRO Recommendations 9, 10, 11 and 13 (parts 7, 8, 9 and 10 respectively)*

CSIRO highlighted the critical nutrient loading beyond which irreversible damage to the Bay would occur and recommended a 1000 tonne reduction in annual loads being discharged to the Bay.

Melbourne Water is upgrading its Western Treatment Plant at Werribee in order to reduce annual nutrient loads by 500 tonnes. Within the catchment, various programs are in place to help cap and reduce nutrient inputs to the Bay. Stream Frontage Management Programs to rehabilitate vegetation along streams across the Yarra catchment, and the progressive finalisation and implementation of stormwater management plans will help reduce nutrient loads. Melbourne Water's waterway management program continues to reduce nutrient inputs through bed and bank erosion. Changes in the operation of local sewage plants will also assist, and for example, City West Water has decommissioned its plant at Keilor and Yarra Valley Water has upgraded its Upper Yarra plant.

A Port Phillip Bay nutrient monitoring partnership between NRE, EPA Victoria and Melbourne Water will oversee a program to detect, as early as possible within the limits of current scientific understanding, detrimental changes to critical elements of Bay nitrogen cycling processes that indicate an increased risk of eutrophication at Bay-wide and regional scales.

This program builds on EPA Victoria's existing fixed site monitoring program that has been in place since 1984. Long term trends from this program have been analysed and are scheduled to be published by early next year.

4. *General arrangements – CSIRO Recommendations 15 and 16 (parts 11 and 12 respectively)*

Natural variations in rainfall and temperature dominate the year to year changes in nitrogen loads that are discharged to the Bay as a result of human activities. CSIRO has provided technical advice that the effectiveness of actions to reduce nitrogen inputs can only be meaningfully judged over the longer term.

Central to this group of CSIRO recommendations is the need for effective catchment management and arrangements to report on the completion of actions and allow their long-term effectiveness to be assessed. The

Port Phillip and Westernport Regional Catchment Strategy already acknowledges the impact of catchment activities on the health of the Bay. The strategy is currently being reviewed to ensure its ongoing effectiveness.

To help prioritise and integrate catchment actions to reduce nutrient and sediment input to the Bay, a computer model called FILTER has been developed by Melbourne Water and the Port Phillip Catchment and Land Protection Board with support from the NRE Nutrient Management Initiative.

Environment and conservation: integrated pest management strategy

497. MR PERTON — To ask the Honourable the Minister for Environment and Conservation with reference to the draft Integrated Pest Management Strategy and the Minister’s Press Release of 6 October 2001 —

1. What is the date by which the Strategy will be completed.
2. When will the Strategy be tabled in Parliament or otherwise made public.
3. How many submissions were made, and by whom.
4. How many submissions were made on — (a) weeds; (b) rabbits; (c) foxes; (d) wild dogs; (e) wild goats; (f) wild pigs; (g) wildlife species; and (h) feral cats.

ANSWER:

I am informed that:

1. The final strategy *Victorian Pest Management – A Framework for Action* was released on 7 June 2002
2. Victorian Pest Management – A Framework for Action was released to the public on 7 June 2002.
3. 136 submissions were received from 24 Landcare groups, 47 individuals, 27 industry/farming stakeholders (including the VFF, Vicroads, Victorian Catchment Management Council, Parks Victoria, Environment Victoria, Victorian National Parks Association), 5 catchment management authorities, 9 local governments, 1 joint East Gippsland Shire/Member for Gippsland East, 7 from the Department of Natural Resources and Environment and 16 anonymous.
4. The breakdown of submissions made is as follows:

Framework Document	101
Weeds	71
Wild Dogs	83
Public Land	62
Rabbits/foxes/feral goats and pigs (combined response)	66
Other	5

Environment and conservation: unanswered QONs

499. MR THOMPSON — To ask the Honourable the Minister for Environment and Conservation — when will the Minister provide an answer to — (a) Question on Notice number 223, first appearing on Notice Paper dated 30 August 2000; and (b) Question on Notice number 232, first appearing on Notice Paper dated 4 October 2000.

ANSWER:

I am informed that responses to the questions referred to above were tabled on Wednesday, 29 May 2002.

Environment and conservation: fruit bats

505. MR THOMPSON — To ask the Honourable the Minister for Environment and Conservation with reference to the review of the Scientific Advisory Committee which reported to the Minister regarding the listing of grey-headed flying foxes as ‘threatened’— (a) what were the reasons for the recommendations of the Committee; (b) who were the members of the Committee; (c) what was the rationale for rejecting the recommendations; and (d) what is the policy position of the Department of Natural Resources and Environment and the basis of submission to the Federal Review.

ANSWER:

I am informed that:

- (a) The Scientific Advisory Committee’s (SAC) Final Recommendation in regard to a nomination (no. 500) for the listing of grey-headed flying foxes as ‘threatened’ was based on the taxon satisfying one of the criteria for listing as threatened under the Flora and Fauna Guarantee Act 1988 (the FFG Act), specifically that ‘the taxon is very rare in terms of abundance or distribution’.
- (b) The SAC members at the time of the Final Recommendation were Prof. Virginia Studdert (Convenor), Prof. Margaret Clayton, Dr Angus Martin, Mr Neville Walsh, Dr Alan Yen, Dr Robyn Watson and Ms Julia Reed.
- (c) The rationale for rejecting the recommendation were advertised in the press in March 2001, and were as follows:
 - as the Grey-headed Flying-fox is a highly migratory species with a distribution up the East coast of Australia, it is more prudent to examine its vulnerability from a national perspective rather than just a Victorian one;
 - the species is far more abundant throughout New South Wales and Queensland than in Victoria, so looking at the species solely in a Victorian context could misrepresent its true status.
- (d) The position of the Department of Natural Resources and Environment (NRE) at the time that NRE was invited to comment on the nomination of the Grey-headed Flying-fox under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) was that the Grey-headed Flying-fox was not a threatened species in Victoria. At that time, the SAC had not made a final recommendation in regard to the first nomination under the FFG Act. The reply that was sent to Environment Australia indicated that SAC was undertaking further consultation on the matter. Since that time, the following has occurred:
 1. SAC has made its final recommendation in regard to the first nomination under the FFG Act (see point (a) above);
 2. I decided not to recommend to the Governor in Council that the Grey-headed Flying-fox be listed as threatened in Victoria;
 3. the Commonwealth Minister for the Environment has listed the Grey-headed Flying-fox as vulnerable under the EPBC Act;
 4. a further nomination has been made for its listing as threatened under the FFG Act, and
 5. SAC has now considered the further nomination and a final recommendation has been formulated.

Once that final recommendation has been forwarded to me formally by SAC, I will make a decision whether or not to recommend to the Governor in Council that the Grey-headed Flying-fox be listed as threatened in Victoria.

Environment and conservation: water regulations

506. MR PERTON — To ask the Honourable the Minister for Environment and Conservation with reference to the advertisement in the *Weekly Times* on 10 October 2001, stating that a Regulatory Impact Statement has been prepared for the proposed Water (Permanent Transfer of Water Rights) Regulations 2001 and

that a copy of the statement and the proposed regulation would be available on the Internet at www.nre.vic.gov.au/ris —

1. When will the Regulatory Impact Statement and proposed regulation be available on the Internet site.
2. Will there be an extension beyond 9 November 2001 of the time available for public comment, given that the Regulatory Impact Statement has not yet been made available.

ANSWER:

I am informed that:

1. The Regulatory Impact Statement was available on the Internet site three days after the advertisement. As stated in the advertisement, the Statement was available from both the Department of Natural Resources and Environment's Customer Service Centre and Information Centre and was posted out to anyone who rang requesting a copy.
2. An extension of the time available to comment is not seen as necessary.

Environment and conservation: Gippsland Lakes — Bunga Arm camping site

537. MR PERTON — To ask the Honourable the Minister for Environment and Conservation with reference to the boat-based bush camping site at Bunga Arm in the Gippsland Lakes Coastal Park —

1. Whether there has been any change to the permit to camp allocation system; if so — (a) what is the change; and (b) why has it been done.
2. Whether any toilet facility been demolished.
3. Whether any open pit has been left unprotected; if so — (a) why was the pit or pits left unprotected; and (b) why have no warning signs been put in place.
4. What consultation has taken place on changes to the camping ground.
5. Whether any trees were cut down this year; if so why.

ANSWER:

I am informed that:

1. There has been no change to the permit system for camping in Bunga Arm.
2. Three of the old toilet buildings have been removed and replaced by composting toilets, which is an initiative coordinated by the Gippsland Lakes Coastal Board in conjunction with land managers to minimise water contamination.
3. No open pits have been left unprotected.
4. As the improvements to the camping area were of a minor nature, no consultation took place.
5. Several small trees were trimmed to accommodate protective fencing for revegetation work.

Environment and conservation: sewerage schemes

541. MR McARTHUR — To ask the Honourable the Minister for Environment and Conservation with reference to new town sewerage schemes announced in the Minister's press release on 18 May 2000 —

1. Which of the 60 schemes listed in the press release as not yet completed, or commenced at 20 October 1999, have now been completed, listed by Regional Water Authority.
2. What schemes are ready to proceed, listed by Regional Water Authority.
3. What schemes are under investigation or in consultation with the community, listed by Regional Water Authority.
4. How many landowners, listed by Regional Water Authority, were entitled to a refund for — (a) lump sum contributions already paid exceeding \$800; and (b) instalments already paid exceeding \$800.

ANSWER:

I am informed that:

1. The following schemes have now been completed:

<i>Water Authority</i>	<i>Scheme</i>
Central Highlands Region Water Authority	Clunes
Coliban Region Water Authority	Bridgewater
Coliban Region Water Authority	Campbells Creek
Coliban Region Water Authority	Chewton
Coliban Region Water Authority	Echuca (Hansen, Wharparilla)
Coliban Region Water Authority	Epsom
Coliban Region Water Authority	Harcourt
Coliban Region Water Authority	Huntly
Coliban Region Water Authority	Inglewood
Coliban Region Water Authority	Maldon
Coliban Region Water Authority	Marong
Goulburn Valley Region Water Authority	Avenel
Goulburn Valley Region Water Authority	Marysville
Goulburn Valley Region Water Authority	Merrigum
Goulburn Valley Region Water Authority	Violet Town
Goulburn Valley Region Water Authority	Wandong/Heathcote Junction
Lower Murray Region Water Authority	Koondrook
South Gippsland Region Water Authority	Port Albert
South West Region Water Authority	Blue Hole Rd – Warrnambool
South West Region Water Authority	Koroit
South West Region Water Authority	Timboon
Westernport Region Water Authority	Dalyston/Kilkunda
Westernport Region Water Authority	Newhaven (Rennison Rd)

2. The following schemes are ready to proceed (or under way):

<i>Water Authority</i>	<i>Scheme</i>
Central Highlands Region Water Authority	Carisbrook
Central Highlands Region Water Authority	Skipton
Coliban Region Water Authority	Axedale

<i>Water Authority</i>	<i>Scheme</i>
Coliban Region Water Authority	Boort
Coliban Region Water Authority	Dunolly
Coliban Region Water Authority	Gunbower
Coliban Region Water Authority	Leitchville
Coliban Region Water Authority	Kyneton–Tylden
Coliban Region Water Authority	Newstead
Coliban Region Water Authority	Pyramid Hill
Coliban Region Water Authority	Trentham
Coliban Region Water Authority	Wedderburn
East Gippsland Region Water Authority	Bruthen
Glenelg Region Water Authority	Dunkeld
Goulburn Valley Region Water Authority	Rushworth
Goulburn Valley Region Water Authority	Stanhope
Grampians Region Water Authority	Hopetoun
Grampians Region Water Authority	Minyip
Grampians Region Water Authority	Ouyen
Lower Murray Region Water Authority	Lake Boga
Western Region Water Authority	Lancefield
Westernport Region Water Authority	Tenby Point

3. The following schemes are under investigation or in consultation with the community:

<i>Water Authority</i>	<i>Scheme</i>
Barwon Region Water Authority	Skenes Creek
Central Gippsland Region Water Authority	Seaspray
Central Highlands Region Water Authority	Maryborough Industrial Estate
Central Highlands Region Water Authority	Whitelaw Ave
East Gippsland Region Water Authority	Cann River
Glenelg Region Water Authority	Hamilton–Coleraine Rd – East of Young St
Glenelg Region Water Authority	Hamilton–Coleraine Rd – East of Young St to West Boundary Rd
Glenelg Region Water Authority	Hamilton–Coleraine Rd – Nth Boundary Rd to Young St
North East Region Water Authority	Harrietville
North East Region Water Authority	Milawa
North East Region Water Authority	Oxley
North East Region Water Authority	Porepunkah
South Gippsland Region Water Authority	Waratah Bay
Western Region Water Authority	Macedon/Mt Macedon

4. Of the 60 schemes listed in the media release, the following number of landowners are entitled to a refund of (a) lump sum contributions already paid exceeding \$800; and (b) instalments already paid exceeding \$800 are as follows:

<i>Water Authority</i>	<i>Scheme</i>	<i>How many landowners, were entitled to a refund (number)</i>	
		(a) lump sum	(b) instalments
Central Highlands Region Water Authority	Clunes	329	7
Coliban Region Water Authority	Axedale	2	1
Coliban Region Water Authority	Boort	2	5
Coliban Region Water Authority	Bridgewater	15	38
Coliban Region Water Authority	Campbells Creek	13	16
Coliban Region Water Authority	Chewton	2	9
Coliban Region Water Authority	Dunolly	2	7
Coliban Region Water Authority	Echuca (Hansen, Wharparilla)	2	3
Coliban Region Water Authority	Gunbower	4	10
Coliban Region Water Authority	Harcourt	2	5
Coliban Region Water Authority	Huntly	16	87
Coliban Region Water Authority	Inglewood	8	41
Coliban Region Water Authority	Kyneton-Tylden	3	2
Coliban Region Water Authority	Leitchville	1	3
Coliban Region Water Authority	Maldon	11	78
Coliban Region Water Authority	Marong	5	7
Coliban Region Water Authority	Newstead	2	0
Coliban Region Water Authority	Pyramid Hill	2	3
Coliban Region Water Authority	Trentham	4	13
Coliban Region Water Authority	Wedderburn	5	7
Goulburn Valley Region Water Authority	Merrigum	116	0
Goulburn Valley Region Water Authority	Wandong/Heathcote Junction	253	0
Lower Murray Region Water Authority	Koondrook	249	0
South Gippsland Region Water Authority	Port Albert	172	88
South West Region Water Authority	Koroit	106	317
Westernport Region Water Authority	Dalyston/Kilkunda	1	0
Westernport Region Water Authority	Newhaven (Rennison Rd)	3	0
Westernport Region Water Authority	Tenby Point	1	0

Environment and conservation: fruit bats

548. MR PERTON — To ask the Honourable the Minister for Environment and Conservation with reference to the Scientific Advisory Committee finding of March 2001 regarding the status of the grey-headed flying fox —

1. What advice did the Minister receive from the Scientific Advisory Committee.
2. Who were the members of the Scientific Advisory Committee.

3. Has there been any change of membership in the Scientific Advisory Committee since March 2001; if so — (a) what change; and (b) why.
4. Were any consultants engaged to give advice to the Scientific Advisory Committee on the endangered status of the flying foxes; if so — (a) who were the consultants; (b) what were they paid; and (c) what was their advice.

ANSWER:

I am informed that:

1. The Scientific Advisory Committee's (SAC) Final Recommendation in regard to a nomination (no. 500) for listing of the Grey-headed Flying-fox as threatened under the *Flora and Fauna Guarantee Act 1998* indicated that, in the SAC's view, the Grey-headed Flying-fox satisfied one of the listing criteria, namely that 'the taxon is very rare in terms of abundance or distribution.'
2. The SAC members at the time of the Final Recommendation were Prof. Virginia Studdert (Convenor), Prof. Margaret Clayton, Dr Angus Martin, Mr Neville Walsh, Dr Alan Yen, Dr Robyn Watson and Ms Julia Reed.
3. (a) Since this time, Dr Martin has resigned from SAC and I have appointed Dr Michael Clarke of La Trobe University to replace him.
(b) Dr Martin resigned from SAC.
4. (a) An expert panel was convened on 24 January 2001 in Melbourne to provide additional information to assist SAC in formulating its Final Recommendation. The invited experts were: Assoc. Prof. Mark Burgman (Melbourne University), Peggy Eby (NSW), John Nelson (Monash University), Kerryn Parry-Jones (NSW), Greg Richards (consultant ACT), Chris Tidemann (ANU) and Michael Vardon (consultant NSW). This meeting was facilitated by one of the Department of Natural Resources and Environment's Chief Scientists, Prof. Graham Mitchell.
(b) The total cost of convening the expert panel was \$5995.05.
(c) The experts provided a range of advice in regard to the Grey-headed Flying-fox from a national perspective including population size and trends, migration patterns, habitat availability and decline and other aspects of their biology and ecology. As has been recognised, there are diverse views within the scientific community on these matters, and the discussion reflected this.

Environment and conservation: littering prosecutions

- 550. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation — what advice has the Minister received as to whether the number of prosecutions for littering is sufficient to act as a deterrent.

ANSWER:

I am informed that:

In 2001, EPA Victoria conducted a review of the statutory framework for litter to examine whether the existing framework was meeting current needs. The review found that while the *Litter Act* essentially contained an adequate suite of powers to deal with litter from an enforcement perspective, legislative amendment would improve local governments' ability to adequately enforce litter provisions.

In the recent *Resource Efficiency Act* passed by Parliament in June this year, the Victorian litter regime was strengthened in the following way:

- increasing penalties for littering offences in line with community expectations (with maximum penalties for the general litter offence increasing from \$2,000 to \$4,000 and the offence for aggravated litter increasing from \$4,000 to \$6,000);
- recognising that effective enforcement of our litter laws is the joint responsibility of EPA, local councils and other litter enforcement agencies by ensuring consistent enforcement powers for all litter enforcement authorities;
- enabling litter enforcement officers under the Act (eg local council officers) to better gather evidence about suspected offenders;
- recognising that companies have a responsibility for the environmental impacts of their products by building product stewardship responsibilities into the Act regarding material that may become litter; and
- clarifying that the posting of bills without permission of the property owner is an offence and introducing an offence for the delivery of unwanted advertising material.

The Government will be closely monitoring the number of fines issued by the agencies which enforce the legislation over the next year.

Environment and conservation: littering prosecutions

551. MR PERTON — To ask the Honourable the Minister for Environment and Conservation with reference to the 46 major prosecutions conducted in 2000–2001 — (a) who were the respective parties; (b) what was the respective breach of law; and (c) what was the result of the prosecution.

ANSWER:

I am informed that:

As the report in which the prosecutions were mentioned was not named, the question cannot be answered.

Environment and conservation: EPA community outreach program

552. MR PERTON — To ask the Honourable the Minister for Environment and Conservation — what audits or assessments of the community outreach program of the Environment Protection Authority have been undertaken; if so — (a) who carried out such audits or assessments; and (b) what were the results.

ANSWER:

I am informed that as at the date of the question:

EPA Victoria is well aware of the need to evaluate all of its programs including the Community Outreach Program.

Progress has been informally tracked by regularly seeking community feedback as the program has been evolving and developing.

Feedback overall has been very positive. The program has been well received and the general consensus is that it has been a positive move to ensure EPA Victoria is able to maintain stronger links with the community.

Outreach staff have been developing strong links with key groups and organisations in their regions. This has assisted in enabling a better understanding of EPA's roles and responsibilities to develop as well as to clarify any misunderstandings.

Environment and conservation: EPA team audit

553. MR PERTON — To ask the Honourable the Minister for Environment and Conservation with reference to the Environment Protection Authority team audit — (a) how many staff have been appointed to the team audit; (b) what is the budget for the team audit in 2000–2001; (c) what investigations have been undertaken by the team and what were the — (i) findings; and (ii) results of the investigations.

ANSWER:

I am informed that:

- (a) The audit team has six staff.
- (b) The 2000–2001 audit team expenditure was \$ 487,791.70.
- (c) The team has undertaken audits and investigations of the environmental risks posed by activities at over 60 sites across the state covering:
 - prescribed industrial waste management and disposal;
 - illegal waste dumping;
 - metropolitan landfills;
 - waste water treatment;
 - catchment management; and
 - the Petrochemical industry.
- (i) The audits and investigations identified a number of opportunities for improved environmental risk management, and in some cases found that activities did not meet environmental best practice standards. In some instances activities were found to be in breach of the requirements of the *Environment Protection Act 1970*.
- (ii) The audits and investigations have resulted in a range of recommendations being made to stakeholders to provide greater protection of the environment in both metropolitan Melbourne and regional Victoria. Investigations into illegal activities and acts of pollution have resulted in over 100 charges being laid, including use of the provisions of the *Environment Protection (Offences and Penalties) Act 2000*.

Environment and conservation: neighbourhood environment improvement plans

554. MR PERTON — To ask the Honourable the Minister for Environment and Conservation with reference to the Environment Protection Authority’s annual report for 2000–2001 and the statement on page 3 that Neighbourhood Environment Improvement Plans will be piloted this year —

1. What are the proposed piloted Neighbourhood Environment Improvement Plans.
2. Who has been consulted on the pilot Neighbourhood Environment Improvement Plans.
3. What problems have been identified in the proposed pilot Neighbourhood Environment Improvement Plans.
4. Which people have been appointed to the advisory committee on Neighbourhood Environment Improvement Plans.

ANSWER:

I am informed that as at the date of the question:

1. Three pilot voluntary Neighbourhood EIPs have been established. Maribyrnong City Council is sponsoring a Neighbourhood EIP that aims to improve the Stony Creek neighbourhood environment. The Stony Creek

Neighbourhood EIP proposal was endorsed by the EPA and officially launched in July 2002. Darebin City Council is developing, with other partners, a Neighbourhood EIP proposal that seeks to improve the environmental quality of Edwardes Lake. The Surf Coast Shire, with the Anglesea community, is developing a Neighbourhood EIP proposal that will assist the local community progress towards sustainability.

2. Each pilot has involved extensive consultation with potential Neighbourhood EIP partners and interested parties including local government and local government peak bodies, local industries and industry peak bodies, government agencies including Parks Victoria, EPA, DoI, Vic Roads, water management authorities, catchment management authorities, regional waste management groups, tourism bodies, local environment and community groups, community members, Metropolitan Fire and Emergency Services, consultants, planners and social scientists.
3. All of the pilots are in the proposal development or plan development stage. A forthcoming review of the process will identify key learning from the pilot experiences and will identify any areas in which improvements to the process can be achieved. The Liveable Neighbourhoods Act also requires that mechanisms for review of a Neighbourhood EIP plan be developed within each plan and allows for amendment of plans where required.
4. The following people have been appointed to the Neighbourhood Environment Improvement Plans Advisory Panel:

Name	Organisation
Phil West	Vicroads
Brod Street	Department of Infrastructure
Nessie Hardy	Community representative
Peter Brotherton	Combined Environmental Groups representative
Peter Phillips	Victorian Economic Chamber of Commerce & Industry
Peter Lyon	Municipal Association of Victoria
Cheryl Batagol	Consultant
Richard Strauch	Boral Resources
Mike Hill	Victorian Local Governance Association
Irving Saulwick	Irving Saulwick and Associates
Steve Ray	Environs Australia

Environment and conservation: Paterson's curse

- 564. MR THOMPSON** — To ask the Honourable the Minister for Environment and Conservation — how many weed infringement notices have been issued for Paterson's Curse by the Department of Natural Resources and Environment in the North East region for the years — (a) 1999–2000; (b) 2000–2001; and (c) 2001–2002 to date.

ANSWER:

I am informed that:

The Department of Natural Resources and Environment has issued the following weed infringement notices to landowners in the North East region for Paterson's Curse over the stated periods:

1999–2000	361 Directions and 8 Land Management Notices
2000–2001	607 Directions and 2 Land Management Notices
July–1 November 2001	1625 Directions and 10 Land Management Notices

Environment and conservation: Mount Buangor — corellas

- 566. MR THOMPSON** — To ask the Honourable the Minister for Environment and Conservation with reference to the large population of Long Billed Corellas in and adjacent to the Mt Buangor State Park and State Forest — (a) how many Corellas have been netted in — (i) 1999; (ii) 2000; and (iii) 2001 to date; (b) what is the estimated number of Corellas in the region; and (c) what other plans does the Department of Natural Resources and Environment have to manage the population.

ANSWER:

I am informed that:

- (a) Trapping and gassing of Long-billed Corella and Sulphur Crested Cockatoos occurred in areas adjacent to Mt Buangor State Park and State Forest in 2000 and 2001. The main objective of trapping and gassing is to reduce crop damage by breaking up large flocks, not to cull the population. When flocks disperse and damage is minimised, trapping ceases.

742 birds were caught in 2000 and up until 1 November 2001, 546 were caught. There was no trapping conducted in 1999.

- (b) No detailed population counts have been conducted recently in the Mt Buangor area. However, from sample counts conducted it is clear that Long-billed Corellas have increased in both numbers and range in recent years. There are several large flocks in this area.
- (c) This Government has funded the Department of Natural Resources and Environment to undertake a 5 year Integrated Cockatoo Management Project. This is the first such attempt at an integrated and long term approach to this long standing problem. This has a focus on trapping and gassing, research into population dynamics, age, diet and damage (jointly with Ballarat and Monash Universities), extension and community participation and population monitoring.

As part of the project, the Department is also working with some Local Government Councils and Committees of Management to build their capacity to participate in protecting community assets. Recently, Warrnambool City Council staff have been successfully trained in trapping and gassing and have significantly reduced cockatoo problems in the area. This approach is available to all councils wishing to participate.

Environment and conservation: park information guides

- 567. MR THOMPSON** — To ask the Honourable the Minister for Environment and Conservation — what languages, other than English, are National Park and State Park information guides and brochures published in.

ANSWER:

I am informed that:

Parks Victoria's brochures are predominantly printed in English. Werribee Park Mansion, which is a high international tourism site, prints its pre-visit brochure in Mandarin, Traditional Mandarin and Japanese.

During the 2000–2001 financial year, Parks Victoria's Grants Program awarded \$510,000 to a variety of 'multicultural' projects including a number of migrant resource centres and the Cambodian Association of Victoria. The grants included the development of over 12,000 parks information flyers in the following languages: Japanese, Greek, Turkish, Maltese, Hindi, Italian, Vietnamese, Russian, Ethiopian, Eritrean, Spanish, Serbian, Philippino, Khmer, Croatian, Arabic, Cantonese, Bosnian, Kurdish, Samoan, Chaldean, and Assyrian.

Parks Victoria has also translated the Healthy Parks Healthy People program into Arabic, Chinese, Croatian, Greek, Italian, Macedonian, Spanish and Vietnamese and advertised in the following papers: *An Nahar*, *21st Century*

Chinese Weekly, The Croatian Herald, Neos Kosmos, Il Globo, Macedonian Weekly, Spanish Herald and Viet Luan.

Environment and conservation: northern Pacific seastar

568. MR THOMPSON — To ask the Honourable the Minister for Environment and Conservation — what protocols are in place to eliminate the risk of the transfer of the northern Pacific seastar from Port Phillip Bay to Westernport Bay, in particular the cleaning of nets by dual license Port Phillip/Westernport commercial fishing operators.

ANSWER:

I am informed that:

Nets are one of many potential vectors that could lead to the movement of marine pests. Priorities have been set based on an understanding of the relative risk associated with the different vectors. The movements of aquaculture equipment and ballast water are high-risk vectors.

Aquaculture Licences authorising the culture of mussels in Western Port and Port Phillip Bay were varied in April 2002 to ensure that mussel culture ropes and equipment can only be moved from the Bay to Western Port if they are treated to rid them of marine pests, using the Victorian Mussel Translocation Protocol 2002. In the current absence of effective ways for ships to treat ballast water, ballast water originating from Port Phillip Bay cannot be discharged in Western Port.

With respect to small vessels and gear, including nets, the commercial fishing sector has worked with the Department of Natural Resources and Environment and CSIRO – Centre for Research on Introduced Marine Pests (CRIMP) to identify and rank the problem areas that might lead to the movement of marine pests. Guidelines to help keep vessels and gear clean have been drafted to assist skippers and local port operators.

Environment and conservation: Bunyip State Park

577. MR PERTON — To ask the Honourable the Minister for Environment and Conservation with reference to the Bunyip State Park and to a report of damage made by Stephen Dobinson over the Melbourne Cup Day weekend 2001 —

1. What damage was done to bollards and cabling at Steeges Road and what is the cost of repair.
2. What damage was done to sign posting near Steeges Road and what is the cost of repair.
3. What damage was done to the horse hitching rail at Mortimer Park and what is the cost of repair.
4. What staff were on duty on Melbourne Cup Day.
5. Were any observations of vandalism made by park staff
6. What is the total cost of vandalism in the Park in — (a) 2000; and (b) 2001.

ANSWER:

I am informed that:

1. One of the reinforced concrete bollards forming a vehicle barrier fence at the intersection of Steeges Road and Tonimbuk Road was broken and the threaded wire cable was pulled from its end anchor point and partially removed. The cable could be reused. The cost of damage was approximately \$200 (materials and labour).
2. At the same time the damage was done to bollards and cabling at Steeges Road a large metal trail bike regulation sign was stolen. The cost of the sign was approximately \$250 (materials and labour).

3. There may have been minor damage done to the Mortimer hitching rail during the Oct/ Nov 2001 period however, during the same period, Park staff had removed the hitching rail with the aim of relocating it within the Mortimer Picnic Ground but further away from the edge of Tonimbuk Road. This was in response to concerns from horse riders about its inappropriate location. The hitching rail will be relocated to the northern end of the Picnic Ground.
4. A ranger was on duty on Tuesday 6 November (Melbourne Cup Day). As an authorised officer the ranger was patrolling and working in the Park between the hours of 8:00 am and 4:30 pm on that day. Mr Dobinson telephoned the Gembrook Parks Victoria office, which is not staffed on weekends and public holidays, during Melbourne Cup day and left a message on the answering machine in relation to visitor activities in Bunyip State Park.
5. The ranger was the first Parks Victoria staff member to observe that there was damage done to the bollards, cabling and the sign at Steeges Road. Parks Victoria staff did not observe the persons carrying out the activity, and there were no public witnesses to the incident or leads to follow up on. The damage occurred on or about the 23 October 2001.
6. The cost of vandalism to facilities and infrastructure in Bunyip State Park was approximately: (a) \$6,000 in 2000 and (b) \$5,000 in 2001.

Environment and conservation: unanswered QONs

- 589. MR WILSON** — To ask the Honourable the Minister for Environment and Conservation — when will the Minister provide an answer to question on notice — (a) number 223 from Notice Paper dated 30 August 2000; and (b) number 232 from Notice Paper dated 4 October 2000.

ANSWER:

I am informed that responses to the questions referred to above were tabled on Wednesday 29 May 2002.

Environment and conservation: water sources

- 596(a). MR WILSON** — To ask the Honourable the Minister for Environment and Conservation with reference to page 3 of the Plumbing Industry Commission's 2000–2001 annual report which states that 'our water resources are limited' and further 'it has been estimated that, with our present resources, this demand is not sustainable far into the next decade' — how does this statement accord with Melbourne Water's *The Source* magazine, edition 16, page 2, which states that new water sources are not required for Melbourne until 2040.

ANSWER:

I am informed that:

The Source magazine quoted in the question refers specifically to water supply for Melbourne. The comments from the Plumbing Industry Commissioner in their Annual Report are not referring specifically to the Melbourne situation but to the broader issue of a limited resource and the need to conserve this vital resource.

A consultative committee was established in October 2000 to overview the development of a Water Resources Strategy for the Melbourne Area to ensure a safe and reliable supply of water is delivered in an environmentally sustainable manner and at a cost acceptable to the community.

The committee released the '21st Century Melbourne: a WaterSmart City, Strategy Directions Report' on 26 May 2002. The report outlines a range of draft options available to achieve a sustainable water future for Melbourne for the next 50 years. The report is a consultation document inviting comments over the two months. Submissions closed on 26 July 2002. A copy of the report is available on the web site www.watersmart.vic.gov.au or by phoning the NRE Call Centre on 13 61 86.

It is expected that the Committee's final strategy will be completed by the end of September 2002.

Environment and conservation: northern Pacific seastar

601. MR THOMPSON — To ask the Honourable the Minister for Environment and Conservation with reference to the Marine and Freshwater Resources Institute Report No. 33 what — (a) procedures and programs are in place; and (b) resources have been made available to preclude the transfer of the northern Pacific seastar to Westernport Bay from Port Phillip Bay.

ANSWER:

I am informed that:

(a) Procedures to reduce the risk of moving marine pests, such as the northern Pacific seastar, from Port Phillip Bay to Western Port were initiated in 1999. Priorities were set to reduce the risk associated with mussel rope and ballast water transfers. Alterations to aquaculture licence conditions will soon be made to ensure that mussel ropes can only be moved if they are treated, using agreed techniques, to rid them of marine pests. In the current absence of effective ways for ships to treat ballast water only low risk ballast water can be discharged in Western Port and no ballast water can be discharged in Port Phillip Bay. With respect to small vessels and gear, the commercial fishing sector has worked with the Department of Natural Resources and Environment and CSIRO-Centre for Research on Introduced Marine Pests (CRIMP) to identify and rank the problem areas that might lead to the movement of marine pests. Guidelines to help keep vessels and gear clean have been drafted for comment by skippers and local port operators to ensure that they are as effective as possible.

In addition Western Port is also monitored to provide an early warning of the presence of northern Pacific seastar larvae. The effectiveness of this monitoring will continue to be evaluated as part of a national approach to the seastar problem.

(b) With respect to resourcing, the Victorian Government has taken an active role in working with marine industries and the community to identify and implement practical options. Victorian resources in association with the Commonwealth's Natural Heritage Trust Coasts and Clean Seas funding program have:

- helped the mussel industry work with the Marine and Freshwater Resources Institute to develop practical and innovative ways to remove marine pests from mussel ropes;
- in association with the Australian Quarantine Inspection Service and CRIMP, assisted the trial of a single national ballast water management regime that deals with ballast water from overseas and other Australian ports. This work is based at Port of Hastings, Western Port, and is supported by Australia's shipping and ports sectors; and
- helped small vessel owner's work with CRIMP to identify how vessels and associated gear could move marine pests and ways to deal with this problem.

Environment and conservation: northern Pacific seastar

602. MR THOMPSON — To ask the Honourable the Minister for Environment and Conservation with reference to the Marine and Freshwater Resources Institute Report No. 33 which comments on pages 1 and 15 that the benthic community in Port Phillip Bay is likely to be permanently altered as a consequence of the impact of the northern Pacific seastar — what future programs are in place over and above existing programs to minimise the impact of the seastar on fish stocks in Port Phillip Bay.

ANSWER:

I am informed that:

Because of the risks posed by the seastar to Australia's southern ocean coastline, a national response has been adopted and is outlined in a National Control Plan that is coordinated by the Commonwealth Government. The national priority is to reduce the seastar's further introduction across Australia's southern ocean coastline. For

Victoria this means reducing the chance that the seastar could be introduced to new areas of Victoria from existing populations in Port Phillip Bay, the Derwent River Estuary, or from its home range in the northern Pacific. In addition to existing programs Victoria is joining forces with other State and Commonwealth agencies and the CSIRO – Centre for Research on Introduced Marine Pests (CRIMP) to prioritise, according to risk, all activities that might lead to the seastar’s further introduction. This will help target efforts by Australia’s marine industries, coastal communities and Governments.

Environment and conservation: park management services

603. MR WILSON — To ask the Honourable the Minister for Environment and Conservation with reference to the Department of Natural Resources and Environment’s park management services, discussed on page 41 of the Department’s 2000–2001 annual report —

1. What were the five most common reasons suggested by users as to why they were only 66 per cent satisfied overall with the Department’s park management services compared with the target of 70 to 75 per cent.
2. Why did the percentage of satisfied customers decline from 69 per cent in 1999–2000.
3. Were there any variances in the main reasons users of different regions’ parks were dissatisfied; if so, what where they.
4. Whether park users from Melbourne metropolitan areas express any concerns differently from rural-based park users; if so, how did they differ.
5. What types of users, and how many, were surveyed.
6. When, and by whom, was the customer satisfaction survey conducted.
7. What areas of Victoria were users selected from to participate in any satisfaction surveys.
8. What — (a) funding; and (b) other action is the Government taking to increase satisfaction with park services in 2001–2002.

ANSWER:

I am informed that:

The scores used in the table on page 41 of the Department of Natural Resources and Environment’s 2000–2001 annual report in relation to rating of Customer Satisfaction with park services, are indices on a 100 point scale. The figures are not a percent measure but a positive scaled index which is weighted for visitation. A score of 33 means Satisfied, 67 means Very Satisfied and 100 means Fully Satisfied.

1. The five most common suggestions that visitors made to improve their satisfaction were:
 - 11% said they needed more or better BBQ or picnic facilities.
 - 11% said to provide more/better/cleaner/toilet facilities.
 - 9% said they needed more shaded areas/shelters.
 - 8% said they needed more or better maintenance of rubbish bins.
 - 6% said to have more drinking taps, fountains or fresh water.
2. The score of 66 means the overall customer satisfaction ranking was between Satisfied and Very Satisfied. At this stage it is not possible to be definitive on reasons for the change.
3. There were several increases in the level of response, as a percentage of the total number surveyed, between the 1999–2000 and 2000–2001 surveys on suggested improvements at Metropolitan Parks. They are listed below.

- More Picnic Areas or BBQs & Better BBQs: 5% to 20%
- More Shelter, Rotundas, Shade or Gazebos: 3% to 18%
- More Rubbish Bins or Recycling Bins: 8% to 12%
- More Drinking Fountains or Taps: 4% to 9%
- Cleaner or Better Toilets: 2% to 8%
- More Playground Equipment: 4% to 9%

There were no increases in suggested improvements in Protected Area Parks (National and State Parks).

4. There is no data currently available on whether the visitors surveyed are metropolitan or rural based.

5. Survey parameters were:

- 2,684 people were surveyed
- 53% were male 47% were female.
- 3% were aged 18–19 years,
- 23% were 20–29 years,
- 32% were 30–39 years,
- 24% were 40–49 years,
- 12% were 50–59 years,
- 5% were 60–69 years,
- 1% were 70+ years

(Note: Children are not interviewed.)

- 15% were attending a special or major event, eg Christmas party, or birthday party, etc,
- 15% were sightseeing,
- 7% were there for the environment, atmosphere, etc
- 6% were picnicking or having a barbecue,
- 6% were there for a short walk (up to 1 hour).

(Note: Activity groups that comprise less than 5% of the survey population are not listed.)

6. The surveys were conducted over weekends in December 2000 and January 2001.

The surveys were conducted by interviewers from Millward Brown Australia, a leading market research consultancy.

7. The surveys are of visitors, selected at random at 42 visitor sites in 21 parks including: 204 people at Albert Park, 88 at the Alpine National Park, 102 at Angahook-Lorne State Park, 100 at Bay of Islands Coastal Park, 99 at Braeside Park, 101 at Brimbank Park, 107 at Cardinia Reservoir Park, 93 at Croajingolong National Park, 206 at Dandenong Ranges National Park, 186 at Grampians National Park, 203 at Jells Park, 96 at Maroondah Reservoir Park, 200 at Mornington Peninsula National Park, 100 at Mount Buffalo National Park, 103 at Otway National Park, 73 at Pipemakers Park, 209 at Port Campbell National Park, 108 at Wattle Park, 100 at Westerfolds Park, 100 at Wilsons Promontory National Park and 106 at Yarra Bend Park.

Note: Survey subject quotas are; 200 for higher visitation parks and 100 for lower visitation parks.

8. (a) Parks Victoria is funded by government in accord with Government priorities and the agreed Corporate Plan developed by the Board of Parks Victoria.
- (b) Following statistical analysis of survey results, a targeted response has been developed and will be implemented progressively subject to funding priorities.

Environment and conservation: pier and jetty services

604(a). MR WILSON — To ask the Honourable the Minister for Environment and Conservation with reference to the Department of Natural Resources and Environment’s Pier and Jetty services, discussed on page 37 of the Department’s 2000–2001 annual report —

1. What were the five most common reasons suggested by users as to why they were only 52 per cent satisfied overall with the Department’s services compared with the target of 60 to 65 per cent.
2. What types of users, and how many, were surveyed.
3. What areas of Victoria were users selected from to participate in any satisfaction surveys.
4. What were any expenses over \$500,000 that were reclassified from the ‘Asset Investment Program’ to ‘Outputs’ that led to the budgeted expenditure of \$13.9 million increasing to the actual expenditure of \$25.2 million in 2000–2001.

ANSWER:

I am informed that:

1. The five most common suggestions that visitors made to improve their satisfaction were:
 - to extend or upgrade the pier (17%);
 - to have more or better or cleaner toilets (15%);
 - to have more or better kiosks or restaurants (11%);
 - to have more benches or seating facilities (11%); and
 - better maintenance was required (with no further information from the respondent) (10%).

The score of 52 is not a percent measure but a positive scaled index which is weighted for visitation. A score of 33 means Satisfied, 67 means Very Satisfied and 100 means Fully Satisfied. Only 7% of respondents were not satisfied.

2. 523 people were surveyed in December 2000. 64% were male and 36% were female. 3% were aged 18–19 years; 21% were 20–29; 21% were 30–39; 21% were 40–49 years; 20% were 50–59; 10% were 60–69 years, and 4% were 70+ years (no children are interviewed). 21% were visiting for sightseeing purposes; 18% for a short walk; 17% were fishing; 7% were enjoying the environment or atmosphere; 5% were waiting to ride a ferry, and 5% were there to appreciate historical or cultural features.
3. The surveys are of visitors, selected at random, at five piers around the bays including 108 people at Gem Pier (Williamstown) 100 at Mornington Pier; 112 at Queenscliff Pier; 100 at Sorrento Pier and 103 at St Kilda Pier.
4. The expenses for the following fund sources were reclassified from the ‘Asset Investment Program’ to ‘Outputs’.

Associated Ports Works	\$2.035M
Bringing the Bay to Life	\$ 967K
Coastal Board Action Plans	\$ 709K
Coasts & Ports Improvement Works	\$ 500K

The other contributing factor to the increase relates to the inappropriate distribution of business overheads, including the Capital Charge across all Outputs. In 2001–2002 the distribution of business overheads will be adjusted to more accurately reflect each Output’s costs.

Transport: train station staff

701. MR LEIGH — To ask the Honourable the Minister for Transport with reference to train station staff employed on the public transport system for each month since September 1999 — (a) how many train station staff have been employed by each private operator; and (b) how much money did the Government pay for their employment.

ANSWER:

The following figures represent the approximate numbers of staff employed at railway stations by the private operators since the commencement of franchising in September 1999:

– V/Line Passenger:	180
– Connex:	290
– M>Train:	350

In addition, the Government has provided funding for an extra 100 staff at railway stations (known as ‘Roving Safety Officers’) as part of its commitment to improve passenger safety on the network, particularly in the evening period. The full complement of 100 new staff was introduced during December 2000. Currently, Connex and M>Train employ 43 and 57 Roving Safety Officers respectively.

The costs associated with the employment of Station Staff, other than the Roving Safety Staff, are the responsibility of the franchisees and do not involve any additional funding from Government over and above general subsidy levels.

From 1 July 2000 to 30 November 2001, M>Train has been paid \$3.97m and Connex has been paid \$2.86m for the Roving Safety Staff initiative (inclusive of GST). These figures include start up capital costs such as the provision of staff facilities at railway stations. The difference in payments between the businesses reflects the greater number of staff being employed by M>Train.

This answer is correct up and to the date this Question was asked.

Transport: tram conductors

705. MR LEIGH — To ask the Honourable the Minister for Transport with reference to tram conductors employed on the public transport system for each month since September 1999 — (a) how many tram conductors have been employed by each private operator; and (b) how much money did the Government pay for their employment.

ANSWER:

(a) The conductor initiative was launched by the Minister for Transport in October 2000. Under the agreement M>Tram employs 55 conductors and Yarra Trams 45 conductors.

After October 2000 M>Tram and Yarra Trams undertook an extensive recruitment and training program and developed facilities to accommodate these new staff. As a result, conductors were progressively introduced onto the tram network in the first months of this year (2001). Other than as a result of staff turnover, required conductor numbers have been maintained. M>Tram and Yarra Trams receive ongoing payments only for the conductors they employ so that, if there is a temporary reduction in numbers due to natural turnover, payments are reduced accordingly.

(b) From the start of the conductor initiative up to 30 November 2001, M>Tram has been paid \$3.006m and Yarra Trams \$2.359m (figures include GST).

This answer is correct up and to the date this Question was asked.

Environment and conservation: Parks Victoria-funded projects

710. MR THOMPSON — To ask the Honourable the Minister for Environment and Conservation —

- (1) What multicultural or ethno-specific projects has Parks Victoria funded for 1999–2000, 2000–2001, and 2001–2002.
- (2) What has been the dollar value of each of the projects funded.

ANSWER:

I am informed that:

A range of multicultural or ethno-specific projects have been funded by Parks Victoria via the Indigenous Partnerships Program and the Grants Program.

Indigenous Partnerships Program

There was no formal Indigenous Partnerships Program for the 1999–00 financial year but funding was allocated for the ongoing employment of 12 Indigenous people totalling approximately \$480,000. Over the past two years, from 2000–01 to 2001–02, the Parks Victoria Indigenous Partnerships Program has allocated funding to a total of 23 Indigenous projects.

Project Title	Total Funded
2000–01 Cross-Cultural Training	
Delivery of nine workshops for Parks Victoria staff.	\$50,000
2000–01 Cultural Values Management Program	
Lake Boort Integrated Management Plan	\$20,000
Protection of Indigenous Cultural Sites.	\$336,350
Archaeological surveys.	\$102,500
2000–01 Indigenous Employment	
Indigenous Employment	\$730,000
Koori Business Review of Tendering	\$5,000
2000–01 Legislative Compliance & Consultation	
Development of the ‘Guidelines for Working with Aboriginal Communities and Protection of Cultural Sites & training in the use of the ‘Guidelines for Parks Victoria staff’	\$55,000

During 2001–02, Parks Victoria funded 16 projects through the Indigenous Partnerships Program:

Project Title	Total Funded
2001–02 Cross-Cultural Training	
Cross-Cultural Training Workshops for Corporate and Field Staff.	\$110,600
2001–02 Cultural Values Management Program	
Arrange Meetings with Peak Indigenous Organisation	\$1,800
Indigenous Management Strategy	\$2,000
Anthropological Assessments	\$12,500
Yirrkala Community Exchange Trip	\$5,000
Indigenous Interpretation Program	\$6,500
Protection of Indigenous Cultural Sites.	\$403,824
Archaeological surveys.	\$205,750
Re-establish Indigenous Cultural Ties to Dandenong Police Paddocks	\$1,000

Project Title	Total Funded
Development of Lysterfield Cultural Centre	\$3,000
2001–02 Indigenous Partnerships Strategy	
Preparation and Distribution of the Indigenous Partnerships Strategy	\$12,000
2001–02 Legislative Compliance and Consultation	
Finalise Guidelines for Working with Aboriginal Communities and Protection of Cultural Sites and Undertake Staff Training	\$23,900
2001–02 Indigenous Employment & Training	
Indigenous Employment & Training	\$1,356,900
Koori Business	\$5,000
2001–02 Legislative Compliance & Consultation	
Development of a Native Title Notification Register Database	\$2,000
Victorian Government Policy for the Management of Indigenous Issues	\$1,000

Grants Program

Parks Victoria funds two grants programs, the Community Grants Program and the Agency Grants Program. Over the past three years, from 1999–2000 to 2001–02, the Parks Victoria Grants Program has funded a total of 32 multicultural projects, which included 6 indigenous projects.

During 1999–00, Parks Victoria funded 11 multicultural projects through the Agency and Community Grants Programs:

Organisation	Project Title	Grant Funded
1999–00 Agency Grants		
Moreland City Council	Moreland Autumn Planting Festival – Moomba Park	\$15,000
1999–00 Community Grants Program		
Australian Romanian Community Welfare Health and Services Association	Information and education of the Romanian community about nature, environment and National parks in Victoria	\$6,000
Carlton Contact Neighbourhood House	Low-income and refugee/migrants residing in public housing in Carlton, accessing and discovering Victorian National Parks	\$2,468
CERES Environment Park	The Return of the Sacred Kingfisher Festival	\$6,000
CERES Environment Park	CERES Park Bushfood Project – supporting CERES Park Aboriginal Cultural Centre	\$6,000
Darebin Ethnic Communities Council	Reflecting Multicultural diversity in Park planning and design – forum and workshops	\$2,500
Ecumenical Migration Centre	Reconciling Youth – Connecting Refugee/Migrant young people with the Victorian environment.	\$3,847
Inner Western Region Migrant Resource Centre	Information on parks and beaches in Melbourne’s west for newly arrived migrants.	\$11,970
Park Community Association Inc.	Corroboree Tree Grasslands, Albert Park Reserve	\$6,000
West Footscray Rotary Club	Multicultural Summer Participation in Footscray Park.	\$3,850
Westgate Migrant Resource Centre	Multicultural Promotion video of the Hobsons Bay Coast.	\$6,000

During 2000–01, Parks Victoria funded 10 multicultural projects through the Agency and Community Grants Programs:

Organisation	Project Title	Grant Funded
2000–01 Agency Grants		
CERES Environment Park	Multicultural Coordinator – ‘Another Face to the Community’	\$50,000
Migrant Resource Centre – North West	Resettlement & Recreation – Responding to the Social and Recreational Issues of New Arrivals in Brimbank	\$40,000
Cambodian Association of Victoria	An Ethno-specific Indo-Chinese Environment Education Program	\$39,500
Inner Western Region Migrant Resource Centre	Involvement of Multicultural Communities in the Use and Management of Parks in Melbourne’s West	\$39,846
Victoria University of Technology – Faculty of Science	Koori Food and Culture Trail Schools and Community at ARC for Grasslands	\$23,810
2000–01 Community Grants Program		
Western Young People’s Independent Network	Connecting Refugee and Migrant Young People to Victorian Parks	\$1,008
Carlton Contact Neighbourhood House	Linking Carlton Newly Arrived Migrants and Refugees into Victorian National Parks	\$1,200
Centre For Philippine Concerns Australia Inc	Information on Parks Environmental Heritage in Melbourne’s West for the Filipino Community	\$1,500
Australian Romanian Community Welfare Health and Services Assoc. of Victoria.	Information/Education of Romanian Community About Natural Environment, Ecology and Ecotourism	\$10,000
Brambuk Aboriginal Cultural Centre	The Gariwerd/ Grampians National Park Multimedia Project	\$20,060

During 2001–02, Parks Victoria has funded 11 multicultural projects through the Agency and Community Grants Programs:

Project Title	Organisation	Grant Funded
2001–02 Agency Grants Program		
Hume City Council	Corridors and Connections	\$36,478
Victoria University of Technology – Faculty of Science	Environmental Festivals & Programs Incorporating Reconciliation & Community Diversity	\$37,500
CERES-Centre for Education and Research in Environmental Strategies	Multicultural Coordinator: Another Face in the Community, Brunswick, Stage 2	\$50,000
Cambodian Association of Victoria	Stage 2 of the Ethno-specific Indochinese Environment Education Program at Springvale	\$49,200
Footscray Community Arts Centre	The Lie of the Land	\$30,823
Migrant Resource Centre – North West	Resettlement and Recreation Orientation Project: Responding to the Recreational and Social Needs and Issues of Newly Arrived Residents of Brimbank Stage 2	\$58,505
Northern Metropolitan Migrant Resource Centre	The Hume/Moreland Multicultural Environmental Network	\$40,000

Project Title	Organisation	Grant Funded
2001–02 Community Grants Program		
Ballarat and District Aboriginal Cooperative Ltd	Ballarat Koori Heritage Trail	\$7,800
Darebin Parklands Association Inc	Darebin Parkland Olive Festival	\$1,500
Kurdish Association of Victoria	Kurdish Community awareness about caring our natural and cultural heritage in Parks	\$1,500
North West Region Aboriginal Cultural Heritage	Little Lake Boort Visitor Information	\$7,500

Energy and resources: Stonehaven peak load power station

714. MR PATERSON — To ask the Honourable the Minister for Environment and Conservation for the Honourable the Minister for Energy and Resources — to clarify the number of days per year that the proposed Stonehaven peak load power station will be permitted to operate.

ANSWER:

I am informed that:

In the works approval application, the company advised that it expected that the station would operate for around 5% of the year. This would include operation on very hot days in summer (when air conditioner use increases demand) and very cold days in winter (evening heating use), and to cover reduced supply and outages at other power plants. Due to the nature of the peak power requirements there will be no set limit on the number of days that the proposed station could operate in any particular year. Peak power stations are operated to be available for service whenever additional power is needed.

To ensure the community is aware of how often the station is being used, VCAT included conditions in the planning permit requiring the company to publish reports on operating hours in a local newspaper (a) at the end of each financial year (b) when use reaches 5% full output equivalent and (c) for each additional 1% usage above that, including details on fuel type and the reasons for operation.

Since this question was asked on February 26 2002, AES announced on 15 March 2002, that it has postponed any decision to construct the Stonehaven power station, due to internal financial hurdles.

Health: Barwon Health

716. MR PATERSON — To ask the Honourable the Minister for Health — to outline any penalties which could be applied to Barwon Health should the Agency’s ‘Weighted Inlier Equivalent Separations’ points target not be met.

ANSWER:

The casemix funding system was implemented in 1993 and funds acute hospitals according to the number and type of patient treated.

The document ‘Victoria – Public Hospitals Policy and Funding Guidelines 2001–2002’ Section A sets out the budget for each public hospital and the key conditions that relate to casemix funding.

Health: anaesthetists at Geelong Hospital

717. MR PATERSON — To ask the Honourable the Minister for Health — to outline any action being taken by the Government to address the shortage of anaesthetists at Geelong Hospital.

ANSWER:

Geelong Hospital currently has a full complement of eleven full time anaesthetists. In addition it has attracted four VMO sessions per week and two Provisional Fellows (one for twelve months and one for six months).

Geelong Hospital is operating at full strength as sabbatical and long service leave have been completed or deferred.

Corrections: prisoner escapees

726. MR WELLS — To ask the Honourable the Minister for Corrections — how many prisoners have escaped from legal custody from each of HM Prison Ararat, HM Prison Barwon, HM Prison Beechworth, HM Prison Bendigo, HM Prison Dhurringile, HM Prison Langi Kal Kal, HM Prison Loddon, HM Melbourne Assessment Prison, HM Prison Tarrengower, HM Prison Won Wron, Fulham Correctional Centre, Came Phyllis Frost Centre and Port Phillip Prison during each of 2000 and 2001, and for each individual escapee —

- (1) What offences led to his or her imprisonment and what additional offences were committed, if any, before the escapee was apprehended.
- (2) What were the dates of escape from legal custody, and of final apprehension and return to legal custody.

ANSWER:

I am informed that information relevant to escapes can be obtained from the *Statistical Profile: The Victorian Prison System 1995–96 to 2000–01* which is expected to be published shortly and will be available from the Office of the Correctional Services Commissioner.

Police and emergency services: police services for the Australian Grand Prix Corporation

729. MR WELLS — To ask the Honourable the Minister for Police and Emergency Services —

- (1) What was the invoiced amount for police services and when were payments received for each invoice for each of the Australian Formula One Grand Prix held in 2000 and 2001 at Albert Park and the Australian Motorcycle Grand Prix held in 2000 and 2001 at Phillip Island.
- (2) What is the expected cost of police services for the 2002 Australian Formula One Grand Prix at Albert Park and the 2002 Australian Motorcycle Grand Prix at Phillip Island.

ANSWER:

I am advised that:

The charges for police services at these events are in accordance with the cost recovery policies that operated under both the current and previous Government.

Multicultural affairs: review of language services

731. MR KOTSIRAS — To ask the Honourable the Minister for Multicultural Affairs — to advise whether a review has taken place; if so —

- (1) Who comprised the review committee.
- (2) What was its time frame.
- (3) What were its terms of reference.

- (4) What was the total cost of the review.
- (5) What were the recommendations of the review.
- (6) Has the report been released; if not, when will it be released to the public.

ANSWER:

I am informed that:

The Victorian Office of Multicultural Affairs (VOMA) is examining language services provided by Victorian Government agencies with a view to improving access of clients to Government services. The examination includes a needs analysis and consideration of service delivery arrangements, in particular looking at the Department of Human Services, the Department of Education and Training and the Department of Justice. An interdepartmental committee was established to assist VOMA.

As part of this examination, a report was commissioned from the Allen Consulting Group (ACG) on the Needs Analysis.

The cost of the consultancy was \$89,147.81, including GST.

An executive summary of the ACG report is available from the VOMA web site.

Police and emergency services: crimes on public transport

732(b). MR LEIGH — To ask the Honourable the Minister for Police and Emergency Services — how many incidents have been reported to police regarding crime on public transport for each year between 1985 and 2001 inclusive.

ANSWER:

Preparing an answer to this question would require a substantial and unreasonable diversion of Victoria Police time and resources. I refer the Honourable Member to the publication titled 'Victoria Police Crime Statistics' which is published annually. Alternatively, crime statistics can be accessed via the Victoria Police web site at www.police.vic.gov.au

Police and emergency services: crimes on public transport

733(b). MR LEIGH — To ask the Honourable the Minister for Police and Emergency Services — of the reported incidents regarding crime on public transport how many have resulted in fines or other penalties for each year between 1985 and 2001 inclusive.

ANSWER:

I am advised that

This matter falls within the Portfolio responsibilities of the Attorney-General.

Police and emergency services: crimes on public transport

734(b). MR LEIGH — To ask the Honourable the Minister for Police and Emergency Services — for each year between 1985 and 2001 inclusive, of the reported incidents regarding crime on public transport, which have resulted in fines or other penalties, and what is the total penalty issued (both financial and non-financial).

ANSWER:

The issue of penalties, both financial and non-financial, is a matter that belongs within the Portfolio responsibilities of the Attorney-General. I note that you have also addressed this question to him, and I would refer you to his response.

Police and emergency services: crimes on public transport

735(b). MR LEIGH — To ask the Honourable the Minister for Police and Emergency Services — what are the top 10 railway stations with the highest crime rates in metropolitan Melbourne for each year between 1994 and 2001 inclusive, and for each of these years —

- (1) What were the reported crimes at each station identified.
- (2) How many crimes were committed at each station identified.

ANSWER:

I am advised that:

Preparing an answer to these questions would require a substantial and unreasonable diversion of Victoria Police time and resources. I refer the Honourable Member to the publication titled 'Victoria Police Crime Statistics' which is published annually. Alternatively, crime statistics can be accessed via the Victoria Police web site at www.police.vic.gov.au.

Police and emergency services: graffiti offences on the public transport system

736(b). MR LEIGH — To ask the Honourable the Minister for Police and Emergency Services — for each year between 1985 and 2001 inclusive —

- (1) How many people have been arrested and charged.
- (2) What was the total financial penalty enforced.
- (3) What was the total court ordered jail terms.
- (4) What has been the financial cost of rectifying offences.
- (5) What other non-financial penalties have been issued.

ANSWER:

1. Preparing an answer to this question would require a substantial and unreasonable diversion of Victoria Police time and resources. I refer the Honourable Member to the publication titled 'Victoria Police Crime Statistics' which is published annually. Alternatively, crime statistics can be accessed via the Victoria Police web site at www.police.vic.gov.au.
2. The issue of penalties is outside my portfolio.
3. The issue of penalties, including court ordered jail terms, is a matter that belongs outside my portfolio.
4. This matter does not sit within my Portfolio responsibilities.
5. The issue of penalties, both financial and non-financial, is a matter that belongs outside my Portfolio.

Transport: excessive car sound system offences

737(a). MR LEIGH — To ask the Honourable the Minister for Transport — for each year between 1985 and 2001 inclusive —

- (1) How many people have been arrested and charged.
- (2) What was the total financial penalty enforced.
- (3) What was the total court ordered jail terms.
- (4) What other non-financial penalties have been issued.

ANSWER:

This question does not fall within my portfolio. The member may wish to refer this question to the Honourable the Attorney-General.

Police and emergency services: excessive car sound system offences

737(b). MR LEIGH — To ask the Honourable the Minister for Police and Emergency Services — for each year between 1985 and 2001 inclusive —

- (1) How many people have been arrested and charged.
- (2) What was the total financial penalty enforced.
- (3) What was the total court ordered jail terms.
- (4) What other non-financial penalties have been issued.

ANSWER:

I am advised that:

- 1) Preparing an answer to this question would require a substantial and unreasonable diversion of Victoria Police time and resources. I refer the Honourable Member to the publication titled 'Victoria Police Crime Statistics' which is published annually. Alternatively, crime statistics can be accessed via the Victoria Police web site at www.police.vic.gov.au.
- 2) This matter does not sit within my Portfolio responsibilities.
- 3) This matter does not sit within my Portfolio responsibilities.
- 4) This matter does not sit within my Portfolio responsibilities.

Transport: excessive car engine noise offences

738(a). MR LEIGH — To ask the Honourable the Minister for Transport — for each year between 1985 and 2001 inclusive —

- (1) How many people have been arrested and charged.
- (2) What was the total financial penalty enforced.
- (3) What was the total court ordered jail terms.
- (4) What other non-financial penalties have been issued.

ANSWER:

This question does not fall within my portfolio. The member may wish to refer this question to the Honourable the Attorney-General.

Police and emergency services: excessive car engine noise offences

738(b). MR LEIGH — To ask the Honourable the Minister for Police and Emergency Services — for each year between 1985 and 2001 inclusive —

- (1) How many people have been arrested and charged.
- (2) What was the total financial penalty enforced.
- (3) What was the total court ordered jail terms.
- (4) What other non-financial penalties have been issued.

ANSWER:

I am advised that:

- 1) Preparing an answer to this question would require a substantial and unreasonable diversion of Victoria Police time and resources. I refer the Honourable Member to the publication titled 'Victoria Police Crime Statistics' which is published annually. Alternatively, crime statistics can be accessed via the Victoria Police web site at www.police.vic.gov.au.
- 2) This matter does not sit within my Portfolio responsibilities.
- 3) This matter does not sit within my Portfolio responsibilities.
- 4) This matter does not sit within my Portfolio responsibilities.

Transport: offences involving burnouts in cars on public roads

739(a). MR LEIGH — To ask the Honourable the Minister for Transport — for each year between 1985 and 2001 inclusive —

- (1) How many people have been arrested and charged.
- (2) What was the total financial penalty enforced.
- (3) What was the total court ordered jail terms.
- (4) What other non-financial penalties have been issued.

ANSWER:

This question does not fall within my portfolio. I note that you have also asked the Honourable the Attorney-General who is the more appropriate Minister.

Police and emergency services: offences involving burnouts in cars on public roads

739(b). MR LEIGH — To ask the Honourable the Minister for Police and Emergency Services — for each year between 1985 and 2001 inclusive —

- (1) How many people have been arrested and charged.

- (2) What was the total financial penalty enforced.
- (3) What was the total court ordered jail terms.
- (4) What other non-financial penalties have been issued.

ANSWER:

I am advised that:

- 1) Preparing an answer to this question would require a substantial and unreasonable diversion of Victoria Police time and resources. I refer the Honourable Member to the publication titled 'Victoria Police Crime Statistics' which is published annually. Alternatively, crime statistics can be accessed via the Victoria Police web site at www.police.vic.gov.au.
- 2) This matter does not sit within my Portfolio responsibilities.
- 3) This matter does not sit within my Portfolio responsibilities.
- 4) This matter does not sit within my Portfolio responsibilities.

Transport: offences involving street racing on public roads

740(a). MR LEIGH — To ask the Honourable the Minister for Transport — for each year between 1985 and 2001 inclusive —

- (1) How many people have been arrested and charged.
- (2) What was the total financial penalty enforced.
- (3) What was the total court ordered jail terms.
- (4) What other non-financial penalties have been issued.

ANSWER:

This question does not fall within my portfolio. I note that you have also asked the Honourable the Attorney-General who is the more appropriate Minister.

Police and emergency services: offences involving street racing on public roads

740(b). MR LEIGH — To ask the Honourable the Minister for Police and Emergency Services — for each year between 1985 and 2001 inclusive —

- (1) How many people have been arrested and charged.
- (2) What was the total financial penalty enforced.
- (3) What was the total court ordered jail terms.
- (4) What other non-financial penalties have been issued.

ANSWER:

I am advised that:

- 1) Preparing an answer to this question would require a substantial and unreasonable diversion of Victoria Police time and resources. I refer the Honourable Member to the publication titled 'Victoria Police Crime Statistics'

which is published annually. Alternatively, crime statistics can be accessed via the Victoria Police web site at www.police.vic.gov.au.

- 2) The issue of financial penalties is a matter that belongs within the Portfolio responsibilities of the Attorney-General. I note that you have also addressed this question to him, and I would refer you to his response.
- 3) The issue of penalties, including court ordered jail terms, is a matter that belongs within the Portfolio responsibilities of the Attorney-General. I note that you have also addressed this question to him, and I would refer you to his response.
- 4) The issue falls outside my Portfolio. I note that you have also addressed this question to the Attorney-General, and I would refer you to his response.

Transport: offences involving operating modified cars

741(a). MR LEIGH — To ask the Honourable the Minister for Transport — for each year between 1985 and 2001 inclusive —

- (1) How many people have been arrested and charged.
- (2) What was the total financial penalty enforced.
- (3) What was the total court ordered jail terms.
- (4) What other non-financial penalties have been issued.

ANSWER:

This question does not fall within my portfolio. I note that you have also asked the Honourable the Attorney-General who is the more appropriate Minister.

Police and emergency services: offences involving operating modified cars

741(b). MR LEIGH — To ask the Honourable the Minister for Police and Emergency Services — for each year between 1985 and 2001 inclusive —

- (1) How many people have been arrested and charged.
- (2) What was the total financial penalty enforced.
- (3) What was the total court ordered jail terms.
- (4) What other non-financial penalties have been issued.

ANSWER:

I am advised that:

- 1) Preparing an answer to this question would require a substantial and unreasonable diversion of Victoria Police time and resources. I refer the Honourable Member to the publication titled 'Victoria Police Crime Statistics' which is published annually. Alternatively, crime statistics can be accessed via the Victoria Police web site at www.police.vic.gov.au.
- 2) The issue of financial penalties is a matter that belongs within the Portfolio responsibilities of the Attorney-General. I note that you have also addressed this question to him, and I would refer you to his response.

- 3) The issue of penalties, including court ordered jail terms, is a matter that belongs within the Portfolio responsibilities of the Attorney-General. I note that you have also addressed this question to him, and I would refer you to his response.
- 4) The issue of non-financial penalties belongs outside my Portfolio. I note that you have also addressed this question to the Attorney-General, and I would refer you to his response.

Police and emergency services: illegal rubbish dumping on public transport property offences

742(b). MR LEIGH — To ask the Honourable the Minister for Police and Emergency Services — for each year between 1985 and 2001 inclusive —

- (1) How many people have been arrested and charged.
- (2) What was the total financial penalty enforced.
- (3) What was the total court ordered jail terms.
- (4) What has been the financial cost of rectifying the dumping.
- (5) What other non-financial penalties have been issued.

ANSWER:

I am advised that:

- 1) Preparing an answer to the question would require a substantial and unreasonable diversion of Victoria Police time and resources. I refer the Honourable Member to the publication titled 'Victorian Police Crime Statistics' which is published annually. Alternatively, crime statistics can be accessed via the Victoria Police web site at www.police.vic.gov.au.
- 2) The issue of financial penalties is a matter that belongs within the Portfolio responsibilities of the Attorney-General. I note that you have also addressed this question to him, and I would refer you to his response.
- 3) The issue of penalties, including court ordered jail terms, is a matter that belongs within the Portfolio responsibilities of the Attorney-General. I note that you have also addressed this question to him, and I would refer you to his response.
- 4) This question cannot be answered.
- 5) The issue of non-financial penalties belongs outside my Portfolio. I note that you have also addressed this question to the Attorney-General, and I would refer you to his response.

Transport: revenue collected through fines

743(a). MR LEIGH — To ask the Honourable the Minister for Transport — How much revenue was collected annually between 1985 and 2001 inclusive by each of the Victoria Police and non-police agencies, for each of speeding fines, drink driving fines, parking infringement fines, unlicensed driving fines, unregistered vehicle driving offences and unroadworthy vehicle driving offences.

ANSWER:

The Victorian Taxi and Tow Truck Directorate (VTTD) has officers authorised to issue fines under the Road Safety Act 1986 for speeding, drink driving, parking infringements, unlicensed driving, unregistered vehicles and unroadworthy vehicles.

The VTDD has the responsibility for regulating the taxi, hire car and tow truck industries. It does not collect or hold information concerning revenue collected from the issue of fines. The fines are paid directly to Civic Compliance Victoria.

Prior to January 2000 the Public Transport Corporation (PTC) collected parking fine revenue for vehicles parked illegally at railway stations.

- i Records for the period 1985 to 1995 have been finalised by payment, appeal or Court and have been removed from the system in accordance with the disposal policy at the time.
- ii Details of the revenue collected from parking infringements issued by the PTC for the period 1996 to December 1999 is not readily available as the PERIN (Penalty Enforcement by Registration of Infringement Notice) computerised system is not able to breakdown fine revenue by the category requested. Extraction of the information is therefore a manual task and would require significant time and resources to provide the data.

Police and emergency services: revenue collected through fines

743(b). MR LEIGH — To ask the Honourable the Minister for Police and Emergency Services — How much revenue was collected annually between 1985 and 2001 inclusive by each of the Victoria Police and non-police agencies, for each of speeding fines, drink driving fines, parking infringement fines, unlicensed driving fines, unregistered vehicle driving offences and unroadworthy vehicle driving offences.

ANSWER:

I am advised that

Preparing an answer to the question of revenue in relation to the above infringements collected by Victoria Police would require a substantial and unreasonable diversion of Victoria Police time and resources. Revenue collection by non-police agencies is a matter which does not sit within my Portfolio responsibilities.

Police and emergency services: motorists failing to stop at tram stops

749(b). MR LEIGH — To ask the Honourable the Minister for Police and Emergency Services — for each year between 1985 and 2001 inclusive —

- (1) How many incidents have been reported to police regarding motorists failing to stop at tram stops, and what is the annual data.
- (2) Of the incidents reported, how many have resulted in fines or other penalties.

ANSWER:

I am advised that:

- 1) Preparing an answer to this question would require a substantial and unreasonable diversion of Victoria Police time and resources. I refer the Honourable Member to the publication titled ‘Victoria Police Crime Statistics’ which is published annually. Alternatively, crime statistics can be accessed via the Victoria Police web site at www.police.vic.gov.au.
- 2) The issue of financial or other penalties is a matter that belongs within the Portfolio responsibilities of the Attorney-General. I note that you have also addressed this question to him, and I would refer you to his response.

Police and emergency services: drunken behaviour on public transport

751(b). MR LEIGH — To ask the Honourable the Minister for Police and Emergency Services — for each year between 1985 and 2001 inclusive —

- (1) How many incidents of drunken behaviour have been reported to police.
- (2) Of those incidents, how many have resulted in fines or other penalties.

ANSWER:

I am advised that:

- 1) Preparing an answer to this question would require a substantial and unreasonable diversion of Victoria Police time and resources. I refer the Honourable Member to the publication titled ‘Victoria Police Crime Statistics’ which is published annually. Alternatively, crime statistics can be accessed via the Victoria Police web site at www.police.vic.gov.au.
- 2) The issue of financial or other penalties is a matter that belongs within the Portfolio responsibilities of the Attorney-General. I note that you have also addressed this question to him, and I would refer you to his response.

Police and emergency services: vandalism on public transport

752(b). MR LEIGH — To ask the Honourable the Minister for Police and Emergency Services — for each year between 1985 and 2001 inclusive —

- (1) How many incidents of vandalism have been reported to police.
- (2) Of those incidents, how many have resulted in fines or other penalties.
- (3) How many people have been arrested and charged.
- (4) What was the total financial penalty enforced.
- (5) What was the total court ordered jail terms.
- (6) What has been the financial cost of rectifying vandalism.
- (7) What other non-financial penalties have been issued.

ANSWER:

I am advised that:

- 1) These figures are publicly available from the ‘Victoria Police Crime Statistics’ published each year.
- 2) The issue of financial and non-financial penalties is a matter that belongs within the Portfolio responsibilities of the Attorney-General.
- 3) The number of offenders arrested for the above public transport property damage offences, 1994 to 2001 is:

Year:	1994	1995	1996	1997	1998	1999	2000	2001
Alleged offenders:	173	156	165	134	237	152	127	259

Source: Data extracted from LEAP on 20 June 2002, by Statistical Services Division, Victoria Police.

Note: The LEAP database contains data from March 1993 onwards. Earlier data is not available and is not comparable with LEAP data. The above figures relate to the year in which the offence record was created on

LEAP, and for which an offender was processed. The year an offender was charged was not considered. The above offences and offenders were those processed for the whole police force, not only Transit Police.

- 4) The issue of financial penalties is a matter that belongs within the Portfolio responsibilities of the Attorney-General.
- 5) The issue of court ordered jail terms is a matter that belongs within the Portfolio responsibilities of the Attorney-General.
- 6) This matter does not sit within my portfolio responsibilities.
- 7) The issue of non-financial penalties is a matter that belongs within the Portfolio responsibilities of the Attorney-General.

Transport: 50 km/h speed limits

757(a). MR LEIGH — To ask the Honourable the Minister for Transport — how many people have been booked for speeding above 50 km/h for each month since the introduction of that limit in residential streets.

ANSWER:

This question does not fall within my portfolio. I note that you have also asked the Minister for Police and Emergency Services who is the more appropriate Minister.

Police and emergency services: 50 km/h speed limits

757(b). MR LEIGH — To ask the Honourable the Minister for Police and Emergency Services — how many people have been booked for speeding above 50 km/h for each month since the introduction of that limit in residential streets.

ANSWER:

I am advised that:

The Government introduced 50 km/h speed zones in order to reduce the road toll. In the 2001 calendar year 80 pedestrians were killed in Victoria, a 31% increase on the previous year. There is very substantial evidence from numerous sources that decreasing vehicle speed results in decreased motor vehicle accidents. This general position has been given local validity in a recent analysis by the Monash University Accident Research Centre of casualty rates before and after the introduction of the 50 km/h zones. The analysis indicated a statistically reliable reduction in casualty crashes in the order of 12–13% in 50 km/h zones as compared to 60 km/h zones.

Another way of thinking about the 50 km/h restriction is to consider the following figures relating to pedestrians being hit by vehicles:

Speed of collision	Approx. % probability of pedestrian death
50 km/h	35%
60 km/h	65%
70 km/h	90%

For details on other components of the Governments Road Safety Strategy I would refer you to the various published ‘Arrive Alive’ documents.

Transport: fines for breaching 50 km/h speed limits

758(a). MR LEIGH — To ask the Honourable the Minister for Transport — how much in fine revenue for breaches of the 50 km/h speed limit has been raised for each month since the introduction of that limit in residential streets.

ANSWER:

This question does not fall within my portfolio. I note that you have also asked the Minister for Police and Emergency Services who is the more appropriate Minister.

Police and emergency services: fines for breaching 50 km/h speed limits

758(b). MR LEIGH — To ask the Honourable the Minister for Police and Emergency Services — how much in fine revenue for breaches of the 50 km/h speed limit has been raised for each month since the introduction of that limit in residential streets.

ANSWER:

I am advised that:

The issue of financial penalties is a matter that belongs within the Portfolio responsibilities of the Attorney-General. I note that you have also addressed this question to him, and I would refer you to his response.

Transport: warning notices for breaching 50 km/h speed limits

759(a). MR LEIGH — To ask the Honourable the Minister for Transport — how many warning notices for breaches of the 50 km/h speed limit have been issued for each month since the introduction of that limit in residential streets.

ANSWER:

This question does not fall within my portfolio. I note that you have also asked the Minister for Police and Emergency Services who is the more appropriate Minister.

Police and emergency services: warning notices for breaching 50 km/h speed limits

759(b). MR LEIGH — To ask the Honourable the Minister for Police and Emergency Services — how many warning notices for breaches of the 50 km/h speed limit have been issued for each month since the introduction of that limit in residential streets.

ANSWER:

I am advised:

The Government introduced 50 km/h speed zones in order to reduce the road toll. In the 2001 calendar year 80 pedestrians were killed in Victoria, a 31% increase on the previous year. There is very substantial evidence from numerous sources that decreasing vehicle speed results in decreased motor vehicle accidents. This general position has been given local validity in a recent analysis by the Monash University Accident Research Centre of casualty rates before and after the introduction of the 50 km/h zones. The analysis indicated a statistically reliable reduction in casualty crashes in the order of 12–13% in 50 km/h zones as compared to 60 km/h zones.

Another way of thinking about the 50 km/h restriction is to consider the following figures relating to pedestrians being hit by vehicles:

Speed of collision	Approx. % probability of pedestrian death
50 km/h	35%
60 km/h	65%
70 km/h	90%

For details on other components of the Government's Road Safety Strategy I would refer you to the various published 'Arrive Alive' documents.

Transport: withdrawal of penalties for breaching 50 km/h speed limits

760(a). MR LEIGH — To ask the Honourable the Minister for Transport — how many people have been detected for speeding, but have had their fines withdrawn, for each month since the introduction of 50 km/h speed limits in residential streets.

ANSWER:

This question does not fall within my portfolio. I note that you have also asked the Minister for Police and Emergency Services who is the more appropriate Minister.

Transport: rail standardisation program

766. MR LEIGH — To ask the Honourable the Minister for Transport — what are the top priority projects for the \$96 million program.

ANSWER:

The top priority is to provide standard gauge access to the Ports of Portland and Geelong and adjacent areas and to the Port of Melbourne and to rail facilities in Melbourne's west from Mildura, Kulwin and Robinvale lines. This will enable grain, mineral sands and general freight to compete with road in accessing all three ports and interstate markets from the productive North West of the State.

Transport: level crossing upgrades

767. MR LEIGH — To ask the Honourable the Minister for Transport — what are the top priority projects for upgrades in each of metropolitan Melbourne, and rural and regional Victoria.

ANSWER:

The information requested is publicly available on the Department of Infrastructure's web site www.doi.vic.gov.au.

Health: health services in City of Kingston

772. MR LEIGH — To ask the Honourable the Minister for Health, for each year between 1995 and 2001 inclusive —

- (1) How much has been spent on health services.
- (2) How many patients have been treated at public health care services.

ANSWER:

Health service funding comes from a range of sources – including Commonwealth, State and Local Government as well as non-government organisations, and is not calculated on an LGA basis. Consequently the information requested by the Honourable Member is not readily available.

However, as Southern Health is the major State-funded health and aged care agency for this catchment I refer the Honourable Member to Southern Health (and its predecessors') Annual Reports for the relevant period.

In researching the level of health services in the City of Kingston since 1995, I would remind the Honourable Member of the closure of the Mordialloc Hospital by the Kennett Government in 1996.

Transport: rail projects group — renovations

782. MR LEIGH — To ask the Honourable the Minister for Transport — how much money was spent on renovations for the Group since its establishment.

ANSWER:

The renovations of the two areas occupied by Rail Projects Group (RPG) (and another group of the Department of Infrastructure which shares a floor) have cost \$1,976,080 to 28 February, 2002.

Expenditure for 2000/01 was \$1,830,000 and expenditure for 2001/02 is \$144,080.

The 2001/02 expenditure is made up of:

- Residual invoices for \$78,358 being received and paid in 2001/02; and
- Additional minor works in late 2002, to the value of \$65,722 that were required to accommodate a restructure of another Division within the department that shares a floor with RPG.

Health: coronial autopsies

787(b). MR PATERSON — To ask the Honourable the Minister for Health — whether the Government will provide the necessary funding for coronial autopsies to be conducted at Geelong Hospital.

ANSWER:

I am informed as follows:

The issue of post-mortems being conducted in Geelong is primarily an issue for the Attorney-General and I would refer the honourable member to the response provided by the Attorney-General.

Health: Geelong hospital

789. MR PATERSON — To ask the Honourable the Minister for Health — to explain why the performance of the hospital continues to deteriorate as demonstrated in the Hospital Services Report December Quarter 2001.

ANSWER:

The Geelong Hospital has shown major improvements in a number of key indicators in the latest Hospital Services Report.

The March 2002 Hospital Services Report shows that Geelong Hospital is treating 9.6% more patients and that the Hospital's Emergency Department is treating 4.7% more patients than for the same period in 2001. The March Report shows a reduction in semi-urgent patients on the Hospital's elective surgery waiting list and an increase in waiting list patients admitted for surgery – 967 in the March 2002 quarter, compared with 739 in the March quarter 2001.

Under the Bracks Government 162 nurses have joined Barwon Health and since January this year 88 nurses have joined Barwon Health's nurse bank. This year's State Budget has provided a \$1.5 million boost for medical equipment for Barwon South-West and Barwon Health has received an extra \$560,000 to treat extra patients this

financial year who have been waiting for urology, orthopaedics and general surgery. The Government's elective surgery strategy is currently fast-tracking surgery for 225 local patients.

Environment and conservation: Princes Highway centre strip — weeds

791. MR PERTON — To ask the Honourable the Minister for Conservation and Environment with reference to the roadside weeds in the centre strip on the Princes Highway between Warragul and Yarragon observed in January 2002 —

- (1) What agency has responsibility for control of the weeds.
- (2) Have the Minister's departmental officers taken any steps to ensure the removal of such weeds.
- (3) When was the task last undertaken.
- (4) What was the cost.
- (5) What new initiatives have been implemented to prevent re-infestation of roadside weeds in this area or on highways generally.

ANSWER:

I am informed that:

- (1) Vicroads has responsibility for the Princes Highway between Warragul and Yarragon as it is a declared road under the Transport Act 1983. Section 3 of the Catchment and Land Protection Act 1994 provides that the land owner is the Roads Corporation, if land is a declared road within the meaning of the Transport Act 1983.
- (2) Department of Natural Resources and Environment (NRE) Catchment Management officers throughout Gippsland have an ongoing and close working relationship with staff from Vicroads. Regular contact between the two departments ensures that the highest priority weeds are treated as per the joint NRE / Vicroads roadside weed treatment schedule that is updated biannually. As part of normal Catchment Management Officer duties, contact is made with Vic Roads offering technical advice and advising of areas requiring treatment.
- (3) Vicroads has treated Ragwort on the Princes Highway between the Bunyip River and Traralgon on two separate occasions in January 2002 and March 2002.

Blackberries are being controlled on the Princes Highway between the Bunyip River and Stratford under a current three year maintenance contract. Blackberry treatments were carried out between December 2000 and February 2001 and between March 2002 and April 2002. A third treatment is planned for between November 2002 and January 2003 under the maintenance contract.

The areas referred to above include the centre strip between Warragul and Yarragon.

- (4) The cost of these treatments in any particular area cannot be accurately determined.
- (5) Gippsland NRE Catchment Management Officers work closely with Vicroads in identifying and controlling noxious weed infestations on roadsides. This involves biannual roadside surveys of noxious weed infestations and identification of treatment priorities by NRE Catchment Management Officers.

Vic Roads has recently assigned an external consultant to conduct a specialist review of its overall response to managing roadside weed infestations.

The findings of this study will be used to build on the work already under way between Vicroads Regional Environmental Officers and NRE Regional Pest & Weed Program Leaders across the State in the prioritisation and management of roadside treatments.

Vic Roads Environmental Officers, in cooperation with NRE Catchment Management Officers, have, or are in the process of, developing draft Weed Strategies on a Regional Level.

Vic Roads, Eastern Region, continues to liaise with NRE in developing annual treatment programs and has input into the development of NRE community based Local Area Plans for weed management.

Vic Roads has increased the effort on weed control on declared roads in Gippsland over recent years. While this may take many years to be reflected in reduced annual establishment of weeds, it is expected these benefits will occur if the current commitment continues.

Environment and conservation: alpine walking track

793. MR PERTON — To ask the Honourable the Minister for Environment and Conservation with reference to the section of track between Mushroom Rocks and Mount Saint Gwinear —

- (1) When was the last time a safety assessment was made of this overgrown section of the track.
- (2) How often is the track patrolled.
- (3) How often is the track maintained.
- (4) How many complaints about the safety of the walking track have been registered with the Department during the period 25 January 2001 and 24 January 2002.

ANSWER:

I am informed that:

- (1) The last full inspection, looking for hazards, obstacles and maintenance works required was undertaken on this section of track by Parks Victoria on 8 December 2001, prior to the summer walking season. The track is not overgrown.
- (2) This section of track is patrolled on every long weekend and randomly at other times throughout the year. Patrol dates for this summer were: 8 December 2001; 19 and 20 January 2002; 27 January 2002; 16 and 17 February 2002; 9, 10 and 11 March 2002; 30 March and 1 April 2002.

No patrols were undertaken on the New Years Holiday weekend due to the deployment of local staff to the NSW Fires.

- (3) Different sections of the track have different maintenance schedules designed to protect the values in the Baw Baw National Park Remote and Natural Area. These are detailed in the current management plan.

Tracks in the Mushroom Rocks and St Gwinear area are slashed and drained every two years. The section across the Baw Baw Plateau is slashed every 10 to 15 years as required (last slashed in 1992). This section of track is not considered to be overgrown.

The section to the summit of Mt Erica was slashed this year (2002).

Parks Victoria currently undertaking erosion control works at Mount St Gwinear utilising stonemasons to place natural stone drains and rehabilitate eroded areas.

The Baw Baw National Park has an active group of volunteers (Friends) who assist with track maintenance and weed control works. Volunteers completed drainage works from Mt Erica to the summit of Talbot Peak this summer.

308 hours works has already been undertaken on this section of track in 2001/02 financial year using Parks Victoria and NRE crews: a further 124 volunteer hours were spent on this section of track this summer.

The walking track is in the best condition it has been for many years.

- (4) There are no complaints on file regarding this section, nor any other sections of the Australian Alps Walking Track, in the Baw Baw National Parks for the period 25 January 2001 to 24 January 2002. The only complaint received this year was regarding the AAWT in State Forest areas, north of the park.

Environment and conservation: Barwon Water developer charges

799. MR PATERSON — To ask the Honourable the Minister for Environment and Conservation —

- (1) Whether the Minister supports the steep increase in ‘Developer Charges’ to be imposed by Barwon Water from 1 July 2002.
- (2) Whether the Minister would support the new charges being phased in over a staged period.

ANSWER:

I am informed that:

- (1) While the setting of developer charges is a matter for individual water authorities, there is general support for the principle that developer charges should reflect the cost of providing water and sewerage services to new developments, rather than have these works heavily subsidised by other rate payers in established areas.
- (2) A decision on whether to phase new charges in over a staged period lies with Barwon Water.

Police and emergency services: Torquay police numbers

801. MR PATERSON — To ask the Honourable the Minister for Police and Emergency Services — to confirm that police numbers in Torquay will not be reduced.

ANSWER:

I am advised as follows:

The previous Liberal/National Government savagely reduced Police numbers in Victoria. It is the Bracks Government that has restored Police numbers in Victoria.

Prior to the last State election, the Bracks Government gave a commitment to put 800 officers back on the front line. The Government has now already reached the key election promise of boosting police numbers by 800 extra police officers by the end of this term of Government, at an annual cost of over \$64 million. To date, the current recruiting campaign has resulted in over 80,000 inquiries regarding policing as a career. By 30 June 2003 the Bracks Government will achieve 10,300 FTE sworn police on the frontline – an overall increase of 953 sworn police since 30 June 1999 and over 1000 since we came to office in October 1999.

I am surprised that the honourable Member is now concerned about cuts to police numbers when this Government has significantly increased police numbers, and when the honourable Member did not once raise any question or concern when he and his Party cut police numbers severely.

However, as the member should know, actual deployment of Police to local stations, districts and squads is not a political call but rather an operational matter for the Chief Commissioner of Police and her senior managers based upon operational criteria. What the Bracks Government has done is provide the 800 additional full-time equivalent sworn Police for deployment on the frontline against crime according to operational needs criteria.

I understand that in the case of the Surf Coast Police District and Torquay Police Station, there are absolutely no plans to reduce the staffing profile at Torquay.

The staffing levels as at 30 March 2002 at Torquay Police Station consist of 1 sergeant and 7 senior constables. The Station also shares a part-time position of a senior constable with Anglesea Police Station.

Police and emergency services: breaches of 50 km/h speed limit

803. MR WELLS — To ask the Honourable the Minister for Police and Emergency Services — of the total number of vehicles tested by speed measuring devices in 50 km/h zones, how many vehicles, in actual number and percentage terms, have breached the limit since its introduction on 22 January 2001.

ANSWER:

I am advised that:

The 50 km/h default speed limit in built up areas was implemented to enhance safety in residential streets and not as a revenue raiser.

Police and emergency services: penalty notices for 50 km/h speed limit

804. MR WELLS — To ask the Honourable the Minister for Police and Emergency Services — how much revenue has been generated from traffic infringement penalty notices for breaches of the limit since 22 January 2001.

ANSWER:

I am advised that:

The 50 km/h default speed limit in built up areas was implemented to enhance safety in residential streets and not as a revenue raiser.

Environment and conservation: the Great Dividing trail

809. MR PERTON — To ask the Honourable the Minister for Environment and Conservation with reference to the 235 kilometre Great Dividing Trail from Bendigo to Bacchus Marsh and from Ballarat to Daylesford —

- (1) Whether the Department has clear felled and burnt one third of the trail with a further third currently being logged; if not what portion, if any, has been clear felled and logged in any other way.
- (2) Are there any plans for further logging along or in the vicinity of the trail.
- (3) Has the Department removed any of the signs marking the trail.
- (4) Has the Minister investigated any negative impacts of such destruction of the trail on the businesses of Blackwood and the surrounding area.
- (5) Whether the Honourable Member for Ballarat East is in charge of the Tracks and Trails Committee.
- (6) Whether the Honourable Member for Ballarat East took any steps to prevent the damage to the trail; if so, what.
- (7) Were there any agreements between the Department and the Great Dividing Trail Association with respect to logging operations in the vicinity of the trail; if so, what were the agreements and have the terms of those agreements been breached.

- (8) Whether the local, state and federal governments have supported the construction of the trail with financial donations of over \$300,000 and the support of thousands of hours of volunteer labour and effort.

ANSWER:

I am informed that:

- (1) Timber harvesting will occur at 8 points along about 4 kilometres of the 235 kilometre Great Dividing Trail during 2001/2002. Of the eight coupes adjacent to the trail, one is a first cut shelterwood operation. The remainder are second cut operations which involve the removal of a small proportion of the trees on the coupe. This amounts to 1.7% of the 235 kilometre trail.
- (2) Harvesting may occur along a further 8 kilometres of the trail during 2002/2003 subject to timber industry resource requirements.
- (3) In accordance with the Great Dividing Trail Association Strategic Plan, the Department of Natural Resources and Environment has established diversion signs around active harvesting operations. The Department will ensure the trail is re-opened and that permanent signs are replaced following completion of harvesting.
- (4) No. The Trail is a community managed project that has not been officially opened and there is no data on its level of use to enable such an assessment.
- (5) Mr Geoff Howard MP, Member for Ballarat East is the Chairperson of the Victorian Trails Advisory Committee.
- (6) Mr Geoff Howard MP, Member for Ballarat East, has advised that although he has had regular discussions with the Great Dividing Trail Association, no one has contacted him or his office with regard to this issue. After the matter came to his attention, Mr Howard instigated discussions with executive members of the Great Dividing Trail Association. They advised Mr Howard that they were satisfied with their ability to work directly with NRE staff and were concerned that external groups have been using the Association's name to push political arguments not supported by the Association.
- (7) The Department has been aware of the Great Dividing Trail project since 1997. The Great Dividing Trail Association has been advised that the route of the Trail passes through forest areas that are generally available for timber production and has proceeded to build the Trail with this knowledge. The Great Dividing Trail Association advises walkers in trail notes that they may encounter harvesting operations. No formal agreement exists between the Government and the Great Dividing Trail Association.
- (8) No State Government funding has been provided to support the Great Dividing Trail Project other than some in kind assistance from Departmental staff. The Great Dividing Trail Association is a private organisation and the Government does not hold information on other funding sources.

Environment and conservation: motorcycle activity in Bunyip State Park at Easter

812. MR PERTON — To ask the Honourable the Minister for Environment and Conservation with reference to the Easter weekend 2002 —

- (1) Has the Minister received any advice or complaints on inappropriate activity by motorcyclists in the Park over the weekend.
- (2) Were any rangers on duty over the weekend; if so, how many.
- (3) Did the rangers observe any inappropriate activity in the park.
- (4) Did the rangers take any action to prevent such activity.
- (5) Did the rangers ask for any police assistance; if so, what was requested.

- (6) Was any damage caused to tracks or facilities over the weekend; if so, what was the damage and the cost of reinstatement.

ANSWER:

I am informed that:

- (1) On Monday 8 April 2002 an email was sent to me by a resident adjoining the Bunyip State Park. The resident complained about excessive and continuing noise of trail bikes over the Easter weekend. Concerns were raised in the email about trail bike riders damaging roads and tracks and riding off-road on grassed picnic areas.
- (2) Two rangers were on duty over the Easter weekend from 29 March 2002 to 1 April 2002 (Easter Friday, Saturday, Sunday and Monday). They were both authorised officers and were patrolling and working in the Park between the hours of 8:00 AM and 4:30 PM on each day.
- (3) The riding of unregistered trail bikes was the only inappropriate activity observed by Park staff.
- (4) On this weekend, Park Staff actively approached trail bike riders for the purpose of educating them about the provisions of the Road Safety Act and the appropriate conduct required of riders in relation to registered trail bike use in Bunyip State Park.
- (5) Rangers did not ask for police assistance during the Easter weekend.
- (6) There was the usual wear and impact on roads and tracks by vehicles. Rain fell during the first half of the weekend and caused some of the Park's 4WD tracks to become slippery and muddy, which is considered normal for this category of track after such a weather event.

Environment and conservation: weeds in parks

814. MR PERTON — To ask the Honourable the Minister for Environment and Conservation with reference to the following parks administered by Parks Victoria —

- 1 Agnes Falls Scenic Reserve
- 2 Albert Park
- 3 Alfred National Park
- 4 Alfred Nicholas Gardens
- 5 Alpine National Park
- 6 Anderson's Mill
- 7 Angahook-Lorne State Park
- 8 Arthurs Seat State Park
- 9 Aura Vale Lake Park
- 10 Avon Wilderness Park
- 11 Banksia Park
- 12 Barmah State Park
- 13 Baw Baw National Park
- 14 Bay of Islands Coastal Park
- 15 Beechworth Historic Park
- 16 Bemm River Scenic Reserve
- 17 Big Desert Wilderness Park
- 18 Birrarung Park
- 19 Black Range State Park
- 20 Braeside Park
- 21 Brimbank Park
- 22 Brisbane Ranges National Park
- 23 Buchan Caves Reserve

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- 24 Bunurong Marine and Coastal Park
 - 25 Bunyip State Park
 - 26 Burrowa-Pine Mountain National Park
 - 27 Bushy Park Wetlands
 - 28 Candlebark Park
 - 29 Cape Conran Coastal Park
 - 30 Cape Liptrap Coastal Park
 - 31 Cape Nelson State Park
 - 32 Cape Otway Lightstation
 - 33 Cape Schanck Lighthouse Reserve
 - 34 Cardinia Reservoir Park
 - 35 Carlisle State Park
 - 36 Castlemaine-Chewton Historic Reserve
 - 37 Cathedral Range State Park
 - 38 Cheetham Wetlands
 - 39 Chiltern Box-Ironbark National Park
 - 40 Churchill National Park
 - 41 Collins Settlement Historic Site
 - 42 Coolart Wetlands and Homestead
 - 43 Coopracambra National Park
 - 44 Crawford River Regional Park
 - 45 Creswick Regional Park
 - 46 Croajingolong National Park
 - 47 Dandenong Police Paddocks Reserve
 - 48 Dandenong Ranges National Park
 - 49 Dergholm State Park
 - 50 Discovery Bay Coastal Park
 - 51 Enfield State Park
 - 52 Errinundra National Park
 - 53 French Island National Park
 - 54 Gabo Island
 - 55 George Tindale Memorial Gardens
 - 56 Gippsland Lakes Coastal Park
 - 57 Grampians National Park
 - 58 Greenvale Reservoir Park
 - 59 Hattah-Kulkyne National Park
 - 60 Hawkstowe Park
 - 61 Hepburn Regional Park
 - 62 Herring Island Environmental Sculpture Park
 - 63 Holey Plains State Park
 - 64 Horseshoe Bend Farm
 - 65 Howqua Hills Historic Area
 - 66 Jack Smith Lake State Game Reserve
 - 67 Jells Park
 - 68 Kalorama Park
 - 69 Kamarooka State Park
 - 70 Kara Kara State Park
 - 71 Karkarook Park
 - 72 Kinglake National Park
 - 73 Koomba Park
 - 74 Kooyoora State Park

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- 75 Lake Albacutya Regional Park
 - 76 Lake Eildon National Park
 - 77 Lake Hindmarsh Reserve
 - 78 Langi Ghiran State Park
 - 79 Langwarrin Flora and Fauna Reserve
 - 80 Leaghur State Park
 - 81 Lerderderg State Park
 - 82 Lind National Park
 - 83 Little Desert National Park
 - 84 Long Forest Flora Reserve
 - 85 Longridge Park Camp
 - 86 Lower Glenelg National Park
 - 87 Lysterfield Lake Park
 - 88 Macedon Regional Park
 - 89 Maldon Historic Reserve
 - 90 Maribymong River
 - 91 Maroondah Reservoir Park
 - 92 Melba Gully State Park
 - 93 Middle Gorge Park
 - 94 Mitchell River National Park
 - 95 Moondarra State Park
 - 96 Mornington Peninsula National Park
 - 97 Morwell National Park
 - 98 Mount Alexander Regional Park
 - 99 Mount Arapiles-Tooan State Park
 - 100 Mount Beckworh Scenic Reserve
 - 101 Mount Buangor State Park
 - 102 Mount Buffalo National Park
 - 103 Mount Dandenong Arboretum
 - 104 Mount Eccles National Park
 - 105 Mount Granya State Park
 - 106 Mount Lawson State Park
 - 107 Mount Napier State Park
 - 108 Mount Richmond National Park
 - 109 Mount Samaria State Park
 - 110 Mount Worth State Park
 - 111 Murray-Kulkyne Regional Park
 - 112 Murray-Sunset National Park
 - 113 National Rhododendron Gardens
 - 114 Nioka Bush Camp
 - 115 Nooramunga and Corner Inlet Marine and Coastal Parks
 - 116 Nortons Park
 - 117 Nyerimilang Park
 - 118 Organ Pipes National Park
 - 119 Oriental Claims Historic Reserve
 - 120 Otway National Park
 - 121 Paddys Ranges State Park
 - 122 Patterson River
 - 123 Pettys Orchard
 - 124 Pipemakers Park
 - 125 Pirianda Garden

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- 126 Point Cook Coastal Park
 - 127 Port Campbell National Park
 - 128 Port Phillip Bay Marine Reserves
 - 129 Power's Lookout Reserve
 - 130 Reef Hills Park
 - 131 RJ Hamer Arboretum
 - 132 Rosebud Foreshore Reserve
 - 133 Sale Common State Game Reserve
 - 134 Serendip Sanctuary
 - 135 Shallow Inlet Marine and Coastal Park
 - 136 Shepherds Bush
 - 137 Silvan Reservoir Park
 - 138 Snowy River National Park
 - 139 State Coal Mine
 - 140 Steiglitz Historic Park
 - 141 Sugarloaf Reservoir Park
 - 142 Sweeneys Flat
 - 143 Tarago Reservoir Park
 - 144 Tarra-Bulga National Park
 - 145 Terrick Terrick National Park
 - 146 The Lakes National Park
 - 147 The Mansion at Werribee Park
 - 148 The Pines Flora and Fauna Reserve
 - 149 Toorourrong Reservoir Park
 - 150 Tower Hill State Game Reserve
 - 151 Tyers Park
 - 152 Upper Goulburn Historic Area
 - 153 Upper Yarra Reservoir Park
 - 154 Wabba Wilderness Park
 - 155 Warby Range State Park
 - 156 Warrandyte State Park
 - 157 Wattle Park
 - 158 Werribee Gorge State Park
 - 159 Westerfolds Park
 - 160 Western Port
 - 161 Westgate Park
 - 162 Whipstick State Park
 - 163 Whroo Historic Reserve
 - 164 William Ricketts Sanctuary
 - 165 Wilsons Promontory National Park
 - 166 Woodlands Historic Park
 - 167 Wyperfeld National Park
 - 168 Yan Yean Reservoir Park
 - 169 Yarra Bend Park
 - 170 Yarra Flats
 - 171 Yarra Ranges National Park
 - 172 Yarra River
 - 173 Yarrambat Park
 - 174 Yellow Gum Park
 - 175 You Yangs Regional Park

- (1) What were the weed species identified as being present at each of 30 June 2000, 30 June 2001 and today or any other date on which such an assessment has been made.
- (2) What were the weed species identified as being a problem at each of 30 June 2000, 30 June 2001 and today or any other date on which such an assessment has been made.
- (3) What were the weed species identified as causing a danger to native species at each of 30 June 2000, 30 June 2001 and today or any other date on which such an assessment has been made, and what is their extent and quantity.
- (4) What eradication methods have been used for the elimination of each of the weed species identified.
- (5) What chemicals are used in the elimination of each of the weed species identified.
- (6) What were the results of such eradication methods.
- (7) How are the results of such eradication work measured.
- (8) What budget was made available to the managers of each park for the eradication of weeds in the financial years ending 30 June 2000 and 30 June 2001.
- (9) What amount of the budget has been spent by the managers of each park for the eradication of weeds in the financial years ending 30 June 2000 and 30 June 2001.
- (10) How many officers, contractors or other persons are currently engaged to eradicate or manage weeds in each park.
- (11) How many officers, contractors or other persons were engaged to eradicate or manage weeds in each park in the financial years ending 30 June 2000 and 30 June 2001.

ANSWER:

I am informed that:

Preparing a response to this question would require a substantial and unreasonable diversion of time and resources. I refer the Honourable Member to the section on weeds in the Management Issues chapter of the publication entitled 'State of the Parks Report 2000'. This Report is available at the cost of \$65 from the Parks Victoria Information Centre or the NRE Information Centre. Alternatively, the report can be accessed free of charge through the Parks Victoria web site at www.parkweb.vic.gov.au.

Environment and conservation: ecologically sustainable development

816. MR PERTON — To ask the Honourable the Minister for Environment and Conservation with reference to the Consultation Paper released in December 2000 relating to the proposed establishment, role and responsibilities of a Commissioner for Ecologically Sustainable Development —

- (1) What work has been done by the Minister and the Department on this proposal since that date.
- (2) How many and which officers have been working on the proposal.
- (3) Which officer is responsible for the implementation of the proposal.
- (4) How many submissions have been received and from whom.
- (5) What do the submissions say.
- (6) What support has been expressed for the proposal.
- (7) What opposition has been expressed to the proposal.
- (8) What budget has been allocated to this since 18 September 1999.
- (9) What expenditure has been incurred in work on this proposal since 18 September 1999.
- (10) What workshops have been held on this proposal.
- (11) Has a draft bill been prepared; if so, why has the bill not yet been introduced into the House.

ANSWER:

I am informed that:

- (1) The Minister and Department have done considerable work on the proposal since the release of the Consultation Paper in December 2000. This work has included review of submissions received in response to the Consultation Paper, further meetings with stakeholder groups and the development of possible models for the establishment of a Commissioner for consideration by the Government.
- (2) Officers from the Policy Coordination Branch have been working on the proposal. These officers have been supported by a Departmental Working Group and also an Interdepartmental Working Group.
- (3) Implementation responsibilities will be determined when a final decision is taken on the form in which the office is to be established.
- (4) A total of sixty-six submissions were received including eleven from environment/community groups, three from educational institutions, eight from industry groups, eleven from individuals, four from local government, and twenty nine from State Government agencies, statutory authorities and other Government bodies.
- (5) It is not feasible nor would it do justice to the sixty-six submissions received to summarise them as an answer to this question.
- (6) Most submissions essentially supported the establishment of a Commissioner for Ecologically Sustainable Development but with varying views about the appropriate roles and responsibilities and the basis on which it should be established.
- (7) Four submissions did not support the establishment of a Commissioner.
- (8) \$1 million was appropriated in 2000–01 to establish the Commissioner for Ecologically Sustainable Development. This funding was carried forward to the 2001–02 budget and will be carried forward to the 2002–03 financial year.
- (9) The only expenditures incurred to date have been against normal departmental operating provision for policy development.
- (10) A number of workshops have been held with key stakeholders on the proposal prior to the release of the Consultation Paper in December 2000.
- (11) No.

Environment and conservation: state of the environment reports

817. MR PERTON — To ask the Honourable the Minister for Environment and Conservation with reference to the proposal to reintroduce State of the Environment Reports for Victoria —

- (1) What work has been done by the Minister and the Department on this proposal since the election of the Government.
- (2) How many and which officers have been working on the proposal.
- (3) Which officer is responsible for the implementation of the proposal.
- (4) What support has been expressed for the proposal.
- (5) What opposition has been expressed to the proposal.
- (6) What budget has been allocated to this work since 18 September 1999.

- (7) What expenditure has been incurred in work on this proposal since 18 September 1999.
- (8) What workshops have been held on this proposal.
- (9) Have any reports been prepared on the proposal or in preparation for the implementation of the proposal; if so, what are the contents of such reports and are such reports publicly available.

ANSWER:

I am informed that:

- (1) Considerable progress has been achieved on the proposal to reintroduce State of the Environment (SoE) Reporting for Victoria. This work has been closely linked with activity associated with the establishment of a Commissioner for Ecologically Sustainable Development, with SoE reporting being identified as a key function of the Commissioner. Submissions received in response to questions related to State of the Environment reporting raised in the Commissioner for Ecologically Sustainable Development Consultation Paper have been analysed, and research undertaken to identify relevant reporting models, both within Australia and internationally.
- (2) Officers from the Policy Coordination Branch have been working on the proposal. These officers have been supported by a Departmental Working Group and Interdepartmental Working Group.
- (3) Implementation responsibility will be determined when a final decision is taken on the form and roles of the Commissioner.
- (4) There was strong support for the reintroduction of SoE reporting expressed in the sixty six submissions received in response to the Consultation Paper. Stakeholders expressed a desire for the Commissioner and stakeholders to be involved in the development of an SoE Framework. Submissions noted that there is currently a lot of data collection and reporting on indicators across Victoria, and that this may be relevant to SoE reporting in Victoria.
- (5) There was no opposition to the reintroduction of SoE reporting expressed in submissions to the Consultation Paper.
- (6) On the 10 February 2000 funding of \$1 million per annum ongoing from 2000–01 was approved to implement the Commissioner initiative, which includes the reintroduction of SoE reporting.
- (7) All expenditure associated with work to date on SoE reporting has come from within the Department of Natural Resources and Environment's budget and has related to staffing to progress this issue.
- (8) A number of workshops were held with key stakeholders on the establishment of a Commissioner prior to the release of the Consultation Paper in December 2000. SoE reporting was discussed in the course of those workshops. Since that time there have been a number of internal Government agency workshops to further consider possible SoE reporting options.
- (9) No reports have been prepared on the proposal to reintroduce SoE reporting, however a paper is being prepared. It is proposed that the paper will not be finalised until such time as a Commissioner is established and has had an opportunity to provide input.

Multicultural affairs: staff numbers

824. MR KOTSIRAS — To ask the Honourable the Minister for Multicultural Affairs —

- (1) How many full time equivalent staff, part-time staff and casual staff are employed in the Victorian Office of Multicultural Affairs, as at 18 April 2002.
- (2) How many full time equivalent staff, part-time staff and casual staff are employed in the Victorian Multicultural Commission, as at 18 April 2002.

ANSWER:

I am informed that:

As at 18 April 2002:

- (a) the Victorian Office of Multicultural Affairs had a total of 17 staff of which eleven are permanent and six are temporary staff.
- (b) the Victorian Multicultural Commission had a total of five full-time staff and no temporary staff.

Police and emergency services: road injuries in various speed zones

825(b). MR LEIGH — To ask the Honourable the Minister for Police and Emergency Services — how many road injuries have been recorded since 22 January 2001 on roads with each of the following speed limits — 50 km/h, 60 km/h, 70 km/h, 80 km/h, 100 km/h and 110 km/h.

ANSWER:

I am advised that/as follows:

This matter falls within the Portfolio responsibilities of the Minister for Transport. I note that you have also addressed this question to him, and I would refer you to his response.

Transport: road injuries in various speed zones

825(c). MR LEIGH — To ask the Honourable the Minister for Transport — how many road injuries have been recorded since 22 January 2001 on roads with each of the following speed limits — 50 km/h, 60 km/h, 70 km/h, 80 km/h, 100 km/h and 110 km/h.

ANSWER:

The total number of road injuries since 22 January 2001, as recorded in Vicroads' Road Crash Information System as at 24 April 2002, on roads with each of the following speed limits – 50 km/h, 60 km/h, 70 km/h, 80 km/h, 100 km/h and 110 km/h is as follows:

Speed zone	Number of injuries
50 km/h	3006
60 km/h	11034
70 km/h	2154
80 km/h	3265
100 km/h	4737
110 km/h	292

This includes persons fatally injured, seriously injured or receiving other injuries

Attorney-General: revenue raised by speeding fines in various speed limit zones

826(a). MR LEIGH — To ask the Honourable the Attorney-General — how much revenue has been raised in fines for speeding since 22 January 2001 —

- (1) Above the 50 km/h limit by each of the speed amounts 50–51km/h, 52–54km/h, 55–59km/h, 60–64km/h, 65–69km/h, 70–79km/h and over 80 km/h.

- (2) Above the 60 km/h limit by each of the speed amounts 60–61km/h, 62–64km/h, 65–69km/h, 70–74km/h, 75–79km/h, 80–89km/h and over 90 km/h.
- (3) Above the 70 km/h limit by each of the speed amounts 70–71km/h, 72–74km/h, 75–79km/h, 80–84km/h, 85–89km/h, 90–99km/h and over 100 km/h.
- (4) Above the 80 km/h limit by each of the speed amounts 80–81km/h, 82–84km/h, 85–89km/h, 90–94km/h, 95–99km/h, 100–109km/h and over 110 km/h.
- (5) Above the 100 km/h limit by each of the speed amounts 100–101km/h, 102–104km/h, 105–109km/h, 110–114km/h, 115–119km/h, 120–129km/h and over 130 km/h.
- (6) Above the 110 km/h limit by each of the speed amounts 110–111km/h, 112–114km/h, 115–119km/h, 120–124km/h, 125–129km/h, 130–139km/h and over 140 km/h.

ANSWER:

I am advised that the information requested by the Honourable Member cannot be provided as figures are not available that disaggregate cash collections for all speeding infringements from other traffic infringements.

Police and emergency services: revenue raised by speeding fines in various speed limit zones

826(b). MR LEIGH — To ask the Honourable the Minister for Police and Emergency Services — how much revenue has been raised in fines for speeding since 22 January 2001 —

- (1) Above the 50 km/h limit by each of the speed amounts 50–51km/h, 52–54km/h, 55–59km/h, 60–64km/h, 65–69km/h, 70–79km/h and over 80 km/h.
- (2) Above the 60 km/h limit by each of the speed amounts 60–61km/h, 62–64km/h, 65–69km/h, 70–74km/h, 75–79km/h, 80–89km/h and over 90 km/h.
- (3) Above the 70 km/h limit by each of the speed amounts 70–71km/h, 72–74km/h, 75–79km/h, 80–84km/h, 85–89km/h, 90–99km/h and over 100 km/h.
- (4) Above the 80 km/h limit by each of the speed amounts 80–81km/h, 82–84km/h, 85–89km/h, 90–94km/h, 95–99km/h, 100–109km/h and over 110 km/h.
- (5) Above the 100 km/h limit by each of the speed amounts 100–101km/h, 102–104km/h, 105–109km/h, 110–114km/h, 115–119km/h, 120–129km/h and over 130 km/h.
- (6) Above the 110 km/h limit by each of the speed amounts 110–111km/h, 112–114km/h, 115–119km/h, 120–124km/h, 125–129km/h, 130–139km/h and over 140 km/h.

ANSWER:

I am advised that/as follows:

The collection of financial penalties is a matter that belongs within the Portfolio responsibilities of the Attorney-General. I note that you have also addressed this question to the Attorney-General, and I would refer you to his response.

Police and emergency services: road deaths in various speed limit zones

827(b). MR LEIGH — To ask the Honourable the Minister for Police and Emergency Services — how many road deaths have been recorded since 22 January 2001 on roads with each of the following speed limit zones — 50 km/h, 60 km/h, 70 km/h, 80 km/h, 100 km/h and 110 km/h.

ANSWER:

I am advised that:

This matter falls within the Portfolio responsibilities of the Minister for Transport. I note that you have also addressed this question to him, and I would refer you to his response.

Transport: road deaths in various speed limit zones

827(c). MR LEIGH — To ask the Honourable the Minister for Transport — how many road deaths have been recorded since 22 January 2001 on roads with each of the following speed limit zones — 50 km/h, 60 km/h, 70 km/h, 80 km/h, 100 km/h and 110 km/h.

ANSWER:

The total number of road deaths since 22 January 2001, as recorded in Vicroads Road Crash Information System as at 24 April 2002, on roads with each of the following speed limits – 50 km/h, 60 km/h, 70 km/h, 80 km/h, 100 km/h and 110 km/h is as follows:

Speed zone	Number of deaths
50 km/h	22
60 km/h	119
70 km/h	47
80 km/h	62
100 km/h	200
110 km/h	14

Police and emergency services: speeding during Easter 2002

828(a). MR LEIGH — To ask the Honourable the Minister for Police and Emergency Services — with reference to speeding offences over the Easter 2002 holidays booked at the San Remo bridge near Phillip Island and on Warrigal Road in the Oakleigh South area —

- (1) How many motorists were booked for speeding by speed cameras at each location.
- (2) How much revenue was raised at each location.
- (3) What were the speeds at which motorists were booked.

ANSWER:

I am advised as follows:

No speed cameras operated at the San Remo bridge near Phillip Island or on Warrigal Road in the Oakleigh South area during the Easter 2002 holidays (29 March to 1 April 2002 inclusive).

Attorney-General: fake driver licences

830(a). MR LEIGH — To ask the Honourable the Attorney-General —

- (1) How many incidents of fake driver licences have been discovered annually since 1990.
- (2) What have been the penalties enforced annually since 1990.

ANSWER:

I note that this question has also been directed to the Minister for Transport and I refer the Honourable Member to his reply.

Police and emergency services: fake driver licences

830(b). MR LEIGH — To ask the Honourable the Minister for Police and Emergency Services —

- (1) How many incidents of fake driver licences have been discovered annually since 1990.
- (2) What have been the penalties enforced annually since 1990.

ANSWER:

I note that this question has also been directed to my colleague the Minister for Transport. I refer you to his response.

Local government: purchase of paintings

836(a). MR LEIGH — To ask the Honourable the Minister for Local Government — how many paintings has the Department of Infrastructure purchased since October 1999 and what has been the cost of these on a monthly basis.

ANSWER:

This information has previously been provided to an Opposition Member of Parliament on 2 May 2002 under Freedom of Information.

Planning: purchase of paintings

836(b). MR LEIGH — To ask the Honourable the Minister for Planning — how many paintings has the Department of Infrastructure purchased since October 1999 and what has been the cost of these on a monthly basis.

ANSWER:

This information has previously been provided to an Opposition Member of Parliament on 2 May 2002 under Freedom of Information.

Transport: Spencer Street station

837. MR LEIGH — To ask the Honourable the Minister for Transport — what was the cost of the large ‘Southern Cross Station’ banner that is posted on the facade of the station.

ANSWER:

The cost of printing and installing the banner was \$20,165.

Transport: Spencer Street station

838. MR LEIGH — To ask the Honourable the Minister for Transport — what was the original cost estimate of the subway upgrade and who were awarded the contracts for the projects.

ANSWER:

The original cost estimate of the subway upgrade was \$737,938.85 (including GST). Allmore Construction was awarded the contract.

State and regional development: natural gas connections

845. MR SPRY — To ask the Honourable the Minister for State and Regional Development — what is the timetable for the following areas of North Bellarine to be connected to natural gas —

- (1) The lower bluff areas of St Leonards, including houses on the southern end of Bluff Road.
- (2) Sproat Street North, Turner Court and Franzel Avenue, Portarlington.
- (3) Point Richards areas of Portarlington, including Ramblers Road and Point Richards North.
- (4) North end of Grassy Point Road, Indented Head.
- (5) Church Road, Indented Head.

ANSWER:

I am informed as follows:

The Honourable Member's question falls outside my portfolio responsibilities. The Honourable Member should direct his question to the Honourable the Minister for Energy and Resources.

Local government: money raised by councils

847. MS BURKE — To ask the Honourable the Minister for Local Government — what is the total amount of money raised by each municipal council for each of 1999–2000, 2000–2001 and 2001–2002 to date through —

- (1) Rates.
- (2) Fees and charges.
- (3) Government grants and parking fines.

ANSWER:

Attached please find information, collated from returns provided by Councils to the Victoria Grants Commission, for financial years 1999–2000 and 2000–2001. Figures for the financial year 2001–2002 have not yet been received.

In regard to these figures it should be noted that increases in rate revenue do not necessarily equate to rate rises.

I am advised that the Division of Local Government in the Department of Infrastructure is unable to provide reliable figures on parking fines from the information it receives from councils.

I am further advised that the questions regarding fees and charges; and government grants are so wide in their present form that the time and resources required to provide you with detailed responses would unreasonably divert the resources of the Department. Should you wish to ask more specific questions on these matters, I will endeavour to provide you with a response.

VICTORIA GRANTS COMMISSION

QUESTION 847

Municipality	Rate Revenue	
	1999/2000 Financial Year (\$)	2000/2001 Financial Year (\$)
ALPINE(S)	5,426,000	6,048,000
ARARAT(RC)	4,767,000	5,226,000
BALLARAT(C)	27,290,500	29,797,400
BANYULE(C)	29,831,000	31,476,000
BASS COAST(S)	10,789,000	11,917,000
BAW BAW(S)	12,605,000	13,502,000
BAYSIDE(C)	26,592,000	28,843,000
BOROONDARA(C)	50,544,000	55,182,000
BRIMBANK(C)	38,876,000	43,363,000
BULOKE(S)	4,243,000	4,474,000
CAMPASPE(S)	11,962,000	13,660,000
CARDINIA(S)	12,437,000	13,406,000
CASEY(C)	37,069,000	42,205,000
CENTRAL GOLDFIELDS(S)	3,751,000	4,117,000
COLAC-OTWAY(S)	8,892,000	9,763,000
CORANGAMITE(S)	7,506,000	7,864,000
DAREBIN(C)	39,113,478	41,552,000
DELATITE(S)	7,342,000	8,512,000
EAST GIPPSLAND(S)	15,637,000	17,244,000
FRANKSTON(C)	26,871,000	29,335,000
GANNAWARRA(S)	3,936,000	4,101,000
GLEN EIRA(C)	32,136,000	34,146,851
GLENELG(S)	8,906,454	9,419,528
GOLDEN PLAINS(S)	3,388,000	3,704,000
GREATER BENDIGO(C)	29,040,000	30,802,000
GREATER DANDENONG(C)	33,591,000	36,877,000
GREATER GEELONG(C)	58,012,000	63,281,000
GREATER SHEPPARTON(C)	20,043,000	22,161,000
HEPBURN(S)	4,336,000	4,755,000
HINDMARSH(S)	2,644,000	2,866,000
HOBSONS BAY(C)	29,899,000	31,994,000
HORSHAM(RC)	6,273,000	6,899,998
HUME(C)	33,049,000	37,257,000
INDIGO(S)	4,222,432	4,647,000
KINGSTON(C)	34,560,000	37,633,000
KNOX(C)	30,762,000	33,620,000
LATROBE(C)	26,066,000	28,149,000
LODDON(S)	4,123,000	4,238,710
MACEDON RANGES(S)	12,468,000	13,265,000
MANNINGHAM(C)	32,428,000	35,151,000

QUESTIONS ON NOTICE

Municipality	Rate Revenue	
	1999/2000	2000/2001
	Financial Year (\$)	Financial Year (\$)
MARIBYRNONG(C)	28,131,000	30,375,000
MAROONDAH(C)	24,254,000	26,030,000
MELBOURNE(C)	94,776,000	98,586,000
MELTON(S)	15,760,000	17,902,000
MILDURA(RC)	16,802,000	18,262,000
MITCHELL(S)	7,995,000	8,475,365
MOIRA(S)	9,605,000	10,311,000
MONASH(C)	37,567,000	39,542,000
MOONEE VALLEY(C)	33,139,000	35,161,000
MOORABOOL(S)	7,915,000	8,515,000
MORELAND(C)	37,591,000	39,395,000
MORNINGTON PENINSULA(S)	43,147,000	46,374,000
MOUNT ALEXANDER(S)	5,272,000	5,702,000
MOYNE(S)	6,583,000	7,079,000
MURRINDINDI(S)	5,463,000	5,861,000
NILLUMBIK(S)	18,298,000	19,533,000
NORTHERN GRAMPIANS(S)	4,874,000	5,458,000
PORT PHILLIP(C)	39,902,000	44,356,000
PYRENEES(S)	2,885,000	3,078,000
QUEENSCLIFFE(B)	2,126,000	2,235,000
SOUTH GIPPSLAND(S)	10,680,000	11,540,000
SOUTHERN GRAMPIANS(S)	7,113,000	7,265,000
STONNINGTON(C)	34,900,000	37,013,000
STRATHBOGIE(S)	3,995,000	4,493,000
SURF COAST(S)	9,204,000	10,665,000
SWAN HILL(RC)	8,170,000	8,607,000
TOWONG(S)	2,572,000	2,890,000
WANGARATTA(RC)	8,763,000	9,511,000
WARRNAMBOOL(C)	9,088,000	9,901,000
WELLINGTON(S)	18,732,000	18,933,000
WEST WIMMERA(S)	2,411,000	2,614,000
WHITEHORSE(C)	32,496,000	34,319,000
WHITTLESEA(C)	30,696,000	34,229,000
WODONGA(RC)	10,622,000	11,847,000
WYNDHAM(C)	31,622,000	34,308,000
YARRA (C)	38,046,000	39,530,000
YARRA RANGES(S)	43,309,000	45,832,000
YARRIAMBIA(S)	3,886,000	4,232,000
Totals	1,539,816,864	1,662,413,852

* Data for 2001/2002 Financial Year is currently unavailable

* Rate revenue includes separate waste management charges

* Source of data is the Victoria Grants Commission annual return to councils

Local government: Workcover costs

848(a). MS BURKE — To ask the Honourable the Minister for Local Government — what is the total cost of Workcover with respect to each Victorian municipality for each of 1999–2000, 2000–2001 and 2001–2002 to date.

ANSWER:

I am advised that this information is not held by the Local Government Division of the Department of Infrastructure.

Workcover: Workcover costs

848(b). MS BURKE — To ask the Honourable the Minister for Workcover — what is the total cost of Workcover with respect to each Victorian municipality for each of 1999–2000, 2000–2001 and 2001–2002 to date.

ANSWER:

I am informed that:

This question does not fall within my Portfolio responsibilities.

Local government: funding for non-government organisations

849. MS BURKE — To ask the Honourable the Minister for Local Government with reference to each department, agency and authority within the Minister's administration for each of 1999–2000, 2000–2001 and 2001–2002 to date — what funding was made to non-government organisations, indicating —

- (1) The name of the organisation.
- (2) The amount and purpose of the funding.
- (3) Whether the organisation concerned made any contribution to particular projects; if so, what was the project and the amount contributed.

ANSWER:

I am advised that the time and resources required to provide you with a detailed response to this would unreasonably divert the resources of the Department.

Should you wish to ask a more specific question on this matter, I will endeavour to provide you with a response.

Local government: representatives on statutory authority boards

850. MS BURKE — To ask the Honourable the Minister for Local Government with reference to each statutory authority within the Minister's administration — whether provision has been made for elected representatives or trade union-nominated representatives on their boards, indicating —

- (1) What is the basis of their representation and when was it established.
- (2) Who are the current trade union representatives and who held the positions previously.
- (3) What fees or remuneration are paid to the representatives.

ANSWER:

The only Statutory Authority within the administration of the Minister for Local Government is the Victoria Grants Commission. Membership of this Commission has not changed since December 1997. There are no elected representatives or trade union nominated representatives on the Victoria Grants Commission.

Local government: publications produced

852. MS BURKE — To ask the Honourable the Minister for Local Government with reference to each department, agency and authority within the Minister’s administration — what publications are produced, indicating —

- (1) How many copies are produced.
- (2) What the unit cost is, including production and distribution of the publication.
- (3) What income, if any, is derived from the publication.
- (4) What is the purpose of the publication.
- (5) Whether the publication was solely printed in Victoria; if not, why.

ANSWER:

I am advised that the time and resources required to provide you with a detailed response to this question would unreasonably divert the resources of the Department.

Should you wish to ask a more specific question on this matter, I will endeavour to provide you with a response.

Local government: staff employed in local government

853. MS BURKE — To ask the Honourable the Minister for Local Government with reference to each department, agency and authority within the Minister’s administration — what was the number and total salary bill for staff employed for each of 1999–2000, 2000–2001 and 2001–2002 to date.

ANSWER:

I am advised that the staff numbers and salaries of the Local Government Division (cost code 155) of the Department of Infrastructure are as listed below

Staff Numbers

30 June 2000	24
30 June 2001	30
30 June 2002	Figures have not yet been audited.

Salary

1999–2000	\$1,851,237
2000–2001	\$1,925,496
2001–2002	Figures have not yet been audited.

Local government: permit applications

854. MS BURKE — To ask the Honourable the Minister for Local Government with reference to each municipal council —

- (1) How many permit applications were approved in each of 1999–2000, 2000–2001 and 2001–2002 to date.
- (2) Of those approved, how many were appealed to the Victorian Civil and Administrative Tribunal (VCAT) resulting in the Council’s decision being overturned.
- (3) How many permit applications were refused in 1999–2000, 2000–2001 and 2001–2002 to date.
- (4) Of those refused, how many applications were appealed to VCAT resulting in the Council’s decision being overturned.

ANSWER:

I am advised that my Department does not collect data in the categories requested.

Local government: consultants in local government

855. MS BURKE — To ask the Honourable the Minister for Local Government with reference to each department, agency and authority within the Minister’s administration — what are the names of each consultant employed since September 1999, indicating —

- (1) The purpose for which they were employed.
- (2) What instructions and/or working plans they were given.
- (3) The cost of their services.
- (4) The duration of their contract.
- (5) Any additional payments made in excess of the contract price.

ANSWER:

I am advised that the Department of Infrastructure lists consultancies each year in its Annual Report. In the Annual Report for year 1999–2000 the information is located in Appendixes–Consultants on page 123, and for 2000–2001 Appendixes–Consultants on page 173.

I am further advised that the time and resources required to provide you with a detailed response to this question would unreasonably divert the resources of the Department.

Should you wish to ask a more specific question on this matter, I will endeavour to provide you with a response.

Local government: training and self-development programs

857. MS BURKE — To ask the Honourable the Minister for Local Government with reference to each department, agency and authority within the Minister’s administration — what is the cost and nature of all training and self-development programs in which officers have participated since September 1999, indicating in each case —

- (1) Particulars of the training or self-development program.
- (2) The provider.
- (3) The cost.
- (4) The participants.
- (5) The venue.

ANSWER:

The cost and nature of all training and self-development programs in which officers have participated since September 1999 are attached. Names of individuals are not provided as this is considered to be an unreasonable disclosure of personal affairs.

Department of Infrastructure (on Corporate Training & Development programs) 1 September 1999–15 May 2002	
Total number of programs :	536
Total number of participants :	3468
Total cost :	\$958,904.35
45% of all corporate training & development programs were conducted at DOI's training facilities in Nauru House, Level 13 – 80 Collins Street, Melbourne.	

Department of Infrastructure Attendances (on Corporate Training & Development programs) 1 September 1999–15 May 2002				
PROGRAM	PROVIDER	Cost \$	No. of Participants	VENUE

Business Consultancies

Business Planning Workshop	All-iN Productions Pty Ltd	1,810.00	10	Hepburn Springs
Business Planning Workshop	Nita Cherry Pty Ltd	1,700.00	10	DOI – SW Regional Office
Business Planning Workshop	The Nous Group	5,618.18	24	DOI – Nauru House
Business Planning Workshop	Julian Lippi Pty Ltd	5,475.00	64	DOI – Nauru House
CDSE/Lotus Notes	Wizard Computer Training	3,998.00	30	Transport House, 589 Collins St
DOI Mentoring Program	RMIT University	8,000.00	10	DOI – Nauru House
MBTI Facilitation Session	The Nous Group	2,293.50	10	DOI – Nauru House
Ministerial Correspondence	All-iN Productions Pty Ltd	4,000.00	36	DOI – Nauru House
Performance Management	Julian Lippi Pty Ltd	5,700.00	37	NW Metropolitan Region
Team Building Workshop	Julian Lippi Pty Ltd	4,800.00	23	DOI – Nauru House
Teamroom Training	Drake	2,297.00	37	DOI – Nauru House
Telephone Techniques/Customer Service	All-iN Productions Pty Ltd	3,270.00	35	VTTD, Blackwood St Nth Melb
Time Management	All-iN Productions Pty Ltd	1,656.00	10	DOI – Eastern Regional Office
Word Customised	Wizard Computer Training	3,827.27	31	DOI – Nauru House
Subtotal :		\$54,444.95	367	

Management / Leadership Development

Advanced Negotiation Skills	Australian Institute of Management	5,796.00	7	181 Fitzroy St, St Kilda
Advanced Influencing & Negotiation Skills	Mt Eliza Business School	1,414.00	1	Kunyang Road, Mt Eliza
Advanced Refresher Presentation Skills	First Impressions Marketing	1,700.00	6	DOI–Nauru House
Coaching	Coyne Didsbury	2,560.00	3	DOI–Nauru House
Coaching	Julian Lippi	4,312.50	5	DOI–Nauru House
Coaching	The Nous Group	3,057.25	2	DOI–Nauru House
Contract Management	APESMA	15,355.00	17	Lvl 4 – 163 Eastern Rd, Melb
Cranlana Program	Office of Public Employment (OPE)	1,950.00	1	Macarthur St, Melbourne
Creating Valuable Outcomes in the Public Sector	Melbourne Business School	15,329.72	20	200 Leicester St, Carlton
Deliberate Creative Thinking	Mindwerx International	2,309.09	12	230 Rae St, North Fitzroy

QUESTIONS ON NOTICE

Tuesday, 8 October 2002

ASSEMBLY

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Department of Infrastructure Attendances				
(on Corporate Training & Development programs)				
1 September 1999–15 May 2002				
PROGRAM	PROVIDER	Cost \$	No. of Participants	VENUE
Focusing on Clients in the Public Sector	Melbourne Business School	1,180.00	3	200 Leicester St, Carlton
Gain The Edge	IPAA & The Nous Group	71,520.00	27	VUT, Flinders & Elizabeth St
Graduate Certificate in Business Administration	Mt Eliza Business School	97,424.46	16	Kunyang Road, Mt Eliza
Graduate Certificate in Public Policy & Management	Monash University	6,148.90	2	Monash Uni, 30 Collins St, Melb
Infrastructure Market Economy	National University of Singapore	10,400.00	2	Singapore University
Innovation & Creative Problem Solving	Australian Institute of Management	660.00	1	181 Fitzroy St, St Kilda
Lateral Thinking	Mindwerx International	6,006.00	7	230 Rae St, North Fitzroy
Leading Edge Management	Australian Institute of Management	7,500.00	3	181 Fitzroy St, St Kilda
Management Development Program	Australian Institute of Management	11,800.00	2	181 Fitzroy St, St Kilda
Managing Knowledge for Competitive Advantage	Australian Institute of Management	2,388.00	4	181 Fitzroy St, St Kilda
Managing Projects The New Management Approach	Mt Eliza Business School	10,620.00	4	Kunyang Road, Mt Eliza
Masterful Facilitation	Gadria	8,345.00	10	Toorak Road, Melbourne
Masters of Business Administration	APESMA	1,840.00	1	Distance Learning
Mediation	Mark McPherson Mediation	1,600.00	12	DOI–Nauru House
Negotiation & Influencing Skills for Managers	Mt Eliza Business School	34,440.00	12	Kunyang Road, Mt Eliza
Performance Management	Julian Lippi Pty Ltd	7,890.00	39	DOI–Nauru House
Presentation Skills	First Impressions Marketing	5,800.00	13	DOI–Nauru House
Principles of Management	Australian Institute of Management	6,040.20	6	181 Fitzroy St, St Kilda
Project Management	APESMA	13,776.50	16	Lvl 4 – 163 Eastern Rd, Melb
Risk Management	APESMA	3,805.00	4	Lvl 4 – 163 Eastern Rd, Melb
Statistics & Analysis	Australian Bureau of Statistics	905.00	1	Lvl 7 – 485 Latrobe St, Melbourne
Strategic Partnering – New Insights in public sector Contracting	Melbourne Business School	2,400.00	4	200 Leicester St, Carlton
Strategic Women in Leadership	RMIT University	2,250.00	10	DOI–Nauru House
Think on Your Feet	Australian Institute of Management	3,260.00	4	181 Fitzroy St, St Kilda
Young Manager’s Program	Australian Institute of Management	19,219.20	16	181 Fitzroy St, St Kilda
Subtotal :		\$391,001.82	293	

Staff Development

A Professional Approach	RMIT University	5,900.00	21	DOI–Nauru House
Cdata 96 Program	Australian Bureau of Statistics	1,500.00	4	Lvl 7, 485 Latrobe St, Melbourne
Certificate in Business Development	RMIT University	15,750.00	7	RMIT, Bourke St, Melbourne
Certificate in Document & Knowledge Management	RMIT University	15,750.00	9	RMIT, Bourke St, Melbourne
Certificate in Leadership	RMIT University	17,500.00	15	RMIT, Bourke St, Melbourne
Certificate in Project Consulting	RMIT University	15,750.00	11	RMIT, Bourke St, Melbourne
Coaching	Coyne Didsbury	2,090.00	3	DOI–Nauru House
Coaching	Julian Lippi Pty Ltd	4,642.50	6	DOI–Nauru House
Coaching	Nita Cherry	900.00	3	DOI–Nauru House
Coaching	The Nous Group	3,057.25	2	DOI–Nauru House
Communication Skills	RMIT University	3,200.00	14	DOI–Nauru House
Desktop Publishing	Council of Adult Education	320.00	2	Flinders St, Melbourne
Diploma of Government (Project Management)	RMIT University	20,400.00	16	RMIT, Bourke St, Melbourne
DOI Report Writing	All-iN Productions Pty Ltd	8,097.91	49	DOI–Nauru House
Facilitation Skills	Gadria	8,040.00	10	DOI–Nauru House

QUESTIONS ON NOTICE

Department of Infrastructure Attendances				
(on Corporate Training & Development programs)				
1 September 1999–15 May 2002				
PROGRAM	PROVIDER	Cost \$	No. of Participants	VENUE
Going Further Workshop	Going Further	2,500.00	4	Hotel Sofitel, Melbourne
Introduction to Project Management	RMIT University	2,250.00	13	DOI–Nauru House
Leading and Managing People	Australian Institute of Management	4,995.00	3	181 Fitzroy St, St Kilda
Management Skills for Executive Assistants	Australian Institute of Management	682.60	1	181 Fitzroy St, St Kilda
Managing Stakeholder/Mediation	Mark McPherson Mediation	6,000.00	41	DOI–Nauru House
Mind Mapping	Mindwerx International	5,130.00	19	230 Rae St, North Fitzroy
Ministerial Correspondence / Services to Ministers	All-iN Productions Pty Ltd	5,404.00	40	DOI–Nauru House
Negotiation Skills	RMIT University	3,400.00	20	DOI–Nauru House
Performance Management	Julian Lippi Pty Ltd	2,900.00	15	DOI–Nauru House
Presentation Skills	First Impressions Marketing	17,400.00	50	DOI–Nauru House
Procurement Program – Intro to Procurement & Contracting	PACCER	641.00	1	Dept of Treasury & Finance
Procurement Program – Service Contract Management	PACCER	1,304.64	2	Dept of Treasury & Finance
Procurement Program – Specification Writing & Tender Prep	PACCER	6,123.64	9	Dept of Treasury & Finance
Professional Receptionist Skills	RMIT University	325.00	1	RMIT, Bourke St, Melbourne
Project Management	Australian Institute of Management	6,369.94	10	181 Fitzroy St, St Kilda
Six Thinking Hats	Mindwerx International	4,600.00	11	230 Rae St, North Fitzroy
Statistics & Analysis	Australian Bureau of Statistics	8,567.19	18	Lvl 7, 485 Latrobe St, Melbourne
Turning Data into Information	Australian Bureau of Statistics	1,472.73	3	Lvl 7, 485 Latrobe St, Melbourne
Working in Teams	Julian Lippi Pty Ltd	1,800.00	15	DOI–Nauru House
Writing Skills DOI Style	All-iN Productions Pty Ltd	8,202.91	69	DOI–Nauru House
Subtotal :		\$212,966.31	517	

Information Technology Skills

Access Advanced	Drake & Wizard Computer Training	7,367.19	13	Collins St & Flinders St, Melb
Access Essentials	Drake & Wizard Computer Training	14,261.80	42	Collins St & Flinders St, Melb
Access Intermediate	Wizard Computer Training	1,935.00	4	474–482 Flinders St, Melbourne
Advanced Powerpoint	Wizard Computer Training	1,345.00	5	474–482 Flinders St, Melbourne
CDSE/ Lotus Notes	Drake & Wizard Computer Training	36,414.08	425	DOI–Nauru House
Publishing to Infraweb	Drake & Entercorp Solutions	27,850.00	231	DOI–Nauru House
Excel Advanced	Drake & Wizard Computer Training	8,935.99	31	Collins St & Flinders St, Melb
Excel Essentials	Drake & Wizard Computer Training	10,560.65	45	Collins St & Flinders St, Melb
Excel Intermediate	Drake & Wizard Computer Training	12,662.70	54	Collins St & Flinders St, Melb
Info@DOI	Wizard Computer Training	3,302.73	30	DOI–Nauru House
Introduction to InfoSearch	Wizard Computer Training	6,366.37	91	DOI–Nauru House
Knowledge Management	Drake & Wizard Computer Training	22,640.18	220	DOI–Nauru House
Lotus Notes Power Users	Wizard Computer Training	1,004.00	16	DOI–Nauru House
Lotus Notes R5 Rollout	Wizard Computer Training	54,305.25	473	DOI–Nauru House
L-View Pro	Wizard Computer Training	3,530.44	46	DOI–Nauru House
MiBS – Action Officer	Wizard Computer Training	2,031.82	33	DOI–Nauru House
Powerpoint Advanced	Wizard Computer Training	1,271.82	6	474–482 Flinders St, Melbourne
Powerpoint Essentials	Drake & Wizard Computer Training	14,439.15	58	Collins St & Flinders St, Melb
Powerpoint Intermediate	Wizard Computer Training	1,370.41	7	474–482 Flinders St, Melbourne
Project 98 Essentials	Drake & Wizard Computer Training	12,372.36	34	Collins St & Flinders St, Melb
QuickPlace	Wizard Computer Training	4,272.72	40	DOI–Nauru House
Sametime	Wizard Computer Training	17,087.46	146	DOI–Nauru House

Department of Infrastructure Attendances				
(on Corporate Training & Development programs)				
1 September 1999–15 May 2002				
PROGRAM	PROVIDER	Cost \$	No. of Participants	VENUE
Teamroom Training Facilitator & Project Team	Drake & Wizard Computer Training	11,726.18	136	DOI–Nauru House
VISIO	Drake & Wizard Computer Training	1,866.00	14	DOI–Nauru House
Word Advanced	Drake & Wizard Computer Training	5,230.46	19	Collins St & Flinders St, Melb
Word Essentials	Drake & Wizard Computer Training	8,360.09	31	Collins St & Flinders St, Melb
Word Intermediate	Drake & Wizard Computer Training	7,981.42	41	Collins St & Flinders St, Melb
Subtotal :		\$300,491.27	2291	
Total :		\$958,904.35	3468	

Local government: overseas trips

858. MS BURKE — To ask the Honourable the Minister for Local Government —

- (1) What overseas trips has the Minister made since September 1999 to date.
- (2) In relation to each trip — what was the purpose, what countries were visited, what was the time away from Victoria and what was the total cost, including allowances.
- (3) Was the Minister’s spouse included in any trip.
- (4) What staff was taken on each trip and what was the total cost of their travel, including expenses.

ANSWER:

In my capacity as Minister for Local Government, the answer is Nil.

Local government: mayoral and councillor expenses

859. MS BURKE — To ask the Honourable the Minister for Local Government with reference to each municipal authority for each of 1999–2000, 2000–2001 and 2001–2002 to date —

- (1) What is the total cost of mayoral and councillor salaries.
- (2) What is the total cost of mayoral and councillor expenses reimbursement.

ANSWER:

I am advised that, other than what is shown in Councils’ Annual Reports, the information requested is not collated by the Local Government Division of the Department of Infrastructure.

Local government: municipal council assets

860. MS BURKE — To ask the Honourable the Minister for Local Government — what is the total monetary value of assets which have been sold by each municipal council since September 1999.

ANSWER:

Attached please find information requested to the end of financial year 2000–2001. Returns for 2001–2002 have not as yet been received.

The information has been provided from returns made by Councils to the Victoria Grants Commission.

VICTORIA GRANTS COMMISSION

QUESTION 860

Municipality	Capital Asset Sales	
	1999/2000 (\$)	2000/2001 (\$)
ALPINE(S)	956,000	798,000
ARARAT(RC)	430,000	391,000
BALLARAT(C)	1,164,100	3,331,400
BANYULE(C)	3,973,000	1,162,000
BASS COAST(S)	648,000	329,000
BAW BAW(S)	1,393,000	459,000
BAYSIDE(C)	61,000	6,000
BOROONDARA(C)	2,802,000	2,376,000
BRIMBANK(C)	2,148,000	618,000
BULOKE(S)	953,000	858,000
CAMPASPE(S)	1,306,000	1,044,000
CARDINIA(S)	6,530,000	2,174,000
CASEY(C)	2,475,000	0
CENTRAL GOLDFIELDS(S)	770,000	837,000
COLAC-OTWAY(S)	1,233,000	932,500
CORANGAMITE(S)	1,420,000	1,078,000
DAREBIN(C)	2,032,334	933,996
DELATITE(S)	513,000	480,236
EAST GIPPSLAND(S)	286,000	44,000
FRANKSTON(C)	1,695,000	969,000
GANNAWARRA(S)	514,000	404,000
GLEN EIRA(C)	1,252,000	10,072,000
GLENELG(S)	130,959	867,521
GOLDEN PLAINS(S)	528,000	534,110
GREATER BENDIGO(C)	1,458,000	693,000
GREATER DANDENONG(C)	987,000	1,085,000
GREATER GEELONG(C)	4,032,000	4,305,000
GREATER SHEPPARTON(C)	330,000	0
HEPBURN(S)	786,000	429,000
HINDMARSH(S)	616,000	488,897
HOBSONS BAY(C)	302,000	1,197,000
HORSHAM(RC)	1,618,000	328,000
HUME(C)	2,908,000	1,524,000
INDIGO(S)	0	148,000
KINGSTON(C)	1,215,000	1,263,000
KNOX(C)	0	1,037,000

QUESTIONS ON NOTICE

Tuesday, 8 October 2002

ASSEMBLY

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Municipality	Capital Asset Sales	
	1999/2000 (\$)	2000/2001 (\$)
LATROBE(C)	1,955,000	1,367,000
LODDON(S)	582,000	521,847
MACEDON RANGES(S)	442,000	302,800
MANNINGHAM(C)	1,509,000	5,579,000
MARIBYRNONG(C)	3,118,000	1,711,000
MAROONDAH(C)	1,446,000	1,412,000
MELBOURNE(C)	6,281,000	52,420,000
MELTON(S)	1,064,000	1,669,000
MILDURA(RC)	857,000	691,000
MITCHELL(S)	340,445	217,000
MOIRA(S)	453,000	66,000
MONASH(C)	8,560,000	6,084,000
MOONEE VALLEY(C)	2,535,000	845,000
MOORABOOL(S)	1,277,000	1,569,000
MORELAND(C)	1,947,000	2,357,000
MORNINGTON PENINSULA(S)	2,453,000	1,005,000
MOUNT ALEXANDER(S)	480,000	395,000
MOYNE(S)	796,000	791,000
MURRINDINDI(S)	726,000	553,000
NILLUMBIK(S)	766,000	823,000
NORTHERN GRAMPIANS(S)	2,269,000	395,000
PORT PHILLIP(C)	9,155,000	150,000
PYRENEES(S)	608,000	458,000
QUEENSCLIFFE(B)	30,000	0
SOUTH GIPPSLAND(S)	3,220,000	592,000
SOUTHERN GRAMPIANS(S)	46,000	484,000
STONNINGTON(C)	776,000	2,121,000
STRATHBOGIE(S)	36,000	40,000
SURF COAST(S)	534,000	455,000
SWAN HILL(RC)	1,316,000	627,000
TOWONG(S)	319,000	468,000
WANGARATTA(RC)	314,000	357,000
WARRNAMBOOL(C)	2,142,000	1,840,000
WELLINGTON(S)	876,000	411,000
WEST WIMMERA(S)	664,000	369,000
WHITEHORSE(C)	1,554,000	686,000
WHITTLESEA(C)	2,665,000	630,605
WODONGA(RC)	0	0
WYNDHAM(C)	476,000	5,779,000
YARRA (C)	341,840	919,000
YARRA RANGES(S)	605,000	694,000
YARRIAMBIAK(S)	425,000	65,000
Totals	115,424,678	141,115,912

* Source of data is the Victoria Grants Commission annual return to councils

Local government: benchmarks

861. MS BURKE — To ask the Honourable the Minister for Local Government with reference to each department, agency and authority within the Minister’s administration — what indicators and/or benchmarks have been used to measure performance and to analyse the merits of particular State Government proposals and policy initiatives since September 1999.

ANSWER:

The performance of the Local Government Division of the Department of Infrastructure (DOI) is publicly reported on an annual basis in the DOI Annual Report and in Budget Paper 3 document. The Department’s series of ‘Supporting Local Government’ outputs ensure that there is an effective and accountable system of local government, which is based on good governance, quality services, effective infrastructure, management and community accountability. These outputs and their associated measures and targets are reviewed on an annual basis as part of the ERC process.

The outputs make a significant contribution to the following Departmental overarching outcomes: Local Governance, Liveable Communities, and Infrastructure Delivery and Management. A range of indicators against these outcomes are published in the DOI Corporate Plan (recently revised edition: 2002–2005).

The Local Government Division also participates in DOI’s project development, delivery and evaluation processes, as well as the annual business planning cycle, which are designed to ensure close alignment with the Growing Victoria Together framework and other State Government policies.

Multicultural affairs: consultation with community groups

862. MR KOTSIRAS — To ask the Honourable the Minister for Multicultural Affairs — what is the total cost of each consultation and forum within community groups held since January 2000 organised by each of the Victorian Office of Multicultural Affairs and the Victorian Multicultural Commission.

ANSWER:

I am informed that:

Within their respective work programs, the Victorian Office of Multicultural Affairs and the Victorian Multicultural Commission have undertaken numerous consultations and hosted a range of forums since January 2000. Such consultations and forums have been undertaken within their respective allocated budgets.

The request for individual costings of each forum and consultation would unreasonably divert resources from the respective agencies.

Multicultural affairs: interpreting and translating costs

863. MR KOTSIRAS — To ask the Honourable the Minister for Multicultural Affairs — to advise of the total spent across each department on such services in 2000–2001, expected expenditure in 2001–2002, and targeted expenditure in 2002–2003.

ANSWER:

I am informed that:

Based on consultation across several Victorian Government Departments and language service providers, expenditure on interpreting services by Government in 2000–01 is estimated at approximately \$12 million.

Multicultural affairs: Victorian Office of Multicultural Affairs and Victorian Multicultural Commission supplies and services

864. MR KOTSIRAS — To ask the Honourable the Minister for Multicultural Affairs — to advise of the total cost of all purchase of supplies and services for each of VOMA and VMC for 2000–2001, expected outcome cost for 2001–2002 and targeted outcome cost for 2002–2003.

ANSWER:

I am informed that:

The total cost of purchases of supplies and services for the Victorian Office of Multicultural Affairs (VOMA) for financial year 2000–01 was \$117,718. Expected outcome for VOMA in FY 2001–02 is \$221,334 and the projected outcome for 2002–03 is expected to be a similar amount.

The total cost of purchases of supplies and services for the Victorian Multicultural Commission (VMC) for financial year 2000–01 was \$232,804. Expected outcome for VMC in FY 2001–02 is \$240,487 and the projected outcome for 2002–03 is expected to be a similar amount.

Multicultural affairs: Ethnic Community Council of Victoria funding

865. Mr KOTSIRAS — To ask the Honourable the Minister for Multicultural Affairs — to advise of the amount of funding provided to the ECCV for 2001–2002 and 2002–2003 and what special requirements, if any, have been placed on the ECCV in receiving this funding.

ANSWER:

I am informed that:

The ECCV receives \$140,000 per annum through a triennial government funding arrangement, under which the ECCV is required to submit annually an agreed work plan, an audited financial statement and a report on activities undertaken with the grant monies.

This does not preclude funding being provided for additional activities not covered by the funding arrangement.

Multicultural affairs: Victorian Office of Multicultural Affairs and Victorian Multicultural Commission staff expenses

866. MR KOTSIRAS — To ask the Honourable the Minister for Multicultural Affairs — to advise of the total employee-related expenses for all full-time, part-time and casual staff in each of VOMA and VMC for 2001–2002, expected cost for 2001–2002 and projected cost for 2002–2003.

ANSWER:

I am informed that:

The total amount of employee related expenses for the Victorian Office of Multicultural Affairs (VOMA) for financial year 2000–01 was \$634,043. Expected outcome for VOMA in FY 2001–02 is \$1,122,880 and the projected outcome cost for 2002–03 is \$916,400.

The total amount of employee related expenses for the Victorian Multicultural Commission (VMC) for financial year 2000–01 was \$455,291. Expected outcome for VMC in FY 2001–02 is \$410,726 and the projected outcome cost for 2002–03 is \$426,000.

Health: aged care budget 2002–03

883. MRS SHARDEY — To ask the Honourable the Minister for Health — to provide a detailed explanation of the apparent underspending in the Home and Community Care program in 2002–2001 and 2001–2002.

ANSWER:

- The 2000–2001 Commonwealth-State matched HACC Program budget has been financially acquitted with the Commonwealth and there has not been any underspending. There was an underspend of \$1.2 million on State-only funding which was carried forward and spent in 2001–02.
- The apparent underspending in the 2002–03 Budget Papers is primarily a result of different accounting treatment of certain corporate expenses in Budget Paper No. 3, in particular differences in the way the capital asset charge and depreciation were allocated.
- To reconcile these differing accounting treatments, separate adjustments are required to the figures in both the 2001–02 and 2002–03 Budget Papers. This means that the target figures for HACC for 2000–01 (as shown in *Budget Estimates, 2001–02*) are not directly comparable with the reported actuals for that year. Similarly, the target figures for HACC for 2001–02 are not directly comparable with the expected outcome figures (as shown in *Budget Estimates, 2002–03*).
- In the 2001–02 Budget Paper No. 3 the 2000–01 Target figures should be adjusted by an amount of \$43.2 million. Therefore, the adjusted 2000–01 Target should be \$273.5 million. This can then be directly compared with the 2000–01 Actual of \$273.7 million in the 2002–03 Budget Paper No. 3.
- In the 2002–03 Budget Paper No 3 the 2001–02 Target figures should be adjusted by an amount of \$32.8 million. Therefore, the adjusted 2001–02 Target figure is \$304.3 million. This can then be directly compared with the 2001–02 Expected Outcome of \$311.8 million.
- These adjusted figures are consistent with the program performance and do not represent any real underspending in the HACC program.

Health: expenditure in the home and community care (HACC) program

884. Mrs SHARDEY — To ask the Honourable the Minister for Health with reference to the Government's claimed increase in expenditure of \$29 million over four years under the HACC program with \$6.9 million budgeted for 2002–2003 — how will the \$6.9 million be provided given that the Budget target for 2001–2002 was \$337.1 million and the target for 2002–2003 is \$329.2 million.

ANSWER:

- The additional \$6.9 million will be used to match an offer of growth in HACC funding from the Commonwealth that was projected at the time of the State Budget to amount to \$10.4 million.
- The specific purposes to which these funds will be applied will be settled as part of the preparation of the HACC Annual Plan which will be submitted to the Commonwealth after the formal offer of funding is received.
- The apparent reduction between the 2001–02 Target and the 2002–03 Target is primarily a result of different accounting treatment between years of certain corporate expenses in Budget Paper No. 3, in particular differences in the way the capital asset charge and depreciation were allocated.
- To reconcile these differing accounting treatments, adjustments are required to the 2001–02 Target that was first published in the 2001–02 Budget Paper No 3 and is republished in the 2002–03 Budget Paper No. 3.
- In the 2002–03 Budget Paper No 3 the 2001–02 Target figures should be adjusted by an amount of \$32.8 million. Therefore, the adjusted 2001–02 Target figure is \$304.3 million. This can then be directly compared with the 2002–03 Target of \$329.2 million, and shows a year-on-year increase of \$24.9 million.

- The \$24.9 million year-on-year increase is made up of \$6.9 million announced in the State budget together with additional funding from the Commonwealth and DVA, funding for wage increases and funds carried forward from 2001–02.

Health: commonwealth accreditation standards for nursing homes and hostels

885. MRS SHARDEY — To ask the Honourable the Minister for Health with reference to capital and other works required for State-owned nursing homes and hostels to meet the standards for the 2003 and 2008 benchmarks —

- (1) Which facilities require upgrades.
- (2) What is the expected cost of the works required.
- (3) What is the nature of the work required.
- (4) What are the expected start and completion times for each upgrade.

ANSWER:

All facilities are required to comply with the specific requirements of the Commonwealth's Certification Instrument. Facilities are required to score a minimum of 19 out of 25 for fire safety, and an overall total of 60 out of 100 on the Commonwealth's 2001 Certification Instrument.

The Department of Human Services has appointed a project director and assessors to assess the minor works needed to enable facilities to meet the Commonwealth's 2003 Certification requirements. Some works are under way and cost estimates and details for the remainder are currently being finalised. Work will be required across a number of facilities, however none of the works are major in nature and they will all be completed on time.

The current budget for the 2003 Certification requirements is \$4.7 million. An allocation of \$700,000 was provided in the 2001/2002 State Budget, and \$4 million was provided in the 2002/2003 State Budget. This budget will adequately cover all works required.

By 2008 all residential aged care services will be required to meet new privacy and space requirements set by the Commonwealth Government, including:

- a maximum of four residents in any room;
- a maximum of six residents per toilet; and
- a maximum of seven residents per shower.

On coming into office the Labor Government reviewed the residential aged care policies adopted by the previous government and increased investment by committing funds of \$47.5 million in the 2000/2001 State Budget, \$25 million in 2001/02 and another \$40 million in 2002/03. These funds are being used to conduct a major capital works program to redevelop nursing homes to meet 2008 Commonwealth certification requirements and to address the backlog of nursing homes with poor fabric.

The Government's increased expenditure on public sector residential aged care facilities has demonstrated its commitment to improve standards in the sector and achieve certification requirements for all facilities by 2008. Facilities that require redevelopment to meet the 2008 Commonwealth Certification requirements will be prioritised, with completion prior to the certification deadline.

Environment and conservation: hazardous waste landfills

889. MS ASHER — To ask the Honourable the Minister for Environment and Conservation — to itemise how many tonnes of material have been accepted at both Lyndhurst and Tullamarine hazardous waste landfills for each of 1999, 2000, 2001 and 2002 to date.

ANSWER:

I am informed that:

Based on the data supplied by EPA Victoria's waste transport certificate system,

the total quantities of prescribed industrial waste accepted at Lyndhurst landfill for the requested periods were:

1999	92,176 tonnes
2000	243,669 tonnes
2001	173,013 tonnes
2002 (until the end of April)	25,669 tonnes

the total quantities of prescribed industrial waste accepted at Tullamarine landfill for the requested periods were:

1999	81,361 tonnes
2000	122,382 tonnes
2001	129,339 tonnes
2002 (until the end of April)	31,808 tonnes

Environment and conservation: foreshore committees

890. MR PATERSON — To ask the Honourable the Minister for Environment and Conservation — to clarify the status of the Torquay and Anglesea foreshore committees, including the tenure of committee members and the current and proposed governance structures.

ANSWER:

I am informed that:

The Anglesea Foreshore Committee of Management is appointed until 27 February 2003, and the Torquay Public Reserves Committee of Management is appointed until 30 June 2003. The current Committees will remain in place to allow the necessary reforms to coastal management arrangements in the Surf Coast Shire to be completed.

Environment and conservation: survey reform project

893. MR PERTON — To ask the Honourable the Minister for Environment and Conservation with reference to an email dated 20 December 2000 from Mr Ivan Powell, Assistant Director of Land Records and Information Services which includes the statement 'Keith Bell [Surveyor General] knows nothing of the so-called survey project. It is a creation of Steve McIntosh [Manager of Budget and Finance, Land Victoria] for the \$6 million round robin ... [t]he closer the scrutiny, the "susser" it will get' — what was meant by this statement.

ANSWER:

I am informed that:

Mr Powell was involved in the preparation of some components of the EAGF application by Land Victoria. He was not involved directly in the Survey Project component. His comments were based on incomplete information and lack of full knowledge of the EAGF application.

Environment and conservation: motorcycles and four-wheel-drive vehicles in Bunyip State Park

899. MR PERTON — To ask the Honourable the Minister for Environment and Conservation —

- (1) Did a meeting take place on 27 February 2002 in the Bunyip State Park office, or at another place, relating to the use of such vehicles, and behaviour of drivers, in the park.
- (2) Who was present at the meeting and what organisations did they represent.
- (3) Were any agreements made at the meeting.
- (4) Were any undertakings given at the meeting.
- (5) What agreements and undertakings have been adhered to.
- (6) What agreements and undertakings have not been adhered to.

ANSWER:

I am informed that:

- (1) Parks Victoria arranged a meeting at 4.30 pm on 27 February 2002 at the Parks Victoria Gembrook Office.
- (2) The following persons were present at the meeting:

George Pearce	Resident
Stephen Dobinson	Resident
Mike Benton	Resident
Peter Ellard	Australian Motor Train Riders Association
Ian Lacey	Victorian Association of Four Wheel Drive Clubs
Peter McLean	Manager Technical Services, Shire of Cardinia
Tony Varcoe	Chief Ranger, Parks Victoria and
Greg Young	Ranger in Charge, Parks Victoria.
- (3) Eight specific actions were agreed to which included management of trail bike unloading areas and access roads, improved signage and trialing of a Voluntary Riding Code.
- (4) There was an undertaking given to carry out certain works as soon as possible.
- (5) & (6) All of the agreements and undertakings have either been fully or partially implemented or have been programmed for completion in the second half of 2002.

Transport: slip lanes

903. MR PATERSON — To ask the Honourable the Minister for Transport — will the Minister ensure left hand turn slip lanes from the Great Ocean Road into Duffields Road, Jan Juc, are included in the current intersection upgrade works.

ANSWER:

1. Vicroads has carried out a traffic analysis of the intersection and advises that the proposed lane configuration would provide an acceptable level of traffic movement, during normal traffic periods, without the need to construct left turn slip lanes.
2. The construction of left turn slip lanes could increase the safety risk for pedestrians, particularly school children, crossing these lanes.

3. The adjacent Hoylake Avenue will continue to provide for much of the left turning traffic from the Great Ocean Road requiring access to the beaches of Jan Juc.
4. Vicroads will monitor the intersection following the construction of the traffic signals to determine if further work will be needed in the future.

Environment and conservation: fisheries job numbers in Geelong

904. MR PATERSON — To ask the Honourable the Minister for Environment and Conservation for the Honourable the Minister for Energy and Resources —

- (1) How many jobs in the fisheries section of the Department of Natural Resource and Environment's Geelong office have been transferred to Melbourne or elsewhere in 2000, 2001 and 2002 to date.
- (2) What are the Government's future intentions regarding job numbers in the fisheries section of the Department in Geelong.

ANSWER:

I am informed that:

- (1) Over this period the following Fisheries Division positions were transferred from Geelong on a full time basis either on vacancy, or through voluntary transfer;
 - 1 in 2000
 - 2 in 2001
 - 1 in 2002
- (2) Recruitment action has recently been initiated to engage an additional 2 Fisheries Officers at Geelong within the Department's Regional Services Division, as part of the 'Enhanced Fisheries Compliance' component of the Bracks Government's Marine National Parks and Sanctuaries initiative. These Officers are expected to be operational by November this year.

Environment and conservation: illegal mining on public land

905. MR PERTON — To ask the Honourable the Minister for Environment and Conservation with reference to the Minister's answer to Question 476 given on 29 May 2002 in which the Minister states that 'In relation to the exercise of miners' rights on public land no prosecutions were recorded for the categories outlined in the question although a number of complaints concerning illegal mining have been investigated. Only one of these resulted in a person being found to be operating without a miners right and this person was instructed to immediately cease prospecting'—

- (1) How many complaints were received in 1999, 2000, 2001 and 2002 to date.
- (2) What action was taken in respect of each such complaint.
- (3) In the case of the person 'found to be operating without a miners right', where was the offence committed, what was the nature of the offence and why was the person warned and not prosecuted.

ANSWER:

I am informed that:

- (1) Records indicate that one complaint regarding alleged illegal mining on public land was made in 1999, five in 2000 (2 complaints regarding the one issue) and two in 2001 with none recorded so far in 2002.

- (2) A range of actions are taken according to the circumstances of the complaint. In five cases no evidence of illegal mining was found. Two complaints (same issue) were referred to the local forester and the other complaint is detailed below.
- (3) The location was the Yarra State Forest, the offence was prospecting without a Miner's Right and the Inspector used discretion to ensure that a Miners Right was subsequently obtained and that the disturbed areas were restored.

Environment and conservation: weed control projects

906. MR PERTON — To ask the Honourable the Minister for Environment and Conservation with reference to the answer to Question 458 given on 29 May 2002 in which the Minister states that 'As the "land owner" Vicroads is responsible for weed control on the "declared road network" which includes freeways, highways, main roads, tourist roads and forest roads. At the regional level, officers of the Department have been working with Vicroads officers to identify the priority infestations of weeds on the declared road network that require attention, to support community action. Weed control projects have been developed to be conducted by or on behalf of Vicroads' —

- (1) What is the name of each weed control project developed to be conducted by or on behalf of Vicroads.
- (2) How many of such weed control projects have been completed.
- (3) Has any assessment been made of the success of any of the weed control projects completed; if so —
 - (a) by whom has such assessment been made and what are the results of such assessment;
 - (b) which of such assessments have been published.
- (4) What priority infestations of weeds on the declared road network that require attention have been identified and has any action been undertaken to deal with such identified infestations.
- (5) Have any notices been served on Vicroads by Department of Natural Resources and Environment enforcement officers in respect of weed infestations; if so, in relation to which infestations.
- (6) How many complaints have been received from the public in respect of weed infestations on roads and roadsides within Vicroads' responsibility in 1999, 2000, 2001 and 2002 to date and what action has been taken in respect of each such complaint.

ANSWER:

I am informed that:

- (1) Weed control projects conducted by or on behalf of Vicroads do not have specific names.
- (2) Details of these projects and progress should be sought from Vicroads. In my last reply, I stated that officers of the Department of Natural Resources and Environment have been working with Vicroads officers at the regional level to identify priority projects to support community action. This liaison has also included local government when the Shires act as agents for Vicroads. This process is continuing and I expect an increased number of projects to be identified for treatment in future years as we move from an ad-hoc, reactive situation to a planned approach.
- (3) Assessment techniques and follow up treatments will be discussed and identified in these continuing discussions.
- (4) Steps have been taken to identify projects that accord with the agreed priorities expressed in Regional Weed Action Plans. Increased coordination and cooperation between government agencies in addressing agreed community priorities is the approach advocated in *Victorian Pest Management — A Framework for Action*

which I recently launched. Substantial progress has been made between these two Government agencies recently and further improvements can be expected in the future.

- (5) In the past, it has been customary to seek cooperation from government agencies rather than issue Land Management Notices. That approach continues, but is being made more effective. I am advised that no Land Management Notices have been issued to Vicroads since the *Catchment and Land Protection Act 1994* was introduced in 1994.
- (6) In regard to public complaint, I am advised that such records are not held centrally and that a comprehensive reply would entail a search of records at state and regional level of correspondence to Ministers, Departmental heads, regional managers and officers of both agencies. I do not believe that is a valuable exercise, and would prefer that officers spend their time in continuing the productive cooperative actions previously outlined. Anecdotal evidence suggests that public complaint is diminishing as projects are conducted in line with the priorities of the Regional Weed Action Plans.

Environment and conservation: fire retardants

- 910. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation with reference to the Minister's answer to Question 481 given on 30 May 2002 in which the Minister stated that 'Within Victoria, in our State and National Parks, the only fire retardants permitted are those that have been subject to lengthy testing and approval by the United States Department of Agriculture' — what are the actual fire retardants that have been used in 2001 and 2002 to date.

ANSWER:

I am informed that:

The only fire retardant used strategically in Victoria's parks and forests during 2001 and 2002 to 30 May 2002 was 'Phos-Chek D75R'. It is classified as a long-term type retardant that is approved for use in natural environments by the USDA Forests Service.

The use of retardant in Victoria was reviewed for my Department by the CSIRO in 1999. A report of this review titled *Assessment of the Effectiveness and Environmental Risk of the Use of Retardants to Assist in Wildfire Control in Victoria — Research Report No. 50*, which includes the product data sheets, can be found at www.nre.vic.gov.au/fires by following the links to Fire Research in the Fire Management section on this web page.

Sport and recreation: Victorian Institute of Sport annual report

- 912. MR THOMPSON** — To ask the Honourable the Minister for Employment for the Minister for Sport and Recreation — what are the direct and indirect production costs of the Institute's Annual Report 2000–2001

ANSWER:

I am informed as follows:

The direct costs for a print run of 1,000 copies of the Victorian Institute of Sport (VIS) Annual Report 2000–01 were \$28,260.

Indirect costs are estimated at \$10,080.

The Annual Report is a primary promotional and marketing tool of the VIS and the costs of its production amounts to almost 30 per cent of the total VIS marketing budget.

The Annual Report, as well as containing valuable and detailed information on VIS operations, is used as a tool in attracting program sponsors to support the VIS.

In addition, servicing of sponsors is achieved through the Annual Report, as is promotion of the VIS and elite athlete development in Victoria.

The Annual Report is provided to various international visitors and delegations for information, as well as demonstrating the many and varied services of the VIS that may be contracted to overseas organisations, thereby providing a further income stream for the VIS.

Energy and resources: Sustainable Energy Authority annual report

913. MR THOMPSON — To ask the Honourable the Minister for Environment and Conservation for the Minister for Energy and Resources — what are the direct and indirect production costs of the Authority's Annual Report 2000–2001.

ANSWER:

I am informed that:

In relation to the 2000–2001 Annual Report of the Sustainable Energy Authority, the direct costs were \$16,757 and the indirect costs were \$9,700.

Ports: ports annual reports

914. MR THOMPSON — To ask the Honourable the Minister for Transport for the Minister for Ports — what are the direct and indirect production costs of the following annual reports for the year 2000–2001 —

- (1) Hastings Port (Holdings) Corporation.
- (2) Melbourne Port Corporation.
- (3) Victorian Channels Authority.

ANSWER:

Total production costs, both direct and indirect, of the 2000/01 Annual Report for each of the publicly-owned Port Corporations in Victoria is as follows:

Melbourne Port Corporation

\$44,169.95.

Victorian Channels Authority

\$32,000.

Hastings Port (Holding) Corporation

\$583.02.

Environment and conservation: weed control

915. MR PERTON — To ask the Honourable the Minister for Environment and Conservation —

- (1) Has the Minister had any advice on the effectiveness of controlled plantings of indigenous species of plants to control weeds; if so, what are the reports that contain such advice.
- (2) Has the Minister had any advice on the effectiveness of controlled plantings of indigenous species of plants to control airborne distribution of weeds; if so, what are the reports that contain such advice.

- (3) Has the Department undertaken controlled plantings of indigenous species of plants, mass plantings of indigenous trees, mass plantings of indigenous shrubs and mass plantings of indigenous grasses to control weeds; if so, where did the plantings take place and what was the effectiveness of the planting in achieving the objectives.

ANSWER:

I am informed that:

- (1) & (2) There are a range of articles and conference papers which provide information on these matters and I have arranged for copies of a number of them to be sent to the Honourable Member.
- (3) The Department of Natural Resources and Environment has not undertaken any controlled or mass plantings of indigenous species to assess weed growth. There have been trials on tree establishment however there has been no ongoing trial work to assess weed growth.

There are a number of demonstration sites where the Department has provided assistance (technical advice, financial assistance, etc), where farmers have clearly shown a reduction in Serrated Tussock by previous plantings of exotic pines, Sugar Gums and mixed species plantings. Many farmers have observed the role that vegetation belts can play in restricting seed movement via wind, such as Serrated Tussock.

Workcover: motorcycle registration

919(b). MR LEIGH — To ask the Honourable the Minister for Workcover — how many motorcycles have been registered in Victoria for each year since 1980 to date.

ANSWER:

This question does not fall within my Portfolio responsibilities.

Transport: daily validation figures for trams

922. MR LEIGH — To ask the Honourable the Minister for Transport — what are the average daily ticket validation figures for March 2002 for each of the tram lines Airport West (59), West Maribyrnong (57), Footscray (82), West Coburg (55), North Coburg (19), East Coburg (1), West Preston (11), Bundoora (86), East Brunswick (96), North Balwyn (48), Mont Albert (109), Wattle Park (70), East Burwood (75), Camberwell (72), Kew (69), North Richmond to St Kilda Beach (79), North Richmond to Prahran (78), East Melbourne (34), Route 12, Toorak (8), Glen Iris (6), Malvern (5), East Malvern (3), Carnegie (67), East Brighton (64), St Kilda Beach to Melbourne University (16) and South Melbourne to St Kilda Beach (12).

ANSWER:

The Onelink validation data is progressively archived and the recovery of data for the month of March 2002 would require Onelink to allocate significant time and resources to retrieve.

Transport: daily validation figures for trains

923. MR LEIGH — To ask the Honourable the Minister for Transport — what are the average daily ticket validation figures for March 2002 for each of the train lines Lilydale, Belgrave, Alamein, Epping, Sandringham, Frankston, Williamstown, St Albans/Sydenham, Melton, Werribee, Broadmeadows, Upfield, Hurstbridge, Glen Waverley, Pakenham, Cranbourne and Stony Point.

ANSWER:

The Onelink validation data is progressively archived and the recovery of data for the month of March 2002 would require Onelink to allocate significant time and resources to retrieve.

In addition, the data for trains is not reported by line but by line section, as validations occur at stations serving more than one line and it is not possible to determine to which line to allocate validations at these stations.

Police and emergency services: speeding in residential streets

927. MR LEIGH — To ask the Honourable Minister for Police and Emergency Services in relation to residential streets —

- (1) How many people have been booked monthly for speeding since the introduction of 50 km/h speed limits.
- (2) What revenue from fines has been raised monthly for speeding since the introduction of 50 km/h speed limits.
- (3) How many warning notices have been issued monthly for speeding above 50 km/h since the introduction of residential speed limits.
- (4) How many people have been detected for speeding but have had their fines withdrawn since the introduction of 50 km/h speed limits.

ANSWER:

I am advised that:

- (1) This information has been sought by the Honourable Member in question 757 and I refer him to my reply.
- (2) This information has been sought by the Honourable Member in question 758 and I refer him to my reply.
- (3) This information has been sought by the Honourable Member in question 759 and I refer him to my reply.
- (4) This information has been sought by the Honourable Member in question 760 and I refer him to my reply.

Transport: costs of providing public transport services

928. MR LEIGH — To ask the Honourable the Minister for Transport — what was the cost of providing public transport services in 2001 to areas serviced by —

- (1) Zone 1.
- (2) Zone 2.
- (3) Zone 3.

ANSWER:

The cost of providing public transport services to areas serviced by individual zone is not available. Costs are allocated by contract to the public transport operators.

QUESTIONS ON NOTICE

*Answers to the following questions on notice were circulated on the date shown.
Questions have been incorporated from the notice paper of the Legislative Assembly.
Answers have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.
The portfolio of the minister answering the question on notice starts each heading.*

Tuesday, 15 October 2002

Premier: staff numbers

823. MR KOTSIRAS — To ask the Honourable the Premier —

- (1) How many full time equivalent staff, part-time staff and casual staff are employed in the Private Office of the Premier, as at 18 April 2002.
- (2) How many full time equivalent staff, part-time staff and casual staff are employed in the Department of Premier and Cabinet, as at 18 April 2002.

ANSWER:

- (a) As at 18 April 2002, 47.00 full time, 2.30 part time and no casual staff were employed in the Private Office of the Premier.
- (b) As at 18 April 2002, 359 full time, 23.70 part time and 17.63 casual staff were employed in the Department of Premier and Cabinet.

Education services: East Doncaster Secondary College

900. MR PERTON — To ask the Honourable the Minister for Education and Training for the Honourable the Minister for Education Services with reference to the proposed master plan submitted by the College in September 2000—

- (1) Is there a priority list for master planning; if so, where is the College on such list.
- (2) How, and by whom, are priorities for master planning in schools decided.
- (3) Is the Government aware of the length of time taken to endorse master plans in schools; if so, does it have a strategy for reducing that time.
- (4) Is the Government aware of the growth patterns in several schools in the Doncaster area; if so, does it have a plan for managing that growth.
- (5) Does the Government plan to respond to growth proactively when it sees clear patterns emerging, or retrospectively after that growth has occurred.
- (6) Is the Government concerned about the impact on secondary schools as an outcome of the provision of additional classroom space for primary schools as a result of reducing class sizes in the early years.
- (7) Does the Government have a strategy for working with schools that wish to implement building programs funded outside the normal grants to schools, to ensure that all monies are spent efficiently.

ANSWER:

I am unable to answer this question as it does not fall within my portfolio responsibilities and should be more appropriately referred to the Minister for Education and Training.

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