

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

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

**Wednesday, 20 July 2005
(extract from Book 8)**

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By authority of the Victorian Government Printer

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JOHN LANDY, AC, MBE

The Lieutenant-Governor

Lady SOUTHEY, AM

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Standing Orders Committee — The Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Plowman and Mrs Powell.

Joint committees

Drugs and Crime Prevention Committee — (*Assembly*): Mr Cooper, Ms Marshall, Mr Maxfield, Dr Sykes and Mr Wells. (*Council*): The Honourable S. M. Nguyen and Mr Scheffer.

Economic Development Committee — (*Assembly*): Mr Delahunty, Mr Jenkins, Ms Morand and Mr Robinson. (*Council*): The Honourables B. N. Atkinson and R. H. Bowden, and Mr Pullen.

Education and Training Committee — (*Assembly*): Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton. (*Council*): The Honourables H. E. Buckingham and P. R. Hall.

Environment and Natural Resources Committee — (*Assembly*): Ms Duncan, Ms Lindell and Mr Seitz. (*Council*): The Honourables Andrea Coote, D. K. Drum, J. G. Hilton and W. A. Lovell.

Family and Community Development Committee — (*Assembly*): Ms McTaggart, Ms Neville, Mrs Powell Mrs Shardey and Mr Wilson. (*Council*): The Honourable D. McL. Davis and Mr Smith.

House Committee — (*Assembly*): The Speaker (*ex officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith. (*Council*): The President (*ex officio*), the Honourables B. N. Atkinson and Andrew Brideson, Ms Hadden and the Honourables J. M. McQuilten and S. M. Nguyen.

Law Reform Committee — (*Assembly*): Ms Beard, Ms Beattie, Mr Hudson, Mr Lupton and Mr Maughan. (*Council*): The Honourable Richard Dalla-Riva, Ms Hadden and the Honourables J. G. Hilton and David Koch.

Library Committee — (*Assembly*): The Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson. (*Council*): The President, Ms Argondizzo and the Honourables Richard Dalla-Riva, Kaye Darveniza and C. A. Strong.

Outer Suburban/Interface Services and Development Committee — (*Assembly*): Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith. (*Council*): Ms Argondizzo and Mr Somyurek.

Public Accounts and Estimates Committee — (*Assembly*): Ms Campbell, Mr Clark, Ms Green and Mr Merlino. (*Council*): The Honourables W. R. Baxter, Bill Forwood and G. K. Rich-Phillips, Ms Romanes and Mr Somyurek.

Road Safety Committee — (*Assembly*): Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise. (*Council*): The Honourables B. W. Bishop, J. H. Eren and E. G. Stoney.

Rural and Regional Services and Development Committee — (*Assembly*): Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Naphine and Mr Walsh. (*Council*): The Honourables J. M. McQuilten and R. G. Mitchell.

Scrutiny of Acts and Regulations Committee — (*Assembly*): Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson. (*Council*): Ms Argondizzo and the Honourable Andrew Brideson.

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Dr S. O'Kane

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FIFTY-FIFTH PARLIAMENT — FIRST SESSION

Speaker: The Hon. JUDY MADDIGAN

Deputy Speaker: Mr P. J. LONEY

Acting Speakers: Ms Barker, Ms Campbell, Mr Cooper, Mr Delahunty, Mr Ingram, Mr Jasper, Mr Kotsiras, Mr Languiller, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith and Mr Thompson

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The Hon. S. P. BRACKS

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:

Mr R. K. B. DOYLE

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

The Hon. P. N. HONEYWOOD

Leader of The Nationals:

Mr P. J. RYAN

Deputy Leader of The Nationals:

Mr P. L. WALSH

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Clark, Mr Robert William	Box Hill	LP	Merlino, Mr James	Monbulk	ALP
Cooper, Mr Robert Fitzgerald	Mornington	LP	Mildenhall, Mr Bruce Allan	Footscray	ALP
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Hardman, Mr Benedict Paul	Seymour	ALP	Robinson, Mr Anthony Gerard	Mitcham	ALP
Harkness, Mr Alistair Ross	Frankston	ALP	Ryan, Mr Peter Julian	Gippsland South	Nats
Helper, Mr Jochen	Ripon	ALP	Savage, Mr Russell Irwin	Mildura	Ind
Herbert, Mr Steven Ralph	Eltham	ALP	Seitz, Mr George	Keilor	ALP
Holding, Mr Timothy James	Lyndhurst	ALP	Shardey, Mrs Helen Jean	Caulfield	LP
Honeywood, Mr Phillip Neville	Warrandyte	LP	Smith, Mr Kenneth Maurice	Bass	LP
Howard, Mr Geoffrey Kemp	Ballarat East	ALP	Stensholt, Mr Robert Einar	Burwood	ALP
Hudson, Mr Robert John	Bentleigh	ALP	Sykes, Dr William Everett	Benalla	Nats
Hulls, Mr Rob Justin	Niddrie	ALP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Ingram, Mr Craig	Gippsland East	Ind	Thwaites, Mr Johnstone William	Albert Park	ALP
Jasper, Mr Kenneth Stephen	Murray Valley	Nats	Trezise, Mr Ian Douglas	Geelong	ALP
Jenkins, Mr Brendan James	Morwell	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
Kosky, Ms Lynne Janice	Altona	ALP	Wells, Mr Kimberley Arthur	Scoresby	LP
Kotsiras, Mr Nicholas	Bulleen	LP	Wilson, Mr Dale Lester	Narre Warren South	ALP
Langdon, Mr Craig Anthony Cuffe	Ivanhoe	ALP	Wynne, Mr Richard William	Richmond	ALP

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Wednesday, 20 July 2005

The SPEAKER (Hon. Judy Maddigan) took the chair at 9.32 a.m. and read the prayer.

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

The SPEAKER — Order! I wish to advise the house that under standing order 144 notices of motion 279 to 283 inclusive will be removed from the notice paper on the next sitting day. A member who requires a notice standing in his or her name must advise the Clerk in writing by 6.00 p.m. today.

WORKING WITH CHILDREN BILL*Introduction and first reading*

Mr HULLS (Attorney-General) introduced a bill to assist in protecting children from sexual or physical harm by ensuring that people who work with, or care for, them have their suitability to do so checked by a government body, to amend the Sentencing Act 1991, the Sex Offenders Registration Act 2004, the Victorian Civil and Administrative Tribunal Act 1998 and the Victorian Institute of Teaching Act 2001 and for other purposes.

Read first time.

RACIAL AND RELIGIOUS TOLERANCE ACT (REPEAL) BILL*Introduction and first reading*

Mr SAVAGE (Mildura) — I move:

That I have leave to bring in a bill to repeal the Racial and Religious Tolerance Act 2001.

Mr INGRAM (Gippsland East) — I request the member give a brief explanation of the scope of the bill.

Mr SAVAGE (Mildura) — The bill is simple in its application — that is, to repeal the Racial and Religious Tolerance Act. That repeal is necessary because I believe the application of that act has had unforeseen outcomes and has seriously harmed interfaith relations and allowed a convicted paedophile to lodge an application at the Victorian Civil and Administrative Tribunal to prevent the Salvation Army — —

The SPEAKER — Order! The member for Mildura does not need to debate the bill; he just needs to say briefly what is in it.

Mr SAVAGE — I realise that, Speaker. It is a brief explanation: to prevent the Salvation Army running a Christian forum in prison.

Motion agreed to.

Read first time.

PETITIONS

Following petitions presented to house:

Schools: religious instruction

To the Legislative Assembly of Victoria:

The petition of citizens of Victoria concerned to ensure the continuation of religious instruction in Victorian government schools draws out to the house that under the Bracks Labor government review of education and training legislation, the future of religious instruction in Victorian schools is in question and risks becoming subject to the discretion of local school councils.

The petitioners therefore request that the Legislative Assembly of Victoria take steps to ensure that there is no change to legislation and the Victorian government schools reference guide that would diminish the status of religious instruction in Victorian government schools and, in addition, urge the government to provide additional funding for chaplaincy services in Victorian government schools.

The petition of citizens of Victoria concerned to ensure the continuation of religious instruction in Victorian government schools, and to provide additional funding for school chaplains.

By Mr HOWARD (Ballarat East) (422 signatures)
Mr CLARK (Box Hill) (48 signatures)
Mr STENSHOLT (Burwood) (45 signatures)
Mr INGRAM (Gippsland East) (34 signatures)
Mr SAVAGE (Mildura) (513 signatures)
Ms MUNT (Mordialloc) (93 signatures)
Mr HELPER (Ripon) (31 signatures)
Mr CRUTCHFIELD (South Barwon) (101 signatures)

Housing: disruptive tenants

To the Legislative Assembly of Victoria:

The petition of residents in the electorate of Mildura, in the state of Victoria, draws the attention of the house to the loud, threatening, unruly, unsocial, and sometimes criminal behaviour of certain residents of government-subsidised housing.

The petitioners believe that all Victorians, including public tenants and their neighbours, should be afforded peaceful enjoyment of the premises they occupy, irrespective of

whether the premises are owner occupied, privately rented or government subsidised.

The petitioners therefore request that the Legislative Assembly of Victoria ensures that any residents of government-subsidised premises are bound to exercise due respect for their neighbourhood or face early intervention and eviction with no further assistance forthcoming.

By Mr SAVAGE (124 signatures)

Tabled.

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

Ordered that petitions presented by honourable member for Mildura be considered next day on motion of Mr SAVAGE (Mildura).

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

SUPREME COURT JUDGES

Report 2002–04

Mr HULLS (Attorney-General) presented, by command of the Governor, report for 2002–04.

Tabled.

DOCUMENTS

Tabled by Clerk:

Audit Act 1994 — Report of the Auditor-General — East Gippsland Shire Council: Proposed sale of Lakes Entrance property. Ordered to be printed.

Auditor-General — Performance Audit Report — Managing intellectual property in government agencies. Ordered to be printed.

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

- Banyule Planning Scheme — No C47
- Cardinia Planning Scheme — Nos C62, C71
- Darebin Planning Scheme — No C58 Part 2
- Gannawarra Planning Scheme — No C11
- Glenelg Planning Scheme — No C20
- Greater Dandenong Planning Scheme — Nos C31 Part 3, C58
- Greater Geelong Planning Scheme — No C9

Hepburn Planning Scheme — No C26

Kingston Planning Scheme — No C32

Mornington Peninsula Planning Scheme — No C66

Pyrenees Planning Scheme — No C13

Yarra Planning Scheme — No C91

Statutory Rules under the *Fisheries Act 1995* — SR No 86

Subordinate Legislation Act 1994 — Minister's exemption certificate in relation to Statutory Rule No 86.

MEMBERS STATEMENTS

Frankston Mechanics Institute

Mr HARKNESS (Frankston) — The Frankston Mechanics Institute is celebrating its 125th year, and I have called on the Frankston City Council to make a decision this year to determine that the institute will not be bulldozed. Frankston council needs once and for all to ensure that this hall is protected and preserved. I have written to the council several times in recent months seeking a commitment that the mechanics institute be saved for the Frankston community and for future generations to enjoy. The time has now come for the council to secure its future.

I am advised by the council that it cannot provide any advice as to the potential use or future of the hall as no decision has yet been made. The Frankston Mechanics Institute is the oldest public building in Frankston. The land was given to the community by the landowners in 1873, and the building was finished in 1880. The money to build it was raised by holding what were known as penny lectures, with speakers coming from far and wide. It has been used variously as a meeting place for the council, as a court, for the Masonic Lodge, as a kindergarten, as a venue for the inoculation of children, for public dances and as a gathering place for many other groups. It was also Frankston's first public library. During the war years dinners were held at the institute to farewell local boys and men going off to war.

As Jim Lowden, the secretary of the Mechanics Institutes of Victoria, said,

The Frankston Mechanics Institute does not belong to the Frankston City Council to do with what it pleases, it belongs to the people of Frankston and Victoria and it needs to be protected from developers. It is a part of the state's heritage.

Over the past month or so I have received phone calls from many people who fondly remember attending a huge variety of activities at this hall. The historical importance of this building is too great for it to be razed

to the ground. It is one of the last remaining places in Frankston to remind us of yesteryear, and I will investigate options and avenues for this hall to return to its former glory.

Port Phillip Bay: channel deepening

Mr DIXON (Nepean) — The Bracks government is treating the Mornington Peninsula with contempt. First, it is content to continue to dump 470 million litres of Melbourne's sewage in our backyard. The water at Boags Rocks near Gunnamatta is brown. It stinks, and all marine life in the area has been killed. Now the Bracks government wants to dig up our front yard by dredging the shipping channel. The great majority of the proposed dredging will take place off the coast of my electorate. If anything goes wrong environmentally, it will be the environment and the economy of the Mornington Peninsula that will suffer.

In a perfect world, channel deepening might be good for Victoria, but it is the Mornington Peninsula that is being handed the greatest risk on behalf of all of Melbourne and Victoria. I cannot accept that risk. We have too much to lose — our clear waters, the marine park and a tourism industry based on diving, fishing, dolphin swims and the general beauty and amenity of the bay.

I call on the member for Hastings and her colleague, the member for Western Port Province in the other place, to join with me in calling on the Bracks government not to go ahead with either the proposed trial dredge or the full dredge. Both members have been strangely quiet on this issue and are obviously comfortable with the Mornington Peninsula being put to so much risk. The \$50 million to \$60 million the Bracks government will have spent on the two environment effects statements and the trial dredge means it will be going ahead with the entire project. There is no way it will stop the project, having invested so much money already.

Monashlink Community Health

Mr ANDREWS (Mulgrave) — I rise this morning to welcome the announcement last week of additional funding to support the expansion of Monashlink Community Health in my local community. Last week the Minister for Health announced funding to support design works for the co-location of community and allied health services with the Clayton Community Centre — a Monash City Council initiative — on the site of the old Clayton pool.

This \$16 million family services centre project has already received a \$1 million Victorian community

support grant and now additional funding has been provided to support design work for the Monashlink co-location. This work is important because it will see the expansion of the existing Clayton dental clinic, a facility that services the whole Monash area including — importantly from my point of view — the Mulgrave community, and the co-location of other related community health services. This is great news for Monashlink and all those in our community who rely upon community-based health care.

I have spoken many times about the important role community health centres play in our broader health system. Victoria's 100 community health services provide care and support to hundreds of thousands of Victorians every year. Last year I was pleased to lead consultations on the government's blueprint for community health, a document that sets out a plan to better manage the health challenges of our future. Community health will be an increasingly important part of providing integrated care for individuals, usually seniors suffering not one or two conditions but multiple and complex conditions. Supporting the Monashlink redevelopment is another example of this government's commitment to better services for people in the Monash community and right across Victoria.

Wedderburn shearing school

Mr WALSH (Swan Hill) — The shortage of shearers and wool handlers poses a major challenge for the wool industry, but at Wedderburn in my electorate a local solution is being found. Since 2003 three successful shearing schools have trained young people from the Loddon shire in wool preparation and the nationally accredited shearing technique called 'top blows'. The course delivers modules of certificate II agriculture. Many of the young people who have passed through these schools have gone into full-time work in the wool harvesting industry. Of the two girls who have completed the training, one is now doing a wool-classing certificate.

The shearing school is a three-way partnership. Loddon neighbourhood house facilitates the project; the Shearing Contractors Association of Australia provides the coursework and instructors through its training arm; and a local committee of farmers provides the shed, sheep, transport and much of the labour that supports the school.

This last group has been a driving force. The Loddon neighbourhood house has now applied for a one-off capital grant of \$45 000 from the department of regional development to fund equipment and technology that is occupational health and

safety-compliant to ensure this excellent training initiative continues.

I trust the Minister for State and Regional Development will see his way clear to support this very worthwhile investment in the youth of the region and the wool industry of northern Victoria.

Summerhill Residential Park, Reservoir: rents

Mr LEIGHTON (Preston) — I wish to thank my parliamentary intern, Ms Danielle Rudolph, for her excellent report into the conditions experienced by residents of the Summerhill Residential Park in my electorate. Danielle found the rents are too high and the residents are overcharged for services. She showed great empathy with the residents and earned their respect and trust. By contrast, the owner/director of Summerhill, Steve Wellard, is a rogue and scoundrel of the first order. He has held Summerhill out to be a caravan park in the written information he provides publicly, through the planning permit under which he operates, in letters to me, under the caravan section of the Internet site www.holidayparks victoria.net.au and through the harsh contracts he has residents sign.

Consumer Affairs Victoria has now issued a ruling that the rents Wellard charges are excessive. This has enabled the residents to go to the Victorian Civil and Administrative Tribunal to have their rents frozen under the provisions of the Residential Tenancies Act. Wellard is now challenging whether his own facility is a caravan park in law. He is doing this in an attempt to weasel out of the requirements of the Residential Tenancies Act. No wonder Steve Wellard does not sleep at night — or does he? I assure Mr Wellard that he will not get away with this latest unconscionable behaviour. His days of bullying residents are coming to an end and he will be held to account.

Land tax: trusts

Mr CLARK (Box Hill) — Thousands of property owners across Victoria are under threat of new land tax bills of up to \$6320 from next year as a result of the Bracks government's proposed new land tax on trusts. This is on top of the massive bills many are already paying. This new land tax will apply a 1 per cent rate to all land-holdings worth between \$20 000 and \$1.19 million. This compares with normal land tax starting at a rate of 0.2 per cent on properties worth \$200 000 or more. Many families, professionals and small businesses own their properties through family trusts and other arrangements.

Units and apartments that have previously not attracted land tax will become liable to this new tax. A unit or apartment with a land value of \$150 000 owned through a trust will be hit with \$1500 in land tax from next year. The new tax will apply not only to commercial and residential rental properties but also to family homes owned through a trust. The Treasurer did not have the nerve to announce the details of this new tax in the budget. Instead the government quietly posted an announcement on the State Revenue Office web site. After being found out, it replaced parts of the original announcement document with altered wording that describes it as a discussion paper instead.

The Treasurer's handling of this issue has been appalling. There are only two possible conclusions: either the Treasurer is waging an ongoing vendetta against small and medium-sized property owners, or the Treasurer and the rest of the cabinet lack any genuine understanding of business and investment practices. Once again the Treasurer has landed his Premier and his party in difficulties due his bungled handling of land tax. The Treasurer's cabinet and backbench colleagues need to get a grip on him.

Bellarine electorate: surf lifesaving clubs

Ms NEVILLE (Bellarine) — Today I would like to formally put on record my congratulations to the lifesaving club of the year — for members who did not see the news recently, the Point Lonsdale Surf Life Saving Club received the club of the year award for 2005. This is a well-deserved public acknowledgment of the club's significant contribution and commitment to the local community over many years. The Life Saving Victoria award recognises the club's commitment to beach safety and highlights its lifesaving, aquatic sport, youth and leadership development, administration and community service achievements.

The club has consistently managed to attract and support many young people into surf lifesaving — over 300 nippers are involved in programs each summer and the club has a total of 620 members. The club also attracts enormous support from the community and local businesses. The state government has been pleased to acknowledge the club's great work with significant grants over the last few years to upgrade its facilities. I congratulate the club on its vision and commitment to the local community and its drive to ensure that residents and visitors can use the local beach safely. This award is well deserved.

I would also like to briefly acknowledge the Ocean Grove Surf Life Saving Club, which covers the busiest

surf beach in Victoria. The Ocean Grove club also received acknowledgment with Kirsten Ulmer winning the junior athlete of the year award and Bruce Ward being named the DHL Victorian volunteer of the year. For the sixth successive year Ocean Grove was the Victorian championship club at the Victorian state titles. Congratulations to the club and to Kirsten and Bruce. The Bellarine community can feel very proud of the quality of service it receives.

Summer Lane, Ringwood: waste dumping

Mr HONEYWOOD (Warrandyte) — On 25 May this year I raised in the house during the adjournment debate a matter of urgency for the attention of the Minister for Environment. As we have come to expect from this government's arrogant ministers, I have yet to gain a response. The matter of urgency related to the apparent illegal dumping of material that has been going on for a long period of time at the EastLink road reservation adjacent to Summer Lane, north of Maroondah Highway, Ringwood, in my electorate.

The matter has since become even more serious with a truck driver, full of remorse, now coming forward with a statutory declaration declared at the Bayswater North pharmacy on 16 June this year. I now quote from that statutory declaration:

I worked two days on this site, doing approximately 80 loads of material. Two of those loads were asbestos. The machine operator stated to me that, 'What people don't see won't hurt them'.

Key questions must now be answered by the Minister for Environment. First, given that the Environment Protection Authority was made aware of concerns about this site over a year ago, what has it done? Second, what protocols are in place to ensure that the EastLink consortium, Thiess John Holland, are allowed to accept only clean fill and who is monitoring this? Third, as this site is adjacent to a site leased by Southern recycling and Rossi Recycling, what investigations have occurred or will occur into the appropriateness of activities carried out at these sites, particularly as all sites involved are geographically proximate to Heatherdale Creek?

Strathewen Primary School and Arthurs Creek Primary School: achievements

Mr HARDMAN (Seymour) — I rise to inform the house about Strathewen and Arthurs Creek primary schools, which are small but growing schools at the base of the ranges north of Melbourne.

Strathewen Primary School invited the member for Yan Yean and me to be present for a cheque handover to the local Country Fire Authority. The \$2000 was raised by the children and school communities of Strathewen and Arthurs Creek primary schools. I congratulate the school communities because the children obviously learnt valuable lessons about the importance of volunteerism and emergency services.

While I was at Strathewen Primary School the principal and school council invited me to open their sustainable energy cubby. It came about originally through the SmartWater initiative when the school put in a 32 000-litre water tank. It was on a very hilly site so they had to take out part of the hill. They decided to use that soil to make mud bricks and they built a cubby. On top of that, they utilised recycled materials, so the moss on the tiles is still there, and they put solar cells on top of the bricks. They are putting a light in there and are talking of putting a radio in there as well. Doing this resulted in great learning across all curriculum areas. Small schools are fantastic in doing these type of activities.

I again congratulate the parents, the grandparents and other volunteers who helped those students to do that.

Stamp duty: vendor-financed property sales

Dr SYKES (Benalla) — Euroa solicitor Michael Tehan has alerted me to the government's planned requirement for stamp duty to be paid on the interest as well as the principal in vendor-financed property sales. Not only does this highlight the greed of the Bracks-Brumby government, but it also discriminates against vendor finance in comparison with alternative sources of finance on which stamp duty is not paid on the interest.

This will discourage sales with vendor finance, making it tougher for young people to buy houses, farms and businesses because they have traditionally benefited from sales with vendor finance. It will also make it harder for older people who wish to keep their money in something they are comfortable with — the property they have often owned for many years.

The second example was raised with me by Jim Crebbin of Mount Beauty. Jim and his wife are self-funded retirees who have owned two flats in Melbourne since 1938. Jim has just finished battling to get adequate rental from one flat which was occupied by a protected tenant for 58 years. This tenant paid less than 50 per cent of the going rental rate, costing Jim over \$200 000 in forgone rental. The rental income is now \$14 000. Land tax was \$500, but Jim advises me

that the proposed land tax will be \$3500, thereby reducing Jim's net rental income by 21 per cent.

The Bracks-Brumby government's lust for cash overrides any compassion for ordinary people, including self-funded retirees and young people trying to get a start. Shame on you, Mr Bracks, shame on you, Mr Brumby!

Eltham electorate: recycled water

Mr HERBERT (Eltham) — Over the last seven months, along with the member for Yan Yean I have been working with sports clubs in my electorate to develop a plan to improve the conditions of local sportsgrounds and make them water smart. The development of this plan has had the full support of Eltham's great sports clubs, which recognise the need to use water more efficiently in their sportsground surface preparation. Without their input and expertise, the WaterSmart Sportsground Committee, as it is called, could not have made the fantastic progress that it did.

These clubs support thriving memberships and are the heartbeat of sporting life in my local community. Some clubs such as the Eltham Football Club and the Eltham Lacrosse Club compete in division 1 leagues, with the Eltham Lacrosse Club being Victoria's premiers last year. They fought and won a titanic battle against the Premier's home team, Williamstown.

Clearly in Eltham there is a great desire by sporting clubs to improve water usage on their sportsgrounds and to improve ground conditions for the benefit of their members. The committee has recently presented its findings to both state and local government and I commend the work of the sports clubs in developing such an exciting plan. In particular I thank Dean Philpotts and the Eltham football and cricket clubs, Brendan Hall and the Eltham Lacrosse Club, and John MacLeod of the Eltham North Soccer Club. These clubs have been a constant force on the committee and have dedicated their time and effort to attend the meetings and go in to bat for their members on this and many other issues. I commend their great work to the house.

Police: schools program

Mr MULDER (Polwarth) — In addition to contact from most of the schools in my electorate in relation to the Bracks government's decision to cut the police schools involvement program, I received a number of impassioned letters from students at the Lismore Primary School.

Students James Devlin, Alexandra Rowe, Ben Anderson and Matthew Woodman all wrote with the plea not to cut this program and included in their letters phrases such 'as a lot of people are devastated to hear that this great program is going to stop next year', 'I think you shouldn't stop police coming to schools to teach', 'I think this is outrageous, that you are going to shut down the police in schools program', and 'The police in schools program is good fun'.

All of them were consistent in their praise for Senior Len, who is the officer assigned to Lismore, and during my visit and discussions with members of the school community it was quite apparent that the program has done a lot towards building the children's respect for the police.

A document recently received from Victoria Police advising of the refocusing of the police in schools program suggests that there was wide consultation from police, community, schools and government before a new model was developed. Might I suggest that, if the amount of mail and personal contact that I along with many of my colleagues have received on this matter is any indication, then there was not much consultation with the school. This is particularly evident in my electorate of Polwarth and, I also note, in Geelong, with many principals publicly expressing their dissatisfaction. Somebody is not listening.

Arthur Pearce and Charlie Unmack

Mr STENSCHOLT (Burwood) — Today I wish to pay tribute to Arthur Pearce and Charlie Unmack from the Camberwell City RSL sub-branch, who both sadly passed away recently. Both were Darwin Defenders, with Charlie in the navy and Arthur in the army, and both provided years of service and leadership to our local RSL.

Charlie was a great seller of badges and poppies and was the wise old sage in our local RSL. Formerly the president of the Camberwell Central RSL, he was always the one to whom people would turn for advice. He died two days after Anzac Day, having gone part of the way in the march on his scooter.

Arthur was a legend. He sold nearly \$400 000 worth of badges and poppies over the years and was secretary of the Camberwell City RSL sub-branch for 21 years. He was raised in Carlton and was very active in RSL cricket in his youth. He was also at one stage a member of the Carlton branch of the Australian Labor Party. He was a man of the community, organising in his own inimitable way the annual march and remembrance

ceremonies. His sense of humour and dedication will be sadly missed by everybody.

Last year when he put in a third party endorsement for Petro Georgiou, I said to him, 'Why are you doing that, Arthur?'. He said, 'Don't worry, son. When it's your turn next year, I'll do the same for you'. He was really a great supporter of everybody, and on behalf of the people of Camberwell and district and the Camberwell City RSL sub-branch: vale, Arthur and Charlie. Our thoughts and wishes are with their families and friends.

Police: schools program

Mr PERTON (Doncaster) — The police schools involvement program has established a strong relationship between schoolchildren and the Victoria Police. It has been offered in 700 schools around the state. The proposal for the abolition of the program produced by the police commissioner's bureaucracy sneers at and dismisses the need to have uniformed police in schools. But this valuable program has not been sneered at and dismissed by the hundreds of young students who have taken the time to write to me. Concerned parents and alarmed principals, teachers and school council presidents want the program to continue.

Students have written to me beseeching the government to continue the program, arguing that the program is 'awesome'. One student, Sophie from Christian College in Geelong, wrote:

Dear Sir,

Thank you for giving some of our schools the best police in schools program we all can receive. It is a wonderful program and I feel I speak for all when I say I have learnt a lot. The program teaches everyone in all age categories about what the police do every day of their lives and that the police aren't there to hurt you.

The other thing I think it teaches you is that police are there to help you no matter what.

However, I have heard that the government might be discontinuing the police in schools program because of financial problems.

I am very disappointed to hear that, because I feel that most people gain great confidence after having a police officer come in to speak to them.

I have a great suggestion to help the financial problem.

We could have an organisation on the streets and tell everyone about the police in schools program and maybe they will donate money. At the end of each day we could give the money to them.

I really feel you should continue this program because there is still heaps of information for all children to learn.

Once again, this program is fantastic. Most people enjoy it, including me, and it is a wonderful thing that you are doing for us. The program is awesome!

For kids to have to say they would raise the money to continue this program shows the disgrace of this proposal.

Macedon electorate: recycled water

Ms DUNCAN (Macedon) — I rise this morning to sing the praises of the Bracks government's Stormwater and Urban Water Conservation Fund. Certainly the people in my electorate have benefited significantly from this fund. Members may know that the Stormwater and Urban Water Conservation Fund is a major initiative of the government as part of its Our Water Our Future action plan to secure Victoria's water supplies for the next 50 years.

This funding is on a dollar-for-dollar basis. It is up to \$250 000 and is for the use of alternative water sources such as stormwater and recycled water. Sunbury and the Macedon Ranges received over \$400 000 in the previous round of funding. I am encouraging them to apply again to extend the use of stormwater and recycled water around Sunbury and the Macedon Ranges. So far the fund has helped tap into alternative water sources and has drought proofed sport and recreation ovals in Sunbury, Gisborne and Woodend. We know we need to make much greater use of untapped resources of recycled water. A \$175 000 grant drought proofed three major sporting facilities in Sunbury. The water will be used to irrigate sportsgrounds at Clarke Oval, Sunbury College and Salesian College, Rupertswood. This is an innovative way to harness urban water resources and return water to our environment.

To replace potable water I encourage the government to fund — —

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

Agriculture: Chilean research agreement

Mr LANGUILLER (Derrimut) — A framework for collaborative research and development between the Victorian Department of Primary Industries (DPI) and the National Institute of Agriculture Research in Chile, known as INIA, has been established in the form of a memorandum of understanding. The memorandum of understanding was signed by the Chilean minister Jaime Campos Quiroga and Dale Seymour from the Victorian Department of Primary Industries and witnessed by Professor German Spangenberg from

La Trobe University and me in the presence of Chilean President Lagos in Canberra.

The Chilean INIA is a business of the department of agriculture and fisheries. Chile and Victoria have a commonality of interests in pasture-based agricultural industries, with similar climatic conditions and a focus upon scientific excellence and discovery to drive economic growth and social benefits. In establishing a memorandum of understanding DPI and INIA affirmed their desire to promote scientific collaboration and exchanges of personnel and knowledge in the fields of agricultural and biological sciences and related technologies. The two parties have committed to the development of joint activities, which will lead to an expansion of cooperation in this scientific area.

Cooperation will be developed through a range of means, including the exchange of materials and information, particularly in relation to pasture plant breeding and molecular biosciences; the exchange of scientists, researchers and other specialist staff; the exchange of plant germ plasm, seeds and other living material; the development of joint research programs; and the exchange of results. I commend the Department of Primary Industries, Chile's INIA, the Minister for Agriculture and President Lagos for their commitment to collaboration in these scientific areas.

Forest Hill electorate: multicultural celebration

Ms MARSHALL (Forest Hill) — It was with great pleasure that I recently hosted the second annual Forest Hill multicultural celebration. It was held at the Blackburn English Language School in Burwood East and was attended by the Minister assisting the Premier on Multicultural Affairs, the mayor of the City of Whitehorse, City of Whitehorse councillors and over 15 local multicultural groups.

Guests were entertained by the marvellous melodies of the Blackburn English Language School choir and were incredibly moved by the speeches of two senior students prior to the Minister assisting the Premier on Multicultural Affairs presenting the cheques to the successful multicultural groups. Upon the conclusion of the presentation everyone shared an outstanding lunch, with each group contributing a plate of their traditional food.

Cheques from the Victorian Multicultural Commission have been awarded to over 1000 multicultural organisations and senior citizens clubs across Victoria. These funds form part of more than \$2.85 million provided to Victoria's multicultural community. The grants will assist the groups to fund basic running costs

such as rent, insurance and utility bills. It is imperative that the important role played by multicultural groups in communities is acknowledged. I congratulate the 16 groups in my electorate who were given the recognition they so deserve.

I would like to thank Robert Colla, the principal of Blackburn English Language School, for allowing us to once again hold the celebration at his school. I would also like to thank the students from the choir who sang so beautifully and make special mention of Ajock Mach and Cida Zhang, the two senior students who shared their harrowing stories of how they came to settle in Australia. It is vital that our community continues to celebrate multiculturalism. I congratulate and thank all groups for playing an integral role in the Forrest Hill community.

Knox Basketball

Mr MERLINO (Monbulk) — I want to take this opportunity to congratulate Knox Basketball and its girl power squad (GPS) initiative. Knox Basketball is one of the largest sporting organisations in the country, with over 900 teams competing on a weekly basis. Roughly 40 per cent of those teams are female. Knox Basketball already provides a great pathway for female athletes and coaches and recognises the need to match those opportunities for officials as well. Over the next two years it will provide special assistance and training for an expanded referee development panel at Knox, initially called the girl power squad. The purpose of this program is to give special emphasis and assistance to the overall development of all the female referees in Knox.

The program will expose the GPS girls to some of the top female referees in the state. Already positive interest has been shown by such role models as Sharon Arnold of the Women's National Basketball League, who is an Olympic and world championship referee. Sharon and other statewide referees — Sandra Probyn, Emily Todarov and Debbie Potts — are all happy to pass on their experience and assist the girls to grow as referees.

Essentially this will involve extra training and development, and most importantly a mentoring program. This is a special opportunity to see, hear and gain experience from those who have gone through domestic competitions and made it to the top. The program is open to all Knox female referees, regardless of age or grade. I congratulate Knox Basketball and chief executive officer, Laurie Joyce, on this initiative and on their endeavour to achieve a minimum of five

female referees from Knox on the statewide junior panel.

Sir Ronald Wilson

Mr HUDSON (Bentleigh) — I would like to join with my colleague the member for Richmond in paying tribute to the late Sir Ronald Wilson. Sir Ronald was a distinguished lawyer who ultimately was appointed to the High Court of Australia.

However, Sir Ronald will be best remembered for the contribution that he made as president of the Human Rights and Equal Opportunity Commission, where he undertook the preparation of the landmark *Bringing Them Home* report on the stolen generations. This report brought home to the rest of Australia the tragic impact of the policies of paternalism and assimilation which had been carried out by successive Australian state and territory governments. In the report Sir Ronald and Mick Dodson ensured that our indigenous people were able to tell in their own words of the devastating impact those policies have had on their families and the general Aboriginal community. The *Bringing Them Home* report has changed forever the way in which we must view our relationship with our indigenous people. It has provided a platform on which many Australians have belatedly recognised past injustices and has provided the impetus for further efforts towards reconciliation.

Sir Ronald's humanity is reflected in the continuing work of his children. My thoughts are with his wife, Leila, and his children, and in particular with his son Bruce, who lives in my electorate and has made a distinguished contribution through the Union Research Centre on Organisation and Technology (URCOT) and university life. My thoughts are also with Bruce's wife, Robyn, and Sir Ronald's grandchildren, Emily and Alice, and their mother, Kerry.

Amy Gillett

Mr HOWARD (Ballarat East) — Yesterday we learnt of a tragic event which occurred in Germany where a group of six young women cyclists in training were hit by a car. This accident resulted in the death of Ballarat resident 29-year-old Amy Gillett and the hospitalisation of the other five cyclists, two of whom are described as being in serious or critical condition. In any circumstance this would be considered a tragic event, but when it involves people who live in Ballarat and others involved in the cycling community around Australia and more broadly, it really does hit home.

Amy Gillett, when you learn more about her, has been described very positively by all who knew her. She has been described as being, among other things, a great competitor, very good natured and a joy to work with. Amy moved to Mount Helen from Adelaide just a few years ago with her husband, Simon, and she joined the Ballarat-Sebastopol Cycling Club. She was considered to be a very strong medal chance in the coming Commonwealth Games in her specialty event, the individual time trial, and had an outstanding history, having also been a very highly reputed rower, competing in the women's rowing eight which came fifth in the 1996 Atlanta Olympics. She was clearly a very competitive woman and a terrific Australian and she will be greatly missed. I pass on my condolences to her husband, Simon, and her family.

MATTER OF PUBLIC IMPORTANCE

Rural and regional Victoria: growth

The DEPUTY SPEAKER — Order! The Speaker has accepted a matter of public importance submitted by the member for Broadmeadows:

That this house congratulates the Bracks government for its work to make provincial Victoria a great place to raise a family and its commitment to strong regional economic growth and outstanding regional results, in particular:

- (1) record levels of facilitated investment;
- (2) strong employment growth;
- (3) vibrant population growth;
- (4) massive investment in infrastructure;
- (5) booming industry sectors; and
- (6) unprecedented building approval levels.

Mr BRUMBY (Minister for State and Regional Development) — Deputy Speaker, I am delighted to move this matter of public importance today. I want to say at the outset that under the Bracks government provincial Victoria today is booming. The last five years have seen a dramatic turnaround from the days of economic decline and mismanagement under the previous Kennett government, and today we can fairly say that provincial Victoria, country Victoria, is a great place to raise a family, a great place to live, to work and to invest.

It is my pleasure to inform the house today in this debate that we have achieved another milestone in provincial Victoria, a record that clearly demonstrates the strong leadership that this government has shown

across the whole state. I am announcing today figures released by Regional Development Victoria which show that new investment facilitated by the government in provincial Victoria for the 2004–05 financial year has topped \$1 billion. This \$1.099 billion in facilitated investment is a new record. It is the highest level ever of facilitated investment in country Victoria, and it demonstrates our commitment to working with country Victorians, with business and with potential investors to grow jobs and opportunities right across the state.

Not only is this a record level of assisted investment: for the first time investment levels in provincial Victoria exceed half of all of the facilitated investment over the last financial year for the state as a whole. Let me stress that, for the state as a whole, our facilitated investment exceeded \$2 billion. More than 50 per cent of that has occurred in provincial Victoria, and I think it shows what an extraordinarily long distance we have travelled from the days of toenails and a government that struggled to see beyond the Melbourne central business district.

What all of that means is it means jobs; it means opportunities; it means a brighter future for country Victoria. Our success with facilitated investment in 2004–05 alone delivers 1898 direct new jobs and something like \$395 million in additional exports as a direct result of the investment which has been facilitated. When we take into account the targets, our target was \$600 million — that was the target set out in the budget paper — while the target under the former government in the 1990s, if my memory is correct, I think was \$400 million. When we take those targets into account we see we have substantially exceeded our target, and it is a great result for the state.

The figures add to a growing list of successful facilitated regional investments since October 1999, now totalling something like 300 projects, with a total investment of almost \$5 billion and directly creating more than 9940 jobs. The impact that this is having on country Victoria generally is now very clear for people to see, most dramatically in terms of jobs generated. Since the election of the Bracks government in October 1999, according to the latest Australian Bureau of Statistics (ABS) June labour force data, the number of jobs generated in provincial Victoria has increased by 15.7 per cent. That means there are 88 000 more people working in country Victoria than there were in 1999. It means 88 000 more people spending in their local towns and cities, 88 000 more people with pay cheques supporting local families and local communities, and that job growth, of course, has had a dramatic impact on unemployment rates.

The ABS unemployment rate for regional Victoria in June was 5.4 per cent. I think the June quarter average was around 6 per cent. That is down from well over 7 per cent in October 1999, and it is more than 8 per cent lower than its peak of 13.8 per cent, which occurred under the Kennett government. Let me just reiterate that to make a contrast. We have now got unemployment rates down around that 5 per cent to 6 per cent level.

I refer back to a speech I made in Parliament back in 1997 just to remind the house that the unemployment rate under the Kennett government in 1997 for 15 to 19-year-olds in Gippsland was 50 per cent; in the Goulburn–Ovens–Murray region, 42 per cent; and in the Central Highlands, 33 per cent. We have, working with country Victorians, transformed the opportunities there and dramatically reduced the rates of unemployment. We do not want to dwell on the past, but it is sometimes necessary to think back and remind ourselves just how grim those times were for people who lived in provincial Victoria.

Along with strong jobs growth has come strong population growth. As I have previously informed the house, the most recent population figures — the Australian Bureau of Statistics to June 2004 — show the highest population increase since the 1970s with a growth rate of 1.2 per cent rapidly approaching our target of 1.25 per cent by 2006. People are moving to provincial Victoria — they are literally making it happen. Some of the growth rates in our provincial cities are truly astonishing. We can all share pride in this growth. Bendigo in the last year had 1.8 per cent population growth. Wodonga is an absolute boomtown with 3.2 per cent. Ballarat had growth of 1.5 per cent. Warrnambool had growth of 1.3 per cent and Mildura 1.3 per cent. Our hugely successful ‘Make it happen in provincial Victoria’ campaign has now seen the population in country Victoria increase to more than 1.37 million people.

The other element this motion talks about is the massive increase in infrastructure. In a debate in 1997 I referred to some budget data: in that budget of the Kennett government the total spend on all assets in country Victoria was \$130 million. We are spending more than that just on health and aged care. It was \$130 million in a whole year. Look at what we have done in infrastructure. Under the Regional Infrastructure Development Fund (RIDF) 100 projects have been delivered across the state; \$221 million of government activity has geared up \$564 million worth of projects. These projects range from things like the multipurpose ship loader in Portland, which I announced recently, to the East Gippsland regional

saleyards, from the Wodonga enterprise business and technology park to the Geelong technology precinct. They range from the Murray Goulburn dairy reuse scheme in Cobram to the revitalisation of the central business area in Ballarat, which I opened last Friday. RIDF is delivering right across the state.

Of course we have also seen the natural gas extension program. Connections have been announced to 29 towns with more coming — it is the biggest rollout in natural gas connections in this state since the 1970s, bringing tens of thousands of people back into the natural gas grid, saving households thousands of dollars over the forward estimates period. With our cattle overpass and underpass scheme we have helped something like 290 dairy farmers with 100 more to come saving them thousands of dollars and making them more competitive. Our Small Towns Development Fund has generated \$22 million of investment for over 160 projects. Most small towns across the state have been able to benefit under this fantastic new program.

What about social infrastructure? How can anybody forget that era under the Kennett government? There were 176 country schools, 12 country hospitals and five train lines shut down. The Bendigo railway workshops were closed down, privatised and 150 jobs were lost; 2260 jobs were slashed from the Department of Natural Resources and Environment; 21 small business facilitators across the state and services for farmers were slashed. The vet laboratories were privatised. It goes on and on. I have some clips from newspapers of that time: the *Bendigo Advertiser* — ‘Rural health appalling’; the *Gippsland Times* — ‘Health services threatened’; the *Latrobe Valley Express* — ‘Local DNRE jobs will go, says MP’; the *McIvor Times* — ‘Kinder in crisis’; the *Gippsland Times* — ‘State hurts shire: councillors slam Kennett government over budget’; the *Yarram Standard News* — ‘Government has led the exodus from the bush’, June 1988; and here is a letter from a Victorian Farmers Federation member for 40 years, Michael Dennis, in the *Stock and Land*, June 1998 — ‘Coalition is failing its own’. How true was that?

We have turned this around by working with country communities, business and local councils to deliver unprecedented investment in infrastructure from each and every budget we have delivered. We have funded new schools and dozens of school upgrades across the state. We are rebuilding hospitals in Kyneton, Stawell, Ararat, Geelong and Ballarat, and we have made improvements to many other smaller hospitals. We budgeted more in this budget, if my memory is correct, for aged care facilities than the last five years of the

former Kennett government combined. We have put nearly \$200 million into improving aged care facilities. We have funded more than 100 new country police station upgrades. We have boosted research and development. We have opened up new rail lines in Bairnsdale and Ararat which are proving a great success. In the Latrobe Valley we have put more than \$100 million in as a result of our Latrobe Valley task force and we are seeing a dramatic turnaround there.

There are other industries and the Minister for Agriculture will talk to day about how we are getting additional value-add in our agricultural industries. Despite what have been probably the most difficult climatic conditions we have seen in any five-year period some great success stories are showing through in agriculture. The minister will focus on those.

Look at another industry which has been a success. Many people said this industry would die and wither under a Labor government and the exact opposite has been true. I am talking about the resources sector and the mining industry. We have been able to work sensibly with this industry to procure and facilitate investment and address environmental concerns. Look at Iluka Resources in the west of the state — the \$270 million mineral sands project. The Premier, Minister Theophanous and I turned the first sod there last year in June generating 250 construction jobs, 150 permanent jobs and creating extra jobs in places like Portland as well. It is my belief we will see further expansion of that industry in the future.

Look at Perseverance Corporation gold mine in Bendigo. The Premier opened that new facility last week. It has invested \$99 million at Fosterville creating 150 new jobs. Look at Stawell Goldmine’s exploration program which will generate 100 new jobs. Again, we have worked closely with the industry. We have worked very closely with Bendigo Mining’s New Bendigo Gold Project and Doug Buerger. All of the planning and financing approvals are now done; it will create 500 new jobs over the course of that project. We are determined to see this good news continue.

There is also the building industry. In Bendigo last week I opened the new exhibition centre which with the council was funded for \$2.5 million under the Rural Infrastructure Development Fund. It hosted the Australian sheep show which was the biggest sheep show in the world. It was a stunning success. While I was there I made the point that through to the end of May this year there had been \$3.8 billion worth of building approvals in country Victoria. It was less than half that in the year that we were elected!

Whether you look at facilitated investment, jobs, population growth, the resurgence of industries like the mining and resources industries or at building approvals, there is a great success story right across provincial Victoria. Look at what we have done with social infrastructure. Generating jobs and prosperity is important, but the other thing which is crucial to the renaissance of provincial Victoria is quality of life. People will not move to country Victoria unless the hospitals are good, the schools are good, the transport is good and the police stations are good. We have put unprecedented investment into those areas, and people are flocking to provincial Victoria.

In conclusion, there are no more toenails for the great people — the cities, the towns, the industries and the farms of this great state of Victoria. There is no more of the neglect, the decline or the loss of hope. There has been a substantial transformation of fortunes and opportunities, and it is through working together with country communities that we have seen this great turnaround. I am very pleased to stand here today to run through all of these achievements in provincial Victoria and to say that they herald an era of progress, an era of prosperity and an era of hope. We have more to do in the future and we will work with country communities to do it. I commend this motion to the house.

Dr NAPHTHINE (South-West Coast) — There is an old saying: ‘A man who sings his own praises is singing a poor song’, and I think we heard a classic example of that. The Minister for State and Regional Development has been trying to justify the appalling record of the Bracks Labor government in country Victoria. We have seen it in response to an enormous rally from country Victoria with people coming from hundreds of kilometres —

Mr Brumby interjected.

Dr NAPHTHINE — The Minister for State and Regional Development ridicules the people who travelled hundreds of kilometres and camped overnight to protest on the streets of Melbourne about the neglect and the poor way they are being treated by the Bracks Labor government.

Recently I had the pleasure of attending the annual conference of the Victorian Farmers Federation. Its president, Paul Weller, is retiring after three years as president of the largest organisation representing the farming community and indeed, the broader country community, so he is a person who can legitimately comment on this government’s performance in country Victoria. In his annual report he says:

There has been much said over recent times about the relations between farmers, the Victorian Farmers Federation and the state government.

It will come as no surprise that the VFF is frustrated with this government’s lack of action on many, many important rural issues.

The state government has refused to amend its ridiculous ... child employment laws. The government has imposed union right of entry to our farms through its new, onerous occupational health and safety legislation.

He then lists a number of areas where the VFF is concerned about what is happening in country Victoria under the Bracks Labor government. He talks about the decommissioning of Lake Mokoan, the failure to allow aerial baiting trials of wild dogs, the native vegetation clearance system which is impeding our growth and development and is lacking commonsense in country Victoria, the tax on rural fire insurance, and the lack of funding for deteriorating country roads. He points out that the state budget this year provides less money for country roads than in previous years. He talks about the ban on mountain cattle grazing, and says:

On so many issues the state government has failed to act or deliver results.

He refers particularly to areas where the VFF supports the government on major projects such as channel deepening, rail standardisation and irrigation systems upgrades. But Paul Weller says that these commitments have not been delivered. So the VFF is making an indictment on this government’s lack of delivery and its actions that hurt country Victoria. He says that:

... the biggest disappointments we have with this government have been the refusal of the Minister for Agriculture, Bob Cameron, to meet with bushfire affected farmers in the Balmoral region ...

How appalling can you get? Fires devastated farmers in western Victoria and the Minister for Agriculture refused to meet with them. The government also failed to provide timely drought assistance. In his concluding remarks in this section of the report Paul Weller says:

As president, I have become sick and tired of banging my head against a brick wall trying to get outcomes from a government on these important issues.

Further, he says:

The recent mountain cattlemen protest should have served as a wake up call for the government that farmers and rural Victorians have a value and importance in this state. The government needs to start listening again, respecting our views and acting on our recommendations.

That is an independent comment from the Victorian Farmers Federation, which is the largest group representing rural Victoria.

I can add to the list of decisions that have hurt country Victoria and offended country Victorians. Top of that list is the toxic waste dump that the Bracks Labor government originally wanted to put at Pittong, Violet Town and Tiega, near Ouyen. It absolutely rode roughshod over those local communities and tried to force them to take a toxic waste dump. Then, when under massive pressure the government backed down, it decided to relocate the dump to Hattah-Nowingi, which is an absolutely ridiculous, stupid and unsafe place to put a toxic waste dump. The toxic waste will be in close proximity to the Sunraysia food bowl, in an environmentally sensitive area and 500 kilometres from Melbourne where most of the toxic waste is generated. So this toxic waste will be carted 500 kilometres up the Calder Highway through many towns and country communities putting them at risk because this government is foisting Melbourne-generated toxic waste on country Victoria. That is another decision which is hurting country Victoria.

I can go through a number of issues including the closure of the Minibah hostel which has hurt country students. What about the failure to deliver the fast train project? I know my colleague, the member for Polwarth, will enjoy his opportunity to speak on this matter of public importance and talk about the fast train issue. I will just leave members with two issues. The first is the time that this project is taking. I refer to the *Ararat Advertiser* dated 21 March 2000 which reported that the Premier said he was pursuing the fast train project. He said that at least one will be physically built before the end of the year and the rest are scheduled to go through in the next four years. He was going to have one of the fast rail projects running by the end of 2000 and the rest by 2004. Here we are in the closing stages of 2005 and not one of those fast rail projects is operating.

The budget has blown out from \$80 million to well over \$1 billion, and every time one of those communities hears from this government about the fast train project, the services have got slower, they stop at fewer stations and they are further disadvantaged by a project which should be of assistance to them. In fact, the greatest indictment of all was when the bureaucrats were sent out to apologise to the local communities for the way that this government has stuffed up the fast train project, they travelled to those communities by car. A couple of car loads of bureaucrats went out to apologise for the government's appalling delivery of train services.

Let us look at the other issue of rail standardisation. I remember being in the house when the Treasurer stood up in May 2001 and said that the Bracks government would deliver the standardisation of rail freight gauges right across Victoria. He said, 'We will deliver on the Mildura to Portland rail standardisation as first cab off the rank'. Here we are four and a half years later and not one millimetre of the Mildura to Portland rail track has been standardised. It is an absolutely appalling lack of delivery on an important project for country Victoria.

In 2002, the Bracks Labor government promised that a rail link would be put into Lascelles Wharf in Geelong. That rail link would be very important for country Victoria, for industry in the major regional town of Geelong and for the movement of goods in and out of the port of Geelong. It was promised in 2002, but not 1 millimetre of track has been delivered on that Lascelles Wharf project.

Look at PrimeSafe: it is a classic example! PrimeSafe has driven the yabby industry out of the state through bureaucracy and by imposing unjustified and unfair costs on aquaculture and the commercial fishing industry. PrimeSafe has done more harm to the fishing industry and fish production in this state than anything else. When we look at human services, which the minister mentioned, we see two simple examples of how this government is hurting country Victorians in terms of service delivery. Public dental services in country Victoria are an absolute disgrace. Under this government waiting lists and waiting times have increased massively, so that in most of country Victoria people on health care cards, pensioners, people in pain and people needing dentures wait four to five years for public dental services.

Mr Helper — What are the feds doing?

Dr NAPHTHINE — Public dental services since 1901 have been the responsibility of the states. In Victoria they are the responsibility of the state, and the Bracks Labor government is thumbing its nose at the people in country Victoria who need health care.

Look at the way this Labor government is running down health services, for example, at Rochester, Kooweerup and at my own hospital at Portland. Let us look at how taxes and charges under this government have hurt country Victoria. The \$80 motor vehicle registration fee for pensioners and health care card holders is absolutely hurting country Victorians. These people need their cars to travel, because there are no adequate public transport services. That is why health care card holders, pensioners and war veterans in country Victoria are being particularly hurt by the

\$80 motor vehicle registration fee imposed by the Bracks Labor government, which does not understand or care about disadvantaged people. I challenge members opposite to stand up and justify that attack on the disadvantaged in country Victoria.

On top of that, what has the Bracks government done in country Victoria, where the multipurpose taxi program is absolutely important for people with disabilities and the frail aged? It has made an uncaring, heartless and cruel decision to cut the program. I could not believe any government would do that, let alone a government that purports to care about the disadvantaged. On top of that you have the \$50 motorcycle tax, which is hurting country Victoria; the 5 per cent water tax; the annual increase in all fees, taxes and charges; a massive increase in forestry royalties; and an increase in coal royalties. All these have happened in recent years under the Bracks Labor government, and now you have the new tax on trusts, which is going to particularly hurt country Victorians.

Let me explain it, although I know my colleague the member for Box Hill will go into more detail on this. It is normal practice for many people in country Victoria, particularly farming families and others, to hold their assets in family trusts. If those family trusts have off-farm investments in the local community, like a commercial shop or business —

Ms Duncan — In Collins Street?

Dr NAPHTHINE — Collins Street! This is typical. This is a member —

The DEPUTY SPEAKER — Order! Interjections are disorderly, and responding to them is similarly disorderly.

Dr NAPHTHINE — The member for Macedon, who purports to represent rural Victoria, wants to brand her constituents as Collins Street farmers. That is an absolute insult to her own constituents. She is a disgraceful representative of country Victoria.

This tax on trusts hurts them in two ways. Firstly, it is a higher level of land tax — an extra 1 per cent land tax — which is a surcharge on a tax. Secondly, and most importantly, it comes in at a threshold of \$20 000, whereas other land tax comes in at \$200 000, so many commercial, rental and holiday properties in country Victoria that are below the \$200 000 threshold for ordinary land tax will be caught by the land tax on trusts that is being introduced by the government. This will hurt country Victoria.

Let us look at what this government has done for Victorian regional development in the recent 2005–06 budget. The budget for the Department of Innovation, Industry and Regional Development shows a 41 per cent cut in investment attraction funding; a 37 per cent cut in funding for regional development; a 7.6 per cent cut in funding for tourism, which is very important for regional Victoria; and a 53 per cent cut in funding for regional infrastructure development. What is more, it has recently started to retrench officers involved in a number of important programs in regional development. In particular, the Bracks government has sacked three officers who were involved in and had the expertise to assist councils on the StreetLife program. That is how much it cares about country towns and country communities. It is cutting funding for country programs.

Let me finish by talking about the unemployment figures. I refer to the Small Area Labour Markets Australia unit of the federal Department of Employment and Workplace Relations, which has said there was a 13 per cent increase in the number of people unemployed in regional and country Victoria from March 2004 to March 2005. In eastern Victoria there was an 18 per cent increase, and in western Victoria, a 10 per cent increase, compared with the rest of Australia, which had an 8 per cent decline in the number of people unemployed. So the rest of Australia has a reducing number of people who are unemployed, but in country Victoria the number of people unemployed is going up.

Let us look at some particular areas. In the city of Latrobe the number of people unemployed increased by 12 per cent in that 12-month period. Indeed the unemployment rate in Morwell was 13.5 per cent and in Moe, 13.3 per cent. So much for the so-called \$100 million investment to improve conditions in the Latrobe Valley. The government has failed miserably to reduce unemployment rates in that area. In Baw Baw the number of unemployed people went up by 19 per cent. In Bass Coast it was 19 per cent; in Castlemaine, 16 per cent; Maryborough, 22 per cent; in Bendigo, 18 per cent; and in Mildura, 15 per cent. The number of people unemployed in country Victoria is going up; in the rest of Australia the number of unemployed people is going down.

This government is not delivering for country Victoria. The Victorian Farmers Federation says so and country Victorians have rallied here to say so. It is about time this government listened to country Victorians and responded to their concerns positively.

Mr CAMERON (Minister for Agriculture) — It is always a great pleasure to follow the member for South-West Coast, but *Hansard* will not reflect the way he looks. He has that starry, starry look in his eyes when he fondly remembers the old days — the good old days when as a parliamentary secretary he could hack into health, close country hospitals — when he could see schools closed down. He had the look of hate in his eyes! What he hates to see is people vote with their feet. It has nothing to do with politics but with what the people actually think. When it comes to provincial Victoria what has the public done? The public again wants to live in provincial Victoria: people are again moving to country Victoria. Confidence has been restored.

You do not have to ask us; you can look at the bare facts and figures. Have a look at building investment, where people want to come and work; where businesses say, ‘Yes, once again we have confidence and we are prepared to invest’. You only have to look at the figures. In the last year of the Kennett government there was \$500 million of building investment. That was the worth in the marketplace of that government when it came to country Victoria. Under the Bracks government in the last year, as the Treasurer has set out, the figure was \$3.8 billion! Let us look at the bare numbers: that is a sevenfold increase. That is the difference between a Bracks Labor government and the former government represented by honourable members opposite, who can fondly remember the old days as much as they like.

For the first time ever Victoria is the largest producing agricultural state in Australia. What is important is not only that we are the largest agricultural producing state on farm but what we are able to do with that overall. Companies in the food industry have been making their choices, and in provincial Victoria in 2004–05 we have seen investment of around \$380 million. We have seen investment at Campbell’s Soups in Shepparton of \$8.5 million, and an investment of nearly \$12 million at Hazeldene near Bendigo. When we look at Tatura Milk Industries we see a \$10 million investment by the French dairy company Ingredia. The \$10 million Masterfoods snack food investment in Ballarat and the \$59 million Southcorp Wines investment at Karadoc are just examples of what we are seeing — more investment reflected clearly in the figures.

I appreciate that the member for South-West Coast is embarrassed that it is so stark, but nevertheless the numbers are there and we all know it is the Bracks Labor government that is working with industry and with communities to bring about the results that we all want to see.

I mentioned Victoria being the leading agricultural state in Australia. The 2003–04 figures show that Victoria is producing 3.8 per cent of the nation’s agricultural production. For the first time we have overtaken New South Wales. That, of course, is only in farm production, but if we look at the whole food and fibre sector we see that nearly one in six jobs in country Victoria is in that chain of investment figures. That is why the food sector is so important for country Victoria. We continue to be Australia’s largest exporter of food, notwithstanding the difficult years in recent times with drought and shortage of water in some agricultural areas, yet Victoria continues to be the leading state in agricultural exports.

I stand before you today as a proud central Victorian. I look at the region’s place in provincial Victoria, but every region tells a different tale. The one tale that gets told is about the huge change we have seen. You only need look at Bendigo and the commitment of the Bracks government to the Calder Highway duplication to see that. We have a joint project and an express commitment by the federal Liberal and National parties to match funds, but what we have is an express failure of that to occur. The total neglect of the Liberal and National parties to honour their commitments is nothing but despicable. They can be assured that central Victoria will keep pressing this issue until they buckle at the knees. Those opposite might be proud of the closure of train lines; we are proud of their opening. We are proud of the tremendous amount of work that has occurred with regional lines as part of the fast rail network. — —

Mr Mulder interjected.

Mr CAMERON — The shadow minister for transport butts in, but when it comes to the election and before the election opposition members say, ‘Yes, yes, we are all for it’. They know that investment had not been put in there over the previous decades and that it is only a Labor government that is prepared to do it.

If we go across my electorate we can see the new nursing home at Castlemaine funded by the Department of Human Services, where planning is under way, and the project will start in the next few months. The Castlemaine library is finished and is a tremendous project. The Maldon–Castlemaine railway is now finished, and the state government is the largest funder of that project — something that the Liberal and National parties were not prepared to be. Look at the substantially new school and the new police station at Newstead as well as the new sewerage system and what that means for the town. Look at Dunolly hospital, which members opposite wanted to close, with Maldon

being next. Look at the turnaround now where the Dunolly and Maldon hospitals have been expanded. Look at the new police station at Tarnagulla that has recently been finished.

In Bendigo there was a \$2.5 million investment for the Royal Exhibition Centre, which the Treasurer opened last week. Look at what the government was prepared to do in Bendigo when there was no commitment by those opposite for lights at the Queen Elizabeth Oval and for the expansion of the basketball stadium; look at what we have done at the aquatic centre and the commitment given to the new building between the QEO and the aquatic centre. What about the \$3 million commitment which has now seen the opening of the Latrobe visual arts centre in View Street? Look at the whole range of black spot works and works to make roads safer, with the latest being in High Street, Kangaroo Flat. Look at the building of the new Department of Human Services premises, a \$15 million project in Bendigo, freeing up Lister House, part of which is for the use of young doctors to enable them to train and stay in country Victoria. It is the best development of that type we have seen around the nation.

Look at the investment in the radiotherapy unit and the MRI machine now that the federal Liberal and National parties have finally buckled and granted a licence. Look at the new school at Kangaroo Flat where the kids have just moved in. Look at the new school that is being built on the present site at Specimen Hill. Look at the Castlemaine South Primary School and the building works under way at Campbell's Creek primary school. Other projects include the \$20 million police station that is soon to start; the Bendigo jail; the Bendigo Senior Secondary School redevelopment; the expansion of the Castlemaine jail; and the North Bendigo nursing home. The list goes on. At Kangaroo Flat the ambulance station was closed, but now once again Kangaroo Flat has an ambulance station.

Look at the ICT development and what we are doing to help the Bendigo Bank and the City of Greater Bendigo with the civic space for its development, which will ultimately produce 1000 jobs. The list goes on and on. The railway workshop was closed by the former government represented by those opposite, but we have put in \$2 million as part of the cost of redevelopment, and to date we see a couple of hundred jobs there.

Country Victoria is no longer the toenails of the state. Country Victoria is a key part of the state. That has been the enormous change we have seen with the Bracks government, and that is why people again want to live in country Victoria. I challenge honourable

members opposite to indicate, when it comes to central Victoria, whether there has ever been greater investment by a government. Has there ever been greater investment by a state government?

Ms Pike — No, never!

Mr CAMERON — There is not one member opposite who can say yes. The fact is that under the Bracks Labor government Bendigo and central Victoria have seen an enormous turnaround — a turnaround from a time when there was simply despair to the situation today where it is positive and forward looking. Across provincial Victoria we have seen the positive, forward-looking approach, and that is something of which as a government we are extremely proud. It is something that the Premier, the Treasurer and the cabinet — the entire government — are proud of. We will continue to work with provincial Victoria to achieve those results.

Mr RYAN (Leader of The Nationals) — Self-praise is no recommendation. If ever you wanted an example of it, have a look at what this mob has put before the house today in this matter of public importance debate. I suppose this is one of the first of the efforts government members are making to try to ameliorate the damage that was done to them in the public arena — and quite rightly so — after that wonderful rally only a few weeks ago when communities from around the state came together on the front steps of the Parliament to express the point of view people are putting consistently across country Victoria — that is, that the Bracks government does not care about what happens outside Melbourne.

Members of the Bracks government do not have the faintest idea of what they need to do to further the interests of country Victorians. They are busily going about doing what they think is appropriate for the needs of the Melbourne metropolitan area. Their efforts outside that region are absolutely pathetic, and examples of that are utterly legion. There are many of them and, as is the wont with these short debates, there is just not the time to go through all of them, but let us make a bit of a start.

The first thing to be said — and it did not seem to get a mention in the Treasurer's speech — is that the policies of a successful coalition government at the federal level have fundamentally set the scene that has enabled this state government to be doing anything at all, poor and all as its efforts are. You do not need to go back far to see a federal government run by Labor that was in absolute chaos. The work that is being undertaken at a federal level has meant a major change to the way in

which this nation functions, and Victoria has been able to ride on the coattails of that. Plus the fact, of course, that fortuitously this government is here at a point in time when it is not burdened by \$30 billion worth of debt, when it does not have to devote what would otherwise have been about 13.6 per cent of its budget to pay off the interest that would have applied if the figures for debt today were in the nature of those that applied some years ago. The government has more money available. Five years ago it had a budget of about \$20 billion; five years on it has a budget of \$30 billion, and it still cannot make it work properly.

As I say, examples are legion. Let us have a look at them without any particular order of priority. Natural gas reticulation has been the subject of so many promises. One project has been carried out in Bellarine since this government has been elected and hopefully we will have some gas going into East Gippsland towards the latter part of this year, but the overall progress on the extension of natural gas has been appalling. The not-so-fast rail project has blown out from \$80 million to more than \$1 billion. If this is not an absolutely quintessential example of how Labor governments manage money, I do not know what is. You would never get a better indication of how they cannot handle things than what has happened in relation to this fast rail project.

There is another project, too, which must be talked about in the context of rail because this government has absolutely no vision for the freight rail system in the state of Victoria. Only today I met with the Alliance of Councils for Rail Freight Development, which comprises 24 councils from across country Victoria. They came to me to express their grave concern about the lack of progress by this government over issues to do with rail freight. The focus of their concern is rail standardisation. In 2001 in this place we had the Treasurer standing up and telling the world that \$96 million was going to be dedicated to rail standardisation. What has happened since? Absolutely nothing, and the problem is that Victoria simply does not have a seamless, connective and competitive rail freight network. It would make substantial progress towards achieving that goal if it undertook rail gauge standardisation on all the key lines. The main one is the Mildura–North Geelong line.

Here was the government back in 2001 running around talking about \$96 million being put into this project. It has absolutely abandoned it. It has no vision for it. The people in those 24 municipalities are desperately anxious to have this government undertake the work that was promised to be done — yet nothing is done. The Minister for Transport has abandoned this project.

He is resigned to the fact that he is not going to do anything about it. These councils now are desperate to get this done because to get that freight off the roads and onto the rail lines this has to happen, and we will see an enormous enhancement of our commercial interests, particularly over in the western part of the state, if the government's promise made in this place in 2001 is actually kept and the work is undertaken. I understand it has even got to the point where the state government will not take up the offer of \$20 million from the federal coalition government to go towards the standardisation project in western Victoria. How pathetic is that! It is but another example of the problem we have.

The toxic waste dump issue — what an absolutely disgraceful performance by this government, terrifying those three communities as it did for those couple of years when it was looking at putting this dump on private land, causing enormous expense both financially and of course emotionally, to those people, only to walk away from it and on the same day that it did that to make the announcement about building the facility at Hattah-Nowingi up near Mildura. The government is going to cart the waste product, 80 per cent of which is produced in metropolitan Melbourne, over a distance of 500 kilometres and store it in this extremely sensitive area. What a stupid thing to do! Of course we have the present Minister for Major Projects — and bear in mind that we have had about three or four of them who have had a go at it but who have all been summarily dismissed from the role — Minister Lenders in another place, saying that if it all goes wrong and falls off the trucks when they have a crash, we will just scoop it up and put it on a truck and keep going. What a ridiculous proposition it is that the government is persisting with.

The timber industry, particularly up in East Gippsland, is looking at ruin because of the way this government is allowing the industry to be conducted at the moment. Fancy VicForests, a government agency, being able to come out on the day the budget was announced here in May and say that it is going to have price increases of up to 22.5 per cent for mixed species of timber. What does the government think that is going to do to the businesses that are dependent upon that timber and more particularly the families who work within that industry and who are going to be streeted because they will not have work available to them in places like Cann River?

The mountain cattlemen decision is another appalling disgrace, a lightning rod if ever I saw it for public opinion out there in country Victoria in circumstances where this government was always going to do it. It

said in 1999 it would do it. It has taken five or six years to get around to it, but it has done it now — another example of the way in which the government has taken decisions against the interests of country Victorians.

As for the native vegetation mire — what an absolute circus! That farmers are having to contend with these regulations, constraints and controls is just another element of the many aspects of red tape being imposed on them, and the government still does not have a proper way through it. The Engineers Australia report that was released recently is an interesting document. If I had the time, I would go through it. It gives a C or D rating to most of the infrastructure across country Victoria. There are issues such as consumer tenancy services being closed in places like Horsham and Hamilton. Of course out of all of this you would have to say that this year's budget, in which the government made all these promises about the extent of the capital expenditure going into country Victoria, is the one that is the greatest furphy.

In the course of the response I made to the budget I stood here and challenged government members to justify the claim being made by the government that 50 per cent of its capital expenditure was going to go into country Victoria over the course of the four-year period referred to by the government. About 50 members of the government stood up and contributed to the debate on the budget. Not a single one of them took up that challenge — not one. We did the figures. We did the numbers. What the numbers showed was that about 23 per cent of capital expenditure is being spent in country Victoria. It is nowhere remotely anything like half the amount of money this government professes to be the case. That is yet another example of the government being prepared to say anything and do anything with a view to promoting its cause in country Victoria in circumstances where the facts tell precisely the contrary.

What is going to happen on 25 November next year when the election is on is that people are going to have the opportunity to register their concern about this, and we are going to see some changes. There will be changes in here that are reflective of the changes that are being forced upon country Victorians by this government. People are actually having to change their way of life, because this Labor government, this Bracks Labor government, this Melbourne Labor government does not understand how country Victorians live their lives, does not care how country Victorians live their lives and is doing nothing that is going to advantage these people as they move forward. It is a disgrace. This

ridiculous, self-serving commentary by the government here today is just that. It is pathetic.

Ms DUNCAN (Macedon) — It gives me great pleasure this morning to speak on this matter of public importance, which highlights the benefits the Bracks government has brought to regional Victoria. I well remember prior to the 1999 election when we had seven dark years of the Kennett government. We had the closure of hospitals, the closure of schools, nurses sacked, teachers sacked, individual contracts — we had a whole plethora of things happening in regional Victoria. And as the Minister for Agriculture said, people were basically just voting with their feet: they were leaving regional Victoria and moving back into the cities. Regional Victoria was not a place where people wanted to live, and that was evidenced by the population decline in that part of Victoria. I well remember, when we were elected in 1999, having heard Mr Kennett refer to regional Victoria as the toenails of the state.

It is very easy for us to forget those years, especially when we listen here to speaker after speaker on the opposition side, particularly the members of The Nationals who sat by and let occur all these things that they knew were causing direct harm to regional Victoria. They allowed those hospitals to be closed, they allowed those railway lines to be closed, and they allowed the electricity industry to be sold, knowing full well that every government was going to have to continue to subsidise electricity so that people in regional Victoria did not pay more than people in Melbourne. That is the situation we were left with. We need to continue to work on the disadvantages that were created under those flawed privatisation systems to make sure that regional Victoria is not continuously disadvantaged by them.

The most galling part of the debate this morning has been listening to the members of the opposition and The Nationals who sat by and let all those rail lines be closed stand here today and with straight faces say all the things they have said. They criticise the regional rail upgrade and the rebuilding of country rail, yet they sat back, absolutely mute, while the Kennett government ripped up and closed down those services. And they stand here today and with straight faces criticise us for rebuilding regional rail!

I turn to a couple of specific programs in the electorate of Macedon. Major government-facilitated investments include \$1.3 million for stage 1 of the expansion of the sawmilling operations of Black Forest Timbers in Woodend. We have had the rebuilding of police stations in Gisborne, Romsey and Lancefield. Under

the Regional Infrastructure Development Fund 25 projects worth over \$34 million have been announced in northern Victoria, the Macedon Ranges included. Among these projects are \$375 000 for the expansion of new Gisborne industrial estates and the connection of natural gas to seven towns in the electorate of Macedon.

It was galling to listen to the member for South-West Coast stand here yesterday and preach to us about the benefits of natural gas. In seven years, what did members of the previous government do to the gas industry?

Mr Jasper interjected.

Ms DUNCAN — They sold it! And they created no — —

Mr Smith interjected.

The ACTING SPEAKER (Mr Savage) — Order! All speakers to this point have been given reasonable freedom without interjection. I ask the members for Murray Valley and Bass to cease interjecting in that manner.

Mr Smith — But she's inciting us!

Ms DUNCAN — They did nothing to facilitate the extension of gas in the future — —

The ACTING SPEAKER (Mr Savage) — Order! The honourable member for Bass shall not make remarks to the Chair in that manner.

Ms DUNCAN — They did everything to ensure that there would not be, without massive government assistance, any extension of natural gas at all. So all these towns that are seeing the benefit of natural gas today can thank one government and one government only, and that is the Bracks government. I am very proud to be part of that government, and very proud to be part of a government that has invested \$70 million in the extension of natural gas. It is galling to sit here and listen to members, like the member for South-West Coast, preaching to the converted when they speak to us about the benefits. We know the benefits, not just in terms of cost but also environmentally. We deliver on those sorts of natural benefits.

The other issue I would like to speak about is the rail upgrade in regional Victoria — this much-maligned project. We saw the smug face on the member for Polwarth; we listened to him laughing about this project. As has been pointed out previously, at the 2002 election what did he say publicly was his position on it?

That he and the opposition supported it. Of course they must support it. How could they not support the rebuilding of a transport system that had had nothing much done to it for 120 years?

When I listen to the people that criticise this project I ask them one simple question: 'What part of this regional rail upgrade do you say is not necessary?'. Do they believe the tracks were in such excellent condition that we did not need to re-lay them? Do they believe signals that are over 120 years old should remain in place? Do they believe we do not need additional trains on this system? Do they believe we do not need to create a piece of infrastructure that not only will deliver improved and more reliable services when it is finished but will allow this government and all future governments to continue to increase train services on those lines as the demand for them increases, as we know it must?

We know we must encourage people to use public transport to get off the roads and to use the train system, and that could not and would not occur if this system were not upgraded. It was absolutely beyond patching up. I am galled by people who criticise this project. They will criticise any number of aspects of it, but they cannot fundamentally criticise the project itself, the need for re-laying the entire track system, installing completely new signalling right up and down all those corridors and providing new trains for each of those corridors. This is a project I am particularly proud of this government for introducing.

Governments are often criticised for not thinking beyond the next election. This is a project that will bring benefits to regional Victoria not just when it is completed but for the next 50 to 100 years. This project shows that this government invests in regional Victoria now and for the future. The vast benefit that this project will deliver will be felt in the years to come when we can deliver services on track to meet the needs of the 21st century as regional Victoria continues to grow.

Members of the opposition suggest that because some express trains will not stop at every station that the system is somehow an insult to these communities. When in government, members opposite stood back and let train systems close. If there is no train system in place, you cannot get too many trains stopping at or starting from stations! This is a wonderful project. It is part of this government's commitment to regional Victoria as it continues to grow.

Labor said prior to the 1999 election that it would grow the whole of the state. This is evidenced in the investment, whether you look at the Regional

Infrastructure Development Fund or the Community Support Fund and where that money is going. Instead of being spent in Melbourne building icons to the Premier, as happened previously, this money is being used to develop much-needed facilities right across Victoria. No matter where you live in Victoria, whether in the cities or regional Victoria, this government is investing and growing the whole state. We are seeing record investment. We are seeing an increase in population figures. We are seeing reduced unemployment. We are seeing people vote with their feet by moving out to regional Victoria.

As has been said by previous speakers, there is a sense of hope. There is a commitment to invest in Victoria. I am very proud to be a part of this government. I am very proud to speak on this matter of public importance and to highlight and remind people of where this government has come from and where we are going.

Mr CLARK (Box Hill) — This is yet another matter of public importance put forward by the member for Broadmeadows praising himself in his capacity as Treasurer and Minister for State and Regional Development. As others have indicated, self-praise is really no praise at all.

The question that has to be asked is why it is that the member for Broadmeadows cannot get anybody else in his party to put forward a matter of public importance supporting his efforts as the Treasurer and Minister for State and Regional Development. Why is he so isolated? Why, when he wants to have something good said about himself, does he have to take the lead on it?

I suppose you can understand why the Treasurer is particularly isolated and unpopular with his party colleagues when you look at the difficulties he has been causing in particular to the Premier as well as to the rest of his party through his bungled handling of the land tax issue. Indeed the Treasurer, the member for Broadmeadows, likes to give the impression that he is business savvy and that he has some understanding of the real world of investment and finance. We are really now at the stage of three strikes and he should be out as far as his handling of land tax is concerned. Two years in a row he has told the community including his own colleagues that he has fixed the land tax problem. Then what do we find? On top of across-the-board increases in land tax that he has imposed and the damage that has caused, he has now come out with this almost unbelievably stupid proposal to impose additional higher land tax on trusts.

In terms of its impact on regional Victoria, this new land tax with a 1 per cent flat rate which the Treasurer

is proposing to impose is going to cut into properties valued at \$20 000 and upwards, in comparison with a threshold of \$200 000 and upwards for normal land tax. Not only is all the Treasurer's past bragging about raising the threshold and removing properties in country Victoria from the tax net now being undone in relation to trusts, but the tax net is now being cast far wider than it has ever been cast before. Just about every property in regional Victoria that is owned through a trust will become liable for land tax if it is within a taxable category because it is likely to have a value above \$20 000.

People that you speak to out there in the real world cannot believe how incredibly ill-considered and ignorant the Treasurer and the government have been in bringing forward this measure. They just cannot understand how this proposal ever got to cabinet, obtained cabinet approval and was posted on the State Revenue Office's web site as a decision that was made by government and was to be legislated in spring.

Not only does one have to ask how it was that the Treasurer, with his purported understanding of business matters, could allow this proposal to go forward, but one must also ask: what were other members of the cabinet doing when this proposition came before them? What was the Minister for Small Business doing? Was he briefed by his department? What understanding did he himself display of the consequence of this measure for thousands of small businesses across the state and in particular across regional Victoria when they are going to be hit with this new land tax, when they own their small business investments, when they own their professional practice investments or when they own their family homes or their retirement properties or other country properties through a trust? What was the Minister for Agriculture doing? He was on his feet a short time ago talking lyrically about regional Victoria. What was he doing to protect regional Victoria from this new impost that will apply to all taxable properties with a value down to \$20 000? Where was his understanding of what is going on in the real world?

We have had a number of government speakers in the debate so far trying to perpetuate this myth of the Kennett run-down of the economy and of social infrastructure. The fact needs to be restated, albeit briefly in the time permitted for this debate, that the first term of the Kennett government was devoted primarily to repairing the damage of the Cain and Kirner era, getting the state's finances stabilised and rebuilding the Victorian economy. Then in the second term, as even the statistics in the back of the current budget papers will bear out, it was devoted to making significant increases in expenditure as the capacity of the state to

do so permitted to rebuild and extend social services, including those in the fields of health and education. As far as rebuilding the regional economy of Victoria was concerned, the massive investment in rural water infrastructure and concerted effort to attract high-value-added agricultural product and food processing industries has borne fruit in country Victoria and has created a momentum that has extended despite the efforts of the Bracks government and the damage that it has been doing.

So regional Victoria has had a welcome resurgence over recent years, but the problem that we are now facing is that the Bracks government cannot continue to live off the legacy of the previous government and the momentum that was established by that government and, as was referred to by the Leader of The Nationals, sustained and extended by the federal coalition government under the leadership shown by the Prime Minister, John Howard, and the Treasurer, Peter Costello.

Honourable members interjecting.

The ACTING SPEAKER (Mr Savage) — Order! Previous speakers have been left without interjection. I ask members to refrain.

Mr CLARK — Our Treasurer has to stop kidding himself that all is well with the Victorian economy, and in particular that all is well with the economy of regional Victoria, because the statistics just do not bear that out. The consistent message coming out of the economic statistics is that Victoria is back in the second half of the national economic pack and that we are suffering from a growing lack of momentum.

If we look at the figures on regional labour to start, we can see that in 2002–03 the average number of unemployed persons in regional Victoria was 38 300. That number grew to 39 400 in 2003–04 and continued to rise sharply to a 46 300 average in 2004–05. There is a growing divide in employment opportunities between metropolitan Melbourne and regional Victoria, with the unemployment rate at 6.9 per cent in regional Victoria compared with 5.2 per cent in metropolitan Melbourne. Victoria has had the highest average regional unemployment rate in Australia in 2004–05 at 6.9 per cent, compared with 6.6 per cent in New South Wales, 5 per cent in Queensland and 4 per cent in South Australia.

The small area labour market data shows a progressive worsening of many of Victoria's regional labour markets. In March 2005 the unemployment rate in regional Victoria reached 7 per cent, compared with

5.6 per cent in June 2004, and the number of unemployed increased from 37 200 to 46 900. The data is pointing to problems emerging and growing, and the government should be taking heed of that. Statewide figures tell a similar story. It is particularly worrying that over the year to May Victoria's exports fell by 5 per cent, compared with a 19.4 per cent rise nationally.

The other clear warning message is coming from business surveys. The latest Sensis survey to May shows that the Bracks government's approval rating amongst Victoria's small and medium enterprises remains at a record low of negative 32 per cent. If one looks at business confidence in regional Victoria, it is now 15 percentage points lower than the national average for regional confidence, standing at 46 per cent, compared with a national regional average of 61 per cent.

So all is not well in regional Victoria, and the government needs to heed that message. It needs to start reversing some of the damage that it has been doing. It needs to start winding back the proliferation of red tape of recent years. It needs to abandon this disgraceful proposal for extended land tax on trusts, and it needs to fix up the underlying land tax position. It needs to reconsider measures such as the recent extension of stamp duty to apply to company wind-ups. It needs to get a decent, long-term infrastructure plan in place rather than the year-to-year, hand-to-mouth approach that it has followed since it was elected. It also needs to improve its accountability for service delivery. There are a lot of opportunities in Victoria. We need to seize the moment rather than neglecting it, as the Bracks government has been doing.

Mr JENKINS (Morwell) — It gives me a great deal of pleasure to rise to speak in support of this matter of public importance. It is a matter of public importance, and it has been important to this government in a way that it was not important to the previous government. This government has been listening to and supporting regional Victoria, and nowhere more so than in Gippsland and in particular in my seat of Morwell in the Latrobe Valley. The Latrobe Valley was attacked like no other region by the previous government. The Latrobe Valley was where it destroyed jobs, destroyed communities and sold and shut down hospitals. And of course it degraded the rail system. As you would know, Acting Speaker, it shut down the rail system in Gippsland and the Latrobe Valley.

Regional Victoria is and has always been important to this government. In the Latrobe Valley we had one of the first ministerial task forces put in place specifically to address a regional disadvantage — not in the city,

but in the regional area. It was chaired by the Treasurer, and other senior ministers in health and education were involved in making sure that one part of regional Victoria that had been most harshly dealt with by the previous government was listened to first and foremost. This government listened to the people of Gippsland generally and the Latrobe Valley in particular, worked in partnership and recognised the responsibility that this government has to govern for all Victorians and then made a real and substantial investment, not just in the time and energy of those ministers but also in real and substantial capital investment.

This government continues to make that investment in regional Victoria and encourages others to make that investment in regional Victoria. You do not encourage others to move to and invest in regional Victoria by branding them, as the previous government did, the toenails of Victoria. What you do is make sure that everybody in Victoria, Australia and right across the world knows that you can make it happen in provincial Victoria, as this government does, and that you can also live in regional areas right across the state and not just in metropolitan Melbourne. You can have a regional skilled migration program where we bring people directly into Victoria and to regional Victoria, and you do that by working in partnership with regional Victoria and, again, by listening and acting. In that way you can make sure that regional Victoria is and continues to be a great place to invest, to live and to raise a family.

This government recognises that regional Victoria needs to share in the prosperity that has been brought about by responsible government. All of Victoria will continue to be a great place to live and to invest time, energy and capital in social and economic infrastructure. It is great to have the Minister for Health here, because this government has made an investment in a \$21 million cancer care centre in the Latrobe Valley in Gippsland and an \$8 million investment in community mental health facilities and an outreach centre.

Do you know what the government had to do, Acting Speaker, before it did that? Before this government could make those investments it had to buy back the public hospital. It had to buy the hospital that was sold by the previous government. Every one of those members on the opposition benches put up their hand to vote to shut down great hospitals in Moe and Traralgon and then sell them off, to sell the whole Latrobe Regional Hospital to the private sector. This government bought it back. This minister made the investment in the cancer centre and mental health services. Of course in Gippsland we continue to share in the almost 6000 extra nurses and more than

1000 extra doctors who have been employed since this government has been in power in Victoria. There are extra ambulances, paramedics and ambulance stations right across regional Victoria.

In education we in regional Victoria got our share of the 5200 extra full-time teachers who have been put on since 1999. We in regional Victoria got to share in reduced class sizes — not just metropolitan Melbourne, not just those people in the favoured areas but right across regional Victoria. Retention rates are up, and we continue to make that investment in education with, importantly, \$89 million in the last budget — what a great investment — to make sure that every school student in Victoria will have access to broadband services through fibre-optic connections.

Where is that going to be of most benefit? It is going to benefit those places in rural Victoria, country Victoria, which were ignored by the former government. It shut schools down. We build schools, we invest in schools and we make sure schools in rural and regional Victoria give the same standard of education and the same quality of service as those in the metropolitan area. There could not be any starker contrast than the contrast between what we have done in education compared to what those people who gladly sit on the diminishing opposition benches did in regional Victoria.

The Gippsland education precinct in my electorate is the result of a \$16 million investment by this government in making sure that we can combine and partner with the local university and TAFE colleges and that young students in the Latrobe Valley, an important part of regional Victoria, get the same opportunities as are provided in Melbourne. After years and years of neglect by the previous government, finally Traralgon Secondary College's east and west campuses are being rebuilt by this government, not by the previous government — it ignored them.

Other investments have been made in Kosciusko Street Primary School in my electorate and in kindergartens which were closed down, defunded, by the previous government. Now there is a reinvestment in kindergartens to make sure that all Victorian children benefit from those important early years of education. We have increased the education maintenance allowance so that those who are disadvantaged can make sure they get the best out of the education system.

Victorians want safe communities, and this government has delivered not just in metropolitan areas but right across Victoria, with new police stations and courts in Moe and the Morwell justice precinct, which is a \$38 million investment for the police and the court

system. We have a new police station in Boolarra, a one-officer police station. Instead of shutting down the stations, we make sure that policing occurs in those small communities.

Mr Smith interjected.

Mr JENKINS — The neighbourhood renewal program — a great partnership with the community.

Mr Smith interjected.

Mr JENKINS — This is what happens when you partner with the community. When you work with the community you can continue to make improvements.

Mr Smith interjected.

The ACTING SPEAKER (Mr Savage) — Order! The honourable member for Bass will refrain from interjecting.

Mr JENKINS — When you work with the community you can make sure that you address the disadvantaged in the community. When you work with the community you can do great things. You can create employment, you can improve public housing and you can reinvent and renew neighbourhoods that were ignored by the previous government.

In the area of transport, infrastructure projects not just in metropolitan Melbourne — where the EastLink project is being funded through a private sector partnership in a user-pays system — but also in other areas will ensure that we will be able to continue to make the investments we need right across Victoria. An example is the Pakenham bypass, which will be a great improvement in transport infrastructure.

Mr Smith — You are running three years late!

Mr JENKINS — I have heard it called galling, but it is unmitigated gall for the opposition to complain about the regional fast rail project and the revitalising of the Victorian rail system. This is a new and interesting way to be an opposition spokesperson for transport — complain that the government is investing hundreds of millions of dollars in the regional rail system. What a new and interesting policy! What members of the opposition are going to do, if they ever get into power again, is de-invest. They will not make any investment in regional Victoria and regional rail. Could somebody tell me what is wrong with having faster, safer, more frequent, more reliable, more comfortable trains in regional Victoria? What is wrong with investing in regional Victoria?

Firstly, in government the opposition parties ran down the train system. Now in opposition they are running down our renewal of the train system. This government is making that investment. This government is going to improve the transport system, not just the tram tracks and not just in metropolitan Melbourne but in regional Victoria. The ministers responsible need to be congratulated, and Victorians will continue to vote with their feet by getting on the train and going out to regional Victoria, being able to visit Melbourne and being able to do it using a system that has been rebuilt by this government, which invests in regional Victoria.

Mr SMITH (Bass) — I must say it is with great enjoyment that I to join in discussing this matter of public self-praise and self-indulgence by the Minister for State and Regional Development and some of the speakers from the other side, who obviously have short-term memory loss. They are not trying to look back into history; they are trying to rewrite history.

One only has to go back to 1992 when we took government to see the mess we had here in this state. We had had Cain and Kirner, who had devalued this state down to practically zero: we were referred to as the rust-bucket state. We had \$70 billion worth of debts and liabilities that were created by whackers like those opposite, who called themselves the Labor government at the time. Even now they think they are doing a great job. I can tell them they are not. They are mismanagers of money and are hopeless in what they do. I can say to them now that they have done nothing for my little patch of ground called Bass. What they have done to us is an absolute disgrace. They have ignored us. They probably think they are smart by ignoring me and my constituents, trying to teach them a lesson because they voted for me instead of Susan Davies. I am going to fight and I am going to make sure we get the things in our electorate that we are entitled to.

When you read this self-praise by the Treasurer you have to remember that it is the same Treasurer who comes in here and in answers to questions reads out press releases about how good he thinks he is. What sort of Treasurer is that? He does not offer anything to this Parliament or to the state of Victoria. It is all self-praise and that is no recommendation. He surely cannot be looked at as being a good Treasurer. It will not be reflected upon very well in the years to come.

The Treasurer is saying they are going to do things for regional Victoria. And yet the new planning minister, the man who is supposed to be making good strong decisions to allow development in regional Victoria, was running around Bass saying that they do not want any coastal development in that area. They do not want

to have the investment promised there. They do not want the \$700 million worth of investment and hundreds and hundreds of jobs that would come from one project, which is Tarwin Cove. There is another project by a developer by the name of Bruce Gibson, another \$700 million development that he wants to put into the Bass Coast Shire. Yet the Minister for Planning was running around saying, 'Oh no, we don't want coastal development. We don't want ribbon development along the coastline'.

Tarwin Cove is 5 kilometres out of Inverloch. The minister is not putting forward an argument. Yet we have the Treasurer saying, 'We are going to do things for regional Victoria. We are going to have strong employment growth'. The last lot of figures that came out showed that there was a massive blow-out in the Bass Coast region's unemployment rate, which went up by 19 per cent. That is not what you would call strong employment growth in our area. Why? Because this government has not invested one cent in doing anything for the people of Bass Coast.

We heard all the ravings and ramblings by members talking about natural gas and what the government has done. We do not have natural gas in my area. Where has it gone? The sum of \$70 million was promised for natural gas. How much has actually been spent? How much has really gone into putting gas pipelines down? And how much has gone into putting them into Labor areas? The only areas it has gone into in Victoria are areas that are held by the Labor Party. They are sucking up to all their mates out there and putting money into their own little electorates. I can tell them they cannot keep neglecting the people in the other parts of Victoria who are entitled to get gas. They are holding back on industry and development by not investing in gas.

There is a major pipeline coming out of Bass Strait and going straight up through the middle of the electorate of Bass. Where is the gas for the people down there? Where is the gas for the people at the Wonthaggi hospital? Where is the gas for Tabro Meats? Where is the gas for the giant plant farm on Phillip Island? There is none. Yet the gas pipeline runs right out of the sea and through the middle of the electorate. Where is the gas for Koo Wee Rup and Lang Lang? They are towns that need that facility so they can get industry. It should not just be into Labor towns but those that really deserve and need it.

What do we get? We get wind farms forced on us. Do they go into Labor areas? No. What about into Ballan? No, they could not go into an area like that, because it might be a blight on its amenity. It might be in the flight path of some eagles. Allowing six of them to be built in

Wonthaggi and a heap more in South Gippsland is a blight on our amenity and on the Victorian coastline. Yet what does Minister Hulls do? He approves them in the areas where they should not be but allows them to be stopped in areas run by the Labor Party. We have long memories, not like the people on the other side of the chamber. We will not forget what they have done to the people in our areas.

I am pleased that the Minister for Health is here. We have asked for a proper fully funded accident and emergency department in the hospital at Wonthaggi. The area has 35 000 to 40 000 people living there on a permanent basis who are entitled to an accident and emergency facility at their public hospital. The minister has fobbed this off. She gave it to a committee which looked at it for about 12 months and then said in a report that the health services there were the poorest standard available because there was no accident and emergency provision. She put that report in the hands of Val Callister, an old Labor hack who used to be a member of Parliament and who is now the regional manager of health in that area. Health is an absolute debacle, and it is because of the way she is administering it. She has been given three months now to have an extra look at how they are going to put in something sustainable.

I will tell members how to put in something that is sustainable. The government should put in enough money to employ doctors who can wait for their customers to come into an accident and emergency department and service them properly. We have ambulances that go to a doctor's surgery before they go to a hospital. How many Labor members have to put up with that sort of thing? It is not good enough.

The Minister for State and Regional Development came into the house and said how good things are in regional Victoria. My electorate is an hour's drive out of Melbourne and we are being treated like muck. It is not good enough for the minister to treat us like that and to come in here and say that he is doing a good job. It is self-indulgent for him to come in here and say things are good in rural and regional Victoria. They are not good. Our farmers hate him and hate this government for what they are doing to the state, for the lack of facilities, the lack of infrastructure, the lack of employment and the lack of opportunities being offered to people in our area.

It is a disgrace for the Minister for State and Regional Development to come in here this morning and self-indulgently tell us how good he thinks he has been and how good this government is. He will be remembered badly in the history of the state of Victoria

for the way he has handled its finances. Members on the other side will also be condemned for what the minister has done in Victoria. People will remember the Kennett years as being great years. This government is riding on the coat-tails of the hard work that was done by the Kennett government and the tough decisions that were made in Victoria. We did a great job; the government is doing a lousy job.

Ms NEVILLE (Bellarine) — I am very proud to speak today on this matter of public importance. I am proud because this government has consistently demonstrated its solid commitment to country Victoria and the people who live and work there.

Since I was elected in 2002 I have heard opposition members talk about how they see themselves as the natural supporters of country Victoria. They say that they are the true representatives of country Victoria. I have also heard them consistently talking down country Victoria. We heard the member for Box Hill talking it down earlier. I am not sure when he last visited country Victoria, or even whether he knows where it is, but the picture he paints is not the picture that I see daily out in regional areas. The member for Bass talked about communities not forgetting. Victorian communities will not forget what the Kennett government did to them. The reality is that members of the Kennett government sat across a cabinet table which saw the closure of 176 country schools, the closure of country hospitals, the closure of country train lines, the running down of infrastructure and the loss of jobs, whether it was teachers, nurses or police. Industries were closed down. That was the record we saw and that Victorians saw.

When I travelled through country Victorian during that period, people told me that the heart of their communities was being ripped out by the Kennett government. If the hospital and the school closes then families and older people move away. There are no jobs to sustain generations in those communities. They lost their heart. But they fought back. They saw what was being done and they fought back to protect their communities. The reality is that the appalling record is on the other side of this house. The member for Box Hill talked about legacy and said that this government is living off the legacy of the Kennett government. I am not living off that legacy, and neither is this government because that legacy was appalling; we do not want to live off it. Talk about the rewriting of history! The reality is that the Kennett government ripped the heart out of country Victoria. This government talks about governing for all Victoria, and it delivers. It does not just talk about it, it is delivering for all Victorians. We are delivering for country Victoria and we are

delivering within country Victoria as well. We are delivering for small towns as well as large towns.

We have invested across the board, whether it is in major infrastructure or basic services which are crucial to the sustainability of communities including nurses, teachers and police. We have invested in community projects that help bind our communities together, and we have done that with neighbourhood renewal and by supporting volunteer groups. We have seen it in the small towns project. They are important projects that bind our communities together.

Nowhere can we more clearly illustrate our commitment than in my area of Bellarine and in the Greater Geelong area. There is too much to go through, but I will touch on some of the important investments that the government has made including infrastructure. In health, the Grace McKellar Centre is an aged care and rehabilitation centre that the previous government was going to privatise, and we know what success it had with privatising health services. We have invested \$80 million to make it a state-of-the-art facility for people who require rehabilitation and aged care services. We invested \$26.1 million in an accident and emergency department. We invested \$18 million in the Andrew Love cancer centre.

We have built Newcomb City Health, a brand new community health centre, the Belmont Community Centre and an ambulance station in Ocean Grove-Barwon Heads. We have invested in public dental services with a 146 per cent increase to Bellarine Peninsula Community Health Service and a 43 per cent increase to Barwon Health. There has been a 60 per cent increase to Barwon Health alone with new investments announced recently of around \$18 million to deal with waiting lists and increasing populations. It is the eighth busiest hospital in Australia, which is incredible. We are investing to ensure that it can meet demand.

In education the Kennett government sacked 9000 teachers and closed schools. Our record in my area alone is that Gordon Institute of TAFE received \$16 million to open its new facilities. We invested \$9 million in a new training centre. In Bellarine we have seen the upgrade of the Ocean Grove Primary School, the Wallington Primary School, and a new Leopold Primary School, as well as the Leopold Indoor Neighbourhood Centre and the new school in Ocean Grove. We have invested in new roofs, new toilets, new playgrounds and new portables. All the schools across Bellarine are benefiting. There has been the backyard blitz, the new replacement school for Newcomb Secondary College, and student welfare officers in our

most disadvantaged communities to work with students to keep them in school.

In community safety we have seen new police stations in Ocean Grove and Torquay. I have said this a few times, but it is important to remind opposition members that there were going to be no police in Bellarine. The Kennett government was going to close the stations in Bellarine. This government has built a 24-hour response capacity station in Ocean Grove with 35 police — —

Mr Mulder interjected.

Ms NEVILLE — I am happy to talk about that. There are 35 police officers in Bellarine. Under the Kennett government there would have been no police; now there are 35 officers. That is a stark contrast.

One of the first areas we developed for natural gas was North Bellarine, and \$1.75 million was invested to provide gas. That has made a big difference. People who had holiday homes are now making Portarlington, St Leonards and Indented Head their permanent residence, and that is making a big difference to the quality of life in those communities.

A fantastic investment of \$13.5 million has been made in the Geelong Football Club to secure what will be the leading country football team in Australia. It is the leading team, and we will win the premiership too! This is such an important investment for the community. The club generates an enormous amount in terms of economic and social contribution to the local community.

The small towns fund is a great program, and communities in my area have overwhelmingly benefited from it. These are not huge projects; some are, but some are small. It is about investing in the projects that bind us together as a community. The neighbourhood house in Drysdale has benefited from a reworking. We have built the William Buckley Trail which celebrates the history of William Buckley in St Leonards. We saved the Ocean Grove park which was to have been sold off, and are now investing in infrastructure including walking trails, playgrounds, et cetera so that the whole community can benefit from it. Clifton Springs harbour is a fantastic project. We have seen major investments in boat ramps across Bellarine that were nearly falling down.

In tourism, three years of funding of \$100 000 has been committed by this government for the Queenscliff Music Festival; and in Portarlington we are supporting

the National Celtic Festival, which is a growing success.

Let us talk about transport and the regional fast rail service. I hate to disappoint the member for Polwarth, but it is a good news story. Ten years from now, if we had not done it, people would not be travelling on a train from Geelong to Melbourne, because that infrastructure was falling apart. Anyone can tell you about the signalling system that holds it up — that is, if it rains the trains stop because of the signalling system. We needed this infrastructure. We will have a 25 per cent increase in services. This is a good news story for all Geelong residents.

There is \$5 million for the new Marshall station — again, we are investing in public transport. We have invested in new bus services on the Bellarine Peninsula, including in Newcomb and Whittington. We are investing to assist people to travel and move around in Geelong and to Melbourne. That is attracting people to the Geelong region. We have record population growth both in Bellarine and in the greater Geelong area. Every year 2500 people are added to the population. That is fantastic news and we are providing the services to meet that demand.

Let us talk about unemployment. The last figures, I think in Saturday's paper, showed that the unemployment rate in the Barwon region is 4.9 per cent, compared with a higher state average. We are doing well: we are creating jobs locally and people are moving there.

We have also been listening. We have been out there. Community cabinets have met in Geelong. The Parliament will sit in Geelong later this year. We are listening to country Victoria and we are investing in the things that matter to the people there. We are driving population growth, investment and a positive employment. It is a good news story and I am very proud to stand up here and say: we govern for all Victoria, we govern for Bellarine, we govern for Portarlington and we govern for Horsham.

Mr MULDER (Polwarth) — I join the debate on the matter of public importance, following the member for Bellarine who has no doubt been provided with her cheat sheet in relation to fast rail. We know that members opposite have all been handed another cheat sheet about fast rail. It has gone to the members in Ballarat, Bendigo, Geelong and the Latrobe Valley, and they have been told, 'Blame the Liberal Party', as indeed they have been told on numerous occasions on a number of other projects that when you lack vision and

cannot deliver your projects across the state, you must blame the Liberal Party.

It is amazing what a difference an election makes. I also have just had a meeting with the Alliance of Councils for Rail Freight Development.

Mr Hardman — What a waste of their time!

Mr MULDER — I have just had a meeting with the councils. As I said, it is extraordinary what a difference an election makes. Prior to the last state election when representatives of the councils were down here visiting with the Minister for Transport they were all given rock-solid commitments in relation to rail standardisation throughout the state and told that the minister had the program in place. The Bracks Labor government was supposed to deliver this vital project for rural and regional Victoria, but what has happened since then? Absolutely nothing, absolutely zero! In fact when you talk to members of the alliance you find that they are saying that the minister is now completely and totally uninterested in the entire project. The minister obviously believes he has no capacity whatsoever to deliver on rail standardisation throughout Victoria, which begs the question: where do you go with the government's commitment by 2010 that 30 per cent of freight will be moved by rail throughout the state? It is not going to happen — it is never going to happen.

A commitment was given to return the line from Mildura to Geelong to a passenger service standard. I understand that the documents forwarded to the government by Pacific National about the potential for and the costs associated with that did not originally include options for standardisation. They have gone back and been looked at and the government has now come up with the answer that it is simply too difficult and too expensive. Once again not only do we have individual communities that have been lied to and conned by this Labor government but we have a broader community right throughout rural and regional Victoria that will have extremely negative impacts on its economy if we do not get rail standardisation back on the drawing board.

In the past, when the lease was transferred from Freight Australia to Pacific National, we have heard the minister and the Treasurer in this house claiming that all had been cured, that rail standardisation could now go ahead and that there would be open access regimes. Yet every single commitment and comment they have made in relation to this matter has proved to be completely and totally incorrect. It is a government that cannot deliver for rural or regional Victoria.

It is interesting to look at what is happening out there in the labour market in regional Victoria and how the government put together this matter of public importance. It talks about strong employment growth and vibrant population growth, but when you look at the actual figures they tell a completely different story. In 2002–03 the average number of unemployed in regional Victoria was 38 300. That grew to 39 400 in 2003–04 and then rose sharply to 46 300 in 2004–05. Unemployment in rural and regional Victoria is rising, and rising sharply. There is a divide in employment opportunities between metropolitan Melbourne and regional Victoria. In 2002–03 the unemployment rate was precisely the same, at 5.8 per cent. In 2004–05 the gap has grown to a huge extent, with unemployment rising to an average of 6.9 per cent in regional Victoria while it has fallen to 5.2 per cent in metropolitan Melbourne. That can only come about because a government has taken its eye off the ball and failed to invest in vital projects in rural and regional Victoria.

I know we are going to hear time and time again members on the other side saying, 'At all costs you must defend our investment in the fast train project' — or as it has been commonly referred to in rural and regional Victoria, the 'farce train project', because that is exactly what that project has turned out to be. Each month it appears that another announcement comes forward in relation to this project that once again proves that the investment was off target. It will be somewhere of the order of \$1.3 billion to \$1.4 billion and there will be no real benefit for rural and regional Victoria as a result of investment in these fast train projects.

How on earth did the Minister for Transport fall for buying a B-class, dodgy train protection warning system for our fast train projects? When that train protection warning system arrived here in Victoria it was discovered that it was not suitable for trains that travel faster than 130 kilometres an hour. Why was a full assessment not carried out on that train protection warning system before it arrived here? We know there is suitable technology in Europe. Evidence given to a House of Lords committee in relation to train safety over there referred to a European train protection warning system that has the ability to have detectors fitted to level crossings which warn a train driver that there is an object stranded on a level crossing. Why did we not get that technology for Victoria, and why did we get stuck with a B-class system? There are 36 level crossings on the Latrobe Valley line, 43 on the Bendigo line, 29 on the Ballarat line and 17 on the Geelong line. In the last month there have been two fatalities in level crossing accidents here in Victoria and yet we passed up the opportunity to have technology in place which could prevent deaths at level crossings.

The only other way to deal with this would be grade separation, but grade separation at all those crossings is simply not viable. Doing a complete and total grade separation package at some of those crossings could cost between \$20 million and \$30 million. We are going to be stuck with trains travelling through level crossings at speeds of up to 160 kilometres an hour with no real improvement in level crossing safety on those lines. How could you invest that amount of money and get it so wrong?

Every time we go to the government's web site there is another host of cost variations in relation to the fast train project. Even locks and keys for the signal boxes. Would you not have thought, when you were going down the path of scoping the work for a train project, that you would have looked at very small issues such as that? Something of the order of \$24 000 has had to be coughed up down the line because it was not included in the original scoping or the original project. The government is open to demands by the contractors of the day to pay up whatever they demand.

Have a look further at the Geelong line and green ballast. Once again we have a major fault with the construction of the line. Who is going to pay for this down the line? We know and understand the government's plan for these four fast train projects in regional Victoria — handing them back to Pacific National partially completed. It will hand these lines back partially completed and with speed restrictions still in place because it is trying to avoid scrutiny of the further cost blow-outs needed to complete the work properly. I have no doubt what will happen from that point on — Pacific National will be making demands on the government and the government will be handing over additional moneys in relation to rail access fees and upgrade of the line to meet passenger safety standards. That is how the government is going to avoid scrutiny in terms of the final contracts and the real cost of fast rail to the Victorian public.

Have a look at what this government has done to V/Line services across rural and regional Victoria. It is ruining the reputations of people who live in those centres of being good and worthwhile employees. We know very well that when you climb onto those services from any of the V/Line centres around the state you have an 8 per cent to 30 per cent chance of being late for work or being late for a doctor's appointment. It is simply not good enough to continually put at risk people's jobs and to continually put at risk the reputation of rural and regional Victoria.

Mr HARDMAN (Seymour) — It is a great pleasure to speak on this matter of public importance which

recognises the fantastic work done by the Bracks government to make provincial Victoria a greater place to live and raise a family. I would like to congratulate the Treasurer and Minister for State and Regional Development for driving the Bracks government's program and developing a great state for everybody, not just the people in Melbourne.

I recently had the privilege of having the Premier's chief of staff visit my electorate for a day. I spoke to him about the issues that my constituents want to see fixed. However, I also took the opportunity to show him around the electorate. I showed him the fantastic programs the Bracks government has put in place and why it is really important that they keep going into the future — as we know, they all have time lines. I used the time for that and I will talk about it a little bit later.

As the matter of public importance (MPI) says, the Bracks government has had record levels of facilitated investment. There are examples of that in the Seymour electorate. One of the first things we did when we came into government was a simple thing in contributing to the sealing of the Murrindindi Road but at the end of that road there is a timber mill which is now owned by Neville Smiths and is where they mill their green timber. There are vines growing in the area, and development and more jobs are being created and secured by that investment. I recently had the great privilege of visiting Kinross Farm at Flowerdale. Kinross Farm provides the fertilised eggs for the serum for the flu vaccination. That is an amazing thing which happens in the middle of this beautiful countryside. They also produce eggs for the general public to consume. An example in the north-east is Woolworths, which has built a distribution centre providing 300 jobs. It is not in a Labor electorate but the Bracks government recognises that this area is strategically important and it is growing the whole of the state.

The MPI talks about vibrant population growth. If you go to places like Wallan and Kilmore, there is phenomenal growth. Mitchell shire is one of the fastest growing municipalities in Victoria, not just in regional Victoria. It is right up there at the top and will continue to be. When I came into this Parliament Seymour, like many other towns in country Victoria and across my electorate, was suffering from population decline. Seymour is now growing at a slow pace; it is not as fast as Kilmore and Wallan but it is growing. Towns right across the Shire of Murrindindi — including Yea and Alexandria — are growing as well. They are growing because people want to live in these places. They have pride in their communities because of fantastic programs to develop and improve their infrastructure. I will talk more about that a little bit later.

Our unprecedented building approval levels are there to be seen. The state government's investment through the \$5000 first home owners grant has obviously encouraged a lot of people to move into affordable homes in the Seymour electorate. It is close to Melbourne and they can commute to jobs.

I took Tim Pallas, the Premier's chief of staff, on a tour. We started in Seymour and I showed him a few of the Bracks government programs that have been fantastic there. That included the development of a brand-new 24-hour police station. The investment in police stations across country Victoria has been phenomenal. I showed him the site where an aged care facility is being built, along with an ambulatory care facility which is also being built on this site. This is a total investment of about \$6 million, \$5 million of which comes from the state government. A brand-new ambulance station is being built at Seymour.

I told Tim about Kings Park and all the work that has gone on there. An exhibition centre was built through the Regional Infrastructure Development Fund, and we hope to have the Victorian wine show operating from there. We now have a number of expositions and shows happening in that building. It is creating jobs. There is a market there once a month under cover. National goat shows and things like that have been able to be brought to Seymour. This all provides jobs through people buying their petrol at the local petrol station and their food at the local shops.

We then went to Pyalong. It is only a small town, but the \$5 million promised and delivered in the state budget has built a deviation around the town so it is safer. There were not many votes in doing that, because Pyalong is a very small community, but it was done to save lives in the long run. It will make Pyalong, a growing town but a tiny town, a better community to live in. I should also talk about the volunteer grants through the Department for Victorian Communities, another great contribution by the Bracks government to country Victoria. Pyalong Community Centre used its grant to purchase a computer, which will enable community members who do not have access to the Internet to come to the neighbourhood centre and use its computers. It is really great that we are connecting Victoria.

From there we went to Kilmore. Funding for children's centres was an election promise, and a new centre is being built. That is fantastic. It is a joint project between state, federal and local governments. It is an important project, and I would like to see more children's centres across my electorate such as in Yea and Alexandra, because people in those areas would

like access to that funding into the future if their shires support the projects. They are happening, and the communities want it. Kilmore did not have a 24-hour police station, but the government promised it in 1999 and now it is building up to 24-hour capacity at the station, so we are almost there, which is great. The small town development fund is fantastic.

We also have the Sam De Gabrielle Reserve. Sam was a dedicated community member and councillor and a member of the Liberal Party at some stage. A park has been named in his honour, and a \$50 000 grant has been made to develop the park, with a pathway connecting the reserve to the middle of Kilmore at Hudson Park. This project involves students at the Kilmore International School in the planting of trees. It is a fine contribution from the community, which is great to see. Communities would not be able to do this work on that scale without these community programs, which is what I wanted to drive home to Tim. We need to make sure that we are investing in our communities and that these projects keep going. As soon as we achieve one project the people and councils want to do another, so it is imperative that this keeps going.

A brand new secondary college is being built at Wallan, which is a rapidly growing community. What we are trying to do with the planning process is to make sure the community is able to utilise the school outside hours, because there are not many facilities there and we have a great opportunity to build something that it can use for things like performing arts and to access computers and libraries and so on. We are looking at shared facilities for the netball courts, because I do not think there are any netball facilities in the town, except for the indoor stadium. That is a great project.

I then took Tim to Kinglake, and here I want to talk about Living Regions Living Suburbs grants. The district services centre at Kinglake is a great project, again a result of commonwealth, state and local government funding arrangements. It is something community members never had before. They are building a township, and next door to the centre is a brand-new police station. Kinglake was miles from any police station and had never had one before. The previous government said there was no way it would build a police station there, but we promised that and we have delivered it. Kinglake is now a much safer community. People are able to ring the police and say, 'We need you', and the police come almost immediately. That is fantastic.

Down the hill we visited Yarra Glen, where I told Tim about the benefits of the natural gas extension program.

I know that that community will be connected shortly, because the work has already started.

The ACTING SPEAKER (Mr Seitz) — Order! The time for commenting on the matter of public importance has now expired.

STATEMENTS ON REPORTS

Public Accounts and Estimates Committee: budget outcomes 2003–04

Ms ASHER (Brighton) — I wish to make a few comments on the Public Accounts and Estimates Committee report on the 2003–04 budget outcomes. Again I express my indebtedness to this committee for finding out more information about the government's major projects being behind time and, in some instances, over budget.

The particular project that the committee has reported on at page 284 is the Melbourne showgrounds redevelopment. The report shows problems with the government's handling of this particular major project. The project started off with a taxpayer contribution of \$101 million, and this was made public in budget information paper 1. The allocation for 2003–04 was \$71.5 million. In other words, the project should have made substantial progress in 2003–04. What happened is that the actual expenditure for the 2003–04 year was \$9.976 million, which was made public previously, but this committee has provided the Parliament with the details of the expenditure.

At page 285 I note that \$5.2 million has been spent on what the department has described as consultants paid via and including Major Projects Victoria. A grand total of \$9.976 million was expended in that year, and the consultants subtotal of \$5.24 million related to 'project initiation', 'master plan', 'project support' and 'Partnerships Victoria — tender and transaction'. That is in stark contrast to the information provided by the department to me via freedom of information applications, whereby the figures provided to the opposition on consultancies are vastly different from the \$5.2 million listed in the Public Accounts and Estimates Committee report.

The government's explanation for this tardiness in construction is:

... implementation details were not known and the published cash flow of \$100.7 million over three years was a general estimate.

It appears to me that so many of the government's published cash flows are almost general estimates. I am amazed at the audacity of the government in thinking that that sort of information would suffice to cover its incapacity to ensure that this project is proceeding in the way it initially proposed it would.

At one stage the Treasurer revised the expenditure for 2003 down to \$6 million. We have the extraordinary circumstances where the government initially forecast it would spend \$71.5 million on the redevelopment in 2003–04, the Treasurer revised it down to \$6 million and it eventually came out at \$9.976 million. This appears to me to be evidence of the government's complete ineptitude in forward planning, as well as in managing major projects so they are delivered for the benefit of the people of Victoria.

I notice the revised schedule provided in exhibit 14.5, which also has further explanatory notes saying that funding was revised:

... due to the need to establish joint venture arrangements before construction.

It also flags that the cash flow may need to be rephased — a wonderful word that the government keeps coming up with. In other words, there has been a delay and the cash flow projections may again need to be altered. This information at page 286 clearly indicates that the government is more interested in getting out its press releases on particular major projects than in planning or supervising particular projects. It is a case of the minister yet again taking his hands off the wheel of major projects.

Finally, the committee made a recommendation at page 287 which basically asks the department to:

... closely monitor progress against each of the milestone stages to ensure compliance with the financial budget, completion of time lines and quality standards, so the project is delivered in an efficient and effective manner.

I would have thought that that is a most apposite recommendation from this Labor-dominated committee. The committee is clearly expressing its reservations and its underlying concern, given the track record of the changes to the funding flow and given the explanations by the department and the minister to the Public Accounts and Estimates Committee — and notwithstanding the fact that the government says the project will be completed on time.

Road Safety Committee: crashes involving roadside objects

Ms OVERINGTON (Ballarat West) — I wish to comment on the Road Safety Committee's inquiry into crashes involving roadside objects. I commend the committee on its recommendations but note in previous contributions from members speaking on the report that when they described roadside objects, trees and power poles were the main objects mentioned. I want to highlight the fact that it is not only trees and power poles that are a roadside hazard for motorists, including motorcycle riders, but the prolific amount of traffic management signage on our roadways has contributed to numerous fatalities and injuries. My personal belief is that not only can they be a potential hazard, if struck, but in some cases on some roads the overuse of these signs can cause a distraction to motorists. I have often observed drivers wandering off the road as their attention is drawn to reading and taking in the information supplied on the signs. In the consideration of the recommendations of the report, all roadside objects identified within the report should be investigated. Again I commend the chairperson and the committee on the report.

Education and Training Committee: pre-service teacher training

Mr HERBERT (Eltham) — I rise to speak on the parliamentary Education and Training Committee report entitled *Step Up, Step In, Step Out*, on its inquiry into the suitability of pre-service teacher training in Victoria. Can I say from the outset that this report from the Education and Training Committee is a report that I am extremely proud of. It is report that has had unanimous cross-party support, and the deliberations of the committee were characterised by a spirit of cooperation and a determination by all members to get it right — to really make a difference in a substantive way to improving teacher education in this state.

I would also like to acknowledge the incredible dedication and professionalism of committee staff, in particular the hard work of the executive officer, Karen Ellingford, and research officer, Andrew Butler. They both did a fantastic job.

The importance of teacher training in Victoria is highlighted by the fact that so many in our teaching work force are reaching the age of retirement. In the next 10 years or so the face of our teaching work force will have changed substantially. Whilst there are major disadvantages in losing so many of our experienced teachers, there are huge opportunities in ensuring that

the new younger teaching work force is well equipped for the demands of the 21st century environment.

We need to recognise that a small industrialised state like Victoria depends on the skills, knowledge and abilities of its population not only to survive but to thrive in the current world environment. We are in an increasingly competitive global world, particularly in our region, and our regional trading competitors are investing heavily in education and training, trying to catch up on the edge that Victoria and Australia have had in terms of the skills and knowledge of our work force and population. We need to make sure that we stay ahead of the pack. We need to ensure that the skills and knowledge our schools offer students not only are appropriate for now, so they can prosper in today's environment, but will give them the capacity to improve their knowledge, skills and ability to continually meet the future needs of our society and economy.

We should be clear about one fact. The quality and skills of teachers in our schools are the single most important determining factors in producing quality educational outcomes for students. That is why this report was so important and why the committee was so determined to get it right. In brief, in this context the committee found that we need to do three important things. We need to step up the quality, standard and accountability mechanisms throughout the teacher education system. We need the current teaching profession to step into institutions, both to enhance their qualifications and to share their knowledge and skills with teacher educators and pre-service teachers. We need teacher educators to step out into schools — something that is not done enough now — to develop an understanding and appreciation of the realities of teaching and learning in the 21st century classroom.

Before I speak about the committee's recommendations I would like to comment on the feedback we have had to date on the report. Most of the players in the education community have welcomed this report and have congratulated us on it. In fact the deans of education have expressed some support for the committee's recommendations. I genuinely hope that this support translates into proactive action in our teacher education institutes. We need them to take a far more substantive partnership with schools and deliver for the teachers that we have.

Business interrupted pursuant to standing orders.

MINISTERIAL STATEMENT

Counter-terrorism: preparedness

Mr BRACKS (Premier) — Speaker, I rise today to make a ministerial statement on Victoria's preparedness for a terrorist attack.

Victoria prides itself on being one of the most livable places in the world:

a state where people of any race or religion can — and do — live and raise their families in an atmosphere of tolerance and diversity;

a community that has an enviable track record of welcoming refugees and immigrants;

a place that understands there is strength in diversity.

But this diversity — this tolerance — is under threat.

And we cannot allow those who would destroy our way of life to succeed.

London bombings

Yesterday this Assembly offered its condolences to the people of London, and the loved ones of the innocent people killed in the terrorist attack of 7 July.

As I told the house yesterday, it is more than likely that terrorists will strike again.

And we must plan as though the next attack could be against Victoria's multicultural community of five million people.

That is not to say that we are under threat of imminent attack — the best advice we have from commonwealth intelligence and law enforcement agencies is that Australia and Victoria's risk is unchanged.

But — as the attacks on London, Madrid, Bali, New York and Washington demonstrate — we must remain vigilant.

I would now like to outline the steps we have taken since September 11 and the additional measures we are now proposing.

Overview: government response

Our planning and preparation has focused on four broad areas:

1. preventing an attack;

2. protecting critical infrastructure such as ports, communications and electricity;
3. preparing for an effective and immediate emergency response to an attack;
4. and carrying out ongoing testing and upgrading of our counter-terrorism and emergency management framework.

This understandably has been an enormous task.

Our investment has been significant — with more than \$154 million committed in additional resources for security, counter-terrorism and emergency management.

Our response has been comprehensive — and coordinated with other jurisdictions, law enforcement agencies, intelligence agencies and emergency services.

Our preparations are among the best in the country. For example, we were the first state to pass laws restricting access to fertiliser and ammonium nitrate — products that were put to devastating effect in Oklahoma.

And some of our initiatives — such as an emergency warning system we are piloting currently, and which I will say more about later — are leading the world.

Victoria regularly participates in a broad program of counter-terrorism exercises to test and improve our capacity to prevent, respond to and recover from acts of terrorism.

In fact, members of the Victoria Police and the counter-terrorism coordination unit are currently in Queensland to assist with a major exercise called Orchard Alert.

And I will be participating, alongside other key emergency services personnel in Mercury 05 — the next national exercise, which is scheduled to be held in Victoria later this year.

International collaboration

Victoria has a great deal to learn from — and offer to — countries that have stood up to terrorist attacks.

That is why Victoria Police personnel are currently in London — gaining invaluable insights into the British response to the bombings. A whole-of-government team will also visit London to learn from Britain's experience in security, emergency management, transport and mass casualty issues.

That is why the Alfred hospital has forged a partnership with Israel's Hadassah Hospital that has enabled us to learn from Hadassah's extensive experience in treating mass victims of terrorist attacks.

That is why we will shortly send a delegation of senior government and transport managers to countries with advanced public transport systems that have experienced terrorist threats.

And that is why members of the Victoria Police and the Department of Human Services provided forensic and medical support on the ground in the aftermath of the Bali bombings.

The terrorism threat we face is a global threat — a multinational axis of extremists — and our efforts are part of the global response to that threat.

Prevention

Speaker, our government's primary goal is to prevent any attack.

That is why we introduced a package of laws designed to make it easier for law enforcement agencies to detect and prevent terrorist attacks.

Those new laws covered surveillance devices, controlled operations, assumed identities, witness identity protection and covert search warrants allowing police investigating terrorist activity to enter and search premises without the knowledge of the owner or occupier.

I am not at liberty to detail the surveillance work our police are carrying out on persons of interest — but these laws are being used to protect the community effectively.

Speaker, prevention also relies on getting the right information to the right people as quickly as possible.

For example, preventative measures were immediately mobilised here in Victoria in the aftermath of the London bombings.

Key officials in Victoria Police, the Department of Premier and Cabinet, the Office of the Emergency Services Commissioner, the Department of Human Services and the Department of Infrastructure were briefed.

A decision was made to redirect all transit police patrols to the CBD rail network to provide a visible presence.

Liaison and briefings were held at short notice with commonwealth officials, the National

Counter-terrorism Committee and the Australian Emergency Management Committee.

The professionalism of that response is a credit to the commonwealth and state public servants who are responsible for counter-terrorism — and demonstrates the benefits of our planning and investment in security.

Significant progress has been made since our government released Victoria's security policy, 'Enhancing Victoria's domestic security', in November 2002.

The counter-terrorism coordination unit in Victoria Police and a security and emergencies unit in the Department of Premier and Cabinet are fully operational.

A new state crisis centre, the first of its kind in Australia, is operational — and will be put through its paces thoroughly for the first time during the Mercury 05 exercise which will occur later this year.

Victoria Police capabilities in intelligence and risk analysis, forensics, the Special Operations Group and chemical-biological-radiological incidents have been enhanced.

The capacity of the State Coroner to participate in disaster recovery has been increased.

The Metropolitan Fire and Emergency Services Board's capability in urban search and rescue, chemical response and rapid response has been increased.

The Country Fire Authority and Victoria State Emergency Service are receiving training and equipment to deal with urban search and rescue, chemical-biological-radiological incidents, and hazardous materials.

Within the Department of Human Services —

Our intensive care capacity has been boosted by a further 50 beds — and our public hospital system is gearing up to care for 1000 casualties within a 24-hour period of a major disaster.

Specialist units and emergency management plans have been established and our pharmaceutical stockpile has been increased.

Radiation field kits and radiation monitoring devices for emergency departments have been purchased — along with decontamination facilities for major metropolitan and rural hospitals.

More than 500 medical and health personnel have received additional chemical-biological-radiological incident training.

And two mobile mini-hospitals and a satellite-linked command truck have been purchased — enabling the Metropolitan Ambulance Service to treat up to 400 patients directly on the scene.

Public transport

But as I said, prevention remains our primary goal — and to achieve that goal we need to reduce terrorists' opportunities for attack.

The Madrid and London attacks highlight the fact that public transport networks are potential terrorist targets.

The states, territories and the commonwealth are well aware of this threat.

That is why, on 3 June, we signed a national agreement on land transport security.

And that is why Victoria is implementing a 10-point plan for public transport security.

For instance, the existing train radio system is currently undergoing a \$3.5 million upgrade.

We are also upgrading the closed circuit television technology on trains and at select station car parks.

And Connex will soon upgrade the emergency lighting and signage at city loop stations to facilitate emergency management.

The Department of Infrastructure has also audited our transport systems for vulnerabilities and is testing and upgrading those systems on an ongoing basis.

An independent review of the security risk management of Victoria's transport industries will be completed shortly.

That review will identify security benchmarks for risk prevention and incident response.

And, on the advice of the Emergency Services Commissioner, I can announce to the house today, I have asked for a major exercise to be planned that involves the underground loop.

The purpose of this exercise will be to test how our emergency systems and evacuation procedures work in real-life situations and will complement other similar exercises, such as Mercury 04 and the upcoming Mercury 05.

I can also announce that our government will introduce a new campaign, using posters and public announcements at stations, to remind commuters of the dangers of unattended luggage and encourage people to be more security conscious when using trains, trams and buses.

Our public transport system must be prepared for any contingency, particularly in light of the London bombing — and commuters have a vital role to play.

Infrastructure

Speaker, our preparation strategy also focuses on protecting critical infrastructure.

We have led other Australian states in enacting specific legislation to protect against threats to infrastructure.

The Terrorism (Community Protection) Act 2003 requires operators of essential services, such as electricity generators and natural gas suppliers, to prepare terrorism risk management plans.

Declared essential services are required to test those plans in exercises under the supervision of Victoria Police.

In the recent state budget an extra \$16 million was allocated to strengthen security at Victoria's five major ports.

Speaker, as I said earlier, our initiatives are not just leading the nation — they are leading the world in some cases.

Over the next three months we will trial a new emergency warning system in the Yarra Ranges and northern Grampians to alert residents of evacuation in the case of bushfires.

This system could allow emergency services to relay warnings directly to residents through their phones.

And those warnings could be targeted to a particular town, suburb or even street.

I am informed there is no other emergency warning system with this capability in the world.

We are working with Telstra on this trial and if successful it may be extended and obviously applied to potential recovery from terrorism events.

Commonwealth Games

Speaker, the attacks on London remind us all of the potential risks surrounding major events such as the Commonwealth Games.

Victoria will host the Commonwealth Games in 238 days time.

We are determined to make these games the biggest — and best — ever.

But they also need to be safe.

Security arrangements for the games will take into account the evolving security environment over the next seven months.

For security reasons our government will not detail those arrangements, but I can say that the cap on the games spending will not affect security preparations.

The 2006 Melbourne Commonwealth Games will have the best security available. In fact, it will be the best security in Commonwealth Games history.

Domestic threats

Speaker, we now know that the suicide bombers in London were British citizens.

This disturbing news highlights the need to ensure Victorian agencies have the resources, skills and information they need to identify and counter local threats to community safety.

But conventional security planning is only one part of the picture.

To prevent terrorism we also need to protect the core values of our democratic society: multiculturalism, tolerance, diversity, justice and freedom.

Our commitment to the promotion and protection of the rights of Victoria's diverse range of ethnic, cultural and religious groups is itself a bulwark against the threats of terrorism.

With that in mind, Victoria Police has entered into a research project with Monash University to explore ways to support culturally diverse communities who may be feeling vulnerable as a result of terrorism.

The research program aims to develop a community policing counter-terrorism model. It is only in its early stages but the concept has already generated international interest.

Conclusion

In conclusion, I want to again thank the leaders of Victoria's major religious communities — Christians, Muslims and Jews — who attended yesterday's condolence motion.

Their attendance sent a message that the leaders of our multicultural, multifaith communities are united against terrorism.

That is a message worth remembering.

Because whatever excuse they use for their cowardly actions, terrorists are not supported by any reputable person of faith.

Terrorists are criminals — no more, no less — and they will be treated as such by the people of Victoria.

We are doing everything we can to prevent an attack and we are doing everything we can to be ready to respond to an attack.

As I said yesterday, Victoria was a very tolerant multicultural state before 7 July and we are determined to remain tolerant and harmonious as a community post 7 July.

We are doing everything we can to prevent an attack.

And we are doing everything we can to be ready to respond to an attack.

We are as prepared as we can be as a state but at the same time of course we hope that a terrorism threat never becomes a reality in Victoria.

Mr DOYLE (Leader of the Opposition) — I am very pleased to join and support the Premier's ministerial statement on counter-terrorism. The Prime Minister John Howard's reminder to us after the Bali bombing particularly resonates today. He said:

... we must disabuse ourselves for all time of any notion that something like that cannot happen in one of our cities and on our own mainland. We must dedicate and commit ourselves to doing all we can to guard against such an event.

In fact just overnight President Bush said:

We understand we compete against an ideology of hatred, an ideology that murders the innocent in order to achieve objectives.

What those objectives are remain completely incomprehensible to all of us, and perhaps it was the incomprehensible nature of their objectives which prompted my friend the Leader of The Nationals yesterday to say that one of the reactions that we have

to such events is anger. But whatever the objective of terrorism might be, it is clear that we have to deal with it. The Premier rightly points out that our thinking about security post September 11 has been a different matter for all of us. There are two major elements that we have to consider. The first is prevention and the second is disaster response and recovery, always with the prayer that the second will not be needed.

Under prevention I would like to mention three elements, and much of this has been covered by the Premier. The first is that there is government response to it, and of course Victoria is not alone here; it is a coordinated effort between the commonwealth and all the states and territories. The federal government of course has responsibility for who leaves and enters our country, and I particularly welcome the initiative of the e-passport, which will help security, and the other checks, intelligence gathering and federal policing. All those matters are addressed in the federal jurisdiction in close cooperation with the states, and the Premier has outlined a number of responses that this state has made. So the first element is government response.

The second element, may I say, is the preparedness of our own citizens, our population. It is a very important part of our reaction to the potential for terrorism. I welcome, as the Premier has mentioned, the multifaith cooperation that was offered yesterday by leaders of our major faiths. I want to send a deliberate and specific message to the Muslim community in Victoria. I want to tell them that they were a valued and important part of our community before September, before Bali, and before 7 July. They will continue to be an important and valued part of our community post these events. Fanaticism is not a religion or a faith; it is a sickness of mind of a tiny minority. We need to keep that in proportion as we consider the notion of terrorism.

The third element I want to mention is the business community, because that is an important aspect of our preparation as well. I shall return to that a little later.

When we look at the other side of the coin, disaster response and disaster recovery, it seems to me that there are four areas where we need to be aware of our responsibilities. The first and foremost to me is to make sure we have a robust communication system. If there ever were a disaster we would need to be assured that we could communicate effectively and efficiently with all the parties involved. So no. 1 is to make sure that that communication system stands up under terrorist attack.

The second, and the Premier has outlined this in detail, is the coordination of our emergency services. We have

no doubt in this state that our professionals are second to none. Whether they are police, firefighting, ambulance, State Emergency Service or medical personnel, they are the finest in the world, but in this sort of response the important part is not their individual skills but the way they are coordinated. The Premier has outlined a number of ways in which we are preparing such coordination.

The third area I point out in response and recovery — and again I will return to this — is our own population, our own people. Theirs can be a remarkable response. In the 7 July incident we saw the population of London playing an important role in response and recovery.

The final part is what I call systemic responses and is about the systems that may be attacked. Again some of these the Premier touched upon, whether they are telecommunications, transport, power, water, our major venues or indeed our private infrastructure, are things we need to be aware of as we move forward.

Could I say by way of concluding this introduction that the Liberal Party completely supports the measures the Premier has outlined. Generally they are about participation in counter-terrorism exercises and intergovernmental agreements, new laws aimed at greater security and protection for our population, the review and upgrade of security risk management, and the resources and training that are needed for our personnel in case of such a response and recovery necessity. I want to assure the Premier that he has the complete support of this side of the house.

But as I said, it is not just about Victoria. We are part of a larger team. We are really safeguarding Australia, because we cannot see ourselves in isolation from the other states and territories and from the role that the commonwealth has to play. Once we understand that, we all then have to work on how we make the business sector work with us and our own citizens work with us to understand what we would need to do in the case of either the prevention of or the response to a terrorist attack. I think our population would expect the federal and state governments to enhance counter-terrorism capabilities and disaster response, and for what has been done here in Victoria we give full support and full credit for the measures that have been taken.

I also talked a little about, and will mention a bit later, strategies that will include the business community and the broader community. We tend to think of September 11 as the time that heightened our awareness about the need to focus on security, but although there has not been a terrorist attack on our soil, over the last five years there have been some very worrying and

concerning developments. Think back to 2000 and the Jack Roche incident, where there was going to be an attack on the Israeli embassy in Canberra and the consulate in Sydney. Roche is now in custody in Western Australia. In 2001 the authorities in Singapore managed to avert an attack by Jemaah Islamiah on the Australian High Commission in Singapore.

In 2002 we had the awful and tragic Bali bombings in which 88 Australians lost their lives. In 2003 Australian intelligence disrupted plans by Willy Brigitte to carry out terror attacks on our soil, and in September last year there was an attack on the Australian embassy in Jakarta. So although there has not been a successful attack on our soil, I think it would be naive to suggest that we have not been a target. I do not know if people recall this, but if you think back to the middle 1970s and the bombing at the Hilton during the course of the Commonwealth Heads of Government Meeting, we would not have called that a terrorist attack at the time because it was not in our vocabulary. Looking back on it now, it seems clear that it was and therefore, even though we have not known it, we have lived with this for a long time.

I think our population should rest assured that there is full cooperation between this state — and in fact all states and territories — and the commonwealth government. There have been over 100 distinct security measures taken by the commonwealth and the states since we started focusing on this post September 11, and the amount that has been spent overall now exceeds \$5 billion. It is a remarkable commitment to the protection of our citizens.

Could I also point out that I think we have gone and are going through three phases and stages, some of which the Premier has outlined. Despite the history I just gave of those attacks on Australians or Australian institutions and the Hilton bombing, I think the two things that changed our thinking were September 11 and Bali, and in particular they changed public opinion. That is what I think brought us together in a remarkable display of resolve — as I said yesterday, not a response that will divide us in fear but one that will bring us together in resolve. This phase got through to all of us, not just to parliamentarians but to the population of Victoria, the necessity of focusing on these issues, unpleasant though they may be — and a lot of the Premier's statement today went to this — so that we can then set about identifying opportunities for improvement in our security measures.

As I said before, one element that we need to be very cognisant of and include in this is the involvement of the private business sector. Ninety per cent of our

nation's infrastructure is owned by the private sector, and therefore it needs to be a part of what we will do in the future to ensure the protection not just of Victoria but of Australia. Moves are already under way to catalogue that private infrastructure. We need to have risk identified for that infrastructure. We need to upgrade the protective security of it if necessary and then, once that is done, integrate that business and private sector into the public and emergency services sectors for which government has primary responsibility. All those things together will help us manage the risk to Australia. As I said, all of the work that is going on now, together with the other elements that the Premier outlined, deserve our full support and credit.

There is an element to which we are now turning our minds, and I guess that is natural given that the Commonwealth Games are coming up in Melbourne. It might be highly unlikely that these sorts of events are targets. One school of thought says that major world events like the grand prix, the Australian Open and the Commonwealth Games could well be a platform or soapbox for a terrorist attack, and I understand that. Another school of thought says it is unlikely because at these times security is heightened, and the Premier has outlined the security for the Commonwealth Games, a joint venture between us and the commonwealth, which will make them the safest Commonwealth Games in history.

But the problem is that, even if it is an unlikely event, these are attacks that I would call high consequence, and so, improbable though it may be, we need to plan for an attack on those areas — and it could be on any of them. It could be any of the events that put us on the world stage. But equally and paradoxically, as I said yesterday, London showed us that it can be an attack on our everyday way of life. That is what happened in Bali; that is what happened in Madrid; that is what happened in New York; that is what happened in Tel Aviv. So we need also to have a heightened awareness of security in our everyday lives.

London also showed us — and this was a remarkable thing — that every group in the community can be involved. I welcome the Premier's outlining of the integration of our health professionals, our emergency services and our recovery specialists. I welcome his announcements of our degree of preparedness, our response plans and our recovery plans. All of those are critical for the professionals who would help should such a tragedy strike, but I would also say that one important initiative is a recent one by the federal government which it calls Working Together to Manage Emergencies.

Through this initiative the federal government has made about \$50 million available to local government and volunteer organisations so that they can be trained in response to and recovery from such a disaster. That will be an invaluable resource, not just in the case of a terror attack but also in the case of natural disasters. It was pleasing to hear of some of the initiatives the Premier outlined which can deal with natural disasters but which also have applicability in the case of terrorist attack.

The third element I would argue we need to consider is how we mobilise one of our great resources, the population of Victoria. I have one suggestion I think would be very useful. We have mentioned the Commonwealth Games. During the Commonwealth Games there will be 15 000 volunteers, people who are prepared to give up their time to welcome visitors, direct people to venues and help them make their way around our great city. It would be good to think we could also take the opportunity to train those volunteers in disaster response and recovery. For instance, they could help in venue evacuation and directing people in case of an emergency, not necessarily a terrorist emergency. It seems to be an opportunity we should take advantage of. That is not just for the Commonwealth Games — it puts 15 000 trained individuals back into our community. We need to take the opportunity every time we can to continue to train our everyday citizens, one of our great resources, in helping us in the efforts that will be required.

We do not enjoy the sort of motion of condolence we had yesterday. But there is one thing we can take some heart from: we are actually pretty good at these sorts of disaster responses. We have remarkable skills, resilience and resourcefulness in our community. As an example of that, perhaps even before we understood the necessity for developing terrorist preparedness and recovery plans, I want to recall a time in Victoria that I am sure many members recall. That was an emergency response during my time as Parliamentary Secretary, Human Services. I saw the extraordinary work and value of the medical Displan operations after the explosion and fire at the Longford gas facility in September 1998. That was a remarkable operation and was something we had not seen in this state before.

I saw medical Displan first of all provide overall medical control and coordination and effective casualty management. We carried out triage, first aid and resuscitation. We coordinated transport of the injured to the most appropriate hospital or treatment area. We provided and coordinated qualified and experienced medical teams to assist at the emergency site. We provided and coordinated public health resources

because we had some concerns, as members may recall, with general health matters in the community during and following that disaster. We provided psychological support not just for the victims but also for the team members. We provided an interface for simultaneous responses and early activation of recovery plans. We coordinated medical, nursing and first aid volunteers at the site and we participated in disaster and event planning with our medical and emergency service education.

That was a fatal explosion and fire at the facility in September 1998 and we saw involvement by medical Displan with area medical coordinators on the scene in Gippsland and regionally in Morwell. Members will recall that incident restricted gas supplies statewide. The Department of Human Services activated the emergency coordination centre, whereby public hospitals and public information centres were supported to assist people with medical and health needs, because this period lasted several weeks. We had to make provision for electrical sterilisation in some of those hospitals. There was concern about the possibility of flash burns occurring when people reignited their gas pilots. Medical Displan was responsible for alerting hospitals in the first instance to that danger. Then there was a very concerted campaign by the public health group in the Department of Human Services, with the gas companies and the media, to mount a major campaign of information to increase public awareness.

Although it was not perhaps of the scale of some of the disasters we have seen overseas, what happened in 1998 was a remarkable microcosm. All those involved — the ministerial offices with responsibility; public servants in the Department of Human Services and all its agencies, who were truly magnificent; our emergency services, including police, ambulance and the State Emergency Service; our hospital system; our charitable and relief workers; those ordinary citizens I mentioned before who can be mobilised; the gas business; and private enterprise — worked as one in response to a significant infrastructure and human disaster.

We have seen that although we live in a time of heightened awareness of our security needs, when called upon this state, its people and agencies react magnificently. We should take some comfort in that because much as we do not want to think we would ever have to respond to a terrorist attack, the reality is we have to prepare as if we will have to respond to such an attack. I personally hope, as the Premier does and as we all do, that we never have to mobilise these forces in response to such an attack by terrorists. But we have to be prepared. I am very pleased to fully support the

Premier's statement today and on behalf of our party I pledge our full commitment to whatever it takes to defend our people and our way of life.

Sitting suspended 12.52 p.m. until 2.02 p.m.

Business interrupted pursuant to standing orders.

QUESTIONS WITHOUT NOTICE

Parliament: sandstone sculptures

Mrs SHARDEY (Caulfield) — My question is to the Premier. I refer to the proposal to erect two sandstone lion sculptures on the steps of Parliament House at a cost of \$250 000 and I ask: would \$250 000 not be better spent reducing Victoria's elective surgery waiting list of 42 000, or funding four new child protection workers?

The SPEAKER — Order! In relation to the question, the administration of the Parliament is a matter for the Speaker and not for the Premier. In actual fact it would be more appropriate for the member for Caulfield to address her question to the Speaker, which she can do by prior notice to my office.

Mr Perton — On a point of order, Speaker, the expenditure of parliamentary funds which arises from a public process and from a bill introduced by the government is a matter of public interest, and I believe the member for Caulfield is entitled to ask the Premier or the Treasurer, who are responsible for determining budget outlays and the budget of the Parliament, whether that money is appropriately spent on two sculptures, or whether it would be better spent on the sort of matters that the member for Caulfield raised.

Mr Cooper — On the point of order, Speaker, the tenor of the member for Caulfield's question was in fact about the allocation of money towards things that are important to the state. She used an example of the two lions on the front steps, but the reality is that she was asking the Premier whether the expenditure of \$250 000 could be better allocated. That is a general question about the allocation of government funding, and I suggest that the Premier has a responsibility to answer to the house.

The SPEAKER — Order! The budget is allocated to the Parliament in the same way that a budget is allocated to other departments in the state. The expenditure of that is under the authority of the Speaker and the President and they are responsible for it. However, I will check with the Clerk and get his advice on the matter.

I am advised that the decision on how those funds are spent is a policy decision for the Parliament, not for the government.

Rural and regional Victoria: building approvals

Mr LONEY (Lara) — My question is to the Premier. I refer the Premier to the government's commitment to strengthening the Victorian economy, and I ask: can the Premier advise the house of recent information in relation to building approvals in regional Victoria?

Mr BRACKS (Premier) — I thank the member for Lara for his question, and I thank him and many other members for standing up for country Victoria.

Since the last quarterly figures were published, country Victoria has recorded an increase in employment of about 11 237 people, so more people are in employment. About 88 000 people have become employed since this government took office. I should add that in relation to population growth, which is one of the determining factors of building approvals, we are seeing the highest population growth in regional Victoria for 40 years. The last period in which we had this sort of population growth of 1.2 per cent goes back to the 1970s.

So with population growth and new investment resulting in new jobs being created — about 88 000 new jobs in country Victoria over the last five and a half years — it is no wonder that I can report to the house that there has been a significant increase in building activity and building approvals in Victoria. In May 2005 regional Victoria saw more than \$370 million worth of building permit approvals. That is a massive 27 per cent increase on the previous period last year. It is an indication of the strength of regional Victoria when you take into account population increase, employment increase and the investment opportunities. In the 12 months to May 2005 total building approvals for regional Victoria were valued at some \$3.8 billion — an all-time record.

This building growth is reflected in the sustained increases in regional population. It is no surprise when you see that this government has embarked on an expansion of country and regional Victoria since it came to office. In the last five and a half years we have had the biggest single investment for 120 years in regional rail by reopening, recommissioning or rebuilding rail lines around Victoria. In the previous government the member for South-West Coast closed rail lines; we have been opening rail lines.

More broadly, the Regional Infrastructure Development Fund has been encouraging partnership investments with local government and local industry, which has had a resounding effect. The population policies of this government have had a significant impact. So overall I am very pleased to report to the house that we have had a record period of building approvals in country Victoria of \$3.8 billion over the last 12 months and a 27 per cent increase on the last figures. It is one of the key indications that this government governs for every part of Victoria.

Rail: rural and regional Victoria

Mr RYAN (Leader of The Nationals) — My question is to the Minister for Transport. I refer to the comments recently made by the Premier and ask: can the minister update the house on progress in delivering the government's 2001 budget promise, as confirmed in the minister's press release dated 15 May 2001, to standardise the Victoria country rail network?

Mr BATCHELOR (Minister for Transport) — This is absolute hypocrisy from the benches of The Nationals, because as the Premier also said, when they were in government they sold off all the country rail lines. They flogged them off — and not only that, they closed them down. This government has continued to invest in regional rail. We are doing that because we are prepared to support investment in country Victoria. We have reopened rail lines to Ararat and Bairnsdale, and we are doing more to improve our freight network.

At the port of Geelong the standardisation of the Corio independent goods line and the construction of a direct link onto Lascelles Wharf is to commence shortly. It is an important part of our program to upgrade the freight network here in Victoria. This follows the successful completion of the standard gauge works at the Geelong grain loop last year. At the port of Melbourne we have built on-dock rail connections into Swanson Dock and have made improvements to Appleton Dock through a rail connection, all for our freight purposes.

On the Mildura line we have carried out a joint investigation with the federal government after it identified the Mildura rail line as an — —

Mr Smith — You have done nothing!

The SPEAKER — Order! The member for Bass!

Mr BATCHELOR — We have done an enormous amount of work, and all members would know that the ability to upgrade — —

Honourable members interjecting.

The SPEAKER — Order! The level of interjection is too high. I ask members to be quiet and to allow the minister to answer the question.

Mr BATCHELOR — All members would know that the ability to upgrade country freight lines has been stymied by Freight Australia for a number of years, because it has refused to cooperate with this government in trying to improve the country freight network. Since Pacific National purchased the lease of the rail freight network, which was privatised by the Liberal-National coalition, we have been working very closely with it on commencing, advancing and finalising a number of rail and road projects right across country Victoria. The standardisation of the important rail networks up to Mildura and the north-east is an important part of the negotiations that are taking place at the moment.

If it had not been for the negligent and destructive work of The Nationals in privatising the freight lines here this project would have been completed by now.

Mr Plowman — On a point of order, Speaker, the minister is debating the question. I ask you to bring him back to government business.

The SPEAKER — Order! I understand from the minister that he has now completed his answer.

Melbourne Zoo: Trail of the Elephants

Ms BARKER (Oakleigh) — My question is to the Minister for Environment. Will the minister outline to the house the initiatives of the Bracks government that are contributing to international efforts to conserve Asian elephants?

Mr THWAITES (Minister for Environment) — I thank the member for Oakleigh for her question. I might say it is very appropriate that she should have asked that, because as some members would know, she collects corks from Parliament House. Those corks go to Glenhantly Primary School, which collects them for Friends of the Zoo. The corks are then recycled, and the funds raised go towards improving the elephant trail at the zoo, so I thank the member for her question. I have just returned from the zoo — —

Honourable members interjecting.

The SPEAKER — Order! I ask members to come to order.

Dr Napthine interjected.

The SPEAKER — Order! The member for South-West Coast will not behave in that manner.

Mr THWAITES — I have just returned from the zoo, where the federal Minister for the Environment and Heritage, Senator Ian Campbell, and I announced that three Asian elephants will be coming from Thailand to Melbourne Zoo. The federal government has today approved the importation of those elephants, and we endorse that decision. The Victorian government is contributing \$3.5 million to extend the Trail of the Elephants exhibit, and that will add to the \$10 million already invested in the elephant trail. The trail is a world-leading exhibit and is something of which we in Victoria can be very proud. We are importing three female elephants, Num-oi, Dokkoon and Kulab. They will join the existing female elephant and Bong Su, the male elephant. We are hoping there will be a successful breeding program. Our aim is to have a sustainable elephant population in Australasian zoos.

The zoo is very important for Victoria. It is obviously important for tourism, but it is also very important for community education. By educating families and young people about the importance of animals like elephants we raise respect for conservation in the wild. We will obtain research information on breeding these elephants, and that information will be shared with our partners in Thailand and Asia to help with breeding programs for these elephants in the wild.

For the elephants themselves this will be a great improvement, because the existing female elephant will have another three females, and elephants like to operate in a family-type environment. This is something all Victorians can be very proud of. We support the decision of the federal government, and we are very pleased that we as a government are now investing some \$13.5 million in the Trail of the Elephants at Melbourne Zoo.

Melbourne Water: flood mitigation

Mr BAILLIEU (Hawthorn) — My question is to the Premier. Given that the Auditor-General has found that more than \$1.7 billion is required to prevent flood damage to Melbourne homes and the government has allocated only \$7.3 million to Melbourne Water for this program, how does the government intend to fill this infrastructure funding black hole?

Mr BRACKS (Premier) — I thank the member for his question. I welcome the Auditor-General's report and his investigation into the stormwater flooding risks. He does indicate in relation to our stormwater system

that it is at a stage where it is as good as anywhere else in Australia, and I welcome those findings. We have made some significant improvements to stormwater management in Victoria, and that is recognised and acknowledged by the Auditor-General. We have provided \$22.5 million to councils to develop stormwater action plans, but the risks of flooding in some older, flood-prone areas must remain a high priority. They are a high priority of our government. The Auditor-General — —

Honourable members interjecting.

Mr BRACKS — When that cross-conversation is finished! The Auditor-General states at page 18 of his report that subdivisions developed after 1975 under new standards incorporate drainage systems that would safely accommodate flows from a one-in-a-100-year storm event. That is a good finding, and I very much appreciate it from the Auditor-General. In older, flood-prone areas, as I mentioned, Melbourne Water is also investing around \$22 million over 10 years to reduce flooding risks. As properties are redeveloped higher flood protection standards will be applied in council planning processes.

The recommendations by the Auditor-General that Melbourne Water and councils should work more closely together will be implemented. We welcome the report. It is in keeping with the government's policy direction. I am very pleased to not only accept the report but to receive it, welcome it and indicate to the house that the government is implementing projects to further enhance our stormwater system in Victoria.

Employment: rural and regional Victoria

Mr TREZISE (Geelong) — My question is to the Minister for Employment and Youth Affairs. I refer the minister to the government's commitment to building regional Victoria, and I ask: will the minister advise the house of any recent evidence of the success of government policy in creating jobs and attracting skilled migrants to regional Victoria?

Ms ALLAN (Minister for Employment and Youth Affairs) — I thank the member for Geelong for his question. The member for Geelong and all members on this side of the house are proud to be part of a government that is working very hard to make regional Victoria the best place to live, work and raise a family. We are doing this through the policies and programs that are building strong and vibrant regional communities right across the state. Only last week we saw evidence in the data that shows us that these

policies are making a tremendous impact on regional Victoria.

As the Premier has just informed the house, the latest Australian Bureau of Statistics regional labour force data indicates that we are experiencing strong jobs growth right across Victoria but particularly in regional Victoria. The latest figures for the April–June quarter show us that jobs growth in country Victoria outstrips that of metropolitan Melbourne. We saw the creation of over 11 200 jobs in regional Victoria in that quarter alone. That increase has made a contribution to the over 88 000 jobs created since the Bracks government came to office in 1999.

It is a very stark contrast to the story that was told during the seven years of Liberal-National government when unemployment rates in country Victoria were in double digits, country schools and hospitals were closed, teachers and nurses were sacked and vital industries — —

Mr Plowman — On a point of order, Speaker, the minister is now debating the question, and I ask you to bring her back to the question and to relate her answer to government business.

Mr Perton — What about tedious repetition!

The SPEAKER — Order! The member for Doncaster will behave in a parliamentary manner. The Minister for Employment and Youth Affairs will return to answering the question.

Ms ALLAN — When you look at the policies of a government that is making an investment in country Victoria and contrast them to previous policies of deliberately destroying services in country Victoria, you see that the story is very different.

The positive story of the latest jobs figures demonstrates how important it is for the Victorian government to be investing in vital services in regional Victoria. Whether it is through the government directly funding and employing the thousands of teachers, nurses and police who are now working in country areas, whether it is a result of the boost to the local construction and building industry which is benefiting from our massive investment in infrastructure projects in country Victoria, whether it is the over \$300 million worth of work going on in the 162 country schools, whether it is the rebuilding of our hospitals and aged care facilities or indeed whether it is the replacement and upgrading of over 100 police stations across country Victoria, all this investment adds to the record jobs growth that we are seeing. Add to that the

population growth and the \$20 billion worth of investment in infrastructure in regional Victoria and you see how these things together show that the policies and programs the Bracks government is investing in are making a difference to country Victoria. We are seeing particular evidence of that in the latest jobs figures.

The member for Geelong, in asking his question, also asked about evidence regarding the number of skilled migrants who are coming to live, work and raise their families in Victoria, but particularly country Victoria. The latest information is that the Bracks government's skilled migration strategy is attracting migrants from around the world to live in country Victoria. Some 881 people have applied through the skilled independent regional visa scheme to live and work in country Victoria. We will be supporting those migrants through our \$3 million regional migration incentive fund.

We came to office with a clear commitment to invest in and revitalise country Victoria. The latest jobs figures, population figures and investment and infrastructure figures all tell the story that the Bracks government's policies are making a real difference in country Victoria and are making a strong contribution that is ensuring that country Victoria — all of Victoria — is the best place to live, work and raise a family.

Lakes Entrance: dredging

Mr INGRAM (Gippsland East) — My question is directed to the Minister for Environment. In the near future Gippsland Ports will require major capital investment to replace its dredges that remove the accumulation of sand at the Lakes Entrance bar. Will the government provide sufficient funding to ensure that the Lakes Entrance bar will be maintained in a safe and usable condition for commercial and recreational boating and to minimise flood risk around the Gippsland Lakes?

Mr THWAITES (Minister for Environment) — I thank the member for Gippsland East for his question. I know the member has demonstrated great concern — —

Honourable members interjecting.

Mr THWAITES — He has raised it with me previously: the member has raised his concerns about the bar on a number of occasions. It is a major issue, because the *April Hamer*, which was put in place some 30 years ago, is now coming towards the end of its life, as is the *Sandpiper*, which is doing the dredging there. This is a major challenge, and there has been some investment. A few years ago about \$1.3 million was

invested in the installation of a new sand bypassing system. That is important, but it is a major challenge for us.

The responsible body, Gippsland Ports, which is responsible to me as the environment minister, has been preparing recommendations for the future of the dredging project. We will work with Gippsland Ports in developing those recommendations and ensuring that they are implemented appropriately. We will be doing that, and I will keep the member informed.

Grain industry: outlook

Mr HOWARD (Ballarat East) — My question is to the Minister for Agriculture. I refer the minister to the government's commitment to supporting regional Victoria, and I ask: will the minister update the house on the current situation and outlook for grain producers in Victoria's north-west?

Mr CAMERON (Minister for Agriculture) — Honourable members will be aware that in the north-west of the state there has been a series of difficult years. Across the state, 2002 was a very difficult year in the north-west — in the Mallee and the north Wimmera. The years 2003 and 2004 were patchy years, so you would appreciate that those farmers in the north-west, who I have to say are tough and resilient, faced this year with a great deal of apprehension.

Members may be aware that the VFF grains group and the councils had made an application for exceptional circumstances (EC) relief which my department helped facilitate. Earlier this year the councils were keen for the federal government to grant full EC relief, and they were also keen for the state government to provide community grants which would help provide community support not only so the long-term recognition of projects would be there but so they would be enduring post this difficult period.

The state government responded with \$3.2 million in community grants, as it did with \$570 000 in funds for rural and general councils, \$100 000 for the Birchip cropping group, and \$200 000 in relation to education maintenance. Pleasingly, a federal EC approval was granted. That was a case of a good deal of cooperation between the state, the councils, the Greens group and the federal government. The Prime Minister also announced in early June the new national arrangements. We have been supportive of those and I think there has been broad support for those in the north-west as well.

We are supportive of the national drought declaration. At Birchip earlier this month the Premier was able to

reaffirm our support for those arrangements as well as announcing putting in place a 50 per cent council rate rebate for recipients of a Centrelink EC payment.

You would have to say that despite the very late break in June, confidence has now been substantially boosted. The Premier would have seen the huge turnaround from his visit to Birchip only some weeks earlier and that people are confident again. While we are looking at a normal year in the grain belt, that will be dependent upon normal weather, so there will continue to be that apprehension until such time as we receive normal or even better weather than we normally would have.

Can I say that that cooperation across the levels of government has been something that has been well regarded in the north-west. We all want to see a good year this year and, whilst things at the moment look good, we of course will continue to look to the skies in the coming months.

Land tax: increases

Mr CLARK (Box Hill) — My question without notice is to the Treasurer. I refer the Treasurer to the plumbers, carpenters, doctors, small business owners and other Victorians who own their family homes through discretionary trusts and I ask: given that the Premier has been completely unable to explain this new tax, how does the Treasurer justify a 500 per cent tax rate increase on Victorians who own their homes through a trust?

Mr BRUMBY (Treasurer) — Let me set the honourable member for Box Hill right on this: there is no new tax on trusts. In fact what we did in the budget in May this year was cut land tax. I think it is worth reminding the house that the original rate of land tax back in the 1990s was 3 per cent. It was the Kennett government — repeat, Kennett government — which increased it to 5 per cent, and it is the Bracks government which has reduced the top rate to 3.5 per cent and will further reduce it over the next two years to 3 per cent. So the moral of the story is the Kennett government was putting taxes up and we have been putting them down.

An honourable member interjected.

The SPEAKER — Order! The member for Keilor!

Mr BRUMBY — The issue of taxes on trusts is this: tax law on trusts in Victoria has remained relatively unchanged since 1910. We have had a number of court decisions which have made the issue of administration of tax law in relation to trusts extraordinarily complicated. In 2004 — —

An honourable member interjected.

Mr BRUMBY — Yes, complicated, if you applied the letter of the judgments brought down by the courts. The State Revenue Office has been asked if it was applying the letter of that law to levy land tax through trusts on both the trustee and the beneficiary. That would be an unworkable arrangement. So in 2004 we had representations both from the property council and from the law institute to review and reform this matter.

Earlier this year the State Revenue Office, with government approval, released a paper for consultation, with some rates — —

An honourable member interjected.

Mr BRUMBY — I said with government approval, for consultation. That is out there for consultation. As both the Premier and I have made very clear publicly, it is a model for consultation. We are not locked in to any particular model. We are engaged in a genuine dialogue with the industry. I do not have the copy with me today, but I received a letter last week from the property council praising the government for its open process of consultation. We do not have a particular fixed model in mind.

An honourable member interjected.

Mr BRUMBY — Trusts are a legitimate legal instrument used by a considerable number of Victorians. This is about making the administration of the tax law more workable. I repeat: the structure is out there for consultation. We do not have a final model in mind and locked in. The process of consultation will continue over the next few weeks and then the government will make a decision about which model, if any, it proceeds with in the future.

Rural and regional Victoria: investment

Ms OVERINGTON (Ballarat West) — My question is to the Minister for State and Regional Development. Can the minister detail to the house any recent announcements that highlight the success of the government in supporting and building regional Victoria?

Mr BRUMBY (Minister for State and Regional Development) — I thank the member for Ballarat West for her question. I am pleased to report to the house that earlier today the Premier and I launched Australia's oldest cycle race, the Herald Sun Tour, this year to be known as the Jayco Herald Sun Tour.

Could I just say that at the outset of that event both the Premier and I extended our condolences to the family, friends and colleagues of Amy Gillett, who was so tragically killed yesterday in Germany. This morning I was in the house when the member for Ballarat East also recorded his sympathy in relation to this tragic death and conveyed his sincere sympathies to her husband Simon on behalf of the Ballarat community. I know I speak on behalf of all members of the house when I say that Ballarat was very proud of her achievements and that all members extend their sympathy to her family and to the community.

At Federation Square this morning the Premier and I announced a series of changes to ensure that the Herald Sun Tour is really reinvigorated as a world-class sporting event. We have raised the race's status to a hallmark event. That positions it up there with the grand prix, the AFL Grand Final, the Melbourne Cup and the tennis championships. It makes it a significant major event in Victoria's calendar.

We have also revamped the event. The tour will now run for seven days. The team size will be increased from five riders to eight, and the number of teams participating will increase from 16 to 20. We also announced today the tour route. Day 1 starts in Williamstown — which I am told historically it always has. Day 2 is to Bendigo via Maldon and Castlemaine, including Mount Alexander. Day 3 is Bendigo to Shepparton. Day 4 is from the Mitchelton winery in Nagambie to Marysville. At Mitchelton there will be a special fundraising event that night for Very Special Kids. Day 5 will be from Healesville with a tour of the Yarra Valley. Day 6 will be Monbulk to Mount Dandenong, and they will go up to the Sky High restaurant. Members are welcome to meet them at the top if they do not want to do that last little bit. On day 7 the criterium will end in Lygon Street.

So it is a great seven-day program. There will be over 400 cyclists, organisers and — —

Honourable members interjecting.

An honourable member — What about the Otways?

Mr BRUMBY — The route changes every year.

Honourable members interjecting.

Mr BRUMBY — It does! It changes every year.

The SPEAKER — Order! The minister, through the Chair!

Honourable members interjecting.

Mr BRUMBY — Apparently the competitors all start without handicap at the same time. There will be over 400 cyclists, organisers and team officials staying overnight in the towns, which will result in an estimated \$100 000 boost to each local town, so the economic impact of this is very significant. We announced last year a three-year sponsorship through the Make It Happen in Provincial Victoria program. We continue to support the tour, along with the *Herald Sun* and Jayco, and it is a great event.

Mr Doyle interjected.

Mr BRUMBY — The Leader of the Opposition refers to Jayco, a great Victorian and Australian company with a great product which is distributed right around Australia and, I think, internationally.

Earlier today in the house, in the debate on the matter of public importance this morning, I announced too that this year we have seen record investment facilitated by Regional Development Victoria in provincial Victoria. There has been more than \$1 billion of investment, and this is a record. It is well above the target of \$600 million and well above the target of \$400 million that used to be in place under the former Kennett government. It is a great result for our state. As the Premier said today, if you couple that with the building approval figures — in May \$370 million; \$3.8 billion over the last year — it is an extraordinary vote of confidence in provincial Victoria.

Finally, I want to say that this is a great fit with the Make It Happen in Provincial Victoria campaign. We are seeing record population growth. In the last year in Bendigo there has been a 1.8 per cent population growth, Wodonga has seen 3.2 per cent, Ballarat 1.5, Warrnambool 1.3 and Mildura 1.3. Provincial Victoria is doing extraordinarily well, despite the very difficult climatic conditions we have had in recent years. As the Minister for Agriculture pointed out today, in the last year Victoria has for the first time ever grown more agricultural produce than New South Wales. So there is a great story out there about provincial Victoria. The Herald Sun Tour revamped, rebadged and reinvigorated, will become a genuinely international, world-class event, and it is a great event for provincial Victoria.

MINISTERIAL STATEMENT

Counter-terrorism: preparedness

Debate resumed.

Mr RYAN (Leader of The Nationals) — It is my pleasure to join the debate in relation to this very important issue, and I commend the Premier and the government for bringing it forward. The Nationals support the tenor of what is contained within the ministerial statement and the general commentary from the Premier here in the Parliament today.

This is one of those vexed issues. It is a question of balance. On the one hand we do not want to be talking about these issues at all, because there is a sense of encouraging what some would say is the inevitable. On the other hand there is the necessity to be appropriately prepared in the event that we do have one of these barbaric acts occur on Australian soil, and more particularly here in Victoria. Recent events in London, which we spoke about yesterday, have demonstrated that you have to come down on the side of having a high state of preparedness to accommodate what is certainly happening in other jurisdictions around the world and what one cannot help but fear is going to occur somewhere here in Australia, and, as I say, particularly in Victoria.

I noted the observation of the Leader of the Opposition that Australia has not been exempt from this terrible process over the past few years in that, although we have not had any of these events occur on our own soil, Australians have been directly involved in such events when they have occurred in other jurisdictions. For all those reasons it is appropriate that we do have a heightened state of preparedness, and again for all those reasons I think it is appropriate that we are having the discussion which has been generated by the Premier's ministerial statement.

As I say, we are not alone in this: this is a global issue. And we are not alone in this within Australia. Every jurisdiction within the nation of Australia is faced with the prospect of having to deal with these matters. I think it is important that the planning which is appropriate for Victoria's needs accommodates the contributions that are able to be made from other jurisdictions internationally as well as from the other jurisdictions around Australia. It is important that we have a collective of the very best to be able to deal with the sorts of activities which are contemplated by the ministerial statement.

In that regard we support the notion of some of our people from different elements of government departments being across in London at the moment, because they can not only learn but contribute, just as happened in Bali. It is to the credit of the government that some of the first people who travelled internationally to deal with the terror of that event were from Victoria. Such involvement plays a dual role. It means that we can go across there, through the different personnel who participate, and we can actually learn from the tragedies that have happened in those other areas and we are increasingly able to contribute and help those who have to suffer the results of these events when they occur.

We are, of course, practising for an event which we hope will never happen on our soil, but as I have already observed, and without being fatalistic about this, one would have to say that the prospect is at least growing — if I can put it in that way — that we may face these sorts of outrages here.

We have had a raft of legislation go through the Victorian Parliament. I think it demonstrates that people are up to a point prepared to trade the loss of civil liberties, at least to some degree, for a better level of preparedness and an improved capacity of our different authorities to be able to combat the horror of terrorism.

I note that there remains outstanding the issue of telephone-tapping powers being able to be provided to Victoria. I am not trying to inject into a debate which has the support of all of us in this place anything by way of contention. I am simply observing that I think progress is being made to enable Victoria to obtain those telephone-tapping powers. I think it is important that that is able to be ultimately achieved. I see it as a very important element of the armoury available to our police and other authorities to not only have the power in the first place — which of course is vested in the police services — but also to have whatever information might be able to be gleaned by the use of that extra power.

I think it is also important that the government keep a careful weather eye on the issue of education in all its forms within our community. I think the reality must be faced that we have tensions in our community between our ethnic and religious groups. It was wonderful that many of those different groups were broadly represented in this Parliament during the course of the condolence motion here yesterday. But it is an imperative that the government maintain a strong communications mechanism through our general community by way of educating people to the fact that we are a community of many parts and we are a

community of many people and religions. It is necessary to keep highlighting that fact throughout our community by way of a preventative measure.

The issue of infrastructure is particularly important to those of us who live outside the metropolitan area. By definition it is country Victoria which hosts much of the infrastructure which is the basis of the Victorian community. I live in Sale. I was in my office in Sale on 25 September 1998 when the terrible explosion occurred at the Longford gas plant. That gas plant is located only about 10 kilometres south of Sale. Two men were killed, and about another 10 were seriously injured. Many others were injured in ways that I suspect even to this day we do not know. But the point is that the reaction to that explosion and the events that occurred after it is instructive in terms of these issues.

The emergency services did an absolutely magnificent job, and the Leader of the Opposition went through that chapter and verse this morning. But that event demonstrates what could happen if a major piece of infrastructure such our gas supply were to suffer a terrorist attack that could result in what actually transpired as a result of that explosion in September 1998.

One of the consequences apart from the first, foremost and principal part of that tragedy — namely, the deaths and injuries — was the loss of gas supplies to the state of Victoria for about a fortnight. Quite frankly it demonstrated how vulnerable we are in the event of major infrastructure in country Victoria not being able to function. In this instance it was the result of a tragic accident. Realistically speaking that infrastructure could be some sort of target for those who have terrible ill will towards us. Country Victorians are very concerned to ensure that appropriate plans are in place to accommodate this need.

I know terrorism risk management plans are now required to be delivered to the government, and that process will have its place in the Longford gas plant. The same situation applies in relation to our water storages, because the dams are constructed in country Victoria; our rail systems right throughout the state; our power generation systems, which are located in the Latrobe Valley; and our road systems and networks, which go throughout the state. All these and more major infrastructure facilities are, by definition, located in country Victoria. Those of us who live in those parts of the state always want to be certain that they are the subject of appropriate protection mechanisms under the various plans to which the Premier has referred this morning.

I might also say by way of a proposal that I note the suggestion that a simulated event be undertaken in the Melbourne rail loop. I suggest to the government that something in this vein should be done in relation to one of these major sites in country Victoria so that we can ensure that proper plans are in place to protect these major infrastructure items across country areas. I am not sure what Mercury 05 later this year is to involve, but I invite the government to consider undertaking such a process in country Victoria.

Finally might I say that we have very able people within the medical sphere through our regional and base hospitals, and I would like to think that they have been integrated into these response systems in the event that that should be needed. As I said, I congratulate the government for bringing this matter forward, because it is something that regrettably we need to talk about and something that I hope we practise on but never have to actually bring into being.

Mr BATCHELOR (Minister for Transport) — I wish to wholeheartedly support the Premier's ministerial statement on counter-terrorism, and I would like to offer that support by concentrating on the public transport network, particularly in the wake of the recent terrorist attack on the London transport network. At the outset I would like to extend my sympathy to all of the victims of the London terrorist attack and their families.

This was a despicable attack on innocent people going about their daily lives. They were citizens commuting to work, people going shopping and men and women keeping appointments. What could be more everyday than these types of activities? These citizens were cut down on their way to work, on their way to the shops and while keeping appointments. They were cut down, injured and killed. While Australia remains a potential target, there are currently no known specific terrorist threats to Victoria — but only a fool would say that we are under no risk at all.

In these new circumstances of international terrorism governments at all levels, the transport industry and the community have to plan and work together to ensure that we safeguard our ideals and establish the safest possible environment for all Victorians. Prevention is clearly the goal; however, we must also be practical and establish confidence in the community that we are prepared to respond to an emergency situation should it arise. The Victorian government takes very seriously the threat of terrorist attack and takes very seriously the need to protect the people of Victoria.

Victoria is an active participant in the commonwealth-state transport security working group,

which was created by the Australian Transport Council in early 2003. Victoria has led the way by keeping security and emergency procedures under constant review in light of international events through the enactment in this Parliament of the Terrorism (Community Protection) Act, again in 2003. This act requires the owners and operators of critical infrastructure such as public transport to plan and respond to the assessment of risk, to determine adequate response measures and notification procedures, provide links to local or municipal emergency management arrangements and implement staff awareness and training.

Under the Victorian Terrorism (Community Protection) Act public transport operators are required to undertake planning exercises under police supervision to test terrorism risk management plans. Since August 2003 my department has conducted critical infrastructure risk assessments on all transport services, identifying the most significant areas for security planning.

Victoria is currently conducting a comprehensive expert review of security risk management of Victoria's transport industries. This review is examining the level of security preparation for all significant operators, whether they be in rail, tram or coastal ferry, and on the road infrastructure. The review will benchmark and improve procedures of assessment of the risk of low-probability events which have high potential for a major impact, obviously including terrorist attacks.

Dealing with the threat of a terrorist attack on land transport systems requires a collaborative approach from all of the agencies, but in doing that we take leadership from the police and the national security agencies. In talking of collaboration I think it is important to acknowledge the constructive and generous support provided by both the opposition and The Nationals on this important issue in our chamber today. The Victorian government, along with our various public transport operators, will work closely with the Victoria Police and other security agencies to ensure that the public transport system operates at a high level of responsiveness in managing emergency incidents should they ever arise.

We have learnt a lot from countries with a history of dealing with terrorism, and we continue to study and unfortunately to learn from countries with advanced transport systems. Earlier this year I sought advice on security experts in Spain and France as well as with Connex's parent company, Veolia, on their security planning and response activities in Europe and how they might relate to the Victorian circumstance. As the Premier noted earlier today, shortly we will be

following this up by sending a delegation of senior Victorian government and transport managers overseas to examine recent developments in other jurisdictions.

We have a number of measures and initiatives on the ground to ensure that we are in the best possible position to prevent or to respond to a terrorist attack. Extensive closed-circuit television (CCTV) systems are in place in suburban stations, at other key locations and on new and refurbished trains. Alarms have been installed on trams and there has been constant reporting of their current location through automatic vehicle monitoring. Rail carriages and station platforms also have duress alarm activators for patron use. My department will continue to review its procedures relating to CCTV technology and associated software post the London bombings. For example, a project has commenced with Connex trains to upgrade the CCTV technology in the Comeng trains. All trains already have digital CCTV, while a project is currently under way to assess the use of digital CCTV at stations and station car parks.

The Premier identified the expenditure of \$3.5 million to upgrade the existing train radio system to overcome problems of black spot communications. We have also given a commitment to look at the replacement of that system over the next three years. We already have a program under way to provide the train control services (Metrol) on modern computer systems, and we will make sure that the system is much easier to maintain and will allow us to develop a remote disaster recovery site. This approach is also being examined for the tram operations centre in Eastern Road. As the Premier has outlined, we are planning a major exercise that involves the underground rail loop. This exercise will show us exactly how our emergency systems and evacuation procedures work in a real-life situation.

In addition the next multijurisdictional national counter-terrorism exercise will be conducted in the last quarter of 2005. Mercury 05 is the second such exercise sponsored by the National Counter-terrorism Committee. Victoria, as the principal jurisdiction in this exercise in 2005, will focus on the operational and national decision making involving the deployment of the Australian Defence Force, law enforcement response, investigation and recovery resources in this exercise as part of the preparations for the Melbourne 2006 Commonwealth Games.

We are providing additional staff on the network. There are over 700 full-time customer service staff across the rail and tram system, including 500 who travel around the network providing for a safer environment. We also have the Victoria Police. We are increasing the training

of station and operational staff on our train and tram networks, and we are doing this in conjunction with the union.

In conclusion, this government and our public transport operators will continue to work with the Victoria Police and the relevant security agencies and the Victorian public to review and continually improve procedures. As the federal transport minister Warren Truss has commented recently in the media, terrorist attacks like those in London would almost be impossible to prevent on our rail networks. The thought of such an attack upon the Victorian community is almost incomprehensible.

We have to remain vigilant and be prepared to continue to improve our level of preparation and awareness, but above all we must get on with life and not let the terrorists win at any level.

Mr WELLS (Scoresby) — I thank the government for the chance to speak about this ministerial statement on such an important issue as Victoria's preparedness for a terrorist attack. I think it is fair to say that everyone would remember where they were at particular times in history. I can remember clearly that on September 11, 2001 when the two planes flew into the World Trade Centre in New York I was down at Mortlake talking to Country Fire Authority volunteers. When the Bali bombing in which 88 Australians lost their lives occurred I was on the way to a conference in Geelong. When the London bombings occurred on 7 July I was up in Wodonga with the member for Benambra, talking to CFA volunteers again.

I guess the London bombings hit home when a Victorian lost his life. Sam Ly was a young Victorian travelling overseas wanting to improve his life and career prospects. In my own situation, my wife's sister is a nurse on night shift and catches the train at Edgware Road station. For once she finished her night shift stint on time and was able to catch a train a couple of trains before the bombing, so we are very fortunate from a family point of view. I guess many individuals and families have similar stories. We have to feel for those people who have lost loved ones, who were innocent, ordinary people going about their business.

I pay tribute to the extraordinary way that the London emergency workers performed. I guess we get to a stage in life when we expect that when the English do something they do it very, very well. There is a chance that with the IRA attacks over a number of years the emergency workers have been able to build up a certain amount of expertise and also a knowledge base of intelligence. I know that the emergency workers had all

the injured people out of the Aldgate underground station tunnel in 90 minutes. For six years emergency service workers and agencies have been preparing paramedics, nurses and doctors for disasters such as an influenza epidemic, floods and, unfortunately, bombs. As the injured come out of the underground railway stations the ambulance officers and others classify people: a green card indicates slightly injured; yellow, seriously injured; red, critically injured; and, unfortunately, white for the deceased. They have it very well organised.

Of course communications are an important part of this overall plan, so that as the injured people are coming up out of the underground information is able to be passed on to a higher level. The information and communications section that worked through the emergency services in London was absolutely crucial. It was able to acquire double-decker buses immediately for transport and to secure hotel wings and department stores to use as field hospitals so they could send the injured people there for preliminary treatment. Information was passed through to New Scotland Yard and COBRA, the Cabinet Office Briefing Room A, located 10 floors underground and connected to the Prime Minister's residence by tunnel. There is no doubt that the London emergency service workers did an extraordinary job.

I spoke about it taking 90 minutes to get everyone out of that Underground station. Within 10 minutes of the first blast they had warning signs already posted on major traffic arterials into the city; all of London's Underground trains were stopped; bus drivers were promptly ordered to return their buses to the depots and a short time later soldiers were deployed to strategically important locations such as Buckingham Palace. It was an extraordinary effort. I was interested to note the following in one of the London papers at 5.30 p.m. on 7 July:

It is early still, but the impression coming from eyewitness accounts and news reports is that London's emergency services and transport staff have covered themselves in glory today.

We have known for some time that the city had contingency plans in place in the event of a large-scale terrorist attack. The evidence so far suggests those plans were well rehearsed and effectively implemented when the time came.

London is jarred by shock, stung by grief, but not fraught with panic. The *Observer* blog expects nothing less from its native city, which happens also to be the coolest place on earth.

That is great praise.

We on the Liberal side are very much committed to a bipartisan approach to this. One of the things I mentioned that worked so well in London was

communications. I call on the police minister to make sure that communications between police, ambulance workers and firefighters will work 100 per cent accurately. We have been pushing for some time the issue of the metropolitan mobile radio system. We need to make sure the MMR system is in place prior to the Commonwealth Games, and we on this side of the house will do whatever it takes to assist the government in making sure that works.

Mr Holding interjected.

Mr WELLS — The minister interjects and says 'What can we do?'. Whatever it takes to make sure that it works. All we need is an assurance that the possibility of a situation arising in which ambulance drivers cannot communicate with police and firefighters is corrected. If that has been fixed in the meantime or needs an extra budget allocation or whatever else it takes, it will have, without doubt, bipartisan support. I say that sincerely. We cannot have a new digital radio system that costs \$130 million but will not allow communication from ambulances to firefighters and police. So we ask in good spirit and in a bipartisan way that this problem be fixed. We cannot have that sort of situation. I hope that in his contribution the minister can give an assurance that this problem has been fixed and that there will be full cooperation and effective communication between those three emergency services.

We are also very keen to make sure that the other communications systems for those emergency services are working well. We will offer whatever support to the minister is needed to make sure there are enough police there as well. We also need to ensure — —

Mr Holding interjected.

The ACTING SPEAKER (Mr Ingram) — Order! The Minister for Police and Emergency Services should not interject across the Chair and the member for Scoresby should not take up interjections. The honourable member through the Chair.

Mr WELLS — I have said in good faith that the Liberal Party will do whatever it takes to support the Minister for Police and Emergency Services in ensuring there are enough police or whatever it takes to make sure that these games are the safest. We say that in good faith with bipartisan support.

We also believe, as was mentioned by the Leader of the Liberal Party, that we would expect there is a good level of coordination. We know this was a factor in London where there was good coordination between the utilities, the water, gas and telecommunications companies and a good level of coordination with the

business sector which has a significant role to play in the security of their facilities as was mentioned by the Leader of the Liberal Party. We also need to ensure that there is good coordination with the health sector, doctors, nurses, the emergency services including the State Emergency Service, ambulance, police, Country Fire Authority and the Metropolitan Fire Brigade. The Minister for Transport talked about public transport coordination, not just trains, buses and trams but also a good, solid, clear road network.

I have mentioned communications — that goes without saying. There is the issue of volunteers — the Red Cross and Salvation Army would also have a very important role to play in the case of disaster.

We are looking forward to the Commonwealth Games. We believe they will be the best-run Commonwealth Games ever and all Victorians will be very proud of them. As I mentioned earlier, the Liberal Party in whatever capacity it can will offer any level of support it can to the minister, the government and the Premier to make sure we have a safe games. We live in a different world which is very unfortunate, but I welcome the opportunity to join the debate on this ministerial statement and offer some views and comments on behalf of the Liberal Party.

Mr HOLDING (Minister for Police and Emergency Services) — I wish to add my comments to those of the Premier and other members in relation to Victoria's preparedness for a terrorist attack. The cowardly murders in London of innocent people from many walks of life reinforce how much our way of life is being threatened by these acts and this campaign. We must find a balance between doing everything possible to prevent a similar attack in Victoria and preserve the civil liberties and freedoms that are an essential element of our open, multicultural society.

The Premier has talked in some detail about Victoria's preparedness. Victoria has very sound emergency management arrangements. Much has been done to review and strengthen those arrangements and capabilities since we witnessed the attacks on New York and Washington in 2001.

In an article in the *Boston Globe* of 17 September 2001 entitled 'New York's preparedness should inspire other cities to act', Arnold Howitt of the John F. Kennedy Business School at Harvard University wrote on the lessons for emergency management of those terrible events of 9/11. Amongst other points he suggested that well-developed emergency management arrangements should include firstly, a multi-hazard approach; secondly, multi-agency response and recovery capacity;

thirdly, whole-of-government coordination at all levels of government; and fourthly, appropriate incident management systems. He stressed the need for surge capacity particularly in the health care area, sophisticated communication systems with adequate redundancy and interoperability, and regular and repeated training exercises and simulations.

So how does Victoria measure up against this assessment? Victoria's emergency management arrangements provide an all-hazards, all-agencies approach for the prevention, response and recovery for all types of emergencies including terrorist incidents. Victoria has a coordination arrangement for the whole of government in place which includes senior cabinet ministers and very senior officers of all departments chaired by the Secretary of the Department of Premier and Cabinet. These arrangements are kept under constant review. The risks and hazards affecting Victoria are constantly changing not just in relation to terrorism but also natural disasters and disruption to our many essential services.

Our arrangements have continued to evolve as part of a learning process in which international and domestic events are reviewed and opportunities for improvement are identified for Victoria. We have learnt much from events such as the Longford gas crisis, the Sydney water quality incident and the Auckland power blackout. Contingency planning for the World Economic Forum and the Sydney Olympics and the need to respond to the white powder incidents immediately after the 9/11 attacks tested our arrangements and led to a number of changes to strengthen our capability.

As noted by the Premier, this government has made a significant investment in training and resources for Victoria Police and the emergency services. I will give some examples. In respect of preventative action we have invested in training and equipment for units in Victoria Police. This includes marine equipment and personnel to protect our ports. There has been investment in specialist groups such as the counter-terrorism coordination group and the security intelligence group. The counter-terrorism coordination group provides high-level coordination to the response to terrorism supporting and advising other specialist units. The security intelligence group enhances that counter-terrorism advice through the integration of intelligence and analysis. We have funded the upgrade of surveillance, IT and communications equipment used in Victoria Police to help investigate terrorist activities at its early stages.

Ability to respond is the next stage of preparedness. We have provided resource services for the special operations group of Victoria Police which provides tactical resolution to terrorist threats and expertise in bomb response and siege and hostage situations. The special operations group, as well as all our emergency service agencies — the Metropolitan Fire Brigade, the Country Fire Authority and the State Emergency Service — also now have the capability to operate within a chemical, biological and radiological environment. Our emergency services agencies have received funding for things such as urban search and rescue, enhanced communications, bomb response equipment, forensic field analysis tools, protective clothing and of course training in the use of that equipment.

Something people sometimes do not think enough about is recovery from a terrorist incident. We have and that is why we have funded the State Coroner to increase processing and investigation capacity, and the Institute of Forensic Medicine for large-scale victim identification, improved physical evidence retrieval and protective equipment.

To build strong emergency management arrangements, training and exercises or rehearsals are critical. Victoria has developed and implemented a number of multi-agency exercises where we regularly test our preparedness through these rehearsals. This has included a major urban search and rescue simulation led by the Metropolitan Fire and Emergency Services Board which included not only many Victorian emergency services but also a number of interstate agencies.

The ability to work together and provide assistance across state and territory borders is essential. Victoria regularly participates in multijurisdictional exercises as part of national counter-terrorism planning, and as indicated by the Premier, our arrangements will again be tested as part of the Mercury 05 exercise later this year.

I am also pleased to inform the house that later this year Victoria will take delivery of a computer-based simulation system designed to test our whole-of-government coordination of major emergency events. This leading-edge technology has been developed for Victoria and is built around our arrangements. It uses scenarios built on real spatial information data and imagery, and uses carefully constructed and credible scenarios. As with the emergency radio broadcast memorandum of understanding with the Australian Broadcasting Corporation, other states and territories are now

following Victoria's lead and have asked to become partners in the development of this exciting initiative.

Communications during emergencies, both between police and emergency services and with the community, are increasingly judged as critical to the success or failure of managing such events. Victoria has some of the most sophisticated communications technology anywhere in the world, and this technology provides crucial interoperability between our services. The problem of police and fire servers being on different communication systems, which affected the response to the terrorist attacks in New York, does not exist in Victoria. Similarly, much research has been undertaken to establish the information the community wants and needs, and how best to provide that information.

We are currently implementing the statewide integrated public safety and communication strategy, which includes investment in the mobile data network (MDN), metropolitan mobile radio (MMR) and the emergency alerting system (EAS). The data network provides real-time access to a range of different databases and can be accessed in a secure environment. MMR provides access for emergency service organisations in the metropolitan area to a digital encrypted radio network that will work more effectively than existing systems in a built-up environment. The EAS provides a statewide paging system for the State Emergency Service and the Country Fire Authority to respond to emergency situations.

As part of our process for informing the community, which I mentioned earlier, a community information and warning trial is currently being undertaken in partnership with Telstra and the ABC and builds on the research that has already been conducted in this area. It illustrates the constantly evolving and innovative approach we take to emergency management and community information here in Victoria, and we look forward to seeing the results over the next three months of the trial being conducted in the shires of Northern Grampians and Yarra Ranges.

Of course, all of us understand that there can be absolutely no guarantees, but all Victorians can be assured that we have a multi-agency, multi-hazard approach which makes sure that all agencies, all sections of government, all the emergency service organisations and the community are able to respond comprehensively and in a cooperative way to any situation that may develop.

Despite the comments of the member for Scoresby I am pleased to provide to Victorians an assurance that we have both the police numbers and resources in place, as well as communications technologies that have interoperable capabilities, to make sure Victorians feel assured that investments have been made and precautions have been taken to ensure they can feel confident about events in the future.

Of course there can be no absolute guarantees: there is no room for complacency. But I can assure the house that Victoria is doing everything it can to prevent and also to put in place the planning and capability for managing the response and recovery to events that we hope will never occur in this state.

DISSENT FROM SPEAKER'S RULING

Mr PLOWMAN (Benambra) — I desire to move, by leave:

That this house dissents from the ruling of the Speaker that question one today was not a matter of government business because it concerned expenditure by the Parliament.

Given that the Appropriation (Parliament 2005/2006) Bill was brought into this house by the Treasurer as a matter of government programming and business concurrently with the budget and that therefore the expenditure of the Parliament is properly a matter for the questioning of a relevant minister — in this case, the Premier — I believe the question was in order, and as such I move dissent from the Speaker's ruling.

Leave refused.

NATIONAL PARKS (POINT NEPEAN) BILL

Second reading

Debate resumed from 21 April; motion of Mr CAMERON (Minister for Agriculture).

Mr HONEYWOOD (Warrandyte) — In rising to lead the opposition's contribution to the debate on the National Parks (Point Nepean) Bill I point out that the opposition fully supports this new national park. Indeed, the parliamentary Liberal Party has a long and proud history of supporting the creation of national parks throughout Victoria ever since it was founded. Having said that this national park has been a long time coming before the Parliament.

The government should be ashamed of itself for the fact that the legislation establishing this national park was introduced and first read in the Parliament on 20 April

this year and it laid dormant on the notice paper week after week being pushed back because of other, supposedly, more important legislation. Given all the rhetoric from the state government at the time this debate was going on, I would have thought it could have done better than to finally bring it forward in the last week of the sitting, three months after it was first introduced.

Having said that, as a result of this legislation we will now have a new 470-hectare park to be known as the Point Nepean National Park. It will include 205 hectares of commonwealth-owned land, with a further 90 hectares being retained by the commonwealth until 2009. The balance of 265 hectares which makes up the new 470-hectare park is to be transferred from the existing Mornington Peninsula National Park, which abuts the proposed Point Nepean park, and will include the South Channel Fort. The legislation also expands the abutting 2657-hectare Mornington Peninsula National Park by a further 23 hectares, to be made up of three privately owned allotments and 19 hectares of Melbourne Water land in the St Andrews beach area and proximate to the Gunnamatta sewage outfall.

So today we have a piece of legislation that involves some very worthwhile additions to our state's national park estate. It puts into effect the long drawn out Point Nepean land use cause celebre. It is a cause celebre in which the current government would like to think it had a major public relations victory. But I put to the house that in fact this was a victory for the local community, for commonsense and for the member for Nepean in this house who has worked tirelessly to achieve a commonsense outcome with the local community. In terms of the state government's commitment along the way this legislation does it no credit at all, and I will get to the dirty hands that it comes to the debate with in a moment.

I will go right back to the time line involved here. It goes back to 4 April 2002, when the defence department announced that 300 hectares of land at Portsea was surplus to its requirements, that it would be disposing of that site and that there would be a round of community consultation about the future use of the site, which then commenced from April 2002. Later in the year, on 20 September, the defence department appointed consultants Parsons Brinkerhoff to prepare a master plan on options for the site. The first community rally against the sale of any land at Point Nepean was held outside state Parliament on 8 October 2002. Two weeks after that the Prime Minister sent a letter to the Victorian government saying that the property would be advertised on the open market early in 2003. Of

course, that goes back to an agreement that was entered into by state governments to do with Federation Fund money.

We well recall that the New South Wales government did not want any money provided by the commonwealth government as part of the contribution by the commonwealth government to each state to celebrate the centenary of Federation. It said instead that it would like to have a large amount of commonwealth-owned land on the harbour side of Sydney go into state government ownership for the purpose of parks and recreation. That was a precedent. However, the Victorian state government put up its hand for funding, and money to the tune of tens of millions of dollars was handed over by the commonwealth government in good faith to assist in the construction of Federation Square, for which this government has claimed credit even though the previous state government initiated it.

Having got a good deal out of the Federation Fund, it was then technically a bit rich for the state government to go back cap in hand to the federal government saying, 'By the way, we now also want commonwealth-owned land provided gratis'. This is where the federal government lost the public relations campaign, and as I said, the state opposition fully supports the outcome that the community, with the support of the member for Nepean in this house, fought so hard for: to ensure that this land was kept in public hands. It is now going to be a national park.

However, the state government has put out mixed messages, because in the lead-up campaign to the last election it actually stated that it was willing to buy the land from the commonwealth government. I will quote an article by Melissa Fyfe from the *Age* of Saturday, 12 April 2003, headed 'Anger at Point Nepean land sale move'.

In a television debate during the state election last year, Premier Steve Bracks was asked if he would buy the land to ensure it remained in public hands if all else failed. He replied: 'We are actually very prepared to do that very thing. But we want the owner (the commonwealth) to clean up that property'.

The Premier said that he was going to buy that land off the commonwealth government, and he reneged on that commitment. He absolutely reneged on that commitment.

Mr Lupton interjected.

Mr HONEYWOOD — We will get to the next commitment that was made and reneged on as well.

The state government does not come to this debate with clean hands. I have already detailed that the federal government went through any number of machinations for leasing the land and proposals of usage on the basis that it believed that as the owner of the land it should have some rights to decide its future. As I have stated previously, it was a commonsense outcome, and the community is to be commended for achieving this addition to the national park estate in Victoria, but the state government is not to be commended for the way it dealt with this — not in good faith at all, but just as a vote-winning exercise in its entirety.

Once this legislation is given royal assent the commonwealth government will transfer the title of the 205-hectare weapons range land to state government ownership for inclusion in the new national park. The commonwealth-controlled Point Nepean Community Trust will continue to manage the remaining 90 hectares of commonwealth land until 2009. This parcel consists of the heritage quarantine station and defence buildings. I might add that the commonwealth government has already spent several million dollars in re-roofing the quarantine buildings. I have been down there and inspected the site; the buildings have been repainted, and they are in much better order and condition than they were previously. We are going to require further legislation coming into state Parliament at a future date to include that additional 90 hectares of commonwealth land that will remain with the commonwealth until 2009.

When this legislation is enacted the commonwealth government will also be handing over a \$2 million grant to the state government in order to control burn the 205 hectares of weapons range land, and Victoria is required to remove unexploded ordnance. This is where we have a few concerns, because this state government has an appalling record, as you would accept, Acting Speaker, when it comes to controlled burns. Not far from your electorate on Wilson's Promontory a controlled burn got completely out of hand and devastated thousands of hectares of national park, killing native wildlife in extraordinary numbers. Far from a controlled burn, it was a wildfire which was incredibly badly managed by this government and the department. So the fact that there will be a controlled burn involving unexploded ammunition and ordnance on the site raises an interesting debating point, and of course there is endangered wildlife there. We have a particular species of bandicoot that would be in danger if the burn were to get out of hand.

The fact that the commonwealth government is willing to hand over \$2 million to the state government to assist in this cause is in stark contrast to the total lack of

funding the state government is willing to put into this park. As a result of this legislation the commonwealth government will also lose easement rights over a 400-metre section of Defence Road that adjoins the weapons range land. It will, however, retain easement-only rights to the remaining 2-kilometre section of Defence Road in order to access the 90-hectare land area that will remain with it until 2009. We have the interesting situation where the commonwealth government is doing the right thing with the funding. It has re-roofed the quarantine buildings in that heritage area and it has repainted those buildings, and they are being handed over in good order. Of course it will be used in some cases by the community to its benefit, but in addition to that the federal government will be handing over a \$2 million grant to the state government.

But that is the end of the funding when it comes to any state government involvement. We did have — quite separate from the commitment by the Premier to buy the land off the commonwealth government, which he reneged on — the curious announcement by the Premier in the last election campaign that he would be committing a further \$10 million from the state government coffers to the funding of this park. It is interesting that we have heard nothing since. In the federal election campaign the Premier attended a photo opportunity with Mr Garrett, the federal Labor Party environment spokesman, and there was some noise made by the Premier to the effect that the \$10 million would be coming soon, 'Don't you worry about that!'.

However, in the briefing provided to me by the government the ministerial adviser had to intervene and explain that the \$10 million promised by the state government would not be forthcoming until all of the commonwealth land was handed over by 2009. In other words, even though in this legislation the commonwealth government is handing over the vast majority of its land to state government ownership — 205 hectares — and even though it is retaining only 90 hectares, the state government is not willing to make available any of its supposed \$10 million commitment. The state government gets all the public relations, but as per usual with this government, when it comes to environmental management it does absolutely nothing.

The government does nothing when it comes to park management or appropriate funding for pest and weed control. That is why, according to the Australian Bureau of Statistics, this is the lowest funding state per hectare and per person for park management in Australia. What an indictment of a Labor government supposedly committed to the environment — the lowest funding state in Australia both per hectare and per

person! That is also an indictment of the minister in terms of the rhetoric about the environment versus the reality of a lack of funding.

We look forward with interest to this promised \$10 million in state funding. The government has said it will provide it in 2009, but the community is not holding out too much hope because it knows about this government's record of broken promises. That \$10 million could have gone into some expert management planning. This is another bone of contention. While the state government has significantly reduced park management funding for the abutting Mornington Peninsula National Park, there is no guarantee of any additional funding or staffing for this new Point Nepean National Park. In the meantime the so-called integrated management plan will be a long time in the consultation phase.

The last thing this state government wants to do is have an integrated management plan that is in the public arena and might entail suggestions and recommendations for appropriate management and funding models. That is the last thing the state government wants. It does not want that plan published, it wants to push it onto the backburner, because it wants to get away with a sleight of hand and not provide the \$10 million promised for this park. As I say, the state government can preach the rhetoric on national park management, but it has been caught out time and again when it comes to following through with funding.

We have seen that with the other piece of legislation on the notice paper for debate in this house at a later date about the Otway National Park. It has been put specifically to the Victorian Environmental Assessment Council that the government is going to create this new national park in the Otways in addition to a forest park, but where are the funding recommendations that go with it for additional rangers and for additional pest and weed control? At the briefing I and other honourable members of this house had the chairman of VEAC put his hands in the air and said that it is not part of VEAC's responsibility, that it is meant to be an arm's-length-from-government advisory body and that it is not allowed to make any recommendations about funding or the funding support required for a new national park.

The house finds itself in this conundrum. We are expected to support the creation of a new national park. The parliamentary Liberal Party fully supports that and recognises the outstanding work done by the local community and local members such as the member for Nepean in achieving this outcome. But we are concerned that we create these parks and have no

leverage on the state government to ensure that they are looked after and managed properly and that appropriate usage occurs.

Mr Cooper — Worst neighbour in the state.

Mr HONEYWOOD — It has been described as the neighbour from hell by abutting private property owners right around the state, because it is not a good neighbour and does not meet its own responsibilities when it comes to ensuring that it abides by the rules it foists on private property owners.

Despite the belligerence of the state government and its attempt to use this wholly and solely as a political vote-buying exercise, moves have been initiated by the commonwealth government to try to get a partnership approach going here. On 20 January 2004 the commonwealth government offered the state government a role in managing Point Nepean by inviting the state government to appoint somebody to its committee of management. On 18 February the state government established its own 10-member advisory committee on Point Nepean — as we expected it would, because it does not like to cooperate with another level of government. On 10 June a separate Point Nepean Community Trust was established by the federal government — after its offer in good faith to have state government nominees was refused.

On 14 July Point Nepean was included in the Victorian heritage register. The commonwealth has done its part by ensuring that the site has been included on the commonwealth heritage list. On 31 August the state government again refused to place a nominee on the Point Nepean Community Trust, because the trust deed allegedly failed to guarantee that the site would be handed to Victoria. Even though we have the commitment from the commonwealth government that the land in its entirety would come to the state government, for its own political ends the state government refuses to play ball.

On 28 November last year the state government and the Point Nepean Community Trust agreed to cooperate on a single management plan for the area. Could you imagine for a moment how ridiculous it would have been if we had had two separate management plans being orchestrated at the same time, in parallel, by separate organisations because of the absolute belligerence and political vote-buying priorities of this state government? Finally a commonsense outcome prevailed and one integrated management plan was able to be brought forward. As I have said, for its own political reasons this government has been slow off the mark in getting that management plan up and running.

On 18 January of this year Parks Victoria and the commonwealth government-appointed Point Nepean Community Trust agreed to work together to create a single national park out of the former defence site. Finally we have some cooperation occurring between the different levels of government. The commonwealth government had been constantly extending cooperative proposals but had been knocked back. As I said, on 20 April this year the state government finally introduced and first read the National Parks (Point Nepean) Bill in this house. It has been sitting on the notice paper for the three months since — such is the priority accorded to this cause célèbre.

Mr Jasper — They don't want to rush it.

Mr HONEYWOOD — They do not want to rush it for the reasons I have given.

That is the chronology and how we have gotten to where we are today. As I say, the situation was not handled particularly well by different levels of government in terms of public relations. That applies in equal measure to the state government given the various funding commitments and promises it has failed to deliver on. However, at the end of the day this is an outcome that future generations will respect and appreciate this Parliament for. It is a commonsense outcome. It will ensure that the national park is accessible, and not just to local residents who will stand to gain from a number of community usage facilities.

The local council has already been provided with some hectares of commonwealth-owned land, which is a good outcome for it in terms of community usage. However, the onus is on the state government to ensure that the rhetoric on making this national park accessible to all is met. If you go down to the abutting Mornington Peninsula National Park now, you will find that you have to pay a not-insignificant fee for the right and privilege of entering a national park. The state government has already placed a charge on families accessing and enjoying the abutting national park.

I ask the Minister for the Arts, who is at the table, and the Minister for Environment — knowing full well that they will not bother to answer — whether it is their intention to have a similar charge for any family or individual in Victoria wanting to access this Point Nepean National Park. I am sure the reality will be that there will be an entrance charge to inspect the waist-high weed; there will be an entrance charge to inspect the feral animals. There will be an entrance charge, yet again this government argues philosophically that we should not have a user-pays system. The reality is that if it can get its grubby hands

on additional revenue, as we have just seen today in the house with the land tax on family trusts, it will do so. The rhetoric of national parks being accessible and available to all is not a reality already, given the imposition of a fee on the abutting Mornington Peninsula National Park. The Point Nepean National Park has some very significant environmental values, if they are managed properly.

Already we have the problem which the member for Nepean in this place has been working on very diligently: the erosion of the seawall. Again it is becoming a danger, where vehicles trying to get to the end of the Point Nepean peninsula to inspect the old defence buildings and structures will find that the cliff face is almost falling down into the sea. The seawall, which is at the base of the cliff face, was renovated by the previous Liberal government, which spent a serious amount of money on reinforcing it, but for six years we have had not one brass razoo spent on it. We now have a real problem in that the seawall is almost beyond renovation, so it will be a major project for a future government to find the wherewithal to fund it. It is an indictment on this government that it has not put any capital works funding into this area, and does not intend to put any capital works funding into this area.

Honourable members interjecting.

Mr HONEYWOOD — The ignorance coming from the mushrooms on the government backbench is there for all to see. The seawall is actually a state government responsibility, and that responsibility has been completely ignored by the current government.

The member for Nepean has raised a number of other issues of concern, such as the South Channel Fort and making sure that that heritage site is properly funded — the state government is foisting that into the new Point Nepean National Park as part of this legislation — and a number of other concerns to do with the maintenance of the park. The abutting park, the Mornington Peninsula National Park, has already had its maintenance funding reduced from \$80 000 a year in the last two financial years to \$20 000 a year, which we are reliably informed by the local community is not enough to pay for the contractors to fulfil the normal maintenance requirements — a 75 per cent reduction in funding by the Minister for Environment.

The 23 hectares added to the Mornington Peninsula National Park, is right next to the Gunnamatta sewage outfall. It is fine for the government to be content with Third World sewage recycling. We have only class C recycling of the water from the Carrum facility, which accounts for 40 per cent of Melbourne's total sewage

output. The state government is content not to spend the \$165 million needed to upgrade the current facility from class C to class A water and is content to continue prevaricating over any initiative regarding that. If you go up in a helicopter, as the Leader of the Opposition and I have done recently, over the Gunnamatta sewage outfall, you will see an extensive plume of sewage going some kilometres out to sea.

It is a Third World solution. We are meant to be living in a society that is supposed to be adopting world best practice environment management. This government prefers to spend \$165 million on adding to its head office bureaucracy rather than implementing key projects that would ensure Victoria led the way in environmental management. Let us all understand that we are putting 23 hectares of additions to the abutting national park, as part of this legislation, which will be right next door to a Third World sewage outfall into the ocean. It is an indictment on the government that it will not adopt Liberal Party policy, which is to close the Gunnamatta sewage outfall and to increase the standard of water at the Carrum treatment facility from class C to class A.

There are many issues associated with this legislation. I have covered the key ones as far as the opposition is concerned. The legislation has been a long time coming. It is only the start of the process, if you like, because in 2009 we will require additional legislation to incorporate the other 90 hectares of commonwealth government-owned land. At least we have the state government finally coming to the table and agreeing, apart from taking the commonwealth's money of \$2 million straightaway, to ensure that there is a cooperative effort in the interests of the local community and that we will have, although we are sceptical when it will be achieved, this so-called integrated management plan. We look forward to that and we hope those involved in the drafting of the management plan will have the courage of their convictions to make genuine recommendations about the implementation and funding requirements — apart from the \$2 million being handed over by the commonwealth government — across the whole of the park and the abutting Mornington Peninsula National Park.

Mr JASPER (Murray Valley) — The National Parks (Point Nepean) Bill creates a new Point Nepean National Park by incorporating 205 hectares of the former Defence weapons range site with parts of the Mornington Peninsula National Park. It adds a further 90 hectares, including the historic quarantine building that will be added at a later stage, suggested to be 2009, and also adds some small areas of coastal land to the

Mornington Peninsula National Park. As is the practice of The Nationals, we undertook investigations into the bill. I appreciated the briefing provided by the minister's office in relation to the legislation. This was undertaken with the Honourable Peter Hall in the other place, who is The Nationals spokesman in this area.

I want to backtrack a little before dealing with the detail in the legislation. As a member of Parliament representing north-eastern Victoria some people would say I have no interest in events going on at Point Nepean.

Honourable members interjecting.

Mr JASPER — The members for Mornington and Brighton interject that that would not be the case, and it is not the case. The Nationals are extremely interested in developments taking place, whether they are in country Victoria or metropolitan Melbourne. We recognise the importance of Melbourne as the capital city of Victoria and the important part it plays in Victoria. I repeat, as a member representing the north-eastern part of the state, The Nationals are well aware of actions that have taken place over a number of years in developing national parks.

When I entered Parliament in the late 1970s a map was shown to me by people interested in extending national parks across Victoria. It included southern New South Wales, and I could not believe the areas they were showing that would be included as national parks. We have seen enormous changes from the 1970s, particularly in the 1980s, the 1990s and this new century, with areas of land added to national parks across Victoria. It was suggested that there would be a continuous national park coming down through New South Wales into Victoria and right across into central Victoria. That has been achieved. Maps of national parks provided in Victoria show that most of the extensions of national parks recommended by investigations undertaken by successive organisations created by governments have been achieved.

The Nationals are not opposed generally to extensions to national parks, but we need to make sure that national parks are adequately and appropriately managed. That is the key concern we have. I saw this particularly with the development of the box-ironbark national park up in north-eastern Victoria within my electorate of Murray Valley. I say without fear of contradiction that those areas will not be managed properly — indeed they are not being managed properly — unless the government says, 'If we are going to take on additional national parks, we will

provide the appropriate management structures through Parks Victoria'.

Throughout the 1980s we had the Land Conservation Council, which undertook extensive investigations into all areas of Victoria and produced extensive reports, and I still have all those reports in my electorate office in Wangaratta. They are available if members want to have a look at them, because I think many of them would have been lost and many members would not have copies of the reports which were prepared at that time. The Land Conservation Council recommended that extensive areas be created for national parks. Indeed throughout the 1980s that happened, and then throughout the 1990s further areas were developed.

Then we saw the development of the Environment Conservation Council and the work it did, including its involvement in the box-ironbark national park, which I mentioned. Members of the council responded very positively to my representations and came up to meetings in north-eastern Victoria, where they presented their case. I chaired one very volatile meeting at a small place called Eldorado within my electorate of Murray Valley. They indicated that I would not be able to control the meeting, but I can assure you that I did. The council produced a lot of detailed information, and both sides were able to present their views. I thought it went very well.

Now we have the Victorian Environment Assessment Council, which has developed from the former conservation councils. I believe that background needs to be put on the record. We have developed these national parks, but the key to that is how they are going to be managed into the future. Unless the government decides that it is going to put more money into this area, we are going to find that the new national park in this pristine and wonderful area that we have in the Mornington Peninsula will not get the management it should. I am sure that the local members who represent those areas, and who are in the house now, will provide additional information on the current national park and what will happen when these other areas are included in it.

I decided I would go to the library and get some information. There is no doubt that the development of this prime Portsea site has had a chequered career. I will read a couple of paragraphs from the *Herald Sun* of Friday, 5 April 2002, under the heading 'Developers eye prime Portsea site':

A forgotten piece of land on Mornington Peninsula could be worth more than \$20 million to taxpayers.

Publicly owned cliff-top land at Portsea could be sold off under defence department plans to dispose of the disused site.

Federal defence parliamentary secretary Fran Bailey said yesterday the department no longer needed the 300 hectares of land adjoining the Port Nepean National Park.

An enormous debate developed over the period from the original announcement in April 2002. I come forward to January 2003 and again read from the *Herald Sun* under the heading ‘Tourist mecca plan for point’:

Historic Point Nepean could become a multimillion dollar tourist attraction under a blueprint commissioned by the federal government.

A tourism hub including accommodation, cafes, boutique shops, a museum, heritage ferry ride, convention centre and dozens of kilometres of new trails is recommended for the 311-hectare defence site for sale.

...

A spokesman for the defence ministry parliamentary secretary Fran Bailey said Colliers International would begin marketing the site next month.

It bubbled along through 2003, and I go forward to the *Age* of 4 October 2005, which says under the headline ‘State’s late “concept” bid for Nepean’:

The Bracks government will participate in the commonwealth’s tendering process for Point Nepean, despite the bitter battle over the future of the 90-hectare heritage site.

...

But the bid for the 40-year lease, due on Monday, will not offer the commonwealth money, as required in the tender document. Mr Thwaites —

the Victorian minister —

maintained his position that Victoria should not be paying for Point Nepean.

Again we have the entry of the federal parliamentary secretary for defence, Fran Bailey, who said that the state’s bid would be considered with all the other tenders. The *Age* of 18 October 2003 has the headline ‘Anger as Nepean bid winner named’ — and the federal government named the winner. Under the headline ‘Pub, restaurant plans exposed’ the *Herald Sun* of 15 November 2003 says:

Point Nepean will be transformed into a community, education and tourist attraction under a \$10 million deal with the federal government.

A hotel, restaurant and convention centre will be included in the redevelopment of the 90-hectare former defence department site.

The secret plans for the Portsea site can now be revealed after months of controversy surrounding its future.

Going forward, the *Herald Sun* of 19 December 2003 says under the headline ‘\$10 million gift’, and local members will expand on this, I am sure:

A \$10 million mystery benefactor and a Howard government backflip have given Point Nepean to Victoria as a Christmas gift.

Another heading in the *Age* on 19 December 2003 says ‘Nepean park as Canberra backs down’:

Point Nepean will be a national park in five years after the federal government yesterday caved in to community pressure and abandoned its commercial development plans for the site.

In a dramatic backflip Canberra has ruled out hotels or convention centres and instead accepted a \$10 million donation from an anonymous Melbourne family to fund the site under a trust for five years.

Then we had an editorial in the *Age* on 20 December 2003 under the heading ‘Admirable outcome at Point Nepean’ that states in part:

A much loved strip of coastal land will become a national park at long last.

Again the *Sunday Age* of 11 January stated under the heading ‘State bid to fast-track point deal’:

The state government will set up an advisory committee to speed up the transfer of Point Nepean into Victorian hands, shortening the commonwealth’s five-year plan.

Then there was a supposedly secret deal over the Nepean land, so these extracts go on. The one I want to mention in particular is from the *Sunday Age* of 28 November 2004 under the heading ‘Governments united on Point Nepean park’. So at last, after all this time, we had governments united on what they were going to do.

After two years of bitter state-federal wrangling, the creation of a unified Point Nepean National Park is within reach.

The Bracks government has accepted a federal government offer to transfer 250 hectares of Point Nepean bushland to the state.

Victoria will get \$2 million for management and weed clearance, and the defence department will clear unexploded ordnance accumulated since 1951.

...

The federal government has abandoned plans to sell or develop it last December, announcing the handover of the 205 hectares, with a trust to manage it in the interim.

It was interesting to read some of the information that was publicised in the Melbourne newspapers and the long period of time that was taken to get what I think

will be a just result in the transfer of land and the development of the new national park.

I want to comment, Acting Speaker, on my concern about the lack of funding that is being provided to national parks across country Victoria. We want to make sure that whilst some federal government funding is being provided to assist in the clearing of this area — it was a generous gesture, and I think the state government would recognise that — unless we get appropriate management and development of this new Point Nepean National Park it could end up in the same situation as many other national parks throughout Victoria, including those in north-eastern Victoria, where I live. We have seen what has happened where there has not been appropriate management. The huge fires in 2003 in this state are testament to the fact that these national parks have not been managed properly. Not enough funding has been provided by the state government to make sure that these areas are managed appropriately now and into the future.

Going back to the late 1990s, we saw the transfer of land from the Alpine National Park into the Falls Creek alpine resort. A small area of 80 hectares in round terms was transferred to extend the resort from the 2300 hectares that it currently occupies, recognising that the Alpine National Park has 660 000 hectares.

I recall a comment made by the opposition spokesperson at the time, who became the minister. In 1997 he commented that if there were a change of government, we would see that land transferred back to the Alpine National Park — and with the change of government the minister decided that land would be transferred back to the national park. I have to put on record my disappointment, because the Liberal Party at the time could have joined with the then National Party and made sure that that land remained within the alpine resort.

It is so disappointing that 80 of the 660 000 hectares of the Alpine National Park was shifted into the Falls Creek alpine resort and now has been shifted back out purely on the basis of a whim. There has not been enough discussion. We believe it should go back. It is not pristine country. Most of that area is around Rocky Valley Dam. The proposal was to extend the lifts out to Mount McKay, which would have given additional diversity to areas within the alpine resort for skiing and to make the resort world class. I think that will be lost, purely and simply because of the government's not being able to accept that 80 hectares was being shifted out of the Alpine National Park into the skiing resort.

I have to say in passing that the government needs to provide greater support to alpine resorts in Victoria. It often claims they are a great tourist attraction for the state. People involved in skiing support the industry, of course, but the recreation side of the industry is highly expensive. We need greater support from the state government to assist in the development of these resorts rather than just accepting that the resorts are a great tourist attraction. But that is a side issue to the main point I want to raise. I want to make sure the government understands that unless we get appropriate management of these national parks, we are going to get continual problems with fires, continual problems with weeds not being controlled within national park areas and continual problems with feral animals as well.

I also want to put on the record my strong support for the continued occupation of the Alpine National Park by the mountain cattlemen. This government did the mountain cattleman a great disservice over many years by deciding that they should be removed from the national park. It took the government five years to bring that decision to fruition. As far as we in The Nationals are concerned, an absolutely wrong decision has been made. The evidence coming out indicates that the mountain cattlemen have been of great benefit to the Alpine National Park.

We are going to see changes which will mean that those areas will not be managed properly into the future. The government should recognise the importance of the mountain cattlemen and the work they have done over a long period of time. Many people who have spoken in this Parliament have not even been up into these areas and do not understand the way the mountain cattlemen have worked in the alpine areas and what they have been able to achieve there. But the legislation before the house is — —

Honourable members interjecting.

Mr JASPER — I said from the outset that I would cover some of the other areas of concern. In the earlier part of my contribution I made great play of the legislation that is before the house. Indeed I need to put on record the concerns of The Nationals in these areas.

One concern is about just extending national parks without providing appropriate management into the future. This is an important development for the Mornington Peninsula. I think it is one of the great areas of the state of Victoria, but unless we get the support of the state government we will find that that area will also fall into disrepute. If it is not managed properly it is an area which will not be of benefit to all

those people living within Victoria who may benefit from going to this area of Victoria.

The Nationals will be supporting the legislation. We consider it important that after years of wrangling and discussions between the state and federal governments apparently an appropriate result has been achieved. We should be congratulating both the state and federal governments that at last they have been able to come to a satisfactory arrangement. I am sure that the local members will be adding other important information in relation to the background of the developments that took place, the discussions which were generated and the result which has been achieved. We look forward to seeing the development into the future. We want to make sure that appropriate funding and support is being provided by the state government to ensure that we do get this area developed to its great potential for the benefit of all Victorians.

Ms LINDELL (Carrum) — It is a great day to be speaking on the National Parks (Point Nepean) Bill that has finally come to this house. It is always a pleasure to follow the member for Murray Valley in any debate in this house, but especially today. He outlined the acts of treachery and hypocrisy of the federal government that the state government had to put up with in managing, with an enormous effort from the local community, to secure the coming into existence of the Point Nepean National Park.

We lived through months and months of speculation about multimillion-dollar developments of one kind and another. There were exclusive hotels and theme parks — every month there was a different one with a different dollar figure put to it. It was worth \$20 million, then it was worth \$10 million — and we know that to the community of Victoria this particular area is priceless. Before the member for Murray Valley spoke we had from the member for Warrandyte a 20-minute apology for federal government action in this regard. It was an absolutely disgraceful contribution to this debate, in which he made every possible excuse for what the federal government wanted to do and had planned and had not planned. It was all the state government's fault that this was threatened in the first place — that is what you would read into his very deceitful contribution.

It is in fact a terrific bill and sets up for the Victorian community for posterity one of our most historic areas. The bill amends the National Parks Act to create the Point Nepean National Park, and it also makes some changes to the boundary of the Mornington Peninsula National Park. The bill continues the implementation of the government's 2002 election policy to protect Point

Nepean. Of course protecting Point Nepean involves the creation of this national park with the incorporation of 250 hectares of the former commonwealth defence department site. It also requires the addition of 90 hectares of the former quarantine station. Disgracefully, we will have to come back to this house with another bill to actually incorporate the 90-hectare site when the commonwealth government finally transfers the land.

With the passage of the bill and the transfer of the 250 hectares, the commonwealth will be responsible for clearing the former weapons range of unexploded ordnance and will provide \$2 million to Victoria for controlled burning and weed control. The burning is scheduled to take place over 10 years to improve flora and fauna habitats and achieve fire protection, as well as facilitating clearance of the unexploded ordnance.

The Mornington Peninsula National Park will be changed slightly by this act, firstly by transferring some land at Point Nepean and the South Channel Fort to the new Point Nepean National Park. The bill also adds 23 hectares to the Mornington Peninsula National Park: 19 hectares at St Andrews Beach, which is currently owned by Melbourne Water; two small parcels of land on Fingal Road; and nearly 4 hectares at the car park at Cape Schanck together with an associated road reserve. All those small parcels of land will be added to the Mornington Peninsula National Park.

Clause 7 relates to the easement — I think the member for Warrandyte raised this in his contribution to the debate — that exists over Defence Road, where the road abuts the land owned by the commonwealth. Clause 7 amends the description of that part of Defence Road over which the easement is granted as it will not be required once the 205 hectares of commonwealth land is transferred to the state.

The Victorian government through Parks Victoria and the Point Nepean Community Trust is preparing a management plan for an integrated national park. Despite the comments made by the member for Warrandyte earlier in this debate that this plan was years away, it is actually due to be released in September. It will cover both the proposed new national park and the 90 hectares of commonwealth land at the quarantine station site.

The commonwealth has agreed to transfer the quarantine station land to Victoria by 2007 at the earliest and by 2009 at the latest. The government believes there is no reason for this land not to be transferred immediately and that there really is no excuse for the continued delay of the transfer of the

former quarantine station land. The Bracks Labor government has called on the federal government to transfer the land immediately. In his contribution earlier the member for Warrandyte, apart from apologising for the dreadful actions and behaviour of the federal government on this issue, made mention of a lack of funds for park maintenance and park management. In the May state budget for the 2005–06 financial year, \$19.3 million has been allocated over four years and there is ongoing funding of \$5.4 million for additional weed and pest management and improved protection of natural values for the entire park estate of Victoria. There is also nearly \$50 million over six years for replacing and repairing park assets.

In my concluding remarks, I once again thank the member for Murray Valley for his historical and very enlightening — —

Ms Munt — Hysterical!

Ms LINDELL — No, the member for Murray Valley was very thorough in his research on this issue and he outlined to the house time and again how Fran Bailey, the parliamentary secretary for defence in the federal government, had grand plans for a \$20 million tourist development. The land was to be sold by Colliers. There were grand plans for the development of this most wonderful location, which is of immense environmental, cultural and historical value to the people of Victoria, with pubs and restaurants.

In my last few comments I would like to praise the action of members of the community of Victoria, particularly those of the local community on the Mornington Peninsula, for their unstinting and unwavering determination to ensure that Point Nepean continues to have a place in the hearts and the psyche of all Victorians as a place of state significance. Point Nepean is a place where we can appreciate the earliest history of our state and admire the magnificent scenic views available there.

I accept that The Nationals and the Liberal Party are supporting this bill. I think The Nationals come to the debate with their support in much better faith than the Liberal Party, but so be it. At no stage through this did members of the Liberal Party ever stand up to their federal counterparts. They proved once again that they are Liberals first and Victorians second. I commend the bill to the house.

Mr DIXON (Nepean) — It is a pleasure to join the debate on this long-awaited bill. It has been delayed week after week, and I have often got up here — —

An honourable member — Month after month.

Mr DIXON — Month after month, actually, because we only sit one week in a month these days. I have been waiting with great anticipation to debate this bill.

First I would like to talk about the addition of 19 hectares, the former Melbourne Water land, to the Mornington Peninsula National Park, which is covered by this bill. Back in 2000 I was approached by Marta Marot on behalf of the St Andrews Beach Preservation Society asking me to follow that up to see if that reservation which was under Melbourne Water's control could be passed over and incorporated into the national park. Five years later it is really pleasing to see this actually happening.

It is a little ironic that this block of land of 19 hectares that is going to be incorporated into the national park is right next door to the Gunnamatta sewage outfall which discharges 470 million litres of C-class sewage onto the beach. It is great to see an extension to the national park, but Melbourne Water and this government are happily polluting Bass Strait and that section of the beach. In fact from this very 19 hectares you have a very nice view of the brown plume as it spreads out into Bass Strait. You can view all the marine life that is dead in that area, and when there is a nice onshore wind you can get a good whiff of it from this 19 hectares as well.

Part of Melbourne Water's and the government's plan is to extend this pipeline 2 kilometres out into Bass Strait, halfway to Tasmania, and discharge it there so it does not discharge at the beach. But the engineering works that are required to extend the pipeline will cause a lot of hectares of the dunes and the existing national park to be bulldozed and flattened. The major engineering works to enable the extension of the pipeline 2 kilometres out to sea will have to be undertaken right next to this 19 hectares of land. I do not have to point out the irony in this, that the government is giving with one hand but taking away with three hands, as it were, given the potential damage the proposal is likely to cause to part of this national park. I call on the government and subsequent speakers to say that they are definitely not planning to extend that pipeline 2 kilometres out to sea.

It is Liberal Party policy that that \$65 million extension of the pipeline will not be undertaken. That \$65 million will be spent by the Liberal Party on far worthier water projects throughout Victoria.

On to the Point Nepean National Park — and first, the name. I am comfortable with it, but I would prefer the Point Nepean that has been added to it — —

Ms Beattie — Martin Dixon Park.

Mr DIXON — There was a good suggestion, but I am in not in favour of that. I would rather leave my mark in other ways. The whole area is commonly known as the Mornington Peninsula National Park and perhaps it should stay that way. I think the jury is out. It is an interesting name change, and I will leave it at that.

The South Channel Fort is going to be part of the national park and I really do welcome that. It needs that sort of protection. The South Channel Fort is a man-made island that was built back in the 1860s and 1870s as part of the defence of Melbourne. There is incredible technology out there — electric mines, search lights and other technology that you would not have believed was about in the 1870s. It is a site unique in the world. It is incredible. It has also developed into a bit of a wildlife sanctuary because of its isolation. The pier out there was restored under funds allocated by the former government.

Mr Cooper — The Kennett government.

Mr DIXON — The Kennett government, of course. The access is quite good but no money has been spent since then and a lot of money is needed to fence off the tracks because there are bird rookeries out there. Money is needed for signage and interpretation and for cleaning up the old magazine and gun emplacements now that this will be part of the national park. The member for Murray Valley made the very strong point that it is great to have an extra national park but the funds have got to be available to go with it. If you are taking on the South Channel Fort you are taking on an expense and you are taking on some pretty serious ongoing maintenance as well, because it is a very isolated and windswept place on Port Phillip Bay. It will not be cheap to look after and I worry about the ongoing maintenance of the fort.

Before I refer to the 205 hectares of the weapons range, which the bulk of this bill is obviously about, I make just a slight correction. The member for Carrum is not here now, but she said the federal government has the responsibility to clear that and that there is another \$2 million for other clearance. That is actually not so. The \$2 million was given by the federal government to the state government, which has responsibility for clearing up the unexploded ordnance in that area. That \$2 million will be spent over 10 years, and the manner of clearing that area and exposing the unexploded ordnance is through controlled burns. With 200 hectares to be cleared over 10 years, it means there will be 10 controlled burns of 20 hectares.

How you can control a burn and keep it within a 20-hectare area I do not know. It is going to be very hard to do that. Recently I was down at Wilsons Promontory with the member for Scoresby having a briefing on the escaped controlled burn there. At least there were hundreds of hectares of area which the fire, when it did escape, could go into without destroying property or harming people. But how can a 20-hectare burn be controlled close to houses and tens of thousands of people living and holidaying down there on the Mornington Peninsula, on that very narrow piece of land with incredible flora and fauna and with historic buildings in the remaining 90 hectares? The department's record on controlled burns is not good, and I am still to be convinced that the 10 controlled burns of 20 hectares will do the job without causing further damage. I really have my heart in my mouth over that one.

Over the previous years the funding of the Mornington Peninsula National Park has actually been decreased. The money was spent elsewhere especially in the north-east after the fires. We welcome the recent increase to parks funding, but it has really only brought the level back to what it was a few years ago especially in the Mornington Peninsula National Park. Other than the \$2 million from the federal government, there is nothing specific about the immediate money that is going to be spent on the restoration of the 200 hectares. There will be controlled burns and ongoing maintenance of the fencing, roads and interpretive signage or whatever the Department of Sustainability and Environment wishes to do. It is great to have extensions to national parks, but the funding has to go with them for ongoing maintenance and bringing those areas up to standard.

This government has promised \$10 million which it refuses to hand over until all the land is handed over. It should release a proportional amount. If two-thirds of the land has been handed over, then two-thirds of the state government money should be handed over and spent on the national park. There is a good community process going on now to ready the land and the 90 hectares of the quarantine station area for the state government to take over. The state government is in no position to take it over now. I know that Parks Victoria does not want to take it over now; it has not got the funds to do the major work that is required. It is a very complex site. The community is behind it. People have said to me they are sick of bickering between the levels of government; they want to get on with the job. This legislation is taking a step towards that. The process that Parks Victoria and the community trust are working through now is positive and moving at a good

rate. It has been very consultative and realistic about how complex the issue is. I endorse the process.

When we look back at some of the extreme arguments that were put up about the sorts of things that were going to happen with this land, we can see it was scaremongering. The BMX tracks, the Ferris wheels and the multistorey buildings — all that was absolute rubbish. It was never going to happen and now we have got to this stage and seen the process happening we know that those things were a beat-up. I am very confident there will be a very good outcome for Point Nepean. The people of the Mornington Peninsula and Victoria have been waiting a long time for this.

Ms BUCHANAN (Hastings) — I also rise to support the National Parks (Point Nepean) Bill on behalf of the vast majority of Victorians, indeed Australians, who are passionate about the full preservation of beautiful Point Nepean. However, I will qualify this statement by adding it is also with a sense of frustration that I stand here today — sadness, disappointment and frustration at what I can only describe as the ongoing selfishness of the federal government in disallowing the Australian population's dream of having the whole of Point Nepean as one whole park under one manager now.

I would like to commend the Minister for Environment and his predecessor for their passionate commitment in fighting the federal government at every stage in its attempt to fragment this iconic site, with the aim not of community benefit but rather that of private gain for private developers. It is very disappointing and shows a total lack of respect for Victorians that I in particular have to again stand here virtually begging the federal government to listen to the issues of Victorians. The first message is one park, one manager and I hope it will be heard very soon. The second message is not to pre-empt any planning processes around the whole of the site by any actions the Point Nepean Trust may take in terms of land uses which are incompatible with a full national park.

The minister's lobbying has been supported by passionate groups which include the Victorian National Parks Association through to great people like Chris Smyth and Kate Baillieu who has a great group of dedicated supporters around her, the National Heritage Trust and people like Penny Blazey. She is a member of the Premier's women's honour roll; she became a recipient of that most prestigious award earlier this year. This is to name just a few of the passionate groups that have worked to save Point Nepean. I commend them all because some very important outcomes have been achieved and are reflected in this bill.

These hard-fought outcomes were part of the Bracks Labor government's 2000 election policy on forests and national parks to protect Point Nepean and include it in the Mornington Peninsula National Park. Some of the bill's actions include the creation of a new Point Nepean National Park sitting adjacent to the Mornington Peninsula National Park; the incorporation of the 205 hectares of the former defence weapons range site; the commitment that the federal government will fund the clearing of the site of the unexploded ordnance; and the small but important parcels of coastal land at Cape Schanck and St Andrews which will be added to the park along with the South Channel Fort.

I would like to talk about this so-called generosity of the federal government in providing \$2 million for weed control and burn-off. I would like to compare that with the \$115 million it announced in terms of looking at the restoration of seven other coastal sites. Mind you, these were coastal harbour sites on Sydney Harbour, not Victoria or Melbourne. If we did not know about this Sydney-centric federal government before, we certainly knew it then. And we knew about its Liberal counterparts here in Victoria, when in May 2003 it proposed selling off Point Nepean to private developers. The national outcry was intense, as we all know, and consequently it was forced to back down, but not before trying the quasi long-term lease option on the public. It did not go down very well. Thankfully in the end it backed down.

Finally, after countless years, it has acceded to community needs and is handing over some of the land. There is still the matter of the remaining 90-hectare quarantine site. You have to ask who is pulling the Liberal Party's strings on this issue? It certainly is not community interest. You have to wonder what is driving it and preventing it from handing over this bit of land so that a holistic management approach can be undertaken to the whole of the site.

I want to talk a bit about the remaining 90 hectares, particularly as it is still under the ownership of the federal government. The Point Nepean Community Trust is the authority that is looking at the future development of the land at this time. There are some good community members on that trust, but it would be fair to say that they are the exception rather than the norm. The federal government has offered \$5 million to the trust. Realistically that just about covers the fees of the executive members, the consultant's costs and all the other costs associated with putting out briefs for tender. It does not do anything in terms of adding to the infrastructure or the quality of the site. Much has been made about the tidying up of the site. A couple of million dollars has been put into doing cosmetic

changes around the facades of buildings and things like that.

Let us put that into a historical context. Just before the federal government announced that it was going to sell off the site, it cleaned up the buildings. Is that a coincidence? If you are going to sell off a site, you tart it up to increase its dollar value. It has also promised a couple of million dollars over a couple of years to enable the Australian Maritime College to run courses, but it has not offered to contribute anything to the infrastructure of running courses on the site. It wants to set up an education precinct down there without holistic and comprehensive community consultation, but nothing is mentioned about the rest of the facilities down there. It is exceptionally frustrating in that context.

I could talk about other groups who wanted to be involved with the process but who were pressured not to be involved, but I will do that another day when the 90 hectares has finally been handed over.

Other members have referred to the \$10 million contribution underwritten by an unknown family, and I understand that that is to go towards a proposed respite centre on the site. You have to ask whether that is what the community expects national parks to include. Are there no other suitable sites closer to medical facilities or transport infrastructure? What about the broader access and equity issues in creating such exclusive non-public compounds within the precinct? It does not take into consideration what Victorians really want to see on the site. There is a singularity in both proposals that I have talked about that the community finds disconcerting. The issue is not their purpose but their location. But more than that they are not part of an overall plan for the whole site, just part of a potentially inappropriate, isolated plan for the 90 hectare site. These institutions could go anywhere. Why are they being considered in the first place, and why put them there? They are not part of an overall plan for this site.

It seems to me that the key players in the Point Nepean Community Trust have very different ideas about what a national park is and does compared to the rest of Australia, which has a very clear view about the sort of activities that should be undertaken in a national park. The whole site should be handed over and an integrated management plan for the whole of the site formulated, with democratically nominated and elected people on the management committee. They should be the ones to have a say on the site.

The Bracks Labor government has been very clear about its views on Victorian expectations of what

should and should not occur in national parks. We have seen that recently with the alpine national grazing bill which received overwhelming community support across the state in terms of banning cattle grazing from our beautiful alpine parks. The Bracks government has fought for total land inclusion, while the federal government and the Victorian Liberal Party have fought not to have one site under one management plan. This is a sound bill which espouses the principles of sustainable preservation, taking into full consideration the invaluable heritage, cultural and environmental significance of Point Nepean.

Nothing that I have heard so far from opposition members in the debate tells me that they are not still hell-bent on doing something on this 90 hectares contrary to the principles and the wishes of Victorians for national park sites. The proof is right here because the federal government has not yet handed over the 90 hectares. It could; but it will not. Today we should be celebrating the total inclusion of Point Nepean into the Point Nepean National Park. Instead we are still waiting for the transfer of the remaining 90 hectares in a fairly piecemeal process, which while hard fought for by local and national supporters and the Bracks government, is still incomplete. Someone aptly pointed out to me the other day that the heart and soul of Point Nepean is still excluded from this bill. Someone also pointed out to me that this often reflects the character of the Howard government and the opposition members who think this is a fantastic outcome at this time.

I commend the member for Murray Valley for putting a very realistic slant on the historical context of the bill. The overriding message is: one park, one management plan, one manager. I commend the bill to the house.

Mr COOPER (Mornington) — This bill progresses the issue of the Mornington Peninsula National Park and Point Nepean to a stage where I think the entire community can say that we are getting there — in fact we have virtually got there — in regard to what it is that the community wants and what it believes is right for this site.

I noticed with some interest that the member for Hastings is valiantly trying to continue the conspiracy theories, and I suppose it is good that she wants to go down with the flag flying. During a matter of public importance debate back in November 2003, she and the member for Frankston and a few others on the government backbench brought up some fantastic conspiracy theories, all of which have proved to be totally false. The hypocrisy of the debate at that time is now seen to be very clear and on the public record, and it is amazing to me that the member for Hastings is

prepared to stand up here again today and continue along those lines. It is simply staggering, but I noted that she was reading from a cheat sheet obviously supplied to her by the minister and the minister's advisers. Clearly she did not have any ability to address some of the issues.

Ms Delahunty — On the bill!

Mr COOPER — I am on the bill. If I were you I would just keep quiet. You have no credibility at all in this place, or even outside this place.

In essence, the member for Hastings says that there is no reason why the entire site should not be transferred. She says that even though it is quite clear that the government does not have the resources to manage the entire site. As the member for Nepean said, Parks Victoria has said that it does not want control of the whole site yet. But that was not good enough for the member for Hastings. She flies in the face of that kind of reality.

As we all know, lack of funding has been the hallmark of this government, particularly in regard to the Mornington Peninsula National Park and Point Nepean. As was said in the debate back in November 2003, there is ample evidence that the government has not been doing the job that it is charged with on its existing responsibilities down there. The Deputy Leader of the Opposition mentioned the collapsing sea wall down there, and when he mentioned that the members for Carrum and Hastings yelled out by way of interjection, 'That is on commonwealth government land'. They did not know what they were talking about.

The sea wall is the clear responsibility of the state government, yet even though they were informed of it in the debate in this place two years ago, the members for Carrum and Hastings have still not picked up on that. They have been standing up here talking about Point Nepean when they do not know the difference between what is commonwealth responsibility and what is state government responsibility. The sea wall is clearly a state government responsibility. No money has been put into it. It is in a state of collapse and will cause significant environmental problems if it completely collapses.

The same applies to Pearce Barracks, another area of state government responsibility at Point Nepean where no money has been put in. The condition of those historic barracks is grave. They have been ignored by the government for years, and again we have the evidence of lack of funding. That is the thing that should be addressed by this government. The member

for Carrum stood up here and said, 'We have increased the funding in the recent budget'. The reality of increasing the funding is one thing, but the actuality of spending the money properly is certainly another.

That is what concerns us and a lot of people who have an interest in Point Nepean. Talking about Point Nepean with passion in this house, as we have heard already from the member for Carrum and the member for Hastings, is one thing, but their rhetoric is laced with hypocrisy.

What we need to bear in mind is what the member for Nepean said about the Gunnamatta outfall. Part of this bill proposes the transfer of 19 hectares of Melbourne Water land in the St Andrews beach area approximate to the Gunnamatta sewage outfall. As the member for Nepean said, under this government's plans the area around there is proposed to be flattened and its environment virtually destroyed with the government's plans to extend the Gunnamatta outfall further into Bass Strait. We have all this passionate debate from government members about how important the environment is at Point Nepean — which it is — and what a wonderful job they are doing, but they ignore completely what is going to go on down at St Andrews beach with the extension of that outfall.

Where is their passion and where is their feeling for the environment in that area? It is totally missing from this debate. They are just concentrating on advancing their hypocritical arguments with regard to the remaining land, which will be transferred over, as has already been committed to by the commonwealth government, in 2007. The members who have spoken from the government side in this debate so far have spoken with forked tongues.

I want to concentrate in the time remaining to me, and there is not much of it, on the situation that is now going to proceed with the controlled burn. As the member for Nepean said, this is going to take place over 10 years. It is going to be done by Parks Victoria, and as the member for Nepean said, its track record in regard to controlled burning is not good.

Mr Maughan — Not good!

Mr COOPER — It is not good, and the member for Rodney agrees. We have seen a couple of examples in recent times. The north-east of Victoria is a blackened ruin because of a controlled burn that got out of control, and we also know that what happened earlier this year down at Wilsons Promontory was a massive black mark against Parks Victoria. I want to make it quite clear that I am not criticising the employees of Parks

Victoria. They can only do what they can with the resources made available to them. What is clear to me and I think to most people in this state is that in the greater number of instances they do not have the resources to do the job properly, and that is why these things get out of control.

However, it was interesting to read on 15 July in the *Herald Sun* under the heading 'Prom blaze gutted us — business' that:

Tourist businesses around Wilsons Promontory are struggling to survive three months after the government-lit fire debacle.

They say visitor numbers to the region have dropped dramatically and the recent school holidays were 'dead as a doornail'.

The article finishes:

More than 6000 hectares of Wilsons Prom was burnt after a Department of Sustainability and Parks Victoria burn jumped control lines in early April.

The assurance we need to get — and when I say 'we' I mean the entire Victorian community — is that some lessons have been learnt by this government about that. Members of the government cannot stand up in this house, as has happened, and point the finger at Parks Victoria and departmental officials. The Minister for Environment has to take some responsibility over this issue, and the minister has to give some assurances that this will not happen again. Ministerial accountability and responsibility need to be sheeted home here, and a controlled burn at Point Nepean getting out of control is going to be a disaster of monumental proportions. Wilsons Promontory and the north-east of Victoria are not areas where there is a large population, but Point Nepean on the Mornington Peninsula certainly is.

The Minister for Environment needs to stand up here and take some responsibility for what is going to go on down there. It is going to be right there on his doorstep, and he needs to tell us that a controlled burn at Point Nepean is in fact going to be controlled and not out of control as has happened elsewhere in this state. The bill is a welcome progression, as I said at the start of my remarks, but the house and the people of Victoria need a lot more assurances and guarantees from this government in regard to the way it is going to manage this national park and in particular how it is going to manage the controlled burn that it proposes to undertake.

Ms MUNT (Mordialloc) — I rise today to speak in support of the National Parks (Point Nepean) Bill. It is indeed a pleasure to speak on a bill dealing with the formation of this national park in Victoria. I think it is

the second time I have spoken on a bill covering the formation of a national or alpine park, and it is fantastic to be part of history and be able to pass that on to our children and grandchildren. This national park narrowly escaped a planned sale by the federal government and an uncertain future at the hands of developers, so it is an especial pleasure to be standing here speaking of this park. It also has a special place in Victoria's history and in our environment, and it is a legacy which we can pass on. It marks the entry to Port Phillip Bay, and this is a quick run-down of its history, in which I was very interested.

Prior to 1840 the people of the Kulin nation lived in Port Phillip for over 40 000 years. In 1837 the area was settled by pastoralist Edward Hobson. In 1840 the land was transferred to Daniel Sullivan. In 1845 the shepherd's hut was built, and it still remains on the site to this day. In 1850 other settlers moved to Point Nepean. In 1851 Victoria was established as a separate colony. In 1852 there was the arrival of the ship *Ticonderoga* and the establishment of the quarantine station on the site. In 1852 a cemetery was established, probably for all the people at the quarantine station who did not get better.

In 1854 the quarantine station was officially gazetted and a hospital was built. In 1855 the Nepean cemetery was established and the last burial in that was 1926. In 1858 five two-storey stone hospital blocks, housing up to 500 people, were built. The buildings were completed over the next 100 years. The pier was completed, the telegraphic link to Melbourne was put in and in 1882 Victorian military forces started to construct the defence installations.

In 1918 there was an influenza epidemic, and 128 000 travellers were examined on this site. The quarantine station officially closed in 1978, but until 1999 the site was still being used as temporary accommodation for Kosovo refugees. That is a long and significant history, and the site was still being used recently. With its military installation it played its part in defending the bay from perceived aggression. They thought the Russians were coming at some stage. The *Cerberus* at Sandringham beach is also from those times. The quarantine station also protected Victorians from disease.

In 1990 or 1991 the state government declared the tip of the peninsula a national park, the Mornington Peninsula National Park. It consisted of rugged bushland, great beaches and historic gun bunkers and is reputed to be the place where former Prime Minister Harold Holt tragically drowned.

This bill will create the new Point Nepean National Park, which will sit adjacent to the Mornington Peninsula National Park and will incorporate 205 hectares of the former weapons range on commonwealth land at Point Nepean. We hope it will also incorporate the 90-hectare quarantine station and its associated heritage buildings. These are due to be transferred between 2007 and 2009. I truly hope the federal government will keep its word and hand over the land. The area is a key component of the park. The magnificent quarantine buildings and officers quarters will add a wonderful and new dimension to the national park. It will be a jewel in the crown for Victoria's national parks.

It was only pressure before the last federal election that achieved this great result. We have heard today it was a matter of great controversy whether the park would be saved. It is interesting for me and the people of my electorate on another level, because we have a much-loved park called Chicquita Park. It was owned by the federal Department of Defence. It contained significant vegetation and provided much-needed open space, but it was sold by the defence department, the commonwealth government, in 2001 to a nursing home developer. It was offered through the federal government's representative, Fran Bailey, to Kingston council at that time for \$2.9 million, but the council could not come up with that sort of money and eventually it was sold to the developer for \$2.2 million — a cheaper price than that at which it was offered to Kingston council. The previous Liberal member for Mordialloc did not lift a finger to support his local community regarding the sale of this park. It was sold by a Liberal government. This was Crown land that was sold from under the residents of Mentone. The former member is now acting as a consultant for the current owners of the land.

Another significant piece of land is the Hightt CSIRO gum tree site, which was identified for sale before the last federal election, until the Liberal candidate for Goldstein intervened and made representations on behalf of the local community. It was spared by the federal government before the last election. While I welcome the federal government's change of mind on the CSIRO site and Point Nepean, I wonder what the people of Mentone did wrong to miss out and have their local park sold. I condemn the decision process in regard to Chicquita Park.

Finally, I would like to acknowledge the efforts of the Minister for Environment in saving Point Nepean and drafting this historic legislation. The minister has also assisted me with Chicquita Park. He understands that, although it is not of state significance, it has

significance to the local community. The state government is contributing by undertaking the significant cost of the works associated with the removal of Kingston council's drainage pipes on Mentone beach as part of works to be done by Melbourne Water on the clear understanding that these freed-up Kingston council funds will be used by the council in its negotiations to secure the best possible park outcome for local residents.

There is a pattern of the federal government selling or trying to sell local community assets, assets of state significance and Crown land. There is also a pattern of the state government doing its best to try to save these assets for local communities and the whole state. It would be remiss of me not to condemn the federal government for its efforts and congratulate the state government. I commend the bill to the house.

Mr MAUGHAN (Rodney) — I will make a few remarks about the National Parks (Point Nepean) Bill which creates a new Point Nepean National Park. That is spelt out in clause 1 of the bill, where it says the bill has three purposes:

- (a) to establish a national park to be known as the Point Nepean National Park; and
- (b) to make various amendments to the Mornington Peninsula National Park; and
- (c) to make other associated amendments.

I note that the new Point Nepean National Park will comprise some 470 hectares, of which 205 hectares will be former Department of Defence land that is being transferred from the commonwealth government. The remainder of the 470 hectares is made up of parts of the existing Mornington Peninsula National Park and some small areas of coastal land. Together these three parcels of land will make up the 470 hectares of the new Point Nepean National Park. I welcome the initiative, and it is great to have this area as a national park. I support the thrust of the legislation and the fact that this land is to be included in a national park. The Mornington Peninsula National Park will be left with an area of 2680 hectares.

I want to make a few brief remarks in passing. The area that will be in the national park is undoubtedly a beautiful part of Victoria, as is the Mornington Peninsula. I personally have a long association with the Mornington Peninsula. I love the area and go there as frequently as I am able. My grandfather was the engineer of the then Shire of Mornington from about 1915 to 1920, when Mornington was a very small country town.

Honourable members interjecting.

Mr MAUGHAN — That is when I went to Dandenong Primary School, that is right, so I know the area well. I have a brother who lives on the peninsula and I have family who live down that way. I regularly visit the area and holiday there. In fact last Christmas and New Year my family was holidaying in that area and I took the opportunity to do the bike ride.

Honourable members interjecting.

Mr MAUGHAN — I live in Echuca all the time, and I really enjoy it, but it is so crowded with tourists at that time of year, as the minister well knows, because he encourages them to go to Echuca, and I welcome that. But I like a change of scenery, and this year it was the Mornington Peninsula. I took the opportunity to visit what will now be the Point Nepean National Park. I hired a bike and rode around that magnificent area.

It was a glorious day, and there is no doubt that there are magnificent views of Port Phillip Bay — the ocean, Bass Strait, the Rip — and of course you can go down to the well-known Cheviot Beach where Harold Holt used to go swimming and ultimately was lost. Then there are the defence fortifications that were built to a very early settled part of Victoria and so have been there for many years. They were put there to defend the entrance to Port Phillip Bay, with the first part of those defence installations being built in 1882, I believe, and added to during World War I and also during World War II. It is interesting to go around those defence establishments and imagine what it was like in 1882 when they were first built to protect the entrance to the bay and again when they played an important role, certainly during World War I and to a lesser degree during World War II.

Then there is the quarantine station which will not yet be part of this proposed national park. It will be in time when the commonwealth adds that additional land to the national park. The quarantine station was built in about the 1860s and was a very important facility during the influx of migrants to Victoria. People who had various infectious diseases were quarantined there. A very good friend of my family who came to this country 25 or 30 years ago was quarantined there because there was a cholera outbreak in India as they were coming through. All those on the plane and all those they had come in contact with were quarantined there. So it was in use until relatively recently.

I want to make a couple of points clear. Firstly, I support the legislation. I support national parks, but government members constantly criticise The Nationals

for some of the concerns we have about national parks. They are not about not wanting national parks, because we appreciate and do want national parks. Our concern is that maintenance resources need to go with their establishment. It is not good enough to lock up land and declare it a national park and, as the government does, beat one's chest and say, 'Haven't we done a marvellous job? We have locked up all this land in national parks, and that is the end of it'. It is not the end of it unless the necessary resources for their maintenance are provided. This government has not provided the resources needed to maintain national parks. Right around Victoria you can see that weeds and feral animals are completely out of control. Even worse, at the moment there is active discussion about reducing the number of Department of Sustainability and Environment officers involved in plant and pest control.

Landcare — made up of private citizens looking after their land — is doing a fantastic job. At the very time when we should be encouraging them and helping them to get rid of weeds, the government is doing exactly the opposite. It is reducing its resources in that area and, as I have indicated, weeds are rampant and running wild in many of our Crown land areas.

As I have indicated, it is proper management and resources that we are concerned about, for the control of weeds — blackberries, in particular — and proper management in terms of controlled burning, which has been mentioned earlier. Over the years there has not been anything like sufficient controlled burning to reduce the fire risk. As a result of very poor management practices and poor decisions that let those fires get out of control we have lost well over 1 million hectares of prime forest country. They destroyed the very things that this government talks about protecting — those endangered species of flora and fauna were just incinerated in that fire. Why? Because we are getting rid of cattle in the high country and controlled grazing. We are not doing enough — —

Mr Lupton interjected.

Mr MAUGHAN — They were, but it was limited, as you well recall, and there has not been enough controlled burning.

Getting back to the bill, I am very concerned that the commonwealth government is providing \$2 million, I think it is, for controlled burning in the Point Nepean National Park area but that Parks Victoria will carry out that burning. That worries me greatly because it does not have a very good record — as the member for Seymour will be well aware — firstly, with the fires in

north-eastern Victoria and, secondly, with the fires at Wilsons Promontory. I would be watching very carefully how that controlled burning is done. Certainly it is needed and it is a good thing to do, but it needs to be properly managed.

The final point I make is that there is a bit of hypocrisy here on the part of the government. Members of the government are rightly claiming some credit for creating this national park. I support them on that. But what are they doing at the very same time? They are extending the sewage outfall at Gunnamatta to put more sewage into the sea. We should not be doing that at the very same time as we are creating this new national park.

In essence I welcome the establishment of this new Point Nepean National Park, but I express grave concern about the government not providing sufficient resources to manage it properly and not being able to manage controlled burning. I am not in any way criticising DSE staff; I am criticising management and government policy. I hope that the government gets its act together and is prepared to provide those additional resources and proper management to ensure that the Point Nepean National Park serves the community well.

Mr HUDSON (Bentleigh) — It is a great pleasure to speak on the National Parks (Point Nepean) Bill because it reflects the Bracks government's commitment and determination over a long time to ensure that the 205 hectares of former commonwealth land at Point Nepean will be incorporated in one single national park.

The fact of the matter is that this clear and resolute position that the Bracks government has taken in arguing that Point Nepean should be part of one single national park in public hands has largely forced the hand of the commonwealth government to accede to that request and accede to the demand from the public and the community campaign to ensure that the land is included in a national park. To realise that the commonwealth government was forced to do that we have only to look at what were the first instincts of the commonwealth government in relation to this land. Its first instinct was to sell it off, to see what price it could get for this land and put it up for the highest bidder. It did not hand it over to the state government for the use of all Victorians; it wanted to sell it for private development.

This is an absolute disgrace because at the same time as it was refusing to hand over this land to the Victorian government for its management as a national park, the

commonwealth was giving \$150 million to the New South Wales government to manage heritage areas around Sydney Harbour. So there was \$150 million for Sydney Harbour but nothing for Point Nepean.

At the time the Bracks government put to the commonwealth government a comprehensive plan for the management of this land. It proposed that the commonwealth and state would jointly oversee the 90 hectares while the commonwealth completed its clean-up of the unexploded munitions on the site and the state upgraded the historic buildings. That proposal for the management of that land was put forward several years ago. What did the commonwealth do? It refused point-blank to accept that proposal, saying, 'No, unless you are prepared to buy the land, you cannot have it. It cannot be in public hands. It cannot be used for a national park'. That was when the commonwealth government was running a budget surplus of \$7.2 billion — but no, it wanted a bit of money. It had private profit and commercial gain written all over the proposal. Essentially what the commonwealth wanted to do was to make a quick buck out of this precious national resource at Point Nepean.

So of course the Bracks government did what it could. It took the only responsible course: it said, 'Okay, we are going to rezone the Point Nepean defence land. We are going to create a special-use zone to prevent private commercial development down there on that historic site'. Not surprisingly, of course, the community was in uproar. We had the campaign that was ably led by people like Kate Baillieu, Penny Blazey, Chris Smyth, the Victorian National Parks Association and others to keep Point Nepean in public hands.

The commonwealth tried to dress up its intention to make money out of Point Nepean by talking about leasing the land, which had the added benefit of trying to circumvent Victoria's state planning laws. Whilst the commonwealth was trying to do this it was running into opposition from all sorts of quarters, not only from the community but from the defence department's own consultants, Parsons Brinckerhoff, who advised strongly against any residential development on this site. Parsons Brinckerhoff said this site was an historic site, it was an important site and there should be no residential development on it.

The commonwealth decided to take another turn and said, 'We will set up a Point Nepean Community Trust'. The commonwealth claimed money was available from a philanthropic organisation to protect the site. What the commonwealth was really doing was being completely pig-headed. Instead of doing what it should have done and given the land to the Victorian

government to manage as a national park, allowing it to invest in doing up the old quarantine station, the commonwealth said, ‘Oh no, we can’t do that. We have to have this convoluted process where we set up a community trust’. This was a private community trust, which really was not publicly accountable to anyone, that was going to manage this land.

The commonwealth sought to claim, through the community trust, that the land would eventually be handed over to the state government after the trust had done its work on what the use of the land by the Victorian government should be. The whistle on that was blown pretty early on. The head of the trust, Simon McKeon, stated in the *Mornington Mail* and the *Southern Peninsula Mail* on 20 May 2004:

... the most significant decision will be whether to transfer the land to the state.

and:

There could be any number of reasons why it would not be transferred.

Here we have a shambles. We have the Prime Minister, running around in the federal election campaign promising that the land would be handed over to the state government eventually. At the same time we have the person who is heading up the community trust appointed by the commonwealth government saying, ‘It may or it may not be handed over’. At every point the commonwealth government was trying to avoid the obvious conclusion and refusing to bow to sustained community opinion that the whole Point Nepean site should be handed over and integrated into a single magnificent national park for future generations.

Then, of course, we had a cave-in of sorts. We finally had the commonwealth government coming to some of its senses and agreeing that 205 hectares of land should be transferred to Parks Victoria for management. But it still clung to its Point Nepean Community Trust. It still clung to the flawed proposals it had developed and sought to implement against community opposition over a long period of time, and to the bizarre idea that somehow a private community trust could determine and manage the future of the remaining 90 hectares of land better than the state government through Parks Victoria — a specialist body that manages national parks throughout Victoria and has the resources, the capacity and the skills to manage and protect our most beautiful natural resources. Somehow this private community trust would be so much better at doing that than the state government’s specialist body would be!

So here we are: we are all still trying to work with the community trust, which is frankly not equipped to undertake this task. Even more bizarrely, the trust will have no responsibility or role in the future whatsoever to implement whatever proposals it comes up with for the old quarantine station. Everyone knows that whatever those proposals are, if they are not for commercial development, inevitably they will have to be for public use and they will have to be funded by the state government. They will have to be a state government responsibility and they will have to constitute a use that is consistent with the requirements of a national park. Yet the commonwealth government has continued to refuse to recognise this reality. It has refused to bow to community opinion and hand over the land for a single integrated national park. And here we are today, with this bill, and the jewel in the crown is still missing — the 90 hectares of the old quarantine station is still not included in this proposal.

It is to the great shame of the opposition that right throughout this process opposition members have refused to say a single word against what the commonwealth government was proposing. They refused to recognise that this was a bizarre, convoluted and ultimately futile plan that would not bring about the outcome that the majority of Victorians wanted. They have not stood up to the commonwealth government and said that the decent and honourable thing to do in these circumstances is to hand over all the land to the Victorian government to manage as a national park in perpetuity for all Victorians and for the use of all Australians and for future generations.

That will always be to the great shame of this opposition, an opposition that claimed it was going to make the environment one of its top priorities, an opposition that said it was going to create a coherent environmental alternative within this state. The alternative it supported was a flawed Point Nepean Community Trust. It backed the Howard government. Opposition members have been Liberals first and Victorians second on this matter. Victorians will not forget that. In 2009 when the land is finally handed over to the state government for integration into the national park, Victorians will remember that it was the Bracks government, with the community, that brought about that outcome. I commend the bill to the house.

Mr THOMPSON (Sandringham) — I would just like to remind the member for Bentleigh that it was:

The current Victorian government —

that —

was offered almost all of Point Nepean —

according to an article I am quoting from the *Age* of 7 July 2003 written by Greg Hunt —

including the heritage precinct, as a gift under the Federation Fund. Whereas the NSW government was given a similar offer and chose to take Middle Head and the other defence properties as its allocation, the Victorian government chose arts funding instead of Point Nepean.

Premier Steve Bracks claimed last week that he had not thought about Point Nepean at the time, yet he personally rejected the offer of Point Nepean in a letter to the commonwealth on 20 March 2001 — 16 months after coming to office.

The bill before the house proposes to amend the National Parks Act to establish a new 470-hectare national park to be known as the Point Nepean National Park. It will include 205 hectares of commonwealth-owned land, with a further 90 hectares still being retained by the commonwealth until 2009. It will also expand the abutting 2657-hectare Mornington Peninsula National Park by a further 23 hectares, to be made up of three privately owned allotments and 19 hectares of Melbourne Water land in the St Andrews Beach area approximate to the Gunnamatta sewerage outfall. Those later two references draw me to call upon members opposite to, firstly, come clean on the government's proposals in relation to the Devilbend Reservoir land and say whether it is going to sell this land for public housing or whether it is going to convert it to community use. It needs to be consistent in its calls in relation to Chiquita Park and other areas as well the Devilbend site. Secondly, I call upon government members to draw attention to their intentions in relation to the Gunnamatta sewage outfall. Extending the outfall pipe will not solve the issues with the water quality going into Bass Strait in that particular area.

Victoria has one of the greatest coastlines in the world. Renowned Victorian academic, Melbourne University professor and now international consultant, Dr Eric Bird, has indicated on a number of occasions the outstanding features of Victoria's coastline between Nelson near the South Australian border and Mallacoota to the east. He is also the author of a publication on the web entitled 'The great coastlines of the world'.

One of the great spectacles of Victoria is its natural inheritance. The brilliance of the hovering kestrel in flight waiting for its prey below and the movement at first light of two or three cormorants streaking across the water represent images that are as important to Melbourne as other, more commonly known attributes. If more Victorians understood the miraculous journeys of the birds of Port Phillip Bay, there might be a greater regard for the importance of native vegetation, the

protection of wetlands and improved water quality. It is likewise with the miraculous journeys of the whales that come out of the Antarctic and then hit Tasmania. Some detour to the right and go across to the Furneaux Island area, while others go around the west coast and move towards Portland Bay and South Australia. Those great leviathans of the deep are a marvel of nature. The extraordinary bottlenose dolphin colony in Port Phillip Bay represents one of the bay's true highlights. They take a more active interest in fellow saltwater travellers than those not-so-docile sunbathing seafarers, the seals, and the numerous jet skiers on the bay.

It is now 203 years since white man first made his way into Port Phillip Bay. It was a Mr Bowen, in a small vessel from the *Lady Nelson*, who made his way through the Port Phillip Heads at some stage between 29 January and 4 February in 1802. Later that month the *Lady Nelson*, under the command of Lieutenant Murray, made its way into Port Phillip Bay. Some 12 months later the first foot survey of the coastline of Port Phillip Bay was undertaken by Sir Charles Grimes.

Melburnians will be aware of the Charles Grimes Bridge, which spans the Yarra. Not many people will be aware that Governor King gave Grimes instructions to survey Port Phillip Bay by foot. He embarked upon this exercise, making his observations in a daily diary. The pristine nature of the bay and the sightings of member of the Koori Kulin nation were also recorded. He noted that the existence of the Freshwater River — a combination of surveys of both the Maribyrnong and Yarra rivers — formed the basis of his conclusion that this area, which later became Melbourne, was a good part to settle in. It is an unfortunate act of history that his diary record was not available for the Collins settlement down in Sorrento later that year. It was an ill-fated expedition that later packed up and made its way down to Tasmania.

Victoria also possesses some of the last sustainable supplies of many fish species, particularly abalone. It is notable that overseas fisheries have collapsed. As a further anecdote, in 1804 some 600 000 seal skins from Victorian and Tasmanian coastal waters were transported to the United States of America. Sealing was one of the significant early industries in the Victorian colonies.

I use those remarks by way of background to comment that it was from Stockyard Flat at Point Nepean that a number of indigenous women were abducted by the early sealers and taken to the islands between Victoria and Tasmania. The continuing survivors of the Bunurong people are seeking to re-establish their claims of inheritance within their territory in the

Bunurong district, or precinct. I hope there will be strong scope in the future development of Point Nepean to establish that area as a significant indigenous area, noting the importance of its range of middens and a number of other important sites that are reflective of Victoria's history and the contribution of Victoria's indigenous peoples.

The Liberal Party has had a number of significant achievements in relation to the environment. The establishment of the Land Conservation Council under Sir Rupert Hamer was one of our foremost achievements. Its subsequent land reviews have made multiple recommendations which have been implemented by this house. The establishment subsequently of the Environment Conservation Council was undertaken by the Kennett government, and the marine parks that were later adopted in Victoria were a product of that review. There was the establishment of the Environment Protection Authority and the Victorian Conservation Trust, now the Trust for Nature, as well as the abolition of scallop dredging on Port Phillip Bay. I draw to the attention of the house the fact that the latter was opposed by the Labor Party. Equally the renourishment of Hampton Beach was opposed by the Labor Party

Over the last five years the Labor Party has directed insufficient attention to a number of other reforms of the previous government, such as coastal renourishment. It was under the Liberal government that the diversion of treated sewage from Mordialloc Creek was undertaken. In the establishment of marine parks there were notable omissions from the original Environment Conservation Council reports — that is, Ricketts Point Marine Sanctuary and Cape Howe Marine Park. There is a certain touch of irony in the fact that the very park that the Labor Party did not include in its original marine park and marine sanctuary focus became the launching place for the system of marine parks and sanctuaries in Victoria.

In national terms the federal Liberal government has led the ban on international whaling. The Antarctic Treaty Bill 1960 was the product of a Liberal government. The abolition of sandmining on Fraser Island was the product of a Liberal government, and the Natural Heritage Trust funding, through which \$2.5 billion was contributed to the environment, was the largest environmental rescue plan ever undertaken in Australia.

Point Nepean is a wonderful area of Victoria with strong historic significance. Other parts around the bay are equally important. I alluded to Ricketts Point earlier. I point out a contemporary issue at Ricketts

Point which relates to a proposal to establish 16 car parks on the eastern side of the roadway adjacent to it and would require the removal of local vegetation. I do not consider that a good idea and I call upon the local council and other planning agencies to work to achieve a much better outcome on that particular issue. In conclusion, the Liberal Party supports the establishment of the national park and the addition of land at Point Nepean.

Mr HARDMAN (Seymour) — I rise to make a contribution on the National Parks (Point Nepean) Bill. It is a great thing that an agreement has finally been reached on Point Nepean and the land will be transferred to Victoria during the latter half of 2005. The purpose of the bill is to amend the National Parks Act 1975 to establish a national park to be known as the Point Nepean National Park, to make various amendments to the Mornington Peninsula National Park and to make other associated amendments.

The Point Nepean National Park does not have a lot of significance to the Seymour electorate, but it was a particular issue which I watched with interest as the debate went on. There was lots of game playing by members of the federal government as they tried once again to rip off the Victorian taxpayers. The federal member for McEwen — from my area — was embroiled in all this controversy, which added to the intrigue and what was really a very bizarre scenario, one about which the federal government should be absolutely embarrassed.

This is an historic site. For example, it has defence fortifications to protect us from any invasion that may have occurred. It has significant other native as well as heritage values and significant native conservation values. They include the coastal moonah woodland, which is a threatened vegetation community. It has the southern brown bandicoot, which has national significance, and two significant bird species, including the sooty oystercatcher and the hooded plover, and there are significant aboriginal heritage sites.

We have heard a bit today about the state budget and the government's work in national parks. It was very pleasing to see in the budget papers more funding for weeds and pest control on government land, especially in our national parks. Those funds will go to places like the Point Nepean National Park, the new Otways park and also the many parks across the Seymour electorate, including the Kinglake National Park, which will be getting additions in the near future, and the Cathedral Ranges State Park. That is great to see, and it is also great to see that since the 2003 fires the Bracks government has given a significant boost to our

national parks through funding for more controlled burning to make sure that they are protected into the future. I would like to commend this bill to the house.

Mr McIntosh (Kew) — I rise to support this legislation, and I certainly support the army barracks being transferred from commonwealth to state ownership for the purpose of the extension of the Point Nepean National Park. This has had some significant history, of course, and it is now the subject of an agreement between the commonwealth and the state that will see another parcel of land transferred to the Point Nepean National Park in 2007–08, as I understand it. Also, there is the promise from the Bracks government to improve the conditions of the park.

I have had a great deal of personal experience down at the Point Nepean park. The family holidayed at Sorrento regularly and are regular users of the park. Indeed it was only a month ago, on the Queen's Birthday weekend, when the family went down there. I was actually intrigued to see that the numbers of people who are now using the Point Nepean park — it is actually the Mornington Peninsula National Park, but I will say Point Nepean anyway — for recreational purposes, such as walking and riding bikes, now seems to be dramatically increasing. That is certainly a good thing and the resolution of these issues that will see this land transferred to the state for the purposes of a national park is certainly worthwhile.

I raise one issue at this stage. I heard the words of the member for Bentleigh when he was talking about the commonwealth's desire to sell off this land to the highest bidder for the purposes of a private development. Certainly there is the idea that if you cannot buy then you cannot have it. That means that if the state government could not buy it from the commonwealth it could not have the land. The member for Bentleigh said it was a case of, 'If you cannot buy it, then you cannot have it'. That meant that if the state government could not buy the land from the commonwealth it could not have it. Most importantly the member for Bentleigh indicated — and it has been repeated by a number of government members over a number of years — that the only responsible response that could be made was to prevent any development on the land through the state planning controls.

There is also something that as the member for Kew I have asked the government to explain to me on a number of occasions. There is a big issue in respect of land in my electorate — that is, the land used by Kew Residential Services. We may have listened to the pious comments made by the member for Bentleigh and other

government members. They have talked about how disgraceful it is that the commonwealth was about to sell off publicly owned land to the highest bidder for a private development. They talked about the possibility that the commonwealth wanted to sell it to the state and have taken the view, as expressed by the member for Bentleigh, that it was a case of, 'If you cannot buy it, then you cannot have it'. He said that the only responsible thing to do with the land was to prevent development on it.

Certainly the hypocrisy of this government's stand on Point Nepean and the commonwealth land there as opposed to the unalienated Crown land at Kew Residential Services is profound. The land at Point Nepean was alienated land because it had been sold to the commonwealth for the purposes of defence at the time of Federation, and this issue arose when it became no longer required for defence purposes.

A similar thing has happened in my electorate, and while I acknowledge that Yarra Bend Park is not a national park, the fact is that it is managed very well. It was a good move by the Kennett government to take over the statutory trust and the management of that park. There certainly have been a number of dramatic improvements in that time to that park. The numbers that are using Yarra Bend Park are extraordinary, and they are not just — —

Dr Napthine — A number of bats are using it!

Mr McIntosh — Indeed, there are a number of bats there too. As I said, the number of people using Yarra Bend Park is large and seems to be increasing. You only have to go down there on any Saturday or Sunday to see the numbers that are using it — and they are not just from Kew, they are from electorates all around the city and probably all around this state. The Studley Park boathouse is a local icon that is well recognised as being a great asset to the city. The whole of that land was originally reserved in the 1840s for the purpose of maintaining a lunatic asylum, and that is exactly what it was used for. Over a large number of years we saw that land developed, and in the 1880s the government built a magnificent edifice up on the hill, the old psychiatric hospital, which as part of a large parcel of land was flogged off by the former Cain government in the 1980s for private development. It became Kew Gardens, not a suburb in itself but a small part of the suburb of Studley Park.

Now the area is not 200 hectares but some 27 hectares. It is only 4.5 kilometres, or perhaps 5 kilometres, from the central business district, which you can see as you stand on the top of the hill overlooking Yarra Bend

Park, which used to be part of that large parcel of land. It is unalienated Crown land that has always been reserved by governments of this state. The whole of Yarra Bend Park was created in 1925 when the land was no longer needed for psychiatric purposes and was reserved for the common good of Victorians. It was ultimately upgraded and extended into the current boundaries of the park in the middle 1930s at the height of the Depression, I might add. At least governments of those days had some foresight as to the benefits of parkland.

Despite the pious comments we are hearing from this government, as I said, not one of its representatives has been able to demonstrate to me what the difference is between the government's principled stand in relation to Point Nepean and what is happening in Kew.

Although Point Nepean is much larger, the former parcel of land is adjacent to a national park; and while Yarra Bend Park is not a national park, it is managed by Parks Victoria and is treated as a park. The hypocrisy of the government is profound. Those pious words from the member for Bentleigh and other government representatives just demonstrate that hypocrisy. They are prepared to flog off the land in Kew for a private development. It is not even open private development, given the profit-sharing arrangements that exist with the developer and the government.

We do not know how much the government is going to make out of it, because the paltry sum apparently paid of \$80 million is certainly a fraction of the land's true value. On that 27 hectares of land, which was capable of being added to Yarra Bend Park, we are going to have potentially up to 1100 dwellings. That land would certainly have added to what is already an asset for the people of Melbourne, the people of Victoria and the people of Australia, if not much further. It would have been an iconic national park inside the city boundaries. The hypocrisy of the government is best summed up by the Premier in answer to a question from the member for Dromana in March 2003 in relation to Point Nepean, when he said:

It is totally and utterly irresponsible — it is irresponsible for the particular reason that the land is already in public ownership.

By his own words he damns himself and his government as a bunch of hypocrites.

Mr TREZISE (Geelong) — Like all members of the government I am very pleased to be speaking in support of this bill before us, the National Parks (Point Nepean) Bill. The establishment of the Point Nepean integrated national park, which takes in a number of parcels of land, will be the latest addition to the

magnificent record the Bracks government boasts in establishing and protecting national parks throughout our state of Victoria. It was only last month that we passed legislation in this house to protect for time immemorial our Alpine National Park from the damaging effects of cattle grazing.

That was a tough decision, as in doing so, as we all know, people's lives and livelihoods were directly affected. But it was an initiative whose time had come, and it was also the correct decision. In my patch of Victoria, the south-west, we saw the extension of the Otway National Park earlier this year. Like the Point Nepean park, the extended Otway National Park will incorporate the existing park and the Angahook-Lorne, Carlisle and Melba Gully state parks, creating a mighty 100 000 hectare national park.

So as I say this bill when taken into consideration with other government initiatives is indicative of the Bracks government's commitment to the establishment of a network of national parks that will be greatly appreciated by Victorians for many generations to come. This is not to mention the marine parks that were created by the Bracks government during its first term of office.

The house is well aware of the history and lead-up to the development of this bill: the federal government's position in seeking to sell off the land and the community campaign that has basically led to the government establishing this bill. The bill will create a new extended Point Nepean National Park that will include the former Department of Defence land from the federal government and will incorporate sections of what we know as the Mornington Peninsula National Park. In establishing the new national park, it must be noted that the park will be surrounded by the Port Phillip Heads Marine National Park. Both parks will create a magnificent protection of the environment to be enjoyed by hundreds of thousands of tourists and locals who visit the area each year.

In supporting this bill and thus the creation of the new park, it must also be noted that this is only the first stage of a two-stage process in the park's creation. The government's vision of a new park will not be fulfilled or achieved until the federal government transfers the former quarantine station to the state. As previous speakers have noted, this parcel of land is of great historical significance; it will be the last link in the creation of the new park. Although I have visited the site of the new Point Nepean National Park, I have not visited the historic site we are talking about. I am told it is a truly historic site that has frozen-in-time buildings

from the 1860s including old hospital accommodation and other buildings built from the local quarry stone.

It is pleasing to learn that the commonwealth and state governments have reached agreement that will see this land transferred to the national park by 2009. Importantly, once the land is transferred — and hopefully it will be sooner than 2009 — the land and the treasure trove of historic buildings will receive the benefit of national park protection. This will not only benefit the land and buildings but all Victorians. This is good legislation; it has my full support and I wish it a speedy passage.

Mr BAILLIEU (Hawthorn) — I rise to speak briefly on the National Parks (Point Nepean) Bill. As other members of the opposition have said, the opposition fully supports this bill. I personally welcome it as well.

I begin by saying my family has had a long connection with this part of the world and a deep affection for the Mornington Peninsula. I congratulate all of those involved in the creation of this park — there has been a lot of hot air over a fair bit of time that has brought us to this point. I do not want to revisit all of that. I am very familiar with the land involved — I have swum it, walked it, run it, been down there and even in days gone by trained with a rugby squad on some of that land for a week. I know it reasonably well. It is a special piece of land and location which warrants special attention and that is what it is getting.

There have been plenty of opportunities over the last couple of years for all sorts of things to be said and implied about this. It has always been my opinion that we would get to this point. I said very early on that we would reach this point because inevitably this was the right use for the land. In my view it was the only reasonable use for the land, and I will come back to that in a minute. The park itself is special. As I said, I have visited most of it. About the only piece of the land in question here that I have not visited is the weapons range. I have not tiptoed through the weapons range and taken my chances. I am sure there are some members on the other side who would wish that upon me.

Mr Robinson interjected.

Mr BAILLIEU — There is a party room every week.

Mr Robinson — It is not the other side.

Mr BAILLIEU — Your party room or our party room?

The reality is it is extraordinary land. This is in many ways different to other national parks because it is a very long, narrow piece of land which has an extensive perimeter — it is 10 kilometres long which makes it a little different from most. I am sure members are familiar with the ocean side of the park and the history involved there, even the political history of the ocean side. Members would I am sure be involved with Point Nepean itself in terms of understanding what it means to the Victorian heritage context. On the Port Phillip Bay side running around Nepean Bay, the Bend and Ticonderoga Bay there is a very special quality. Not only that, it makes this park accessible from the water in a way that is not necessarily the case elsewhere.

You have to get to most of our national parks via roadways. Access to what has been the Mornington Peninsula National Park has been restricted, and those restrictions still apply. They even applied recently in my experience, but I will not go into that — Easter Sunday was a lot of fun. Having the park accessible from the water means that its management is going to be a continuing and resource-intensive issue. I want to come back to that.

Over the course of the debate there has been a lot of misinformation in my view about what the issues are. It has made me smile on many occasions being a bit more familiar with the land. Almost all the photographs and footage we have seen of the area in the course of the debate over the last couple of years have shown land which is already national park. That in itself has generated a fair bit of misunderstanding in the community that somehow or other Point Nepean or the Mornington Peninsula National Park that already existed was at stake. It was not. It was a question of what to do with the remainder land. And now some 205 hectares are to be added to the existing national park and renamed as a consequence. Most of that is land south of Defence Road including land down to the Fort Pearce and Cheviot Hill area which is essentially weapons range land.

Land on the Port Phillip side is still to be added to the park land in due course, and I am confident that will happen. It has always been my view that this would be the point that we would get to because essentially this land is very difficult to deal with. It is a long, narrow piece of land. It is not like, for instance, Port Arthur, which is a major national asset not dissimilar in size — perhaps a little smaller — but which is contained and easy to manage, and has an iconic purpose for tourists. There is a historical purpose for tourists here, but essentially the tourist experience is the view and such as can be garnered from the heritage around the quarantine

and the hospital sites. It makes this a difficult and a different management task.

In addition, there is the rough water on the ocean side, and members of this house and all Australians know how treacherous it can be, which makes this site special as well. On the Port Phillip side there is an unknown quality which has not received much attention, and that is the tide that runs five to six knots through Port Phillip Heads. Even the most accomplished swimmer finds it difficult to maintain a position against that tide. It has always been my view that a facility on the Ticonderoga side of the land would be problematic when it came to having unsupervised kids on the beach, or even having those with a little less experience of coastal conditions visiting that site.

Visitors have been discouraged since it has been defence department land, and visitors to the property have always found entering the water difficult. There is also a dolphin reserve, which again makes it difficult. So it has always been my view that we would inevitably get to the position where there would be extensions to the national park and the modest use of the existing buildings and heritage facilities there. I think that is a good outcome.

The perimeter and the access that it provides is going to be a serious management issue, and other management issues are involved. One of the real tests of the government's commitment here will be how it resources and staffs this national park. It is difficult to staff. There are a lot of treacherous aspects including the fortifications in the existing national park at the Point Nepean end. I have explored some of them and they are dangerous for public access. There are the dangers of the tide on the Ticonderoga side and certainly on the bend on the Nepean Bay side. The existing national park includes an area at the Point Nepean end which I have always called the narrows, which is an extremely narrow and narrowing piece of land, subject to erosion, and that in turn is going to be a management issue. It is an issue that this government has to wear and resource.

The test of this park will be whether those resources are made available and how it is staffed and looked after. There is a long way to go in terms of the additional land and the use it will be put to. There is a long way to go in terms of the clearing of the weapons material and the burns which will take place. Others have already spoken about the department's somewhat ordinary track record with burns and fires, at least in recent times. I trust that will not occur here and that sufficient research and preparation will be done for those burns.

There is still a fair bit to do to ensure that we get uses that are compatible with the site. There is still a fair bit to do in providing resources, but fundamentally this is a good outcome. We should give the politics a rest and understand that the process has produced a good outcome. Yes, public land gets sold, and as the member for Kew said it is being sold at Kew, at Royal Park, at Werribee and at Frankston. I could rattle all of those off and go into them in detail. We have a good outcome here. It is a shared responsibility and we welcome it.

Mr ROBINSON (Mitcham) — I am very pleased to support this bill, and I will make my comments as quickly as I can. The bill is a tribute to the hard work of many Victorians, one or two of whom live in the Mitcham electorate, and I will talk about them briefly in a moment. The bill is a product of the impasse over the future of this land that has dragged on for far too long. It represents a fundamental weakness in federal government policy that has not yet been talked about.

The defence department is the only federal department historically empowered to retain a share of its assets sales. My understanding is that at least three or four years ago the defence department was entitled to retain \$130 million a year of assets that it sold off. This was in contrast to any other department at any other level of government where proceeds of assets that have been unloaded are retained by Treasury. This arrangement distorts public policy. It is an incentive for the defence department alone to flog off assets, and land in particular, regardless of its historical or environmental value. This is a very dangerous arrangement at a time when the department's outlays are increasing for a variety of reasons, and although we are getting a resolution on this issue, the policy setting is skewing good outcomes. It was not unlike the uncertainty which surrounded the future of the Point Cook site which had similar historic value.

I have visited the area twice over the past couple of years, and I am indebted to Mr Ian Haskins, a resident of Forest Hill, who accompanied me. For many years he has been involved in trying to create an enlarged national park down there. We visited the quarantine centre, which was still in use in the early 1970s, and is still in very good condition. We inspected the beach with its very fast-running tide. As the member for Hawthorn said, it is not exactly the sort of place where you would want to hop in for a swim because you would very quickly end up in Bass Strait.

The attraction of the area is enhanced by local legend. One is that Benito's treasure was buried not in Queenscliff where it is commonly thought to have been buried, but on the cliffs in the area that we are going to

create as national park. There is a further variation on the legend. I recognised the comments of the member for Hawthorn when he said that his family had had a long connection with the area because the further variation is that Benito's treasure was secretly recovered by the Baillieu family in the 19th century. I do not know whether that is true, but the secret is now out and it will become part of the tourist trail. We will all be going down with our metal detectors to see if the clan left anything there.

This is a wonderful asset. The Point Nepean National Park will remind us from whence we came. It also demonstrates an increased capacity to conserve land, which is an important lesson for the future. I congratulate the minister in particular for his tireless work in getting this bill to the house.

Ms BEATTIE (Yuroke) — It gives me great pleasure indeed to join debate on the National Parks (Point Nepean) Bill. I am sure this is the day when all Victorians will rejoice that this fabulous land is being included in this bill. It was part of our 2002 election policy on forests and national parks. The policy document stated that it was our aim to protect Point Nepean and include it in the Mornington Peninsula National Park, and require the commonwealth to fix the site contamination and accept liability for clearing the unexploded ordnance.

We all know that this an area of great beauty. It fits in with a suite of environmental policies including the creation of national parks for which the Bracks government is well known. The commonwealth will progressively clear the former weapons range of unexploded ordnance at its own expense, and will also provide a once-only grant of \$2 million to Victoria for the controlled burning and weed control of the former weapons range. We have heard people talk with some negativity about that, but I am sure that this park will be well managed and well maintained.

We need to protect some of the significant nature conservation and heritage values in the area, and they include coastal moonah woodlands, which have a threatened vegetation community, and the southern brown bandicoot, which has national significance. These species can be maintained, and certainly out my way in the Woodland State Park we have seen the eastern barred bandicoot now coming off the endangered species list because of a former Labor government's action. There are two significant bird species at Point Nepean — the sooty oyster catcher and the hooded plover — and there are also significant Aboriginal heritage sites.

This is a good bill. It has been a long time coming to the house, but it is a good outcome for all Victorians. The member for Mordialloc mentioned the various groups; I will not name them individually because I know others want to speak on this bill. This bill's coming into the house is a major win for Victorians. I too would not like to swim in the Point Nepean area; swimming is not one of my strong points, but like most Victorians I can appreciate the beauty and the serenity of the new Point Nepean National Park. I commend the bill to the house.

Mr LUPTON (Prahran) — I am very pleased to be able to speak in support of the National Parks (Point Nepean) Bill, which creates the new Point Nepean National Park. This Bracks government is a great supporter of national parks in Victoria, and as a member of that government I am very pleased to be a very strong supporter of national parks myself. This government has done more to create, extend and protect national parks in Victoria than any government in our history, and I am very pleased to be associated with that. Our record in government includes the landmark, world-first marine national parks, the extension and creation of the new Great Otways National Park and finally the necessary protection of our great Alpine National Park. I was very pleased to be able to play a part in the proper protection of the Alpine National Park as a member of the environment minister's alpine grazing task force which led to the removal of cattle grazing from that pristine area, which is the source of most of our water supply in Victoria.

The Point Nepean National Park is really a tribute to the determination of the Bracks government and in particular to the Minister for Environment, who has consistently fought for the creation of this national park against a significant amount of opposition from the federal government and with no support at all from the opposition here in Victoria.

The area covered by the Point Nepean National Park is clearly inappropriate for any form of development. It is an iconic site in the history of Victoria and one of the most special places with great meaning for all people in Victoria, no matter where they live. The historical sites in the Point Nepean National Park area are of particular significance. The fight to create the park in its final state is still not over. We have the situation where the community trust set up by the federal government has a role to play. The 90 hectares around the quarantine station has still not been handed over to the state government. I urge all Victorians to continue to support the campaign that must continue to be waged until that final 90 hectares is handed over to the state so that it

can be properly managed and integrated into the Point Nepean National Park to complete the jigsaw.

I commend the government for its creation of this very important national park and for continuing the work it has done to create more national parks than any other government in our history. I support the bill and commend it to the house.

Mr SEITZ (Keilor) — I support the bill and congratulate the minister and the Bracks government on the battle to obtain this national park. I first heard of Point Nepean when I was in a refugee camp in Europe and I again heard about the quarantine station when we were on a boat coming to Australia. When we stopped at Port Said and Colombo we were told that if we got a contagious disease we would finish up at Point Nepean and would never get to Melbourne! So I learnt about Point Nepean then, way back in history.

The next occasion was when I served in the Australian military forces and the Australian Army used the park down there. That was my association with the park then, in those beautiful surroundings. When I became a member of Parliament we had several tours around the quarantine station and the park itself, looking at the whole area, before it became popular to campaign to turn it into a national park and close it. That is where the government accommodated the Bosnian refugees more recently, which is when I again had an association with the area.

Having only a few minutes to express my views on it, I welcome the fact that it has now been declared a national park and express the hope that the quarantine station and the rest of the area will be put into the national park and preserved for history for ever and a day. I commend the bill to the house.

Mr PANDAZOPOULOS (Minister for Tourism) — I want to thank members for contributing to the debate — the Deputy Leader of the Opposition, the member for Murray Valley, the members for Carrum, Nepean, Hastings, Mornington, Mordialloc, Rodney, Bentleigh, Sandringham, Seymour, Kew, Geelong, Hawthorn, Mitcham, Yuroke, Prahran and Keilor. I thank them for their contributions. It is a good result for the environment and a good result for Victoria.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

TOBACCO (AMENDMENT) BILL

Second reading

Debate resumed from 5 May; motion of Ms PIKE (Minister for Health).

Government amendments circulated by Ms PIKE (Minister for Health) pursuant to standing orders.

Mrs SHARDEY (Caulfield) — The Liberal Party has much pleasure in supporting the Tobacco (Amendment) Bill. This bill amends the Tobacco Act 1987. The main purposes of the bill are to ban smoking in enclosed workplaces and other places; increase control over tobacco advertising; introduce further measures to prevent the supply of tobacco products to young people; and ban smoking in covered public transport property — that is, on railway stations.

By way of background to this piece of legislation, it needs to be said that legislation in relation to the smoking of tobacco in our community has been evolving over time. The previous government certainly participated in the process of starting work to reduce the level of tobacco smoking in our community. The federal government has also played a very strong role in this process, particularly in relation to advertising campaigns. I think most people would recall — you still see them occasionally — those ads that make one feel a little squeamish as you see the fat being pushed through what I think is probably an aorta.

Mr Delahunty interjected.

Mrs SHARDEY — The comment was that I should talk to my husband. This goes back a very long time because I think a large number of people in this place probably would have smoked at some point in their lives.

Mr Delahunty — Not me.

Mrs SHARDEY — Some people are just so pure! The level of smoking among teenagers is still far too high today but as teenagers and students a large number of people in this place would have smoked. I think most of us would remember our parents smoking, particularly those who were involved in the Second World War as most soldiers smoked and cigarettes were part of their rations. It is only in recent years that there has been such huge awareness of the fact that cigarette smoking is a real health hazard. The one thing my husband, as a cardiac surgeon performing heart and lung surgery, heart transplants and so forth, has said to me about this in the past is that a very high proportion

of his patients either continued to smoke when they became ill or had been smokers for many years.

We know that if you give up smoking the effects of nicotine on your system can diminish fairly quickly. There has been great encouragement from a large number of sources for people to give up smoking. The commonwealth government pushed very hard for the introduction of warnings on packets of cigarettes and for the removal of advertising at sporting events and so forth. The advertising campaign was something former federal Minister for Health and Aged Care, Dr Michael Wooldridge, put a lot of effort into. The commonwealth needs to be congratulated in that area.

However, tobacco still causes close to 5000 deaths in Victoria each year and has a significant economic impact. I have mentioned some of the diseases in which tobacco is a significant risk factor but they include coronary artery disease, stroke, peripheral vascular disease, lung cancer and other respiratory diseases. It is estimated that you can double your chances of getting most of these diseases by smoking.

The other area of grave concern is passive smoking. It has been shown to be a significant risk factor for non-smokers and smokers. Passive smoking has recently been shown to increase the risk of heart disease by some 50 per cent to 60 per cent. I will be talking in more detail about that later. We know that approximately 30 per cent of Victorian workers continue to be exposed to passive smoking in the workplace. The industries of greater risk usually include the hospitality areas, factories, warehouses and home businesses.

The Liberal Party feels very strongly about this issue. It put out a position paper in January of this year. I would like to not wholly but partly incorporate this paper into my contribution because it really speaks very strongly about the Liberal Party's attitude to smoking. It is why we support this legislation. There are probably some other areas we would like to see included at some later time. We accept that reducing the number of smokers and protecting others who might be exposed to second-hand tobacco smoke is essential to the improvement of public health. Although there has been a reduction in daily smoking rates, tobacco smoking continues to present Australia's largest cause of premature and preventable death and disease. Smoking rates in Australia show that 25 per cent of adult men and 21 per cent of adult women still smoke.

Smoking and tobacco exposure has a major impact on Australia's health system. It is estimated that over 940 000 hospital patient days per year are occupied by

people with diseases caused by smoking. This represents 10 per cent of all disease treatment costs. Further, available data estimates the health care costs, including pharmaceuticals, associated with past and present tobacco use, borne by the Australian government, to be something like \$880 million — a huge expenditure. In Australia the social costs of smoking are estimated to be some \$21 billion per year. As I alluded to before, tobacco smoking is the largest single preventable cause of cancer and heart disease in Australia. It is responsible for 21 per cent of all cancer deaths and 13 per cent of all new cases of cancer. It kills over 19 000 Australians each year and disables many more.

We believe that one way to assist in reducing smoking and its impact is to decrease the opportunity to smoke or for environmental tobacco smoke (ETS) to affect non-smokers. The National Occupational Health and Safety Commission's guidance note on the elimination of environmental tobacco smoke in the workplace states:

There is no safe level of exposure to ETS.

As employers are responsible, as far as is practicable, for the health and safety for workers and other persons who enter the workplace, smoking should be eliminated from workplaces.

The states and territories in Australia have taken various actions to ban smoking in public places. Tasmania, Queensland and the Northern Territory have banned smoking at public building entrances. A ban on smoking in public places has the support of a number of health organisations in Australia. This is what the Liberal Party is really strong on. Those organisations include the Australian Medical Association, the Australian Council on Smoking and Health, the Cancer Council of Victoria, Quit, the VicHealth Centre for Tobacco Control, Action on Smoking and Health Australia, the Australian Medical Association, the National Heart Foundation and the Royal Australasian College of Physicians. I would be surprised if the Royal Australasian College of Surgeons did not support it as well.

Prior to the introduction of this bill Victorian legislation imposed smoking restrictions in hospitality venues. This was limited to restaurants, dining areas in pubs, shopping centres and some gaming areas. Smoking outside state government buildings is presently not prevented, nor does Victorian legislation prevent smoking outside the entrance to Victorian health care facilities such as hospitals. These are the two areas where the Liberal Party would like to see smoking banned. The Liberal Party does not support smoking in public places where the possibility of passive smoking

exists. The Liberal Party has given a commitment to ban smoking in and around all state government buildings and in and near children's playgrounds.

That has been our contribution to this debate. We think it is very important that those things also be considered. I have mentioned already some international and interstate comparisons. Full smoking bans in licensed premises have been implemented in Ireland, New Zealand, Norway, New York State and California. As I have said, in Australia plans are under way to stop smoking in Queensland, New South Wales and Tasmania, as well as in Victoria.

I turn now to some of the provisions of the legislation. The bill will create a new offence of smoking in an enclosed workplace. Clause 6 substitutes new sections 5A to 5I and repeals sections 5J and 5K. New section 5A states:

- (1) A person must not smoke in an enclosed workplace.

This new section goes on to provide for those areas where the subsection does not apply, and I will read those into the record. The new section states:

- (2) sub-section (1) does not apply to the following —
- (a) residential premises, other than the part of residential premises being used for carrying on a business while one or more persons who do not reside at the premises are present in that part;
 - (b) licensed premises;
 - (c) an outdoor dining or drinking area;
 - (d) a declared smoking area of a casino;
 - (e) a vehicle;
 - (f) a place of business occupied by the sole operator of the business that is not for the use of members of the public;
 - (g) a personal sleeping or living area of —
 - (i) premises providing accommodation to members of the public for a fee; or
 - (ii) a residential care facility;
 - (h) an area in an approved mental health service ... that is declared, or that is in a class of area that is declared, by the secretary, by notice ...
 - (i) a personal sleeping or living area, or an exercise yard, of a prison within the meaning of the Corrections Act 1986;
 - (j) a detention centre established for the purposes of the Migration Act 1958 of the Commonwealth.

What has been mentioned to me, which I would like to understand more about, is that a large number of people in supported residential services smoke, particularly people with mental illnesses and disabilities. According to our briefing those people will now not be able to smoke in the common areas within the establishment but will be able to smoke in their bedrooms. Of course they can smoke outside as well. I have some concern as to their safety. I think that is an issue that needs to be thought about. I would like to know what will happen to ensure that those people will be safe.

The third significant area of the bill is that a person can be directed to cease smoking in enclosed workplaces by an inspector, and the failure to do so will invite a penalty. From 1 July 2007 part 3 of the bill will remove the exemption of licensed premises from the application of the offence of smoking in enclosed workplaces as set out in new section 5A. New section 5C provides that it will be an offence to smoke in an outdoor dining or drinking area if an area has a roof or walls in place and the total area of the wall surface exceeds 75 per cent of the walled area. We have some concerns about this provision. We believe it raises a lot of issues, especially the notional 75 per cent of the total walled area. A number of questions need to be asked in relation to this.

Certainly the Australian Hoteliers Association has raised this as an issue. It wants some certainty for the future. There are a large number of questions about whether sails and other temporary roof-type coverings will count as surface areas. It has also been raised with me that there could be a problem if a room or an outdoor area is on a large balcony and the floor forms one of the surfaces. If you talk about a room, you talk about the four walls and the roof covering those walls. Where there is an elevation will the floor be included as one of the areas whereby you are looking to measure 75 per cent of the area? If it is over 75 per cent of the notional walled area, you will not be allowed to smoke in that area.

We will have to look at the balcony at the back of the Parliament when the roof is pulled over for inclement weather and people take a smoke out there, as many people in this place do. There are a lot of questions about this part of the bill, and the drafting appears a bit sloppy. We will be looking for some clarification, and I suspect the government may have to look at that particular part of the legislation again.

Some sections of the bill restrict certain marketing and sales activities employed by tobacco companies to increase the consumption of cigarettes by children, and I refer to buzz marketing and signage. There are a number of other areas I will mention briefly. New

definitions are being inserted into the principal act. There is a new definition of 'tobacco advertising'. New section 5 enables the minister to declare the high-roller room in the casino to be a smoking area. I understand some amendments will be moved to that provision in the consideration-in-detail stage and that that part of the bill will be moved to a different section. I was surprised to see these amendments introduced at this very late stage. I believe these sorts of errors should not have occurred.

This bill was second read some two months ago. It has been in preparation for a very long time, and it has had the support of the Liberal Party. Given that preparation, I would have thought it would have been possible to get it right. It is a great pity that these mistakes have occurred, and they are not something that the Parliament should accept as reasonable. While we will not be opposing the amendments because they are necessary for the operation of legislation, I point out the errors.

Clause 11 amends the penalty provisions for offences regarding tobacco advertisements. The new maximum penalty will be 60 penalty points. The provisions have been consolidated. Clauses 12 and 13 increase the penalties for various offences up to 60 penalty points. Clause 15 amends the penalty regarding the purchasing of tobacco for minors, which will not be allowed under this legislation. The bill makes it an offence to place vending machines in premises unless they are inside a bar area, and there are some details concerning that.

Clause 18 inserts a new division 3 in part 2 of the act to cover under-age music and dance events. It will be an offence for a person to smoke in any area of a premises while an under-age music dance event is taking place. I like that provision, because too many children are exposed to smoke and think it is a cool thing to do. If we can remove that from their sight, all the better.

Clause 14 increases the maximum penalty in relation to the prohibition on certain tobacco sponsorships to 60 penalty units, and clause 26 inserts new section 222A into the Transport Act, extending the offence of smoking in or on any public transport property. That covers a covered train platform. We asked a lot of questions about this provision. Where on a station are you not allowed to smoke? What if a person is standing half under the roof? This is another area that needs clarification.

In relation to this whole issue, there has been a lot of support for this legislation. Before I talk about those levels of support, I refer to the licensed premises provisions that will come into operation in July 2007

although the remainder of the bill will come into operation in March 2006. As I understand it, that was done to allow premises to make necessary changes to their facilities, but the amendments that the government has had to introduce are there partly because the current bill would have not required them to be smoke-free areas between 1 March next year and 1 July 2007. In other words, without the amendments, the casino would not have been smoke free; it would have been open slather. I have discussed that unfortunate outcome.

Looking at some of the support and rationale for this legislation, I note that VicHealth has done some research and released figures which are important. Its research tells us that almost four out of five Victorians support total smoking bans in bars and clubs. Almost 70 per cent of those who did not disapprove of the bans thought they should be brought in sooner than the proposed time line. There are probably good reasons for that, but I can certainly understand why the time lines are there. The latest figures show that of around 3000 Victorians surveyed in 2004, 79 per cent supported smoking bans in bars, 69 per cent said total smoking bans in hospitality venues should be brought in sooner than 2007, 77 per cent of those who want the bans brought in to hospitality venues sooner want to see them implemented within six months and finally support for smoke-free bars and clubs has climbed dramatically over the last five years.

I talked about this being an evolving issue. In 2000, 57 per cent expressed support for a smoking ban in bars and clubs. That figure climbed to 63 per cent in 2001, to 68 per cent in 2002 and 72 per cent in 2003. So there is broad community support for this legislation, and we appreciate that.

The Cancer Council of Victoria sent out a very interesting document which lists individual electorates. I was pretty keen to see what the statistics are in my electorate of Caulfield. The letter initially says that every day 11 Victorians die of a disease caused by smoking and that tobacco is the cause of more than 4000 deaths in Victoria each year and costs the Victorian community billions of dollars a year in health costs. The information they enclosed showed the annual deaths, including avoidable deaths, caused by smoking, alcohol, other drugs and road deaths.

In my electorate of Caulfield, of 465 deaths in the four years between 1999 and 2002, 52 were from smoking, which was the highest figure. Alcohol caused 11; other drugs caused 3; and there were 4 road deaths. The annual deaths due to smoking in the electorate of Caulfield are: lung cancer, 19; mouth and throat cancer, 1; other cancers, 6; heart disease, 10; stroke, 4;

and chronic bronchitis and emphysema, 13. Of the total number of 52 annual deaths, the diseases that stand out are lung cancer, heart disease and bronchitis and emphysema.

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

Mrs SHARDEY — I was in the process of coming to the end of my contribution, but I want to talk about some research that has been done particularly in relation to passive smoking, which addresses the Liberal Party's rationale for supporting this legislation and seeing it as very important. Some research published in a United Kingdom paper asks the question, 'What's in smoke?'. I do not suppose most people have thought about what chemicals are in smoke, but apparently tobacco smoke contains over 4000 chemicals in the form of particles and gas. The report states that:

Many potentially toxic gases are present in higher concentrations in sidestream smoke than in mainstream smoke and nearly 85 per cent of the smoke in a room results from sidestream smoke.

I assume that is passive smoke. It goes on:

The particular phase includes tar ... nicotine, benzene and benzo ... The gas phase includes carbon monoxide, ammonia, dimethylnitrosamine, formaldehyde, hydrogen cyanide and acrolein. Some of these have marked irritant properties and some 60 are known or suspected carcinogens (cancer-causing substances). The Environmental Protection Agency ... in the USA has classified environmental tobacco smoke as a class A (known human) carcinogen along with asbestos, arsenic, benzene and radon gas.

How does this affect the passive smoker?

Some of the immediate effects of passive smoking include eye irritation, headache, cough, sore throat, dizziness and nausea ... Short-term exposure to tobacco smoke also has a measurable effect on the heart in non-smokers. Just 30 minutes exposure is enough to reduce coronary blood flow.

In the longer term, passive smokers suffer an increased risk of a range of smoking-related diseases. Non-smokers who are exposed to passive smoking in the home have a 25 per cent increased risk of heart disease and lung cancer.

That is in the UK.

A major review of the government-appointed Scientific Committee on Tobacco Health (SCOTH) concluded that passive smoking is a cause of lung cancer and ischemic heart disease in adult non-smokers and a cause of respiratory disease, cot death, middle ear disease and asthmatic attacks in children.

The list goes on and on, but I think all of this reflects the fact that the legislation being passed today is legislation of a type that the Liberal Party has

demonstrated both in the past and currently, as well as through our position statement, that we strongly support. The problems we have with this legislation relate mainly to the definitional issues to do with outdoor smoking areas, which we think need some strong clarification and may need to be amended in the future. We are concerned that the government is being forced to amend this legislation even before it has gone through this house because it was incapable of getting it right, particularly in relation to the casino. I think this is a great pity, but it probably goes to the heart of what the government is about sometimes.

In any event, it gives me pleasure — as the main speaker on this bill for the Liberal Party — to support this piece of legislation. As I have said before in both the Parliament and the community, this legislation is part of a long evolution of recognising that smoking is bad for one's health. There have been big changes in community attitudes to smoking in workplaces and public places. The Liberal Party would support even stronger measures in terms of public places, because we believe the public deserves to be protected from passive smoking. Many have commented that when travelling around our city of Melbourne, particularly when looking at public buildings, we see people standing outside having a fag, so to speak.

We strongly support this legislation, but we have some reservations and seek some explanation in the consideration-in-detail stage as to how the government is going to cope with these issues.

Mr DELAHUNTY (Lowan) — I rise on behalf of The Nationals to speak on this important bill, the Tobacco (Amendment) Bill. Firstly, I would like to thank the staff at the Department of Human Services for the briefing they gave me and my colleague in the other place, Mr Damian Drum and for their promptness with the amendments, which have been brought in today. It is unfortunate that these things happen, but I am glad the amendments were picked up before the legislation went through. It is a wonder it does not happen more often. It again highlights to me the importance of having good staff who analyse legislation. We often read a second-reading speech and take that as a summary of the bill, but it is important to read the actual document to pick up the types of errors that have obviously been picked up by others.

I want to say — and I know it is not common — happy birthday to a lady in this house today. We would like to sing happy birthday to Zdenka later, but we will not do it at this stage. I do not think I can afford the time — and the minister might be a better singer than I am. Happy birthday, Zdenka!

We know the Tobacco (Amendment) Bill has many purposes: firstly, to ban smoking in enclosed workplaces and other areas; secondly, to increase controls over tobacco advertising; thirdly, to introduce further measures to prevent the supply of tobacco products to our youth; fourthly, to generally increase controls over tobacco smoking in licensed premises and outdoor drinking and dining areas; and fifthly, to ban smoking in covered public transport property.

The Nationals consulted very widely with the Australian Hotels Association, the North West Municipalities Association, the Victorian Healthcare Association, the Australian Nursing Federation, the Medical Practitioners Board of Victoria and the Victorian Alcohol and Drug Association, which is commonly known as VAADA.

It was interesting to note a comment in the VAADA June newsletter that we all receive as MPs about the Tobacco (Amendment) Bill. The association said

VAADA welcomed the amendments to Victoria's Tobacco Act, particularly the smoking bans at workplaces, bars and youth events, as these are significant steps in increasing the community's overall health ...

It went on to say:

VAADA believes the amendment bill is broad ranging, and in line with the growing community concern regarding new tobacco control initiatives and smoke-free settings.

However, it is VAADA's view that there is still room to further the scope of the bill.

I think that has been highlighted. Over many years anti-smoking legislation has been coming into this place, and it has had tripartisan support to get us to where we are today. There has been evolution in tobacco control.

I have to say upfront that I am an anti-smoker. I think that any people who want to smoke should go into a 40-acre paddock or bigger, right away from everyone else. I cannot say that I have never smoked. As a young fellow — —

Honourable members interjecting.

Mr DELAHUNTY — No, not the B & S balls; it was before that time. As a young fellow I went away on a footy trip — —

An honourable member interjected.

Mr DELAHUNTY — I am not sure; I cannot remember back that far. But the reality is that I can remember the packet of cigarettes I bought. I was about

14 or 15 years of age and I bought a packet of Country Life — they could have been named after the Country Party! But importantly from my point of view the cigarettes were terrible.

Ms Allan interjected.

Mr DELAHUNTY — I do not know about that. They were very strong and were very upright in representing their country communities. But at the end of the day it was a good experience, because I smoked probably the worst packet of cigarettes, or two of them, and never smoked again in my life. So I am very fortunate that I did not take up that dreaded tobacco smoking.

The Nationals will not be opposing this legislation, but we have some concerns in relation to the implementation of it. As we know, most of the responsibility will involve environmental health officers and local government. Three or four years ago when tobacco legislation went through this house \$2 million was given to local governments across Victoria for its implementation. At this stage we have no commitment from the government that we know of.

I know it would be lovely for the parliamentary secretary, who will be following me in the debate, to give a bit of confidence to the Municipal Association of Victoria, to the Victorian Local Government Association and to local governments across Victoria. There is no doubt that this legislation will create a bigger workload for them. It is important in the implementation phase that we have a good communication strategy. That involves the government, the key stakeholders and importantly local councils, which are going to be the major group implementing this legislation.

Therefore in this presentation I will be pushing for a communication strategy. It needs to have a positive spin, because most of the implications of this legislation will impact on hotels, bars and licensed venues. As we have seen before, when legislation is not implemented at an appropriate time in each state — in other words, at the same time — patrons move across the border and take their money with them. That has a big impact on some of our venues, particularly along the northern part of the state of Victoria.

As I said, The Nationals will not oppose the bill, because we believe it is good legislation. As a board member of VicHealth I am very pleased to see this type of legislation come before the house. It has further powers to ban smoking in public places and the advertising of cigarettes. Back in 2002 major legislation

went through this place that changed some of the advertising provisions. As we all know, the Victorian Tobacco Act was introduced about 18 years ago, and there have been amendments to that act over time as stricter controls have come through.

As I said, the legislation has had tripartisan support. I have a brother-in-law who is a surgeon — he is married to my second sister — and he gets very upset about people not doing enough to assist their own health status. He is a trauma surgeon, and he works hard to try and save people after accidents and the like. But importantly we must reinforce the message in the community that the best way of looking after your own health status is to give up smoking or not take it up.

Passive smoking, as we know, remains a significant health issue. In Australia it is estimated that it causes about 1600 deaths a year. That is an enormous impact on our communities. We worry about terrorism and the like, yet here we are losing 1600 lives per year because of passive smoking. Lung cancer, heart disease, low birth weight in babies and respiratory problems in children can be attributed to passive smoking. We have consulted widely, and the Australian Hotels Association, which I believe has had some input into this bill, is pleased that this will be phased in. It does not want to see businesses go to the wall, so it is pleased to see the implementation phase.

It is interesting to note that back in 1990, 70 per cent of the alcohol consumed was in licensed premises here in Victoria. Now that is reversed, with about 30 per cent being consumed. We are seeing the prevalence of takeaway alcohol from supermarkets and hotels, but also there is a prevalence of backyard bars being established. The AHA is concerned, and as legislators we should be concerned, that these bars do not have any controls over smoking. Yet it is my belief that because they are confined spaces they should be picked up by this type of legislation, which bans smoking in any confined space. There are a few limitations to that, but they are confined places.

The AHA was very strong in its discussions with us that it wants a positive spin put on the use of licensed facilities. They are good facilities and play an important role, particularly in country areas, where they are the hub of a lot of activities. They are meeting places and often provide restaurant meals and those types of things for people to get out and consume. They serve not only alcohol but also meals. However, they also need to be able to adjust to this implementation phase. We are calling on hotels to take up the challenge and upgrade their facilities. They can do so by providing kids'

playrooms and good meals, but if people want to go and smoke they should do it in outdoor venues.

I have read that not all unions are not happy with this legislation, particularly the corrective services union. I can understand their concern. I hope and trust that the Department of Human Services and the government are working through those issues. The community corrections people will be working through that, because they are also in a workplace environment.

A couple of years ago local councils were given \$2 million to implement the tobacco legislation. I think it is important that we get a commitment from the parliamentary secretary or the minister that this type of money will be provided to local government in the implementation phase.

After looking through a booklet that was given to me I just have to read out a quote from it:

Smoking is the single largest preventable cause of premature death and disease in Australia.

It goes on to say:

Research has increasingly shown that a number of serious diseases such as heart disease and lung cancer can be traced to second-hand or passive smoke. Passive smoking results in 19 000 hospital bed days in Victoria and costs the community over \$11 million each year.

It is an enormous cost to us in our community. I will quote from the submission that I received, and no doubt other parliamentarians received it, that was put by the Australian Hotels Association to the government. I want to quote a couple of bits, because I think it is important that we reflect on them. The submission states that the government's plan:

... of prohibiting smoking in enclosed workplaces of licensed premises —

it is not only in licensed premises; as we know, it is in all workplaces —

whilst minimising the impacts of such bans on business viability and employment ...

As I highlighted before, there have been times when we have implemented smoking legislation that has not corresponded with what has been happening in New South Wales. As a result we have seen a lot of patrons move across the river to places where they can still smoke and gamble, therefore taking their dollars with them. In this submission the AHA went on to say:

A range of 'complying models' of unenclosed areas related to licensed premises based on the current definition of

'enclosed' within the Tobacco Act 1987 be approved to allow certainty in regards to premises development investments ...

That is important. If anyone is going to spend money on upgrading their facilities, they need to know about the strict guidelines governing how this is going to work. The AHA went on to argue that:

On-street (al-fresco) arrangements not be disturbed.

...

Private residential areas and guest rooms of accommodation pubs and hotels are not to be included in the smoking bans;

But its main concern was — and I think this is true — that:

Penalty provisions in respect of youth smoking at under-age music/dance events held in pubs and hotels should be essentially directed to the youth rather than the publicans.

I think that has been picked up in the legislation, and it is to the credit of the government that they have done that. They are some of the concerns that were raised with us and obviously with other MPs.

I want to quickly go through some other points. Passive smoking increases the risk of heart disease by 50 to 60 per cent, double what was previously thought. It is important to note that six other Australian jurisdictions have banned smoking in public places. Queensland, New South Wales and Tasmania have plans under way to ban smoking in licensed premises. As I stressed at the briefing we had with the department, and I stress it here tonight, we need to make sure that we do not get border anomalies, that the implementation of those plans, particularly in relation to New South Wales, is done in a similar time frame so that we do not get patronage moving across the border, and I highlighted that earlier today.

It is important to know that the reforms in this bill carry on from reforms that have happened since 1987. We know that the key reforms in this bill relate to smoking bans in enclosed workplaces, and that is important. We have all been in workplaces where we know that tobacco has been smoked. The interesting thing is that this bill is not going to apply to cars. I worked in both the then Department of Agriculture and the then Department of Agriculture and Rural Affairs before accepting the honour of representing the seat of Lowan, and I often hopped into departmental cars where people had been smoking. It is a disgusting habit and it is unfortunate that this bill has not gone far enough. I think smoking should not be allowed in departmental cars or in cars provided by the government, full stop!

We know that key reforms will also talk about advertising of under-age music and dance events, bans

on buzz marketing and non-branded tobacco advertising, and we support that, but one reform amends the act to allow the police the power to issue infringement notices. In the briefing we were told that the issuing of infringement notices is going to be done by environmental health officers (EHOs) and that that is where the major workload will go. But we must realise that EHOs normally work Monday to Friday, from 9.00 a.m. to 5.00 p.m. Obviously licensed venues and other recreational activities often operate at night or on the weekend, so it is going to be interesting to see how that actually works. This legislation highlights the fact that police will also have the power to issue infringement notices. I was informed at the briefing, but I could not pick it up in the legislation, that transit officers will also be able to issue infringement notices. We need some clarification in relation to that, particularly for Melbourne commuters.

We know that other departmental officers will also issue infringement notices, but it is interesting to note, when you look through the legislation, to see that it is up to the owner of the business, whether it be a hotel or another workplace, to inform a person that they are not allowed to smoke. They have got to go through these steps as a defence against being charged, whether it be with the issuing of an infringement notice or having to go to court. But it is up to them to tell the person not to smoke.

It is also interesting to note, when looking through the bill and at the notes in a lot of the literature given to us, that if the hotel or workplace owner cannot get the person to stop smoking, they are asked to call the EHO. Where are we going to call EHOs at 10 o'clock or 11 o'clock at night, or even on weekends? The reality is it will not happen. I think they should be calling the police in that instance if they have got that problem, but we need clarification.

As the member for Caulfield said, the second-reading speech speaks about the existing exemptions for the high-roller rooms at the casino continuing to apply. We know the current legislation is not right and that that has been picked up in the amendments to make sure it continues. We support that. We have some concerns about it, but the reality is that it is in place, and we are not going to oppose that type of thing.

Another issue talked about in our party room was having designated smoking areas in mental health services, but we know it can continue. Smoking at under-age events such as music and dance parties will be banned, which we totally support. It is important to get to our youth at an early stage to stop them taking up the dreadful habit of smoking, because as has been

highlighted, young people smoke more in social settings. About 30 per cent of 16 to 17-year-olds currently smoke. That is very unfortunate, but 80 per cent of smokers begin smoking before their 18th birthdays. The younger they start, the less likely they are to quit.

I will not have time to go through it today, but I have a good booklet which has been put together by Quit Victoria with all the research data. I also want to compliment Cancer Council Victoria. It has been involved in setting up these Relays for Life events which are held right across Victoria. They are excellent social events, but they are also healthy events and importantly raise a lot of money for Cancer Council Victoria to fight this dreaded disease of cancer.

One of the interesting things I want to finish off with is that in Victoria in 1987 there were 1468 licensed premises — that is, hotels, motels and pubs; in 2005 there are 1960. There has been an enormous increase in the number of bed and breakfast establishments, small clubs and miscellaneous licensed facilities — from 120 to 3376. Over the 18-year period there has been a growth of 300 per cent in the number of licensed retail businesses. There has been a minimal growth in the total consumption of alcohol. That is why the Australian Hotels Association (AHA) was very concerned about the implementation phase.

The enforcement in workplaces will be done by EHOs. It is important, though, as we were told in the briefing to note that EHOs will be expected to visit all workplaces and give workers a 15-minute presentation on the implementation of these laws. They have got a big job. There are defences for people who want to make sure they do not get charged, and I think that is accounted for.

In summary, there is no doubt about the changing community attitude to smoking and about the community's intolerance to people walking into workplaces or licensed venues and smoking. We have never seen a better example of that than the ban on smoking in restaurants, which I believe has led to better environments and increased patronage. With those few words, Acting Speaker, I indicate that The Nationals will not be opposing this legislation but will be looking for the government to give some commitments on some of the issues I have raised tonight.

Mr ANDREWS (Mulgrave) — I am very pleased to rise and make a contribution to the debate in support of this important bill. The Labor Party in government over many years has a proud record when it comes to tobacco control reform. The record shows that we on

this side of the house and our party in government have led the way in this complex and often conflicted area of public policy. Whether it is point-of-sale changes or reforms in relation to smoking in restaurants and gaming venues and making them smoke free, this side of the house has worked very hard to drive change over a long period of time.

The amendments before the house tonight build on that important work and take it to the next stage or phase, if you like. It is an important reform, because as was mentioned by other speakers earlier, 15 per cent of all deaths in Australia can in one way or another be attributed to smoking. Further, tobacco is the cause of almost 5000 deaths in Victoria each year and costs the Victorian community — there is an obvious cost in terms of those deaths — in economic terms around \$5 billion annually due to health care and other social costs. We are talking about a very large problem; reform in this area is obviously very important.

Science tells us beyond any doubt that environmental tobacco smoke or second-hand smoke is harmful to health. The risks posed by second-hand smoke in the workplace are unacceptable, and that is why the government has taken up the challenge in this most recent round of reforms to make all enclosed workplaces smoke free. There are a number of exemptions which I will come to shortly.

I will outline the major reforms in this package and the process that has led us to this point. In October last year the Premier announced a package of reforms in relation to tobacco control. Following this announcement I was pleased to lead detailed consultations. From memory we had eight or nine forums with industry, unions, public health groups and the broader community on the package of reforms. Following that series of meetings a written submission guide was circulated and submissions were sought from interested parties right across the Victorian community.

It has been very important to consult widely and extensively on this package of reforms, to go and seek the views of those who are affected by and interested in these matters. By doing that in a comprehensive and genuine fashion we have been able to arrive at a balanced and sensible outcome. That is not to say it has not been difficult — it has. These are complex issues and striking an appropriate balance is no easy task.

I want to thank all those stakeholders who have participated in the process, although it is always dangerous to single people out. I will run the risk and single out Todd Harper and the team he leads from Quit; Brian Kearney from the Australian Hotels

Association, representing the industry side of the argument, if you like; and others from those respective camps who have been involved in the process. I thank Brian Daley from the Liquor, Hospitality and Miscellaneous Workers Union, who has worked, it is fair to say, very hard and advocated passionately and strongly on behalf of those people who work in the hospitality industry. All those people have played an important role in the reforms we have brought to the house today.

I will go through the key features of the package. All enclosed workplaces from 1 March next year will become smoke free. Workplaces include areas where both paid and voluntary work is undertaken. The key element of these changes is the nature of 'enclosed'. The enclosed portion of the workplace will become smoke free. 'Enclosed' means an area or premises substantially enclosed by a roof and walls, whether or not the roof and walls are permanent, temporary, open or closed. This is a very good way of simply defining that term. The notion of 'substantially enclosed' is already used in relation to gaming venues and in other parts of tobacco control legislation as it operates now.

To pick up the point made by the member for Lowan, those who will enforce these changes are very familiar with the detail — it is not a big change for them. But more importantly, guidance will be provided to all of those who will have to enforce the provisions, and there will be a comprehensive public and stakeholder education campaign. I am happy to commit on behalf of the government that we will brief the member for Lowan and other interested members on what that will look like at the appropriate time.

In relation to exemptions, residential premises used for carrying on a business — that is, home offices that do not have access to the public and do not have staff — will be exempt. People's private homes and their private living space are not being caught up in these changes, and that is important. Vehicles and personal sleeping or living areas in a hotel or residential care facility will not be caught up by this. The member for Caulfield raised the issue of supported residential services and similar settings — nothing in these amendments removes the ability of the operator to place conditions upon a person taking up occupancy there. Voluntary codes, conditions of entry and occupancy can still be placed on those people. We have not sought to legislate or regulate how people behave within their personal living space.

There are other exemptions in terms of mental health facilities and prison cells. A process is under way in relation to prison cells. Up to 37 per cent of cells are

now smoke free. We have made great progress in a short time, and I have confidence that Corrections Victoria, in conjunction with other agencies, will work towards a much higher figure over time. That is a sensitive and difficult environment and one where we need to be anything but heavy handed.

Licensed premises are obviously exempt because their bans come into effect on 1 July 2007. The member for Lowan talked about a big workload for those who will enforce this and those who will have to live with it on a day-to-day basis. The long lead-in time means we can deal with that workload. There will be resource implications. He noted the \$2 million that was provided last time. I cannot give him a figure, but I make the point that there will be proper support so these new changes can work properly.

From 1 July 2007 the same definition in relation to substantially enclosed roofs and walls will apply to licensed premises, but a separate offence for smoking in outdoor drinking and dining areas is being put in place under these changes. Outdoor drinking and dining areas will be defined as a balcony, veranda, courtyard, rooftop, marquee, street or footpath or any similar outdoor area where the predominant activity is the serving of food or the consumption of drink. It is a fairly commonsense term. Where those areas have a roof, the total wall area cannot exceed 75 per cent of the total notional wall area.

The member for Caulfield raised some questions in relation to shade sails. At the end of the day it is not about the structure, it is about whether it impedes the flow of air and whether it practically encloses the actual space. If it does, then smoking should not happen there. It is sensible, as the member for Mornington pointed out. I have confidence, although the member for Caulfield does not, that there will be a great utility in having separated the offence in relation to substantially enclosed areas and treating outdoor drinking and dining separately.

There will be greater utility: one size will not fit all in terms of the many different venues. This is a sensible way to do it. It will take work; it will mean people will need to be informed. Environmental health officers will be taken through things; those who run the venues will be taken through things, and the general community will come to understand what is a smoking area and what is not.

The roofed area of train station platforms will be smoke free. Under age music events will be smoke free. Buzz marketing and non-branded tobacco advertising are important measures as well. We have substantially

increased the penalties for tobacco companies breaching advertising and promotion provisions with a penalty of up to \$500 000, and that has seen strong public support in recent times, and we are grateful for that. There will also be stronger laws in relation to the selling of tobacco to minors. These are all important reforms.

The member for Caulfield is very concerned about the house amendments that we have moved. Yes, a drafting error was made, but it is a bit difficult to be lectured to by the member for Caulfield. In seven years of government those opposite only made one substantial amendment to this act, which was to raise the age of purchase from 16 to 18 years, and that was part of a Council of Australian Governments process. You do not make any mistakes when you do not do any work. We welcome the support of the member for Caulfield and those opposite, and I do not want to labour the point because there is bipartisan support for the bill, but it is a bit rich to be lectured to by those who have no record at all when it comes to these issues.

Quit celebrated its 20th anniversary earlier this year, and I think it would be fair to say that of those who were around the table when Quit came into being, no-one would have thought that smoking would be banned in public bars just 21 years later. These are extraordinary steps forward. We are proud of the changes. It is not easy: it is hard to find the balance. It is hard to deal with what are often very contentious and technically detailed issues, but we have risen to that challenge. We are proud of this bill and we think that this regime will work. It will have utility. It has struck an appropriate balance between those who would seek us to go further, and others who perhaps think that we have gone too far already. These are important changes, and I commend them to the house.

Mr COOPER (Mornington) — I want to address two matters in this bill which amends the Tobacco Act 1987. The first is to advise the government that in its consultations with the Australian Hotels Association, it has no doubt had the prospective plight of small country hotels drawn to its attention. What needs to be understood about a lot of small country hotels is that they will not have the economic capacity to create the areas outside of a building where smoking can take place, and that could put a lot of these hotels out of business. Some may say that is just bad luck, but the fact is that a lot of small country hotels are at the centre of towns in country Victoria, and it would be a tragedy for those towns to lose their hotel. As much as it has been for them to lose banks and every other thing over the years, the hotel would be about the last gasp for some of the small country towns.

I want the government to understand that this is a significant outcome from its legislation and to address the issue. There may well be a need for financial assistance for some of the small country hotels, to allow them to create areas for smokers who are significant patrons of a hotel so that the hotel can keep their business and keep it going. It is not an insignificant issue. I noticed that when I raised the issue of the possibility of some financial assistance, the member for Mulgrave just raised his eyebrows and smirked. In communities in country Victoria with small country hotels that will be confronted by this issue, to go in and raise your eyebrows and smirk at the prospect of putting them out of business would mean being ridden out of town on a rail. The reality is that it is important for those towns.

Mr Andrews interjected.

Mr COOPER — The member for Mulgrave should listen, and in his position as parliamentary secretary understand that it is an important issue. It is one that needs to be addressed. We need to listen with a degree of compassion for those small hoteliers, and to deal with the issue so that we do not see a lot of hotels go out of business. They are important, not only to the town but also to the people who supply them usually from nearby bigger towns. So there will be fall out if this issue is not addressed. It is very important that the government understands this issue, and that is why I am underlining it now, to make sure the government understands that it is very important throughout country Victoria and that it addresses the issue.

I listened to the member for Mulgrave with some interest because he was talking about this bill taking the controls to the next stage. Over the years we have addressed the tragedy of tobacco use in this state — and it is tragic. We have 5000 deaths from smoking every year in Victoria, and it is very important that we address that. Over the years, regardless of who has been in government and regardless of what the member for Mulgrave said, there has been bipartisan — or as the member for Lowan would say, ‘tripartisan’ — support for the continuation and growth of the controls. So this is not a partisan issue. It is an issue of looking at how we can incrementally increase these controls to a stage where we can get most of the community, if not hopefully all of the community, to stop smoking tobacco products. That would be the aim of every sensible person in the community. As a community we simply cannot substantiate and support the fact that 5000 of our fellow citizens are dying each year from the inhalation of tobacco smoke.

This bill has the support of the opposition, and rightly so. But I want to draw something to the house's attention — and I do not do it in a partisan way, although no doubt government members will immediately accuse me of being partisan. I know that the member for Mulgrave understands that it would be unfair for me to be accused of being partisan. But I want to address the issue of this Parliament. It is all very well for us to debate this legislation tonight, and set out rules for the rest of the community, but interestingly those rules do not apply to the very building in which we sit. The member for Mulgrave looks amazed. Let me say again that the rules do not apply to Parliament House.

The member for Mulgrave talked about enclosed areas, and gave us a very erudite explanation of the situation in proposed section 5(c) to be inserted into clause 23 which relates to smoking in outdoor dining or drinking areas. It will be an offence to smoke in those areas if they have a roof or walls in place and the total area of the wall surfaces exceeds 75 per cent of the total notional wall area. He then went on to say, very correctly — and I told him it was very sensible — that it is not really about that definition, it is about airflow. It is all about whether the smoke can get away. He said at the time, 'I notice the member for Mornington said that is a very sensible thing', and it is a very sensible thing. So let us talk about a couple of areas in Parliament House where the smoke cannot get away, and where smoking is permitted and will continue to be permitted. The dining area on the veranda outside the members dining room is one of those areas. When the awning is down, smoke cannot get away. You are up to your armpits in smoke.

The place that I have to walk through when I leave this chamber to go to my office down below, as the member for Mulgrave also has to do, is where everybody smokes — and the member for Kew is now nodding to me. I have to walk through passive smoke several times of every day that this house sits. I say to the house that if you are going to have a rule that applies to small country hotels, restaurants and all businesses outside and around this building and throughout this state, why is that same rule not rigorously applied to Parliament House? We are making laws that apply to communities and businesses that will impact upon businesses and yet here we are saying, 'We have got this rule for you Mr Businessman, but we do not have the rule for ourselves here in Parliament House'.

Mr Andrews — That is wrong.

Mr COOPER — That is not wrong. I know, as the member for Mulgrave knows, that when this bill is

enacted by the Governor in Council there will still be smoking out on the veranda and there will still be smoking downstairs here.

If we as a Parliament were really setting an example to the people of this state, we would be banning smoking anywhere in the parliamentary precinct. That is what we should be doing. We should be leading the way, but we are not.

Mr Andrews interjected.

Mr COOPER — The member for Mulgrave says I am wrong. I say to the member for Mulgrave that he and all the others who say I am wrong are trailing their coats behind this legislation. They are not in front leading the way and they need to lead the way. If we truly have the health of the community at heart and we are genuine about banning smoking and improving the health of Victorians then we should be leading the way. We are not leading the way, so my plea to the government tonight — and I say again that this is not an attack upon the government because it would not matter who was in government, we would probably still be dealing with a bill pretty much like this and I would be saying it regardless of whoever was in government — is that we should be out there in front, and this precinct, not just the building, should be smoke free.

If the Melbourne Cricket Ground is smoke free, why the heck is the Parliament of Victoria not smoke free? That is the question I put to the government and I ask the government to act upon this, not just say, 'Oh, yes, we have heard Cooper and we will forget about it'. The government needs to be looking at this issue and acting on it and bringing in a bill that will initiate this issue in order that we can say to the people of Victoria, 'We are leading the way. We are showing the way. We are doing unto others as we have done to ourselves'. That would be a very good example to set for the rest of the community and it would be — —

Mr Trezise — Absolute rubbish!

Mr COOPER — 'Absolute rubbish!', said the member for Geelong. He is a smoker, no doubt — —

Mr Trezise interjected.

Mr COOPER — Or a reformed smoker, but anyway somebody who said, 'Absolute rubbish!'. The member for Geelong by interjection said we should not make Parliament House a smoke-free zone. What a disgraceful thing to come from the mouth of a member of the government! The people of Victoria are looking to this government for leadership, not for the kind of stupidity that has come out of the mouth of the member

for Geelong. I urge the government to consider my entreaties tonight if they have the genuine health needs of Victorians at heart.

Ms ECKSTEIN (Ferntree Gully) — I am also pleased to make a contribution in support of the Tobacco (Amendment) Bill. Just to reassure the previous speaker, the parliamentary secretary assures me that the same laws will apply to this house as will apply in the community. I am not sure whether the member was arguing for more stringent processes to apply to this place and that there be no smoking in the gardens or other non-enclosed areas — that might be another discussion that we could have and I might not even disagree with him about that — but there is no doubt that the same laws will apply to this place as will apply to any other workplace.

As previous speakers have said, smoking is a very serious health issue in our community. It is very pleasing that we have support from all the opposition parties for this legislation. Smoking causes thousands of deaths in Victoria each year, increasing the risk of coronary heart disease, stroke and vascular disease as well as a range of cancers and a whole host of other diseases. Five thousand deaths a year costing over \$5 billion annually in health care and other social costs to the Victorian community is very alarming to say the least, especially as they are preventable. Fortunately reforms that have been made in recent years have had a very positive effect in terms of reducing smoking rates, exposure to passive smoking and smoking by young people, which is a very important area that this bill focuses on.

These reforms include preventing exposure to cigarette smoke in public places; increasing the penalties for selling cigarettes to minors; and restricting tobacco advertising. It is very pleasing that this government has led the way in this regard. As a consequence, smoking rates for adults have declined almost 5 per cent from 1999 to 2003, and have declined just over 4 per cent among young people. We need to do more work to continue that decline in smoking among young people.

In fact, the advances we have made in this country and in Victoria in particular are brought starkly to light when one travels overseas. Tobacco advertising is very prevalent in Europe and the United States of America and very noticeable when one travels there. I guess it was in this country also before we got rid of it. It just shows how quickly perceptions of what is socially acceptable can change and have changed in this country. We also take for granted being able to eat in smoke-free restaurants, travelling on smoke-free public transport and working in smoke-free workplaces. It is

quite a surprise when you go to other parts of the world where that is simply not the case.

Research has shown that there is widespread community support for increased smoking bans. Over 90 per cent of Victorians support the tougher enforcement of laws prohibiting the sale of cigarettes to minors. It is therefore timely that we make the further reforms proposed in this bill. Other speakers have already outlined these significant areas of reform so I will not repeat them. Some of these measures will come into force from March 2006 and others, particularly the ban on smoking in enclosed licensed premises, will come into effect from July 2007, thus giving the industry and the community time to assimilate and adjust to these new laws. The government considers that an appropriate process and measure.

As many as 30 per cent of Victorian workers continue to be exposed to cigarette smoke at work. This is particularly an issue for hospitality workers, but they are by no means the only workers who continue to be exposed to passive smoking. Passive smoking is a scourge. It is very difficult for an employee to say to a manager or boss, 'Sorry, I will not have a meeting with you because you smoke and you will blow smoke all over me'. I have been in that situation for many years with a manager who smoked profusely — —

Mr Kotsiras — Name her!

Ms ECKSTEIN — The member for Bulleen knows well to whom I am referring. Although I love her dearly, passive smoking was an issue. I may need to take that up in the future.

One working shift in a smoky bar is equivalent to smoking 16 cigarettes a day. This is not only very unpleasant but clearly poses a significant health risk for such workers over time. Why should workers continue to be exposed to such significant risks? Why should staff and patrons in non-smoking areas in licensed premises continue to be exposed to passive smoking from adjacent smoking areas? The World Health Organisation has concluded that there is no safe level of passive smoking. This important aspect is being addressed in the bill.

The other aspect of the bill that I will address briefly is the increased enforcement measures in relation to smoking bans for young people. It is alarming that around 30 per cent of 16-year-olds and 17-year-olds smoke. In fact, about 80 per cent of adults who smoke began to do so before turning 18. It is therefore important that measures to curb smoking among young people be stepped up. The more we can prevent young

people being exposed to smoking in social settings, the more likely we are to deter more of them from becoming casual and then committed smokers. Therefore, the bans on smoking at under-age music and dance events, as contained in the bill, are very important and are an appropriate measure for us to take as a community. For the young people who already smoke, their consumption is likely to be reduced through smoking bans at such events.

Preventing or making access to cigarettes more difficult is an important measure in deterring young people from smoking. Currently cigarette vending machines can be located in areas where young people can easily access them without any adult oversight. The bill restricts the placement of vending machines and requires them to be in line of sight immediately next to the bar or service counter so they can be monitored by adult staff who take responsibility for access to them. That is an important measure in minimising young people's access to cigarettes and deterring them from smoking.

Similarly, making managers responsible for the sale of cigarettes to minors regardless of whether that sale is made by an employee or an agent such as a family member or volunteer helping out in the store means that some person is responsible if the sale of cigarettes to young people occurs. This will encourage managers to make people aware of the laws in relation to the sale of cigarettes to minors.

The sighting of photo identification as the only defence against selling cigarettes to a minor will ensure greater compliance of retailers asking to see identification, a deterrent in itself, and again limits access to cigarettes by young people.

These reforms are timely and appropriate considering the adverse health impacts of smoking in our community. The more we can deter young people from experimenting with smoking, the more we will deter young people from graduating to becoming life-long addicts.

Mr KOTSIRAS (Bulleen) — It is a pleasure for me to speak on this bill. I say from the outset that I am a non-smoker and while I respect the individual's right to smoke when they feel like it, I also expect them to respect my right to work in an environment which is smoke-free. I take on board the comments of the member for Mulgrave who ensures me that the courtyard downstairs, right next to my office in this building and where a large number of my parliamentary colleagues and parliamentary staff go for a smoke, will cease being a smoking area once the legislation is passed. A large number of people go downstairs outside

my office to smoke. It is very uneasy and uncomfortable for me to sit there working while people outside my office are smoking and the smoke comes into my office.

Victoria has come a long way in trying to reach a compromise with smokers and non-smokers. Recently I was in Europe and was speaking to some members of the European Parliament and the Greek Parliament. Five of us had breakfast at 8 o'clock in the morning. As soon as we sat down at the table for breakfast, four of them lit cigarettes and started to smoke. I asked them what they thought of not smoking in an enclosed area. They said it was discriminating against them and that they should be allowed to smoke. I pointed out to them that I should be allowed to enjoy breakfast without smokers around. They say that this had been going on for years, that I was attempting to discriminate against them and that they should be allowed to smoke. Australia, Victoria and Melbourne have come a long way and found a compromise for smokers and non-smokers. I support the legislation.

I think it is our responsibility to ensure that every Victorian is able to work in a smoke-free environment. Passive smoking was not spoken about 20 to 25 years ago. Today there is a large body of medical evidence and research which proves that smoking is harmful to one's health. Indeed, a study undertaken by Cancer Council Victoria found that over 57 per cent of hospitality workers were exposed to smoke while at work and that 80 per cent of workers in bars and clubs are concerned about working in a smoke-filled room. It is true to say that in Victoria 5000 people die each year from smoking-related illnesses. It is our responsibility to make sure more is done to look after the wellbeing and health of people working in the hospitality industry, to name just one industry.

Research has shown with the introduction of smoking legislation relating to restaurants that there has been an increase in support for this type of legislation. At first people complain but over the years they have found these restrictions allow people to enjoy their meals in a smoke-free environment. Passive smoking is an important issue and is made up of two parts. The non-smoker can breathe in smoke from a cigarette, which is called sidestream, or smoke that is being inhaled and exhaled by the smoker, which is called mainstream. Tobacco smoke has over 400 different chemicals comprising particles and gases. Many of these are present in high concentrations in sidestream smoke. Some of the effects include eye irritation, headaches, sore throat and nausea. In the long term there is an increase of 25 per cent in the risk of getting heart or lung cancer.

A media release of 28 January from Quit Victoria states:

Non-smokers who die of lung cancer ... are more than twice as likely to have worked in a smoky environment, according to a study published ...

The new research confirms that environmental tobacco smoke (ETS) is a risk factor for lung cancer ... particularly in former smokers.

The BMJ study also reveals that ETS exposure during childhood is linked with lung cancer, particularly among those who had never smoked.

Executive director of Quit Victoria ... said the findings in relation to workplace were disturbing evidence of the harm caused to non-smokers from working in an environment where they are consistently exposed to ETS.

'The study provides a compelling case for employers who are considering making their workplaces smoke free to do so sooner rather than later' ...

'The only way to protect non-smokers from the harms of passive smoking is to ban smoking in all indoor workplaces'.

Of course there are also concerns about the impact it has on our children because it increases the risk of infections such as bronchitis and pneumonia in children. I support this type of legislation because, having three children of my own, I know how important it is for children to be able to live in a home or go to a restaurant which is smoke free.

An article in the *Townsville Bulletin* headed 'Study slams passive smoking' states:

Children exposed to passive smoking have a higher risk of developing lung cancer later in life than other youngsters, according to new research.

...

'Passive smoking clearly increases the risk of lung cancer' ...
'People should not smoke in the presence of their children'.

It goes on to illustrate the harmful effects that smoking has on children.

As I said from the start, I support this legislation. It is a logical step to ensure that both smokers and non-smokers are able to live and work together with no-one being disadvantaged. As I said also, we need to do something more about smoking in Parliament. The member for Kew is a very keen smoker who often stands outside my office smoking. I am sure he will now stop doing this and ensure that I will be able to enjoy working in my office without having to inhale some of his smoke.

I have to say also that there are a number of concerns with this bill. The member for Mulgrave has clarified

some of them and, as I said from the start, I look forward to this Parliament House being smoke free because, although I have raised it a number of times in the past, unfortunately nothing has happened until now. So while I support this legislation and consider that there has to be a balance between smokers and non-smokers, I believe that more has to be done in the future.

Ms MORAND (Mount Waverley) — It is a pleasure to join in the debate on the Tobacco (Amendment) Bill 2005. This bill is another important step forward in tobacco control. These reforms are building on the already significant achievements in tobacco control that have been undertaken by this government since 1999. It is hard to believe that smoking was allowed in restaurants only a few years ago. Before this government was elected in 1999 there had been no significant changes to the Tobacco Act since its introduction.

I was working as a researcher at the Centre for Behavioural Research in Cancer when the Labor Party was in opposition and developed its tobacco control policy as part of its health and community services policy. I then worked for the Minister for Health in our first term and was extremely proud of and had great pleasure in seeing a raft of changes introduced to reduce the damage caused by tobacco in our society. Those measures included banning smoking in public places and a lot of other measures designed to reduce the uptake of smoking amongst our young people.

Most of us probably know someone who has died as a result of smoking. They are not just statistics. They are individuals — loved ones who have been lost, dying from a disease that is totally preventable. I take up what the member for Lowan was saying about his brother-in-law, the surgeon. I recall that, in an effort to get nurses to stop smoking, a surgeon at the Royal Melbourne Hospital where I worked used to ask nurses to come and look into the chests of patients who were having lung operations and say to them, 'That's Marlboro country in there'.

The impact of smoking hit me personally when a friend of mine died from lung cancer at a young age. Elizabeth Yeo and I worked together as transplant coordinators. Elizabeth was the first transplant coordinator in Australia and I was one of three who, after her success, started working. She was based in Sydney. I remember going with Elizabeth to a conference in Adelaide. She had a bad cough and said she had to see a specialist and have an X-ray when she got back to Sydney. That X-ray found that she had lung cancer and she had one of her lungs removed immediately. Unfortunately, she

died less than a year later, leaving behind two young children. Elizabeth had started smoking at a young age.

The importance of stopping young people from ever starting to smoke and getting hooked cannot be overestimated. Quitting is really hard. As a former smoker, although I never smoked as heavily as Elizabeth did, I know it is hard to stop smoking. You cannot underestimate the necessity of trying to stop young people from taking up smoking so they do not have to even think about quitting.

This government has already introduced really important reforms aimed at reducing smoking uptake and consumption amongst young people. They include increasing penalties for selling cigarettes to minors. This was backed up by a program of enforcement conducted by local government that the members for Lowan and Mulgrave have already referred to that. Environmental health officers going out to enforce bans on tobacco sales to minors is a really important part of the program.

We have also introduced various other amendments that have been aimed at reducing the insidious promotion of tobacco to young people in our society. Also, in our first term we introduced reforms banning smoking in licensed premises, including gaming and bingo venues.

Passive smoking has been of great concern for some time and this bill will go a long way towards reducing the harm caused by passive smoking. The public support these reforms as they supported early reforms, and they are welcoming and enjoying a smoke-free environment in many different venues, including restaurants. It is a cultural change.

During my years as a researcher at the Centre for Behavioural Control in Cancer, I worked on a number of papers including the quit evaluation studies. I refer to some recent research which was led by a colleague of mine, Tessa Letcher, and published by CBRC. The paper is entitled 'Would smoke-free pubs and bars influence attendance by the Victorian public?'. The report presents data on Victorian adults self-reported frequency of patronage of hospitality venues and community support for the introduction of smoking bans in such venues by smoking status. I refer to some of the data which was collected by telephone interviews of random samples between November 2000 and 2003.

The research found that for the vast majority of Victorians their likelihood of attending hospitality venues such as hotels, bars, nightclubs and gambling venues would be little affected by the introduction of a

total smoking ban. This was reported by the non-smoking majority of patrons as well as the smokers. No difference was observed in approval for smoking bans in bars between the population as a whole and bar patrons. The majority of regular drinkers at hotels and bars are non-smokers. In 2003, 81 per cent of hotel customers interviewed did not smoke.

Community support for the introduction of a total smoking ban in bars and licensed venues has increased over time and this research reported the level at 72 per cent.

Another paper I refer to is again from the CBRC research paper series and again Tessa Letcher was the lead author. It is entitled, 'Would Victorian smokers find it easier to quit if bars and pubs were smoke free?'. This research indicated that smoke-free environment policies may reduce tobacco consumption and encourage quitting, especially among younger patrons.

In the report the authors considered the potential impact on the behaviour of smokers following the introduction of a ban on smoking. Again I refer to the data in the paper. The survey was conducted between 2000 and 2002 among 2000 Victorian adults. The authors reported smokers predictions of their smoking behaviour, that is the likelihood of quitting and/or cutting down, in the event of the introduction of smoking bans in hospitality venues including hotels, bars, gaming venues and nightclubs.

In 2001 more than one-fifth of smokers reported they would be more likely to quit smoking altogether if total smoking bans were introduced in licensed hospitality venues. In 2002 that figure was almost 30 per cent. In 2002, among those who did not think they would quit altogether 43 per cent reported they were at least likely to reduce the amount that they smoked. In other words, this research indicated that the reforms introduced in this bill will not only reduce the impact of passive smoking on the patrons of the venues but will also help smokers to quit.

I will not go into the detail of the bill, as other people have already done that. In summary I want to say that all the reforms in the bill will further assist existing measures and reduce the damage caused by tobacco in our society. I commend the bill to the house.

Dr SYKES (Benalla) — I would like to join the debate on the Tobacco (Amendment) Bill. Like The Nationals member for Lowan, I am a non-smoker. I had a go at it at one stage when I was in the Boy Scouts, but I gave up smoking when I gave up scouts. It is one of those things that happen when you are a young person:

you think it is a big deal, that it is cool to smoke. We used to go off to our annual jamboree at Gilwell Park, and you always used to buy the packet of cigarettes from the local cafe, after collecting the bottles on the side of the highway and getting the deposit back from the cafe. You went off and you thought it was real cool to smoke the cigarettes. I think what turned me off, apart from the fact that I did not really enjoy it, was that when the money ran low, when there were not many bottles on the highway, we turned to rolling our own, using tea-tree bark, and it did not quite have the same kick! So I gave up smoking at about age 13.

In terms of the health aspects, I read an interesting paper last year when I was in Europe with the Drugs and Crime Prevention Committee's inquiry into the harmful effects of alcohol, drugs and road rage. The paper was by the European Union (EU) on the common agricultural policy. EU policy is to subsidise tobacco production very heavily: I think 70 per cent of the income earned by tobacco growers in the EU comes from subsidies. That is clearly subsidising a product which is bad for health. What is even worse is that the product is a low-grade tobacco, so it is not used in Europe; it is exported to Africa and further exacerbates the health problems in Africa. It really is a very poor use of public money in the EU to be subsidising tobacco production which then goes and creates health problems in Africa.

I would like to focus my comments not so much on the banning of smoking or the restriction of smoking in various places but on the legal or legitimate industry of growing tobacco. This exists in my area in the Ovens and Kiewa valleys, and is an industry particularly important to the townships and area surrounding Myrtleford, Ovens, Porepunkah, Mount Beauty and Tawonga. It is important because 263 families earn their income from growing tobacco, and that involves 130 licenses. These people are honest, hardworking, good people. They produce around 4 million kilograms of tobacco each year from about 1400 hectares of country that has been cropped. The farm-gate value of that product to the local economy is \$650 per 100-kilogram bale, which works out to be \$27 million coming in a year as farm-gate value to the local economy.

More importantly, the produce generates \$28 000 per 100-kilogram bale in excise duty income for the federal government. That is a whopping \$1.1 billion worth of income that is being generated for the federal government from the taxes and excise on the tobacco grown in the Ovens and Kiewa valleys.

Also at a local level the industry provides another 80 seasonal and permanent tobacco-preparation and processing jobs in the tobacco cooperative at Myrtleford, and that results in \$1.6 million worth of wages going into the economy of Myrtleford and nearby. Overall the tobacco industry in that area is worth about \$90 million.

In addition to the health issues which have been raised well and truly by other speakers, there are two other issues I would like to touch on at a local level. One is the issue of illegal tobacco, or chop-chop, as it is widely known. The second is: are there any alternatives to tobacco production for the 263 families that currently rely on it for income-generation?

Chop-chop is a major concern to the people in our area. There has been increased activity by the Australian Taxation Office and the federal police. However, I am told in discussions today with the chief executive officer and the chair of the tobacco cooperative, John Moore and John Muraca, that there is still a need for the ATO to substantially increase the resources going into the policing of chop-chop, because the illicit sales of tobacco are still at an extremely high level, and the increase in detections that have occurred recently are still only skimming the surface of a very significant illegal industry. I would also like to comment, for the benefit of the Minister for Police and Emergency Services, that the chair and chief executive officer of the tobacco cooperative were highly complimentary of Victoria Police's role in the capture of people involved in the illegal trade in tobacco. They describe the police effort as fantastic.

The other issue from a local point of view is: what alternatives are there to growing tobacco, in the event that tobacco is progressively phased out?

Mr Robinson — Wine!

Dr SYKES — The reality — stop whining there, please, member for Mitcham — is that there is no alternative row crop or non-perishable product that produces a similar return per hectare. Keep in mind that the area these people farm is relatively small. If you look at other crops such as grapes, those of us who enjoy the product might be aware that the profitability of grape production has dropped substantially in the last couple of years, so turning to grapes is not a profitable alternative.

Equally, turning to vegetables is not a profitable alternative, because it is difficult to be guaranteed of making satisfactory returns from that very small area. So these hard-working people, who have put their lives

into growing tobacco, in a legitimate industry, have a serious difficulty in what alternatives they can turn to in the event of tobacco continually being discouraged and people decreasing their demand for that product.

I ask the government and the Parliament, when passing this legislation, to consider the impact of the decreased use of tobacco, as well, clearly, as the positive health benefits of that. I would ask that the Parliament consider the negative impact on local communities such as Myrtleford, Ovens, Porepunkah and Mount Beauty, and that the government ensure there are appropriate economic offsets and appropriate alternative options for these people and these communities to generate income so that they can continue to enjoy their life in the area they have chosen to call home.

Ms D'AMBROSIO (Mill Park) — I am very pleased to be able to rise in support of this bill. In a relatively short period of time we have seen a significant shift in our views on smoking. Previous speakers have talked about it being a matter of two decades, and certainly my memory of growing up with very different attitudes to smoking puts the finger on it being as few as 20 years ago, when smoking in the home or workplace went without question, apology or excuse — it was just done. A cigarette was lit up whether you liked it or not; no discussion was entered into.

Twenty years ago attempts by the community to prevent children and adolescents from smoking derived more so than now from concerns to do with morality rather than health. Young girls who smoked at school, after school or in the sheltersheds sent the wrong message to boys. Boys who smoked were unruly or a bad influence. I do not think the minister at the table, the Minister for Manufacturing and Export, who is much younger than me, is old enough to remember, but I remember that when I was a young child for my parents and those of my friends and neighbours within the community, the terms 'bodgies' and 'widgies' were inextricably linked — in the one breath — with young people and adolescents who smoked. I do not think I am being too quaint in making reference to those times, because I certainly well remember them, and they were part of the norm. Young people smoking was an issue discussed by adults, but normally in a very low voice and in very derogatory terms.

Advertising agencies, of course, focused their cigarette-selling campaigns on young people with images of something counter to that — of being cool, with it and having it all. These images were very appealing to young people, and they were certainly a contradiction to the way in which adults saw smoking

amongst that cohort. Today we look back and see that medical evidence has caused a seismic shift in community understanding of the ill effects of smoking on all of us. These days parents — and I am one of them too, at the age I am — do not use the morality line any more, because we know it is more severe than that, that the effects of smoking run deeper than that. Instead what we are saying to our children now is, 'Do not smoke because it will make you sick for the rest of your life'.

Thankfully now children and adolescents are less subjected to the once comprehensive and highly suggestive cigarette advertising as a counteractive to the health message. That has not happened by accident. Together with the medical evidence that has shown the ill effects of smoking in a very stark way, has come government policy-making, public policy and great debate among the public. With that has come education campaigns and legislative change, which of course have curtailed advertising and its effects on the promotion of smoking to young people and adolescents. That has been terrific. I commend the process of public policy that has recognised that and worked with the community to achieve a remarkable shift in attitude in our community.

This bill is certainly a marked representation of the seismic cultural shift in community understanding over the last 20 years. It has been a remarkable turnaround, and the benefit for public health that it presents to us is yet to reach its peak. Around 5000 Victorians still die each year as a result of smoking-related illnesses. And of course the financial drain on our health system is still seriously high — \$5 billion is quoted as the cost to Victorians alone, to our health system and the effects on social capital and productivity.

Recent empirical medical evidence overwhelmingly shows that exposure to passive smoking increases the risk of heart disease by an astounding 50 per cent. Governments have a social responsibility to combat this and other impacts in a range of ways so that our quality of life is improved and we can become a more productive society.

This government has put in place a swag of reforms to help bring about a healthier Victoria, and this bill represent another very significant step in the recovery from ill health. We have increased penalties for selling cigarettes to minors, restricted smoking in licensed and gaming venues and introduced smoke-free shopping centres and laws to do with dining. We have also imposed strict advertising and display rules on tobacco retail outlets.

As proof of the community's acceptance that there are sound policy reasons for these measures, we only have to look at figures recently released by the Department of Human Services which show a significant increase in support of the government's reforms in introducing smoking bans in bars, nightclubs and gaming venues. In the year 2000 the levels of support amongst Victorians for smoking bans in bars, nightclubs and gaming venues were around 57 per cent, 55 per cent and 66 per cent respectively. In comparison, in 2004 — only last year — the levels of support had increased significantly to 78 per cent, 80 per cent and 85 per cent respectively. That is of the order of 20 percentage points in a matter of four years. That is nothing to be sneezed at.

To highlight the community's attitudes towards smoking amongst young people, a strong 90 per cent of Victorians support stricter enforcement of the prohibition of selling cigarettes to minors. These figures tell a very important story to us as legislators about the role of education and the difference the provision of health and medical information can make to people's choices in life and ultimately their quality of life. As legislators we need to be buoyed by these findings and inspired to keep the reforms coming. That is what this bill does.

The smoking trend is clearly veering downwards. As yet we have not reached the peak of the benefit derived from the campaign against smoking. We know the health risks are still there and are seriously high.

The key changes in the bill take our community forward from March 2006. The changes have certainly been repeated by previous speakers here tonight. Very simply, they include a ban on smoking in closed workplaces. This is something very dear to my heart because in a previous life I was involved in industry, and smoking in workplaces often led to very severe health problems. I certainly witnessed a situation which affected employees.

The ban on smoking will extend to covered train stations and platforms, and bus and tram stops. The bill will provide the police with powers to issue infringement notices vis-a-vis the sale of tobacco to minors and strengthen the law enforcing the ban on selling cigarettes to young people. Smoking bans in licensed premises and restrictions on smoking in outdoor dining and drinking areas will take effect from 1 July 2007. The additional time is to allow for cultural acclimatisation in the community and the industry to the changes to smoking on such premises. The commencement date coincides with that of similar legislation in New South Wales.

I would like to comment on the ban as it will apply to workplaces next year. Exemptions to the ban will apply to workplaces containing personal living and sleeping areas and where accommodation is provided for a fee, such as hostels, hotels and residential care facilities. These exemptions are a response to ambiguities surrounding public space versus private space in terms of a workplace. It is often quite difficult for governments and public policy to balance the needs of public good versus private good. Governments are confronted by that all the time. This is nothing new. I believe the bill does a very good job in balancing those needs and providing exemptions which I believe are necessary to allow for accommodation and gain broad acceptance in the community for the reforms before us tonight. I wish to congratulate all parties involved, including the Parliamentary Secretary for Health.

Mr ROBINSON (Mitcham) — I am very pleased to have the opportunity to speak on the Tobacco (Amendment) Bill this evening. I certainly support this bill which in many respects is a 'no-brainer', as the Americans would say, because, as the advertisements that have appeared on cigarette packages in this country for a number of years have strongly suggested, smoking does injure your health and not only your health but that of those around you who might be unfortunate enough to inhale your cigarette smoke. It also kills. We cannot dispute that.

I say that despite the fact that I participate in smoking a cigarette or a cigar more often than I should, but still not that often.

An honourable member interjected.

Mr ROBINSON — I should not do it at all! But this is where logic and irrationality clash, and they have ever since Columbus and his crew some 500 years ago discovered the enjoyment that the natives of the American continents were getting from the tobacco product.

An honourable member — Go, Dees!

Mr ROBINSON — Go, Dees, indeed. They will need some stimulant to fire them up, but I hope it is not tobacco.

The bill is worthy of support because it effectively proposes world best practice. That is important because it was this very chamber that back in the mid-1980s under the Cain government probably led many other jurisdictions around the world with the VicHealth Foundation which at that stage was dedicated to an anti-smoking campaign. I think it was funded through

an excise placed on tobacco, which it was in the power of the state to do at that stage. In many ways that was revolutionary. Indeed, other jurisdictions have matched that and gone further, to the point where Victoria, once having led the charge in dealing with the damage that cigarettes do, now seeks to regain that leadership.

I refer to an article that appeared in the *Irish Independent* on 29 March and that I came across in Ireland earlier this year when I was there with the Economic Development Committee. It was penned by the Irish Prime Minister, Bertie Ahern, and celebrated the anniversary of Ireland going smoke free. For the benefit of the house I will read a couple of paragraphs from the article:

One year ago we witnessed the introduction of historic legislation which was unique to Ireland. Banning smoking in the workplace has been agenda-setting around the world.

March 29, 2004, was the date when workplaces in Ireland went smoke free. On that day employees and the public alike were given effective protection from a known health hazard and carcinogen, second-hand smoke.

The facts are that you do not have to be a smoker to get cancer from cigarette smoking. You can get it even if you are never a smoker. You can get it from other people's smoke. It is a fact that passive smoke exposure increases the risk of stroke by 82 per cent.

The fact is that exposure to passive smoking in the workplace increases the risk of lung cancer by up to 40 per cent. The fact is that exposure to passive smoking in the workplace increases the risk of heart disease. The fact is that a non-smoker living with a smoker has a 25 per cent increased risk of lung cancer and a 30 per cent increased risk of heart disease.

The fact is that standing in the path of a smoker or their cigarette or being in a room in which there are smokers means being exposed to at least 50 agents known to cause cancer and other chemicals that increase blood pressure, damage the lungs and cause abnormal kidney function.

Bertie Ahern concluded that article as follows:

In Ireland this measure will provide a health legacy, not just for current but also for future generations who, thankfully, will never know what it was like to work in an enclosed, smoke-filled environment.

Dare I say that if this is good enough for Ireland with its great tradition of pub life and the cigarette smoke that went with that pub life and if it is good enough for the bar-filled boroughs of New York, it is certainly good enough for Victoria. However, I want to acknowledge that going down this path brings with it some displacement. It is not an easy thing to introduce, knowing that in some respects it will disrupt the lives and livelihoods of Victorians.

I think the member for Benalla alluded to the impact that the gradual tightening of laws governing the production and retailing of tobacco are having on people. He referred to tobacco growers. The Economic Development Committee last year was very glad to have the opportunity of visiting the King Valley, Milawa and some areas around there as part of a particular reference that dealt with Victorian food and wine. It is a lovely part of the world, and if you can access the King Valley from the south via Powers Lookout you can see a particularly spectacular part of the world. I am not sure whose electorate that is in, that of the member for Wangaratta or that of the member for Benalla — perhaps it shifts occasionally. The good thing is that the bushrangers up there can keep an eye on both of them. I think that is the moral of the story. It is a particularly wonderful part of the state.

We had the opportunity as a committee of meeting with Fred Pizzini and Otto del Zotto, both of whom migrated to this country as young men in the 1960s and started their working lives in that region as tobacco growers. I guess both of them had the good fortune to be able to switch to wine production at a time when they were under less pressure than perhaps is the case for tobacco growers today. In that respect it was a very fortuitous decision on their part. But they have shown that transitions can be made, and I certainly hope that transition can continue with some of the tobacco growers in the region today who are facing some real pressures by virtue of legislation at both state and federal levels.

We also need to understand from the Irish example of the impact on pub owners. I think in the same edition of the *Irish Independent* on 29 March there was an article that referred to the impact of the smoking legislation on the value of hotels that were being sold. The article is headed 'Cautious pub sales as smoke clears'. It reads:

Valuations in the pub sector remain cautious with three properties new to the market selling in the first quarter of the year, according to insiders in the sector.

It goes on to explain the impact of the legislation in Ireland on the value of those properties, and that is something we need to bear in mind.

I suppose the bigger issue is the philosophical issue — that is, that we have here legislation dealing with the way people wish to participate in their enjoyment of a product which they can legally purchase on the retail market. It is a product which we nonetheless understand to be injurious to health and a product which we understand in almost all circumstances is enjoyed with some secondary impact upon others. It would be very rare to find people in the major cities of Australia who

were able to smoke a cigarette or a cigar without impacting even marginally on people around them.

Yet we accept that this is still a legal product, and I think that makes tobacco, even more so than alcohol, a unique product. It is one of those philosophical issues that I do not think we have the capacity to resolve at this stage, but it is a problem — that is, what is the community prepared to accept as a legal product, even allowing for the fact that we almost all accept that it is injurious to health and we wish to curb its use? That is a problem that we will continue to wrestle with.

In a practical sense I think there is an issue about how we are going to have this legislation phase in. We do not want to see people who have participated in smoking at pubs for a long time being forced out into the cold and the wet and confronting some sort of risk when indulging in that practice out in the elements and in car parks and all that sort of thing. Nonetheless those are issues we need to tackle because they are products of legislation which is warranted and which brings Victoria into line with the rest of the world, and for that reason the bill has my support.

Mr LOCKWOOD (Bayswater) — I am pleased to make a contribution to the debate on the Tobacco (Amendment) Bill. As the previous speaker said it is a no-brainer. I say that because I have often regarded smokers as no-brainers as well. I am a passionate non-smoker; I have long hated smoking. I have never smoked in my life and have always regarded it as a dumb habit of those who cannot think things through. It is taken up to conform, giving in to peer pressure and the need to belong.

Mr Robinson — Not once? Not ever?

Mr LOCKWOOD — Not once, not ever. I have never smoked. I have always disliked it.

The ACTING SPEAKER (Mr Jasper) — Order! The honourable member should address the Chair.

Mr LOCKWOOD — There was, Acting Speaker, a very good reason of course. I grew up in a household in which everyone else smoked. The adults smoked and of course the teenagers smoked when the adults were not around. I had numerous trips to doctors and hospitals with various illnesses that affected my chest, throat and nose for a number of years. Nobody every seemed to think that perhaps it might have been due to the smoking, and it took some years before those illnesses went away.

An honourable member — It could have been the microwave.

Mr LOCKWOOD — In some respects it could have been the microwave — although they were not around at the time!

Smoking has always been a problem for me. I have never liked being in smoky places, although there are some smoky places like bars that I like to go to — or in the past I have. I am far too cautious these days to ever go into a bar. I like listening to music and things like that, but a lot of the places I went to were smoke filled, and I could not last long if I wanted to keep breathing. If I did not mind not breathing it was not much of a problem; I could stay there for as long as I did not have to breathe. But it usually meant that I had to leave and find somewhere else to go, and for that reason I have never been a great frequenter of a lot of those places because it was so difficult to exist in that environment.

Thankfully smoking has disappeared from the workplace over the years. I refer to one of my earlier jobs when I worked for some time on buses. There was a smoking section at the back of the bus which I always thought was quite stupid because it did not really make any difference whereabouts you were on the bus. I remember one night a gentleman got on the bus, went down to the back and lit up a cigar, which was particularly smelly. The driver did not take to that very much and as we drove along there was a door adjacent to where the passenger was sitting so he just kept opening and closing the door on that cold winter's night to give him a nice blast of chilly air to try to persuade him to give up. But he was a determined smoker and he worked his way through two cigars just to spite us, despite our best efforts.

In many office environments I have worked in there have been smokers who were just as dedicated to their smoking as I was to anti-smoking, and we often had little side battles about smoking. In one workplace where smoking had come to be banned one of the salesmen decided he would keep his door closed so that people would not see him smoking, but it was such a smoke-filled room it was not hard to guess what he had been doing. Of course I always had great difficulty in venturing into that room.

It is great that attitudes have changed. Smokers have realised that smoking causes inconvenience to others. I have never really objected to people smoking as long as I did not have to breathe their smoke and as long as they kept their habit to themselves. There were those who claimed they had a right to smoke but I always thought I had a right to breathe as well. If they could smoke where I did not have to breathe the smoke, that was fine by me, but this was always quite difficult given the pervasive nature of cigarette smoke. In

various workplaces there were usually a number of non-smokers and a number of smokers, and it was always the non-smokers who were inconvenienced when people smoked.

As I said earlier, attitudes have changed. We have had television campaigns telling us about the dangers of smoking. Young people in schools are now educated about smoking. I am not sure how effective that advertising is. I have two children, one of whom is an avid anti-smoker and the other a dedicated smoker, so there was perhaps a 50 per cent success rate there. The young man who now smokes has given up smoking about six times so far, and he is dedicated to giving it up again at some stage in the future, but not just yet.

He is finding it quite an addiction to give up, although he has decided these days that his health is more important. It is just a matter of finding the inclination and the time to give up yet again — he will be quite an expert at giving up smoking, I guess, by the time he eventually does quit — or if he does!

The children are the most important ones. We need to persuade younger people not to smoke, and that is a huge battle. There are huge amounts of peer pressure. There is plenty of 'cool' associated with smoking, particularly in movies and television. If the cool characters are seen smoking, then it is difficult to persuade our young people not to smoke, but of course we do our level best.

Some of the changes in this legislation — to increase penalties, to make managers responsible for their agents, to be tougher on ID so that there needs to be a photo identification for young people, to put vending machines in more restrictive places where adults and not younger people will see them — are good things. If those measures save a small number of young people from taking up the habit, it will save them from perhaps years of frustration. I know my son has gone through quite a deal of frustration in trying to give up smoking. It changes his life around sometimes when he is going through his quitting — it is quite an ordeal.

As I said, I grew up in a smoking household. My mother gave up smoking after all those years. I nagged her and caused a bit of a rift between us at times, but ultimately she gave it up and now she has been a dedicated non-smoker for many years, having improved her health immensely once she gave it up. That was encouraged by a number of her siblings. I think four of them have died from either lung cancer or emphysema. They were lifelong smokers and they always said they smoked because it was the only pleasure they got. I did not see much pleasure in the emphysema that took

years to take them away. That was very debilitating and not something you really want to encourage people into.

As we have heard tonight, the bill prohibits — —

An honourable member interjected.

Mr LOCKWOOD — We should not be addicted to the taxation. It is a bad thing, isn't it.

The bill will prohibit smoking in enclosed workplaces, which, as I said, has got to be a good thing. People who work in bars and such places need to be able to work safely and not run the risk of serious diseases.

Mr Robinson — What was the Scrutiny of Acts and Regulations Committee's position?

Mr LOCKWOOD — SARC said the legislation was fine. SARC had a sound position on this. We were not trespassing on anybody's rights.

An honourable member — Not unduly.

Mr LOCKWOOD — Not unduly. Perhaps trespassing on smokers' rights may be — —

Mr Robinson — A lengthy discussion with SARC?

Mr LOCKWOOD — Yes, a lengthy discussion; it took a minute or two.

Mr Robinson — A couple of smokos?

Mr LOCKWOOD — Indeed, a couple of smokos.

It is good to see smoking banned in under-age music events. That will be something of a test for the legislation, I dare say, but — —

Dr Sykes — It puts the link between smoking and compulsive gambling.

Mr LOCKWOOD — Smoking and compulsive gambling, that would be quite a link, I guess. People who sit there pulling away at a one-armed bandit are usually puffing away on a cigarette as well. But we do not let them do that anymore, do we. Smoking is now no longer allowed in most of the gambling venues.

The bill prohibits smoking in licensed premises, it restricts the number of vending machines, as I have said, and it provides for photo identification and agent provisions. All of those things are designed to cut down on smoking, to make it safer for people to work in various environments and to discourage young people from smoking, because passive smoking, as has been

said already tonight, is an evil for people and something they should not be subjected to. They should be able to be safe in their workplaces and not unintentionally smoke the equivalent of 16 cigarettes a day. Health is important to all of us. Smoking is hugely damaging to people's health. As we said, it kills; it does all sorts of things.

Youth smoking has always been a huge problem. It is a difficult addiction to toss, so it is better if we discourage people from taking it up in the first place, if we can get the youth away from smoking and discourage them as much as we can. There will always be people who will take it up, and we are never going to stop it totally, so I suppose we need to provide places for people to enjoy the habit, if they wish. Ultimately it is their choice, but I remain as ever a dedicated non-smoker. This bill is another example of the Bracks government making Victoria a great place to raise a family.

Mr MERLINO (Monbulk) — It is a pleasure to rise following the member for Bayswater. I am very pleased to support the Tobacco (Amendment) Bill. It is a very important piece of legislation, and it is one that I am proud of. We heard in earlier contributions that although little progress was made over the first part of the last 10 years significant progress has been made over the last few years in regard to smoking.

Smoking, both active and passive, is a massive killer in this state. The figures have been mentioned already, and they are staggering — there are almost 5000 deaths each year at a cost of \$5 billion annually. As we all know, passive smoking dramatically increases the risk of cancer and heart disease. Despite these risks the take up of smoking, particularly by young people, continues to be a significant problem of concern, although it has reduced in recent years.

The reforms made over the last five years have been substantial. They include the banning of smoking in restaurants in July 2001; the declaration of enclosed shopping centres as smoke free and the extension of smoke bans in the dining areas of hotels, bars and clubs where the consumption of food is the primary activity in November 2001; and the requirement that licensed venues with two or more operating rooms designate one room as smoke free together with the increased penalties for selling cigarettes to minors in September 2002. These reforms did have a positive effect, and the smoking rate has declined to just under 5 per cent. However, the evidence of continued death and illness as a direct result of active and passive smoking strongly suggests that further reform is needed, and this has great public support. The community has called for

further reform, and the community welcomed the Premier's announcement of these changes late last year.

Smoking in public places is under attack, and this change in community attitude has been many years in the making. The goal is to make smoking abnormal and non-smoking the norm. This aim is not only in Victoria but also around the rest of the country and many places across the globe. But when you travel you see there are quite a number of places where smoking seems to be the national pastime. When you travel from Australia to some places overseas it is quite jarring to see the level of smoking in almost every sphere of life.

Honourable members interjecting.

The ACTING SPEAKER (Mr Jasper) — Order! I would prefer to hear the member without the interjections by the members talking to the minister. The honourable member without assistance!

Mr MERLINO — The key reform is the banning of smoking in pubs and clubs. This will be effective from July 2007. I mentioned before that one of the reforms is the requirement for licensed venues to have non-smoking rooms. An interesting survey was done by the Uniting Church in March 2004, which was reported in the *Age* of 27 June last year. That survey found that two-thirds of the 32 venues visited had poorly enclosed smoking rooms that allowed smoke to drift through the venues. In reality there might be a non-smoking room but smoke can quite easily drift into the non-smoking areas. The banning of smoking in pubs and clubs is great news for the health and wellbeing of not only the patrons but also, even more importantly, of the workers at these bars and clubs who night after night work in smoke-filled environments. We might visit a bar once a week, once a month or whatever it may be, but there are workers who have to work in these venues every night.

An honourable member interjected.

Mr MERLINO — Some members might be at bars every night! The Liquor, Hospitality and Miscellaneous Union has been correct in campaigning on behalf of its members in the hospitality industry in particular to protect them from passive smoking. No-one should be exposed to a greater risk of death and illness simply by virtue of their particular employment.

I would like to turn to speaking about young people. The minister in her second-reading speech stated that 30 per cent of 16 to 17-year-olds currently smoke and 80 per cent begin smoking before they turn 18. Smoking in social situations is a great influence on the behaviour of young people. Todd Harper, the executive

director of Quit, said in October last year when the smoking reforms were announced:

By making bars and clubs smoke free the likelihood of young social smokers becoming regular, addicted smokers will decrease significantly.

The ban in bars and clubs and even more specifically at under-age music and dance events both indoor and outdoor will go a long way to reduce the peer influence both in introducing smoking to young people who did not smoke before and the levels of addicted smokers.

In addition there are significant reforms with regards to the point of sale of cigarettes to young people. The strengthening of those laws include making the sighting of photo ID the only defence for selling tobacco to a minor. It makes the manager liable when an agent of their shop sells cigarettes to a minor. It clearly outlines what a manager must do to train employees or agents not to sell tobacco to minors. It restricts vending machines to bars, gaming areas or bottle shops of licensed premises in the line of sight or immediately next door to the bar or service counter.

Dr Rob Moodie, the chief executive officer of VicHealth, said this about the government's reforms:

Consider that nearly 50 young people take up smoking each day. Where and how do these under-age smokers get their cigarettes? It comes down to supply.

Also consider that 40 per cent of retailers are selling to minors. It becomes clear that the supply side of the smoking equation needs even stronger attention. It is time to get tough on supply to make it inconvenient and difficult for young people to obtain cigarettes.

Dr Moodie was referring to a study published in the *Health Promotion Journal of Australia* which was entitled 'Reducing adolescent smoking rates, maintaining high retail compliance results in substantial improvements'. One of the authors of that study, Douglas Tutt, said this about the study:

The results clearly demonstrate that to successfully reduce adolescent smoking rates, the supply side of the equation must also be addressed ... Our focus centred on what happens when interventions are made on the supply side of sales to minors. The results indicate that the key is to make smoking inconvenient for teens.

This study was done over a period of six years. I am quoting from the VicHealth web site. It revealed that by maintaining high retailer legislative compliance at 90 per cent smoking rates among teens declined considerably. The most significant change was in the younger age brackets of 12 and 13 year olds —

Dr Naphthine — On a point of order, Acting Speaker, I understand the member for Narracan is not

only out of his place but he is eating in the chamber which is against standing orders. I ask you to ask him to desist from eating in the chamber.

The ACTING SPEAKER (Ms Barker) — Order! The member for South-West Coast is quite correct. If the member Narracan is eating, he should leave the chamber.

Mr MERLINO — It showed that the rates for 12 year olds decreased from 13.1 per cent in 1993 to 9 per cent in 1996. He said:

I think it becomes clear that efforts to reduce the number of outlets willing to sell cigarettes to minors are required in addition to school education programs, media campaigns and advertising restrictions. This is a powerful intervention at a local level with considerable potential to reduce national teenage uptake.

Business interrupted pursuant to standing orders.

ADJOURNMENT

The ACTING SPEAKER (Ms Barker) — Order! The question is:

That the house do now adjourn.

Devilbend Reserve, Moorooduc: future

Mr COOPER (Mornington) — I raise an issue for the attention of the Minister for Environment and I call on him to take action to release a copy of the Krohn report on the future of the Devilbend site at Moorooduc.

The report, which was written by Department of Sustainability and Environment (DSE) employee Mr Jack Krohn after he had extensive consultation with a group appointed by the minister, the Devilbend working group, is now being kept secret from the 39 members of that group, which includes the Australian Conservation Foundation, the Port Phillip Conservation Council, the Victorian National Parks Association and the Western Port and Peninsula Protection Council.

The future of the decommissioned water storage site at Devilbend is certainly an icon issue for the people of the Mornington Peninsula. The government has a magnificent opportunity to turn this site into a world-class fauna and flora reserve, but it must first reject the proposal by Melbourne Water to sell off a large part of the 1057 hectare site to private ownership. Such a proposal would destroy the capacity to create a fantastic reserve. What is disappointing is that the

minister has remained ominously silent about selling off some of the site.

The ACTING SPEAKER (Ms Barker) — Order! I am sorry to interrupt the member for Mornington. I ask members to be quiet and listen to the honourable member for Mornington. He has the right to be heard.

Mr COOPER — I am also concerned that one local Labor MP, the Honourable Geoff Hilton, MLC, has publicly stated that he thinks such a sell-off is a really good idea. One can only hope Mr Hilton stands alone with that opinion, but sadly there are no guarantees that his position is not shared by those at the highest levels of the Bracks government, as well as possibly even being shared by the member for Hastings.

The members of the working group are now worried that by refusing to release a copy of the report for their scrutiny the minister has a secret agenda that does not reflect the views of the majority of those he appointed to advise him. When the group asked him to release a copy of the report they were told the final version was a ministerial document and could not be shown to them. Such a response is absolute nonsense and flies in the face of honest and transparent consultation.

The Devilbend working group comprises people appointed to the task by the minister who have spent countless hours working on the issues, but they are now being denied the right to actually read what has been presented to the minister. No doubt what is in the report has been portrayed in whole or in part as the views and the recommendations of the group. Secrecy within this government has now grown to a bizarre level when this sort of behaviour is uncovered. People appointed to carry out a task being refused the right to read a report about that task is simply outrageous.

I call on the minister to immediately provide a copy of this report to the working group. To not do so means the minister is hiding something from that group, or perhaps hiding something from the general community.

Queenscliff Music Festival

Ms NEVILLE (Bellarine) — The matter I raise is for the Minister for Tourism. The action I seek is for him to give consideration to upgrading the Queenscliff Music Festival to a hallmark event. The Queenscliff Music Festival is held in November each year and is a showcase for contemporary Australian music and musicians. Line-ups over the last few years have included Xavier Rudd, the Whitlams, Renée Geyer and the John Butler Trio.

Since the festival commenced six years ago it has continued to grow at an extraordinary rate. In the 2003 festival, for example, we saw a 14 per cent growth in ticket sales in just one year. It is without doubt the largest event on the Bellarine Peninsula, if not Geelong itself. It generates of the order of 8000 paid room nights and over \$1.8 million in the Queenscliff area, and this figure is also on the rise. The Queenscliff Music Festival is managed by a not-for-profit community organisation and has enormous support from the local community and local businesses. It also has an enormous volunteer base. Hundreds volunteer each year, and I am proud to be one of those regular volunteers.

The festival has been recognised in major tourism awards, winning the Victorian most significant festivals event award, and in the 2003–04 year it won the national tourism award. The festival continues to develop new strategies to increase its reach and increase visitor numbers. It has a national marketing strategy as well as significant local and statewide strategies. It has a strong partnership with ABC radio and the local *Echo* newspaper and has also targeted the *Age* and the *Herald Sun*, resulting in significant increases in pre-event sales.

The festival organisers have also taken advantage of the establishment of Jetstar at Avalon, offering ticketing and air fare and accommodation packages. This has resulted in an enormous growth in attendances from interstate.

The festival has also developed a partnership with Jack McKeddy, who is the owner of the ferry service between Sorrento and Queenscliff, offering new opportunities to promote visitation and overnight stays in Mornington. The government has made significant financial contributions to the music festival to assist in growing the event, the most recent being its commitment of \$100 000 over three years. The Queenscliff Music Festival is one of the most significant events in the region. It is on a scale with some of our other hallmark events. I believe the festival is worthy of recognition as a hallmark event, and I again ask the minister to support this acknowledgment.

Elmore field days: sewerage facilities

Mr MAUGHAN (Rodney) — I wish to raise a matter for the Minister for State and Regional Development concerning the provision of assistance to the Elmore field days committee to install a sewerage scheme on the Elmore field day site.

As many members of the house will know, the Elmore field days are run entirely by volunteers. They started

from nothing and now have their own permanent site that is very well serviced by a whole range of improvements, including roads, buildings, power, water et cetera, all of which have been paid for out of earnings. Significant amounts of money have been donated to local charities, including hospitals, sports facilities and the Campaspe run. Again, as members of the house would be well aware, the field days attract thousands of visitors from throughout Victoria and interstate each year, so they are a great regional attraction.

The field days committee has attempted to broaden its interests. It utilises the facilities for a range of other activities to generate additional income. It has had a real coup for next year, because it has been able to attract an international scout jamboree with thousands of interstate and overseas visitors. One thing is missing, and that is a proper sewerage facility to cope with the large number of people.

The estimated cost of the scheme is \$350 000. The committee has about \$150 000, and is looking to bridge the gap. I wrote to the minister on 14 April seeking a meeting between the minister and representatives of the field days committee to discuss avenues available to the committee to source the \$200 000 capital funding. Since then my office has arranged an on-site meeting on 3 August between Terry Fitzgerald from the minister's Department of Innovation, Industry and Regional Development, the field days committee and the Central Murray area advisory committee.

I conclude by saying that the Elmore field days committee is a great group of people. They are all volunteers who contribute enormously to regional development. This is regional development at its best. It costs the government very little money, and I therefore seek the minister's support and assistance in finding the \$200 000 of capital funding to enable this very worthy project to proceed as soon as it is possible to do so.

Automotive smash repairers: code of practice

Mr DONNELLAN (Narre Warren North) — Tonight I raise an issue for the Minister for Small Business. The action I seek is that the minister raise at the next small business ministerial council the lack of response from the federal government to the Productivity Commission's report into the smash repair industry. This industry is made up of a couple of large insurers and a lot of small business people, being the smash repairers. Seventy per cent of their work comes from the insurers. They have had a \$23 dollar hourly rate for the last 13 years. The biggest cost increase for

repairers in recent years has been the cost of insurance itself.

I want to briefly describe an incident which occurred recently and which has given an enormous amount of distress to a smash repairer and a consumer, Mr Cash, through the actions of the Royal Automobile Club of Victoria. If Mr Cash wished to use his own non-RACV approved smash repairer, Kerry Panels, he was told that the RACV would enforce a cash settlement on him under the terms of its contract. The consumer was told that he would have no warranty on the works even though a warranty was provided by the smash repairer. He was told that the RACV does not have a current relationship with the repairer, and effectively the actions of the insurer were to try to steer the customer into its own shops; it will not allow quotes from non-preferred smash repairers, and it has tried to tow the car out of the repair shop.

In this instance Kerry Panels was forced to ask the client to assign their rights under the contract to make a claim against the insurance company. This will end up going to court. Mr Cash, who has the contract, was not aware of the cash settlement terms because they came in only in September 2004. They were there previously but are now being enforced. This customer now has to wait for 14 to 30 days to get his cash settlement payment so that he can pay the repairer for the repairs. Really what we have got here is a fight over who owns or has the relationship with the consumer. It is a pretty ridiculous way to treat the consumer.

Recently some members of the Liberal Party have gone out of their way to support the smash repairers in their cause, and they include Andrew Robb, a federal member of Parliament, and Bruce Atkinson, a member for Koonung Province in the other place, who has indicated that he believes there needs to be a mandatory code of conduct for this industry.

Again I ask the minister to chase up the federal government to look for a response to this Productivity Commission report, which has some very important suggestions about making the industry operate a lot more fairly for the small businessman.

Ambulance services: south-western Victoria

Mr MULDER (Polwarth) — The matter I raise is for the Minister for Health and concerns ambulance staffing shortages and under-resourcing in the south-west. The issue of timely and appropriate response to emergency situations in the south-west has been and continues to be of major concern to residents and emergency services personnel alike. There is

currently only a single-crew ambulance in the town of Terang, and because of under-resourcing there and in the Camperdown and Mortlake branches, officers frequently have to be recalled to duty on their days off, with some being called in four times during their six-day break. There is a real danger of people getting to the stage that they will become burnt out. Overtime levels are increasing and more importantly this situation has placed the paramedics under considerable stress, knowing that there is a reliance on them to be available on their days off.

I call on the minister to immediately review the resourcing issues currently facing the rural ambulance service in the south-west by providing a two-officer crew in Terang and addressing the concerns of the Rural Ambulance Service in relation to staff wellbeing.

A community response team was put in place some years ago to assist in emergency situations. However, for the past two years their ability to respond adequately has been seriously depleted due to the fact that they have not been able to attract anyone to fill vacancies in the team. Under-resourcing coupled with an inadequate backup community response team and the Bracks government's complete disregard for the wellbeing of residents of the south-west in rejecting every proposal put forward for the establishment of an emergency helicopter service in the area, show again that this government has little or no interest in ensuring that the people of the south-west have access to safe, timely and well-resourced services to deal with health and safety emergencies.

Given the growing level of tourism in the south-west which this government trumpets as a benefit of the now expanded Otway National Park, unless the tourists all sprout wings most of them will be driving on our roads. Surely, when setting off to enjoy their time in the area it is not too much to expect that should the worst occur adequate and timely assistance will be at hand? I therefore urge the minister to ensure that appropriate services are put in place without further delay.

Narre Warren South electorate: youth activities

Mr WILSON (Narre Warren South) — I rise today to call for action from the Minister for Education Services, who is also the Minister for Employment and Youth Affairs in this Parliament, to ensure that the government continues and expands its support for constructive youth activities in my electorate. As a growing area with many new young families moving in each week, the city of Casey has a large and growing youth population.

Recently a community questionnaire was sent out to all households in my electorate and the responses highlighted the community's concerns that all levels of government should ensure that entertainment and opportunities for youth participation in the community are readily available. Many members of the community have noted, in both the questionnaire and discussions with me at other times, the importance of such activities in shaping our youth and preventing boredom and the beginning of antisocial behaviour.

The contribution of scout and guide movements in building up young people is well recognised and widely respected. A key challenge for youth activities such as those provided by Scouts and Guides is finding leaders and the cost of training them. Similarly, sporting clubs of all types play an integral part in the social lives of people in our community. The diversity of sporting opportunities in Australia, from the more traditional football, cricket, netball and tennis clubs through to basketball, badminton, soccer, martial arts, bowling and gymnastics, continues to grow.

The government has shown a commitment to sporting opportunities and their associated social and health benefits through many grants in the city of Casey. One of the recent grants is \$500 000 from the community facilities funding program for the development of Casey Fields stage 1, which is due for completion in the next 12 months.

The City of Casey is also in receipt of funding from Sport and Recreation Victoria for the recreation planning review of the Casey skate strategy, the installation of a synthetic bowling surface at Berwick Bowling Club and the Power Reserve soccer facilities. It also receives funding of \$75 000 for its after-school programs via the government's youth services program and \$38 000 through the FReeZA program. That program has the special benefit of being run by youth for youth, giving them invaluable experience in organising and running such projects.

Another major cost of youth activities is facilities. I am pleased to note that the facilities in many of our new schools are very much used by our youth and community groups. I call for increased use of jointly funded facilities and especially the shared use of new facilities such as the Centre Road primary school currently being constructed.

I seek action from the minister for the benefit of my constituents, both young people and the families of the vibrant and growing electorate of Narre Warren South.

Australian Breastfeeding Association: funding

Dr NAPHTHINE (South-West Coast) — The issue I wish to raise is for the Minister for Health, and the action I seek is for the minister to provide at least \$100 000 per annum to help fund the work of the Victorian branch of the Australian Breastfeeding Association. Given that the first week of August is World Breastfeeding Week, I urge the government to make this funding commitment to coincide with this important week, which will promote the benefits of breastfeeding across Victoria and the world.

It is widely accepted by the health community that breast is best when it comes to babies' health and development. Indeed mothers should wherever possible feed their babies breast milk exclusively for at least six months. The *Australian Breastfeeding Leadership Plan* of August 2004 says:

In 2003 the Australian National Health and Medical Research Council (NHMRC) revised its dietary guidelines for infant feeding to reflect the evidence-based World Health Organisation (WHO) recommendation that babies be exclusively breastfed for around the first six months of life, and with continued breastfeeding to the age of two or beyond with appropriate complementary foods.

Further it says in relation to the rate of breastfeeding in Australia:

On discharge from hospital, 83 per cent of babies were breastfed. However, of all infants three months or less in age only 54 per cent were fully breastfed and only 32 per cent of all infants aged six months or less were fully breastfed. The survey recorded no infants being fully breastfed at age six months in either 1995 or 2001.

That comes in light of information provided by Wendy Burge, the president of the Australian Breastfeeding Association, in the same document, which says:

The attributable cost of hospitalisation alone of prematurely weaning babies is up to \$120 million annually for just five common childhood illnesses.

Clearly breastfeeding provides the child with the very best start in life in terms of their health and development, and certainly the Australian Breastfeeding Association's Victorian division does a fantastic job in providing voluntary support services to encourage mothers to breastfeed, to promote breastfeeding and to offer practical support and assistance and provide counselling and advice.

What I am concerned about is that this is being done on a shoestring in Victoria. In New South Wales, Queensland and South Australia the state governments provide funding for office people and staffing of the local breastfeeding association, but no money is

provided in Victoria for the Victorian division of the Australian Breastfeeding Association. This government trumpets its support for women and breastfeeding, and I applaud that. Breastfeeding should be encouraged, but what we need is a government which will literally put its money where its mouth is and provide \$100 000 a year in ongoing funding for the Australian Breastfeeding Association to promote breastfeeding in Victoria.

Frankston-Flinders-Stony Point roads, Crib Point: upgrade

Ms BUCHANAN (Hastings) — My request is directed to the Minister for Transport, and the action I seek is for the minister to consider all available funding options for an upgrade to the intersection of Frankston-Flinders Road and Stony Point Road at Crib Point. This intersection is a major road transport route to and from the rural townships of Crib Point and Bittern, HMAS *Cerberus* and the nearby Hastings and Balnarring townships, which have grown substantially over the past 10 years.

Frankston-Flinders Road is one of the main gateways to the Mornington Peninsula which, from a tourism perspective, has grown phenomenally in popularity over the same timeframe. The intersection also accommodates the Stony Point railway line, which has received much support from the Labor government, with the installation of boom gates in 2002.

Community concern over this intersection has grown as a result of several collisions over the past two years. I would like to commend to this house the outstanding work undertaken by traffic police at the nearby Hastings police station in educating drivers about sound driving practices and also adherence to road rules. I also want to put on record my appreciation of the great work done by the Bittern Country Fire Authority (CFA) volunteers when promptly attending incidents there, along with our local paramedics.

I also want to place on record the outstanding civic spirit displayed by Cr Brian Stahl and local residents Dean Parnell and Ken Marshall, who have worked collaboratively and tirelessly with me and with local residents and businesses to raise community awareness around this intersection, with one major outcome being the collection of signatures I have had the pleasure of recently presenting to the minister. I thank all involved — local residents, local shopkeepers and sporting organisations — for their fantastic teamwork to date.

This collaborative approach between local government representatives, local residents, safety organisations and me as the local member has resulted in some very proactive outcomes across the Hastings electorate, with the construction of traffic lights at Tyabb's major intersection; the construction of roundabouts on Coolart Road in Balnarring and at the intersection of South Gippsland Highway and Baxter-Tooradin Road at Tooradin; the second stage of the duplication of Frankston-Cranbourne Road in Langwarrin; and the duplication of Sladen Street in Cranbourne — just a few of the projects that are under way or have been completed in the past 12 months.

Further upgrade to this intersection needs to be considered, and it should be reflective of local factors, such as current and future traffic streams, the precinct's accident history, the input of local services such as the Bittern CFA, the proximity of the rail line and adjoining properties and reserves, and pedestrian access. With these factors in mind I ask the minister to consider all available funding options in consideration of an upgrade to this intersection.

Emergency services: 000 response

Mr DELAHUNTY (Lowan) — I raise an issue for the Minister for Police and Emergency Services, who I am pleased to see sitting at the table tonight. The issue relates to concerns with the emergency dispatch service — or, as it is commonly known, the 000 phone number — which people are asked to call in an emergency for the police, fire brigade or ambulance.

The action I seek is that the minister review the effectiveness and efficiency of the 000 emergency dispatch service, particularly in rural and regional Victoria, and provide the necessary resources and/or training to ensure that best practice service is provided for us in country Victoria.

There have been many examples of problems with the service in my electorate of Lowan. I refer to an article in the *Wimmera Mail-Times* of 4 July this year which, under the heading 'Triple 0 anger' states:

A Wimmera farmer has warned the 000 emergency dispatch system is placing rural properties at risk.

Further on the article says:

Mr Schultz said the failure of the Computer Aid Dispatch Centre at Mount Helen —

in Ballarat —

to dispatch a unit followed considerable confusion over the address of his property near Nhill.

Another article, in the *Wimmera Mail-Times* of 13 July, under the heading 'SOS goes awry' states in part:

Tooran resident Kerry Toet said she was furious she was forced to drive her husband, Chris, to Wimmera Base Hospital after the service failed to send an ambulance.

The article says further:

She said the dispatcher took more than 5 minutes to locate their Tooran [property].

The article goes on to say:

Mrs Toet said the dispatcher lectured her on giving her husband incorrect medication for the pain and then decided no ambulance was required.

The stories go on. Mr Richard Griffiths from Dimboola rang my office to say that he and another fellow were travelling on the Western Highway and got run off the road by a road-rage truck driver. They pulled up, and this fellow was banging on their car. Mr Griffiths rang 000, and I am sure to your amazement, Acting Speaker, the dispatcher did not know where Dimboola was — Dimboola, the home of Tim Watson!

Dr Napthine — And Merv Neagle.

Mr DELAHUNTY — Merv Neagle is another one, yes. The dispatcher did not know where Dimboola was. Mr Griffiths said the delay was very extensive and he did not get action. This happened on 8 July this year.

So there are many examples in my electorate of concerns about the 000 number. It is an important service to us in country Victoria, as it is anywhere across Australia, and it is important that we get it right. I know that the Country Fire Authority members who provide a voluntary service, the ambulance service and the police do the best they can, but it is important that we have the appropriate dispatch services. If there need to be more resources or more training, I ask the minister to take action to ensure we have the most effective and efficient service in country Victoria and that it meets world best practice. We in country Victoria deserve the service to be the same as it is anywhere else in Victoria.

Consumer affairs: Money for Living

Ms LINDELL (Carrum) — I raise a matter tonight for the attention of the Minister for Consumer Affairs in another place. The matter I wish to raise concerns a company called Money for Living. This company directs its activity towards older home owners, who are encouraged to 'unlock the equity in their homes'. In reality they sell their homes to the company in return for a smaller lump sum payment and monthly instalments. They are allowed to continue to live in

their homes and their rates are paid by the company. I initially raised concerns with the minister about what legal rights former home owners would have if this company were to go bankrupt. I now ask the minister to take action to attempt to limit the very aggressive advertising of this company directed to vulnerable older Victorians and to issue warnings about dealing with this company.

I ask the minister to advise older people that they must seek independent financial advice on matters as serious as selling their homes. This company on-sells the homes it buys to other investors, so there is a double jeopardy here for people whose only asset is their home. We know there are methods of remortgaging homes that have solid security behind them. I am very concerned about some of the practices of this company. I am sure there are other companies operating similar schemes. I believe we have to strengthen the regulation and consumer protection around such companies. I ask the minister to take some action to ensure that the general public is warned about these schemes and that people are warned to get financial advice and to remember that, if a deal sounds too good to be true, it probably is.

Responses

Mr HOLDING (Minister for Police and Emergency Services) — I thank the member for Lowan for raising a very important matter not only for people who live in regional Victoria but also those who live in the metropolitan area and want to have confidence that emergency calls are promptly responded to, that appropriate information is gathered quickly and that it is passed on to emergency service organisations so they can respond. As honourable members would probably be aware, the system as it operates in Australia is that Telstra answers all 000 calls nationally and then distributes them to emergency service call-taking facilities throughout Australia. In Victoria those calls are distributed to the Emergency Services Telecommunications Authority (ESTA), the new statutory authority which took over this function from Emergency Communications Victoria on 1 July this year.

In the case of fire calls in rural Victoria, these calls are directed to the Emergency Services Telecommunications Authority Ballarat state emergency communications centre. In the case of all ESTA calls — call taking and dispatch — the process is essentially the same. It consists of the call taker posing a series of structured questions to validate the address point, then clarifying the nature of the emergency and then dispatching appropriate appliances and notifying

other emergency services and authorities as required — for example, power companies, the police or the State Emergency Service, as the case may be.

The member for Lowan raised a series of questions about specific instances. I understand the first of those instances was essentially a fire response, the second was an emergency medical response and the third was a road rage incident involving a truck that required a police response. I am happy to obtain further information about each of those instances and about the dispatch circumstances in each case.

In relation to ESTA's call-taking and dispatch performance at Ballarat, the June 2005 figures are very good and very reassuring. In terms of the speed with which emergency calls were responded to, 99.2 per cent were answered within 5 seconds. In relation to the total time taken to dispatch fire brigades, including the calls themselves in 88.3 of cases the fire brigade was dispatched within 120 seconds. These are rural call-outs, so they are very encouraging figures. I know they do not relate precisely to the circumstances described by the member for Lowan, where in some cases there was uncertainty about the location of particular towns.

In relation to emergency operator training, I can advise the member for Lowan that ESTA call takers at Ballarat receive seven weeks training. The final two weeks involve trainees operating under a qualified mentor, and this is in addition to any previous training that has been conducted in call taking itself. ESTA is a registered training organisation with national accreditation to provide that training, and we are obviously always monitoring the training to ensure that it continues to be up to date and provides a relevant context in which the personnel performing those important dispatch and call-taking functions are appropriately skilled to do so. I am happy to follow up the individual circumstances described by the member.

The member for Mornington raised a matter for the Minister for Environment in relation to the release of the Krohn report.

The member for Bellarine raised a matter for the Minister for Tourism in relation to the Queenscliff Music Festival.

The member for Rodney raised a matter for the Minister for State and Regional Development in relation to assistance for the Elmore Field Days Committee.

The member for Narre Warren North raised a matter for the Minister for Small Business in another place in relation to smash repairers.

The member for Polwarth raised a matter for the Minister for Health in relation to ambulance service resourcing in the south-west.

The member for Narre Warren South raised a matter for the Minister for Employment and Youth Affairs in relation to expanding support for youth services in the city of Casey.

The member for South-West Coast raised a matter for the Minister for Health in relation to support for the Victorian branch of the Australian Breastfeeding Association.

The member for Hastings raised a matter for the Minister for Transport in relation to a Crib Point intersection.

The member for Carrum raised a matter for the Minister for Consumer Affairs in another place in relation to an organisation known as Money for Living.

I will direct these matters to the various ministers and advise them to approach those members directly.

The ACTING SPEAKER (Ms Barker) — Order!
The house is now adjourned.

House adjourned 10.33 p.m.