

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-FOURTH PARLIAMENT

FIRST SESSION

16 April 2002

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By authority of the Victorian Government Printer

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FIFTY-FOURTH PARLIAMENT — FIRST SESSION

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Deputy Leader of the Parliamentary Labor Party and Deputy Premier:

The Hon. J. W. THWAITES

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

The Hon. D. V. NAPHTHINE

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Mr P. J. RYAN

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Langdon, Mr Craig Anthony Cuffe	Ivanhoe	ALP	Wells, Mr Kimberley Arthur	Wantima	LP
Languiller, Mr Telmo	Sunshine	ALP	Wilson, Mr Ronald Charles	Bennettswood	LP
Leigh, Mr Geoffrey Graeme	Mordialloc	LP	Wynne, Mr Richard William	Richmond	ALP

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, 16 April 2002

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

HER MAJESTY QUEEN ELIZABETH THE QUEEN MOTHER

Mr BRACKS (Premier) — I move:

That the following resolution be agreed to by this house:

To Her Majesty Queen Elizabeth II:

Most Gracious Sovereign,

We, the Legislative Assembly of Victoria in Parliament assembled, express our sympathy with Your Majesty, His Royal Highness the Duke of Edinburgh and members of the royal family, in your sorrow at the death of Her Majesty Queen Elizabeth The Queen Mother.

We acknowledge her as a much-loved member of the royal family and pay tribute to her long years of devoted service, which she carried out with charm, dignity and resilience throughout her life.

I express the sympathy of the Victorian government, and indeed the Victorian people, for the passing of Her Majesty Queen Elizabeth, affectionately known as the Queen Mother. We mourn the passing of a remarkable figure in public life, whose commitment to duty and to life in general will see her remembered warmly across the world for many years to come.

Queen Elizabeth was born the Honourable Elizabeth Angela Marguerite Bowes-Lyon on 4 August 1900 as the fourth daughter of the Earl of Strathmore and Kinghorne. Her Majesty assumed the title of Queen Consort after her husband, King George VI, ascended to the throne in 1937 following the abdication of his brother Edward VIII. After her husband's death Queen Elizabeth continued her public duties in the United Kingdom and overseas. This encompassed 40 official overseas visits, importantly including three official visits to Australia, in 1927, 1958 and 1966.

Part of the fascination with the Queen Mother is the fact that her 101-year life spanned some of the most tumultuous and important events in modern history. During her life she would eventually see the beginning and ending of two world wars, the great depression, the space age and the invention of things we take for granted, such as the motor car and television. She even pre-dated the commencement of the Australian Federation.

Many Australians, especially older generations, will recall Queen Elizabeth's decision during the blitz on

London in World War II not to abandon Buckingham Palace and London during their time of need. The support and encouragement she offered to both the troops and the English people typified the gracious dignity she maintained throughout her life.

The Queen Mother was the most enduring symbol of the British monarchy. She endured the abdication of Edward VIII, the sad loss of her beloved husband, King George VI, and the succession of troubles that have rocked the monarchy, including the untimely death of Princess Diana, and most recently the loss of her daughter Princess Margaret.

But it is not only her unique place in history that she will be remembered for. Her dedication and devotion to family and the public, even up to her last months of life, demonstrated her great strength of character. In his statement to the House of Commons, British Prime Minister Tony Blair told the Parliament:

She was still carrying out 130 engagements a year at the age of 80 and even 50 over the age of 100. She has been involved, often as patron or president, in well over 300 charities, voluntary bodies and other organisations.

The fact that she was still so active in her later years is an inspiration to many older people in the community. She lived life to the full and went about her duties with a sense of good fun and good humour.

As I said, the Queen Mother will be warmly remembered by Australians. A number of World War I diggers were attended to by the future Queen Elizabeth during their convalescence at her family residence Glamis Castle. Her first visit to Australia in 1927 was to mark the opening of Parliament House in Canberra, which she noted fondly in commemorating the 100th anniversary of the commonwealth Parliament last year.

The Queen Mother's visit to Victoria in 1958 was remembered vividly and recorded with great enthusiasm. On her departure the Queen Mother radioed a special thankyou message to the people of Victoria and Australia, saying:

I shall always remember these days in your midst with feelings of the greatest possible happiness. I leave a large part of my heart in Australia.

The many entries in her honour in the condolence book at Government House signify that many Victorians will always have Her Majesty the Queen Mother in their hearts.

It is with these thoughts in mind that we extend our condolences to Her Majesty Queen Elizabeth II and the royal family.

Dr NAPHTHINE (Leader of the Opposition) — I rise to join the Premier in his tribute to the Queen Mother. Her life was symbolic of the century of rapid change through which she lived. She was born at the end of the 19th century and died at the commencement of the 21st century. Her life spanned some of the greatest triumphs and tragedies that humanity has ever experienced — the achievement of scientific discoveries, the arrival of immunisation, penicillin and modern medicine, our great tolerance and openness to change, and of course the horror of world war. She was born into a world before the invention of the motor car, and now we see the mass production of motor cars throughout the world. She witnessed the birth of the aeroplane, the conquering of space and the arrival of mass air travel. She was born in an era of pens dipped in ink, and she died in an era of mobile phones, palm pilots, the Internet and emails — and I understand she was very familiar with the email and used it in her latter years.

During her public life the Queen Mother saw both the birth and the death of depraved and murderous regimes and ideologies which brought only destruction to the world. The Queen Mum, as she was known to us all, was a public figure of unrivalled standing. She was loved by many not only throughout England and the United Kingdom but throughout the commonwealth and indeed throughout the world. She was particularly revered during World War II for her bravery and courage in the darkest hours of the European war when she visited victims of the Nazi bombings of London, refusing to flee even after advice suggesting that she take herself and her family outside London to safety.

When she was asked whether her daughters would be sent from the danger of England, her response captured the mood of the nation, and I quote:

The princesses would never leave without me, I couldn't leave without the King, and the King will never leave.

Indeed, upon seeing her once in a newsreel, Hitler remarked that for him she was the most dangerous woman in Europe — and I think she proved to be. The Queen Mother, with Winston Churchill, became proud symbols of a defiant Britain and defiant allies who took on Hitler and Nazi Germany and defeated them, as we much appreciate.

Fifty years ago upon the death of the Queen Mother's husband, King George, Winston Churchill told the House of Commons:

The fate and fortunes of the whole nation ... [were] centred not only in his office but in his soul. That was the ordeal which he could not have endured without the strong, loving support of his untiring wife and consort.

The Queen Mother was a constant reminder of the sacrifices made by previous generations to secure our own freedoms. However, it is not only the older generations who feel the sense of loss. The Queen Mother is honoured by the public of later generations for her ongoing commitments to public service and charity.

As the Premier said, the Queen Mother was involved in over 300 charities and led a very active public life right up until the final years of her life. Whether in her 80th, 90th or even her 100th year, she was actively involved in many charities and activities, whereby she promoted good works within the community.

The Queen Mother has also had a notable association with Australia and the City of Melbourne. During the First World War her family's castle in Scotland was converted to a convalescent home for wounded Australian soldiers. Many Australian soldiers and their families will never forget the support they received from her family. In 1927 she and her husband, then Duke and Duchess of York, visited Australia and took part in those very memorable celebrations which saw the nation's Parliament move from this place to the capital of Canberra. Indeed, her role in that was also something of great significance. On this visit at Government House in Melbourne she insisted on dancing with a man she had met when he was an officer in convalescence at her castle in Scotland, and that has been well recorded.

Later in life one of the many honours she received was the title of Lord Warden of the Cinque Ports. This title had been previously held by our own Sir Robert Menzies and, prior to Sir Robert Menzies, by Winston Churchill. One of the Cinque Ports is the port of Winchelsea in England. Winchelsea's namesake in Victoria is the town in which I grew up, so I always remember when Sir Robert Menzies was made Lord Warden of the Cinque Ports feeling an affinity between our school in Winchelsea with the school in Winchelsea in England, and of course when the Queen Mother also become Lord Warden of the Cinque Ports.

Queen Elizabeth the Queen Mother was the last public figure of a generation long gone. As well as witnessing the horror of two world wars and helping to steel a nation's resolve she witnessed the successful rebuilding of shattered societies and the rebirth of England and a resurgent Europe.

When her husband passed away in 1952 rather than retiring to a comfortable quiet life she took it upon herself to redouble her efforts and to commit herself to public service and public good. She will always be remembered as a lady of great spirit and optimism with a ready smile, a lady who enjoyed life to the full, whether it be the races or a glass of champagne, or something a little bit stronger. But she always understood her sense of duty; and her duty to the community was unstinting and her role was a huge inspiration to many people. She will be fondly remembered by all generations. We will all miss her. Members of the Liberal Party pass on their sympathy to the Queen and her family on the loss of the Queen Mother.

Mr RYAN (Leader of the National Party) — I support this condolence motion in company with the Premier and the Leader of the Opposition. The date of 30 March 2002 marked the end of an extraordinary life and indeed an amazing era.

Her Majesty Queen Elizabeth The Queen Mother by any standards was quite an amazing person. The Premier and Leader of the Opposition have already outlined many aspects of her amazing life and the quite unique contribution she made in the various capacities in which she fulfilled her role over the decades that she did it.

From my own perspective, I cannot help but reflect on the way she was seen by what might be termed the everyman. She was a person of extraordinary dignity, wonderful humour, and had great poise and grace. She was unfailingly courteous to the people she met. Many of the photographs that one has seen of her over the past few days have been more often than not the grainy film of the Second World War when she was moving amongst communities which had been subjected to the bombing that occurred in and around London in those terrible times.

I cannot help but recall her commentary in some film that I saw the other night in which she talked about Buckingham Palace having been bombed and that she could now more readily identify with those in the East End of London. She was the style of person to whom people looked as being, ironically enough, an equal. They saw in her much of themselves. It is interesting to note the genuine outpouring of grief we have seen, not only throughout England but worldwide in so many communities, where people have had a genuine affection and love for this great lady.

She had a particular affinity with children. Many times the film depicts her moving in and amongst children,

and not only in the sense organised by those who were minding her movements. Often she would break away from protocol and move amongst the children who had come to see her. How many times have we seen this wonderful lady lean over and receive flowers from a small hand, tendered as a gesture of that genuine affection to which I have referred.

Her remarkable life spanned a century. One of the many features of this extraordinary person that we will always reflect upon is that throughout the two world wars and throughout all those other events in her life that might otherwise have brought her to her knees she invariably rose above the many challenges that were presented to her. So it was that in the face of adversity she more often than not appeared as an inspiration to the people, not only in England and the United Kingdom but worldwide.

I join with the Premier and the Leader of the Opposition in paying tribute to this extraordinary person, and with them I convey my condolences and those of the National Party to the members of the royal family.

The SPEAKER — Order! I ask all honourable members to signify their assent to the motion by standing in their place for 1 minute's silence.

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

Mr BRACKS (Premier) — I move:

That the following address to the Governor be agreed to by this house —

Sir:

We, the members of the Parliament of Victoria in Parliament assembled, respectfully request that you will be pleased to communicate to the Governor-General the accompanying resolution for transmission to Her Majesty the Queen.

Motion agreed to.

QUESTIONS WITHOUT NOTICE

Shannon's Way Pty Ltd

Dr NAPHTHINE (Leader of the Opposition) — I refer the Premier to the awarding of a multimillion dollar Workcover advertising contract to Shannon's Way Pty Ltd, a relatively small firm which ran Labor's 1999 election campaign and whose principal, Bill Shannon, is a key Labor Party fundraiser. Will the Premier advise the house why this supposedly open,

honest and accountable government is still refusing to disclose the value of this contract and is vigorously fighting to keep these payment details a secret?

Mr BRACKS (Premier) — I thank the Leader of the Opposition for his question. Shannon's Way Pty Ltd was chosen through a rigorous and transparent tender process. There was an independent and unanimous recommendation by Workcover's tender evaluation committee, which was that Shannon's Way was the best agency for the contract. This recommendation was accepted by the full board of Workcover.

The opposition leader also referred to matters which the Deputy Leader of the Opposition is seeking under freedom of information (FOI). That matter is before the Victorian Civil and Administrative Tribunal. We have opened up the FOI laws, so if her claim stacks up under the new, open FOI laws we have she will get them. We remember what the FOI laws were like under the Liberal government.

Roads: speed limits

Mr TREZISE (Geelong) — I ask the Premier to advise the house what road safety initiatives are being introduced under this government, and whether he is aware of any alternative proposals.

Mr BRACKS (Premier) — I thank the honourable member for Geelong for his question and for his continuing support for road safety measures to bring down the road toll and accident rate in Victoria.

The new campaign in Victoria is all about attacking speeding motorists. It is all about building on the successful anti-drink-driving campaign, which has culturally changed Victoria and Victorians and which we need to consistently reinforce. But now that we have had that generational change of attitude which has been so important, particularly by young people, we also want a generational change on speeding. Speeding is currently the biggest contributor to the road toll and accidents on our roads.

I am very proud, firstly, to be part of a government that has introduced, for example, the 50-kilometre residential speed limit, which I am sure the Minister for Transport would want to report to this house on, which has had a marked effect in reducing pedestrian accidents in residential streets. Regrettably many are killed and become part of the road toll.

Secondly, I am very pleased that this government had the courage to bring in alcohol interlock legislation. This is new legislation to prohibit people who are

repeat offenders from driving a car while intoxicated, and to disable that car as part of it.

I am very proud of the \$240 million black spot road campaign, which is about fixing up high-accident roads. We are the first government to bring in such a big program in Victoria — a program which was criticised and opposed during the last state election campaign by the Liberal Party, which said it should not have been funded. It criticised the \$240 million black spot program in this state.

I am very proud to be a part of a government that has a campaign to wipe 5 kilometres off the speed limit. These are important new initiatives.

Importantly, if you look back in our history in Victoria, right back to the origin of a bipartisan position on the road toll, you go back to Sir Rupert Hamer, who had the courage and fortitude to see combating the road toll as requiring a concerted effort across enforcement and education, with new measures which affected civil liberties but were important nevertheless in bringing down the toll. Those proposals by Sir Rupert Hamer were supported by the Labor Party in opposition; that went on, and successive Labor governments were supported by Liberal–National Party coalition oppositions.

Until the last two and a half years we enjoyed bipartisanship through the all-party Road Safety Committee in the efforts to bring down the road toll by addressing speeding and drink-driving. The current opposition leader has broken that bipartisanship and is effectively encouraging Victorians to speed. That is what he is doing.

Dr Napthine — On a point of order, Mr Speaker, I ask that the Premier withdraw that statement. It implied an imputation. What I said quite clearly is that we want a fair and reasonable implementation of the existing speed limits. That is what we want — a fair and reasonable implementation.

The SPEAKER — Order! I do not uphold the point of order. The Leader of the Opposition is offering a personal explanation. If he wants to do that, there is a process for doing so.

Mr BRACKS — Let me conclude on this matter. We heard tellingly last week from the Leader of the Opposition. He said to the media, 'I am in campaign mode'. That is what he said.

Mr Perton — On a point of order, Mr Speaker, the Premier is debating the question. You have ruled on a number of occasions that question time is the time for

the Premier and other ministers to answer questions relating to government administration and ought not to be used as an excuse for attacks on the opposition. The device that is being used in the question is obviously a preplanned mechanism for the Premier to launch an attack on the opposition. I ask you to rule that the Premier is debating the question and bring him back to the appropriate answer.

The SPEAKER — Order! I am not prepared to uphold the point of order; however, I do ask the Premier to come back to answering the question that was posed.

Mr BRACKS — I will come back to the second part of the question, which was on alternative policies that I am aware of. The only one I am aware of is that after two and a half years the opposition leader is effectively encouraging speeding in this state. It is telling, and if I can finish on this point, that last week the opposition leader said — —

Dr Dean — On a point of order, Mr Speaker, the Premier is obviously using a device in this house to debate policy. He is using question time to debate a question. That is contrary to the orders of this house, and it is important that this approach and attempt to debate policy through question time is dealt with by you in the appropriate manner.

The SPEAKER — Order! I do not uphold the point of order. If the Premier begins debating the question the Chair will pull him up.

Mr BRACKS — So the alternative proposal of encouraging speeding is opposed by this side of the house. And secondly, if I can finish on this point, effectively the Leader of the Opposition said last week that he is in campaign mode. It is clear that the opposition leader is more concerned about short-term votes than he is about the road toll in this state — it is clear and unequivocal!

Snowy River

Mr RYAN (Leader of the National Party) — My question is directed to the Premier. Given that the government has now committed to an agreement auspiced by the Murray-Darling Basin Commission which will provide between 350 and 1500 giganlitres of extra water for the Murray River, as well as yesterday's agreement with South Australia for another 30 000 megalitres for the Murray, can the Premier confirm that his government will still be able to find the 295 000 megalitres needed to meet commitments to the Snowy River?

Mr BRACKS (Premier) — I thank the Leader of the National Party for his question on this matter and for his continued interest in these policy matters on behalf of our rural communities.

It was an important landmark decision in the town of Corowa, where the environment ministers met recently to decide on environmental flows for the Murray River. Importantly there was agreement between all jurisdictions — all state governments and the commonwealth government — to investigate the feasibility of a target approximating if not 350 giganlitres then close to 1500 — I think there were two or three options presented — to come up with a plan to see effectively if that could be delivered and if that plan was acceptable, then to decide between the jurisdictions how that could be resourced and auspiced in the future.

It is a very ambitious, very difficult target to achieve, but importantly there has been a commitment to ensure better environmental flows in the Murray River. We know that currently less than 30 per cent of the flow of the Murray River goes out to the sea. It is salting up very badly, and it is possible, as in 1981, that the whole mouth of the Murray River could close. As you could drive a vehicle across the mouth of the Murray in 1981 so you could again if concerted action is not taken by jurisdictions around this country to ensure that we get a better environmental flow, and a flushing out of that salt, not the silting up that can occur back from the mouth of the Murray.

As a down payment on the future — as I described it to the new Premier of South Australia, Mike Rann — and an act of good faith between two governments to do that very task and set an example of that task, Victoria committed \$15 million immediately with a contribution from South Australia of \$10 million towards a 30 giganlitre extra flow into the Murray. That does not go a long way towards the big target but it will make a difference when it is added to the 70 giganlitres which the commonwealth government will fund as part of its agreement on the environmental flows to the Snowy River. The commonwealth will contribute 70 giganlitres to the Murray as part of the Snowy arrangements. That is 100 giganlitres between the three governments of South Australia, Victoria and the commonwealth. It is welcome and it is important.

I can give an assurance to the Leader of the National Party on the first part of his question — on achieving the objective of the environmental flow to the Snowy can the government guarantee that it will not be affected by these arrangements with the Murray — the answer is yes, I can give that guarantee, it will not be affected. We will pursue that target independently and

separately. We are taking steps already with new capital works, new works on streams flowing into the Snowy and new arrangements to stop seepage and evaporation to bring up the environmental flow in the Snowy.

I am pleased that now all jurisdictions, apart from the commonwealth, have signed the agreement which includes the corporatisation of the Snowy. I understand there is now no encumbrance on that being signed by the commonwealth government and it was transmitted to the Prime Minister yesterday by the Department of Premier and Cabinet with all the signatories: Premier Bob Carr from New South Wales, the Premier of South Australia and myself. I expect the Prime Minister will sign it soon. That is good news for the Snowy River and, because of other arrangements, good news for the Murray River as well.

Roads: speed limits

Mr LANGDON (Ivanhoe) — Will the Minister for Transport inform the house what initiatives the government has introduced to improve road safety in residential areas and whether he is aware of any alternative proposals?

Dr Napthine — Just as well you set the agenda, isn't it?

Mr BATCHELOR (Minister for Transport) — No, Denis, you set the agenda!

The SPEAKER — Order! The Minister for Transport, addressing the Chair.

Honourable members interjecting.

The SPEAKER — Order! The Leader of the Opposition should cease interjecting.

Mr BATCHELOR — What a dork!

The SPEAKER — Order! The Minister for Transport, addressing the question.

Mr BATCHELOR — I meant the Leader of the Opposition, Mr Speaker.

The SPEAKER — Order! I ask the Minister for Transport to cease taking up interjections and to address the Chair on the question.

Mr BATCHELOR — Honourable members would be aware that the Bracks government has developed a strategy to reduce the road toll in Victoria by 20 per cent over the next five years. This is the Arrive Alive strategy.

Dr Napthine interjected.

Mr BATCHELOR — The road toll has gone up because people like you encourage people to speed. People like the Leader of the Opposition encourage people to speed. He is irresponsible and that is why it has gone up!

The SPEAKER — Order! I ask the Minister for Transport to address his remarks to the Chair and to answer the question in the third person.

Mr BATCHELOR — A key part of our strategy is the requirement for motorists to actually obey the speed limit and to drive more slowly. This is particularly true in residential areas. We need people to obey the lower speed limit and to drive safely. Last January this government introduced new road laws in residential areas, and it asked people to reduce the speed limit to 50 kilometres per hour.

Dr Napthine interjected.

Mr BATCHELOR — The Leader of the Opposition encourages people to break the law through speeding. He is absolutely reckless in his behaviour. The government is trying to set up an environment that makes our residential streets safe for families, young children, the elderly, pedestrians, cyclists — for the most vulnerable of our road users.

Unlike the Leader of the Opposition, the government wants to make Victoria's roads safer for the most vulnerable of our citizens — the elderly, pedestrians and children. These are the sorts of people the government wants to look after and the sorts of people the Leader of the Opposition wants to put at risk.

When the new speed requirement for residential streets was introduced it received overwhelming support from the road safety agencies, including the Transport Accident Commission (TAC), Vicroads and motoring organisations like the Royal Automobile Club of Victoria.

Mr Cooper interjected.

The SPEAKER — Order! The honourable member for Mornington should cease interjecting!

Mr BATCHELOR — Mayors and local councils right across the state — in the metropolitan area and rural Victoria — enthusiastically welcomed this initiative, and they have enthusiastically supported it since it was introduced. These are mayors and councils from across the political spectrum. Labor, National and

Liberal Party mayors across the state support it, but not the Leader of the Opposition.

Today I released an independent evaluation of the new speed limits for residential streets, prepared for the government by the Monash University Accident Research Centre (MUARC).

Mr Cooper interjected.

The SPEAKER — Order! I have asked the honourable member for Mornington to cease interjecting.

Mr BATCHELOR — MUARC is a renown road safety research agency. It is highly respected and has carried out this research for the government. In the first five months of the operation of the new speed limits there has been a 13 per cent reduction in casualty crashes in our residential streets.

Further, there has been a 40 to 46 per cent reduction in fatalities and serious injuries of pedestrians. Honourable members can see that this initiative has made our residential streets safer for pedestrians and other road users. That has happened because the government has the overwhelming cooperation of communities right across the state. The government can make a law to commence the process of making our roads safer, but unless it has the cooperation and support of motorists and local communities it will not be a success. We have that support from almost everybody, the exception being the Leader of the Opposition. It is because of this support that fatalities among pedestrians have come down by a dramatic amount.

Mr Leigh interjected.

Mr BATCHELOR — The Liberal Party spokesman on road safety says that the fatalities for pedestrians in residential areas have gone up, but they have gone down. They have gone down because of this new law, which is widely supported by communities right across Victoria.

Mr Leigh — On a point of order, Mr Speaker, the Minister for Transport is misrepresenting me. I was talking about the percentage figures, not what that law did.

The SPEAKER — Order! Clearly the honourable member is not taking a point of order. I will not hear him.

Mr BATCHELOR — So here we are with the residential speed limit reduced to 50 kilometres an hour. It is a terrific initiative which has been widely

supported. The government is calling on all members of the community to continue this support into the future. If we can sustain these sorts of reductions in casualty crashes and fatalities in residential streets we will go a long way to achieving the objectives we set at the beginning of this process.

The reduction of speed limits in residential streets is just one element of the government's Arrive Alive strategy. Other elements include the \$240 million black spot program, the Wipe Off 5 advertising program run by the TAC — —

Mr McArthur — On a point of order, Mr Speaker, this answer has been going for about 6 minutes, so I draw your attention to sessional order 3(5).

The SPEAKER — Order! I remind the minister of sessional order 3 and ask him to be succinct and conclude his answer.

Mr BATCHELOR — If you slow down it takes a little longer to get to your destination, and that is our objective in road safety — to get people to slow down. It may take people a little longer to get to their destinations but it will be well worth it. This opposition has no policies. It has opposed our initiatives, and it is clearly desperate when it encourages people to break the law and — —

Dr Dean — On a point of order, Mr Speaker, the minister is clearly debating the question.

The SPEAKER — Order! I do not uphold the point of order. However I ask the minister to conclude his answer.

Mr BATCHELOR — Road safety in Victoria has until now received bipartisan support. It is a sad day for Victoria when the Leader of the Opposition encourages people to speed.

Shannon's Way Pty Ltd

Ms ASHER (Brighton) — I refer to evidence given at the Victorian Civil and Administrative Tribunal by Workcover's marketing manager, Mr Peter Kelly, who said he was surprised to learn that Shannon's Way Pty Ltd was the successful tenderer for a Workcover contract because it did not have the resources available to service the contract and I ask the Premier: given that Shannon's Way was not initially seen by Workcover as capable of handling such a large contract, is this just another example of the Bracks government paying off its Labor mates with government contracts?

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Doncaster!

Mr BRACKS (Premier) — I reject the allegation made by the honourable member for Brighton. The honourable member is obviously in the Victorian Civil and Administrative Tribunal prosecuting this case. If she is to be successful that is good because there are much more relaxed freedom of information rules now than we ever had under the previous government. That is for sure.

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Mornington has been called a number of times.

Roads: speed limits

Mr HELPER (Ripon) — Will the minister responsible for the Transport Accident Commission advise the house what action the commission is taking to highlight the impact of speeding on Victorian roads?

Mr CAMERON (Minister for Workcover) — Unfortunately, last year 451 people died and 6000 people were seriously injured on Victorian roads. That is a great tragedy. The road toll this year already stands at 120, the same number of people killed on our roads as at the same time last year. Over the last 30 years governments and the community have been willing to address the issue of road carnage. For example, going back to the issue of seatbelts, some people said it was not necessary to make any changes but, nevertheless, changes were implemented and have been supported by the community. Over the years governments have sought to reduce the road toll by pursuing the key road killers: drink-driving, fatigue and speed.

Speed is the biggest killer on our roads; last year speed was a major factor in 41 per cent of road deaths. A Transport Accident Commission (TAC) study early last year revealed that a majority of people in the community thought that it was safe to travel between 5 to 10 kilometres above the designated speed limit. That is a view that is unfortunately shared by some members of this house.

In response, the TAC developed the Wipe Off 5 campaign to bring about a greater community awareness of speeding. That campaign commenced in August last year and sought to dispel the myth that speeding is safe. For example, a car travelling at 60 kilometres per hour takes 45 metres to stop, but a car travelling at 65 kilometres per hour would still be travelling at 32 kilometres per hour after 45 metres.

Speed is very important both in urban areas and out on the roads.

The TAC estimates that if drivers kept to the maximum speed limit, not the minimum, 90 lives would be saved and 1000 serious injuries would be prevented each year. In February last year 25 per cent of drivers had a view that they sped most of the time; in February this year, as a response to a greater community awareness, that figure has been reduced to 15 per cent. That is a sign that people are becoming more aware of the issue, but the issue needs to be pushed by all responsible members of the community and all honourable members.

Shannon's Way Pty Ltd

Ms ASHER (Brighton) — My question without notice is again to the Premier. I refer again to the awarding — —

Mr Thwaites — Get a real barrister down there.

Ms ASHER — I have.

I refer to the awarding of a multimillion dollar Workcover contract to Shannon's Way Pty Ltd, and I refer in particular to the company's project pitch, which highlights in detail the work it did for the Premier during the last state election campaign. Is it a fact that Shannon's Way included among its referees for this massive contract the state secretary of the Labor Party, the Premier, the Premier's chief of staff, the now Minister for Senior Victorians and, most unbelievably, the Minister for Workcover himself?

Mr BRACKS (Premier) — Let me outline to the honourable member for Brighton some of the alliances of Shannon's Way Pty Ltd, the company that was successful under the tender process — it was recommended to the Workcover board and accepted by the board — and I will highlight some of the strategic partners involved there.

Firstly, I note that as part of the tender for Shannon's Way, which the honourable member for Brighton was referring to, there was a strategic alliance with George Patterson Bates, an advertising agency with, as I understand it, some significant history with the Liberal Party of Victoria.

Secondly, I note that the entire process was overseen by Paxton Partners Pty Ltd, corporate advisers, as the independent probity auditor. They were quoted as having said that they were satisfied that due process had been developed and observed and that the tender evaluation committee's recommendation was the result

of an appropriate application of such processes. I reject fully the allegations made by the honourable member for Brighton.

Dr Napthine — On a point of order, Mr Speaker, on the issue of relevance, the question was quite specific. Were the Premier, his chief of staff and the Minister for Workcover all referees for this dodgy contract?

The SPEAKER — Order! Clearly the Leader of the Opposition has raised a point of order to make a point in debate. I shall not hear him further.

Mr BRACKS — I reiterate that the probity auditor was satisfied that the partner involved is a partner with a broad cross-section of interests.

Honourable members interjecting.

The SPEAKER — Order! I ask the honourable member for Monbulk to desist from interjecting in that vein.

Mr BRACKS — In summary, I indicate to honourable members — —

Ms Asher — On a point order, Mr Speaker, could the house have clarification on whether this is the same Paxton Partners that is also refusing to have its fees divulged?

The SPEAKER — Order! I will not allow the Deputy Leader of the Opposition to ask a further question or to again pose the question. She will be called at a later stage.

Mr BRACKS — I reject the allegations made by the honourable member for Brighton, who is pursuing the case in the Victorian Civil and Administrative Tribunal. If she is successful, that would be released under the new, relaxed freedom of information rules in the state. I say this to government members: we just saw the Leader of the Opposition in campaign mode. Wasn't it a frightening sight, Mr Speaker!

Dr Napthine — On a point of order, Mr Speaker, the Premier is debating the question. I also seek clarification on whether he said he rejects the concept that he was a referee.

The SPEAKER — Order! The latter part of that point of order is out of order. I ask the Premier to return to answering the question.

The Premier has concluded his answer.

Police: numbers

Ms LINDELL (Carrum) — Will the Minister for Police and Emergency Services inform the house how the increase in police numbers under this government is improving community safety, and will he advise whether there are any alternative approaches to this issue?

Mr HAERMEYER (Minister for Police and Emergency Services) — Fundamental to the capacity of any community to deliver safety on its streets and neighbourhoods is having sufficient police on the streets to enforce the existing laws. That is why the government came to office committed to providing 800 additional police, and it committed to that over the four years of this government.

The opposition said we would not make it. The shadow minister, the honourable member for Wantirna, said on 3AW on 28 March last year that the:

... election promise to recruit 800 more police is an absolute scam and absolute rubbish.

On the following day on the ABC he said that:

... to deliver on another 760 police in the next two and a bit years ... is almost impossible.

On WIN television in June last year the Leader of the Opposition accused the government of misleading Victorians by promising 800 extra police during the last election. On 6 February this year the honourable member for Wantirna, again on television — —

Mr Perton — On a point of order, Mr Speaker, whilst we enjoy the minister reading transcripts of a shadow minister's speeches, clearly he is debating the question. He is obliged to refer to matters of government administration and not use question time as an excuse to attack the opposition.

The SPEAKER — Order! I uphold the point of order. I ask the minister to return to answering the question.

Mr HAERMEYER — I can understand that opposition members are embarrassed by their own words because the government has delivered the 800 police. Last Friday 54 graduates passed through the police academy, and it has been done in two and a half years not four years. Last Friday the opposition conceded that the government had achieved the number. However, it then denied the commitment it made back in 1992 — and this is its approach to police numbers — —

Mr Perton — On a further point of order, Mr Speaker, you have already ruled in favour of the first point of order. The minister is clearly flouting your original ruling and I ask you to bring him back to order.

The SPEAKER — Order! I believe that in upholding the first point of order the minister was beginning to answer the question. I ask him to continue to answer it.

Mr HAERMEYER — I was starting to discuss the issue of alternative approaches. The 1992 Liberal Party policy was not a bad document. It states that in its first term a coalition government would increase the number of police officers by over 1000 to 11 000.

Mr Perton — My further point of order, Mr Speaker, is again about debating. I fear you were optimistic when you thought that the minister was going to return to the question. I ask you to direct his answer to government administration, and not to continue on the path he is on.

The SPEAKER — Order! I remind the Minister for Police and Emergency Services of his obligation to answer the question. I ask him to do so.

Mr HAERMEYER — As I was saying, there are alternative approaches, but unfortunately the former government did not deliver 1000 police in its first term; it did not deliver them in its second time. Over the entire term of government the coalition cut police numbers by 800 and it did it deliberately by a process of managed attrition.

Dr Dean — On a point of order, Mr Speaker, I submit that this minister is now demonstrating an absolute disregard for your ruling that he was debating the question, and every time he stands up he begins to debate the question again. I ask you to tell him to stop debating the question or sit down.

The SPEAKER — Order! I ask the Minister for Police and Emergency Services to cease debating the question and come back to answering it.

Mr HAERMEYER — I can understand the embarrassment of somebody who did not want a police station in his electorate.

The government has delivered in spades. I congratulate the Victoria Police on the magnificent recruiting campaign it ran. There were over 80 000 expressions of interest from people wanting to be police officers. Mind you, the honourable member for Wantirna got up and said that he was doubtful about the quality of the recruits. He said that in this house last year!

Eighty thousand expressions of interest is a huge vote of confidence in the Victoria Police and an enormous vote of confidence in a career in policing under this government. Under the previous government there were attrition rates of 8 per cent. Those attrition rates are now down to 2.5 to 3 per cent — the lowest in the country. Police are voting with their feet. Morale is sky high and people want to join the police force in droves. When it comes to matters of police numbers, the opposition cannot be believed. When opposition members were in government they promised 800 new police. Instead they cut the numbers. They promised 1000 — —

The SPEAKER — Order! I have asked the minister to cease debating and to conclude his answer.

Mr HAERMEYER — Certainly, Mr Speaker. I am addressing the issue of alternative approaches. Last Friday, in response to the government's announcement, opposition members rang the media to say that the former chief commissioner, Mr Neil Comrie, was to blame — —

Mr Perton — On a point of order, Mr Speaker, does it take seven strikes before he is out? The minister has defied your ruling on six occasions and I ask you on the next occasion to either sit him down or suspend him; certainly you should not allow him to continue to flout your rulings.

The SPEAKER — Order! I ask the Minister for Police and Emergency Services to conclude his answer.

Mr HAERMEYER — I know who I believe — I believe Mr Comrie!

There are 800 additional police on the street and we can now start turning around the issue of crime that began to escalate quite rapidly under the former government. We can get on with business. It is one thing to say you are tough on crime, but how tough on crime is cutting police numbers? I cannot think of anything softer than that!

Shannon's Way Pty Ltd

Ms ASHER (Brighton) — My question is again to the Premier. Given the Premier is listed for reference by Shannon's Way Pty Ltd for a taxpayer-funded contract, can he inform the house of how many other firms there are for which he acts as referee for companies seeking work with the Bracks government?

Mr BRACKS (Premier) — The honourable member for Brighton is trying to try her case at the Victorian Civil and Administrative Tribunal during question time at Parliament. VCAT is the appropriate

independent forum to hear the case on whether the documents should be released to the honourable member for Brighton. I have full confidence in that independent forum achieving that. It does not serve anything to try to prosecute the case here. Either the honourable member has a case or she has not. If she has, the documents will be released.

Consumer Utilities Advocacy Centre

Mr CARLI (Coburg) — Will the Minister for Consumer Affairs inform the house what action the government is taking to protect the interests of domestic energy consumers, particularly in view of retail contestability?

Ms CAMPBELL (Minister for Consumer Affairs) — I thank the honourable member for his question. The government is continuing to deliver on all its election promises. Today another one I am pleased to announce is the establishment of the Consumer Utilities Advocacy Centre. The government is acutely aware that consumers may well be vulnerable in a retail contestability environment. To that end we have made sure — —

Mr Perton interjected.

The SPEAKER — Order! The honourable member for Doncaster!

Ms CAMPBELL — We have made sure that the centre will provide a forum where consumer representatives can exchange information and monitor grassroots utility issues. It will fund research into utility issues and will provide some research itself. It will constitute a world-class centre of excellence in consumer advocacy, and we are funding it to the tune of \$500 000. The centre will provide an independent and informed voice for Victorian utility consumers, in line with the government's pre-election commitment — a commitment that is being delivered here today.

We have appointed high-quality directors, as there was strong interest for those positions, and have secured an excellent Chair in Professor Bill Russell, an eminent academic with senior management experience, including — —

Mr Perton interjected.

The SPEAKER — Order! I have asked the honourable member for Doncaster to cease interjecting.

Ms CAMPBELL — Professor Russell had a previous role as a commissioner of the former State Electricity Commission. Other directors are Jennifer

Dawson, an accountant and Bendigo Bank director; Dimity Fifer, the chief executive officer of Victorian Council of Social Service; Chris Field, the executive director of the Consumer Law Centre; and Joan Sturton Gill, the general manager of a family-based engineering service. This centre will soon be fully operational in Flinders Street and phone lines are now available to assist people seeking advice. The government is delighted to make this announcement and wishes the directors all the best in ensuring that consumers in this state are well and truly represented in retail contestability.

The SPEAKER — Order! The time for questions without notice has expired, and a minimum number of questions has been answered.

Mr McArthur — On a point of order, Mr Speaker, I raise for your attention the management of question time today by the government and the way in which it drafted and asked questions. I ask you to look at and later make a ruling to the house on its appropriateness.

I refer you to *Rulings from the Chair 1920–1999*, which on page 107 says:

... the question must relate to government administration or policy and be directed to the minister responsible.

I put it to you, Sir, that on three occasions during question time today government questions contained a second part which related to policy or programs which had nothing to do with government and specifically asked for ministers to advise and to comment on other policy areas which were not government policy. I put it to you that that is not appropriate and that in future those second parts of questions should be ruled out.

Secondly, Sir, I draw your attention to sessional orders on responses being direct, succinct and factual, and ask you to look at the way the government answered the dorothy dixers from its own members and refused to answer questions from the opposition. Three times we saw the Premier directly avoiding answering questions from the Deputy Leader of the Liberal Party. That is in contravention of sessional order 3 and is in direct contravention to the Premier's promise to the Independents in the Independents charter, where he promised to make his own ministers answer any questions directly and honestly — —

Ms Davies interjected.

Mr McArthur — And he is refusing to do it himself, Susan.

That is in direct breach of both the sessional orders and the Independents charter. I think we have seen a travesty of question time today and I ask you, Sir, to look at these issues and to advise the house at a later stage.

Mr Batchelor — On the point of order, Honourable Speaker, the opposition has just come through a question time in which clearly it regarded its performance as a flop and an utter failure — which it was. It is completely inappropriate to raise spurious points of order to attempt to use historical precedents and sessional orders of the house as a subterfuge or cover-up for its failure to come to grips with what question time is all about.

Firstly, on examining the records, as you have been asked to do, it will be clear that the questions asked by the government of its ministers absolutely related to areas of government business; yet in his contribution the honourable member for Monbulk alleged otherwise. Each of those questions were directed at areas of government administration and the various ministers responded in a variety of ways.

Secondly, the honourable member complained about the response to questions from the opposition, largely based around a matter before the Victorian Civil and Administrative Tribunal that the honourable member for Brighton is currently pursuing. From previous rulings we know that as matters before VCAT are not sub judice, which therefore would be ruled out as other questions relating to proceedings before other judicial areas, it is entirely appropriate for the minister concerned — in this case the Premier — to point out that it is a matter before VCAT and that the honourable member for Brighton has chosen, in the first instance, to prosecute her claim in that forum rather than this. Coming here is a second preference, as was clearly articulated by the honourable member for Brighton today, so the Premier did the appropriate thing in referring the honourable member to that matter of fact and answered the questions appropriately.

The SPEAKER — Order! I am prepared to rule on the point of order raised by the honourable member for Monbulk, which alerted the Chair to the fact that the framing of the questions was of a nature as to seek something other than the government's view or information in regard to alternative solutions to such problems.

The Chair interpreted, upon hearing those questions posed by at least three government members, that they were indeed seeking from the relevant minister information on what other alternatives that minister

might have considered in coming to the government's policy position. Therefore, I believe they were in order, and that is why I allowed them.

On the second part of the point of order raised by the honourable member for Monbulk in regard to sessional order 3, I am of the view that there were a number of occasions on which ministers were not succinct, and the Chair used those occasions to call upon the ministers to conclude their answers. That is the best the Chair can do under that sessional order.

In regard to the comments made by the Minister for Transport on the point of order raised by the honourable member for Monbulk about questions posed by the Deputy Leader of the Opposition being inadmissible in that they related to matters before the Victorian Civil and Administrative Tribunal, I am of the opinion that VCAT is not considered part of the judiciary and that therefore those questions were also admissible. There is no point of order.

Mr McArthur — I raise a further point of order, Mr Speaker. I thank you for your answer on my first point of order, and I appreciate that you accepted those three questions from the government in a generous spirit and took the view that the members asking the questions may have been seeking advice on alternative policy issues. Clearly, Sir, you are entitled to do that. But as the record will show, that is not the way the ministers interpreted those questions, nor the way in which they responded to them. They took it as an opportunity simply to attack the opposition.

In light of that, and with the benefit of hindsight, I suggest that after you have read the record you may take a much more discerning view of double-barrelled questions, because you are very strict in not allowing members to take points of order to make points in debate. I am asking you to apply the same strictness to members framing questions that ask for advice that is outside the bounds of government policy or government administration.

The SPEAKER — Order! I shall take the latter part of that point of order under advisement in considering the position of the Chair in regard to the ruling I have made. However, my previous ruling that the questions were admissible stands.

I shall read the record to examine the ministers' responses in regard to their going further than the questioner intended. However, I point out to the house that on at least three or four occasions the Chair either upheld points of order or asked ministers to cease debating the question.

PETITIONS

Burwood Highway, Belgrave: traffic control

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Assembly the need for

- (1) a second set of pedestrian crossing lights to be installed on Burwood Highway in Belgrave, and
- (2) a reduction in the speed limit from 60 km/hr to 50 km/hr and lit signs to advertise this on the Burwood Highway approach to Belgrave

in consideration of the constant and increasing traffic flow, heavy rush-hour traffic, several blind corners through the business area and considering the increasing use of the area for evening and late night entertainment.

Your petitioners therefore pray/request that the above or similar measures be implemented.

And your petitioners, as in duty bound, will ever pray.

By Mr McARTHUR (Monbulk) (1423 signatures)

Laid on table.

Frankston–Flinders, Dandenong–Hastings and Denham roads: traffic control

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of the undersigned citizens of Victoria sheweth that we are gravely concerned about the extreme danger of the intersection of Frankston–Flinders Road with Dandenong–Hastings Road and Denham Road in Tyabb.

Your petitioners therefore pray that urgent action be taken to make this black spot intersection safer before any more lives are lost at the location.

And your petitioners, as in duty bound, will ever pray.

By Mr COOPER (Mornington) (850 signatures)

Laid on table.

Ordered that petition presented by honourable member for Monbulk be considered next day on motion of Mr McARTHUR (Monbulk).

Ordered that petition presented by honourable member for Mornington be considered next day on motion of Mr COOPER (Mornington).

SCRUTINY OF ACTS AND REGULATIONS
COMMITTEE*Alert Digest No. 3*

Ms GILLETT (Werribee) presented *Alert Digest No. 3* of 2002 on:

Building and Construction Industry Security of Payment Bill
Electoral Bill
Forensic Health Legislation (Amendment) Bill
Health Practitioner Acts (Further Amendments) Bill
Jewish Care (Victoria) Bill
Melbourne City Link (Further Miscellaneous Amendments) Bill
Road Safety (Alcohol Interlocks) Bill
Water (Irrigation Farm Dams) (Amendment) Bill together with appendices.

Laid on table.

Ordered to be printed.

PAPERS

Laid on table by Clerk:

Crown Land (Reserves) Act 1978 — Section 17DA Order granting under s 17D a lease by Cheltenham Golf Club Incorporated

Financial Management Act 1994 — Report from the Minister for Agriculture that he had received the 2000–01 annual report of the Northern Victoria Fresh Tomato Industry Development Committee

Lake Mountain Alpine Resort Management Board — Report for the year ended 31 October 2001

Latrobe Regional Hospital — Report for the year 2000–01 (two papers)

Mansfield District Hospital — Report for the period 1 December 2000 to 30 June 2001 (three papers)

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

Alpine Planning Scheme — No. C5
 Brimbank Planning Scheme — Nos C34, C39
 Cardinia Planning Scheme — No. C13 Part 1
 Gannawarra Planning Scheme — No. C3
 Greater Bendigo Planning Scheme — No. C25
 Greater Shepparton Planning Scheme — No. C22
 Kingston Planning Scheme — Nos C21, C24
 Manningham Planning Scheme — No. C12
 Melbourne Planning Scheme — No. C18
 Mildura Planning Scheme — No. C6

Mitchell Planning Scheme — No. C9
 Monash Planning Scheme — No. C14
 Moonee Valley Planning Scheme — Nos C25, C32
 Moreland Planning Scheme — No. C17
 Towong Planning Scheme — No. C3 Part 1
 Wyndham Planning Scheme — No. C32
 Yarra Planning Scheme — No. C36

Statutory Rules under the following Acts:

Dangerous Goods Act 1985 — SR No. 20
Fisheries Act 1995 — SR No. 19
Occupational Health and Safety Act 1985 — SR No. 20

Subordinate Legislation Act 1994:

Minister's exception certificate in relation to Statutory Rule No. 19

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:

Second-Hand Dealers and Pawnbrokers (Amendment) Act 2001 — Remaining provisions (except sections 30(3), 31, 36, 37, and 38) on 8 April 2002 (Gazette G13, 28 March 2002).

ROYAL ASSENT

Messages read advising royal assent to:

Judicial Remuneration Tribunal (Amendment) Bill
Water (Irrigation Farm Dams) Bill
Water (Irrigation Farm Dams) (Amendment) Bill
Forensic Health Legislation (Amendment) Bill

APPROPRIATION MESSAGE

Message read recommending appropriation for **Melbourne City Link (Further Miscellaneous Amendments) 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, 18 April 2002:

Melbourne City Link (Further Miscellaneous Amendments) Bill
 Jewish Care (Victoria) Bill

Crimes (DNA Database) Bill — Amendments of the Legislative Council

Health Practitioner Acts (Further Amendments) Bill

In moving this motion I just point out to the opposition and the National Party that this is a slight variance on what was previously signalled, in that the motion does not include the Country Fire Authority (Miscellaneous Amendments) Bill message from the Legislative Council. However, it is the government's intention to progress that bill this week but not to have it contained within the guillotine motion. So to all intents and purposes the outcome will be as discussed: we will be dealing with the Country Fire Authority message from the Legislative Council during this week, but it will not be subject to the Thursday guillotine. So for all intents and purposes the outcome of our previous discussions will be the same but we will be dealing with the Country Fire Authority (Miscellaneous Amendments) Bill message from the Legislative Council this week, without it being subject to the Thursday guillotine.

Next week is a short week in parliamentary terms because of Anzac Day. I have been approached by a number of people to see if we could indicate an earlier finish on Wednesday night, the eve of Anzac Day. Many honourable members from the country need to leave earlier in the evening than 11 o'clock to get back to their home base to contribute to their local Anzac Day celebrations. The government is sympathetic to that. We have not yet resolved it but we will take that on board. However, in order to facilitate that we may start to debate the Building and Construction Industry Security of Payment Bill this week depending on the workload of the other bills that are subject to the motion we are debating today.

Although that bill is not contained within the government business program, I make that comment now in order to allow people on both sides of the chamber to understand the government's thinking if it was to commence the debate of this additional proposed legislation this week. It would not be our intention to conclude the debate but if we were able to make up a bit of time this week it would help us get to a more agreeable and realistic departure time next Thursday to accommodate the needs of honourable members in relation to Anzac Day.

Mr McARTHUR (Monbulk) — The Liberal Party will not be opposing the government business program. I have a couple of comments to make on it in light of what the Leader of the House has just advised me across the table. This is a relatively light program, almost as light as the ludicrous program we have had in the last two sitting weeks. We have only three bills and

two sets of amendments from the Legislative Council, one of which we now learn is not going to be in the government's guillotine motion. We should also note that we had already started debate on the Jewish Care (Victoria) Bill last week and the Liberal Party and the National Party have both made it very clear that they support the legislation, so there will not be much contention about that bill. Unless the government wants to do what it did with the Constitution (Governor's Salary) Bill and provide us with the absurd spectacle of member after member on the government side standing up, patting the Governor on the back or giving us a history lesson about governors past, there will not be much debate on the Jewish Care (Victoria) Bill, I expect.

Mr Robinson interjected.

Mr McARTHUR — The honourable member opposite — the temporary member for Mitcham — seems to forget that he has an election to face and an electorate to look after but we will get onto that later on. Of the other bills here, the Melbourne City Link (Further Miscellaneous Amendments) Bill and the Health Practitioner Acts (Further Amendments) Bill will both take some considerable debate. But what is interesting is that the minister has just said that he may want to start on the Building and Construction Industry Security of Payment Bill. If he wanted to do that he should have advised us of it last week when we sat down to discuss this, because we would then have been in a position to make a report to our shadow cabinet and our party room on this process and to respond on this bill.

However, the advice I had on Friday afternoon from the Premier's department was that that bill would not be debated this week and therefore we are not in a position to proceed with debate on that, much as the Leader of the House might want to. It has not gone through the proper process in our party room. I do not know whether the National Party has already dealt with it but certainly we have not. If the government was expecting to start debate on it, it should have advised us beforehand. That is what this business programming committee is set up to achieve, and the sessional orders make provision for that, as the Leader of the House is well aware.

The Leader of the House also mentioned that he has been approached about finishing early next Wednesday with a view to allowing people who have a distance to travel to get home in time to get a reasonable amount of sleep before they go to Anzac Day dawn services the following day, next Thursday. I am happy to assist in the planning of that. It is sensible that people get home

at a reasonable time and are not driving all night from here, leaving at 11 o'clock or midnight and driving all night to get back to places in the country and then driving off to dawn services without the benefit of sleep. Certainly that would be risky for themselves and other road users. But I point out that that is a consequence of the silliness of this government in forcing the Parliament to sit in a week that is broken by Anzac Day and those sorts of days.

Mr Robinson interjected.

The SPEAKER — Order! The honourable member for Mitcham!

Mr McARTHUR — The pup from Mitcham can have his say in time if he wants it. If the government really managed this business program well it would not force the house to sit on these days and then have to make arrangements, by leave or by agreement, to allow a sensible time for people to get back to their electorates to deal with electorate issues that everybody would like local members to be involved in. We are quite happy to reach an arrangement on this, but it would have been unnecessary if the Leader of the House had planned the legislative program in a more sensible manner and not sat in the week leading up to Easter or in the week that contains Anzac Day.

Those things were poor planning and they are purely emanating from the office of the Leader of the House. He has been at it for quite a few years now, and he should know better. He should know how to do this in a more sensible and reasonable manner, so that when we sit we have a full business program and when we are here we can do a full week's work in return for the expense that the public is put to, and when we are not sitting we can get on with the business we are all involved in in our local electorates. It is not rocket science. Even this minister should be able to do it.

Mr MAUGHAN (Rodney) — The National Party will not be opposing the government's business program. It is a very light business program. We will be discussing really two pieces of legislation this week, and maybe something coming back from the Legislative Council, but from what I understand of what is happening in the Council, it has a fairly light business program as well.

I appeal to the minister and the government to give serious consideration to finishing early on Wednesday of next week, and to announce that as soon as it is possible to do so, so that country members in particular can make arrangements to get back for Anzac Day services. I believe it is absolutely deplorable that we

were scheduled to be sitting on Anzac Day, and as late as today we still do not have a clear direction from the government that we are going to be able to leave this place in reasonable time to get home and to have a reasonable rest before the commitments that we all have on Anzac Day.

In question time today the Minister for Police and Emergency Services was talking about road safety, yet here is the government right now forcing honourable members to at this stage plan, hopefully, to drive home on Wednesday evening. We do not know yet whether we are going to be able to go at 6 o'clock or whether it will be 11 o'clock. As most of the honourable members here representing country electorates have a 3 to 4-hour drive after a busy week here, I implore the government to show some consideration and to make a positive announcement — rather than having it 'dependent on' — that we are going to sit no later than 6 o'clock on Wednesday evening, so that honourable members can get back to their electorates and at least have some rest before the Anzac Day services.

I again make the point that the legislative program is remarkably light. I wish this government would deal with some of the issues that are concerning people out there, particularly in country Victoria. Public liability insurance is one that is running, and I wish to see some legislation doing something rather than just talkfests. I would love to see us debating public liability insurance. Likewise with housing guarantee insurance: there are many builders in my area, and in country Victoria generally, who are very concerned about this issue of housing guarantees and insurance, and I would welcome the government's initiative on what it is going to do to address these issues.

The National Party will not be opposing the government's business program, but I wish that the government would get on and deal with some of those issues that are of real concern to the people in country Victoria.

Mr BAILLIEU (Hawthorn) — I wish to make some comments and support the honourable member for Monbulk in regard to comments the Leader of the House made about the possibility of the Building and Construction Industry Security of Payments Bill being handled this week. The opposition has received a briefing on this bill and accepted in good faith at that time assurances from the honourable member for Mitcham that this bill would not be debated in this week; and we accepted assurances on Friday, and as late as yesterday, that this bill would not be debated this week.

The opposition would have welcomed debate on this bill this week save for the fact that in good faith we have indicated to industry groups who sought consultation with us on this bill that they could have those consultations later this week — and those consultations have been set up for later this week. I make the point that industry groups accepted the government's word in good faith that this bill would not be debated this week.

Mr SMITH (Glen Waverley) — I would like to compare this government's business program with that of the previous government. On the week of 26 March this government presented for debate two bills. This week it has announced the intention to have three bills debated. Today we see on the notice paper that we have only two actual bills to debate — the Melbourne City Link (Further Miscellaneous Amendments) Bill and the Health Practitioner Acts (Further Amendments) Bill. The lead speakers have already spoken on the Jewish Care (Victoria) Bill. The contrast between this and the previous government is that having been in the office of the Honourable Rosemary Varty, the then Parliamentary Secretary of the Cabinet, when we were presenting the government's business program, I know we had eight bills for debate every week. It was a tight program, but there was a lot of business going ahead. This government is a do-nothing government. It is a government that has no vision.

We are seeing this government bumbling along from week to week, with only three bills brought in this week! When there were eight bills up, the former government would ensure, and we did this for every bill, that the lead speaker for the opposition was able to debate it — although, all right, there was not always the time for other bills to be debated properly.

What do the people of Victoria want: a government that does nothing or a government that does too much? I can assure you that when that message gets out into the community well and truly the government that wants to do too much will be preferred to the one that does nothing. We presented eight government bills a week every week that we sat. For the first two years after this government came to power the bills that were coming in were already with the bureaucrats because they were initiated by the previous government. In the majority of the cases they were bills that were sitting there; hence the reason so many of them were not opposed and why they went through — because they were our bills to begin with! That was the reason there was such an easy government business program.

It was a farce in the last sitting week, as the honourable member for Monbulk said, to see government member

after government member trying to talk about the Governor's ability to pay tax. You could do that in 5 seconds; you do not need a full day to talk about that.

Honourable members interjecting.

Mr SMITH — This is how they go for us. They can't take it! They do not know how to accept it.

This government relies for most of its business program on ministerial statements that can take from half a day to a full day. This government has no vision, does not care and just goes bumbling along. The public service is not being properly driven, otherwise there would be more bills — the bureaucrats would be coming up with more and more bids for bills. Most people do not know how this system works. I have been in there and I have seen it. You can tell when a government is doing nothing by the inability of the bureaucracy to start coming up with bills that are going to drive the government.

I thought it was a brave attempt by the Minister for Transport to try to justify his government and the business program, but there is no excuse for not having a proper business program and no proper vision. What we need is for the Independents, who have sat in here propping this government up for the last couple of years, to ensure that part of their charter is to make sure the government does some business. There is so little business here because this government has no vision and has no ability to govern properly.

Mr LANGDON (Ivanhoe) — The Opposition Whip has come into the house and spoken on the government's business program — and he contradicted himself. For example, he said there is not enough legislation and that the previous government did this, that and the other thing.

I do not believe the previous government in its whole time in office made any ministerial statements, yet the government has made four to my knowledge, and two in this sittings. Obviously ministerial statements are important, but they were missing in the Kennett government years. We as a government have been very active in making ministerial statements and the opposition has been unable to respond to them. That is one point.

Also, I recall that last week the opposition wanted to debate the Jewish Care (Victoria) Bill straight after the second reading. We obliged it. We have given notice now that we want to debate a bill, and I hope the opposition will allow that debate to occur. We can oblige the opposition, but the opposition will not seem to oblige the government.

On the issue of sitting days, it was mentioned, for example, that we sat before Easter and that we are sitting the week before Anzac Day. I commend the Leader of the House. This government allows us not to sit during the school holidays, which is a fine example of giving members with young children a chance to see their families. Under the previous government we always sat through one week of the April school holidays, so I commend the government on that aspect.

On the issue of Anzac Day, I hope negotiations go exceptionally well and that all country members — all members — have the opportunity to leave early on the Wednesday night so they can all go to dawn services, because being at those dawn services is an important part of our being members of Parliament.

Mr DELAHUNTY (Wimmera) — Like the honourable member for Rodney I will not be opposing this motion, but I just want to highlight a couple of things. The National Party has not discussed the Building and Construction Industry Security of Payment Bill in the party room, because we were informed it would not be debated this week. We are consulting a little more on that, but again, it was poor planning not to notify us. The other matter I want to highlight is that, based on my short period in Parliament, this is a light business program. It is poor planning by the Leader of the House and, importantly, the government. We have known for months that we would be sitting this week and, unfortunately, next week.

It is unfortunate that country members have to come down here for maybe only a day and a half's work — and now it might be shorter. I just worry about the statement by the Leader of the House that it will depend on how we go this week. As an honourable member who represents the largest electorate in the state I would like to know what is planned, because many of my communities are having Anzac Day functions. I also have one of the longest distances to travel home. It is important for members like me to have an appropriate amount of time in which to plan for that.

I ask the government to make the decision as soon as possible so we can plan for Anzac Day. I also want to highlight the cost to the taxpayers of Victoria of us coming down here for maybe a day and a half's work. Again, it highlights the poor planning by the government. I think it should look at this in future.

Mr ROBINSON (Mitcham) — The government business program is once again eminently reasonable and will provide very useful opportunities for honourable members on both sides of the house to

contribute to debates on a number of significant pieces of legislation.

It is disappointing that whenever we come to this part of the week's proceedings we have members of the opposition crying crocodile tears. They are never happy — the workload is either too heavy or too light — and they never seem to be satisfied.

I refer to a number of the comments made about the government's business program. The first is the reference to the Building and Construction Industry Security of Payment Bill. If I understood the honourable member for Hawthorn correctly, he was somewhat distressed that the debate on this bill might commence this week. But that is all the Leader of the House, as I understand him, has suggested — that the debate might commence. It is not intended that the bill be passed this week, yet he seemed to suggest that that might create some discomfort because he was expecting the bill to be debated at a later point in time.

I can only point out that the honourable member has been briefed. I attended that briefing, as he pointed out, and he asked some good questions and very pointed questions. His colleagues' questions were perhaps not so pointed, they were even a little bit blunt. But there would be nothing wrong with that debate starting this week. The opposition cannot have it both ways: it cannot say the business program is light and then say it is unreasonable when the Leader of the House suggests the possibility of commencing debate on this bill. It is either one or the other.

The honourable member for Glen Waverley made a number of claims that his government introduced no less than eight bills every single week. I can definitely recall a number of occasions when there were not eight bills, and I can remember a number of occasions where there were far more than eight bills. I do not believe that having to come back months after you have rammed bills, machine like, through this place to pass amendment after amendment is good government. It makes far more sense to take your time at the beginning and allow considered debate.

The other point I want to make is that the government has to make allowance for the fun and games that go on in the other place. We have certainly seen in this session a number of occasions when the upper house has refused to pass legislation or has insisted on amendments which have been unacceptable to this chamber. That consumes a fair bit of our time. In those circumstances any government worth its salt would build in an allowance for time to deal with that possibility.

The honourable member for Monbulk alluded to my position in this place and suggested I might not be here for much longer. It is on the record that I challenged his former leader and the Premier at the time, Jeff Kennett, to a sporting wager for charity of \$1000 that the then Leader of the Opposition would outlast Mr Kennett. The then Premier took up the offer but welshed on his bet. I say to the honourable member for Monbulk that if he wishes to redeem the former Premier's honour he is more than welcome to pay up, or I would consider a sporting wager for charity that I will be here after the next election. I am happy to put my \$1000 down if he will put his \$1000 down —

The SPEAKER — Order! The honourable member shall restrict his remarks to the Chair to those that relate to the government business program. The Chair is having difficulty in following his comments.

Mr ROBINSON — An honourable member interjected that it is unparliamentary, and I agree it is unparliamentary not to pay up when you owe!

An honourable member interjected.

Mr ROBINSON — I do want security of payment, you're dead right!

A number of speakers have referred to next week's Anzac Day arrangements, and of course the government will do everything it can to ensure that honourable members are able to attend the functions they wish to attend. That can be arranged with the cooperation of the opposition.

In summary, the business program before the house is eminently reasonable, provides honourable members on both sides the chance to participate in debates and should be supported.

Motion agreed to.

MEMBERS STATEMENTS

Kew Residential Services

Mrs ELLIOTT (Mooroolbark) — On 4 May 2001, the former Minister for Community Services in the Bracks government announced the redevelopment of Kew Residential Services. The residents at Kew were described in a community visitors report as Victoria's forgotten people. At the last election a major plank of the parliamentary Liberal Party's community services policy was the closure of Kew and the movement of residents into the community and into housing which more nearly approximated community norms.

Therefore the announcement by the minister was welcomed by the opposition, by the Council of Intellectual Disability Agencies — CIDA — the peak body in intellectual disability, and with some reservations by the majority of family and friends of the 460 residents at Kew, who are anxious for the project to proceed as quickly as possible.

The former minister has now departed to less demanding pastures. This week the new Minister for Community Services, just three weeks short of the first anniversary of the original announcement, reannounced the project at Kew via a press release. Everybody directly concerned with Kew, and those in the wider community concerned with the future of people with an intellectual disability in Victoria, are entitled to ask what progress has been made in the past 11 months. Why does the Bracks government announce and then reannounce projects with absolutely no evidence that anything concrete is being done? Why does it not make reality mirror its rhetoric?

Victoria's forgotten people are entitled to know what the future holds, otherwise there will be a well-founded suspicion that the development will not happen in time for them to benefit from it.

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

National Council of Women of Victoria

Mrs MADDIGAN (Essendon) — On 19 March I had the pleasure of attending the centenary celebrations of the National Council of Women of Victoria. Over the 100 years it has been in place this organisation has many great achievements, including a campaign for equal pay for equal work; improving conditions for women in police cells which led to the appointment of the first two women police officers in 1917; a campaign for blood alcohol testing for accident victims; and assisting in the further participation of women in local government.

To celebrate the centenary, the National Council of Women Victoria re-enacted the inaugural meeting which in 1902 was attended by 35 women's groups across Victoria. Some of the names are interesting to us today. There was the Association of Domestic Economy, the Bendigo Women's Literary Society, the Daughters of the Court, the United Council for Women's Suffrage, Victorian Infant Asylum and Foundling Hospital, and the Victorian Lady Teachers Association, among others.

I congratulate the president, Elizabeth Steeper, and the committee for the excellent work they undertook in

re-enacting the original meeting. The National Council of Women of Victoria has a healthy future, and the women of Victoria can look forward to its support on causes close to women's hearts.

Rural and regional Victoria: tenders

Mr KILGOUR (Shepparton) — I have received information from Truedata, an office equipment and stationery company in Shepparton, that jobs are currently at risk because of:

... apparent directives issued to government departments such as the Department of Natural Resources and Environment, Victoria Police and Human Services et cetera that they are only to purchase from Boise Cascade, who are a 100 per cent foreign-owned company.

Previously Truedata and other companies supplied all of these government departments.

... We now have the ludicrous situation of people walking into our business to purchase goods and we have to advise them they cannot buy from us.

...

Q. Is it a pricing issue?

A. No. We already supply at a better price.

Q. Is it an Internet issue?

A. No. We are also on the net.

Q. Is it a speed of service issue?

A. No. We supply on a same day service.

(Boise Cascade offer 1 to 2 weeks turnaround).

...

It makes no sense to reduce jobs in the country and support foreign companies when a better and more cost effective service is available locally.

The Premier answered this by saying that two out of three tenderers have outlets in Shepparton, but many companies simply open an office where one person takes the orders. Small country businesses are not in a position to tender for statewide contracts. This is a government policy that is bad for country businesses, and the Premier cannot make excuses for government actions. I ask the Premier to support country business and open the doors once again for all country businesses to do business with government departments in country Victoria.

Reg and Rosemary Karafili

Ms DELAHUNTY (Minister for Planning) — I have great pleasure in saluting a significant small business in the electorate of Northcote. For 24 years Reg and Rosemary Karafili have operated the Northcote newsagency. I know it well as it is just a few

doors up from my office. Reg and Rosemary have not only been the centre of that part of the High Street trading association, they have also made a fantastic contribution to the general community.

While operating an outstanding newsagency in Northcote, Reg and Rosemary have gone the extra mile and made a contribution. I know that Reg has often delivered milk, bread and other necessities to some of the elderly citizens in Northcote who for various reasons have not been able to get down the street. That is the sort of contribution which builds a strong community and which we in Northcote respect and applaud. Reg and Rosemary have now sold the business, and I would like to congratulate them and their family on their contribution. I wish them well in whatever the next phase brings them in Northcote and beyond.

Barwon Heads Football and Netball Club

Mr PATERSON (South Barwon) — It was a Labor government which ordered the Barwon Heads Football and Netball Club from its home ground 12 years ago, and now another Labor government has taken two and a half years to decide that the club can stay where it is after all. It is shameful that the Labor Party has made the club go through this period of indecision. Throughout the seven years of the Liberal government the club was allowed to occupy its home ground. As the local member of Parliament I hope the new arrangements are successful, but full details are yet to be worked out. Only when that is done will Barwon Heads know whether it is a good deal.

The state government must not use this announcement as an excuse to walk away from upgrading the village park. Barwon Heads has been taken for granted by Labor, and it is about time the town saw some real commitment from this government. The Bracks Labor government has abandoned Barwon Heads over the issues of natural gas connection and mosquito control. Let's see the colour of the government's money when it comes to sports facilities. The ALP's commitment to regional Victoria is looking very flimsy.

Letty and Clem Valdez

Mr SEITZ (Keilor) — I rise to offer my congratulations to Letty and Clem Valdez, who are members of the Uniting Church opposite my office. Once a fortnight, through a mission of the Uniting Church, this couple organises community barbeques to reach out to young people and other people in need, in particular the Filipino community that is involved with that Uniting Church. With voluntary labour they have

done a tremendous job of restoring the church, repairing the buildings and the grounds, and providing this type of service to the community in my area. This shows a caring attitude and a different approach to people in the St Albans area.

Letty and Clem Valdez reach out to those people by having afternoon discussions with them. They also assist people with language difficulties by holding migrant English language classes on the other side of my office, which is in a hub of community activity. Such activities should be an example to St Albans traders and should encourage them to contribute to these community barbeques, which help people in my electorate. I encourage the traders to do that. Clem Valdez has said he will be approaching community traders in St Albans to seek their assistance.

Minister for Transport: correspondence

Mr KOTSIRAS (Bulleen) — I stand to once again condemn the lazy Minister for Transport for not responding to correspondence. This minister is treating residents in my electorate with contempt and arrogance. Despite an increase in his staff the Minister for Transport still does not respond to letters. I received a copy of a letter sent to the minister by a constituent, who has been ignored. It states:

I ... bring to your attention that no replies have been received to any of letters previously written to your office about the community input for the park-and-ride project. The following is a list of letters written to date:

Letter dated 23 January 2002 ...

Letter dated 7 March 2002 ...

Letter dated 8 March 2002 ...

Letter dated 12 March 2002 ...

I appreciate that the ministry has a large workload, but I cannot understand why the ministry has not replied to any of the above letters ...

I appeal to the minister, if you are really committed to achieving the best possible outcome for this project, that the issues raised in the above letters be addressed within a week. The resolution of the issues will allow Vicroads time to implement any improvements before the commencement of construction of the facility in May 2002.

Similarly the minister should attend a meeting at Ted Ajani Reserve on Monday, 22 April, to discuss the upgrading of Thompsons Road. The Minister for Transport has not responded to any of the letters. He should show some guts, show some leadership and turn up!

Special Olympic State Games

Mr HOLDING (Springvale) — I rise to congratulate all who helped organise the 21st Special Olympic State Games, which were held from 5 to 7 April. I especially congratulate the more than 400 athletes from nine regions across Victoria who competed to make this year's games such a tremendous success. I was thrilled and honoured to be able to declare the games open on behalf of the Minister for Sport and Recreation in another place. I congratulate the team of organisers, which was ably led by the chairperson, Ian Edmondson, and all on the Special Olympics Victoria committee and the state games committee.

Mention should also be made of the many organisations which sponsor or support the games and athletes in many ways, including IGA, Tennis Australia, Kiwanis, Freemasons, Otis Taskforce, the Yungaburra Foundation, the Australian Defence Forces, the Second Essendon Guides and Beta Sigma Phi Laureate, Delta chapter.

Once again the games were held at Haileybury College, in my electorate. Athletes competed in many events, ranging from swimming, tennis and softball to track and field and bocce. Many of the athletes will compete in Sydney in the Special Olympic National Games in September. Some lucky athletes from the national games will be chosen to represent Australia at the Special Olympic International Games to be held in Ireland next year.

This year the Olympic flame was lit by torch bearer Keith Googin, and all athletes were inspired by the Special Olympics oath read by Darren Campbell: 'Let me win, but if I cannot win, let me be brave in the attempt'.

Schools: funding

Mr PHILLIPS (Eltham) — I raise an issue regarding funding for education. I seek from the Bracks government more funding for primary schools, especially years 3 to 6. I acknowledge that some good work has been done and achievements gained for the years from prep to year 2, but I have recently received a letter from the Eltham East Primary School president indicating that because of a lack of funding his school is now experiencing classes of around 29 students in years 3 to 6. He suggests that more money should be put into those years.

He acknowledges the good work that has been done between prep and year 2. Some recent surveys and

studies have shown that the middle years of primary school are the most important for children's development as they move from primary school to secondary school. I am seeking more money and a greater commitment from the Bracks government, not only for prep to year 2 but also for years 3 to 6 in all schools throughout Victoria.

The ACTING SPEAKER (Ms Davies) — Order! The honourable member for Burwood has 8 seconds.

Police: Camberwell station

Mr STENSHOLT (Burwood) — More police and a better police station equals a safer community. Recently I had the pleasure of accompanying the Minister for Police and Emergency Services to the Camberwell police station, where we announced — —

The ACTING SPEAKER (Ms Davies) — Order! The honourable member's time has expired. The time set down for members statements has expired.

MELBOURNE CITY LINK (FURTHER MISCELLANEOUS AMENDMENTS) BILL

Second reading

Debate resumed from 28 March; motion of Mr BATCHELOR (Minister for Transport).

Mr LEIGH (Mordialloc) — The state opposition is happy to contribute to the debate on this bill, but I must say that we have some serious reservations about the activities of the government in this respect. Rather than starting from the beginning, I would prefer to go back in time. A conversation that occurred this morning on the Neil Mitchell program defines what the government knows about this legislation, and I am happy to make the transcript available. Mr Mitchell said:

Now on something else, there is an amendment to the City Link Act coming through which on what I've read ... seems to be giving City Link parcels of land that it can lease as it wishes to areas outside its own use. Is that right?

Premier Bracks: Yes, yes, I understand that. It's a bill that's coming up before the Parliament.

Mitchell: Yep, but on that bill it doesn't specify what the land is. What are we going to give City Link.

Premier Bracks: Oh, it will be explicitly specified. I understand —

and I am quoting him directly —

that there'll be plans and details that will be lodged in the Parliament itself, in the library, which is usually the case, and

can be examined by all interested parties so there will be specification ...

Mitchell: So how much land is it?

Premier Bracks: I, I, I haven't got the detail on how much money it will be. Obviously it will be a market arrangement, but these are administrative arrangements which are sensible.

Mitchell: So why, why are we giving it to City Link?

Premier Bracks: Why are we giving the land to City Link? Um, well, ah, I might get back to you on that one later in the program, Neil, on that one.

Mitchell: Okay. I'm told, I mean it's possible they could use it for things like McDonalds stores and things like that.

Premier Bracks: Oh, well I don't think that is the intent, but let me examine that and I'll get back to you before the program ends.

Mitchell: I've been told that there will be no decisions for eight months on what the land will be; would that be possible that you will pass a bill and not make a decision on the land for eight months?

Premier Bracks: That's unlikely on any bill that we'd pass. There will be caveats and restrictions in the bill itself and explicit guidelines in the bill which will be part of the transfer arrangements.

Mitchell: Okay. But the principle of why they get the land, do you [know] what that is? Why is it — —

Premier Bracks: Well I understand that it is simply an administrative change and, ah, if it is anything more than that I will certainly explain it to you, but I will get advice and talk to you very soon.

Well, sad to say, the Premier did not bother. Let's start with this particular aspect of the bill, which is what advantage there is to Transurban. There are several arrangements in this bill, including the leasing arrangements. Some of it includes arrangements for access to land so that they can recycle the water, and some of it includes a mechanism which enables fines to be \$40 instead of \$100. It also includes arrangements for new weekend passes.

It changes the corporate structure so that in essence anybody who seeks to take control of Transurban's trust will need approval from the government to acquire in excess of 20 per cent of the trust. Then there is the single-purpose entity, which is another interesting example.

The question one has to ask of this government is why it is doing all this to advantage Transurban. What is in it for the state? At this point I have to say, 'Not a lot'. I also make available a press release by the Minister for Transport dated 1 March 2001 with the heading 'Transurban claim of \$35 million':

The Minister for Transport, Peter Batchelor, today announced that Transurban had submitted a 'material adverse effect' claim of \$35.8 million against the state of Victoria in relation to the City Link project.

'Specifically, Transurban are alleging that the construction of Wurundjeri Way — formerly the North-South Road — by the Kennett government, and the widening of the West Gate Freeway by the Kennett government, have reduced traffic volumes on the City Link, resulting in loss of revenue from the City Link tollway', said Mr Batchelor.

Under the City Link contract signed by the Kennett government in 1995, Transurban are able to claim compensation for improvements to the arterial road network, which may entice traffic away from City Link onto alternative roads.

At the time the City Link contract was signed the Labor Party strongly opposed these clauses because they were anticompetitive, financially irresponsible —

and God knows they would know about 'financially irresponsible' —

and not in the best interests of motorists or taxpayers'.

'Advice from my department shows that the Kennett government was warned in March 1999 — when they decided to build the North-South Road — that it was likely to result in a material adverse effect claim by Transurban'.

'This claim will be strongly opposed by the Bracks government'.

Negotiations will now occur between the state and Transurban. The claim was made against the state government on 7 February 2001.

'I have instructed Melbourne City Link Authority to seek to achieve the best outcome from the state', said Mr Batchelor.

'The Bracks government will do all that it can to minimise the taxpayers' exposure to this claim'.

'Unlike the Kennett government, our first priority is to protect the interests of taxpayers and motorists'.

This bill is a classic example from a bunch of irresponsible clowns who have no idea of how to negotiate with anybody. Whatever Transurban want Premier Bracks and his transport minister rush over and agree to. Why do they do that? There are leasing arrangements and a recycling arrangement, which I have talked about already, that enables the water to be recycled. That arrangement could not have been entered into previously simply because the tunnels had to be built. Tap water was used because the Environment Protection Authority refused to let Transurban use Yarra River water. The opposition agrees with that. It has no disagreement with the changing of the fining mechanism from \$40 to \$100. There is no problem with the weekend pass. But why is Victoria giving Transurban a benefit without at the same time

negotiating to gain a benefit back to the state, to protect the state?

I will go through the details of the single-purpose entity, which is part of the arrangement. That came about — and the honourable member for Coburg will be well aware of it, because I am sure he was part of it — when the Minister for Transport came into the house crowing that the Bracks government had released Transurban from its single-purpose-entity restrictions on 10 October 2000 following the public announcement on 19 September. The transport minister came in here crowing that he had made \$10 million for the state. Big deal! Why is it that Transurban wanted to be released from that restriction? Because with its expertise and the e-tag potentially it has a goldmine. The Bracks government has sold the state out of an opportunity to use the technology in a much cheaper arrangement for the state.

Allegedly the state gained \$10 million. At the time the opposition condemned the deal and argued that it significantly advantaged Transurban while the state received a token payment of \$10 million over three years and several outstanding issues remained. It included the \$37 million Wurundjeri Way compensation, off-peak tolls and the options of a state royalty payment, which were ignored. What did Transurban get out of the deal? Two days after the announcement on 17 September, Transurban's market capitalisation increased by \$49.98 million — its shares rose by 19 cents or 4.47 per cent while the All Ordinaries index fell by 0.3 in the same period. After one week Transurban's value had increased by \$112.2 million!

In the week leading up to the government's entering into that arrangement, I had a phone call from a stockbroker asking me what Transurban was crowing about at the stock exchange. I was aware of what it might have been, but it was only on the same day that Transurban and the minister got together that they came and told me, so I did not impart any information. For the week leading up to that arrangement, Transurban had been running about with some of its contacts at the stock exchange babbling about how it had done in the government.

From that single deal Transurban's value went up \$112.2 million. What would the Minister for Transport have done if the former Liberal government had signed off on a deal like that? He would have been close to driving up the Bolte Bridge at 150 kilometres an hour instead of 120, and probably professing to jump off the bridge unless the Kennett government took back the

deal. He would have been outraged, and I will come to his outrage in a moment.

Victoria gained nothing. At the time the departmental briefing said that the tolling technology had no value and that the value lay in Transurban's ability to exploit the opportunity. Surely the state had a responsibility to maximise the benefit back to the taxpayer?

Following the release of the single-purpose entity, several Melbourne stockbrokers, including E. L. and C. Baillieu, J. B. Were and F. W. Holst put a buy option on Transurban citing the government's decision to enable the expansion interstate and overseas. This deal was secured without any legislative amendments and only included a statement of variations in the City Link concessional deal.

However, the Melbourne City Link (Further Miscellaneous Amendments) Bill, which the opposition has now considered, provides for a range of legislative changes which clarify the significant changes to the corporate structure of Transurban as a result of the controversial release of the single-purpose entity. The opposition now has an opportunity to influence the purpose of this entity change. Issues which the opposition believes remain unresolved, on which it has written to the Auditor-General, include the token payment of \$10 million over three years for the release of the single-purpose entity, the fact that no other concessions have been secured as a result of these lucrative changes and that the \$37 million Wurundjeri Way compensation claim remains outstanding.

Before the minister agrees to sign off on the legislation the opposition seeks that the remaining outstanding issues of the Wurundjeri Way compensation be resolved to the benefit of the taxpayers, as it should have been resolved during the negotiations for the original release from the single-purpose entity restrictions. The fact is that the state of Victoria has been robbed. Madam Acting Speaker, what would you do if you had realised that the former Liberal government had conceded \$112.2 million to a private company by signing off? I am sure you would regard it seriously. Hopefully you will bother to go away and check. What could you have bought in your electorate for \$112 million? Quite a considerable amount, one would have thought.

Mr Steggall interjected.

Mr LEIGH — That is right. The point to all this is that there has been no gain back to the state and a claim is still outstanding. You would think this piece of legislation would be the worst of it. Well no, it is not. It

actually gets worse. I again refer to this morning's radio program where Neil Mitchell said:

I've been told there will be no decision for eight months on what the land will be; would that be possible that you will pass a bill and not make a decision on the land for eight months?

Premier Bracks replied:

That's unlikely on any bill that we'd pass. There will be caveats and restrictions in the bill ... and explicit guidelines ...

Sadly we have a Premier who is basically a spokesman, but is he in charge of the government? I do not think so. This is the man who cannot even answer the most basic question about a deal he thinks is so significant that he could have thought up and sold to the public.

Let me quote a public servant who has written back to one of my staff members, and this goes back. One of the things the opposition asked the government at its briefing, which the government adviser and the bureaucracy attended, was, 'We would like a copy of the maps of what you will give them'. They said, 'Oh, we will give them the land at Kooyong'. I said, 'Fine, okay. Not an issue, not a problem; don't have a problem with that. It will be used by Kooyong and presumably the Association for the Blind and I presume others who want to use the area and the car park underneath the elevated freeway in the area. As long as Transurban can get access to the piers it is not an issue'. We then said to them, 'Hang on, is this all this bill does?'. The answer was, 'No, it is not'. This government has made a very deliberate decision to potentially hand back to Transurban lands that were deliberately removed by the former government, through Vicroads, because it was not sure what the value of the lands may be in the future.

They involved anything from signage through to perhaps a McDonalds restaurant somewhere. In a couple of spots the land is big enough to be other than just signage spots. What was the government's answer to this? Remember, I asked for a copy of the maps that show the other land. The answer we received after my staff member wrote a letter — and once again I will make it available to the house — is:

Lease boundaries for City Link have not been finalised. This work will be progressively completed over the next eight months. This is also the case for the boundary under the southern link structure near Kooyong. The general location of the site is *Melway* reference, page 59, C2, but the detailed boundary has not been finalised as they are dependent on the final City Link boundary.

This Parliament is being asked to pass a piece of legislation when the government has no idea what it

will give to City Link. On 16 April this government is playing Santa Claus to Transurban in this arrangement. I can tell you that there is money in this. Am I the only one who says that? No, not at all. Let me go back to what the Premier said this morning:

I, I, I haven't got the detail on how much money it will be.

I think there is a lot more to this than meets the eye. On these leasing deals I have to say, once again, that one can only imagine the attitude of the Minister for Transport — presumably now driving at 160 kilometres per hour onto the Bolte Bridge to get there, the speed fiend that he has become. For some unknown reason the Bracks government has decided to play Santa to Transurban. I am sure it has nothing to do with the many tens of thousands of dollars Transurban has donated to sit at tables next to various members such as the honourable member for Coburg and others at some of the Bracks business dinners that were organised by the husband of the honourable member for Carrum, who at that point was the bagman for the Labor Party's business functions.

What we have here is a deal that will certainly advantage Transurban with its share price. The question is: what does the opposition do about these things? What it will do is simply this. We are not opposing the bill in this house, but we will have some discussions while the bill is between the chambers. The part of these arrangements that I am also concerned about — and this is where the supposedly secretive former Liberal government made sure that all the concession deeds were made available in the parliamentary library for anybody to see — is: are these leasing arrangements the Bracks government may enter into explicitly available to anybody who wants to see them? I am not convinced of that, I am afraid. I have had some discussions with members of the bureaucracy, who said they think that is the case.

My point is this. It may be that a Transurban lease comes back to the state government and that the state government stamps that lease. But when Transurban deals with somebody else, will that lease come back to the state, and will we then be aware of what that lease is? Will it be laid on the table of this Parliament if it does a deal with McDonalds, for example, or an advertising company for signs? Signage on freeways is worth multimillions of dollars because of the many people who go past them. Will we be aware of this? The answer is: I do not know. I am not convinced that that will be the case.

In any case, why is the government doing these deals with Transurban when it is letting sit there a claim

against the state for \$37 million? Whether it is a fair or an unfair claim, it does not matter. It would seem to me that the art of negotiation would be to ensure that when Transurban wants something, sure, you agree it can get something, but that in return for its gaining something it obviously backs off in another area.

I go back to the single-purpose entity, which was originally signed off by Alan Stockdale as the then Treasurer. It was subsequently signed off by the minister responsible for Vicroads at the time, the Honourable Geoff Craige. Before the government took office it was in the hands of the then minister for major projects, the Honourable Rob Maclellan. One of the first things Transurban wanted to talk about was the change of the single-purpose-entity arrangement because it knew it would financially advantage it, and presumably these leasing arrangements will advantage it again.

I have written to the Auditor-General about some of these arrangements because I am deeply concerned that the state of Victoria has been duped. It has not been duped because Transurban has done anything wrong, but because it happens to be a lot better poker player than the Minister for Transport. I say to anybody who wants to play poker with anybody in this place and have a real chance at winning, that Peter Batchelor is the man you want to play poker with. There is no doubt about it. This is a guy who, frankly, gives in when it is in someone else's interest. The question is: why? Is there a trade-off? Is Transurban making a donation to the Labor Party? I do not know. I am not accusing him of anything; I have no knowledge. But I think there is a whole lot more to this arrangement than is currently before us in this bill today. I am surprised that this bill is even being debated.

I will come to some of the history of all of this, because I think it demonstrates the absolute hypocrisy of what is going on on the other side. Let me refer ever so briefly — and once again I will make the material available — to 2 August 1995, when the then opposition and community groups attacked the City Link enabling legislation for removing civil rights from residents in the same way as the Albert Park grand prix legislation. We know with all its section 85s that Labor has done a better job than the Kennett government ever did. This is a really good quote:

The ALP has vowed any secret compensation deal between the state government and City Link developer Transurban would be 'ripped up' by a future Labor government.

Who said that? It was the incredibly responsible now Treasurer of Victoria, John Brumby. It continues:

Opposition leader John Brumby made the threat after claims Transurban wanted compensation if new roads or public transport ate into tollway profits.

His transport spokesman, Peter Batchelor, said he was told of such a clause at a briefing with City Link.

He said yesterday he was sure Transurban wanted a clause in its City Link deal to ensure changed transport policy would not undermine the toll road profits.

...

Transurban could not be contacted for comment yesterday.

But the government denied any deal had been made which would hamstring future moves to improve roads ...

The Labor Party then went on to say that when it built the airport rail link in government it would have to compensate Transurban for taking away patronage. We all remember that one. Was that true? No, it was what is called a lie. The then opposition leader and the then transport spokesman knew that was absolute nonsense. But they went out there and told as many fibs as they could in the hope that people would believe them.

This is another good quote; it is really worth looking into this one:

The Auditor-General should investigate the City Link contract after claims secret clauses could cost taxpayers millions in compensation payments, the opposition claims.

Opposition transport spokesman Peter Batchelor —

this is not opposition transport spokesman Geoff Leigh but the then opposition transport spokesman —

has written to the Auditor-General, Ches Baragwanath, asking him to carry out a performance audit of the contract.

Perhaps he could give me his letter and I could just send another copy. That might be a good idea! The article continues:

'Victorians have a right to know the details of a contract entered into by this government which will have a dramatic impact on our city and which commits us to paying tolls for the next 34 years', Mr Batchelor said.

That was real passion! Where is the passion today? Not only do we have no passion today, but we have Premier Bracks out there bragging that Labor would have built this road without the tolls. There's the passion that is going into that one!

This is another good article — and they are all really good ones. Under the heading 'New link deal may raise tolls' it states:

The opposition's spokesman on public transport, Mr Peter Batchelor, said City Link was now a major election issue —

that was in 1996.

If elected, the ALP would have a mandate to alter the project radically to its own \$700 million version, financed from the 3-cent-a-litre petrol tax.

Thankfully they did not get elected, because Victorian motorists would have been paying at least 9 cents a litre to cover him for that stupid one. Another article states:

Victorian taxpayers could be forced to pick up the bill for the City Link project if any future state government did anything to cut Transurban's profits by 20 per cent or more.

Labor members must have sat there all day dreaming up stories to write that were absolute drivel. This was a Labor opposition that was totally and desperately committed to either dumping the legislation or, when they got into power, dealing with Transurban firmly.

It is fascinating that the honourable member for Essendon should just walk into the chamber. I recall her being one of those standing on the rooftops in Essendon and screaming, along with the then Opposition Leader, John Brumby, the current Treasurer, and the shadow transport minister, now the Minister for Transport, that this was an outrage and that Labor would act against this and stop it. What are they doing now? They are advantaging Transurban in some sort of deal-making arrangement.

This heading is just too good to miss: 'City Link prospectus reveals motorists to fund shareholders' profits'! Who could think of that? Here is a bunch of people who have just handed Transurban \$112 million over one issue. On 27 February 1996 the then shadow Minister for Transport claimed that if it fell below a certain amount of money the taxpayers would have to pay. He has made sure that that will not happen, that taxpayers will never have to pay anything, because he is contributing to its arrangements in such a nice way that that clause, if it exists in the way he says, will never be acted upon.

Another article headed 'ALP promises more toll secrets' states:

He claimed that as voters learned more about the project they would realise the government's City Link option was not the right way forward for Victoria.

The Premier and the Minister for Transport are the two current government ministers who went down to the Domain Tunnel opening and could not get into a car fast enough to drive through it. That was the day the Premier said, 'We would have done all this for \$2.1 billion; but we would not have funded it this way, we would have done it another way'.

To his credit, the person who thought up the tolling technology idea was none other than that king maker in the government, a former minister in the upper house, the Honourable David White, who is head of Yarra Trams these days. It was his arrangements that enabled this technology. So you have to give credit to Mr White; he was the one who came up with the beginnings of the first tolling deal.

For example, under the original contract for the tunnel arrangements neither the Burnley nor the Domain Tunnel could be opened without them both being ready to operate for tolling. In other words a government could have done this in one of two ways. It could have said to Transurban, 'No, you're not opening the Domain Tunnel until the Burnley Tunnel is finished', which would have been chaotic — and obviously no government would put up with that — or it could have said to Transurban, 'You're opening the Domain Tunnel as a gesture to Melbourne until such time as you get Burnley Tunnel operating, and then you can charge motorists for using the tunnels'.

Did the Minister for Transport do that? No, he did not. He once again made another secret deal with Transurban. In the time between the opening of the Domain Tunnel and the opening of the Burnley Tunnel it made \$40 million. Now we have a total of \$152 million that Transurban has made out of this government — and this is the beginning. We have a \$37 million claim against the state, and Transurban has made \$152 million out of the Bracks administration.

What have motorists got out of it? They have got something fabulous out of it. They have certainly got a road that takes them from one side of the city to the other. The honourable member for Tullamarine will say, 'This is totally objectionable. It is about tolls. I don't want tolls, I want them taken off'. Isn't that right? I can't hear you!

The ACTING SPEAKER (Mr Kilgour) — Order! The honourable member for Mordialloc should speak through the Chair and not ask questions across the table.

Ms Beattie — On a point of order, Mr Acting Speaker, the honourable member well knows that interjections are disorderly, so I will not respond to his question.

The ACTING SPEAKER (Mr Kilgour) — Order! I do not uphold the point of order.

Mr LEIGH — My personal view, based on past history, is that she did not want tolls. I will leave it at that.

Ms Beattie — Where's Bernie Finn?

Mr LEIGH — The honourable member asks where the former honourable member for Tullamarine is. Fair enough — he is not here, and she is. But I make this point about these two incredible deal makers in the Bracks government: where are they now when Transurban has made \$152.2 million out of this administration? That is the figure not according to me but according to the stock exchange. And in view of the \$40 million deal being made — and we are just starting — the money is starting to tick up.

What has the government got back for motorists? It secured a couple of changes on weekend passes and had the \$100 fine reduced to \$40. But it gets that money anyway, so the state just gets a little less money. That is no big deal; the government can wear that. But Transurban is \$152.2 million better off under this government.

This article is a ripper:

The opposition has attacked changes to the deal between the state government and the developer of City Link. Opposition transport spokesman Peter Batchelor —

again I say, not Geoff Leigh —

yesterday in state Parliament said that massive changes were being made to the complex \$1.7 billion deal without consultation.

But Melbourne City Link Authority, the statutory body supervising the tollway, last night said one change would save the state \$20 million.

When he was the opposition transport spokesman the current Minister for Transport wanted consultation.

When was the bill now before the house introduced? It was introduced just before Easter, when no-one was around so it could be put through relatively quickly — and I have to say, once again, when we are eight months away from knowing what land they want.

Now, why is it that the government did that? Could it be that the bill was not ready? Could it be — and I will bet you it was this — that the Bracks government has nothing to debate in this chamber so it hurriedly looked around to drag up a piece of legislation and someone said, 'Oh, the City Link bill is nearly ready. Let's chuck that into the melting pot. That will have the opposition arguing about it for a week', and off it went. And surprise, surprise, when I contacted somebody at Transurban and said, 'You know the bill's up?', they said, 'Sorry, what do you mean?'. I said, 'The bill is before the house and we are going to be debating it in two weeks time'. They said, 'Oh, no, that cannot

possibly be, the government has not consulted us about putting the bill in yet'. I said, 'Oh, surely not. Not the Bracks government'.

The ACTING SPEAKER (Mr Kilgour) — Order! I wonder whether the honourable member for Mordialloc would mind speaking to the Chair. I am interested in what he is saying but he is turning his back to the Chair and I am finding it hard to hear what he is saying.

Mr LEIGH — Why is it that we have this secret deal? Somehow they have been negotiating all of this and presumably Transurban was ready to deal with it but it did not even know it was to come before the Parliament. I think what this says is that the Bracks government's legislative program is so brilliant that basically it has done it again. Its consultation is not real consultation. It is just make-believe consultation.

Let's go back to the Premier's quote: 'That's unlikely on any bill that we'd pass'. The world works in mysterious ways. I can announce to the chamber today — I am sure that if the honourable member for Tullamarine and the Minister for Police and Emergency Services have checked their pagers they will know I am telling the truth — that the Labor Party has just paged all its members that there will be a briefing on City Link at 5.00 p.m. today in the Labor Party room. Let's hope the Premier will be there. Perhaps he can turn up to explain to government members why it is doing these deals. What is in it for the taxpayer? I have not seen too much so far. Where do we go now? Another article is headed 'State underwrites City Link'. I could keep going through these newspaper reports. Another is headed 'Labor vow on tollway payout'. Here we have the world's most professional form of federal member — an Alan Stockdale impersonator, with the glasses, all that type of thing — the Treasurer. This is what this responsible Treasurer said on 18 September 1995:

The opposition leader, Mr Brumby, told a rally against tolls in Brunswick yesterday that the ALP would deliver its promise of no tolls on roads.

That is fascinating. Wait until they find what is going on on the other side of Melbourne. You know what the Bracks government has been doing, and remember, this is the anti-tolling party. The government has now been caught with the Scoresby freeway, which commitment was started as a bluff after having opposed it for seven years, and it now needs to find \$500 million that it did not think it would ever have to find because it never thought the federal government would actually fund it. The Prime Minister has put forward \$445 million of which he has made available \$93 million, and the

Bracks administration has put up \$2.1 million and it is now looking for a way to fund it. What has the government been doing? Firstly, it has been secretly looking at tolling for commercial vehicles but the Royal Automobile Club of Victoria and others have opposed it. Secondly, it has considered implementing shadow tolls, which means it will borrow the \$500 million and the government will pay the tolls for motorists for the next 30 to 50 years or whatever. The government is so open and honest about it that it is doing everything it can to stop me getting access to the funding arrangements for the Scoresby freeway through the Victorian Civil and Administrative Tribunal. It really says that this administration has no idea what it is doing over this issue.

As I said at the outset, the state opposition has no problems with the Kooyong issue. We think the rectification of the water issue using recycled water is a good idea. They are now pumping back into the ground about 10 litres of water a second from the Burnley Tunnel. It is a great idea that could not have been implemented before because of what the Environment Protection Authority required. The point is it is now being done and I do not mind their taking the credit for that. It does not worry me. There are bigger things going on than all of this. But you have to say that when a government cannot tell you by how much money it is about to advantage a financial organisation it is a big concern.

This is the challenge to the Bracks administration today. I want Mr Costigan back. The house may recall that Mr Frank Costigan, the brother of the former Lord Mayor of Melbourne, Mr Peter Costigan, was employed to investigate whether the former Minister for Planning, Rob Maclellan, had done the right thing with the compensation arrangements for the western link and southern link — in other words, protected the taxpayer from any liability for those arrangements. What he found was that, yes, the former minister had absolutely protected the state.

The Minister for Transport came in here crowing about the fact that because the report was a few days late being put out there must have been some sneaky plot to make sure people did not know about it. This is the minister who thinks that a bridge being out by 1.2 metres is a big deal. Since he set those standards I think those standards should apply to him. The challenge he is going to get while the bill is between these two chambers will be less easy than he thinks.

If he thinks that in this example the state opposition is simply going to agree to pass this legislation in this chamber and do zero to it while it is between the two

chambers, there is potentially some very exciting news that I have to announce. It is going to get a little tougher, guys. I'm sorry about this!

Firstly, I will propose as an amendment that the government might consider — I am not totally convinced that it resolves everything, but it is the beginning of it, and perhaps we can look at it while the bill is between the chambers — that in section 60 of the Melbourne City Link Act 1995, after subsection (8), there be inserted the words 'The minister must cause a copy of each lease under this section to be laid before each house of the Parliament within six sitting days following the making of the lease'.

I believe that clarifies at least part of it. If Melbourne City Link, or Transurban, wants to make a deal with somebody, all those deals should come back into this place, every single one of them — not just the deal between Transurban and the government but the deal with the third party that may well be involved in this. It will be claimed that because Melbourne City Link is still a single-purpose entity, that cannot happen. I am waiting for the next set of amendments the government will bring into this place which will make changes perhaps getting into some signage, flogging off a bit of land and a few other things.

In fairness — and I want to some clarification from the government on this — I want to make sure that no matter what deal is done in any way, shape or form by Transurban with another person — McDonalds or whomever that may be — this Parliament has a right to have it laid on the table in the library.

The former allegedly secretive Kennett government was capable of doing that, so surely to goodness the open and honest Bracks administration is capable of doing that. I say to all the Labor members who are going to the Labor caucus meeting at 5 o'clock to have a discussion about this bill that they should ask the Premier, 'What have you got out of it for the state?'. The state did not get \$152 million! I notice that the honourable members for Tullamarine, Bendigo East and Gisborne all think this is hysterical. So they should, because when Bendigo people come down, they should understand that because the Bracks government has not been able to negotiate from a position of strength, those members have cost their citizens. They can think this is not a big deal, but they should remember that Transurban, without the leasing arrangements at all, has been advantaged to a minimum of \$152 million.

There should be some answers. I am sure one or two leaks might come out of this meeting today, but I think these Labor members have a responsibility to ask what

the Minister for Transport and the Premier have got out of this and what Transurban has got out of it. I can tell them now that the next place they will read about it is probably in an Auditor-General's report. What has happened is totally unacceptable.

I have to say that on the sort of coverage of the government the Premier gave us on radio today, one would have thought a relatively serious issue was not good enough for him.

Before I finish I should make a couple of final comments about the concession deeds. As to the arrangements about Transurban's office space, while the government does not agree with the planning arrangements it has accepted them and has honoured the contract. It boasted in opposition it was going to break the contracts. It is not prepared to do that now. To its credit it has at least shown some commonsense in this.

Certainly Transurban will be required to pay rates on its site, I presume to the City of Yarra. But at the end of the day, while the bill is between this chamber and another place, the government is going to have some explaining to do, because I do not think that the taxpayers of Victoria have been well advantaged by what has gone on.

Ms Allan interjected.

Mr LEIGH — Sorry?

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

Mr LEIGH — I really love ignoring the group over there, but just for the record, the original electronic tolling devices proposed for City Link were thought up by none other than the Honourable David White. If the honourable member wants the material it is in writing somewhere, and I am more than happy to provide it. In fact Premier Bracks said he would build it another way, but can I say that motorists would have had no money out of the Better Roads fund for God knows how many years if it had been paid for out of that, because at the time about \$150 million a year was coming out of the Better Roads fund and we would have had no money for years for any other road.

Members who sit over there and who remember when this project was put up will also remember that it was a time when Victoria was basically bankrupt, the rust bucket of the country, and it was one of those projects which, whatever people think about it, actually did kick-start Victoria by putting over \$2 billion back into

the Victorian economy. They made mistakes; anybody doing a major project is going to make mistakes. I was unhappy with some of the things they did, and it was well known from some of the newspapers at the time that this was going on.

What I said about certain aspects of this thing is not news to anybody, but at the end of the day you have to ask the question: would this road have been built and have contributed to the way Victoria is today? The answer is no. And who is the best person I can I quote — Premier Bracks again! When trying to convince Virgin Airlines to come to Melbourne he said, 'Oh, gee, we have got a great road that you can come in on from the airport'. Unfortunately, they thought Premier Bracks was so clever that they took off to Brisbane and did not want to hang around, like a few other people. But the point is that the deal never would have happened.

I think the issue is probably a bit more fundamental than most people think. To many people the issue was always that they thought an existing road was being tolled; it was never about the tunnels or the like.

Ms Allan interjected.

Mr LEIGH — The point is in this: the honourable members for Bendigo East and Tullamarine sit in here and laugh, but the fact is that the people who are really laughing are Transurban, because they have just got a whole lot of money out of the government because the Labor Party is so silly it cannot negotiate with anybody to advantage the state. This deal was always going to be done in such a way that things were going to change and things would happen. Perhaps the honourable member for Coburg can go away now and say to Vicroads, 'Why was this land taken out of these arrangements deliberately?'. I know for a fact that the land we are talking about here today was removed very deliberately, because it had a net worth — it was worth potentially a lot of money.

The former Liberal government wanted to be in a position to negotiate with Transurban. I know of at least one sign on the freeway — I think in the Exhibition Street area — which says that the money from the signage — and I stand to be corrected — goes to charity in some form. Signage on a road with hundreds of thousands of vehicles a year going up and down it is worth a lot of money, never mind all the other things that might happen on it. I say to the honourable member for Coburg, who is the parliamentary secretary, 'Go and ask Vicroads' — if they are not in the chaotic state they usually are in these days — 'why the land was taken out'. It was taken out for a reason. Why did this

government agree to change the arrangements on the Domain Tunnel and the Burnley Tunnel so that it exempted Transurban from paying \$40 million?

These guys were so dumb they wound up having to pay for the cameras that were inoperative in there. They did not go to Transurban and say, 'Hey fellas, you haven't finished the road, so the cameras that are going to book people are inoperative', when in the last seven months they have booked 72 500 people. These guys were so dumb they paid \$3.8 million when Transurban should have been paying it. Transurban had a responsibility to do that. What people have to remember about contracts is that they are living, breathing things that are forever changing, and you forever have to negotiate.

I say to the Labor members that when they go to that meeting tonight it is time they started asking their executives some questions, because if they do not, some of them are going to find themselves unemployed in the near future.

I would like to finish on this note. The opposition's point of view is simply this: government members want to remember that the fact is in this arrangement a deal should have been constructed to advantage the state, but it has not. We do not know what the worth of that leased land is. I do not know whether it is \$10 million, \$20 million, \$30 million or \$100 million. It stands to reason from the advantages that Transurban has gained out of this deal so far that at the very least its claim for compensation for material adverse effect on Wurundjeri Way should be scrapped. Before the government decides to do another thing for these guys, it should say to them, 'Listen, you keep the \$37 million deal. It is nothing to do with us. You have done well out of us already'.

The share price has gone up because of the Bracks government and because ministers are so dumb in their negotiating skills. I have to say that you do not normally apply the word 'dumb' to senior politicians, but in this case because they want to please whomever they can out of these arrangements, because they are scared of the business community or do not how to negotiate, or because of some other arrangement that I do not know about, the net value of this is that the state of Victoria is disadvantaged.

An Honourable Member — A soft touch!

Mr LEIGH — A soft touch! The Melbourne City Link Authority's final job in all of these arrangements before, you might recall, the government brought in legislation to wipe it out, was to look at what happened to this land and how it should be dealt with. That was to

be one of the last priority jobs when this whole deal was done. And what did the Minister for Transport do? He brought in a bill to wipe the authority out, and then he set it up in a different way within the Department of Infrastructure.

I have to say that it clearly has not worked. Maybe not have enough people are involved in it. They are obviously professional public servants — I have no doubt about that — and I have no complaints about any of the briefings I have received from them. They have answered me honestly and on time. Although I have no queries about the public servants, I have queries about the fact that the minister's office does not seem to know.

I query the fact that the Premier does not seem to know. I was delighted today when Mr Mitchell asked him a very serious question. I hope every Labor member gets a copy of the transcript, because it shows how dumb the Premier was in not knowing the answer. When you are the Premier of the state and you have just handed over \$152 million and you do not understand it, that is dumb.

I expect better from the person who sits at the other side of the chamber as the Premier of the day. Irrespective of the fact that I happen to be a Liberal politician, what I want the Premier to do is to represent the state properly, along with his ministers, and to protect the state. It is on their watch that this has been mucked up. From now on, when they negotiate a bill to settle the claim for Wurundjeri Way and the Minister for Transport comes out and says, 'Oh look, I have fixed another Kennett government mess!', no-one will believe him — and nor should they, because the fact is he has signed off on arrangements that he should not have. He made a lot of noise in the past, but when it came to the crunch he was not capable.

I am reminded of the words of the Honourable Frank Wilkes, a Labor minister, when I first came to this place. After telling me he had been here 30 years, he said, 'Son, you want to remember a couple of things'. He never told me any secrets, but when someone has been here 30 years — on whatever side of the Parliament — you listen to them at least a little bit, because they have some understanding of what goes on. He asked, 'Do you know who the enemy of democracy is?'. I think I gave 10 answers and did not get it right. He said, 'It is the executive, because its members always know they are right'.

They are going to walk into their party room tonight at 5 o'clock and they are going to be snowed. I hope that the honourable member for Tullamarine and others ask

some questions, such as why their constituents will not benefit from these arrangements and why the Premier gave Transurban the money. Was it worth all the money Transurban paid to go to one big dinner to sit next to a handful of Labor hacks? Probably not.

On each of the occasions that I have dealt with legislation I have not opposed it. The honourable member for Coburg would say that sometimes I have been helpful, particularly in my attitude. I notice him nodding in agreement. I like to think of myself as a positive and negative person in these sorts of things because the opposition exists to criticise and to put up alternatives.

My alternative is simply this: the government has not negotiated with the opposition; the opposition is totally unsatisfied with what the government has gained for Victoria; and the conclusion is that the government cannot blame the opposition next time something goes wrong. I want the state of Victoria to pay Frank Costigan \$47 000 again. The honourable member for Coburg will remember when Frank Costigan was invited to investigate the issue and it cost the taxpayers of Victoria \$47 000 to find out that the then Minister for Planning, the Honourable Rob Maclellan, did the right thing. I bet if the government employed Mr Costigan again it would spend the \$47 000 finding out that the minister did the wrong thing this time. As an honourable lawyer in this state he would probably look into it. I am prepared to be bipartisan about this: pay him a little more for inflation to get to the truth. And the truth is that Victoria has been ripped off.

In closing, I do not criticise Transurban for the arrangements. If the government is so silly that it cannot negotiate properly with a private contractor, you do not blame the private contractor, you blame the government. It should have stood up to Transurban and it did not. The honourable member for Coburg may have been involved in negotiations — I do not know — but some answers need to be made available to the Parliament. We will not get them in this chamber: I do not believe the Independents will regard this as a serious issue, even though we are \$152 million down the tube so far.

I do not wish the legislation the good speed that I usually do. The Labor Party whinges about the Legislative Council not being representative, but it is established the way John Cain set it up, so figure that one out. However, on this occasion I hope the government can think of some explanations while the bill is between here and another chamber because it will need them. I want to know the truth. Frankly, I do not think the current Minister for Transport is capable of

knowing the truth, never mind anything else. But in this case I am prepared to be open and honest, and I hope the government will give us some undertakings. I do not intend to move the amendment personally, but the government should think about doing something to protect the Parliament's right to know on this issue.

It is a one-off project in Victoria and with any deal between any party, whoever they may be, the entirety of the deal should be tabled in the Parliament — that is, the name; the amount of money being made; what Transurban gets out of it; what, if anything, the state gets out of it; what is the real value of all this land to the state; and why the state of Victoria is simply handing it over.

I have written to the Auditor-General on two occasions and I hope he will see fit to investigate the matter thoroughly. If no deals were done he will give us an answer. But at this point there are as many questions as there are public servants. In fairness to the lady who works in the minister's office, the letters have always come back promptly; I have no criticism of her, either. I think it is the politicians who have constructed this. I will listen on the other side of the door of the Labor Party caucus room tonight to see if any members of the parliamentary wing of the Labor Party have the guts to stand up to the ministers who are selling them out. If they do not, they should be prepared to bear the responsibility for what happens out of this.

It is no longer a deal that the Liberal Party or the National Party which was part of the coalition government accept responsibility for. Any claim made against the state now is the responsibility of the Minister for Transport, the Premier, and the Treasurer — nobody else. I will ensure that the people of Victoria know that that is the case.

Mr STEGGALL (Swan Hill) — It was a very interesting contribution from the honourable member for Mordialloc on a piece of legislation which on the face of it seems to be reasonably straightforward. The questions raised by the honourable member need to be answered and the time is starting to slip by now for the government with all those threats and stories put around prior to the last election on how all these things were flawed and faulty. The government has not lived up to the rhetoric; it has not changed the basic operation. Most people are rather amazed that the new government has adopted the previous government's policies in nearly every area, and they have only seen some minor changes in direction. We think that is a good thing because we always believed the former government was travelling in the right direction and that a major change in policy and direction would have

been silly. However, that was promised and that is what the people of Victoria expected when the change of government came, but it has not been delivered.

Clause 1 of the Melbourne City Link (Further Miscellaneous Amendments) Bill provides that the purpose of the bill is to amend the Melbourne City Link Act 1995:

- (a) to make further provision in relation to land for the purposes of the Project;
- (b) to make further provision in relation to unit trusts;
- (c) to make further provision for the back-dating of temporary registration;
- (d) to make provision for the leasing of land by the Link corporation for purposes other than the purpose of the Project;
- (e) to make provision in relation to the application of laws to the development and use by the Link corporation of land at Burnley;
- (f) to make provision for a lower infringement penalty to apply for an offence for which a first infringement notice is issued under section 80 of the Act.

If we wander through those purposes we can start with the Crown land which will be used for underground pipes to provide for the recycling of water collected in the tunnel. These pipes will connect the recycling plant to the recharge wells. With this recycling of water from the tunnel we are starting to see something that will become more common in Melbourne. We will see more and more recycled water packaging plants throughout the metropolitan area. The practice we had in the past of taking sewerage or waste water out to a sewerage farm or treatment works and then bringing it back is really not economically viable and we cannot make it work in an established city. However, with our technology today we can put in place water treatment packaging plants and virtually treat the water on site in the middle of the metropolitan area.

In this case the ground water collected in the tunnel will be treated in the Swan Street area and these pipes will connect that plant to the recharge wells we dealt with in previous legislation. It is a sensible operation and one with which no-one would disagree. The leases imposed in this case are different to the ones the honourable member for Mordialloc spoke of, and they will be temporary leases until 2034, when the operation will revert to the government.

Another area of the bill deals with Transurban's corporate restructure and the shareholdings. It is an interesting issue.

Mr Spry — Mr Acting Speaker, I draw your attention to the state of the house.

Quorum formed.

Mr STEGGALL — As I was saying, the amendments in the bill reflect the changes brought about by the restructure of Transurban and the 20 per cent restriction on ownership. It was interesting that in the briefing we had a great deal of difficulty with people explaining this to us. However, I believe it is quite a straightforward operation, one which will still impose a 20 per cent limit, so that no-one can own or operate more than 20 per cent of the shares unless government agreement is forthcoming. That restriction is in place now; these changes just pick up the restructuring of Transurban to reflect the status quo under the new terms.

Currently there is a regime in place whereby first-time offenders on City Link receive a warning letter and no fine. The bill introduces a \$40 fine for a first offence and a \$100 fine for any subsequent offence. Police have discretion and warning letters will remain an option in some appropriate circumstances. The situation at the moment is that when someone infringes the options are to do nothing, send a warning letter — as has been the practice since the beginning — or issue a reduced fine of \$40 instead of \$100. This impacts on about 1 per cent of people using City Link. However, as I commented during the discussion we had about the bill, it does not take very long for 100 vehicles to go past any given point on City Link, so the volume is quite large over any given time.

We in the country have had some problems with access to passes and their availability to people who are not regular users of City Link. We would have liked to have seen a situation where the warning letter was continued, particularly for country people. That is still able to be done, but it probably will not be. I must admit that some of our people get a little confused when coming into Melbourne. However, the complaints coming to my office about City Link have virtually dried up in the past year. I think we have only had one case, and that was a complaint about the breakdown of the telephone communications. I am amazed by but very pleased with the way people have got to understand, use and accept City Link.

The honourable member for Bendigo East commented before about the introduction of tolling for people in the north. City Link has certainly changed our access to all parts of Melbourne. It has been of great benefit to us, and believe me we use it to the utmost. Before it was a terrible end to the journey as we got into Melbourne,

past Tullamarine, but now it is a delight to be able to move around the city. The honourable member for Mordialloc talked about the building of this operation and the tolling structures being the start of the impetus that turned Victoria around from the rust bucket with a debt-laden community it was when the coalition took over to a society of some prosperity.

The honourable members for Bendigo West, Gisborne and Tullamarine were very vocal when the honourable member for Mordialloc was speaking. The threats and stories they used in opposition and during the election campaigns are starting to come home to roost. People are not seeing any changes in the basic things which members opposite told us about. The terrible things Labor told us tolling would do to Bendigo, Tullamarine and Gisborne are seen as advantages, as good things. Those honourable members who have been so critical of these things are now seen to be strongly supporting something which they thought was evil.

Another area of this bill deals with the extended weekend pass. These passes are currently valid from midnight on Friday to midnight on Saturday. The bill will extend this time to midnight on Sunday. Our preference in the country would have been to be able to pay for these weekend passes up to the Monday evening. We have some problems with weekend passes, because when our post offices are closed we only have access to Shell service stations — and in my electorate there are none which have those touch —

An honourable member interjected.

Mr STEGGALL — Well, they do open the post offices. The federal post office contracts are now in private hands, and they are being run very well. However, when the post offices are not open we do not have access to the Shell service stations — I think there is only one in North Western Province, in Bendigo; there are none in Swan Hill or Mildura. It is therefore an issue for us. That is fair enough, and we accept the situation. It would have been nice to be able to extend the time for payment to the end of the day on Monday — in other words, to be able to pay one day after you have used your weekend pass. When that was suggested there was no opposition to it amongst those who briefed us on this bill. However, it was pointed out that it was not achievable because the technology was not quite good enough at that time to do it. We accept that, and we accept that when the technology is available it will happen. I hope the government makes sure that it does.

I make the point that the minister is a bit cheeky, inasmuch as he makes great statements about all these

changes that are being incorporated into City Link and into the building methods and systems when these changes were negotiated and argued when we were in government — and we had the same problem as the present government has over the Monday payment for a weekend pass. The technology in those days did not provide the options which are now available. As the technology improves and increases the options for the operation of the City Link tolling system, I am sure other options will be introduced. They will not be introduced because of the government; they will be introduced because technology will have made them possible. I think it will help a lot when technology catches up and the flexibility which we seek is available.

One of the other purposes of the bill is to allow for flexibility in leasing, and the issue of leasing has had a very good run today. My understanding of the legislation — and the honourable member for Mordialloc makes the point very well — is that it changes the leasing arrangements to allow the leasing of land for any purposes which are consistent with section 60 of the act, with the approval of the minister — in other words, anything to do with roads, cars or parking, et cetera, will be acceptable and a sublease can be entered into by Transurban with the approval of the minister. A sublease can be entered into by Transurban without the approval of the minister for something which is covered by the purposes of section 60. The issue that is always quoted as an example is car parking at the Kooyong tennis courts. The Kooyong operation is fine; everything related to cars fits and so the lease will go through.

My understanding also is that on anything which is not consistent with those parts of section 60 of the act a leasing arrangement can be addressed under the provisions of the Land Act and can be granted by ministerial discretion under that act. I would like some clarification of that from the parliamentary secretary when he addresses the Parliament. One of the great disappointments of these debates is that the ministers responsible do not ever turn up, and I do not know whether we will even get a response from the minister. That puts more responsibility on the parliamentary secretaries to be able to do that, and I appreciate their work and the role they play in this legislation, having travelled that road in a previous life. That needs to be clarified and stated clearly, and I think the way I have expressed it is correct.

The issues the honourable member for Mordialloc raised, though, are different. The government is being challenged based on the accuracy of the claims the honourable member has made and the ability of the

government and the minister, under the new-found phase in which the minister finds himself, to negotiate properly with Transurban to the advantage of the community.

The more you look at the act and the detail the former Treasurer included in it, the more you realise it was not a bad act to operate under. But whenever a government makes changes, as we did during our time in office, it must initially manage those changes and then continue with their management. You cannot introduce something and think that its introduction will be acceptable over time.

The biggest disappointment I have about the changes in many areas across the state — Transurban is one, and gas and electricity are others — is that when they were made those responsible within the new government did not drive the changes and continue to manage them. They sat back for 18 months and let any problems that were apparent in those areas become manifest and be used as a political tool. I suppose that is fair enough — we have to accept that because we are in politics — but as the honourable member for Mordialloc said, the ability to drive changes and implement the management needed in new areas is not evident in this government. The effort of the Premier on radio this morning was rather embarrassing for Victoria and himself. I trust that next time he will be better briefed on what is to be handled by Parliament before he makes any comment.

The previous government had an agreement with Transurban to release a site at Burnley for a Transurban building. It was to be under a site-specific planning regime and would bypass the planning process. Planning approvals would not be required, and it would not be subject to regulations under ministerial approval. I note with some venom that the Labor Party people who conducted the briefing were keen to slam the fact that an agreement was entered into for a Transurban building in Burnley. However, I do not have a problem with that. The bill does its formal bit to honour that contract.

This is another of the ongoing pieces of legislation on changes to the management of City Link by Transurban. I expect the house will see similar bills introduced, but that is not a problem. It helps the government, because at the moment it is having enormous difficulty finding any decent legislation to bring into the house. That is embarrassing.

Under the former government I was one of the people who was responsible for bringing legislation into this place. I was embarrassed when the house had only four or five bills for debate, but when there are only two

bills, as has happened this week — and this is one of the two — it must be embarrassing for the government. The autumn sittings have been going for a couple of months. The almost-empty agenda for the passage of bills should be a thing of the past.

The National Party does not oppose this legislation. It looks forward with interest to the negotiations between the government and opposition spokespersons while the bill is between here and another place. I look forward to being given straight answers to the queries raised.

Mr CARLI (Coburg) — I am pleased to enter the debate. The bill is interesting: it has six different parts, all of which are designed to improve the functioning of City Link. Amendments to the act and, consequently, to the contract have resulted from negotiations undertaken by the government. I am strongly of the opinion that the changes will improve customer relations and will ultimately benefit all Victorians.

The arguments put by the honourable member for Mordialloc were extraordinary. He suggested that we should use the opportunity to negotiate and change the fundamental basis of the contract. In his analysis of history he said that the then Labor opposition criticised City Link and the legislation over a lot of issues. He said those fears have now come to pass. He also said we should stand by those positions and not accept the agreement between the government and City Link.

The honourable member seems to think the government should force City Link to make substantial changes to the contract and that the government would be weak if that could not be achieved. He spent his entire contribution attacking Transurban and the contract. He misunderstood the contract in the first place. He was a member of the previous government and was involved in negotiating the contract. He referred to legal proceedings as a result of City Link seeking compensation for the adverse material impact of constructing Wurundjeri Way. He said the contract should be permanently altered because of issues involving the legal case against Wurundjeri Way or the fact that the Monash and Tullamarine freeways have now become toll roads. But that was the position adopted by the previous government.

There have been no opportunities to fundamentally shift that. If there is a bias towards Transurban it is in the original contract, which gives Transurban 34 years to make money from the tolls, which will bring extraordinary returns on its investments. For the first time communities living near the Tullamarine and Monash freeways have had to pay tolls on those

freeways, which had been paid for by our taxes. That was a fundamentally anticompetitive move.

In this case the government has negotiated and will continue to negotiate with Transurban on improvements for the benefit of the Victorian community. It is extraordinary that the honourable member for Mordialloc should now turn on Transurban and the government and say, 'The fault is yours because the contract is unfair'. The contract is unfair because the previous government negotiated it and passed the legislation. I recall that at the time I, along with the honourable members for Essendon and Thomastown and others, pointed out the errors in the contract, which we said would benefit Transurban at the expense of the Victorian community.

I turn to the six areas of amendments to the legislation. The first will lead to improvements for customers through more flexibility in the format of the new weekend pass, which will last from midday Friday to midnight Sunday. That is part of what the government has been doing consistently. The introduction of the Tulla pass was negotiated with the aim of reducing the cost of day passes on the Tullamarine side of the freeway. The introduction of other passes has been or is being negotiated to ensure more flexibility in the system and so the cost to the community of using City Link will be reduced.

Another amendment concerns the handling of recycled water. That will enable Transurban to fulfil an agreement to deliver recycled water for recharge purposes. The Minister for Transport and the Minister for Energy and Resources negotiated well with Transurban on the government's desire for it to use recycled water rather than tap water or fresh water, and the government is enabling that negotiation here. Again you would have to say that it is an improvement on what is there, and it is an improvement that has been made through the direct negotiating skills of the ministers and the public service.

I turn to the issue of the discount fine. As honourable members know, there has been a commitment from the government that first-time offenders should not be unduly burdened with a \$100 fine. Early on that meant a warning letter the first time, and subsequently a \$25 fine for second-time offenders, and that was extended out. There has been goodwill, and Transurban has accepted that there should be a warning letter for people who are first-time offenders. I agree with the honourable member for Swan Hill, because I — and, I am sure, many other honourable members — would like to see it continue. But as is its right, Transurban has taken the position that it wants to impose a fine. The act

states that in place of a warning letter there will be a \$100 fine, and that seems extraordinarily excessive.

The Minister for Transport has negotiated a \$40 discount fine for the first offence. We would all have preferred that the warning letter system continued. The government has negotiated extensions for the issuing of warning letters, and Transurban still has the opportunity to continue them, but the reality is that Transurban now wants to rid itself of the warning letter and go towards a fine — and under the previous government's act, it is its prerogative to impose a \$100 fine. To benefit the community, and particularly country motorists who inadvertently end up on City Link, the government has correctly negotiated a discount fine of \$40.

I turn to the issue of planning for the Burnley site. The previous government decided that the site would not be covered by a planning scheme, but in the interests of the local community this government has ensured that the land will be subject to site-specific planning control under the Minister for Planning. When the Labor government got into office it said that it would honour contracts. The site is now no longer covered by the planning scheme. The government has ensured that there are site-specific planning controls. Again it is an improvement on a weakness in the original act.

A lot has been said about flexibility of leasing and the ability of Transurban to lease. We should look at it in the context of why it has arisen. It has arisen specifically because a number of small parcels of land along the freeway have no community use and are vacant. City Link leases the land from the government because it needs access to the freeway and to the underpasses and overpasses along it. City Link has no other rights to the land other than to use it for access to its freeway system.

The Kooyong incident has brought the matter forward, because the Kooyong Lawn Tennis Club has sought to use land for parking. There are issues associated with that land and its availability. The government has taken the position that since the land is not being used, and there is no profiteering involved — no-one is going to make money from this land — it would serve a good community purpose. Through the amendment the government will give Transurban the right to sublease the land to the Kooyong tennis club for use as a car park.

What is the impact of that on other parcels of land? That is obviously the public policy implication. The implication is that other subleases will have to be approved by the minister. A number of hurdles have

been created to ensure that Transurban cannot use land for profiteering and that it is used for community benefit. It has to go through the planning minister, while another minister is responsible for administering part 9 of the Land Act, so it also has to have that second minister's approval. Further, the Governor in Council must give approval for the land use as well, so there are a number of hurdles and checks to ensure that a McDonalds is not created underneath an overpass.

Pieces of land that are currently vacant serve some community use, and it is more flexible on everyone's part to allow Transurban to be involved in a sublease, given that there are substantial controls. Having said that, the government will take the amendment that will possibly be proposed by honourable member for Mordialloc into consideration to ensure that the Parliament has some ability to scrutinise the subleases. That is something the government needs to consider. Certainly it considers there are safeguards in place to stop Transurban having the ability to pocket any money as a result of the amendment.

The government is dealing with six changes in the bill. They are part of what is now a strong history of this government's being prepared to negotiate with Transurban for the benefit of the community.

If we want to revisit history, as the honourable member for Mordialloc says we should do, we should revisit the act, because it is the act which in many instances has restricted the ability to benefit the community and which compels the state to allow Transurban to administer and to gather in tolls for 34 years. Anyone who has looked at the projections for the tolls will tell you that the return on that investment is extraordinary. There is a very large return on the investment by that company.

It is the previous government which, in its great desire to sign the contract, allowed for clauses that deem there should be compensation if the government undertakes projects which are seen to have adverse material impact on the City Link project. It is the previous government which forced us to negotiate the Tulla pass and which caused us to seek the Monash pass. It was not this government's intent, and as a member representing northern suburbs it was not my intent that my constituents should be paying any toll on the Tullamarine Freeway.

But given that the previous government forced us by taking away that road and providing it to Transurban, the best we could do was to negotiate through Transurban — and that was for the Tulla pass. The Tulla pass is not an insignificant victory. For people in

my area of, say, Pascoe Vale, it is a significant reduction. It is less than half the price of a day pass and means a significant reduction when they want to use the Tullamarine Freeway for a short distance. This government will continue to seek other ways to remedy problems.

I take up the point raised by the honourable member for Swan Hill that there are not enough outlets to buy passes from, that not enough Shell service stations hold the passes, and that post offices are closed on weekends. They are the sorts of things about which we have to continue to negotiate with Transurban.

Government members are putting their thoughts to how things can be better with Transurban in the way it delivers its service, and they will continue to do that. But the idea that we can simply turn around and basically rewrite great slabs of the contract really defy belief. I cannot believe the honourable member for Mordialloc, who was such a proponent of the Melbourne City Link Act, can turn around today and say, 'Your minister has not negotiated enough changes to the act'. Clearly we do what we can, and we have a history of concessions.

The honourable member talked about the act and the contract, which is within the act, as a living, breathing thing. But in fact it is not a living, breathing thing; it is a document which compels the government and Transurban to do certain things. It will only change when we have the ability to negotiate, and that is what we seek to do. The opposition cannot get away from the fact that many years ago as a government it basically signed a contract in a rush and conceded and gave away too much. It now simply says, 'You can change it today'. My response is no, we cannot change it today. There is no way we can turn the Tullamarine Freeway back into a free road without there being a massive compensation cost to the state.

So to the suggestion that the state has been robbed — to quote the honourable member for Mordialloc — I say that if it was ever robbed, it was robbed by the previous government when it agreed to that contract. There were alternatives to that contract; there were alternatives to the financial basis of City Link. There was no reason to create a situation in which a private firm could collect and keep in place fairly high tolls for 34 years and reap windfall profits. There were other ways of financing the whole endeavour, and the previous government failed to do that.

This government has an interest in protecting the interests of Victorians — the consumers who use the road, the communities that abut the road, and anyone

else it can get to. As an entity Transurban has its contract, to which it has sought changes, and as a result of those changes improvements have been made to the way the system operates.

Where does that take us? As I have said, this is an important set of changes because it demonstrates the success of the government in being able to improve the lot of Victorians and other users of the road. Does it go far enough? As a member who represents a community that historically has used the Tullamarine Freeway, I say no, it has not gone far enough. I will continue to agitate on behalf of my community, as will other government members.

To the opposition parties that say we have gone quiet, I say that that is just not true. We will continue to voice our opinions in whichever forum we deem important and which gives us results. I am pleased with the concessions we have had. The Tulla pass and the improvements to the freeway amenities in our areas that we were able to negotiate locally are important, and I stand by those. I will continue to voice my fair share of criticism of the Melbourne City Link Act and the way the contract was structured, but I realise the limitations of that and that we will not be able to undo it all — and there is no intention to undo it all.

The honourable member for Swan Hill was pleased that the government does not seek to radically change the contractual arrangements, and that is fair enough. Firms that invest money in this state need to be given some level of certainty. Having said that, I am pleased to support the six areas of change that really demonstrate that the government is committed to improving the Melbourne City Link Act and the relationship it has with Transurban and ensuring that it protects the interests of Victorians.

Mr CLARK (Box Hill) — I want to say a few words in support of the concerns raised by the honourable member for Mordialloc about, in particular, the single-purpose-entity provisions contained in this bill. The honourable member put before the house very cogently a number of concerns. They can be summarised by saying that the opposition is concerned that the government has been duded in its negotiations with Transurban, negotiations as a result of which it agreed to a restructuring of the entity arrangements so that Transurban could, among other things, market some of its tolling technology in other jurisdictions.

I should make clear that raising these concerns is in no way a reflection on Transurban. Transurban is perfectly entitled to pursue a negotiating strategy with the government through which, as long as it is conducted

fairly and honourably, it seeks to achieve the best interests of its shareholders and unit holders; nor is raising these concerns questioning the merits of allowing Transurban to derive benefit for itself and for Victoria from exploiting elsewhere the technology that has been developed.

The fundamental question is whether or not the state of Victoria and the taxpayers and citizens of Victoria got a good deal in the process as a result of the negotiations undertaken by the Minister for Transport and others. That is a matter on which, with this legislation now before the house, the opposition and the public are entitled to seek and expect some fuller answers from the government.

I will briefly recapitulate the factual situation. As the honourable member for Mordialloc has indicated, the Minister for Transport has on several occasions, and had on several occasions prior to the deal announced with Transurban on 19 September 2001, raised concerns about various aspects of the contract with Transurban.

Indeed the honourable member for Coburg has in general terms alluded to a whole range of concerns that government members have had about the contract. But in particular I want to highlight the fact that the Minister for Transport was well aware of the potential for claims against the government in relation to various roadworks that were constructed in the Docklands area, in particular what is now known as Wurundjeri Way.

The Minister for Transport created a great deal of mischief politically over this issue and raised suggestions early in the year 2000 that the government was being forced to close various roads in the Docklands area because of threat of legal action. The fact that this claim was untrue did not seem to distract him from making it, and he continued to make it even after the then Minister for Major Projects had put out a news release which made clear that the bypass road around the Docklands — what was then called Stadium Circuit and is now called Wurundjeri Way — was an important element of the design of the Docklands itself in order to divert heavy through traffic away from Harbour Esplanade, which is the former Footscray Road, and thereby open up the waterfront to pedestrians. Since then the present government itself has gone on to announce further Docklands developments which exploit that very openness.

The construction of Wurundjeri Way was a vital element of good design in the Docklands and a very good move in planning and transport terms. For the minister to have suggested that in some way the closing

of these other roads had been forced on the government by threat of legal action rather than because it was a good public policy decision in terms of the Docklands was incorrect. Nonetheless the minister persisted in raising concerns about demands from Transurban for compensation. In a news release of 4 May 2000 the minister said:

Under the Melbourne City Link Act negotiated by the Kennett government, Transurban is able to demand compensation from the state if new roads are built that offer motorists alternative routes to City Link, adversely affecting revenue to Transurban.

This was something the minister himself had put on the table back on 4 May 2000. The honourable member for Mordialloc has previously cited to the house large parts of a further news release of 1 March 2001 put out by the government on similar issues. It is absolutely clear that the government was aware of this potential issue prior to the deal that it announced with Transurban on 19 September 2001.

I should say in passing that I think one of the consequences of the minister's handling of this issue, particularly some of the remarks he has made to the media, is that those remarks have compromised to some extent the government's negotiating position on this issue with Transurban. I, for one, would certainly not have been prepared, and I am still not prepared, to concede in any way that Transurban has a viable or valid claim against the state over this issue. Although he has used the cover-up words that the government will try to do everything it can to protect the position of taxpayers and motorists, the Minister for Transport seems to have been more interested in scoring political points at the expense of the former government, albeit worsening the negotiating position of taxpayers vis-a-vis Transurban over this issue.

Be that as it may, the bottom line for the purposes of the current discussion is that the minister was well and truly aware of this issue. He himself flagged the potential for claims and was aware that a claim had been made, and yet from all appearances he made no effort to resolve this particular issue and a whole host of other outstanding issues with Transurban as a bundle, as part of these negotiations with Transurban that were announced on 19 September. According to press reports, and I cite in particular a report from the *Age* of 20 September:

The government unsuccessfully sought lower tolls for motorists as part of the new arrangements, but had to settle for a \$10 million consideration, payable in three portions over three years.

'We asked for some tolls to be lowered but that's a very expensive exercise to enter into', transport minister Peter Batchelor said. 'It didn't match up in negotiations'.

There was some reference to Transurban giving a commitment to research and development and the expansion of its information and technology division, but absolutely no mention whatsoever as to whether the government had sought to settle this claim over Wurundjeri Way or other outstanding issues that were in dispute with the government.

The central point being made by the honourable member for Mordialloc, which I reiterate, is that with all of these issues outstanding, with all of these potential exposures, or at least claimed exposures of the taxpayer, why was the government not taking the opportunity to bundle them all up, sort them all out in one deal and come up with an arrangement that got good value for money for the taxpayer, the citizen and the motorist. As I say, the central question that has to be asked is how the government can satisfy this house and the public that it was not duded over those negotiations.

The honourable member for Mordialloc has cited to this house information about movements in share prices, which at least raises on a prime facie basis the question of whether or not there was a massive increase in shareholder and unit holder value consequent upon these negotiations with the government. Furthermore, the information memorandum issued by Transurban itself subsequent to this deal with the government gave quite extensive details on the benefits that it had obtained as a result of the deal it had struck with the government.

I quote firstly from page 7 of the information memorandum:

The directors of City Link company believe that the experience and intellectual property referred to above, particularly in respect of the application of multi-lane free-flow electronic tolling systems on a large scale, provide it with a competitive advantage which can be exploited to secure participation in an extensive range of tollway projects which are expected to eventuate in Australia and overseas over the coming years.

Further on at page 14 of the information memorandum, under the heading 'Potential advantages' of the restructuring, it says:

The potential advantages of the restructure include:

it provides the Transurban group with the opportunity to pursue business activities other than the Melbourne City Link project;

involvement in other projects will broaden the earnings stream of the Transurban group and deliver synergies and economies of scale;

the costs and expertise of developing electronic tolling systems can be spread over more projects;

investment in other projects will diversify the risk from being a one asset vehicle;

a larger diversified group should enable the Transurban group to negotiate a lower cost of capital;

the ultimate proposed separation of the holding vehicles from TIDL will enable security holders with different preferred risk profiles to optimise their investment objectives;

experience derived on other projects may be used to enhance returns on the Melbourne City Link investment; and

the ability to use scrip as consideration for the acquisition of new assets.

In the information memorandum Transurban waxed lyrical about the benefits it had secured as a result of its negotiations with the government. The disadvantages it listed were relatively limited, including:

... the Transurban group is exposed to additional risks:

the risk that the perceived market opportunities do not materialise or are not captured;

the risk that the cost implementation of the restructure, which is estimated to be up to \$13 million (including the payments to the state), and the cost of pursuing the new opportunities, may not be recovered if profitable investments are not made; and

pursuing these opportunities will introduce new project risks which may impact on shareholder returns if unsuccessful.

Finally it lists:

increased regulatory costs due to a more complex structure.

It is clear the prime disadvantage is if the opportunity to commercially exploit this technology does not eventuate. But it is also clear that the directors believe those opportunities do exist, and they say:

... considered the potential advantages and disadvantages of the restructure and they unanimously recommend that security holders vote in favour of the restructure.

Overall we see a situation where there has been a significant benefit conferred on Transurban's shareholders and unit holders. The state is receiving a \$10 million payment in exchange, but on the available evidence, including that put to the house earlier by the honourable member for Mordialloc, the scales of that negotiation outcome were weighted heavily in favour of Transurban, and therefore at a cost to the taxpayer.

There were a lot of opportunities for items to have been negotiated and resolved, sparing not only direct cost but also negotiation costs and angst in the process. Those opportunities were not taken.

You have to wonder about the political motivation of the negotiation stance adopted by the minister. Did he deliberately leave out negotiation over Wurundjeri Way because it was an issue that he wanted to continue to exploit politically? What was the negotiating stance he took to the table? What was his assessment of the potential outcome the government could have negotiated on behalf of taxpayers? What is his assessment of the benefits achieved in the deal he had negotiated? Overall the question is: what can the minister tell this house and the public to demonstrate that he got the best possible deal for taxpayers out of this negotiation?

Bilateral negotiations between the governments and entities that have previously secured contracts such as Transurban are never easy to handle in a public sector context. The previous government was berated without mercy by members of the current government over bilateral renegotiations that it undertook. The onus is now on members of this government and the Minister for Transport to demonstrate that they in turn have negotiated a good deal on behalf of taxpayers and the public with City Link. They have failed to do so to date. I hope that government members, and in particular the minister, will take the opportunity provided by debate on this bill to provide those answers, either to this house or in another place.

Mrs MADDIGAN (Essendon) — I am pleased to contribute to the debate on the Melbourne City Link (Further Miscellaneous Amendments) Bill, although this is a difficult bill for honourable members on the government side. It has some good provisions in relation to weekend passes, which I will mention. We are forced into the situation of having to support fines for people who evade a toll, and as we do not agree with the toll in the first place it really puts government members in quite a strange position. The reason we are forced to do this is that the contract signed with Transurban by the previous government gave all rights to Transurban and none to the people of Victoria.

I find it surprising in relation to the contribution of the honourable member for Mordialloc that he seemed to misunderstand the nature of the contract that his government signed with Transurban. Certainly some of the comments he made about the rights given to Transurban are factually incorrect. The government now finds itself in the situation of having to administer a contract which, as I believe the honourable member

for Coburg told us, was rushed into by the government in an attempt to get this deal done. Those of us who can remember that time might recall that it was rushed through. In the end the government gave Transurban and the banks as much as they liked, because it had announced that the agreement had to be reached and the finance provided by 6.00 p.m. on that same day. I remember it clearly: we had live telecasts, either here or in the Treasury buildings, by the current Minister for Transport giving us an hour-by-hour account. It was actually 11.00 p.m. before the deal was signed. That was the stage at which the people of Victoria were really done over by the previous government, because it would have agreed to anything to get this contract signed. The then Premier, Jeff Kennett, had made a statement that this was the showpiece of his government. He said it was bigger than the Snowy Mountains scheme, and it was really important to get this contract out. I find it a bit hypocritical for opposition members now to come in here saying, 'You should do this', and, 'You should change the contract', when we are stuck with the contract they signed.

The honourable member for Mordialloc made some interesting comments. He spoke to us about the great benefits of City Link, saying that someone had said to him it was tremendous to have a great road coming in from the airport. We have had a great road coming into the airport for 20 years. The Tullamarine Freeway was built years ago, and the only difference made to it by the Melbourne City Link Bill is that you have to pay to drive on it and there is one extra lane. To suggest that there was no road there earlier is absolute nonsense. He also said he had some concerns about the contract that was signed. That came as a considerable surprise to me, because I do not recall in the time since I was elected in 1996 the honourable member for Mordialloc having much at all to say about City Link. I checked the *Hansard* index to see what sort of contributions he made. I was wrong — he did speak on one City Link bill.

I read his contribution not long ago and it is quite an interesting contribution for honourable members to look at. He managed to mention things like the South Eastern Arterial, Jim Kennan, John Cain, the City of Footscray and indeed the Olympic Games, but he had very little to say about Transurban or tolls. Interestingly enough, and I am sure the honourable member for Oakleigh will be interested, he also attacked the honourable member for Williamstown for saying that Labor would win the seats of Tullamarine and Oakleigh because of City Link. I think we can say that was fairly prophetic for the man who is now the Premier of Victoria.

The honourable member for Mordialloc in, I think, 1999 spoke on a Melbourne City Link bill, but at no stage from the beginning of the speech to its end did he mention the tolls or Transurban. In fact he had no negative comments at all about Transurban or its involvement with the project then. About the only thing he said was that City Link was 'a good thing', and that is a fair indication of his intellectual commitment to debate in this house — City Link is a good thing.

I was a little surprised but pleased to hear the honourable member for Berwick saying he had no problems with the way Transurban had acted in this. Perhaps he should have a good look at the honourable member for Mordialloc, who seemed to be launching a significant attack on Transurban the whole way through his speech today, having conveniently forgotten that it was his government, the government of which he was then a member, that happily signed the contract, with great bells and whistles at the time.

It makes one wonder about the honourable member for Mordialloc's understanding of the contract. The honourable member for Coburg suggested that the honourable member's comment that it was a living, breathing thing is totally inaccurate. The contract is there, and since the Bracks Labor government has come into power with the honourable member for Thomastown as the Minister for Transport — and I give him a lot of credit for this — the minister has managed to negotiate a great deal of improvements for the Victorian community. But he has only been able to do that through his own hard work and to a certain extent the goodwill of Transurban. We have no rights to the concessions that Transurban has given us. It has given them to us under the original contract that was signed with the Kennett government. The government in the future is also totally reliant on the goodwill of Transurban to bring in some changes which improve the situation for the people of Victoria.

The honourable member for Swan Hill also made a statement that I must challenge. He said that while there was a lot of noise and concern about the tolls when the legislation was brought in and when tolling first started they have now been accepted by the community. I am not quite sure what community he was referring to, but I can assure the honourable member for Swan Hill that City Link and the tolls have not been accepted by my community or the community to the west of the city that are being forced to pay tolls to drive down the Tullamarine tollway. The Moonee Valley and Moreland city councils are both heavily involved in overcoming problems caused by motorists trying to avoid the tolls.

If you look at the Transurban contract you can see that the Kennett government virtually gave the company the Tullamarine tollway as almost a freebie, I suppose, because without the tolls on the Tullamarine section of the City Link project it is unlikely that the project would have been financially attractive to investors. It is the Tullamarine tollway that attracts the most traffic. In fact, it is almost impossible to enter Melbourne from a large number of country towns in northern and western Victoria unless you go down a lot of side streets. It has been obviously a very good revenue raiser for Transurban and one which made the whole project very worthwhile. It is those tolls on the Tullamarine section that the community in my area is most opposed to.

While most of them do not agree with tolls, they can at least acknowledge that if you have built something new there might be some justification for it. But to put a toll on a road which is pre-existing is considered quite unfair. I can assure the honourable member for Swan Hill and any other members of the opposition parties who might be interested that the Essendon community has not accepted it at all. If they come out to Essendon, I can introduce them to many residents who will tell them that they do not use the Tullamarine tollway even though at times it would be more convenient. As a matter of principle they will not buy transponders and will not pay for a road that was free for 20 years. So for the opposition to cosily think that all is forgiven and that the community in the western suburbs now accepts the Tullamarine tollway is totally untrue.

This bill brings in some improvements. Even the fine provisions are an improvement on what Transurban could do if it wanted to. There are six main areas that are covered by this bill, so it is quite an extensive one. There are customer improvements that deal with land for recycling water, the discount fine, planning for the Burnley site, and flexibility in leasing land. That particularly relates to the Kooyong Lawn Tennis Club and other areas there and the consequential changes to the organisation of Transurban itself.

I refer to the customer improvements. The Bracks government since it was elected has done quite a lot to try and improve conditions and the costs for people who have to use the Tullamarine tollway as a regular thing. The Tulla pass has provided enormous value to customers. It allows them to use it at a cost of \$3.15, which is less than half the current price of the City Link pass at \$8.80. This has been recently negotiated to be extended from Friday afternoon. This is the reason for the amendment in this bill, which also allows a further amendment to the backdating requirements for extended weekend passes.

The current backdating provisions only extend for up to two calendar days whereas the extended weekend pass is valid over a three-day calendar period. The amendment, therefore, will enable backdating for the full three-day period, providing for the purchase of this pass at any time from midday Friday to midnight Sunday. That will be greatly appreciated by people who want to use it for family visits or to come into town for some event. The Minister for Transport has negotiated a great package that provides additional time for motorists to use City Link. I know there are other packages and provisions the minister would like to negotiate with Transurban and that he will continue to work on them in the future.

The second point concerns the water recycling plant. This was also mentioned in the last piece of legislation that was debated in the house. There have been three pieces of legislation that have gone through which have improved conditions for motorists and the community. This is a further one for the community and is an indication of the government's commitment to not wasting water in this state and to further processes of recycling.

Transurban — and I credit the company for this — is investing \$1.12 million in this project to set up a recycling plant and reticulation system to pipe the water to up to seven points where it will be injected into the aquifers. This will be a considerable saving of drinking water from the general water system. The recycling plant will be built within the existing Transurban operations depot in Swan Street, Richmond, so it does not require further land.

Under the provisions Transurban has to satisfy strict Environment Protection Authority standards to ensure that the recycled water does not contaminate the aquifers. The new plant is expected to be operational in July this year. The work involved is complex and the legislation before the house facilitates the operation of the plant through the reservation of land for the installation and operation of reticulation pipes. I am glad to see that the opposition acknowledges that this is a good project and is supporting this bill.

The third part of the bill relates to the first time offenders fine of \$40. This is the part that we find difficult, but once again this is a provision that the Minister for Transport has been able to negotiate back from what the previous Kennett government allowed in the original City Link legislation. Under the Kennett government contract the act provided a \$100 fine which would have been applied to first offenders from 31 December 2000. So almost a year and a half ago first offenders would have been fined \$100 for going

down the tollway. The government through the offices of the Minister for Transport has managed to negotiate with Transurban to put that off for a very long time. I think we can all be grateful that people have managed to escape a fine for a year and a half. But Transurban — and it has the right under the contract signed by the Kennett government — has the right to fine people \$100. I think people will be very pleased that the current government has been able to reduce that through negotiation to \$40. No-one likes to be fined, but certainly if you are going to be fined it is much better to be fined \$40 than \$100, so once again the Minister for Transport has been able to improve the situation and that will apply from 1 June 2002.

The next part refers to the planning for the Burnley site. The honourable member for Coburg covered that fairly effectively in relation to the work that is being done there. The Bracks government does not support the Kennett government's decision to enable Transurban to be subject to a special planning regime. However, it is bound to honour the agreement entered into by the previous government. As the honourable member for Coburg said, the Bracks government is therefore entering a special planning scheme amendment that Transurban will not be required to obtain a planning permit for this development. The plans for the development will be subject to approval by the Minister for Planning. Of course we have a very sensible Minister for Planning who will make sure that the interests of the people of Victoria are protected through that process.

The second-last one, and the one that seemed to cause the honourable member for Mordialloc considerable concern, relates to flexibility in leasing land. I think we should get the facts right on what we are talking about here, because I thought he seemed a little confused on some of these issues.

Let's just look at what we are talking about. Firstly, there are small parcels of land under sections of the elevated freeways of City Link that are vacant and have no community use. We are talking about pieces of land under the freeway or tollway that are not used, that are just sitting there doing nothing virtually. Transurban needs to have access to those in order to undertake maintenance work on City Link — they have to be kept open so that Transurban can maintain City Link. I am sure — or I hope! — that the opposition spokesperson for transport agrees that it should be maintained. I am sure the honourable member for Bellarine, who is very sensible, would agree that City Link should be maintained, and would see that as a reasonable thing. Other than that requirement the land is not used for anything.

I felt that the honourable member for Mordialloc was a little confused here. He sounded as though he thought we were taking some land from somewhere and giving it to Transurban, but of course we are not. The land is just sitting there doing very little, and it is used by Transurban.

In one of these areas — I think very sensibly — the Kooyong tennis club has seen that an area of land under the Monash elevated section could be used for parking, both for it and for other people, which I think is a really good idea. We may as well use it for car parking rather than have it sit there doing nothing. There is no cost involved. Again the honourable member for Mordialloc seemed to think there was some sort of conspiracy, with money involved for the government. There is no money involved; this is just looking at land which is vacant except for requiring access for Transurban and which can actually have a useful community purpose. I would have thought that was quite suitable.

In relation to the leasing, again the opposition spokesperson for transport seems to live on conspiracy theories. I think it is perhaps a sad reflection of the way he operates, but I assure him the world is not full of people indulging in conspiracies. He seems to think there is something rather strange about this, but in fact there are some problems with the site that the Kooyong tennis club wants to use. They are not serious, but there are pylons that go under the ground there and some access problems need to be sorted out. It was considered it would be much easier for the tennis club to negotiate directly with Transurban on how this would operate rather than having it in the legislation. In fact it was done to enable the Kooyong tennis club to get a deal that suits it better and for it to be able to negotiate with Transurban. I would have thought it was really a commonsense thing to do. There is certainly no hidden agenda here — no conspiracy, no money changing hands. All it is about is using currently unused land for a community purpose.

I would hope that other community users may be able to use any other land Transurban needs for access for parking or some other purpose, so the community can get a further benefit. I know it is a bit of a shock for opposition members, especially for the opposition spokesperson for transport, to hear that it is worth while to have a community benefit, because many people will say that the interests of the community were not necessarily foremost in their minds when they entered into the contract with Transurban on City Link. But certainly this government is very strong on land being available for community use, on people being able to get a benefit from land which is not used for any other purpose.

The final point refers to the set-up of Transurban and how it operates. This bill again brings improvements for the people of Victoria that were not in the parent bill. I guess City Link is one of those things where if my community had its way, and I agree with it, we would if we could get rid of the tolls on the Tullamarine tollway tomorrow — and it would benefit my community considerably if we could do it. But there were many changes made by the Kennett government which unfortunately we have to live with, and this is one of them.

Certainly having to live with tolls for 34 years is abhorrent to people in my community, especially when they think that their two-year-old children will be adults and parents of their own by the time they have to stop paying for a road which they had already paid for 20 years ago through their taxes. It is no wonder they feel very angry with the previous government and will continue to do so. I found they were really appreciative of the efforts the government has made to try to improve their lot. Members of the community are not stupid; they understand what contracts are, they understand that this government is forced to run a contract that was set up by the previous government, and that this government is doing all it can to give residents in the community a better deal in relation to the contract.

I think we will continue to have traffic problems in Essendon because of City Link, although I am glad to see that its latest usage figures show that a lot more people are using it and are continuing to use it, and that will help to get traffic off the roads of Essendon. Certainly things like the increase in the use of the Tulla pass and the extended hours will hopefully help get more people onto the tollway and off Mount Alexander Road and the roads of the people of Essendon.

I am glad to support this bill. I am sorry that people have to be fined, but I am sure they would prefer to be fined \$40 than \$100, which was what the Kennett government offered them. The government will continue to try to negotiate a better deal for the people who use the Tullamarine tollway and for the residents of the west and north-west of Victoria.

Mr SPRY (Bellarine) — It is always a pleasure to follow the honourable member for Essendon. I envy her ability to string words together the way she always does. I rarely agree with the underlying philosophies she espouses, but nevertheless I always find her comments provocative.

The honourable member for Essendon mentioned in the first part of her contribution that Labor was opposed to

tolls as a matter of principle. I remind her though, as she leaves the chamber, that she would not have a City Link if tolls had not been used as a mechanism to bring about this huge infrastructure. Again I remind her, as she leaves the chamber, that at the time the Kennett government was organising and implementing this huge project the state was essentially broke and the government had no options. I refer the house to the so-called Russell report on government contracts, which the Bracks government commissioned when it came to office. Case study 3 in the report dealt with the City Link contract. Under the heading 'Principal findings, benefits', it states that:

The review found that, at the time the project was initiated, it could not have been undertaken as quickly or as an 'all-in-one' construction program if government funding had been required for the entire project.

That confirms my earlier statement about the state not being in a position to do it unless the project involved private investment. The state put in \$346 million, or 14.7 per cent of the total project cost, so it was not commissioning City Link without some form of government contribution. The vast majority of the funding came from private sources at no risk to the government.

Under 'Observations' the Russell report says:

The build own operate transfer (BOOT) model can be appropriate for significant projects of this nature, subject to community consultation and proper prior evaluation of alternative delivery mechanisms and the wider impacts.

Under the same heading the report goes on to say:

City Link involves the application of new technology on a large scale. The availability of this new technology provides the government with a practicable option to implement further toll roads.

That must stick in the craw of the Labor government given that it is philosophically opposed to it in the first place, but the opportunity is there according to the Russell report. It goes on to say:

The City Link project demonstrates the rapid implementation benefits of decisive government action, supported by enabling legislation, which provided scope to override any potential delays from the normal complications of due process.

Again I reflect on the days in 1992 when the Kennett government took office and on the fact that the state was virtually paralysed by inaction — and few members on either side of the chamber would contradict that observation. The case study goes on to say that:

The review found that, while the project had avoided additions to state debt, the government had contributed

approximately \$346 million, or 14.7 per cent of the total project cost.

According to the report:

The review endorsed the generally open approach to disclosure of project documents and contractual arrangements.

The review found that a large and complex project had been substantially completed on time and had met the government's objective of linking three major freeways without adding significantly to the state's debt.

Finally, under the heading 'Principal findings, benefits', the report says:

The review found that the contract effectively transferred almost all of the construction risks to the private sector (for example, management of the Burnley Tunnel issues).

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

Mr SPRY — Before the dinner adjournment I was reflecting on the fact that we were lucky to have City Link at all after the disastrous financial mismanagement of the state under the Cain–Kirner Labor government.

I return to the Melbourne City Link (Miscellaneous Amendments) Bill. This side of the house will not oppose the bill, but I want to draw attention to clause 9, which gives generous rights to Transurban. In that area we reserve the right to engage in further detailed consideration before the final determination of the bill in the upper house. That attitude by the opposition is driven by concerns about the Bracks Labor government's ability to conduct hard-nosed commercial negotiations on behalf of the Victorian taxpayers. Frankly, in commercial circles the Bracks Labor government is regarded as a soft touch.

The opposition's concern is prompted by the experience of seeing windfall benefits go to Transurban following the token payment of \$10 million to the state government to release it from its single entity status, occasioned by legislation which passed through this house in October last year. This status was conferred on Transurban by virtue of the original concession deed in 1994.

That is when Transurban was awarded the contract to operate City Link. The stock exchange index best exposes the market's reaction to Transurban's release from its single entity status: overnight some \$50 million was added to the value of Transurban stock, and after one week the total value of the company had increased by more than \$100 million. It makes one wonder why on earth the Labor government did not anticipate this huge increase in the value of Transurban stock.

Is it any wonder that on this side of the house we are sceptical of the Bracks Labor government's ability to negotiate a reasonable deal on behalf of Victoria? I hasten to add that development opportunities should be maximised for the benefit of taxpayers, particularly in circumstances such as this. But the Bracks Labor government has demonstrated on this and other occasions — for example, the recent public transport franchise cash bail-outs, of which we are all aware — that it has poor if not lamentable commercial credentials. Sadly that is a negative hallmark of any Labor government in Australia.

With reference to clause 9, which contains the new power to lease land, this bill, as has been highlighted by previous speakers, is completely open-ended about the land it intends to allow Transurban to sublease. How much property is targeted? Where is it? What is its development potential for the benefit of taxpayers? The answers to those questions are not specified. As far as I am concerned, the whole deal is open ended.

Opposition members hope to get some answers in the committee stage, if that is possible, or before the bill is debated in the upper house. If that information is not forthcoming, then on behalf of Victorian taxpayers we will have a responsibility to start ringing the alarm bells, especially when these questions are related to compensation claims by Transurban against the government. Some of those claims have still not been resolved, particularly the \$37 million claim that was mentioned earlier in relation to Wurundjeri Way on the south side of Docklands. One would expect any government to be mindful of the bargaining power to be had in the way it approaches this issue while the claim is current. If the government had any brains it would negotiate accordingly and ensure that the taxpayer is not defrauded of the potential benefits of the obligations being modified by this Labor government.

I have mentioned the government's record of commercial expertise and judgment. By any standard it is not good, but I must take this opportunity to reflect on another aspect of the government's commercial management expertise and, in particular, on another major infrastructure project. I refer to Princes Freeway West, better known as the Geelong road — or from my perspective as a resident of the Geelong region, the Melbourne road. That road is a major feeder into City Link and thus has a bearing on the bill we are discussing. Literally thousands of Geelong and metropolitan Melbourne motorists use this highway daily. These road users really appreciate City Link. They will also appreciate the concessions embodied in other parts of this bill, such as the extended weekend

pass and the \$40 first offenders fine for toll avoidance, particularly compared to the current \$100 fine.

However, what they do not appreciate is the ludicrous speed restrictions currently being enforced along the sections of the highway under construction where they are clearly unjustified. I am not referring to the necessary speed limits where construction gangs are working; I am referring to long sections where there are clearly no works currently in progress. For example, when I came to Melbourne on Monday last long sections had a 60-kilometre-an-hour limit, and in some sections that was reduced to 40 kilometres an hour. This is frustrating and not acceptable to motorists. In fact, it invites speeding, because it is clearly silly.

While I was cruising along at the specified maximum speed, whether it was 40 or 60 kilometres an hour, I was distressed to see the number of motorists speeding past me. One can only say that with so many people ignoring the speeds as specified on those black, red and white signs, the legal limits are not acceptable, and in that case the public will not abide by them. That very much highlights a shortcoming in the traffic management of that freeway under construction.

The Melbourne City Link (Further Miscellaneous Amendments) Bill contains some acceptable elements, which I have already mentioned. One of those I have not mentioned is the provision for ground water replenishment of the system. That will be widely accepted by the broader community, particularly by the green elements in the community who have objected to the fact that in the past potable water has been used to replenish the water draining into City Link on a continual basis. I am told it is draining at the rate of about 10 litres per second, but I stand to be corrected. That does not amuse or appeal to any of the green elements of society, of which I am one. It is good to see that that issue is being addressed and that provision is being made to accommodate that issue.

I hope the government will take the opportunity to clarify the details of potential leasehold land which under the terms of this bill might be the subject of further consideration. As one who spent some years in the real estate industry I appreciate the fact that from time to time opportunities are provided to governments to maximise the potential benefits to the taxpayer through sound, hard-nosed commercial negotiations with companies such as Transurban, the company running City Link. Transurban is a highly reputable company doing a tremendous job of behalf of its shareholders and the people of Victoria, and it would expect hard-nosed negotiations. I am appalled to see that this government does not seem to have addressed

those issues. It talks about benefits to the community, which is all very well; it is commendable and acceptable. By the same token, where opportunities exist to maximise commercial benefits it is incumbent on any government, regardless of its political complexion, to do its best on behalf of taxpayers to ensure that those benefits are in fact maximised.

Until the government offers an explanation of these matters we on this side of the house will continue to articulate our grave misgivings about the government's ability to maximise those commercial benefits to which I have referred from the land it controls. Accordingly, I ask the government to provide those explanations in the course of this debate.

Mr NARDELLA (Melton) — I rise to support the Melbourne City Link (Further Miscellaneous Amendments) Bill. It must be understood that the bill comes before this house today because in the first instance a crook deal was done by the Kennett government. It was a deal that disadvantaged my residents and my commuters when I was in Melbourne North Province. It is a deal that continues to disadvantage those residents and country people who come down from Bendigo. It was a crook deal that made sure that a small number of very elite people lined their pockets and will continue to do so for the next 34 years. It was an exclusive deal, which was negotiated by the Kennett government without any regard to the future or what was proper — without any regard to probity or to factors that would affect Victoria and Victorian motorists for a long period of time.

This bill comes before the house on the basis that the negotiations on the contract that was signed off back in the mid-1990s were crook, were done incorrectly. If you want to blame people for the lack of negotiations, as the honourable member for Bellarine and the honourable member for Mordialloc did in their contributions to this debate, then the blame must go to those honourable members who kept their mouths shut when those negotiations were taking place whilst they were in government. They did not say boo, did not care about any residents or commuters, and we now face a situation where absolute power is held by Transurban. Understand, Deputy Speaker, that the power is not held by the government; Transurban holds all the power.

This bill deals with compensation claims that have been submitted to this government, not the previous government. This government has to deal with compensation claims for Wurundjeri Way and other claims totalling hundreds of millions of dollars.

The opposition is on its high horse today, saying the government has not negotiated properly, that the government has not done the right thing and that the opposition wants an open and accountable process. It wants everything tabled in the parliamentary library. I remember the original bills. I remember the original contracts that went through the Legislative Assembly and the Legislative Council because I was then in the Council, and they are the most complicated, convoluted rubbishy bits of paper that have meant that residents and commuters using the City Link tollway have been disadvantaged and will continue to be disadvantaged for 34 years. These compensation claims arise from that crook contract that was signed by the Kennett government.

If you are going to blame anybody, blame the previous government and its members. What an appalling speech the honourable member for Mordialloc made to the house today on this bill. For a start, I do not think he knew which bill he was speaking about. Secondly, he referred to the same bogies that he always refers to: John Cain, Joan Kirner and David White. He fights the old battles, but unfortunately we have moved on to the position where we have to deal with the mess that was left by the previous government. That is the reality. He did not understand the bill. He could not speak on it, because it is a bit complex for him. The honourable member for Mordialloc needs to understand in very simple terms that unless we put this bill in place, first-time users of the City Link tollway, those motorists that do not have an e-tag and have not bought a day pass, could be fined \$100 by Transurban.

This bill provides that first-time offenders will be fined only \$40. That is very complicated for the honourable member for Mordialloc. That type of complexity is beyond his understanding, as his speech absolutely demonstrated.

He went on to talk about the Honourable David White, linking the views of the previous Cain and Kirner governments, tollways and tolls to this particular tollway. I make it clear to honourable members that the view of the previous Cain and Kirner governments was to investigate imposing tolls but not on existing roads. If one looks back at the *Hansard* at what the Honourable David White said — certainly when I was in the other place from 1992 to 1996 — one sees that his position was that there might need to be an investigation of how roads in the state would be funded because of limited funds, in the understanding that Victoria was going through a recession in the late 1980s and early 1990s.

However, tolls were to be looked at only on roads that were not in existence — that is, not on existing roads, which is what the Kennett government gave as a sop to Transurban and City Link — not on the Tullamarine Freeway which was and should still be a free freeway because Victorians had already paid for it. That funding had already come out of our taxes and petrol fees; it had already been paid for by the good citizens of Victoria. But, no, it had to be part of the milking cow, part of the sop, and part of the privatisation programs of the previous Kennett government.

The opposition has no understanding of and no policies on these matters. As the honourable member for Bellarine said in his contribution, members of the opposition come in here and threaten to do the only thing the opposition is good at: amending or blocking the legislation in the upper house if those questions are not answered. But those questions should be answered by opposition members themselves — that is, they should say why they supported the privatisation of the Tullamarine Freeway when it was free. The honourable member for what will soon be Macedon and her constituents who use that road day in, day out now have to pay a toll to drive on a road that was previously free. If the argument is that that road should have been widened, then I am sure the taxpayers of Victoria would have paid for it without the need for tolls.

That was the Labor Party's policy but the Kennett government came in and had to screw into the ground my former constituents of Melbourne North Province, together with those rural and provincial motorists who use the Tullamarine Freeway. That is where it was crook. That is where it is wrong. It is why I continue to oppose City Link and the crook deal that was done by the Kennett government and will continue to do so until the day I die!

Here we are trying to fix up the problems of City Link when those problems were created by the previous government. I talked about Wurundjeri Way. Honourable members should look at the off-ramp to the West Gate Freeway and the mess that was created by the previous government. It was brought up by the Honourable Pat Power when he was a shadow minister for roads and ports and a member for Jaka Jaka Province in the other house. It was brought up as a serious issue when the initial discussions took place and legislation was being debated and passed by the upper house. But the previous government did not take heed of those problems. It did not want to understand. It did not want to put in place a proper off-ramp so that having paid their tolls motorists were not blocked on City Link when trying to get off and use the rest of the system.

We also have a tunnel that leaks. That is how great the Kennett government was! Those great negotiators went out and negotiated the construction of a tunnel that leaks! That is how fantastic they were! The honourable member for Mordialloc has come back into the house. He is a supporter of toll roads, City Link and Transurban who comes in here and wants to tell the government how it should be negotiating, when he kept his mouth shut for seven years!

The negotiations were botched right from the beginning and it is an absolute nonsense for the honourable member for Mordialloc, who does not even understand the simple bill before the house, to come in here and tell the government how to negotiate from the position of weakness that he put us in.

The legislation tries to protect a lot of innocent motorists who are not used to paying tolls on freeways. They are rural people, and people from interstate and provincial areas who rarely come into the city. They get confused by the signs. The government has protected them by making sure that the initial fine for not paying a toll is \$40 instead of \$100. That is the reality of this legislation; that is what the government has put in place to try to protect those residents and motorists. But the opposition's ideological bent about everything private being good and anything public being bad means that the government has really had to sit down and negotiate this legislation through with Transurban.

That is the only way it can get changes through on the original deed and memorandum of understanding that was negotiated by the Kennett government back in the mid 1990s. We cannot nor should we change contracts unilaterally.

Mr Leigh interjected.

Mr NARDELLA — Unfortunately the honourable member for Mordialloc will never get the opportunity to negotiate any contract, either with the government or with his own party, so for him to talk about how we were not able to negotiate contracts — —

Mr Leigh interjected.

The ACTING SPEAKER (Mrs Peulich) — Order! The honourable member for Mordialloc!

Mr NARDELLA — That was his premise, and it is absolutely incorrect because of the constraints of the original privatisation contract that was signed off with the concurrence — with the agreeance, with the okay — of the honourable member for Mordialloc. That is the thing that is crook.

The honourable member for Mordialloc protesteth too much! He comes in here without an understanding of the legislation and without any commitment to Victorian motorists. His only commitment is that they should go faster and break the speed limit and place themselves and their families in danger. But as far as this legislation and dealing with the real situation is concerned, he has no understanding of the factors involved.

One of the really sad parts about this government having to deal with and amend this legislation is that the previous government put us into a position of being hamstrung. The negotiations that we had to undertake — that is, through the Minister for Transport, and a great minister he is — —

Mr Leigh interjected.

Mr NARDELLA — No, he is not like you.

Mr Leigh interjected.

Mr NARDELLA — He is not a jailbird like you; he is not a crook like you, honourable member for Mordialloc.

Mr Leigh — He is a crook.

Mr NARDELLA — No, he is not.

The ACTING SPEAKER (Mrs Peulich) — Order! The honourable member for Melton and the honourable member for Mordialloc will cease baiting each other, and the honourable member for Melton will continue without the interjections.

Mr NARDELLA — The minister was hamstrung by the actions and decisions of the Liberal and National parties during their seven long, dark years in government, where no scrutiny was available because of the acquiescence and sucking up on a daily and hourly basis of the backbenchers in the Kennett government. They come in here and accuse us of not being able to negotiate it properly when they themselves did not have not only the foresight but the intelligence or the brains to work through those issues and ask those questions because they were too busy sucking up to Premier Kennett and making sure that they were looked after. They did not care about my constituents or the constituents of the honourable member for Gisborne or other honourable members within Victoria.

This is an important bill which tries to rectify the problems caused by the previous coalition government and which we take seriously, because it will make sure

that the protection is there. On that basis I support the bill before the house.

Mr VOGELS (Warrnambool) — I am pleased to have the opportunity to join the debate on the Melbourne City Link (Further Miscellaneous Amendments) Bill, the purpose of which is to amend the Melbourne City Link Act 1995 to provide for the leasing of land to Transurban or a third party. This will allow the minister to recommend that surplus City Link land be leased for any purpose which is not inconsistent with City Link use — for example, for car parks, service stations et cetera.

It appears that some will be transferred to the Kooyong tennis centre site, which is fine. However, we are debating a bill when neither the minister's office nor the office of the director of City Link can give any clues as to what land will become available or even when it will become available. We have been asked to support a piece of legislation without knowing the full implications of such an action, which has the potential to financially advantage Transurban or third parties at the discretion of the minister.

This is about Crown land owned by the people of Victoria. Some of it is in prime locations, and there is no doubt that it was always intended that when City Link was finished the surplus land would go back to the Crown and revert to national parks or gardens and that any surplus land which was not required should be sold to the highest bidder in an honest, open and transparent way. What we are witnessing here leaves this all open to question, because we do not know what land will be available or when it will be leased. I think somebody said it could be eight months down the track before we find out what is really happening.

The bill will also allow for the construction of an administration building at Burnley for occupation by Transurban, which is probably a very legitimate business deal. However, I would have liked, and the public deserves, to see the fine print to make sure it has been done on a fully commercial basis.

The bill makes further provision for unit trusts, ensuring that no corporate structure can obtain more than 20 per cent ownership without government approval. I think that is a good idea. It also provides for the backdating of temporary registration and accommodates a new weekend pass.

Finally, it makes provision for a lower infringement penalty of \$40 to apply to first offenders travelling on City Link without e-tags. That is a good initiative, especially for motorists who rarely use City Link, such

as those who come down from rural Victoria. They often get caught in situations which they are not familiar with and so find themselves travelling on City Link when they did not particularly want to go there. However, I would have liked to see the government change the law requiring the payment of the penalty within 24 hours, extending it to within seven days. A lot of times it happens on weekends, because many of my constituents in rural Victoria only come to Melbourne at weekends. They have travelled on the City Link and all of a sudden become stuck, and then they have had to find phones to try to sort everything out in 24 hours. I would have thought that seven days is a reasonable time for anybody to pay a fine.

While I am on fines I will say that in rural and regional Victoria the government must act to provide more speed monitors to allow motorists to check that their speedos are accurate. In the old days there used to be a monitor between Geelong and Melbourne; it was not very accurate, but you used to check your speedo against it. If you go down the Burnley Tunnel you will find that the tolerance has now been decreased to 3 kilometres an hour, so our speedos need to be fairly accurate. Speedo readings can vary quite a bit; it depends on the age of the car or on whether the tyres are a bit under inflated and so on.

If the government is fair dinkum in saying that the reduction of the tolerance to 3 kilometres per hour has nothing to do with raking in more money but is about saving people's lives, it has a responsibility to spend some of that money on putting monitors along our highways. I can think of one between here and Geelong, one between Geelong and Colac, and probably one between Colac and Warrnambool. I am not saying they should be down back roads or anything like that, but along major roads so that people can check their speedos. Obviously the monitors need to be accurate. Surely that is not too hard.

If you can put fixed cameras in place on freeways they must be accurate, so it cannot be too hard to also put in place monitors which are accurate so people know the speed they are travelling at and can save themselves from incurring fines. That is basically the main thing I wanted to say. Most of the other issues have been discussed.

The bill contains some good initiatives, such as reducing fines and so on. However, much more could have been achieved. I honestly believe we need to know which Crown land is being sold off or leased, who is getting it and when, how, where and why before we even debate the bill in the first place.

Ms DUNCAN (Gisborne) — I have great pleasure also in speaking on the Melbourne City Link (Further Miscellaneous Amendments) Bill. Picking up some of the comments of the honourable member for Warrnambool, I can only lament that he was not a member of the government when this contract was introduced and signed. I can only agree with many of the points he makes about casual users of City Link and people from country areas who are not familiar with City Link, and I am sure most members on this side of the house would also agree with most of his comments.

The problem is that we now have a 34-year contract that is pretty tight. The only way we have made any gains or achieved any of the things the honourable member for Warrnambool and like-minded members would like to see achieved for their constituents who are essentially occasional users and people who do not see merit in having an e-tag, has been as a result of very careful negotiation with Transurban.

This bill introduces further changes to the City Link process and all of them are improvements for users, particularly casual users. There are still many problems remaining with City Link. People in my electorate who for many years have used the Tullamarine Freeway free of charge, believing their taxes and the petrol levies were all going towards roadworks and so on, did not expect that the addition of one lane would lead to the building of a toll gantry just past the Bell Street exit. Those people who exit at Flemington Road are required to pay a toll when for many years they have been able to travel on that road for free.

Mr Plowman interjected.

Ms DUNCAN — The honourable member for Benambra says by interjection that it is not the same road. An additional lane has been added. I can assure him that I have sat in a traffic jam, as I did before City Link was introduced, except that now I pay for the privilege of sitting in it. I can assure him that there are still times when there is bumper-to-bumper traffic on that exit. Many people in my electorate have also had to sit in a traffic jam as they have attempted to exit at Flemington Road.

Although City Link may be of great benefit for those travelling the length and breadth of it, I can assure the honourable member for Benambra there is no time benefit for those exiting at Flemington Road, even with the addition of an extra lane. I believe the benefits accrue as you travel further along City Link, but people in my electorate coming from the Calder Highway do not see the benefit of having to engage in the whole City Link system, getting an e-tag and going through all

that that involves. They are not seeing the benefits from that.

I am very pleased to be able to say that three years ago I wrote an article that was published in the local newspaper basically saying that an impromptu visit to the Victoria Market on a Sunday morning or afternoon could cost up to \$108. That was absolutely the case. If you decided on a Sunday morning to drive for 50 minutes to get to the Victoria Market, assuming you did not have an e-tag and that you did not previously buy a day pass, you would then have to buy a late day pass on the following day. If you did not ring within the appropriate time you would be hit with a \$100 fine and would also have to buy a late day pass, which would cost you an additional \$8. So such a trip could cost you \$108.

Now the government has made significant changes to alleviate some of those problems. I am very pleased to be able to stand here today and say that because of the good work of the Bracks government and the negotiations of the Minister for Transport I was wrong, because now that will not be the case. We have only the Bracks government to thank for that. A \$100 fine is just extraordinary. We have seen that with the negotiations of this government the fining period has been extended further and further. The fact that the first penalty has now been reduced from \$100 to \$40 is a fantastic outcome.

The bill introduces a couple of other changes that are all bringing benefits to people like those in the electorate of the honourable member for Warrnambool and in my electorate. There have been improvements in the product for sale. The introduction of the Tulla pass was an excellent initiative, acknowledging that many people come in from the Calder Highway and exit at Flemington Road. They go past one gantry and can follow the same route they have travelled for 25 years without having to pay that additional charge.

I have heard the honourable member for Mordialloc raving and ranting in this house for most of the afternoon and into the early evening. I do not take much notice of most of his ravings because they all jumble into one — for the most part his contribution is that of just one very angry inarticulate man. So I have not listened in great detail, but it seems extraordinary to me that he could stand there and say anything when he was part of a government — and it is problematic for any government to do this — that signed a contract for 34 years! It signed a contract to impose on every single person a toll that can be increased by 3 per cent a year, or at the rate of inflation, whichever is the greater. If those increases occur at the rate at which they are

allowed at the end of that period we will be looking at a day pass costing in excess of \$30-odd. This contract was extraordinarily generous and did not contain anything to protect country users. One can expect that from a Premier who referred to country regional Victoria as the toenails of the state! One would not really expect that he would give great consideration to those people when he was negotiating such a contract. I am sure it was the furthest thing from his mind.

When I look at some of the members who represent country electorates I wonder how they could have sat there in mute silence for all those years and watched while the contract was being negotiated and developed and not say a word. It is just amazing to me. This has brought such disbenefit to many people in my electorate that I cannot imagine that I would have sat mutely and allowed it to go through in the manner in which it did.

I shall comment on not just the introduction of the Tulla pass but also the fact that now the passes are available at post offices. The announcement that they were available at touch screen machines in Shell service stations was good, but along the Calder Highway in my electorate we do not have any of those machines. So although it was great if you had access to them, they brought no benefit to people in my electorate. I can say that being able to access these passes through post offices is a fantastic development. I am sure members who represent country Victoria will agree that being able to access them from post offices has made it much easier for country people.

The whole system has really always been designed to force people to buy e-tags. The cost of the other products just does not stack up when compared to the e-tag. It was inevitable and it is certainly Transurban's desire that everybody be an e-tag customer. For those people who wished only to use it casually, the limitations on the number of day passes that you could buy were absolutely disadvantageous to regional Victoria. It is amazing that so many members of this house sat by and allowed this contract to be negotiated. The Bracks government now is having to negotiate to alleviate some of the most outrageous disadvantages that the system introduced.

I point out that a number of people have asked how we would have gone about such a thing. All I can say is that the cost of building the City Link infrastructure, as I understand it, had it been done by the state government, would have been some \$800 million. My understanding is that the total cost now to Victorians over the 34-year period is in the vicinity of \$4 billion. It is substantially more than might have been the case had

some other options been explored. I am not disputing that City Link, if you are travelling the city's length and breadth, can bring great advantages to travellers in time and fuel saved. That is a great thing and no-one would say that is not appropriate. But all these other incidentals about the contract disadvantage some members of the community, particularly those travelling into the city along the Calder Highway.

The other part of this bill that I will highlight briefly is the issue of the recycling of water — again, it was almost a criminal act to use the amount of drinking water that was required to recharge the City Link tunnels. A lot of people in the community were outraged when it became known how much drinking water was being used on a daily basis for this. Most people saw it as a complete waste and again it shows lack of foresight by the Kennett government for not making sure we were not using Melbourne's drinking water to maintain the system. So I am very pleased that we have been able to make some changes there. As I said, the access to the passes and the reduction in the fines are all really about the Bracks government getting on with the job of mitigating some of the worst excesses of this infrastructure. I commend the bill to the house.

Mr PHILLIPS (Eltham) — I rise to speak on the Melbourne City Link (Further Miscellaneous Amendments) Bill, and of course I am following other speakers who have mentioned many points. Some have been reasonable; some have been stupid and ridiculous. However, we are all here to make a contribution in some way or another. I will certainly make a contribution as part of the opposition parties which are not opposing this bill.

The bill is all about trying to make something better. We on this side of the house believe City Link is a fantastic piece of road engineering. Yes, because it is a very innovative road, it has ended up with a few minor technical problems. But at the end of the day I do not believe if we had the opportunity over again that we would do it any differently. Today we have heard about having to pay tolls, the length of time of the contract — 34 years — and at the end of the day the community in some way, whether through taxes and charges, in this case a toll, has to pay for the road. The road has to be paid for somehow. The honourable member for Gisborne spoke about her constituents who were using the road previously, and other honourable members have talked about the use of the old Tullamarine Freeway which was the road they were using free of charge and paid for through their taxes and charges. Now, with the improvements to that road they are now

paying what they believe to be an additional charge through a toll system.

The honourable member for Gisborne talked about the saving of fuel and time and that is a reality — there is a fuel saving and a time saving. If you ask members of the community, Acting Speaker, what taxes and charges they support, they would say none. If you ask what new taxes and charges would they implement, they would say none. No-one wants to pay any more than they have to, but the road has to be paid for somehow. In this case the previous Kennett government believed the only way it could have this infrastructure built in Victoria at that particular time was through a toll system. Those now in government too easily forget — although we on this side certainly do not — that the whole reason for some of the decisions made during the Kennett years was the state that Victoria was left in after 10 hard, long years under the Cain and Kirner governments, when Victoria went from having a debt of around \$11 billion to having a debt of \$33-odd billion in 10 years.

Ms Duncan interjected.

Mr PHILLIPS — Here we go. Automatically she says — —

The ACTING SPEAKER (Mrs Peulich) — Order! The honourable member for Gisborne has had her opportunity and was heard in relative silence. She ought to extend the same opportunity to subsequent speakers.

Mr PHILLIPS — I am trying to be unexcited about this bill. Honourable members on the other side have had opportunities to tell us how good or bad it is. They are in government. If they do not like it they can do something about it. But they do not want to do something about it. They have talked about how bad a 34-year contract is. This organisation has spent billions of dollars investing in Victoria. It needs to get a reasonable return for its investment over a reasonable period of time. Thirty-four years is not a long time when you are spending billions of dollars. We are not talking about chickenfeed, we are talking about large sums of money, the billions of dollars that were squandered under the Labor government — from a debt of about \$11 billion to a debt of \$33-odd billion.

The bill talks about a number of changes that have been made. It talks about — these are not in order — the provision of a lower infringement penalty of \$40. I think the honourable member for Gisborne spoke about how ridiculous the \$100 infringement was for those people who do not buy a ticket. At some point in time

there has to be an incentive. If the incentive of \$100 was too dear, they are now in government and can make those changes, which they are doing. It also talks about making further provisions for a backdating of a temporary registration, and it accommodates a new weekend pass. I believe that is very good. I am sure the honourable member for Gisborne and members of the government would also think that is very good. I am certainly happy to acknowledge, and I know honourable members on this side are happy to acknowledge, the good points.

The honourable member for Gisborne also spoke about the problem with the water. I do not think anyone would disagree. Water is going to be an absolute gem in the state of Victoria, in Australia and throughout the world. I think it is an excellent opportunity. Maybe in hindsight we should have been wiser and should have made provision at that point in time for the opportunity that is taking place now, which is the use of recycled water. I think it is excellent, and I do not think anyone on this side would criticise the opportunity that is being taken by the amending of this bill. It also talks about changes to allow development — to use land at Burnley to allow the construction of a proposed four-storey administration building.

Previous speakers spoke about the leasing of land. I think there needs to be some assurance that with any leasing of land there will be a reasonable, fair commercial return for the use of that land. That is the only point the opposition has spoken about, and it has indicated it has concerns about making sure that that land is being used wisely and sensibly. I am sure those that are wiser in the government, if we can find any of them, will certainly insist that that take place.

A number of other points have been raised by other speakers in reference to the road. As I indicated when I first started, there are still a few problems with City Link, including where it starts and finishes. We have those problems on many of our major infrastructure and freeways. Out in my electorate of Eltham the community is divided over what is known as that missing link, or that part of the freeway structure throughout Victoria which is proposed at some point in time by some to go through Eltham. It finishes nowhere — at Greensborough — at this point in time. At the other end we have the construction of a freeway at Ringwood — and nothing in between.

There are problems, and decisions have to be made by those who are in government. It is not easy, because when you make them you are going to upset someone. Certainly those people who were using the Tullamarine Freeway, as has been indicated, are feeling

disappointed that they have gone from having a road they used without tolls and have received very little benefit. I think we spoke about the use of an extra lane. They are now paying for a road which they believed they had already paid for, so we can have some sympathy with that concept. Although I live in the northern suburbs in Eltham, it is certainly not a road that I use frequently, unlike those who live on that side, but on the odd occasion I have used it I have admired the engineering expertise and excellence in used in constructing that road. I have noticed there is a saving of time, which has been mentioned by previous speakers, and certainly a saving in wear and tear and fuel.

We on this side will not be opposing the Melbourne City Link (Further Miscellaneous Amendments) Bill, although there has been some concern, as mentioned, about the leasing of land. Certainly from my point of view I support the concept, as mentioned in the second-reading speech, of the installation of a reticulation system for the treatment of water. The use of recycled water for recharge purposes as mentioned is excellent, and I think it should be commended.

I believe anything we can do to ensure that people are using the road and paying for it is commendable. The suggestion of making further provision for backdating and for temporary registration to accommodate a new weekend pass is also very good. I will not, as part of the opposition, be opposing the bill. The points of concern have been raised by me in part and by other speakers; and other speakers will make further contributions. Overall, if I had my time again I would support the decision regarding the building of that road. It was a great initiative by the previous Kennett government and its followers.

Ms GILLETT (Werribee) — It is my pleasure to make a brief contribution on the Melbourne City Link (Further Miscellaneous Amendments) Bill. It is also my pleasure to follow the honourable member for Eltham, and I have been pleased to be able to sit here for some 10 minutes and listen to in the most part his glowing praise of this government and this piece of legislation. I think I heard him say ‘commendable’ on at least a dozen occasions in reference to the bill. I am so pleased that this piece of legislation has the overwhelming acceptance of the honourable member for Eltham.

I am somewhat befuddled — perhaps it is not me; perhaps it might be the honourable member for Eltham who is a little befuddled — in that while on the one hand he said he is wholly supportive of this piece of legislation on the other hand he and his fellow travellers of the past failed Kennett government would have done

everything just as they did. I do not know how the statement about being happy with this bill and being wholly supportive of this legislation fits with the notion of, ‘Yes, and if we were back in government, we would do it all the same’.

Mr Phillips — Principle!

Ms GILLETT — Principle! Yes, that was not a word that was often used by the previous and failed Kennett government.

Mr Phillips — I did not think you would understand it.

Ms GILLETT — I can understand it, I can spell it, and more importantly, this government actually lives by it. We talk the talk and we walk the walk.

It is my pleasure in making a brief contribution on this bill to concentrate on an area of particular interest to my constituency and, in broader terms, to the whole of Victoria — and, as has been said by other contributors, to all of Australia — that is, the issue of land for water recycling. The background to this particular aspect of the bill is that the Bracks Labor government has been working very hard and consistently to heighten the community’s awareness about the preciousness of our water and the desperate need we have to save it. This has been particularly the case following five consecutive years of drought in Melbourne and having our water storage levels now at approximately 59 per cent of their capacity.

In the year 2000 the Bracks Labor government launched a major water conservation strategy, which included a \$1 million investment in a water conservation campaign highlighting the need to value and conserve our water resources. As part of this campaign the government launched a new water conservation web site to provide information to consumers and manufacturers on practical ways they could save water.

In October 2000 the Minister for Environment and Conservation established the Melbourne water resources strategy committee to address how best to manage, conserve and develop Victoria’s water assets now and into the future. The committee was most ably chaired by Professor Nancy Millis. She is preparing the Melbourne water resources strategy, which will be presented to the minister in June or July this year.

In 2001 Melbourne Water increased its target for the use of recycled waste water from 1 per cent to 20 per cent within nine years. The intention of that is to use

recycled, treated waste water for agriculture and public land, and quite possibly for gardens.

For those in the chamber who may not be aware of it, one of the major infrastructure assets that is located in my constituency, and, Honourable Acting Speaker, soon to be located in your constituency, is the western treatment plant. The western treatment plant has an integral role to play in this particular strategy which has been adopted by the government and which has been adopted now by Transurban.

In November 2001 the Premier announced the Growing Victoria Together strategy, which identifies the environment as one of 11 priority areas for this government. Within this important category, water recycling and effective waste management is the main concern for this government. In February of this year the Minister for Environment and Conservation announced a pilot project to irrigate part of the King's Domain gardens using sewerage treated in a small treatment plant adjacent to the gardens. The water used to irrigate the gardens will be treated in accordance with Environment Protection Authority guidelines. The project is being undertaken by Melbourne Water in conjunction with the City of Melbourne and the Department of Infrastructure. If it is successful this project could be extended to other parks and gardens, and it would represent a major environmental breakthrough auspiced humbly by our communities into the broader community of Melbourne, which will help to protect and preserve our environment and a precious resource.

Consistent with its approach to conserving Melbourne's fresh water, the Bracks government has been extremely concerned about the use of Melbourne's most precious drinking water for ground water recharge purposes by City Link. Recharge is absolutely necessary to protect private and public property in the vicinity of City Link tunnels from ground settlement.

In October 2001 the Bracks Labor government and Transurban jointly announced a plan to establish a recycling plant and reticulation system to recharge the ground water aquifers around the City Link tunnels. Transurban will invest \$1.12 million to set up a recycling plant and reticulation system to pipe the water up to seven points, where it will be injected into the aquifers. This will dramatically reduce the reliance on drinking water for recharge. The new water recycling plant will be built within the existing Transurban operations depot in Swan Street, Richmond.

Transurban obviously has to satisfy very strict Environment Protection Authority standards to ensure

the recycled water does not contaminate the existing aquifers. The Bracks government has worked in partnership with Transurban, as is our wont and our way, to deliver a solution on this important environmental issue — an issue, it must be said, which was completely ignored by the past coalition government.

The new plant is expected to be in operation by July 2002. The work involved is complex, and the legislation presently before the house facilitates the operation of the plant through the reservation of land for the installation and operation of reticulation pipes. For its part Transurban will lay approximately 5 kilometres of pipe to carry the recycled water from the Olympic Park plant up to the seven recharge points I mentioned earlier.

The quality of the recycled water will obviously be monitored continuously. The proposed amendments will enable Transurban to fulfil its commitment to the government to deliver on the use of recycled water for recharge, and it will significantly reduce the amount of fresh water required for recharge, taking an enormous amount of pressure off Victoria's overall need to be careful and wary about its concerns with water. It is particularly important for areas in the western plains that I am responsible for that we can both conserve our freshwater resources and also use the most incredible infrastructure resource we have in the western treatment plant for the use of recycled water in appropriate and safe ways.

This bill will conserve certain Crown land under the Crown Land (Reserves) Act 1978 so that licences can be issued to Transurban over that land for the installation and operation of reticulation pipes. This will be very critical infrastructure if the use of recycled water is to become more and more common. Virtually all of the reticulation pipes will run through land to be leased to Transurban. However, Transurban has identified the need for two additional narrow strips of land which are to be reserved by this bill. These strips are situated on Crown land. One consists of unreserved and permanently reserved Crown land situated on the south side of the Yarra River between the river and Alexandra Avenue. The other strip consists of unreserved and temporarily reserved Crown land between the Yarra River and Batman Avenue. It is important to note that public access to the land to be reserved by this bill will continue. The public will gain an asset which will assist them in maintaining and meeting their very important environmental needs and standards, and they will not lose any access to that land.

The Bracks government has consistently addressed the issue of water conservation, including the development of alternative approaches to the use of precious fresh water for parks, golf courses, racecourses and other public gardens. Indeed, the Werribee golf course has been a major beneficiary of recycled water and that has been facilitated by the reuse of water from the western treatment plant. The agreement reached between the government and Transurban to use recycled water for recharge purposes represents another major achievement in delivering on this important water conservation policy.

In partnership with Transurban, the government is implementing an approach to water conservation that will not only be an important saving for the community, but also for the City Link concession period, which is a long period of 34 years. It will also form a permanent addition to a range of innovative measures that are expected to be implemented across Melbourne and Victoria. The project represents a significant capital investment by a private company which has demonstrated genuine goodwill to reduce its freshwater use. This has been encouraged, facilitated and provided by this government. Conspicuously, it was not provided, not facilitated and not encouraged — not even thought of — by the past failed Kennett government.

The use of recycled water for recharge purposes is a fantastic result for the environment and for the community and is a further demonstration of the Bracks Labor government's commitment to, in any way possible, building important principles for the judgment of any project: social value, environmental value and capital value for the economic benefit of Victorians — all of them! This piece of legislation and the actions the government has taken demonstrate the Bracks Labor government's commitment to something that is understood by some to be the triple bottom line. It is not one or two bottom lines, and not the myopic view that if it makes money it is good and if it does not make money it is not good. This government applies three criteria to any project: it must be good for the environment and add value to it; it must add value to our social capital as a community; and it also needs to demonstrate its economic capacity.

The other point I would like to make concerns the reduced fine for first-time offenders. Nobody happily receives a bill or fine in the mail. I notice the honourable member for Bellarine is back in the chamber. I need to address one of the issues he raised in his contribution regarding the speed limits on the Geelong road. I know the honourable member has to

travel for longer distances than most on that road — but not more frequently than I or our constituents do.

Mr Plowman — What has that got to do with the bill?

Ms GILLETT — Perhaps you should ask the honourable member for Bellarine what it has to do with the bill, because he canvassed the matter widely in his contribution!

I wish to explain to the honourable member for Bellarine that the speed limit has been set at 60 kilometres per hour for a very good reason. Each day men and women work on the road to improve its safety for us and our constituents. The speed limit has been reduced to provide for the safety of the people working on the road, but it is important to note that the limit produces a nice cultural change. It is a pleasant experience to drive at 60 kilometres an hour on the Geelong road rather than dodging trucks at 100 kilometres an hour. I feel a lot safer — I do not know if the honourable member for Bellarine does — and there will not be a by-election in Werribee while the speed limit stays the way it is!

The reduced fine for first-time offenders is very fair. The City Link contract inherited from the failed former government set up a regime involving a hefty fine of \$100 for people who travelled on City Link without being registered with Transurban through either obtaining a pass or having an e-tag account. It imposes an inordinate burden on those motorists who inadvertently find themselves on City Link without having made the appropriate arrangements. It is well known that if the Kennett government had had its way a \$100 fine would have applied to first offenders from 31 December 2000.

The Bracks government has consistently maintained a policy of leniency in recognition of the newness to Melbourne of a fully electronic tolling system. The government and the Minister for Transport have worked tirelessly to make sure that enforcement takes place in a fair, sympathetic and commonsense way. From the outset of tolling the government obtained the agreement of Transurban to introduce warning notices for first-time offenders and reduced fines of \$25 for the subsequent four offences. Warning notices were extended on three occasions and reduced fines were extended on four occasions. It is part of a process of cultural change — exactly the same as reducing the speed limit on the Geelong road while the roadworks are taking place. The reduced fines operated for a period of 16 months from January 2000 to April 2001. Thus the Bracks government can take considerable

credit for ensuring that many motorists did not receive \$100 fines.

Warning notices were always intended as an introductory measure. Tolling has been in operation for more than two years on the western link and for over a year on the southern link. Now the majority of motorists appear to understand how they must pay for using City Link, with more than 99 per cent of trips accounted for by either an e-tag account or the purchase of City Link passes. Clearly the enlightened approach of the Minister for Transport, which focused on an educative regime, not a punitive one, has been extremely successful. That educative regime has yielded the benefits of a 99 per cent compliance rate. People understand the system. They do not feel tortured or betrayed by it, and they are encouraged to become familiar with it rather than frightened of it.

The system of enforcement that requires state support was agreed to by the Kennett government. The state has costs as a result of processing and distributing the warning notices, and there is no revenue to offset those costs. It is a public good. The Bracks government has obtained Transurban's agreement to introduce a discount fine of \$40 for first-time toll offenders, which will apply from 1 June 2002. The adoption of a discount fine of \$40 for first offenders achieves a balanced policy outcome of providing leniency and seeking reasonable cost recovery while maintaining an educative process for members of the community, enabling them to access the system and understand it without feeling damaged by it.

In all, this is terrific legislation. It helps to remedy the ills caused by the laxity of the former Kennett government. It is my pleasure to commend the bill to the house.

Mr DIXON (Dromana) — It is a pleasure to join this debate. Quite differently from members on the other side, I do not feel the need to filibuster for 20 minutes. I will say what I want to say and then sit down. I understand the government's need to do that, because the pickings from its business program are very slim.

It is a pleasure to follow the honourable member for Werribee. She referred to the western treatment plant, which is very dear to my heart, because the products from the eastern treatment plant flow out into the ocean by my electorate.

When we consider the loss of water because of the construction of the City Link tunnels and the need to recharge the water table it is important that we look at

using recycled water. It is a crime that water, our most precious commodity, is just poured into the ground to recharge a water table.

The honourable member for Werribee said that Melbourne Water is looking at extending its recycling of water from 1 per cent to 20 per cent. I think that is rather myopic. We should be looking at a total recycling of all our water. We have the technology to do that, and we should make use of it and set our sights a lot higher. In our everyday water use, whether residential, industrial or agricultural, we should use far more recycled water. The recharging of the water table at City Link is a good example of using something we take for granted, because we pour our clean drinking water down into the water table.

The opposition does not oppose the bill. We have major concerns about what is not in the bill, yet we are allowing it to pass. We are talking about areas of land which will be affected by the bill, yet we do not know — —

Honourable members interjecting.

The ACTING SPEAKER (Mr Loney) — Order! There is far too much audible conversation in the chamber. I ask honourable members either to be quiet or to take their conversations outside the chamber.

Mr DIXON — They do not know what they are missing, Mr Acting Speaker!

It is very difficult to carry on a debate when much about the land we are talking of is not known. The plans are not available. Even though we are taking it on in good faith, we really have great concerns about it. The only piece of land we have been educated about is the land underneath the elevated roadway through Kooyong, which is adjacent to the Kooyong tennis courts and which could quite easily be used by the Kooyong Lawn Tennis Club, Vision Australia and Scotch College. That is fine so long as the arrangements are above board and transparent. The opposition does not have problems with that, but there are many other areas of land which we do not know the details of and about which I have real problems.

The main point I wish to raise, and I have heard much about this from government members, refers to the fact that people have been saying all along that the Monash and Tullamarine freeways were not tolled before but are now being tolled. Those sections that are now tolled, and they are only small parts of those freeways, cannot be compared with the way they were before they were tolled. They are really only the same in name and the routes they take; there are huge differences there.

We have seen massive changes in all aspects of the road engineering. In some cases the roads have gone from four lanes to eight lanes and they have wider and safer shoulders. All sorts of safety aspects of both those sections of freeway have been totally enhanced and they are now very safe roads. I am sure when you compare the accident figures for those sections of road before City Link to what they are now the accident rate would be far lower. They are far better pieces of engineering and far safer stretches of road. The noise attenuation along both sides of the road has changed completely. The roads are a lot quieter for the residents around them who have gained from that. The access and exit points on those roads are totally different; the roads are far more user friendly and where they begin and end is quite different. To say that these are the same roads they were before is ridiculous: they are completely different roads.

In conclusion, we need to go back to the basic concept of what City Link is about and why it has a toll. It has a toll because it was not built in stages but was built in one go. It was a piece of road infrastructure that was desperately needed by Melbourne. It has done wonders for Melbourne and it is doing wonders for Victoria and the wider state economy. It needed to be built in one stage and the only way the state could afford that was through the toll. People who do not use it do not pay for it and those who use it pay for it. It benefits the total Victorian economy and all people in Melbourne as those positive points flow through our state economy.

As a representative of the people on the Mornington Peninsula I can say that the City Link infrastructure has certainly opened up Melbourne and the northern suburbs to the people of the Mornington Peninsula. It has also opened up access to the tourist facilities and the wonderful Mornington Peninsula for the people of Melbourne. We totally and wholeheartedly endorse City Link and the original concept behind it.

Mr SEITZ (Keilor) — It is with great pleasure that I rise to support this bill and congratulate the Minister for Transport. It is not very often that a minister is congratulated and has the support of both sides of the house on a bit of difficult negotiation like the argy-bargy that took place to bring this bill before the house, particularly given the contracts signed by the Kennett government.

My constituents were very much affected by that. My constituency had the pleasure of using the Calder and Tullamarine freeways for all those years without any tolls. The only problem my constituents ever had — and still have now — is where the Calder and Tullamarine freeways join. If you go there on a foggy

day in winter you will see that that is where the majority of accidents happen. I would congratulate the minister doubly if he could convince Transurban to fix the problem of that bottleneck; I notice the honourable member for Tullamarine is nodding in agreement.

When the Kennett government proposed this tollway and Alan Brown was in charge of it as Minister for Transport I raised the issue that that was the single most difficult intersection in that section of road and if my constituents had to pay to use it, it should be fixed. My constituents have had no benefit from it at all. All they have is more costs when they want to access the universities and go to the other side of town in that direction. That is a difficulty.

I congratulate the Minister for Transport for bringing down the fine for first-time offenders, people who inadvertently make a mistake, to \$40. That is very important, not only for country people who come to Melbourne and are not aware of it because they do not use it every day but also for my constituents who use it at different times. It is particularly important for the retired people who do not have cause to go to the city via City Link every day or week. They would use it once in a blue moon for a medical appointment, usually at the Royal Melbourne Hospital or the Royal Children's Hospital because it is the quickest way to get there. They may forget and inadvertently not purchase a pass as they are more concerned about getting their child to the Royal Children's Hospital than about stopping at Bulla Road to buy a City Link pass.

Once again, I congratulate the minister for that initiative because it is a social improvement, and for introducing the weekend pass which has been developed to provide further access to City Link and the day passes that can be purchased the day after using City Link. Those very important steps should have been taken by the ministry of the gung-ho Kennett government and by all the legal eagles the government employed to peruse those contracts for the benefit of Victorians. Instead, so many times in these chambers we were told that it was good for Victorians to have to pay all over again for a road they had already paid for in their taxes.

Having made those opening remarks I turn to the bill, which also addresses the very important issue of water conservation, as was so eloquently explained by the honourable member for Werribee. I will not go over the same ground again, because the honourable member for Werribee has done a tremendous job of explaining that so succinctly that nobody could misunderstand the care the Bracks government has taken in water conservation, particularly in relation to drinking water.

We live on an island continent that has a shortage of water, in particular good quality drinking water. As the chair of the Environment and Natural Resources Committee, I am very aware of the importance of water. Our committee has just presented to this Parliament and to the minister a report on water resources and allocation, so I am fully aware that wherever possible grey water — that is, recycled water — should be used. The savings in economic terms that can be achieved by using grey water are not given sufficient importance.

It is hard to imagine that in my lifetime — in our era — a system was designed that actually uses fresh water to fill up the aquifer and keep the system going, when we all realise the importance of fresh water. It should have been acknowledged from the beginning and included in the engineering design and development of this City Link project that recycled water was to be used to refill the aquifers wherever possible.

Amendments have also had to be made to allow for access to Crown land by Transurban to establish a purifying plant. The public will have access to most of that land in spite of the easement and the pipelines running through it, and that is very important. As I said, the minute details and figures have all been put on the public record by the honourable member for Werribee, so I do not intend reading them out again.

However, I will say that this bill has been a long time coming and that the minister should not give up on improving the intersection where the Calder and the Tullamarine freeways join — for the benefit of everyone, including those constituents who use that stretch of road when they come down from Bendigo and further afield. I know that other speakers wish to talk on this bill, so I commend the bill to the house and wish it a speedy passage.

Mr BAILLIEU (Hawthorn) — As the honourable member for Mordialloc said, the opposition is not opposing this bill. Government is a funny thing and office changes people, but when the Minister for Transport, who was so opposed to City Link, gets up and moves a City Link bill it is extraordinary — as it always is — to hear that members of the government are still holding their grudges. For example, earlier in debate the honourable member for Gisborne said that she still does not see the benefits of City Link, and the honourable member for Melton advised the house yet again that he will oppose City Link until the day he dies. No-one would wish him any ill but I trust that eventually he will see the light.

City Link is an extraordinary project, an extraordinary asset for the people of Victoria and an extraordinary achievement for those who conceived and put the project together, those who built it and those in government who made the decisions. Decisions were a feature of the previous government, but they are not necessarily a feature of the current government which has not earned its reputation as a do-nothing government for no reason. A shortage of decisions is what holds back the current government.

It is interesting to reflect on the great planning decisions that have been implemented in Victoria and those responsible for them. I have had discussions recently with many people as to the 10 most successful planning decisions taken in Victoria in the last 100 or even 150 years. It is an interesting analysis. Almost everybody I have discussed it with says, quite rightly in my view, that City Link and the vision that it encapsulates is one of the greatest planning and infrastructure decisions ever taken in Victoria. I put on record that I concur with that view.

City Link has enabled Victorians to move across metropolitan Melbourne quickly and efficiently and it has made travel a pleasure in most cases, unless there is a lane down or some obstruction. City Link has achieved what it set out to achieve and has been adopted by Victorians and Melburnians in particular in an enthusiastic fashion. I agree with government members from country seats who have said that City Link has been welcomed and embraced by country Victorians as a real asset and something for which Victorians are very grateful to the previous government.

Nevertheless this government has been left with the management of City Link as it currently stands and in the spirit of sensible management decisions and adjustments the government has proposed some changes which I think fall into the category of useful additions to the City Link regime and I think there is some good in those propositions. They run to casual user charges and also to the level of a first infringement notice fine, whether it be \$100 or \$40. I note that no-one in government is advocating that there not be a first infringement notice fine, but certainly a reduction from \$100 which is steep, particularly given that there is now much greater familiarity with City Link and more opportunities to access City Link ticketing, to a fine of \$40 seems quite sensible.

I want to pick up the point so forcefully made by the honourable member for Mordialloc about the leasing arrangements proposed under this bill. This in effect constitutes an extraordinary land deal made under this

government with very little information supplied. We are told that some eight months will expire before the material is made available. I am not sure that the government itself even knows what leases it is talking about. I think it was evident this morning on 3AW when the Premier was asked what was intended in relation to these proposed leases. To be frank, the Premier indicated that he effectively knew nothing about it. He then went on to say, I believe, he was confident that the lease details would be available in the parliamentary library. I am sure searches of the parliamentary library today, tomorrow and over the next several months will probably reveal nothing.

These deals, as the honourable member for Mordialloc indicated, stand to significantly benefit the proprietors of these City Link arrangements and they need much greater scrutiny. That scrutiny has been promised as best we can between the houses and I suggest that the government should reveal its intentions and the detail as soon as possible because this may go down in the history books as one of the more extraordinary decisions of a government which has already made some pretty dumb decisions. This stands to add to those annals.

I also want to comment briefly on what City Link has achieved for the Geelong highway and access across metropolitan Melbourne. Mr Acting Speaker, as the honourable member for the Geelong region you would know a trip down to Geelong is a joyous occasion for many people.

The ACTING SPEAKER (Mr Loney) — Not at the moment!

Mr BAILLIEU — It has been for many years — and it has been somewhat less joyous in recent months. For those contemplating a trip to the football, I suspect that in the weeks ahead it will be an even less joyous trip. The consequences of delays of the Geelong Freeway reconstruction will affect all of us, particularly those who travel regularly to Geelong. The links to the West Gate and City Link network are important and the people of Geelong deserve better treatment.

Last Friday I had the privilege of being in Pakenham. Once the Pakenham bypass proceeds when the opposition becomes government we can rest assured that the Geelong Freeway will have been completed and one will be able to travel from Geelong to Gippsland uninterrupted. It will be an enormous achievement.

The one thing that bugs most Victorians is the application of speed limits in the City Link tunnels in

particular. For those of us who are having trouble seeing, the distinction between an 80 and 60-kilometres-an hour sign is difficult. I urge the government and City Link to take steps to make the signage clear because far too many people are paying unnecessary fines not because they are intentionally speeding but because they are not aware of what are the speed limit changes in the City Link tunnels.

As the honourable member for Mordialloc said, the opposition will not be opposing the bill but will certainly be reviewing it while it is between this place and the other place. I have grave suspicions and concerns about the land deals associated with the leases. It is an extraordinary proposition that the government could introduce such a bill and be unable to explain the leases it is proposing with the City Link proprietors.

Mr STENSHOLT (Burwood) — The Melbourne City Link (Further Miscellaneous Amendments) Bill is not the first miscellaneous amendments bill because other amending bills have been introduced in previous years. This bill has a number of purposes relating to the government consulting and arrangements with City Link, with Transurban, and in due course the introduction of new forms of customer service and billing, dealing with the provision of land, corporate arrangements that Transurban was seeking to make and the development of land at Burnley.

A number of issues important in my electorate relate to the provision of the weekend pass and also how first-time offenders will be handled in future. I note that City Link is an important road system for people in my electorate because the Monash Freeway, which is on the southern border of my electorate and does not attract a toll, is used by many in my electorate either on a regular or occasional basis.

I commend the Bracks government for the efforts being made to engage Transurban to improve customer service and a range of options available in using City Link. Last week staff from my office took advantage of the special information day provided to electorate staff when they and staff from three other electorate offices attended that information day organised by Transurban and City Link. On behalf of my staff I thank the officials of Transurban for the information session and the briefing they provided. My staff found it valuable. I also understand that my staff, not being too shy, asked many questions during the briefing about the system, as would be expected, given Burwood's propinquity to the Monash Freeway.

I notice that clause 12 deals with the backdating of temporary registration. At first blush that does not appear to mean a lot, but it is very much part of the negotiations conducted by the government with Transurban to ensure better customer service through the City Link tollway.

One of the first improvements that the Bracks Labor government made in respect of Transurban and City Link was when it introduced a Tulla pass. I am sure my parliamentary colleagues whose electorates surround Tullamarine and those close to the city have spoken and will speak about that step more eloquently than I could. The pass will be of enormous value to people living in the area, because when they drive on one small section of City Link they will pay a far lower fee than would be expected had they been forced to buy a full day pass. The Tulla pass used to cost \$2.50 and now it costs \$3.15, whereas a full day pass now costs \$8.80. That is a big difference. That introduction has been achieved through consultations between the government and Transurban.

The genesis of this change is the introduction of the weekend pass and the recent successful negotiations the government has had with Transurban to extend the weekend pass to ensure it covers motorists from midday Friday to midnight Sunday. There are a few tricks in its qualifications to ensure it covers more than just the two days. That is what the bill seeks to do — to extend the coverage of the pass not just for 24 hours but on particular days, according to clause 12(1) and (2), for three calendar days.

The occasional users of City Link in my electorate very much appreciate this move. Now they need not scabble around to make sure they get day passes to cover them over weekends. The weekend pass will cover them from midday Friday until midnight Sunday. It is a valuable initiative.

The issue is felt strongly in my electorate because on 22 November 2000 I presented to Parliament on behalf of constituents a petition praying that a Monash pass for the southern part of City Link be introduced. I and they were looking for the introduction of something analogous to a Tulla pass to cover the occasional use of City Link by my constituents and constituents in electorates further to the east, including Bennettswood.

Often constituents need to travel to the city for short visits. For example, a constituent of mine needed to visit his sick brother in the Peter MacCallum hospital. He used to pay \$8.80 for a day pass whereas it would have cost him far less — probably only half that — had his car been fitted with an e-tag and he used City Link

regularly. It is a bit outrageous that just because people are occasional users they have to pay twice as much for the use of those sections of the tollway as those people who have an e-tag and use it for the two sections.

Occasional users of the tollway — such as those people who want to go shopping, watch football games at the Melbourne Cricket Ground, travel to the Olympic stadium if they are devotees of rugby league, watch basketball games when they are played in the city, or watch the tennis there in January — have to pay \$8.80 rather than only half of that if they were regular users. The current tolling system discriminates against occasional users. There are many of those in my electorate, particularly elderly people who obviously do not work in the city, at the airport or in the industrial areas but only make occasional forays in those directions. It is grossly unfair; and clearly those occasional users agree with me on that.

I have raised this with Transurban and City Link. Indeed, I understand my staff raised the issue last week at the briefing session, and I raised it as late as this afternoon with Transurban staff. I have to say that I was very disappointed with the attitude displayed by Transurban to the suggestion that a far more flexible method of tolling be applied to people who are occasional users.

Mr Leigh interjected.

Mr STENSHOLT — That's your problem. You don't actually look after the ordinary people; you only look after the big end of town. We look after the ordinary people — the people who actually need things.

The occasional users were exactly who I was arguing for. The people who do not have a lot of money, who perhaps are on pensions and who go to hospitals or to football matches are asking for a fair deal for them as occasional users. But what was the response? The response in the past was, 'It's not possible because the software associated with the tolling system is not robust enough at this stage to accommodate a far more flexible tolling system'.

I can understand that, and I guess for a while I was put off by it, understanding that the computerised system was not able to cope with it. While it could cope with a Tullamarine pass over one section and a whole range of tolling arrangements over a series of sections, particularly on individual sections and on combinations of sections coming back through the tunnels, it could not accommodate people who were occasional users for a special pass on the first two sections of the tollway — the extension of the Monash Freeway.

I am now told by Transurban that it has taken back the software — I knew it had taken it back some months ago — and that there was no impediment in terms of the software to introducing far more flexible tolling arrangements. I was glad to see that we had made some progress there. However, when I said, ‘You now have the flexibility of it’, and I explained that there is quite a big difference between \$8.80 and about \$4.50 in terms of people using it, and asked, ‘Why can’t you introduce a flexible pass?’, I was told, ‘It’s not on our agenda in the near future. It’s not on the horizon’.

The reason it is not on the horizon is that by virtue of the contracts entered into by the Kennett government this is a company out there trying to get the maximum return from people in my electorate who are only occasional users — trying to get their \$8.80 out of them rather than \$4.50. Being fair minded I suggested a Monash pass of, say, \$5.00 for the people in my electorate, but I was told, ‘No, we’ve got to have regard to our bottom line. We’ve got to have regard to our profits’. I said, ‘At the moment you are already making twice the profit out of the occasional user. You are making a windfall gain of over \$4.40’. The Transurban people said they could not afford to change it, although if there were a subsidy from government they might be prepared to consider it.

At the very least Transurban is to be criticised, if not condemned, for its attitude to occasional users who do not go along the tollway all that often but who may use it to go to the football or to a hospital. It is prepared to rip the money from those people and make extraordinary windfall gains rather than bring in more flexible tolling arrangements, which it is quite capable of doing. I understand it is possible, and I urge Transurban to do it to look after its customers and, in particular, occasional users.

I do not wish to spend too much time talking about country users, because other members of the Labor Party represent regional and rural Victoria. I look after the people of Burwood, including people in the south-east and the east. People in Gippsland in particular are occasional users of City Link, and I am surprised that they are not talking about the confusing arrangements previously available to them.

The Bracks government has been able to negotiate customer improvements for those using the freeway. I understand that one can now buy 24-hour and weekend passes at 770 post offices. I commend the Minister for Transport and the other people involved in ensuring that those far more flexible arrangements are available now.

I urge Transurban to introduce more flexible tolling arrangements for people in my electorate and those who live further out, extending into Gippsland. I urge it to introduce a \$5 Monash pass for occasional users who use the first two sections of the tollway and the extension of the Monash Freeway.

The other aspect of the bill is the lower infringement penalty for a first offence issued under section 80 of the act. The Bracks Labor government has been vigorous in ensuring that motorists who incur infringements are fairly and generously dealt with. A number of initiatives have ensured that people who infringe are given warnings rather than automatically getting \$100 fines. The Kennett government looked to fine people left, right and centre, whereas this government is looking at a reasonable system to help people, particularly those who do not quite understand the system, especially country Victorians who do not use the system regularly but who use it inadvertently and are then faced with infringement notices. The bill introduces a fining system whereby the fine will be \$40 rather than \$100, which is currently provided for in section 80 of the act. This is clearly far more in tune with the needs of people using the freeway on an occasional basis than the rather draconian effort of trying to fine them \$100 straight up in terms of —

Debate interrupted pursuant to sessional orders.

ADJOURNMENT

The DEPUTY SPEAKER — Order! The time for government business has now expired. The question is that the house do now adjourn.

Disability services: supervised transport

Mr LUPTON (Knox) — The matter I raise is for the attention of the Premier. James Creaton is a young boy who is disabled and requires supervised bus transport to get to his school.

In February I wrote to the then Minister for Education, the Honourable Mary Delahunty, about this matter. Follow-up phone calls took place, and on 15 February I got a letter of acknowledgment. On 18 February, because there was a matter of concern, I was advised that the Honourable Theo Theophanous in another place was the responsible parliamentary secretary and that he would be very good at expediting the matter quickly. On 20 February I was advised that a letter would be signed off on 22 February. There were then a number of phone calls between my office and Mr Theophanous’s office, and on 27 February I was advised that the matter was being dealt with by the

office of the new Minister for Education Services, the Honourable Monica Gould.

It has gone on and on, and the phone calls have gone backwards and forwards. At one stage, between 4 and 7 March, six phone calls were made asking for something to be done. We had been advised that the matter was being dealt with by the current Minister for Planning; the Honourable Theo Theophanous; the Honourable Monica Gould, the Minister for Education Services in the other place; the new Minister for Education and Training, the Honourable Lynne Kosky; and now the Minister for Education Services again.

Eventually I got a response, but unfortunately the response was negative. When I advised the father, Mr Creaton, on this matter he informed me that some of the information he provided was incorrect. So I then wrote to Minister Gould on this matter. Lo and behold, I got a letter back some 12 days later referring to the letter I had written to Minister Kosky — now I had addressed the letter to Minister Gould — relating to the matter of the Creaton family. It says:

The matter you raise falls within the area of responsibility of the minister for education services and youth affairs, the Honourable Monica Gould ... and will be responded to in detail as soon as possible.

I ask that the Premier please investigate this matter. It is quite obvious that this department is staffed by incompetent people because they cannot even read and understand the difference between 'Gould' and 'Kosky'.

Geelong Arena

Mr TREZISE (Geelong) — I raise an issue with the Minister for Senior Victorians for the attention of the Minister for Sport and Recreation in another place. The issue I raise relates to the inept action, or inaction, of the City of Greater Geelong in purchasing the Arena basketball stadium in my electorate of Geelong. I must say that this inept action of the council has seriously jeopardised the purchase of the facility for the Geelong community. The action I seek is that the minister convey to the City of Greater Geelong his utmost concern with the council's inaction on the purchase of the Geelong Arena and that he seek council's full commitment to such purchase immediately.

For the information of the house, the Arena basketball stadium is essentially the heart of basketball in Geelong. It is the home of the Geelong Supercats basketball team and it caters for almost 3000 amateur and junior basketball players on a weekly basis.

Mr Mulder interjected.

The DEPUTY SPEAKER — Order! The honourable member for Polwarth will cease interjecting.

Mr TREZISE — You are a goose, fair dinkum. Go home to Colac, will you!

The DEPUTY SPEAKER — Order! The honourable for Geelong will not respond to interjections.

Mr TREZISE — This vital community sporting centre is currently up for private sale, and it is absolutely essential that the Geelong Arena is purchased by the council on behalf of the local community. This is the only way Geelong can be guaranteed that the Arena basketball stadium will remain a sporting venue for the community. In recognising this fact the government has moved quickly and effectively by committing \$1 million to the purchase of the facility.

The Minister for Sport and Recreation and the Premier are to be commended for their actions. However, the City of Greater Geelong, through its typical bureaucratic procrastination and lack of leadership, has seen the sale placed in real jeopardy. In fact as late as today the *Geelong Advertiser* reported that the owner has walked away from the negotiations with the City of Greater Geelong.

The sale has been an ongoing issue for more than 18 months. Yesterday the acting mayor, Cr Ed Coppe, was quoted as saying that the council could not be rushed on this issue, and that is of major concern not only for me but for the City of Greater Geelong. My concern is that the council's attitude is typical of its bureaucratic policy of dithering around in circles before it provides some type of decision on this important issue.

Insurance: public liability

Mr JASPER (Murray Valley) — I raise for the attention of the Minister for Finance the continuing problems experienced by organisations and businesses within my electorate of Murray Valley because of the continuing high costs of public liability insurance. I am very much aware of the representations which have been made to a large range of members in this Parliament, and indeed across my electorate of Murray Valley, about the huge increases in the cost of public liability insurance.

We need urgent action from the government. We have reached a critical stage in this issue where the government can no longer procrastinate. We have seen

organisations receiving quotes for public liability insurance which are hundreds of per cent higher than what they have paid in previous years. Organisations which have probably never had a claim for public liability against them are seeing huge increases.

You will recall, Madam Deputy Speaker, the debate in this place on Tuesday, 26 March, on the ministerial statement on public liability insurance. I responded at that time on behalf of the National Party and indicated the huge problems it was causing within my electorate of Murray Valley. Indeed I highlighted some of the organisations which had received huge increases. One organisation went from \$2600 last year to over \$30 000 for its first quote, which was reduced to \$25 000 on the second quote. That organisation had had no claims whatsoever.

We have seen the government responding on the basis of a meeting held in Canberra of ministers from all states and the federal minister, seeking to reach conclusions. However, many issues need to be addressed, and I think the state government can look at this. Many concerns have been raised — no-claim bonuses that have not been applied and quotes that have been provided. We need to look at exempting volunteer organisations from being subject to public liability insurance. We need to look at the type of claims that are being made.

One issue that this government has not addressed is the 10 per cent stamp duty being applied to all public liability insurance. On a charge of \$2000 the 10 per cent stamp duty is \$200; on a charge of \$20 000 the stamp duty is \$2000. The government has a responsibility to address this issue immediately. It can do something about it. It is critical.

There are organisations within my electorate and across Victoria that will not and cannot continue to operate. They will not perform what we see as important functions within country areas and within my electorate. These organisations will not survive unless the government takes action now. We need the government to address this critical issue, not talk about it and not look at what other governments and the federal government can do. We want this government to look at what it can do. This government can look at stamp duty immediately.

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

Police: Chelsea station

Ms LINDELL (Carrum) — The Minister for Police and Emergency Services would recall a slogan used in

the lead-up to the 1999 state election that cutting police numbers is a crime, which is exactly what the coalition government did — it cut 800 police from the ranks of the police force between 1995 and 1999. For my community that meant on average seven vacancies on every shift at the Chelsea police station.

That meant they were seven police officers short, shift after shift, day after day, week after week. During the election campaign the former Premier came down to Chelsea amid great fanfare and opened the police station — seven years after it had been promised — but that afternoon the police at Chelsea were unable to put the divisional van on the road because they did not have enough police officers staffing the brand-new police station. I ask every honourable member in this house: exactly how much softer on crime can you be than cutting police numbers? They were cut to such an extent that police in Carrum could not put a divisional van on the road in 1999. With this history we now have a scare campaign being run through the local media.

The honourable member for Mordialloc, a person who said nothing at all about the dreadful cuts to police numbers — —

Mr Perton — On a point of order, Deputy Speaker, the purpose of the adjournment debate is to ask for action by a minister on a matter of government administration. It is quite clear that the honourable member for Carrum has not addressed this government's administration, and I ask you to bring her to order.

The DEPUTY SPEAKER — Order! There is no point of order.

Ms LINDELL — As I said, the honourable member for Mordialloc, a member of the previous government who could have said something and could have stood up for the south-eastern suburbs but did absolutely nothing, has been running a scare campaign. I ask the Minister for Police and Emergency Services to take action to support the police officers in my electorate and the local community by debunking the nonsense and scaremongering by the honourable member for Mordialloc as reported in the local media this week.

I point out to the minister that the local police inspector has refuted the claims, but I ask the minister to further expose the claptrap and overblown assertions the honourable member for Mordialloc has made.

Police: retired officers re-employment

Mr COOPER (Mornington) — I ask the Minister for Police and Emergency Services to take action to

speed up the process of the Victoria Police re-employing retired police members. I understand that currently there are between 20 and 30 retired police members who have applied to rejoin the force. Their applications have been approved, and they have been waiting for periods of between 12 and 16 months for readmission to the force.

Most of this group have between 10 and 20 years experience and many of them are qualified up to the rank of sergeant. After a short retraining course of no more than six weeks they would be able to start work as fully operational and experienced police members. By contrast, new recruits who have graduated from the academy after a 20-week course have many months of on-the-job training ahead of them before they could be regarded as even basically skilled. Certainly there are no budgetary reasons — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! Government members! This is a serious matter.

Mr COOPER — This is a serious matter. There are no budgetary reasons why these people are left waiting for such long periods of time. They have the skills and the experience that Victoria Police needs. They will be able to provide the type of presence out on the streets that the community is seeking, and all of this is being left to wither for no apparent good reason.

I ask the minister to investigate this matter and to take steps to ensure these experienced and keen individuals are admitted to Victoria Police as quickly as possible.

Insurance: public liability

Ms ALLAN (Bendigo East) — I seek urgent action from the Minister for Finance to protect pony clubs in my electorate and throughout Victoria from the threat of having to close down their operations because of an inability to secure public liability insurance after 30 June 2002.

In the past two days my office has received over 40 letters from members of my local community and that of central Victoria who are members of the Bendigo Pony Club. These people are quite understandably very concerned at the thought of losing the operation of their pony club because of this insurance matter. They obviously take great joy in participating in the pony club and it is an activity that many members of the family can share. It is another example of an important sporting and recreation organisation in the community that has been affected by the matter of public liability insurance.

The Bendigo Pony Club is a member of the Pony Club Association of Victoria which is faced with a difficult situation because its insurers, SLE Worldwide, will not renew its public indemnity insurance. Without this cover the Victorian Pony Club Association and therefore the Bendigo Pony Club will have to shut up shop on 30 June 2002 and this will have an impact on young people and their families who up to now have taken great joy in their recreational activity.

We have to examine the role of the insurance companies in this public liability disaster. It is interesting to note the results of a government survey of community organisations. This survey was a great initiative by the minister and the government to gauge what is happening out in the community. The results from over 700 organisations that have responded to the government's community survey show that 96 per cent of those organisations had not made a public liability claim in the past five years.

Mr Spry interjected.

The DEPUTY SPEAKER — Order! The honourable member for Bellarine is testing the patience of the Chair. I ask him to be quiet.

Ms ALLAN — Of the 4 per cent who did make a claim the total paid out by insurers has equalled only 3.5 per cent of the total premiums paid to insurance companies in one year. So quite clearly it is not the small sporting and community organisations that are causing premiums to increase. It is not a large amount of claims or money that has been paid out to these organisations that has led to the disproportionate increase in their public liability insurance which is impacting on many areas of the community.

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

Synchrotron project

Mr PERTON (Doncaster) — The matter I raise for the attention of the Premier is the concern in the business and scientific community regarding the viability of the synchrotron project. A growing body of press comment is emerging concerning the synchrotron project. On the Crikey.com web site this week an allegation was made that the project was already 18 months behind schedule without a sod having been turned. Financial advisers who will help source the \$57 million in private sector money needed to complete construction have been appointed more than 10 months after the initial announcement. The press release for this was put out at the unusual hour of 6.00 p.m. on a Friday.

The contract will include work on the financial model for the project, encompassing whole-of-life costs; demand analysis, including identifying potential users and commercial opportunities; funding options and business planning based on them; risk costing and profiles; options for private sector involvement; and governance — in other words, none of this has been done. In January James Kirby of *BRW* tore the government's project to pieces and said:

The synchrotron might be an exciting project but close inspection reveals a lack of accountability on the part of the Victorian government and a surprising lack of support for the project, even in the technology sector.

Tony Cutcliffe, the chief executive of the Eureka Project, has said it is 'a giant leap of faith to say this is the best use of public money'.

Brian Spicer, emeritus professor of physics at the University of Melbourne says, 'I am concerned about this project because I find it hard to see who will use it, apart from the medical science people. These are expensive facilities with huge maintenance costs'.

The Australian Chief Scientist, Robin Batterham, has acknowledged that 'There is potential to build real value. How long will it take? I cannot answer. Five years, 10 years ... this project is at the brave end of the spectrum'.

Ignoring the question of the \$2 million the state government wasted on the withdrawn bid for federal government funding, the millions wasted in Queensland and New South Wales on their bids and the \$50 million in federal funding forgone by the minister, I refer the Premier to the answer he gave to a question on notice regarding the other \$57 million. The Premier said that financial and commercial considerations will be second in line — in other words, the appearance of the building is more important than who will use it, who will pay for it, what call there is for it to be built and what the return on investment will be.

I call upon the Premier to release the business plan underpinning the government's decision to build the synchrotron and the evidence that the building will bring 700 new jobs, and to explain on what basis the government asserts that any Victorian company will use this facility.

Housing: tenant advocacy program

Ms BEATTIE (Tullamarine) — I wish to raise a matter for the Minister for Housing. I am asking that the minister take action to protect the rights of public housing tenants in my electorate of Tullamarine, and indeed public housing tenants Victoria wide. After

1997 public tenant participation in community matters and decision making was at an all-time low after the previous government slashed funding to tenant groups.

The Labor government was elected with a commitment to restoring tenants' voices in the public debate, unlike the honourable member for Polwarth, whose voice always rises after dinner. We seek a commitment to restoring tenants' voices in the public debate and providing more assistance to build strong local communities.

During Housing Week in my electorate of Tullamarine, and indeed in Sunbury, acknowledging the good work of the Sunbury housing group, the Office of Housing gave us a \$2000 grant and we had a big barbecue on the village green. There were real clowns and jugglers there — not the sorts of clowns we have in this house but real clowns — doing tricks and getting into it with the public housing tenants and their children. It was a wonderful day that included all the community, and it was great to see local people there supporting public housing tenants.

To help deliver on the commitments of the Bracks government the government implemented the public housing advocacy program in July 2001. What a great initiative that was! This government has increased funding for that new program by \$1 million to help increase tenant involvement in decisions affecting their lives and to encourage participation in community-building activities like the annual Housing Week celebrations. Once again I congratulate the minister on her initiatives. As I said, as part of Housing Week the Victorian Public Tenants Association hosted a tenant forum on 15 April. That forum included guest speakers and workshops for tenants on important matters such as security, safety, maintenance, landlord-tenant relationships and other issues. I know that members on the other side of the house have no belief in public housing. They have a dog-eat-dog attitude. They cut funding and are happy to see funding slashed.

Rail: Geelong–Warrnambool line

Mr MULDER (Polwarth) — I raise a matter for the attention of the Minister for Transport. The action I am seeking is for the minister to fund the urgently required upgrade of the rail line between Geelong and Warrnambool. In an article in the *Geelong Advertiser* on Friday, 5 April, the minister stated:

The government was addressing the track condition and looking to list the works in future budgets — possibly this year.

Not 'possibly this year': this line must be upgraded this year. Complaints from rail passengers using the Geelong–Warrnambool line range from 'This is a rough ride' to 'It's almost like being on a stage coach heading into the west' and 'It's a ride from hell'. People who are moving from the snack car at the rear of the train are spilling coffee over themselves and over other passengers. They are bracing themselves to prevent themselves from falling and are suffering travel sickness in certain circumstances.

I understand that the complaints at this stage surround passenger comfort, but there are fears that this may further develop into passenger safety if the condition of the rail line continues to decline.

The only thing holding up the upgrade of this line is the fact that the Minister for Transport is sitting on a contract between his department and Freight Australia. He has been sitting on this contract for two years and has done nothing to resolve the matter. The previous Kennett government spent \$10 million upgrading this line between Geelong and Warrnambool by welding a line through the entire track. What is needed is a stabilisation of the ballast and a realignment of the entire line. If that work is done, passengers on that line will have a very comfortable and safe ride. I call on the minister to provide the funds in the next budget to upgrade the line.

Local government: proportional representation

Mr CARLI (Coburg) — I seek action from the Minister for Local Government on the issue of proportional representation systems for local government elections. As the minister is well aware, there have been fairly fierce local government elections in Victoria recently, and particularly in inner Melbourne. For example, in the City of Yarra, where there are multimember wards, we have seen fierce contests between Independents, Labor candidates and Green candidates. What we have also seen is the use, in that case, of the exhaustive preferential system of voting, which means essentially that it is a winner-take-all situation, so that through the exhaustive preferential system candidates who often get very few votes but who are linked to candidates who get a lot of votes will often get elected.

The voting system does not reflect the vote of the community. Many councils are seeking or would seek a proportional representation system, so I ask the minister to take administrative action to ensure that proportional representation is an option for local government elections where there are multimember representations.

Certainly what we have at the moment is a winner-take-all situation, and in the City of Moreland which I represent in the seat of Coburg, Labor did extremely well — it got 9 out of 10; the Greens got 1 out of 10. When you look at the vote itself you see that it does not actually reflect the will of the community where the Independents polled well, the Greens polled well and Labor clearly polled very well, and a proportional representation system would give a much broader representation within the council. It would certainly give Independents an opportunity also to enter the council.

Clearly, it is the choice of local government to decide which system is available, but currently multimember electorates — for example, in the City of Yarra — are forced to use an exhaustive preferential system. It is not a system which gives all candidates and the community the chance to seek an equitable representation. Essentially, the grouping that gets over 50 per cent, instead of getting a share of, say, three members for the ward, gets the entire three members. It is a system which does not particularly assist any group in that area, and clearly, if we are to continue to see, as we no doubt will, very strongly fought elections in inner Melbourne and different political groupings, it is important that we have a system which gives a strong democratic representation, and I think that is proportional representation.

The DEPUTY SPEAKER — Order! The honourable member's time has expired. The honourable member for Mordialloc has 2 minutes.

Libraries: funding

Mr LEIGH (Mordialloc) — I wish to raise the matter of the appalling behaviour of the state Labor government in the seat of Carrum. We have already heard tonight about the appalling crime statistics, police being used as revenue raisers and crime being out of control in that area. What we have now is another scandal where the state Labor government is donating hundreds of thousands of dollars to the Portland electorate for library funding.

Ms Campbell — On a point of order, Deputy Speaker, the honourable member did not identify which minister he wished to take action.

The DEPUTY SPEAKER — Order! The honourable member has a minute or so to identify the minister.

Honourable members interjecting.

Mr LEIGH — If you want to play this game we will do it, too! Can I say to the minister responsible for library funding, and unfortunately the coward is not here, that the people of Portland — —

Ms Lindell — On a point of order, Deputy Speaker, I do not believe there is a minister responsible for library funding, let alone whether that minister —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! There is no point of order.

Mr LEIGH — The honourable member wants to raise frivolous points of order because she is aware that her community will not get library funding.

Ms Lindell — On a point of order, Deputy Speaker, the honourable member for Mordialloc called the minister a coward. Since the minister is not here and has no right of reply of his own, I ask the honourable member for Mordialloc to withdraw that remark.

The DEPUTY SPEAKER — Order! The honourable member cannot ask for a remark to be withdrawn on behalf of the minister. I did not hear the honourable member for Mordialloc say that.

Mr LEIGH — Because their local member thinks they all vote Liberal, the poor people of Carrum and Patterson Lakes are not getting the library facilities that they are entitled to. This member is so incompetent that she cannot get library funding, but the Leader of the Opposition can get library funding for the Portland electorate from the Minister for Local Government. I guess we would like to see the Leader of the Opposition come in — —

The DEPUTY SPEAKER — Order! The honourable member's time has expired, as has the time for raising matters.

Responses

Mr LENDERS (Minister for Finance) — The honourable member for Murray Valley raised for my attention the issue of public liability insurance available in his electorate. The honourable member has raised a very serious issue, and I appreciate his comments on the ministerial statement I made in this place some weeks back.

Firstly, I will take the house and the honourable member through some of the public liability insurance issues that this government has been addressing with some urgency. However, one issue I take exception to

is the honourable member's statement that this government has been procrastinating. On the contrary, this government has led the way in this country in dealing with the important issue of public liability insurance.

The honourable member for Murray Valley raised a number of issues. Firstly, as he correctly alluded to, on 27 March the nine Australian governments got together at a forum in Canberra, which was convened by the federal minister, Senator Coonan, to deal with the issue of public liability insurance. That issue dealt with seven specific areas which the Victorian government was instrumental in pushing forward. Some of these areas were changes to tax laws regarding structured settlements, reforms to claims costs and amendments to the Trade Practices Act and the various state acts that deal with high insurance claims.

Another area was group buying schemes. In Victoria we take particular pride in leading the way by putting in place a group buying scheme for public liability insurance. The Victorian state government, in conjunction with the Our Community group and the Municipal Association of Victoria, has put in place a scheme for not-for-profit organisations. This scheme deals with a number of the issues addressed by the honourable member for Murray Valley. Not only did the government put this scheme in place, but it has also been copied by other jurisdictions, because it is one of the first glimmers of hope for not-for-profit organisations in this country.

Mr Spry interjected.

Mr LENDERS — I invite the honourable member for Bellarine, who is barking in an inane fashion across the chamber and treats the issue of public liability insurance as a bit of a joke, to go to the web site www.ourcommunity.com.au and actually get the application form — the expression of interest form — for this form of insurance, which is now — —

Mr Spry interjected.

The DEPUTY SPEAKER — Order! The honourable member for Bellarine will desist! He is aware that interjections are disorderly. He is out of his seat, and I ask him to be quiet!

Mr LENDERS — A number of issues were raised by the honourable member for Murray Valley, and I again commend him for his interest in this area and his looking for solutions.

He argued that if state governments were to remove stamp duty from insurance premiums it would in some

way or other address the problem. Undoubtedly removing stamp duty from insurance premiums is something that a lot of people would like this state government to do, and in the example the honourable member for Murray Valley used of a community organisation, I think it was, whose premium went from \$2600 to \$30 000, the removal of duty would obviously offer some relief to that organisation.

However, the main problems that organisations are finding are, firstly, the exponential rise in premiums in hundreds if not thousands of percentage points, and secondly, and probably more importantly to the honourable member and his constituents, the issue of whether insurance is available at all. This government's agenda has been first and foremost to make insurance accessible and affordable, and in the longer term keeping those prices down is important to us.

I remind the honourable member of two other instances. Firstly, to make public liability insurance more attractive this government has tried to address the issues and make insurers lead the field. We have done this through the scheme we have in place with the Our Community organisation. Secondly, the government has put two rafts in place to deal with risk mitigation: one is a \$300 000 package for community organisations, including arts and sports groups; the second is an amount of \$100 000 to deal with adventure tourism, which was due to the active lobbying of the honourable member for Benalla in her work for her constituents.

In summary regarding the issues addressed by the honourable member for Murray Valley, the government is putting in place a series of sectoral packages to deal with insurance. The government has shown national leadership in dealing with insurance law reform, and that will continue.

The honourable member for Bendigo East also raised an issue of public liability insurance specifically relating to pony clubs in her electorate. The honourable member advised the house that she has received more than 40 letters from club members expressing their concern at the difficulty the clubs are having in renewing their public liability insurance policy come 30 June.

The honourable member for Bendigo East is an ardent lobbyist on behalf of her electorate. She tenaciously pursues ministers and government officials in this place to try to get answers for her electorate. She identifies problems, finds solutions and is incredibly hardworking. As I said, the honourable member has informed the house of the difficulties faced by pony

clubs. As honourable members would be aware, pony clubs are strong community organisations. Last year was the International Year of Volunteers, and pony clubs are made up of volunteers.

Last week at the community cabinet meeting held in the Shire of Yarra Ranges I met with the leadership of the Pony Club Association of Victoria and some officials from my department to try to constructively find ways of extending the public liability insurance that they are concerned will lapse at the end of the financial year. The government is working with club leaders to bring insurers to the table so that they can continue their fantastic voluntary work in this community. The Pony Club Association has provided an example for all community organisations that are serious about getting insurance.

Mr Spry interjected.

Mr LENDERS — The association has gone out and sought the assistance of government and the insurance industry — and that in itself has been significant. Unlike the honourable member for Bellarine, who brays from the background, it is positively seeking solutions in this area. The government has gone through the clubs' organisational structures, their risk mitigation issues, their education of members and what they have done to address the concerns insurers have in issuing policies.

The Pony Club Association is a voluntary organisation. It has one part-time executive officer for the entire area. The government is working in a constructive manner, as we did with the Our Community organisation, to try to bring insurance back into this important field. The series of packages that we agreed to on 27 March at the ministerial summit in Canberra will assist in this area, but first and foremost state and federal governments, community organisations, insurance companies and local government must sit down together to deal with these problems and identify the main ways we will be able to assist.

My final point is that addressing this issue properly requires collaborative action by all governments. As the Minister for Finance, in every meeting with the insurance industry I have ceaselessly put forward its obligation, along with that of the state and local government, to assist in this problem, and it has been responsive. We have set up the heads of Treasury group, which is chaired by Adrian Nye from the Victorian Treasury, as part of a Victorian leadership initiative to get all the states and territories together to work on this problem. This is the way we address these

issues — sector by sector — and I thank honourable members for their interest.

The DEPUTY SPEAKER — Order! I call the Minister for Local Government to respond to a matter raised by the honourable member for Coburg. The honourable member for Mordialloc apparently attempted to raise a matter with the Minister for Local Government, but as he did not clearly articulate either what action he wanted or to which minister he wished his matter to be referred, I rule it out of order.

Mr CAMERON (Minister for Local Government) — I refer to the matter — —

Mr Leigh — On a point of order, I clearly sought advice from the minister as to what action he would take to fund the library in Carrum. I was not able to provide all the details in only 2 minutes, because the honourable member for Carrum tried to stifle me by taking frivolous points of order. I make the point that I seek from the minister an explanation of what action he proposes to take on behalf of the people of Carrum to fund the library facility at Carrum and Patterson Lakes when he is funding one in Portland.

The DEPUTY SPEAKER — Order! I do not uphold the point of order. I listened carefully to the honourable member for Mordialloc. He did not address his matter to a specific minister, nor did he clearly ask for action.

Mr Leigh — On a further point of order, Madam Deputy Speaker, I sought library funding, which I think you well know is an issue for the Minister for Local Government. If you, Madam Deputy Speaker, sit in that chair during the adjournment debate and allow honourable members to make frivolous points of order — and the opposition generally speaking does not try to do that to government members — it is a bad thing to allow in this chamber. Unfortunately the honourable member for Carrum does not want the truth to come out, but no matter what you and the honourable member say, it will come out.

The DEPUTY SPEAKER — Order! The honourable member for Mordialloc is entering into the field of debate. I have ruled on his first point of order. His second point of order seems to me exactly the same as the first.

Mr CAMERON — The honourable member for Coburg raised the matter of local government representation and local elections and asked whether proportional representation would be administratively possible in the multimember wards.

Proportional representation would clearly bring about a greater reflection of the local community at the local level, and if there are to be multimember wards, or indeed in some councils — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! There is too much audible conversation. I ask honourable members to be quiet so I can hear the minister.

Mr CAMERON — If there were proportional representation it would bring about that greater range of community views. That cannot be done administratively; it will require legislative change. It is a change which is sought by a great many people, including the honourable member for Coburg. Later in these parliamentary sittings we will be introducing legislation.

Madam Deputy Speaker, I have listened to the conversation between you and the honourable member for Mordialloc, and I would be more than happy to deal with that matter tomorrow.

The DEPUTY SPEAKER — Order! It was ruled out of order.

Mr Leigh — You should sit over there where you belong in this government, because that is what you are doing in the chair, and you know it. That is where you belong.

Mr Haermeyer — On a point of order, Deputy Speaker, that is a reflection on the Chair.

The DEPUTY SPEAKER — Order! The comments of the honourable member for Mordialloc are inappropriate. I ask him to withdraw his comments or apologise for his reflections on the Chair.

Mr Leigh — What comments? Would you like to refer to the comments?

The DEPUTY SPEAKER — Order! No, I do not wish to repeat them. They were clearly heard and I ask the honourable member to withdraw his reflections on the Chair.

Mr Leigh — On behalf of, I guess, the position of where you sit in this chamber, I withdraw, but I make the point that I believe it is — —

The DEPUTY SPEAKER — Order! I call the Minister for Police and Emergency Services to respond to matters raised by the honourable members for Carrum and Mornington.

Mr Leigh interjected.

The DEPUTY SPEAKER — Order! The honourable member for Mordialloc should be aware that the Chair is on her feet. I ask him to respect the traditions of this house. The minister, to continue.

Mr HAERMEYER (Minister for Police and Emergency Services) — The honourable member for Mornington said there were some 20 to 30 retired police members waiting to rejoin the force. He expressed some concern about delays in them being able to rejoin. I will certainly investigate that. It is a reflection of the fact that not only are there record numbers of people wanting to join Victoria Police at the moment — we have had some 80 000 responses to the recruiting campaign — but also that since this government came to power there has been a significantly reduced attrition rate.

That has to do with the additional police we have been putting back into Victoria Police, with better equipment, and with a whole variety of factors, including a better system of police discipline and the binding right of appeal to an external body. It also has to do with the fact that we have given them a decent pay rise, and that we are paying them a decent amount of money. In the last pay rise they received 3 per cent a year over three years. It was a fairly miserable sort of pay rise, which was ultimately paid for through a managed attrition program, because to get their pay rise they had to cop cuts in numbers.

The government and Victoria Police are very keen to get back the experience of some of the officers who left the force in those fairly dark years. I will take up the concerns raised by the honourable member for Mornington with the chief commissioner, and he will get a fulsome response.

The honourable member for Carrum raised a concern about what I agree is a fairly shameless beating up of crime statistics and injection of fear into the local community by the honourable member for Mordialloc. It is quite clear that in the article the honourable member for Carrum referred to the comments made by the honourable member for Mordialloc were comprehensively debunked by Inspector Nevitt of Victoria Police.

Mr Leigh interjected.

Mr HAERMEYER — The police whom I ordered to do it? That is an appalling reflection on Inspector Nevitt.

An honourable member interjected.

Mr HAERMEYER — He does not understand the separation of powers.

The DEPUTY SPEAKER — Order! The minister should not respond to interjections, nor should the honourable member interject.

Mr HAERMEYER — Inspector Nevitt has certainly debunked the nonsense put out by the honourable member for Mordialloc. However, I might point out that Victoria has the lowest crime rate of any state in Australia, being 21 per cent below the national average. Members opposite, especially the honourable member for Mordialloc, go around talking about being tough on crime. They sat on this side of the house and deliberately cut 800 police — —

Mr Leigh — On a point of order, Madam Deputy Speaker, with the greatest respect to the Minister for Police and Emergency Services, who seems to have a problem with the truth, all I did was take the statistics for 1999 to 2001 and release them. If he cannot cope with it, that is his problem, not mine.

The DEPUTY SPEAKER — Order! There is no point of order; that was a point in debate.

Mr HAERMEYER — Despite promising 1000 extra police, the former government cut 800. It is no wonder that we had a significant kick-up in the crime rate over that time. The government has only just got to the point of restoring the 800 police that the previous government took out. This government is turning the situation around. Having the resources to do something and having the morale in the police force, the chief commissioner has now outlined — —

Mr Smith interjected.

The DEPUTY SPEAKER — Order! The honourable member for Glen Waverley!

Mr HAERMEYER — The honourable member for Glen Waverley, who used to hang around on the 10th floor of Victoria Police headquarters like a bad smell, knows absolutely nothing about the separation of powers.

I have some difficulty with how one gets tough on crime when one cuts 800 police out of the police force. We hear a lot of talk from the other side about lenient sentencing, but how are you going to get the crooks to the courts if you do not have the cops to make the arrests? It has me baffled.

I am relieved that we now have two policy commitments from the opposition. This is its idea of

being tough on crime and being a law-and-order government. The first policy commitment is that the Liberal Party will allow people to drive up to 10 kilometres an hour above the speed limit. That is a really good one; that is brilliant.

Mr Leigh — On a point of order, Madam Deputy Speaker, the minister is misrepresenting both the Leader of the Opposition and me. The only thing we are seeking is to have the 10 per cent tolerance put back, in exactly the same way as Bob Carr's Labor government and the South Australian government have done. He should stop misleading people! He is not telling them the truth — and he is not capable of it.

The DEPUTY SPEAKER — Order! There is no point of order. The minister was not referring to anyone by name as I heard him; he was making general comments.

Mr HAERMEYER — The second policy the Liberal opposition has now announced is that it is going to get tough on graffiti. It is going to stop young people from getting their drivers licence for two years for the heinous crime of writing graffiti! In response to 421 people dying on the roads the opposition thinks, 'Well, that doesn't matter. Police shouldn't be worrying about that. There are too many police out there trying to stop people from speeding'.

Mr Leigh — On a point of order, Deputy Speaker, one of my local businesses has a \$3000 graffiti bill against it. The minister may think that is frivolous; I do not.

The DEPUTY SPEAKER — Order! The honourable member for Mordialloc knows as well as I do that that is not a point of order. The minister, concluding his response.

Mr HAERMEYER — The opposition does not want to get tough on the road toll, but it wants to get tough on graffiti. I agree that graffiti is a problem — it is a problem to businesses and it is a problem to property owners — but let us get our priorities right: the first prerequisite of any approach to law and order has to be police on the streets. That is something the Liberal opposition never did, and we know what it will do if it ever gets back into government again — it will cut police numbers!

Ms PIKE (Minister for Housing) — I thank the honourable member for Tullamarine for raising the issue of the voice of public housing tenants and how the government can facilitate their participation in decision making and encourage them to advocate on their own behalf to ensure that they live in high-quality public

housing. The government is certainly very committed to ensuring that public housing tenants are well represented, that they have access to advocacy and that they are able to participate fully in the decisions that affect their own lives and those of their communities.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I ask members to cooperate with the Chair so that we can conclude the adjournment debate at a reasonable hour, but I shall not allow it to continue with this level of interjection.

Ms PIKE — Thank you, Deputy Speaker.

Mr Wynne interjected.

The DEPUTY SPEAKER — Order! The honourable member for Richmond!

Ms PIKE — In August last year the government actually provided the Victorian Public Tenants —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I again ask the honourable member for Richmond and other members to cease interjecting.

Ms PIKE — In August last year the government provided the Victorian Public Tenants Association with nearly \$500 000 of funding over three years to commence formal operations and to employ staff. These voluntary tenant groups do an enormous amount to support and enhance their local communities. It is one thing to pay attention to the bricks and mortar — and let me reiterate that the Bracks government is building more housing and is providing more accommodation for Victorians than has ever happened before — but we are also ensuring that people live in sustainable communities; and part of having a sustainable community is having active tenant participation in the life of that community and giving people a say about things that affect their lives.

I am very interested in establishing a statewide advisory council of tenants which will be formally involved with the Office of Housing and will give advice on policy matters. I am also very interested in providing a structure through which government can get better feedback about the way that services are delivered to tenants.

It is fascinating that honourable members on the other side are raising questions about the performance of this government in the area of public housing. This

government is the first government in over 10 years to put additional resources over and above the commonwealth–state housing agreement into public housing.

This government is the first government to resource and encourage the participation of tenants — unlike the previous government, which dismantled every single semblance of decency, advocacy and opportunity for participation that tenants had by defunding tenants groups and deliberately stripping them of a voice, deliberately demoralising them, deliberately marginalising them, deliberately stigmatising them, deliberately undervaluing them, and ensuring that they had no meaningful place in the future of decision making.

I am very proud of the Bracks government's record to date in the area of public housing. We intend to do a lot more, because we are absolutely committed to the provision of affordable housing. We consider our public housing tenants to be enormously valuable members of our community, and we will work extremely hard to give them the opportunity to give voice to that value.

Ms CAMPBELL (Minister for Senior Victorians) — The matter raised by the honourable member for Knox about a constituent issue will be forwarded to the Premier, as will the matter about the synchrotron, which was raised by the honourable member for Doncaster.

The honourable member for Geelong raised a matter for the Minister for Sport and Recreation in another place about the importance of the Greater Geelong City Council getting actively involved with the state government, which has quickly invested \$1 million in the Geelong Arena basketball stadium. I will be making sure that the minister contacts the council in relation to that matter.

The honourable member for Polwarth raised a matter for the Minister for Transport, and I notice that he is not even here to listen to the response. That will be referred to the — —

Mr Leigh — On a point of order, Madam Deputy Speaker, there are many members of this chamber who are frustrated that most ministers do not come in to respond. Why would you bother when half the time these clowns do not come in — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! There is no point of order. The minister, to conclude.

Ms CAMPBELL — The Minister for Transport will no doubt give the matter raised by the honourable member for Polwarth the due consideration it deserves, given that he is not here in the chamber.

The DEPUTY SPEAKER — Order! The house is now adjourned.

House adjourned 10.57 p.m.

