

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE ASSEMBLY**

**FIFTY-FIFTH PARLIAMENT**

**FIRST SESSION**

**24 March 2005**

**(extract from Book 2)**

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## **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, and Mr J. Scheffer.

**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 Hon. 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, Mr Hudson, Mr Lupton and Mr Maughan. (*Council*): The Honourables Richard Dalla-Riva and David Koch, and Ms Hadden.

**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, Mr Donnellan, Ms Green and Mr Merlino. (*Council*): The Honourables W. R. Baxter, Bill Forwood and G. K. Rich-Phillips, and Ms Romanes.

**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 Naphthine 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**

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**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

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

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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Andrews, Mr Daniel Michael	Mulgrave	ALP	Leighton, Mr Michael Andrew	Preston	ALP
Asher, Ms Louise	Brighton	LP	Lim, Mr Hong	Clayton	ALP
Baillieu, Mr Edward Norman	Hawthorn	LP	Lindell, Ms Jennifer Margaret	Carrum	ALP
Barker, Ms Ann Patricia	Oakleigh	ALP	Lobato, Ms Tamara Louise	Gembrook	ALP
Batchelor, Mr Peter	Thomastown	ALP	Lockwood, Mr Peter John	Bayswater	ALP
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Cameron, Mr Robert Graham	Bendigo West	ALP	Marshall, Ms Kirstie	Forest Hill	ALP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Maughan, Mr Noel John	Rodney	Nats
Carli, Mr Carlo	Brunswick	ALP	Maxfield, Mr Ian John	Narracan	ALP
Clark, Mr Robert William	Box Hill	LP	Merlino, Mr James	Monbulk	ALP
Cooper, Mr Robert Fitzgerald	Mornington	LP	Mildenhall, Mr Bruce Allan	Footscray	ALP
Crutchfield, Mr Michael Paul	South Barwon	ALP	Morand, Ms Maxine Veronica	Mount Waverley	ALP
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Delahunty, Ms Mary Elizabeth	Northcote	ALP	Napthine, Dr Denis Vincent	South-West Coast	LP
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Eckstein, Ms Anne Lore	Ferntree Gully	ALP	Perera, Mr Jude	Cranbourne	ALP
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Gillett, Ms Mary Jane	Tarneit	ALP	Pike, Ms Bronwyn Jane	Melbourne	ALP
Green, Ms Danielle Louise	Yan Yean	ALP	Plowman, Mr Antony Fulton	Benambra	LP
Haermeyer, Mr André	Kororoit	ALP	Powell, Mrs Elizabeth Jeanette	Shepparton	Nats
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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**Thursday, 24 March 2005**

**The SPEAKER (Hon. Judy Maddigan) took the chair at 9.33 a.m. and read the prayer.**

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

**The SPEAKER** — Order! I advise the house that under standing order 144 notices of motion 214 to 231 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 to be continued must advise the Clerk in writing before 2.00 p.m. today.

**PETITIONS****Following petitions presented to house:****National parks: Otways**

To the Legislative Assembly of Victoria:

The petition of the citizens of Victoria draws to the attention of the house that:

The Victorian Environmental Assessment Council has recommended the establishment of one large national park in the Otways but has excluded certain areas of national park status to enable logging to continue. These areas include the catchments of the unique Holywater and Wait-a-While creeks, containing a high diversity of plant species, habitat for endangered species and a unique association of vegetation types, and the headwaters of the heritage-listed Aire River containing dense stands of cool temperate rainforest, popular waterfalls and spot-tailed quoll habitat.

The new forest park land-use category proposed by VEAC, for public land outside the proposed national park, will add another land-use category in the Otways and Victoria that will confuse the public and make forest management more difficult. VEAC proposes that 'forest park' will be administered under the Forests Act whereby the national park will be administered under the National Parks Act, requiring two separate management regimes. The public will be under the illusion that the 'forest park' provides greater protection than state forest, which it does not.

The petitioners request that the Legislative Assembly of Victoria ensure that:

- (1) one large national park, containing all the areas recommended by VEAC, plus the catchments of the Holywater and Wait-a-While creeks, and the headwaters of the Aire River be enacted this year, and
- (2) all indigenously vegetated public land not included in the national park be made into a number of regional

parcs, under the National Parks Act and subject to one management regime.

**By Mr CRUTCHFIELD (South Barwon)**  
**(275 signatures)**

**Harness racing: Boort**

To the members of the Legislative Assembly assembled in Parliament:

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Assembly that the Minister for Racing is supporting Harness Racing Victoria's decision to discontinue TAB race meetings at Boort from 30 June 2005. This decision will not only have a negative impact on the Boort Harness Racing Club, but on the Boort township and surrounding region, leading to general economic hardship, loss of tourism dollars and a widespread negative social impact.

The petitioners therefore request that the Minister for Racing withdraw his support for the V3 scheme and do his utmost to reinstate harness racing at Boort.

**By Mr WALSH (Swan Hill) (165 signatures)**

**Harness racing: St Arnaud**

To the honourable members of the Legislative Assembly assembled in Parliament:

The petition of the citizens of the state of Victoria draws to the attention of the Legislative Assembly a decision by Harness Racing Victoria to discontinue the St Arnaud Harness Racing Club track as a TAB race venue with effect from the 30 June 2005.

The petitioners therefore request that the minister of racing forthwith:

1. conduct an investigation into Harness Racing Victoria's decision to terminate the St Arnaud Harness Racing Club track as a TAB race venue;
2. that any decision by Harness Racing Victoria to terminate St Arnaud Harness Racing Club track as a TAB race venue be rescinded;
3. that the minister of racing require Harness Racing Victoria to comply with sections 44, 44B and 44C of the Racing Act 1958 in respect of its decision to terminate the St Arnaud Harness Racing Club track as a TAB racing venue;
4. that the minister of racing recommend to the Governor in Council to terminate the appointment of the board of Harness Racing Victoria and call for nominations of a replacement board forthwith.

**By Mr WALSH (Swan Hill) (20 signatures)**

**Rail: Epping–South Morang line**

To the Legislative Assembly of Victoria:

The petition of the readers of the *Whittlesea Leader* newspaper, and the residents of the City of Whittlesea, draws to the attention of the house the need for the Epping rail line to be extended to South Morang. The project was promised by the state government in 1999 with work announced to begin by 2003 in recognition of the city's booming population. There are growing fears that without the extension, car dependency, social isolation, pollution and a lack of job opportunities will rise, and road networks within developing suburbs will become unworkable.

Prayer

The petitioners therefore request that the state government of Victoria fund the rail extension to South Morang in the 2005 state budget.

**By Mr BATCHELOR (Thomastown)**  
**(5644 signatures)**

**Tabled.**

## SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

### Review 2004

**Ms D'AMBROSIO (Mill Park) presented annual report, together with appendices.**

**Tabled.**

**Ordered to be printed.**

## DOCUMENTS

**Tabled by Clerk:**

*Commonwealth Games Arrangement Act 2001* — Orders under s. 18 (two orders)

Statutory Rules under the following Acts:

*Fisheries Act 1995* — S.R. No 9.

*Magistrates' Court Act 1989* — S.R. No 10.

## BUSINESS OF THE HOUSE

### Adjournment

**Ms ALLAN (Minister for Education Services) — I move:**

That the house, at its rising, adjourn until Tuesday, 19 April 2005.

**Motion agreed to.**

## MEMBERS STATEMENTS

### Victorian Women's Honour Roll

**Ms ALLAN (Minister for Education Services) —** I rise to congratulate two women who have recently been nominated and accepted to be part of the Victorian Women's Honour Roll; they are Claire Vickery and Carmel Guerra. In congratulating Carmel and Claire I would also like to congratulate all the women who were nominated as part of the 2005 intake for the Victorian Women's Honour Roll. It is a fantastic way to acknowledge and recognise the role of women in this state's past, present and future.

Carmel and Claire have made important contributions to the lives of young people in this state. Carmel Guerra has been instrumental in establishing the Centre for Multicultural Youth Issues — an important, community-based organisation which looks at supporting young people from multicultural backgrounds and helping them to question and challenge the types of institutional arrangements that exclude them from participation, whether it is in broader community life, in education or access to health services. Carmel has been a strong advocate for young people from multicultural backgrounds and has devoted many years of her life to assisting young people in this area.

Claire Vickery is a person I have worked closely with through her role as founder of the Butterfly Foundation. Claire has personal experience of the way eating disorders can affect a family, having had two daughters who suffered from eating disorders. This was the catalyst for Claire to become the founder of the Butterfly Foundation, to look at ways we can fight the general stigma and lack of understanding around eating disorders, and provide assistance to eating disorder sufferers to find the support they need. I congratulate both women on their outstanding records.

### Courts: judicial independence

**Mr McINTOSH (Kew) —** It is regrettable that the Scrutiny of Acts and Regulations Committee (SARC) recently refused to reopen or reconsider its rather bland report on the Acting Judges Bill published in the November *Alert Digest*. Since then the Acting Judges Bill has been widely condemned. The Chief Justice of Victoria expressed significant concerns about the bill; she called it 'pernicious'. Retiring Appeal Court judge John Phillips called it an 'anathema to the court'. Judge Sackville of the Federal Court, on behalf of all Australian judges, suggested the bill may adversely affect the public perception of judges.

SARC has a statutory charter to scrutinise all legislation to see if it ‘trespasses upon rights and freedoms’. I would have thought that any bill, no matter its merits, that had been the subject of such unprecedented public criticism from persons of the eminence of a chief justice and other highly respected judges warning of the dangers to our courts — the courts which ultimately arbitrate between all citizens about their rights and freedoms — deserved to have those concerns at least considered and addressed by SARC. However, the Labor members of SARC voted to block proper scrutiny of the bill. Flexing Labor’s majority on SARC undermines the utility of the committee and frankly heralds the Acting Judges Bill’s more sinister motive.

### Lisa Clark

**Mr WYNNE** (Richmond) — I rise to pay tribute to Lisa Clark, coordinator of Finbar neighbourhood house in Richmond for the past nine years, who passed away earlier this month after an eight-month battle with cancer. She is sadly missed by the Richmond community. Lisa was an outstanding coordinator and strongly committed to the community. Her sense of mission and commitment to the community was enormous, and her amazing organisational skills were most apparent in the establishment of playgroups for younger women and Prime Time for older women. Her tireless energy and community development skills provided opportunities for isolated women to participate in the community. These women and their families admired and loved Lisa, as was evident by the huge number of people who attended her funeral. Unfortunately I was not able to attend, but the government was represented by the Attorney-General.

The Richmond community is grateful for Lisa’s commitment and substantial achievements at Finbar. Before she died Lisa realised her efforts to expand the facilities at the neighbourhood house. I was delighted to have the opportunity to work with her in providing additional portable classrooms — a wonderful legacy for this exceptional woman.

Lisa Clark was a beautiful woman with a warm heart and ready smile. She has been lost far too early to the community of Richmond. I wish to pay my respects and offer my condolences, particularly to her partner Greg Tweedly, the chief executive officer of WorkCover, at this most of difficult time.

### Shepparton Festival

**Mrs POWELL** (Shepparton) — The 2005 Shepparton Festival, held between 3 March and 14 March, was another great success. I pay tribute to

the festival’s artistic director Rob Robson; festival coordinator Heather Gange; chair of the festival Adam Furphy; the festival committee, volunteers and sponsors. I could not attend all events but thoroughly enjoyed those I did attend with my husband, including Opera in the Orchards. The performance of *Pirates of Penzance* was held in the wonderful gardens of Ross and Daphne Turnbull in Ardmona.

We also enjoyed the Rainbow’s End production at Rumbalara Aboriginal Cooperative in Mooroopna. The performance was given by Melbourne’s Ilbjerri Aboriginal and Torres Strait Islander Theatre Cooperative. The story is of three generations of Aboriginal women living on the flats between Mooroopna and Shepparton in the 1950s.

Saturday, 12 March, was a huge day. It saw the opening of the Joseph Furphy Memorial. Joseph Furphy wrote *Such is Life*, and his brother John owned Furphy’s Foundry and manufactured the furphy water cart. *The Order of Things* is a production by Matt Scholten about the life of Joseph Furphy. Art in the Park, held at Queens Gardens, was a display by the Shepparton Artists Society. The Twilight Festival at Princess Park had wine, food, entertainment and fireworks. On Sunday, 13 March, *Some Indulgent Evening*, a garden party and concert, was held at Hurlstone Gardens, which is owned by Marg and Kerry Atley, and the performers included Coco’s Lunch and Karen Knowles. The wood-turning show was held on Saturday and Sunday.

Each year this festival gets bigger, better and more popular as the organisers continue to provide events and performers to entertain the community and attract people from across Victoria to the Shepparton district. A highlight of the festival was a performance by Bud Tingwell. We look forward to next year’s event.

### Shih family

**Ms D’AMBROSIO** (Mill Park) — I wish to inform the house of the Shih family, who I had the pleasure of meeting in December last year and who live in Bundoora in my electorate. The Shih family migrated from Taiwan, eventually arriving in Australia four years ago. Jack and Grace Shih are the extremely proud parents of two highly talented students who are excelling in their studies and are a shining example of the modern migrant success story.

Their son won the Australian Students Prize in 2003 at Viewbank Secondary College and achieved a Victorian certificate of education score of 99.9. He is now studying engineering and law at Melbourne University.

Their daughter Lisa is in year 10 and displays a remarkable talent for composition and illustration, so much so that Jack and Grace are keenly encouraging her to one day have her work published. Educational aspirations that migrant parents hold for their children are not a new story. These aspirations are a result of migration itself, because the pursuit of economic security and freedom are often expressed through the pursuit of high educational achievement.

I am proud that families like the Shih family live in my electorate and of the fact that the Bracks government encourages migration, embraces multiculturalism and espouses the virtues of the humanitarian support for people of all countries. I wish the Shih family, and all those who may follow them, well.

### **Land tax: increases**

**Mrs SHARDEY** (Caulfield) — I raise an issue on behalf of Frank Penhalluriack, a local trader in my electorate who runs a hardware store and is well known for his strong voice on behalf of small business in Victoria. Frank has spoken out strongly of late on the land tax issue and its devastating effect on small business. He claims land tax hikes of more than 400 per cent in a year will hit local traders in Caulfield hard. He supports this with his own experience. His land tax bill has increased from \$1400 in 2003 to just over \$8000 in 2004 — an increase of more than 400 per cent. He said it is unfair for the state government to reap such an increase in tax revenue at the expense of local businesses.

He pointed out that most businesses cannot raise their prices to cope with tax increases this large. Frank Penhalluriack is one of many small business operators and self-funded retirees in my electorate who have come to me complaining of the iniquitous way this tax is being imposed by the Bracks government on Victorians, and who do not believe the rhetoric being floated by the government by way of excuses. Self-funded retirees with small investments and fixed incomes are understandably deeply concerned about their future as they see land tax bills rise and their incomes fall at the hands of the Bracks government, which promises nothing by way of relief.

### **Boronia Cricket Club: achievements**

**Ms ECKSTEIN** (Ferntree Gully) — Last Saturday night I attended, together with the member for Bayswater, the Boronia Cricket Club's junior presentation night. We are both proud sponsors of the club. This year the juniors had two under-12 teams and one under-14 team in the finals. Two of these teams

were runners-up and one came third. Also, the senior club's first XI won the grand final, which was a great achievement for the club.

I would like to congratulate the Boronia Cricket Club, including all the players, the coaching staff and the committee, on the wonderful job they do for young people in our community and on a great season this year. I would also like to congratulate all the players and others who received awards at the presentation night. There are too many to name individually, but they know who they are. They all deserve recognition for their achievements.

A few weeks ago I watched part of the under-12(3) semifinals, where Boronia was narrowly defeated by 10 runs. There was great bowling by Connor McIntyre, fantastic wicket-keeping by Sam Newell and a great partnership between Dain Catley and Jordan Chircop. Jordan Begg was a great all-rounder, and Daniel McKay, Tim Wood and Bryan Nash backed up in the field with some great play by Jacob Perger. The Boronia boys showed some great play and fantastic team spirit on the wettest weekend of the season.

Clubs such as the Boronia Cricket Club are what junior sport is all about. They concentrate on enjoyment, involvement and participation ahead of just winning. It is also about a fair go and respect for others, with all players getting a chance to have a go and improve their skills.

### **Environment: government decisions**

**Mr HONEYWOOD** (Warrandyte) — The Bracks government is sitting on three significant environment issues that now require action. If this government is true to form, it will use the camouflage of Easter to make an announcement on at least one of them and then hope the flak dies down very quickly. Good Friday's announcement could well be about cattle grazing in alpine areas. According to a court ruling the government should have notified interested parties in August last year if it was intending to make changes to the renewal of the seven-year grazing licences in the Alpine National Park. The fact that the Minister for Environment has been sitting on his hands for over six months and is relying on the member for Narracan, of all people, for guidance on this issue shows just how hopeless he is when it comes to making any decision that does not involve a cute photo opportunity.

Easter Saturday's announcement could be about channel deepening. This is a key issue on which the environment minister has stayed totally silent, but sooner or later his more senior cabinet colleague, the

Minister for Planning, will have to announce the government's decision on the flawed environmental effects statement that has been sitting on his desk for some time now. We know he will not consider alternative dredging options such as the use of Outboard Marine Corporation-style underkeel computer technology or a proposal that would ensure no dredging of toxic materials in the mouth of the Yarra River and using clean silt instead for the reclamation of land at Webb Dock. These have not been given a hearing by this crash-through planning minister.

For Easter Sunday he might sneak a decision through on the Nowingi toxic waste dump, which involves a third attempt by this prevaricating, working-party-led government to find a political solution to the dumping of Victoria's most toxic materials. Well may we say 'Happy Easter holiday' to all those volunteer groups that have been put on the spot!

### **Croydon Ranges Cricket Club: achievements**

**Ms BEARD** (Kilsyth) — Shortly after being elected I was approached by Bill Stafford, president, and Matthew Bell, secretary, of the Croydon Ranges Cricket Club, where my brother-in-law, Carl Duncan, very happily plays. I was delighted to become involved with such a fine club, which is well known for its warm welcome to new members as well as its family focus, and to agree to become its gold sponsor.

Croydon Ranges Cricket Club was formed in 1997 from a merger between Croydon United Cricket Club, formed in 1947, and Croydon Hockeyers Cricket Club, formed in 1967. The club is a member of the Ringwood District Cricket Association (RDCA), which is one of the biggest associations within Australia, with 35 clubs and over 6000 players. It is also a member of the Victorian Women's Cricket Association. The club's ground is situated at Silcock Reserve, William Road, Croydon, in my electorate. Croydon Ranges is one of the most active clubs in the RDCA and one of the biggest cricket clubs in the eastern suburbs, with 6 senior men's teams, 8 junior teams comprising boys and girls, 3 veterans teams and 1 ladies' team.

Current initiatives of the club include volunteering to undertake a pilot for Access for All Abilities, and participation in the Good Sports program in partnership with VicHealth Promotion Foundation, with the main aim to manage alcohol responsibly.

Last weekend I attended a grand final match between Croydon Ranges and Chirnside Park. Unfortunately the Ranges were runners-up in this close game, played in a wonderful spirit of sportsmanship. The Croydon

Ranges won two senior premierships and two junior premierships this season. I look forward to the presentation night at the Lakeside Cafe on Saturday, 2 April, and to congratulating all connected with Croydon Ranges Cricket Club.

### **Timber industry: Cann River**

**Mr INGRAM** (Gippsland East) — Recently I was the chairman of a forum at Cann River organised by the Cann River Progress and Tourist Association. The title of the forum was 'Where to from here?'. Since the cutback in the timber industry all sections of the community of Cann River are suffering, and the response to the timber industry reforms by the government in Cann River has been quite disappointing.

Some of the issues raised at the forum concerned the lack of volunteers, the number of people within the timber industry being cut back, the need for an alternative industry in Cann River, Parks Victoria's attitude towards tourism within the region — which is extremely important — and the transient population which has replaced the permanent residents and workers within the area. It is interesting to note that Parks Victoria's tourist information centre is closed for the majority of the time, and that really impacts on the access to information by visitors.

On the day issues were raised about the field staff from the former Department of Natural Resources and Environment, now the Department of Sustainability and Environment. There used to be 20 DSE officers; there are now 9. There used to be 8 Parks Victoria rangers; there are now 3, despite the fact that there has been an escalation in the number of national parks, including the Coopracambra National Park, Croajingolong National Park, the Alpine National Park and a whole range of new national and marine parks. There are now fewer park staff than there were in the past.

### **Bayswater: Templer celebration**

**Mr LOCKWOOD** (Bayswater) — Last night I attended, together with the member for Ferntree Gully, an event celebrating cultural diversity at the Bayswater Templer Hall in Bayswater. Running the event was Mrs Irene Bouzo, the principal of the Bayswater/Boronia Templer school, and Mrs Mary-Ann Williams, principal of Bayswater South Primary School. Special guests included Mrs Elizabeth Wagner, the president of the Bayswater/Boronia Templer community; and Mrs Roma Schultz, German language adviser from the Goethe Institute. Students of both schools were there to show off their projects for Cultural Diversity Week. The project

received a supporting grant from the Victorian Multicultural Commission.

Also present were many proud parents and grandparents and several members of the Templer Society. The evening featured work by students from both schools, with students of the language school presenting some delightful artwork and a demonstration of their proficiency with the German language.

The primary school students presented two songs to the audience. One that is well known to German-speaking people was *Ich Lieb den Fruhling*, the other that is well known to all Australians was *We Are Australian*. The latter song featured the chorus being sung in German — a unique experience for me. The students displayed impeccable diction and, I am advised since I would not know any better, with the complete lack of an Aussie accent.

The language school students presented something of a masterpiece to those assembled — namely, a quilt highlighting the history of Templers in Australia. It was a truly excellent piece of work. The evening demonstrated the great work being done by the Templer Society in keeping alive the German culture and language in Australia among people who are German-speaking settlers and other interested people. It also demonstrated the effectiveness of the German language program at Bayswater South Primary School.

The Templer Society is a group of people who migrated from Germany via Palestine and via various internment camps — —

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

### **Police: Werribee**

**Mr WELLS** (Scoresby) — This statement condemns the Bracks government and its treatment of the people of Werribee. I visited Werribee police station last week and was very concerned that there have been no improvements to this station, although some plans have been drawn up to make some minor improvements. I visited this station two years ago, and it was very disappointing last week to see that nothing had happened.

Not only is the Werribee police station in its current format not workable, but the issue of police numbers still remains the no. 1 problem. It has been determined that Werribee is about 26 police officers short. Since June–July last year they have received six officers, mostly from Geelong. This has put enormous pressure on the existing police stationed at Werribee and now

has created a shortage of police in Geelong. I understand a petition will be tabled in Parliament very soon with around 10 000 signatures, calling on the Bracks government to act on the shortage of police.

It is clear that Werribee police have enormous respect from within the Werribee community. When I met the Wyndham action planners group they spoke in glowing terms of their police. It is now up to the Bracks government to deliver on its election promise of 600 additional police to ensure that Werribee is treated fairly when it comes to law and order. The Bracks government made the promise of 600 police in November 2002. To date it has delivered a net increase of around 120 police.

### **Schools: Bellarine electorate**

**Ms NEVILLE** (Bellarine) — I have some fantastic schools in my electorate, so it came as a shock when reading the *Geelong Times* last week to see the shadow education minister again talking down our public schools in Geelong and Bellarine and getting the facts wrong again. He made a statement that we were starving schools of capital and maintenance. What an unbelievable claim!

Let us go through it. There has been \$5 million for a new school at Leopold; a new school at Wallington; and a new school at the Ocean Grove campus of Bellarine Secondary College, a school that the previous government was going to close, and we have put in a permanent structure. Newcomb Secondary College has had \$3 million committed to upgrade it; St Leonard's has had new toilets built; Queenscliff Primary School has had a new roof; and Moolap Primary School has new buildings.

These are claims by a member of the previous government, whose strategy around school maintenance and capital was to close the schools. We did not have capital issues then because the schools were simply closed.

Then I was surprised to read that we were trying to close Queenscliff Primary School. I was surprised because I had been working with that school to build up its student numbers. The quote from Ross Ebbels of the school council is really revealing. He said that the numbers were no reflection on a lack of funding from the department:

I would say falling enrolment numbers ... [are] ... due to a changing demographic in the area ... We've got three teachers for a 30-pupil school, one of the lowest teacher-pupil ratios in the state ... A lot of schools would love to be in our situation.

I call on the shadow minister to apologise to our public schools and to our community for continuing to mislead them.

### **Road safety: roadside vegetation**

**Dr SYKES** (Benalla) — The management of roadside vegetation continues to frustrate land-holders and road users in country Victoria.

Two weeks ago I chaired a forum at Moyhu where over 50 land-holders, Landcare members and road users met with representatives of VicRoads, the Rural City of Wangaratta, the Country Fire Authority and the Department of Primary Industries in an attempt to better understand the current rules. It was refreshing to listen to Bruce Sweet, regional manager of VicRoads, accept responsibility for the roads and roadside vegetation on major roads and to Karen Jones from the Rural City of Wangaratta provide a clearer understanding of the management of local roads.

Clearly there are problems with the inconsistent application of the rules and there is no doubt that some rules just do not make sense to land-holders and road users. One of the key issues is maintaining the balance between protecting native vegetation and safe road use. It is therefore pleasing to see that the report of the inquiry into crashes involving roadside objects makes it quite clear that the safety of road users should always have precedence over the conservation of native vegetation on roadside reserves.

Positive outcomes of the meeting are the preparedness of VicRoads and local government to improve the consistency of implementation of current rules and their willingness to address land-holder concerns. My colleagues in The Nationals and I will continue to work with land-holders and authorities to achieve a practical and consistent application of the measures to protect high conservation-value roadside vegetation, whilst protecting the rights of land-holders and the safety of road users.

### **Toyota Technical Centre Asia Pacific Australia**

**Mr LIM** (Clayton) — I have mentioned previously the extraordinary transformations that have taken place in my electorate over the past 20 years. Clayton is no longer an area characterised by its waste dumps and factories; rather it is now the scientific and technical research heart of Victoria.

Last week I attended the opening of Clayton's latest research facility, Toyota's new \$47 million Technical Centre Asia Pacific Australia. This purpose-built advanced automotive engineering facility, located

adjacent to Monash University, will employ around 150 people, mostly automotive engineers and support staff. It will be the most advanced automotive design engineering laboratory in Australia. This new research facility further reinforces Clayton's reputation as the scientific hub of Australia. Toyota is the world's second-largest car manufacturer, with five development laboratories of this kind in the world — and the newest of them is in Clayton.

The Premier flew in by helicopter from an engagement in Castlemaine to join me and Toyota officials — who had flown in from across Asia, Australia and Japan — to open the new laboratory on Monday, 7 March. The launch of this new centre was one of the largest events of its kind that I have ever attended and shows the importance that Toyota attaches to its new research centre. Monash University forms the hub of what was already the largest grouping of scientific and research facilities in Australia.

### **Antonio Park Primary School: funding**

**Mr PERTON** (Doncaster) — I raise a matter on behalf of the community of the Antonio Park Primary School and Robyn and Rod Anderson who wrote to me in a letter dated 17 March, in which they said:

The school has now completed the first stage of an approved master plan, with the new facilities being utilised and enjoyed by staff and students. We are now waiting for stage 2 works to commence, which have an estimated value of \$1 million. These works will complete the approved master plan and provide for new student toilets, refurbishment of remaining classrooms, the school library, and associated works.

Our concern is that we understand Antonio Park Primary School is not likely to be listed on the capital works funding program in the 2005–06 budget ... This would mean that, at best, our school would have to wait until 2007 for the next stage to commence resulting in a completion date of at least 2008. This would represent a three-year period (minimum) where the government has delayed further progress on a project that commenced in 2002. It is possible that a child who started at Antonio Park in prep in 2002 would spend their whole seven years on a construction site.

This is clearly unacceptable to students, staff and parents who, for an unnecessarily protracted period, must put up with:

- learning in an environment that resembles a construction site,
- toilets that have been earmarked for demolition because of their dilapidated and unhygienic state, and
- working in outdated classrooms.

...

Specifically we are seeking the government's response to the following points:

1. Can you guarantee that your government will complete the project?
2. If so, what is the time line for funding this final stage?
3. If there is a delay in further funding, how do you propose to deal with the state of the toilets, which have been earmarked for demolition in the agreed master plan for our school?

They also say:

For some time the school community has expressed their dissatisfaction. We have waited long enough for the project to recommence and now wish to see it completed.

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

### **Tamil Australian Friendship Society: International Women's Day concert**

**Ms MORAND** (Mount Waverley) — On 13 March I attended the Tamil Australian Friendship Society International Women's Day women's achievement concert. This function was held at the Mount Waverley community centre, and the program included some beautiful vocal performances and wonderful instrumental pieces, which I greatly enjoyed.

I thank the president, Mr Thangarajah, for his kind invitation to attend. I was pleased that this event was supported by a funding grant from the Victorian Multicultural Commission.

The main purpose of the function was to recognise the achievements of Tamil women in Australian society. The event helps us to appreciate the achievement of Tamil women through the arts. Some excellent speeches were given by the executive members of the Tamil Australian Friendship Society.

Most importantly the event recognised seven women that I would like to acknowledge today: Mrs Shobha Sekhar, the founding director of the school of music; Mrs Narmatha Ravichandhira, the founding director of the school of Indian classical dance and also the artistic director of the school of Indian classical music; Mrs Pushparanee Thangarajah, one of the founding members and a management committee member of the Tamil Australian Friendship Society; Mrs Renuka Arumughasamy, the founding director of the school of dance; Mrs Ushanthini Sri Pathmanathan, the artistic director of the school of classical dance; Mrs Rathika Mahadeva, the founding teacher of the music academy; and Mrs Rama Sivarajah, the founding director of the music academy. I acknowledge these women for their wonderful contribution to the Tamil community in Australia.

### **Southern brown bandicoot: protection**

**Mr PERERA** (Cranbourne) — Last Monday morning I had the pleasure of actively playing a part in a plan to save a protected species, the southern brown bandicoot. The project aims to investigate and identify reasons for the disappearance of the southern brown bandicoot.

The project came about because of the concerns of a well-known local naturalist, Hans Brunner, who was alarmed by the sudden disappearance of what is possibly the last colony of bandicoots in the local area, including the Pines Flora and Fauna Reserve and the land known as Dara. The initiative fosters the community's connection with science and with the three levels of government in a unique partnership that is enabling us to address a set of problems that are beyond the scope of any of the individual players.

I wish to take this opportunity of thanking the following people and groups that have taken the time and shown the initiative to work together in championing the plan. I refer to Mr Jim Kerin, Ms Alison Kuitert, Mr Rhys Walkley, Dr Dave Nichols, Dr Terry Coats, Mr and Mrs El Bruzzese, Parks Victoria, RMIT University, Chisholm Institute, the Royal Botanical Gardens at Cranbourne, the Australian Centre for Urban Ecology, Peninsula Country Club, BlueScope Steel Ltd, Mornington Peninsula Shire, the Frankston City Council, the friends network and the biosphere reserve's Foundation Frankston Table.

### **Uruguay: government cooperation**

**Mr LANGUILLER** (Derrimut) — I am happy to confirm that on 1 March 2005 I attended the change of government in Uruguay, where Senor Tabare Vasquez became President by winning a majority in both houses. I was privileged to present a personal letter from Premier Bracks on behalf of the people of Victoria, extending congratulations to the new President on his election and to all the political parties for having conducted a most successful transition to the new administration.

Agricultural and fisheries minister Senor Mujica confirmed his government's commitment to the memorandum of understanding recently signed between the state of Victoria and Uruguay and between our Department of Primary Industries and Uruguay's National Institute for Research into Agriculture and Fisheries. I commend the participants, especially Minister Cameron, departmental director Clive Noble and Professor German Spangenberg from Latrobe University.

Research into biological sciences and genetics is fundamental to the future of the southern hemisphere nations if we are to remain viable economies and competitors into the future. I am confident now, following a recent visit to Uruguay and meeting with Minister Mujica, that research coordination and cooperation and the promotion of transnational blocks could become a reality. That will strengthen our economies and in so doing enable our government to improve the quality of life of the people we proudly represent.

### **East Belmont Cricket Club: premierships**

**Mr CRUTCHFIELD** (South Barwon) — The Lions are celebrating. No, it is not Brisbane, it is the East Belmont Cricket Club. The Geelong Cricket Association (GCA) division 1 club was in the first, second, third and fourth division grand finals on the weekend. The first division team beat Geelong City by six runs, the seconds lost to St Joseph's, the thirds beat Bell Post Hill by five wickets and the fourths beat Torquay by four wickets. No team in the GCA has had four sides in the grand finals since the 1970s, and the last time a club won three premierships was in 1992–93, when again East Belmont won the first, second and third division premierships.

Congratulations to president Gerry Wakefield and his committee as well as to the premiership captains: Grant Dew of the firsts, Peter Caulfield of the thirds, and Grant Montgomery and Luke Brady of the fourths. Commiserations to the seconds captain, Damian Fiollet, and his loyal lieutenant, Grant Stevens. Grant made the best 22 runs ever seen to put the Lions back into the game — —

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

## **PARLIAMENTARY ADMINISTRATION BILL**

### *Second reading*

**Mr BRACKS** (Premier) — I move:

That this bill be now read a second time.

As members will be aware, the administration of the Parliament has been reviewed through the 'One Parliament' project led by the presiding officers. In November last year, as an outcome of the 'One Parliament' project, part 9 of the Public Administration Act 2004 implemented a new administrative structure

for the Parliament of Victoria. This reduced the number of parliamentary departments from five to three.

The Parliamentary Administration Bill will complete this process of legislative reform.

In particular, the bill will:

outline a more modern administrative structure for the Parliament with improved governance structures;

clearly outline the employment arrangements for parliamentary officers and will ensure that these arrangements are more consistent with modern employment arrangements for the delivery of public services; and

replace the Parliamentary Officers Act 1975 but will retain and update the key provisions of that act.

The bill has been prepared in consultation with the presiding officers and the department heads of the three parliamentary departments.

### **Overview**

Before I outline the key features of this bill, I will briefly outline why this bill is both important and necessary.

Firstly, the Parliamentary Officers Act 1975 is significantly outdated and no longer adequately addresses the employment arrangements across the Parliament. The Parliamentary Officers Act 1975 adopted many of the employment arrangements applied to the public service at that time. The public service has since undergone significant change in respect of employment arrangements and the Parliamentary Officers Act 1975 has not kept pace with that change. The bill will redress this.

Secondly, the more modern administrative arrangements outlined in this bill will assist in providing more efficient and effective services to members of Parliament and the broader public.

Thirdly, the bill is consistent with the broad aims and objectives of the Public Administration Act 2004 such as ensuring good governance within the Victorian public sector with an emphasis on integrity, impartiality and accountability in public sector employment. The bill aligns the governance and employment procedures for parliamentary officers with that act. Necessary modifications have, of course, been made to account for the separation of Parliament from executive government.

**Key areas of the bill**

I will now identify some key areas of the bill.

**Number of departments**

The amendments to the 1975 act made by part 9 of the Public Administration Act 2004, which has now come into operation, reduced the number of departments within Parliament from five to three. This was done by incorporating the functions of the Department of the Parliamentary Library and the Department of the Victorian [Parliamentary] Debates into the Department of Parliamentary Services. This structure is retained in the bill.

**Department heads**

The department heads of the three departments will remain:

the Clerk of the Legislative Assembly for the Department of the Legislative Assembly;

the Clerk of the Legislative Council for the Department of the Legislative Council; and

the Secretary of the Department of Parliamentary Services for the Department of Parliamentary Services.

The clerks will continue to be appointed by the Governor in Council, as they are now under the Parliamentary Officers Act 1975 and their remuneration will continue to be determined by the Governor in Council in accordance with section 94 of the Constitution Act 1975.

The Governor in Council process for the appointment and remuneration of the clerks ensures transparency and maintains the independence of the clerks.

The Secretary of the Department of Parliamentary Services, however, will be appointed on contract by the President and Speaker jointly and his or her remuneration will be determined in accordance with clause 11(4) of the bill.

These arrangements for the Secretary of the Department of Parliamentary Services are similar to arrangements currently in place in the commonwealth Parliament. We consider these arrangements to be appropriate as they recognise the different nature of the secretary's position which, unlike the clerks', is focused on the provision of logistical services, rather than procedural knowledge and support.

The bill links the salary of the Secretary of the Department of Parliamentary Services to the salaries of the clerks to ensure that the three department heads are paid equally.

The bill provides clear lines of accountability for the department heads. The bill provides that:

department heads are responsible to the relevant Presiding Officer or [presiding] officers for the management of the relevant department; and

department heads are not subject to direction in the exercise of their employment powers but, rather, must act independently.

**Retention of other key features**

The bill also retains many key aspects of the Parliamentary Officers Act 1975, including:

provisions creating the office of Clerk of the Parliaments;

provisions governing the employment of electorate officers; and

provisions which ensure that the previous holder of the office of Parliamentary Librarian can continue to access various procedures applicable to other department heads.

**Values and employment principles**

Another new and very important inclusion in the bill is provisions which require parliamentary officers to demonstrate particular values and employment principles which are based on those in the Public Administration Act 2004.

The values are worth repeating and are essential to the provision of public services in this state. They are:

responsiveness;

integrity;

impartiality;

accountability;

respect; and

leadership.

The employment principles require that employment processes be established which ensure that:

employment decisions are based on merit;  
 employees are treated fairly and reasonably;  
 equal opportunity is provided; and  
 parliamentary officers have a reasonable avenue of redress against unfair or unreasonable treatment.

**Employment of staff**

The bill revises employment arrangements in Parliament to provide clear employment relationships and powers for department heads.

The bill outlines the powers of a department head in relation to the employment of parliamentary officers and, in particular, outlines that:

- department heads are responsible for employing the staff within their respective departments; and
- the powers of department heads should be exercised in accordance with the parliamentary officers' values and the employment principles.

The bill restricts parliamentary officers and department heads from engaging in other paid employment. These restrictions are imposed in recognition that parliamentary officers and department heads are engaged in a professional occupation and that their duty is to the Parliament. These restrictions will:

- enhance the governance of the parliamentary departments; and
- enable parliamentary officers and department heads to perform their work with impartiality and integrity.

**Amendment to Parliamentary Committees Act 2003**

The bill amends the Parliamentary Committees Act 2003. The Library Committee is abolished. Its functions, including the provision of advice to the presiding officers in relation to the parliamentary library and Hansard, will be performed by the House Committee. A new joint investigatory committee on electoral matters is established. The functions of this committee will be to inquire into the conduct of state and/or local government elections and the administration and practices associated with such elections.

This government is committed to protecting the integrity of the electoral system and ensuring maximum participation in the democratic process. The government considers that establishing this committee will assist in achieving these objectives.

I wish to make the following statement under section 85(5) of the Constitution Act 1975 of the reasons for altering or varying that section by clause 42 of the bill.

Clause 42 inserts a new section 51(2) into the Parliamentary Committees Act 2003 which provides that it is the intention of section 50 of that act, as it has effect on and after the commencement of clauses 38 and 39 of this bill, to alter or vary section 85 of the Constitution Act 1975.

Clauses 38 and 39 provide for the establishment of a new joint investigatory committee of the Parliament (the Electoral Matters Committee). Section 50 of the Parliamentary Committees Act 2003 provides that proceedings of joint investigatory committees or any recommendations or reports made by a joint investigatory committee do not give rise to a cause of action in law, and must not be the subject of, or in any way be called into question in, any proceedings before a court.

As this bill establishes a new joint investigatory committee, it expands the field of operation of section 50 of the Parliamentary Committees Act 2003. The purpose behind section 50 is to allow committee members to discharge their duties and responsibilities without obstruction or fear of prosecution and to foster free and frank discussion of proposals and matters being considered by committees.

Section 19 of the Constitution Act 1975 provides that the Council and the Assembly and their committees and members hold and enjoy the same privileges, immunities and rights as were held by the House of Commons in 1855. Therefore, a privilege (which has its origins in the Bill of Rights 1689) is conferred on Victorian parliamentary committees whereby the committees are protected from being 'impeached or questioned' in any 'court or place out of Parliament'. The powers and privileges of both the houses of Parliament include the inherent power to take any action to ensure the functioning of its chambers, to regulate its proceedings and to arrest and punish for contempt or breach of privilege.

I do not think it has happened yet, but there is always the potential.

For the avoidance of doubt, section 50 of the Parliamentary Committees Act 2003 expressly seeks to protect committee proceedings, reports and recommendations from judicial consideration.

Clause 42 of the bill ensures that the new joint investigatory committee has the same level of protection as all other parliamentary committees.

**Other consequential amendments**

The bill also makes a small number of consequential amendments to other acts, including the Public Administration Act 2004. The amendments to the Public Administration Act 2004 are of a minor nature and include ensuring that public entities which are commissioners also have to maintain minimum record keeping requirements.

As members will agree, I am sure, the staff of the Victorian Parliament provide services to both members of Parliament and to the public that are equal to the best in this country's parliaments. The staff are professional, responsive and impartial in the performance of their duties. Accordingly, this bill will provide a contemporary organisational and employment structure for these officers that recognises their value and the excellence of their service.

I commend the bill to the house.

**Debate adjourned on motion of Mr HONEYWOOD (Warrandyte).**

**Debate adjourned until Thursday, 7 April.**

**STATUTE LAW REVISION BILL**

*Second reading*

**Mr BRACKS** (Premier) — I move:

That this bill be now read a second time.

The bill before the House, the Statute Law Revision Bill 2004, is important to the orderly management of the state and its laws.

The bill performs three important tasks:

Firstly, it corrects a number of ambiguities, minor omissions and typographical errors found in acts. These corrections will ensure that the meaning of acts is clear and reflects the intention of the Parliament.

Secondly, it repeals redundant acts. Members will note that the bill repeals a number of acts that the Chief Parliamentary Counsel has identified as being redundant. The majority of them are amending acts. They have fully performed their function and now serve no useful purpose. They should be repealed.

Thirdly, these redundant acts consist of a number of spent appropriation acts and two other acts, namely the Constitutional Convention Act 1972 and the Australia Acts (Request) Act 1999, all of which have no further function and should be deleted from the statute book.

The bill also more appropriately places the transitional provisions contained in the following amending acts — the Crime (Sexual Offences) Act 1991, the Crimes Amendment Act 1993, the Miscellaneous Acts (Omnibus Amendments) Act 1996, the Sentencing and Other Acts (Amendment) Act 1997 and the Sentencing (Amendment) Act 1993 — into the principal acts — the Crimes Act 1958 and the Sentencing Act 1991.

Finally, the bill codifies administrative arrangement orders. Members will be aware that orders are made under the Administrative Arrangements Act 1983 that have the effect of reallocating references made in acts to departments, ministers and officers. These orders do not amend the acts concerned. Accordingly, over time an increasing number of acts have come to contain references that are outdated. This can result in confusion when the acts are applied.

It has become the practice of the Parliament to amend these references in acts to make them agree with current administrative arrangements orders. This practice reduces doubt and confusion in the application of the affected laws.

I commend the bill to the house.

**Debate adjourned on motion of Mr McINTOSH (Kew).**

**Debate adjourned until Thursday, 7 April.**

**SENTENCING (FURTHER AMENDMENT) BILL**

*Second reading*

**Mr HULLS** (Attorney-General) — I move:

That this bill be now read a second time.

The Sentencing (Further Amendment) Bill 2005 reflects this Government's commitment to supporting victims of crime by promoting greater recognition of victims in the sentencing process.

The needs of victims of crime have been an increasing priority for the justice system over the past 15 years. There is widespread acknowledgment that, while the criminal justice system process is focused on identifying, convicting and punishing an offender, there

must also be a commitment to assist the person most affected by the offence to recover from its effects. The cost of crime is not only measurable in terms of property loss but in the damage to the health, relationships and quality of life experienced by victims.

This bill recognises the needs of victims of crime in three key ways.

Firstly, the bill amends section 5(2) of the Sentencing Act 1991. That provision currently requires a court sentencing an offender to have regard to various matters, including:

the personal circumstances of any victim of the offence; and

any injury, loss or damage resulting directly from the offence.

However, these matters which the legislation requires the court to have regard to may not fully encompass all aspects of the impact of a crime on a victim. For example, impacts such as a victim's eroded sense of safety, inability to form social relationships or inability to hold down a job may not be regarded as falling within the matters to which a court currently must have regard. A court may consider such things as part of the impact on the victim but is not currently required to.

In order to emphasise the relevant impact on a victim, this bill will introduce an express requirement into section 5(2) that courts must have regard to the impact of the offence on the victim when making sentencing decisions. The purpose of this amendment is not to fetter judicial discretion. Rather, this will reinforce the longstanding position that it has always been relevant for a sentencer to have regard to the impact of an offence on the victim.

Secondly, the bill will provide that where the victim so desires the prosecutor must read aloud appropriate, admissible and relevant parts of the victim impact statement during the sentencing proceeding.

Section 95A of the Sentencing Act 1991 currently provides that if a court finds a person guilty of an offence, a victim may make a victim impact statement to the court for the purpose of assisting the court in determining an appropriate sentence.

At present, there is no requirement that admissible, appropriate and relevant components of victim impact statements must be read out in open court, although courts currently have the discretion to do this. By making this mandatory where the victim so requests, this bill acknowledges the importance for many victims

of having their voice formally heard in the court process. Courts will still retain the discretion to determine whether or not the statement in question is admissible, appropriate and relevant.

Court processes should be responsive to victims, and victims should be provided with information about the proceedings. One way in which victims' access to information and proceedings could be enhanced is for steps to be taken to ensure that they are not unnecessarily excluded from the court.

Sometimes a victim will be a witness in the proceeding. A court may make a 'witness order' which requires all witnesses except the defendant and the witness being examined to leave the court. In the Magistrates Court, an exception is also made for the informant because he or she is a party to those proceedings.

When a 'witness order' is made, a victim who is also a witness is excluded from the court. While this may sometimes be appropriate, it may be preferable for the court to give specific consideration to whether the victim needs to be excluded.

Finally, the bill will ensure that a victim who wants to observe proceedings is not automatically excluded when the court makes an order for witnesses to leave the courtroom. This provision is intended to ensure that courts consider the particular circumstances of the victim when ordering witnesses from the courtroom. This recognises the particular position of victims in criminal proceedings. The court will still retain the discretion to make a determination that a victim must leave the courtroom; for example, in order to ensure a fair trial to the defendant.

By improving the justice system's response to victims of crime, this bill reflects the government's commitment to protecting the rights of all people in the community and to modernising the justice system.

I commend this bill to the house.

**Debate adjourned on motion of Mr McINTOSH (Kew).**

**Debate adjourned until Thursday, 7 April.**

## JUSTICE LEGISLATION (AMENDMENT) BILL

*Second reading*

**Mr HULLS** (Attorney-General) — I move:

That this bill be now read a second time.

The Justice Legislation (Amendment) Bill will achieve three objectives — firstly, it will facilitate the delivery of alternative dispute resolution programs by Victoria Legal Aid (VLA); secondly, it will allow for the tabling of Victorian Law Reform Commission reports when Parliament is not in session; and thirdly, it will effect the introduction of Coordinated Universal Time in Victoria.

#### **Amendments to the Legal Aid Act 1978**

The bill will amend the Legal Aid Act 1978 to facilitate the provision of alternative dispute resolution, or ADR, services by Victoria Legal Aid. An ADR program known as the roundtable dispute management service is currently offered by VLA, which will be supported by this bill. Roundtable dispute management is a form of ADR specific to family law disputes.

The bill establishes appropriate protection for parties participating in ADR programs provided by VLA through a confidentiality and inadmissibility regime. The bill prohibits the passing on of information arising out of ADR programs to any person, including in court, subject to a limited number of exceptions.

Through the Attorney-General's justice statement, the Bracks government has indicated its strong commitment to alternative dispute resolution pathways that ensure a fairer and more accessible justice system. By enabling the provision of ADR programs by VLA, the bill supports a key aim of the justice statement.

#### **Amendments to the Victorian Law Reform Commission Act 2000**

The bill will amend the Victorian Law Reform Commission Act 2000 to enable the Attorney-General to table Victorian Law Reform Commission interim and final reports to occur when Parliament is in recess. This will ensure the timely public release of VLRC reports so that recommendations made in those reports can also be considered in the context of national law reform.

#### **Coordinated Universal Time**

The bill amends the Summer Time Act 1972 and the Supreme Court Act 1986 to replace references to Greenwich Mean Time with the term Coordinated Universal Time.

Coordinated Universal Time is the most commonly used time scale in the world, using a system of atomic clocks that is more accurate than Greenwich Mean Time. The differences in the time scales have implications for computer programs that use high-speed

data transfers and also for universal synchronisation applications.

The bill provides for terminology changes only, and there will be no practical impact on Victoria's observance of daylight saving.

All Australian states and territories agreed to switch to Coordinated Universal Time by 1 September this year, one month prior to the introduction of daylight saving.

I commend the bill to the house.

**Debate adjourned on motion of Mr McINTOSH (Kew).**

**Debate adjourned until Thursday, 7 April.**

## **LAND (REVOCAION OF RESERVATIONS) BILL**

*Second reading*

**Mr HULLS** (Attorney-General) — I move:

That this bill be now read a second time.

A bill such as this is required by governments from time to time to facilitate the change in land status of Crown land.

#### **Sandhurst abattoir site**

This bill will revoke the historical permanent reservation of Crown land at Sandhurst near Bendigo that was reserved for abattoir purposes back in 1874.

The bill will re-reserve the site for nature conservation purposes in order to ensure the proper management, protection and enhancement of the remnant stands of native vegetation on the site.

This land, which is approximately 2 hectares in size, has not been used for abattoir purposes for at least 70 years.

Whilst historical records suggest that up until 1862 there appears to have been two stockyards, a cattle yard, a pig yard and a workman's hut and stable on the site, the land now contains important box-ironbark vegetation.

The protection of box-ironbark forests and woodlands is an important issue for the state, as a significant amount was cleared in the past. This is an opportunity in the Bendigo region to contribute to protecting against further degradation of the natural environment.

**Richmond site**

This bill will also facilitate the construction of two new super tram stops and associated roadworks in Swan Street, Richmond, improving public transport accessibility in the area. The government has also made a related commitment to improve pedestrian access to Heyington railway station.

The bill strikes a balance between the need for reasonable and safe traffic flow and quality disability and public transport commuter access.

The tram stops will be similar to existing platform stops being constructed throughout the metropolitan tram network and will provide easier access to trams operating along route 70 between Wattle Park and the city.

The increased accessibility of the platform-equipped stops implements a commitment to progressively meet the requirements of Australia's Disability Discrimination Act. It also provides greater access for local public transport users, as well as workers travelling to workplaces in the area.

The US-based GE, the world's largest financial services company, is set to expand its Australian head office in Swan Street, Burnley, and to establish an Asia-Pacific regional training and development centre at the site.

It is vital that we facilitate improved access and that we plan for safe commuting and pedestrian safety for both current and expected new road, footpath and public transport users in and around the area. In doing so we will ensure that regard is had for local amenity. Expert arboriculturalist assessments will be relied upon to ensure that this occurs, and a landscape plan will be developed in a proposed partnership with the City of Yarra to secure the best possible outcomes in and around Richmond Park.

The spatial requirements of the platform-equipped tram stops and road improvements necessitate the usage of a narrow strip of land to the north and south of Swan Street. The developer already owns the land on the south side of Swan Street. A small portion of land to the north of Swan Street will be necessary to complete the project.

The bill will excise a narrow strip of the permanent reservation and the Crown grant at Richmond Park. Every effort will be made to ensure that local amenity is not only protected but improved as part of this initiative.

The expansion of GE's Australian head office at Richmond represents a \$98 million investment that will create over 1500 new jobs, the largest single jobs boost in Victoria in over 20 years. This in turn provides a significant boost to the Victorian economy and a boost to jobs in and around the Richmond area.

I commend the bill to the house.

**Debate adjourned on motion of Mr BAILLIEU (Hawthorn).**

**Debate adjourned until Thursday, 7 April.**

## MITCHAM-FRANKSTON PROJECT (AMENDMENT) BILL

*Second reading*

**Debate resumed from 23 March; motion of Mr BATCHELOR (Minister for Transport).**

**Mr CARLI** (Brunswick) — As I was saying last night, this is a good bill. It facilitates the building of the Mitcham–Frankston project — the EastLink road, which is a very important road. It will be a major freeway. It will be 45 kilometres in length and will involve 86 bridges, 5 pedestrian overpasses and 17 major interchanges. The project also involves some major changes in public transport, with four railway stations to be upgraded at a total cost of \$200 million.

It will also have a number of innovations compared to CityLink, a road I know very well. There will be an easier system in terms of the tolling regime. If people do not pay straightaway, they will be sent a bill and there will be a modest toll administration fee of \$4 plus a look-up fee for VicRoads. That needs to be contrasted with what was the situation with CityLink. Under the previous government, if a casual user of CityLink did not pay by midnight, they received a \$100 fine. We changed that so that people using CityLink today have three days to pay if they are casual users and use the road without having a day pass. We have also reduced the fine to \$40 for first-time offenders.

There has been a marked improvement, but we have to compare what is in this bill with what was in the CityLink legislation. If people have not paid, they will essentially be sent the bill; the extra cost will simply be an administration fee. It is a fairer system. It will be far less onerous than the system the Kennett government introduced for CityLink. My constituency is right in the middle of CityLink and the Tullamarine Freeway and this is a much better situation and a much better

scheme. We need to see this as a far more appropriate system.

The bill will also extend the definition of the project to include the Dandenong southern bypass. The inclusion of the southern bypass is a great boost for the City of Greater Dandenong. As members of the house would know, Dandenong is a transit city. This ability to redirect traffic away from the city will be a great boost in terms of jobs and economic activity and also in terms of the amenity of the City of Greater Dandenong and the development of Dandenong as a transit city. The addition to this project of the construction of the bypass secures a significant benefit for the community at no cost to users — and that part of the bypass will not be tolled. It is a great addition and a great improvement which the tenderers came back with after receiving the outline of the tender from the government.

This bill facilitates an important, landmark project which will bring enormous benefits in terms of transport movements in the eastern and south-eastern suburbs. As a government we have sought to make it an integrated project. It is not simply a freeway — or a tollway as the opposition would no doubt call it; it is a road which includes an important public transport component. That will be of great benefit to that region of Melbourne. We have already seen that with the introduction of SmartBus services on Springvale Road and Blackburn Road, and that system is being extended.

This project is of enormous benefit. The shadow Minister for Transport, the member for Polwarth, argued last night that the federal government was correct in keeping the \$540 million it is currently holding. That is fuel tax money which is paid by Victorians but currently held by the federal government. The shadow minister and the Leader of the Opposition should stand up for Victoria and ensure that that money is redirected to projects in Victoria. We have a lot of transport projects that need to be undertaken in Victoria, and we have been duded out of \$540 million in fuel taxes.

It is time the opposition leader and the deputy opposition leader stood up for Victoria and ensured that we receive that money so we can push ahead with the Deer Park bypass, which would have enormous economic benefits for the western suburbs. It would mean that we could move ahead and finish the Calder Highway upgrade. A number of rail freight projects have been undertaken in this state, and we could push ahead with them as well. We need the opposition to become more Victorian, to argue on behalf of Victoria and to unlock the \$540 million being held by the federal government. We need to ensure that we have

the support of Victorians to get that money back and use it for the benefit of Victoria by developing our transport networks and infrastructure.

This week the federal Minister for Transport and Regional Services supported another toll. He was arguing that there should be a toll on the Pacific Highway, because that would allow the road to be built immediately and prevent costs escalating over time. There is hypocrisy there: the federal minister is prepared to tax and toll an existing road in the Pacific Highway, but he is not prepared to unlock \$540 million for the benefit of all Victorians, and particularly for the benefit of the western suburbs, so we can get Deer Park moving. It seems to me that we still have an intransigent and difficult situation in Victoria, where the opposition parties are not prepared to support Victorians in unlocking that money and ensuring that our infrastructure gets built. I commend this bill and I commend this project.

**Mr HONEYWOOD** (Warrandyte) — In rising to join this debate I make reference to the previous speaker. In doing so I note that this speech of his, as parliamentary secretary for the whole of the transport portfolio, was designed purely and simply to go down well at Labor Party branch meetings in the western and northern suburbs of Melbourne, because they hate the east and they hate the eastern suburbs.

They want to toll the Liberal-voting eastern suburbs, and then take the money off eastern suburbs road projects and give it to their branch mates in the west and north. That is what the speech was all about — that is, robbing one area of Melbourne to give to another. Government members are experts at it. In the outer east of Melbourne we have nothing equivalent to the Western Ring Road, that beautiful stretch of road. It was paid for by the federal government and the previous Liberal state government. It was paid for by us for Labor Party branch members in the western suburbs. We helped pay for it, and there is no toll on that road. Yet for five and a half years we have had to sit by and watch while government members have prevaricated.

Members of the Bracks government have sat on their hands, cooked the books and come up with any number of new names to rename this tollway something it is not. In doing so what has happened is that jobs from my area have been lost — jobs from the outer east have moved over to the western suburbs. Factories have relocated from the outer east and the southern suburbs in the Dandenong area to the west. The Western Ring Road does not have a toll, provides a convenient link to the Hume Highway and is close to the airports.

My area and the areas of Labor members opposite, who cannot be bothered standing up for their outer east constituents because they know they are going to be here for only one term, are suffering as a result of the way this government has gone about punishing the east. They will pay the price for it, and they know it.

The other issue you cannot help but laugh about is the comparison the previous speaker tried to draw between contracts that have been signed recently for the Pacific Highway in New South Wales and the situation here. They are totally different, because this government ripped up the contract it had with the commonwealth government over no tolls. It was a signed deal, an agreement, and this government went to the polls on it two years ago. Then six months later they said, 'Oh, gee! We have got it wrong. We do not have enough money'. They now have a surplus of over \$1 billion in the current account, yet they do not have enough money.

From day one this has been designed to punish the Liberal Party-voting areas in the outer east. Government members will remember it forevermore.

**Mr Merlino** interjected.

**Mr HONEYWOOD** — The member for Monbulk, who is interjecting, knows that he is going to be a oncer, along with the member for Ferntree Gully and any number of others. Given the opposition has agreed to the government's request to constrain this debate I will keep my next remarks fairly short, but I want to raise two specific issues related to my electorate of Warrandyte.

One is that my constituents have been completely duded. Prior to the 1999 state election the previous Liberal government left \$225 million in the 1999 state budget to finish the Eastern Freeway all the way to Ringwood. The current Premier left that \$225 million in the next two state budgets and then it mysteriously disappeared. We know where it went — to their mates in the western and northern suburbs. It was money that Ringwood people had been promised for years. That means my constituents will now benefit from only a 2-kilometre stretch of this 24-kilometre tollway project — now called EastLink and a motorway to hide the toll issue. My constituents in suburbs such as Ringwood, Croydon and Croydon Hills will have to pay just on half the entire toll so they can travel 2 kilometres on this government's whizzbang tollway. They will have to pay half the toll, as if they had travelled half the entire 24-kilometre section. Where is the equity in that? Again, the government is punishing the outer east. There are no alternatives. Government

members talk about alternatives but they know for a fact that they are going to help out their good Labor mate Janet Holmes à Court, by making sure that people will have to travel on this road whether they like it or not and having to pay half the entire 24-kilometre toll for a 2-kilometre stretch.

It will mean that a 20-year-old in my electorate starting work in the city will have to pay just on \$72 000 through their working life if they go to a normal retirement age — for the honour of travelling on a road that they have always been promised as a freeway from the city to Ringwood. It was funded as a freeway to Ringwood by the previous government prior to the 1999 election.

**Mr Nardella** interjected.

**Mr HONEYWOOD** — The other point I want to raise relates to the environment. We know that the member for Melton would not know what the environment looked like. There is the issue of the so-called surplus VicRoads-owned freeway land, which is Crown land that the current Minister for Transport wants to flog off and subdivide for housing. During the 1999 election campaign the Leader of the Opposition and I promised that two particular reserves would be protected as flora and fauna reserves, but the current government wants to subdivide them for housing.

Our policy includes a commitment to create two new open-space reserves, one being the 57-hectare Crown land in the Mullum Mullum Valley that the current minister wants to flog off, and the other a 4.1-hectare area of Crown land near Junction Road in Nunawading. Both sites are currently owned by VicRoads. This is a challenge for the government, if they are going to be true to the member for Mitcham, because one of these reserves — that is, the 4.1 hectares adjacent to the current terminus of the Eastern Freeway — is in his electorate. It will be interesting to see where he stands on this.

I call on the Minister for Transport when he sums up on the bill later today to at least explain the status of these two areas of Crown land, which we on this side of the house have promised to lock up for all time as genuine reserves for the local community. Until now government members have promised to sell off and divide this land, but opposition members would like to think that they will be protected for the local community.

There are two specific issues. One is that my constituents are going to be ripped off by having to pay half the 24-kilometre toll when getting to travel for only

2 kilometres. The member for Monbulk and the member for Kilsyth, who are sitting in this chamber, are worried because their constituents will get to travel on only 2 kilometres of this road yet have to pay half the toll for the entire 24-kilometre length. The second is that the whole issue of the Ringwood bypass is still a mystery to most people in terms of whether this government is going to build it.

**Ms ECKSTEIN** (Ferntree Gully) — I am pleased to join the debate and speak briefly in support of this bill. The bill will facilitate the Mitcham–Frankston project, now to be known as EastLink, which is the largest road construction project in Australia at the moment and probably will be for quite some time to come. The concession deed signed last October by the government and ConnectEast provided for significant improvements to some of the arrangements outlined in the act we passed last May. This bill now incorporates those significant improvements, which include a second invoice for those people who will use EastLink without prior arrangement and who have not responded to the first invoice within 14 days. That gives such people 28 days to pay before an infringement notice is issued and further penalties accrue. That is a considerable improvement for consumers and I applaud ConnectEast for providing for this improvement in its tender bid.

Yesterday saw the official commencement of works at EastLink. It is great to see the project get under way. This road has been a long time coming for — —

**Ms Munt** interjected.

**Ms ECKSTEIN** — The member for Mordialloc has asked how long it has been coming. I am just about to get to that. I understand that the reservation for this road first appeared in the *Melway* around 1968.

**Ms Munt** — When?

**Ms ECKSTEIN** — It was 1968: I had just started high school in 1968!

**An honourable member** interjected.

**Ms ECKSTEIN** — I was a baby when I went to high school! Now, nearly 40 years later, work has finally commenced. Fortunately, thanks to this government, this project is now under way, and it will be finished by 2008. This is the key concern for the people of the outer east and south east of Melbourne.

People are now coming to my office, saying, ‘We just want the road built; we do not care about the tolls any more, just get it built’. I accept that there are some people who are still unhappy about the tolls. I have to

say I am unhappy about tolls. Everybody is unhappy about paying tolls, but it is the only way of delivering EastLink by 2008 for the people of the east and the south-east. There is a choice: do we want the road, or do we not? I am disappointed that the tolls were necessary, but to quote the Prime Minister when he ordered additional troops into Iraq in contradiction of his election commitment, ‘Circumstances have changed!’. I also accept that those opposite in the Liberal Party will continue their campaign. We saw that yesterday when Liberal Party members were prominent in a very small but rather noisy protest, and quite clearly the Liberal Party orchestrated the event.

**An honourable member** interjected.

**Ms ECKSTEIN** — I am getting to that, too. In fact, quite clearly the Liberal posters were printed on the back of the no-tolls posters. That was a bit of a clue as to who organised the event. Also we had the former Liberal member for Tullamarine leading the protest. What a hypocrite he is! He is the person who supported tolls on the Tullamarine Freeway and turned an existing road that we all already owned into a tollway. As for the Liberal Party’s commitment to take off the tolls, my constituents know the Liberals cannot do it, and they tell me they know they cannot do it.

**Mr Merlino** interjected.

**Ms ECKSTEIN** — That’s right. Good luck, Kim! My constituents know that cannot be done. They know that \$7 billion is going to eat into existing services and infrastructure. They know that will mean closure of hospitals. They know that it will mean the closure of schools, the sacking of nurses, the sacking of teachers and the sacking of other public servants, and they do not want that. They realise it is not doable.

**Mr Merlino** — He does, you know!

**Ms ECKSTEIN** — Yes, I think Kim might know it is not doable, and when he becomes leader I am sure we will — —

**The ACTING SPEAKER (Ms Barker)** — Order! The member should refer to members by their appropriate titles, and through the Chair.

**Ms ECKSTEIN** — My apologies, Acting Speaker. The member for Scoresby is probably going to abandon this policy when he becomes the leader. EastLink is an absolutely essential piece of infrastructure for the Victorian economy. The completion of this road by 2008 will see enormous benefits for motorists and businesses alike in terms of faster travel times, less congestion on existing roads and faster freight

transport. It will create an enormous number of jobs in the area during the construction phase, which has just begun, and it will drive the economy of the region through faster transportation of goods and services.

As for tearing up the contract, as the previous speaker said, let us be clear about this: the federal government tore up the agreement. The federal minister capped the contribution, which was less than half the cost of the road. We had no alternative. We will get this road built by 2008 for the people of the east and the outer east. I commend the bill to the house.

**Mr WELLS** (Scoresby) — It is always a great pleasure to follow the member for Ferntree Gully, and my kind and warm regards go to the Aston branch of the Labor Party!

I love it when something like this bill comes up because it always runs well in our local paper. It starts off as the Scoresby freeway, then it is the Mitcham–Frankston freeway, then it is the Mitcham–Frankston tollway, then it is the Mitcham–Frankston project — and lo and behold, just when you think they have run out of names, yesterday we get Toll Link, CostLink, EastLink. So now we are discussing the Mitcham–Frankston Project (Amendment) Bill — but goodness only knows what that will be called in a week’s time!

I know the mushrooms on the back bench get terribly excited when this issue comes up because, as was pointed out yesterday when the Premier was speaking, he had been out digging the hole at the ceremony to mark the turning of the first sod — and I am not sure how many backbenchers will fit into that hole after the next state election! I am very sure that about 10 seats will go from the Labor Party to the Liberal Party. Then the Labor Party will see that when a lie is told to the people of the outer east, they never, ever forget!

For the last two months we have heard the Labor Party talk about tearing up contracts. The only contract that has been torn up is the one I have here, which carries the title ‘Scoresby transport corridor — agreement between the commonwealth of Australia and the government of Victoria’. I would like to pick up the point that the member for Ferntree Gully made, and my point that we have to get through to the mushrooms is important. I know all the Labor members get in the caucus room and pat each other on the back about what a great job they are doing telling lies to the outer east, but they do not understand the notion that this agreement, signed by both the Minister for Transport and the federal transport minister, was to the effect that the federal government would contribute 50 per cent of the cost of the Scoresby freeway.

*Honourable members interjecting.*

**Mr WELLS** — The mushrooms are getting very excited now! The only people not excited are the member for Brunswick and the member for Bayswater. The fact remains that the federal government’s position is very clear. It has promised 50 per cent of the cost of the Scoresby freeway, so what the member for Ferntree Gully said was factually incorrect because it is clearly written in the agreement that the federal government will contribute 50 per cent of government contributions to the construction of the freeway. That has never been in doubt.

**An honourable member** interjected.

**Mr WELLS** — The commonwealth government! Someone just yelled out to me, ‘Where is it?’. I refer to paragraph 2(a) of the contract, under ‘Commitments of the parties — commonwealth’:

In relation to the freeway the commonwealth will provide financial assistance to Victoria to a maximum of 50 per cent of the government costs for its construction ... The manner of financing the freeway, including the extent of private sector involvement, will be the subject of further consultation between the commonwealth and Victoria.

So it is very clear. It is up to \$565 million. Let me tell members — and I make this commitment to the people of the Labor Party — that if the Scoresby freeway component came in at \$1.4 billion, I would be the first one to campaign to make sure the federal government paid for \$700 million of that.

**An honourable member** interjected.

**Mr WELLS** — No, that is a factual point that I would like to make — if the cost of the Scoresby freeway were \$1.4 billion, I would be the first one to say to the federal Treasurer that the federal government has to abide by this agreement for it to provide 50 per cent. Never, at any time, has the document referred to \$465 million or \$425 million or whatever — even \$565 million. The fact remains that its share of the cost of the Scoresby freeway will be 50 per cent. But to hide the lie, this government said, ‘Well, we can bring in more public relations and spin doctors. We can confuse the electorate out there by saying we will add on the tunnels at the end and make it the Mitcham–Frankston tollway this week, ‘project’ that week, and maybe ‘motorway’ some other week in the future. But it was all done with spin, and the people in the outer east did not buy it. The last federal election made it very clear.

Can members believe that Chris Pierce, whose electorate has the Scoresby freeway running straight through it, received the second-highest swing based

firmly on the issue of the Scoresby freeway? Chris campaigned over and over again to ram home the no. 1 campaign point — that is, the issue of the Scoresby freeway.

It does not matter what the Labor Party wants to call it — EastLink, CostLink, TollLink, Mitcham–Frankston freeway or the tollway project. To us in the outer east it will always be the Scoresby freeway, and that is what has cut through to the people of the outer east. I should not say this because I think I may have told the house on a number of occasions about the flyer that the Labor Party put in my letterbox. It says:

Vote Labor, Vote Pollyanne Williams for Scoresby

Let me say that she is a very decent person, but this flyer says it all. Under the heading ‘Only Labor guarantees Scoresby freeway’ it says:

The Scoresby freeway could be scrapped if the Liberals win the election.

It continues:

There are no delays in completing the Scoresby.

The Bracks Labor government has negotiated and signed the fifty-fifty funding agreement with the commonwealth government.

So the government has acknowledged it. The flyer was stuck in my letterbox. It continues:

A re-elected Bracks government has committed to calling for expressions of interest from construction contractors by the end of the year.

Key tasks leading up to the tender process have been made

Under the signed state-commonwealth agreement, the freeway will be completed by 2008.

But the bit that I have to highlight says:

There will be no tolls on the freeway under a Bracks Labor government.

So the government has lied: it has lied to the people of the outer east. It is disappointing when Labor Party members get up and say, ‘But we could use the money for this project or that project’. The issue is very clear: the government told us that all its promises in 2002 were fully costed and fully budgeted. That is what it told us over and over again whenever the Premier or the Treasurer were asked. They said, ‘All our funding promises have been fully costed and budgeted by independent experts’. Where are the experts now? Are they still working for PricewaterhouseCoopers? I would not think so. We want to know where those people are,

the ones who said the promises had been independently and fully costed. We were lied to over and over again.

The other day I was pulled up when I called the Labor Party a pack of liars. I should not use that word: I should withdraw the word ‘pack’ when it comes to those sorts of issues. Add this to the other promises that we have been given by the Bracks government, including the tramline to Knox. What has happened to it? There is dead silence from the government.

Although I wish the bill a speedy passage, we will be opposing it every step of the way. So no matter how many times the government brings in legislation like this we will oppose it because it gives us fantastic publicity in the local electorates.

**Ms MORAND** (Mount Waverley) — I am pleased to make a contribution to this bill. I was very pleased to join with my parliamentary colleagues yesterday to see the start of construction of the Mitcham–Frankston project, or EastLink. This road will transform the infrastructure of the eastern suburbs and create a transport route that will be convenient for both the public and for business. Protesters were there yesterday, and it was rumoured that a lot of them were Liberal Party staffers; and you could identify some of them, including Bernie Finn who works for the member for the federal seat of Aston. He was out there making his protest while on the public payroll. What was more interesting was who was missing at yesterday’s protest. Where was the member for Scoresby? Why did he not turn up at the protest?

**Mr Wells** — Because Parliament was sitting!

**Ms MORAND** — We were there; you can get leave. You are entitled to get leave! I think the real reason the member for Scoresby was not there is that he is too smart to be associated with the financial lunacy that his leader is proposing. It was in his electorate and he did not have the guts to turn up.

Shortly after, the shadow Minister for Transport and the Leader of the Opposition were at the media event on the steps of Parliament House with their No Tolls truck, but the member for Scoresby was not there for the photo opportunity. I thought that poor old Terry looked at little bit uncomfortable standing next to his leader, because I think he is also probably too smart — —

**Mr Wells** interjected.

**Ms MORAND** — No, that was at lunchtime.

**The ACTING SPEAKER (Ms Barker)** — Order! I remind members to refer to each other by their appropriate titles.

**Ms MORAND** — I want to remind the member for Scoresby that the photo opportunity on the front steps of Parliament House yesterday was at lunchtime, so he could have been there. But the only person standing next to his leader was the shadow transport minister, who probably could not get out of it because it is a little bit embarrassing if you cannot get at least one person to turn up for your photo opportunity. Unfortunately, we respect you, Kim, because you are too smart to go along with the package of financial lunacy that your leader is pushing forward.

**The ACTING SPEAKER (Ms Barker)** — Order! I again remind the member for Mount Waverley to refer to members by their appropriate titles.

**Ms MORAND** — I return to the positives of this road. The road will have the lowest tolls in Australia, with a toll cap of \$4.43 for a full journey. It will have 88 bridges and 8 pedestrian overpasses, and I could go on about the benefits. I look forward to watching it being constructed, and I very much look forward to it being completed. I know that many people will welcome its finalisation, including the City of Monash, which has supported this project all the way through. I know that my constituents are looking forward to using their toll road. I commend the bill to the house.

**Ms ASHER (Brighton)** — I wish to make a couple of comments about this bill, which the opposition, of course, opposes. We opposed the original bill and we oppose the amending bill. The bill makes a number of changes to the Mitcham-Frankston Project Act. ‘Mitcham-Frankston Project’ was the title when the original bill was introduced into the house, although I understand the project now has a new title. It changes the infringement notice regime — —

**Mr Merlino** — It makes it better.

**Ms ASHER** — Indeed, allowing people to get a second invoice. It includes construction of the Dandenong southern bypass as part of the project. It establishes a performance regime. It makes the contract enforceable in a court of law, and it enables the Southern and Eastern Integrated Transport Authority to perform works on land owned or vested in councils. It also give a land tax exemption to ConnectEast.

I want to make a couple of preliminary points in relation to the bill before the house. Firstly, I record my support for the project. It is a very good project, and many of the projects that this government is embarking

on are good projects. Our beef is that we have issues with the way the government handles projects. I think tollways serve their purpose. In New South Wales they are a normal part of the regime, and as a member of the previous government I supported the CityLink project funded by tolls. The issue here is not about tolls per se. It is about what the Premier said to the electorate prior to the last election, and what he is doing now. In this case it represents a broken promise.

I understand the Premier wrote to constituents in that general region saying that was his solemn promise. He said, ‘Labor will build the Scoresby freeway on time and on budget. These are not just election-time promises. They are my firm commitments to you and your family and they will be honoured’. That is the issue. The Premier wrote a letter to people in the outer east indicating that this project would be funded by the taxpayer in a general sense, and he has now broken that firm commitment, as it was at that stage.

The Minister for Transport leafleted the area indicating:

The Bracks government is committed to building new transport services in the Scoresby corridor — including the construction of the Scoresby freeway.

He went on to say:

We committed to funding the freeway in August last year.

That leaflet was distributed during the Aston by-election.

The issue of course is not the project, which we support, and it is not tolls, which I have in previous instances supported. There is no problem with public private partnerships, and no problem with the private sector funding it and taking a toll. The issue is what the Premier said to the electorate prior to the election and what he is maintaining now. It is on that basis that we oppose the legislation.

I wish to direct most of my comments in what I understand is the abridged time available to me to clause 30, which provides a land tax exemption for ConnectEast. Again I have no problem with that particular exemption, because there are parallels. The government clearly wanted to disguise this — it is not mentioned in the second-reading speech — and it has been quite secretive in the way it has handled this aspect. I fully understand the funding deal for CityLink; however, the issue raised by clause 30 is why other people in Victoria cannot have land tax relief.

I raise a number of instances of excessive land tax being paid by my constituents. I refer to one constituent who has contacted my office whose land tax bill on his

business premises was over \$16 000, compared with \$7000 the previous year. This government is prepared in clause 30 to give an exemption to ConnectEast, but it is quite happy to rip money out of investors and self-funded retirees resident in my electorate. I refer to another constituent who wrote to me in 2004, saying:

The land tax in 2004 has increased by 133 per cent over the previous year whilst the unimproved land value increased by 30 per cent only in the same period.

This constituent went on to say:

But even more frightening is the fact that the current ... land tax bill has increased by a massive 394 per cent over the 2002 assessment.

Again, in the abridged time available to me I will not have time to refer to all of the constituents who have written to me in relation to land tax, but I will do so over many debating opportunities. I have another constituent whose land tax bill in 1995 was \$260 but whose bill in 2005 is over \$25 000. Another constituent, a widow, has written to me indicating:

Now, at 74 years of age and a widow, I find that our attempts to become self-funded retirees were a mistake.

She refers to an increase of over 400 per cent in five years and again makes the same point as the previous constituent, saying that this is:

... nowhere near matched by either the increase in rent receivable or the value of the properties ...

She makes the point that her land tax assessment was over \$14 000 in 2000 and is now \$65 000 in 2005 — on an unrealised asset. The point I want to make is that this government is voracious in its taxation policies. It is allowing windfall gains to be collected on unrealised assets. People who run businesses, people who have done the right thing all their lives and people who are funding their own retirements are now being hit by a voracious taxation regime which has not factored in the increased values of properties.

I refer to a letter I received from the Treasurer dated 9 February. Addressing me as 'Dear Louise' — we were very familiar on that occasion — he indicated:

The Bracks government believes that the current rates of land tax levied are not a disincentive for self-funded retirees to own property.

The fact of the matter is they are a disincentive for self-funded retirees and businesses to own property. I find it extraordinary in this bill before the house that the government would give an exemption for ConnectEast and not look at altering the land tax regime in Victoria.

**Mr MERLINO** (Monbulk) — I disagree with the member for Brighton. The key issue in this debate is not the promise regarding the Mitcham–Frankston project (MFP), now called EastLink. Of course that is an issue, but the key issue in this debate is about economic management. That is the no. 1 issue for the government, and it is the no. 1 issue for my constituents.

I am very happy to rise in support of the Mitcham-Frankston Project (Amendment) Bill, which is another important step in the construction of the largest road project in Australia. This bill amends among other things the Mitcham-Frankston Project Act 2004 by including the Dandenong southern bypass and making further improvements to the tolling regime. As we have heard, the project is no longer going to be referred to as the MFP. At the momentous turning of the sod yesterday the Premier announced a new name — EastLink. This is a great step that marks the start of the physical construction of the road.

As we saw in the media, and as referred to by the member for Ferntree Gully, there was some protest, a small group of protesters being led by Bernie Finn, the former champion of CityLink and a former member of this place. This group was on hand to protest about tolls, which is their right in this democracy of ours, but Bernie and his crew need some help. When organising a protest that is meant to be seen as a community and not a partisan action, you should not stick your slogans on the back of old Liberal Party conflate signs. As I walked up to the area where the Premier was turning the sod, I noticed a whole bunch of upside-down Liberal Party slogans bobbing up and down. The local journalists were very interested in this and walked around to the back of the crowd and took photos of these upside down Liberal posters.

This legislation is in stark contrast to CityLink arrangements made by the previous coalition government. An example of this is the great change to the tolling regime, both in the original legislation and in this amending legislation. In this legislation there are further improvements to the provisions of the Mitcham-Frankston Project Act. The original legislation provided for an invoice to motorists who had not made any prior arrangements to use the road or had not made any arrangements in the 72 hours after driving on EastLink. Motorists would then have 14 days before any enforcement action. The concession deed makes a further improvement to this: there is a further 14-day period to pay for the trip. So you have two invoice periods of 14 days prior to any enforcement action, and the only additional cost is a \$4 invoice fee for each invoice and a once-only VicRoads look-up cost.

This is in start contrast to CityLink. When CityLink was first introduced a motorist who did not pay by midnight on the day they drove on the road would face a \$100 fine. Under this government we have reduced that fine to \$40 and provided motorists with three days to pay it. Nevertheless, CityLink is vastly inferior to the fare system we have put in place under EastLink.

Back to Bernie Finn, who was at the protest for obvious preselection reasons. The Liberal Party generally is desperate to keep this issue burning. No doubt there was a level of disappointment in the community when the decision was made. It was a difficult decision and was always going to get a reaction. The decision was made in the best interests of the people of this state following the \$1 billion cost of the failure of the privatised M Trains. To do anything other than introduce tolls would have been economically irresponsible.

*Honourable members interjecting.*

**Mr MERLINO** — I do not think so! This is exactly about what the Liberal Party is sprouting — economic irresponsibility. We have heard today and previously that the Liberal Party believes it will gain 10 seats on the back of this issue. I do not think so, but we will see.

**Mr Cooper** interjected.

**Mr MERLINO** — It is 12 now, is it? In my view people are even more sensitive to economic management. The community rightly demands of any government or alternative government that its economic management credentials are absolutely number one. The policy of the Liberal Party to rip up the contract at a cost of at least \$7 billion not only smells of economic mismanagement, it reeks of it. If the Liberals are ever elected to govern, keeping the road toll free would mean deficit budgets and slashed spending on education, health, community safety and the environment.

The Liberals are sticking to this. The comments of the member for Scoresby were reported in the *Knox Journal* of 9 February:

Mr Wells said a Liberal government was committed to a toll free freeway but not at the expense of services.

‘Come hell or high water, the freeway will be toll free and we will be speaking to experts in the next few months’.

The member said ‘hell or high water’. The member for Box Hill said in recent weeks that EastLink will be toll free. Although this is a millstone around the neck of the Leader of the Opposition, it is clear that even when he is deposed it will continue to be Liberal Party policy. I

am glad of that. I am glad we will be able to tell our community that this crazy plan to rip up the contract at a cost of at least \$7 billion will be the policy of not only the member for Malvern but the member for Scoresby, the member for Box Hill, the member for Brighton and all the others opposite.

We are all waiting with bated breath for the report. Perhaps one day this phantom report they are talking about will see the light of day so we can see how much the Liberals think this will cost. I wish the bill a speedy recovery — that is the second time I have said that; I mean ‘a speedy passage’ — and I look forward to seeing the construction of EastLink over the next couple of years.

**Mr COOPER** (Mornington) — We wish the member for Monbulk a speedy recovery as well. We hope he is able to recover at the next election, but we doubt it. We think the member for Monbulk is a oncer in this place, as are another 10 or 11 of his colleagues. ‘Twicer’ is an old Australian word that means being a two-faced hypocrite. I say to the people in this place on the Labor side that if you act like a twicer in political terms, you will be a oncer. At least a dozen Labor members of Parliament will be oncers over this issue alone.

The member for Monbulk said this is an issue that is all about economic management. That will be the fable that will be parroted by the many Labor Party members of Parliament who will feel an obligation to speak in this debate. Economic management may be the mantra that the members of the Labor Party want to put forward, but Labor Party branch members, the people who are supposed to be the support troops for Labor Party MPs, do not think like this at all. They are thinking something completely different.

To reinforce that I quote from an email sent to the Premier by the Mount Martha branch of the Australian Labor Party. The secretary of the branch has the interesting email address ‘wcpuls@excite.com’. He was excited all right: after his branch meeting of October 2003 he sent this email, headed ‘ALP Mount Martha branch — president, Judith Couacaud-Graley’. Those who know her will recall that she was my opponent at the last election and no doubt will be the endorsed ALP candidate for Mornington this time. She also has the extra responsibility of working for the Minister for Police and Emergency Services.

Ms Graley’s branch members said that they are unequivocally opposed to the decision of the Labor government to build a motorway as a tollway. They give the following reasons to support the motion carried at the branch. I do not want to read them all out,

because they are pretty boring and some of them are not very smart — and that does not surprise me, knowing the membership of the Mount Martha branch of the ALP. However, the email says:

There is a great groundswell of genuine opposition to this plan, which is damaging the good name of the Bracks government.

The imposition of a toll to affect the Mornington Peninsula while other areas get free roads is inequitable. It amounts to an unfair tax on the Peninsula.

It finishes off by stating:

The government broke a major 'core' election promise.

That is what ALP members are saying to the Premier and to members of his government. The ALP, in doing this, broke a major core election promise. Of course it did. It does not matter what name Labor members put on this — the Scoresby freeway, the Mitcham–Frankston freeway or tollway, or the latest one, this month's name, EastLink. We do not know what next month's name will be. You can change the name as often as you like, but you cannot change what the project is about, and you will not change the perception that has been created in the minds of thousands and thousands of Victorians, that while they support the project, as we do, they do not support the government breaking a promise. They do not support a government going to an election with a firm promise that it would not toll this road but straight after the election saying, 'We have changed our minds. We are now going to apply tolls'. This is something they will not forget. This is something that the government will be judged on at the next election, and rightly so.

Those members who live in or near the Scoresby corridor know they are under threat. They will correctly be put under threat by their electors because of this broken promise. I do not doubt that when the member for Bayswater stood up two or three days before the Premier made his announcement and said in response to an interjection that I made, 'No tolls, no tolls, no tolls', he was being sincere and honest in what he said, because he had not been taken into the confidence of the Premier, the Treasurer and the Minister for Transport. They left him to hang out to dry. How bad is it for the Premier, the Treasurer and the Minister for Transport to do that to a newly elected backbench member of its own government!

I have no doubt that other Labor members in the Scoresby corridor who were out at the same time telling their constituents and branch members that the road would be built as a freeway and not a tollway were being sincere and honest in what they were saying, but the reality is they have been sold up the river by their

Premier, sold up the river by their Treasurer and sold up the river by the Minister for Transport. They have been left to fight it out at the next election, left to defend themselves against what they now know was a lie, even though they did not know at the time that it was a lie.

It was a lie, and on the information the Liberal Party has obtained under freedom of information it was clearly in the minds of the government prior to the election. It knew what it was doing. It knew when it went to the election it was telling lies to the people of Victoria and in particular telling lies to the people of the Mornington Peninsula and the eastern suburbs. The Premier, the Treasurer and the Minister for Transport knew that, but they did not take their backbench into their confidence, and they certainly are now going to reap the results of telling that lie.

I want to say in support of what the member for Brighton said that the issues involved here in land tax are issues that this government certainly needs to address. We have thousands of people in this state who are currently being buried under hugely increased land tax bills, yet here we have a situation where the ConnectEast consortium is going to be given an exemption. We understand why, because CityLink was given one too. However, it is inequitable and unfair that whilst ConnectEast can be given an exemption from land tax, businesses are going under and people are losing or being forced to sell properties because they have a huge land tax bill and are not being given the same advantages. Those advantages can be provided by this government which is awash with money. The government needs to be doing something about that in the interests of equity and fairness. The opposition will be opposing this bill for very good reasons which will be well supported by the vast majority of Victorians.

**Ms BEARD (Kilsyth)** — It is a great privilege to join the debate on the Mitcham-Frankston Project (Amendment) Bill which will amend the Mitcham-Frankston Project Act 2004 and other acts. The objective of the bill is to provide legislative support to a number of provisions of the Mitcham–Frankston project concession deed.

It was a great day yesterday for those of us fortunate enough to have leave to be present at the sod turning. It made each of us feel very proud of this project. The more we are exposed to the magnitude of this project, the more exciting it becomes for me. That is a very easy feeling to pass on to my constituents when they speak to me about it. There were some protesters, as has been well recorded, with Liberal Party posters on the back of their signs — not very convincing — spearheaded by Mr Tollway himself, a former member for Tullamarine,

all the way from Sunbury. There are obviously not too many protesters out in the east: they had to import Bernie Finn to come across there. He, of course, is only in favour of tolls if it is a toll that is placed on an existing road, quite different to this one.

While returning to Parliament from that ceremony I had occasion to use the Monash Freeway, which is something I do not often do, because it is not very well connected to where I live. There was no shortage of people happy to pay the toll to use the Monash Freeway; in fact there was quite a bottleneck on it. Those people are used to paying tolls to use existing roads.

This is a magnificent new project. Yesterday we were given another look at the design of this project, and I must say environmentally it is a wonderful-looking project, involving a huge number of tree replantings and waterways around it. It really is going to be an exciting project when it is finished, and like the people out in the outer east I cannot wait for 2008, when it will be finished. It is going to be wonderful to drive on. Last night I was speaking to someone who frequently goes to the Mornington Peninsula and who said, 'How much time is it going to save?'. This was someone who is quite opposed to tolls; she does not like them at all because she is not used to paying them.

I tried to describe the difference in time between going from Hoddle Street to Springvale Road via Barkers Road and Whitehorse Road, or travelling via the Eastern Freeway. It is something similar to the difference in time that takes, and anyone familiar with that piece of road would know the savings of time and the pleasure in driving along the Eastern Freeway, although it is toll free. This woman immediately said, 'Well, I will be using it if it is going to save time'. Time, for people today, is of an utmost concern. Most people are happy to pay to save time. This was someone who previously was opposed to the introduction of the tolls.

People who are happy to pay the tolls will be able to experience the wonderful joy and pleasure of driving on a road without lights or intersections, but those who choose not to and those who cannot afford to are going to have the wonderful experience also of driving on existing roads, which they are familiar with and with — as has been predicted — a 30 per cent reduction in traffic. It really will be a benefit to everyone.

The people in the outer east do not mind, either, of course, the 6500 jobs that will be involved in the building of this road. With that, I commend the bill to the house.

**Mr KOTSIRAS (Bulleen)** — It is a pleasure to stand and speak on the Mitcham-Frankston Project (Amendment) Bill. I have to say this bill is all about a lie. I have to make the other side understand what this bill is all about. It is nothing to do with what is happening in New South Wales compared with what is happening here. It is all about a lie that the Labor Party took to the last election. If the Labor Party had gone to the last election saying it was going to introduce tolls, there would be no issue here today. But it went to the polls saying there would be no tolls on the freeway. That is the problem. It does not matter how you change it or how many names you give it — EastLink, LostLink, MoneyLink. The fact is that Labor lied prior to the last election. That is the issue, not the tolls. The issue is that it said there would be no tolls.

In actual fact a letter from the Premier on 11 September 2001 says:

On 22 August, the state government signed a declaration of commitment along with 10 mayors in the Scoresby corridor. This declaration reaffirmed the state government's commitment to its 50 per cent funding share for the Scoresby freeway.

In 2002 Steve Bracks wrote to voters and said:

And Labor will build the Scoresby freeway on time and on budget.

These are not just election-time promises. They are my firm commitments to you and your family and they will be honoured.

Prior to the last election a flyer that went to all the households under the heading 'Only Labor guarantees Scoresby freeway' states:

There will be no tolls on the freeway under a Bracks Labor government.

That is the issue and problem we have today. If prior to the last election the Labor Party had said that there will be tolls, it would not be a problem today. Do not confuse it with what is happening in New South Wales or what happened here in the past. It is all about the Labor Party lying prior to the last election. It was voted in at the last election and it failed to honour its commitments. This is what the problem is all about.

In April 2003, a few months after the election, what did Steve Bracks say? He said: we will be changing what has been a commitment not to have a toll on the Mitcham-Frankston freeway. He knew this was going to be the case prior to the election. We put in some freedom of information requests. It was very difficult for the FOI officer in the Department of Premier and Cabinet to actually locate them. If one looks at what the

FOI officer, Marisa Patitucci, has done one can understand the difficulties we have in opposition in trying to get documents from this particular officer. I actually took Marisa Patitucci to the Victorian Civil and Administrative Tribunal. She lost the case because I was able to find another document which she claimed did not exist. It is very difficult for the opposition or anyone else to get documents from this government, because it will do anything it can to stay in government, even if that means lying to the electorate.

The residents of my electorate are very concerned because this is going to have an enormous impact on Bulleen. It is going to cause more traffic and a safety hazard. People are not happy with the lie the government gave to the people of Victoria prior to the last election. Instead of members opposite apologising to the electorate and residents, they follow their government's lines and excuses. Indeed in today's *Herald Sun* the member for Mount Waverley is reported as having said:

... she did not expect an anti-toll backlash in next year's state election.

People will still have a choice and they don't have to use the tollway ...

The member for Kilsyth is reported as saying as follows:

... that tolls were unpopular, but they had been accepted by her electorate.

I will bet you that is not true. The member for Bayswater is reported as having said:

People just want the bloody thing built.

Without tolls — Labor promised them without tolls. Why change their minds? Members cannot say two weeks after a state election that there is no money to build the freeway. They knew this before the election but they decided to hide it from every Victorian voter. The member for Carrum is reported as follows:

... life would be much better with the road she said would bring job opportunities to her electorate.

The member for Ferntree Gully said:

... tolls were the only way of getting the road built by 2008.

But was this not the same member who said prior to the last election that there would be no tolls? The member for Monbulk is reported as having said:

There will always be a number of residents who will be disappointed, and we may or may not feel that at the ballot box in November 2006.

Can I say that Labor members will feel this at the ballot box in 2006 and that some of them will lose their seats simply because they lied to the electorate!

The Manningham branch of the Labor Party in my electorate sent a letter to Steve Bracks. It was signed by Christos Miras, the secretary, who happened to be my opponent at the last election — a good person, I have respect for him — and says:

Dear Premier,

At the May meeting of the Manningham branch of the Australian Labor Party, the members assembled passed the following resolution:

That the Manningham branch of the ALP urges the Victorian state government to reconsider its decision ...

This was from branch members of the ALP who were concerned about what tolling the freeway would mean to the residents of Bulleen. It will mean more cars, more accidents and more students, children and elderly being put at risk. They know what the problems are going to be, but the minister and government are refusing to budge.

I also have a copy of a letter from Anne Eckstein, the member for Ferntree Gully, to Steve Bracks, advising the Premier that there were residents in her area who were concerned about the tollway. The Premier wrote back giving her a line on how to respond to negative letters. This has been the case with all backbenchers: they have all been told what to say, how to say it and when to say it.

They have not got the strength, the ability or the courage to stand up to the Premier and say, 'Listen, Premier, we promised this. We should deliver it as we promised prior to the last election. If we wish to change it, we should do it prior to the next election and go to the polls; and if we are elected, then we can introduce it'. They have failed to do that. They have deserted the people of Victoria. The government backbenchers have all failed their electorates, and I urge members on the opposite side to reconsider and think about the tolling of this freeway.

**Ms MUNT (Mordialloc)** — I wish to speak today on the Mitcham-Frankston Project (Amendment) Bill. I am going to take a slightly different approach from most of the speakers so far, who have approached this from the perspective of the north and the east. I am going to try to explain what this project will mean for the south-east and for south-east economic development.

I have a wonderful little book here called *Prosperity for the Next Generation — Regional Economic Strategy for Melbourne's South East (2003–2030)*. I have been absolutely fascinated to read what it says on business, industry and manufacturing in our region and what this project will mean for our region. But first I would like to go through a few nuts-and-bolts issues and actually speak about the bill, which has not been done very much.

The bill addresses revised and improved tolling arrangements, the Dandenong southern bypass, which I will also speak about a bit more fully later, and enforcement of non-performance by ConnectEast. The amendment to the act allows for two invoices to be issued prior to enforcement action proceeding. An administrative fee of \$4 will be charged for each invoice. The invoice will be for the amount of the toll trip taken, and a one-off fee per two invoices will be charged by VicRoads as a look-up fee. I would also like to contrast this with the original \$100 fine arrangement for CityLink. I think this is much fairer for people. It certainly is a whole lot less costly and more caring. That \$100 fine was reduced by the government to \$40 on the existing CityLink roads.

The Dandenong southern bypass will now be included in the definition of the EastLink project. I have attended many MP briefings at the offices of the City of Greater Dandenong with the councillors, chief executive officers and other officers, and they have always stressed the importance of the Dandenong southern bypass to the Dandenong region and to its road network and economic performance. The Dandenong southern bypass is a great benefit that is being provided to that area. It is not going to be a toll road; it is going to be a free road. Dandenong is a designated activity centre and transit city, and this road is going to facilitate the further development of Dandenong as a major economic centre for our area. I congratulate the consortium and the government on providing this bypass. I actually use that section of road myself, and it is fantastic.

The bill also addresses the enforcement of non-performance by ConnectEast. If ConnectEast fails to perform on a number of key performance indicators laid down by the state government, the state will enforce contractual penalties against it. We want the best possible service for the users on this EastLink motorway, and this is another tool that the government can use to ensure that this happens.

As the member for Mordialloc I am really interested in business in our area, both as a powerhouse of prosperity in our region and as a major provider of employment. The member for Carrum mentioned reading in the

newspaper this morning about the great benefits which this major project offers for employment in our area. As I said, I have been reading this book with great fascination. Its analysis of recent economic performance data prepared by National Economics in 1998 clearly showed that our region's economic drivers are concentrated in Greater Dandenong, Kingston, Monash and Knox.

I was fascinated to learn that there is more industry and business in this region than in Perth and Adelaide combined. This area is already an economic powerhouse of Melbourne, and in coming years — particularly in 2008, when this huge project will be completed — it is going to be an absolute boon for that area. It is what I call the second Melbourne, but it is really the first Melbourne to us, because we live there.

I will go through a few of the facts. These four municipalities generated approximately 77 per cent of the south-east region's medium technology output, 74 per cent of advanced manufacturing and 72 per cent of total manufacturing, so we are the home of manufacturing. Kingston and Greater Dandenong were either first or second in Melbourne's south-east in resource processing, medium technology, advanced manufacturing output, total manufacturing output, gross regional product and persons employed in local industry — and once again, that is about employment.

Our south-east region currently houses over 1 million Melburnians and accommodates 40 per cent of Melbourne's metropolitan population. Over the next 20 years our region will contain up to 40 per cent of Melbourne's 10-to-14-year-olds, who would reasonably expect to have rewarding and fulfilling careers. Jobs in manufacturing will help provide that in our region.

As noted in the *Regional Economic Strategy for Melbourne's South East (2003–2030)*:

The development of a series of activity centres along the Mitcham–Frankston corridor, including the establishment of transit cities at several existing centres and new employment nodes at strategic locations along the transit spine —

is essential for our future. Our region — the south-east region — has waited over 30 years for this major road to be built, and it was begun by this government yesterday. I accept the community disappointment that this will be a toll road, but I would like to say that it is no accident that of all the major road projects the states are building now in Australia, most if not all are toll roads. This is because of the enormous cost of this infrastructure. States can no longer afford to spend that amount of money on these enormous projects and still have enough to provide the level of services the

community requires and expects in education, health and police and all the other infrastructure projects that the states provide. This is simply about fiscal, financial and economic responsibility.

I for one will continue to use the free roads I have always used. I will continue to drive along Springvale and Stud roads to get where I want to go and not pay the toll. People who cannot afford to pay the toll and people who do not want to pay the toll can simply drive along these roads for free, which as I said is what I will do too. For business and employment this road is essential, and for our local development and prosperity this road is essential. I commend this bill to the house.

**Dr SYKES** (Benalla) — I welcome the opportunity to make some brief comments on the Mitcham-Frankston Project (Amendment) Bill. I should say that The Nationals do not oppose the bill. We do not oppose tolls, but we have a major problem with the questionable honesty and integrity of the government.

The value base in country Victoria with which I am familiar includes, firstly, that you do not promise what you cannot deliver, and secondly, that your word is your bond. I can still do multi-thousand dollar deals with the people I do business with in country Victoria on the basis of a handshake. But the action taken by this government in relation to this issue has fuelled the view that you cannot trust politicians. In that context, when I first contested my parliamentary seat a number of years ago one of the most hurtful comments made to me was made by a good friend, who said, ‘You are all right now, Sykesy, but after a couple of years down there you will be just like the rest of them. You will be like a maturing banana: you will start green and straight, but you’ll end up yellow and bent’. That is a tragic commentary on the public perception of members of Parliament and other politicians, and I find it difficult to grapple with it as a person. The action taken by the government in relation to the Scoresby freeway does little to change the fact that people do not trust politicians.

If we look at the couple of years during which I have represented the people of the electorate of Benalla we find that this is not the only example of questionable integrity on the part of the government, as there other examples very close to home. One is the toxic dump fiasco. I will summarise that performance by the government in a few words: callous deceit, with a dose of incompetence. If we look at access to natural gas, we see that the government prior to the election promised the world. It said it would connect natural gas to Alexandra, Bonnie Doon, Mansfield, Myrtleford and the Ovens Valley. Has it delivered any? No, not one of

those communities has had it delivered. And of course we have the issue with Lake Mokoan in terms of the commitment to guarantee security of supply, and already that is being challenged.

Returning to the bill, I say this to the government: get on with the job, build it and toll it, but be prepared to pay the price for the callous deceit of Victorians.

**Mr LOCKWOOD** (Bayswater) — I am very pleased to be able to get up and make a small contribution on the Mitcham-Frankston Project (Amendment) Bill. I have to say I am missing my cheer squad. Normally whenever I stand in this house I have the members for Mornington and Bass uttering their mantra.

**Dr Sykes** — I will do my best.

**Mr LOCKWOOD** — No doubt. I often thought the mantra was a little bit off and that rather than what has been uttered, it should have been, ‘No brains, no brains, no brains’ for the Liberal Party; or, ‘No idea, no idea, no idea’ for the Liberal Party. I often enjoy the expression of the intelligence of the members in uttering that mantra of the Liberal Party. I like to see their wit expressed, but I think we only ever see half of it at a time.

I passed a part of the electorate the other day where the freeway will be and there is a recycling centre there where the rusty old hulks are kept — the rusty old cars which are headed off for recycling. For some reason I instantly thought of the Liberal Party as a rusted old hulk.

The Mitcham–Frankston project is a great project. It will be a great road and the best thing about it is it has been started.

*Honourable members interjecting.*

**Mr LOCKWOOD** — Without a cheer squad it is pretty bad. Now, of course, it is EastLink, as you would expect. What’s in a name? All such projects are named by their owners, like CityLink. It is a great name for a great project. It will link Mitcham to Frankston with 45 kilometres of great road. The Bracks government has actually done something about it and started building it; its construction has been an empty promise for so many years. It will be a great job generator and a great freight connector. It will be a great congestion reducer.

**Ms Beattie** — How does it compare to Kennett’s CityLink?

**Mr LOCKWOOD** — I am coming to that. It will be the largest road project in Australia and it is simply a great project.

It has been said by some here that we are all going to lose in 2006 — or at least 10, 11 or 12 of us. That is up to the voters, and I will face whatever comes. I am happy enough to stand up for this project no matter how it is paid for. Personally I would prefer not to be tolled but if that is the way it is going to happen, then that is the way it has to be. The most important thing is that it is built — and built now.

I think the member for Bulleen referred to a quote of mine in the *Herald Sun* where a constituent said to me, ‘Just build the bloody thing’. There were a number of other very similar comments. When I doorknocked that constituent he asked me whether the road was going to be tolled or not, and I gave him an honest answer based on my knowledge at that time; I said it would not be. I turned out to be wrong but I did not lie as the member for Bulleen suggested. The constituent said he did not believe politicians and that there could well be a toll coming up but he did not care; ‘Just build the bloody thing’ is what he said. That is the important thought I have carried forward.

The member for Warrandyte talked about using the \$1.2 billion state surplus to help pay for the tollway. Again, the Liberals cannot tell what cash and superannuation commitments there are. There is no \$1 billion cash surplus in the six-monthly accounts for the state budget. The Liberals cannot read the accounts properly if they cannot see what the real surplus is and what it will be at the end of the financial year.

Then, of course, there is the issue of the federal blackmail over the federal funding. The federal government continues to hold out on the money and will not hand it over unless we tear up a binding contract. We have made a valid contract.

*Honourable members interjecting.*

**Mr LOCKWOOD** — The federal government was the first to break that commitment by capping its contribution. It said 50 per cent and then issued a press release saying it would be capped.

**Mr Mulder** — That’s another lie.

**Mr LOCKWOOD** — It is not a lie.

**Mr Mulder** — They topped up.

**Mr LOCKWOOD** — How far did they get — \$560 million is nowhere near 50 per cent yet, so there is

a bit of topping up to go. They should get over it. They had their fun at the federal election and should now let us get on with the business of governing for the country by building infrastructure for Victoria and contributing to the economic growth of the country and the area.

The opposition’s promise to buy out the tolls is impossible. It would cause a loss of schools, hospitals and police.

**Mr Nardella** — Seven billion dollars!

**Mr LOCKWOOD** — The number seven is good — it goes with the seven dark years. Seven is a magic number — the seven years of darkness and the removal of teachers, nurses and public servants. We are getting close to a position of having recovered from those seven dark years, and they want us to do it all over again with an irresponsible promise. Opposition members have said in this debate that the Liberal Party opposes tolls but that is not the case — there was CityLink where they propagated tolls.

**Mr Mulder** — We’re opposed to lies.

**Mr LOCKWOOD** — It was said in this house, I believe by the member for Polwarth, that the Liberal Party opposes tolls. What about tolls on an existing road like the Tullamarine Freeway? What about the narrowing of arterials and forcing people onto a tollway? None of that is happening.

**Mr Mulder** — Springvale Road and Stud Road will be the first to go.

**Mr LOCKWOOD** — Springvale Road will not be narrowed. What about the hypocrisy of the former member for Tullamarine leading the anti-tolls cheer squad? That was a real piece of work. What about fining people who do not have an e-tag or day pass and then having the hide to criticise the payment regime in this bill where people will have two lots of 14 days to pay up? They will have plenty of opportunity to pay the toll, with the addition of course of a small fee, rather than the fine. I have a bit of experience with the toll fine because my son had a habit of borrowing my car and going on CityLink without an e-tag, and I would not find out until the fine arrived. I found out painfully how much they were at the time. There was no fairness for motorists on CityLink; this government is putting fairness into this particular project.

We have been taken to task over land tax and yet in the past couple of days the federal Treasurer has been berating us to cut any tax but land tax. That is the last thing the federal government wants us to cut but here in Victoria the Liberals are telling us to cut land tax. There

is a difference between the Liberal Party sections as to what we need to cut. They are threatening to cut up the GST agreement if we do not cut taxes — but anything other than land tax.

Broken promises are unfortunate but when you are forced into it by economic circumstances, it is necessary. The most important promise was to keep the budget in the black, to keep Victoria on a responsible financial footing. That is a priority; it is incredibly important. We will not overspend, we will not use deficit budgets and we will not sacrifice schools, hospitals and community safety the way the opposition wants us to.

I heard an interesting part of the debate where we were referred back to 1940 and a program called *Truth or Consequences*.

**Mr Mulder** — On a point of order, Acting Speaker, I believe it is inappropriate to use a mobile phone within the chamber, and I ask that the mobile phone use cease during this debate.

**The ACTING SPEAKER (Ms Lindell)** — Order! I do not believe that is a point of order.

**Mr LOCKWOOD** — We were taken on a flight of fancy back to 1940 and a program called *Truth or Consequences*. I guess that is proof that the Liberal Party likes to live in the past. I would have thought 65 years was a little further than they wanted to go but it is proof that they do not like the present and it is back to the past for them. They would rather be looking at 1940 than anything else. Perhaps that was when they first promised the Scoresby and never delivered it. Perhaps it is time travel — trying to escape from the present and get back to the past.

We also heard a lot about documents obtained from Labor Party branches using freedom of information. However, they prove nothing that was not already known. People did not like hearing the news about the tolls, so they expressed that dislike. All of us as local members represented the views of our constituents — no matter what — to the relevant ministers. Together with the member for Ferntree Gully I wrote to the Premier and the Minister for Transport to represent those views so the government was aware of all of the views in the community; that is my job. No-one likes paying a fee, they do not like tolls. I would prefer to travel without paying. However, CityLink would not exist without tolls and nor will EastLink. It just will not happen without tolls. It is a great project, and it will be a great road. I look forward to driving on it.

I will mention one other thing before I finish. It was great to see in the *Age* today a quote from one of the most vocal opponents to tolls in Victoria — that is, the general manager of the Royal Automobile Club of Victoria, Ken Ogden, who said:

This is a red-letter day for Victoria, a tremendously important project.

The RACV has clearly recognised that tolls are a way of providing vital infrastructure for Victoria. In fact, it is urging us to use tolls even further than we are now. I commend the bill to the house.

**Mr THOMPSON (Sandringham)** — From Cape York to Cape Liptrap, from Port Hedland to Port Macquarie, the member for Benalla outlined some core Australian values. One is ‘Your word is your bond’; another is ‘You do not promise what you cannot deliver’. The ode to the Bracks government may be ‘For whom the bell tolls’.

**Ms BUCHANAN (Hastings)** — Given the brevity and lack of clarity of the previous speech, I will try and get through what I have to say and make some reference to the issue.

I stand to support the Mitcham-Frankston Project (Amendment) Bill. The intent of this bill is very clear. It gives legal effect to a number of features of the project agreed to in the concession deed between the Bracks government and ConnectEast as from 14 October. In effect and broadly speaking that means this bill outlines the provisions relating to the tolling regime, incorporating the Dandenong southern bypass and the issues pertaining to enforcement of non-performance.

I want to start off in the same vein as the member for Mordialloc by referring to a fantastic report that was launched late last year. It was co-hosted by many of the local government municipalities in the south-east. It has the title *Prosperity for the Next Generation — Regional Economic Strategy for Melbourne’s South East (2003–2030)*. I refer to page 20 of this report, under the heading ‘What needs to change?’ — that is, in terms of what is there at the moment.

The report talks about policies to improve links between the region and the central business district business services to give rural enterprises access to the full range of innovative networks; policies to hold and expand the pool of knowledge workers in the region; policies for intraregional generation of advanced business services to better support local exporters; and to provide a platform for the formation of new enterprises. That is based on the issue of people being

able to get to this region, to travel and commute to work in this region and to get home quickly and safely at the end of it. It is good to know that this report is also co-sponsored by the federal Department of Transport and Regional Services. Certainly it is fully supportive of the highway premise that we are progressing here today.

I want to make a couple of points going on from this. This project involves 45 kilometres of roads that will incorporate the Dandenong southern bypass, and it is an exceptionally monumental project. It has been a long time in the making from previous governments. If I listen to my local Liberal members of Parliament, they are an absolute bunch of gunnas. They were gunna do this and they were gunna do that. They were gunna build this road and that road, but they never did. The Bracks Labor government is the one building this major vital infrastructure.

**Dr Sykes** interjected.

**Ms BUCHANAN** — One road — a tiny, little road! And what did they do when they built that tollway? They closed off all the other ones. They certainly added to the congestion on this tiny, little road whereas with the Mitcham–Frankston project — or, as it is known now, EastLink, which I think is a good name — this government is not closing any arterial or feeder roads. We are going to upgrade and improve on those, and people will have absolute choice as to whether they use a road that is going to be tolled or continue on the existing infrastructure, which will be upgraded and enhanced. It is also pertinent to note that it is estimated there will be a 30 per cent reduction in the volume of traffic being used on those upgraded roads.

Either way, when it comes to relieving the congestion caused by the lack of infrastructure being put in by previous governments in the area, this goes a fair way to redressing that anomaly, and I certainly applaud it from that point of view. Through this 6500 jobs will be created.

**Ms Barker** interjected.

**Ms BUCHANAN** — It adds incredible economic benefits to this region. That is nothing to be laughed at and certainly nothing to be scoffed at, as the opposition has been doing. It is shameful that they have scoffed at and trivialised this aspect of a most important project. Around 6500 Victorians are going to get paid employment through this project, and that is nothing to scoff at.

There are benefits for the Mornington Peninsula around Western Port, the area that I currently serve. People in

that area are going to be absolute winners out of this process. They are going to have access to and choice of roads that will get them very clearly to a place that employs a lot of the people living around the Mornington Peninsula. Certainly they endorse the concept. I only have to quote the previous Mayor of the Mornington Peninsula Shire Council, Cr David Renouf. People may recall that Cr Renouf also stood for Liberal Party preselection for the upper house Province of Western Port, but unfortunately was unsuccessful. He said we need to get these infrastructure roads built. It is very interesting that one of the Liberal Party's own endorses this project. That is a very salient point.

While listening to this debate today not once have I heard anybody in the opposition talk about how they are going to pay to follow up on their leader's wacky promise of taking tolls off this road. Not once have they indicated, 'Okay, from my electorate we are going to subsidise this \$7 billion wacky project or wacky promise'. Not once have they talked about what they are going to do in terms of cutting vital services or infrastructure in their region. They have not mentioned that once. They are more than happy to take what some would see to be the philosophical high horse on this one, but when it comes to what they are going to do about it, they have the nimby process going very easily. They say, 'Not in my back yard will it happen'.

So again they will close schools and cut the number of nurses and teachers. They will go back to their tried, tested and true methods of trying to draw in from an economic rationalist approach what they are going to do. We have made tough and hard decisions on this tollway. If there were options to do it any other way, then perhaps we would have, but the reality is we have made the hard decision. We are going ahead with this project. I am proud to be part of a government that has the guts to get something done, as opposed to gunnas who never got anything done.

Going back to the benefits for the south-east, as the member for Mordialloc alluded to the region of the south-east and those hubs around Dandenong and the city of Kingston have the business output of Perth and Adelaide combined. That is a very salient point. For ages we have waited for this vital infrastructure to be part of it. It is good to see it happening.

It is interesting to note that not once did anybody in the opposition talk about the issue of the federal government's approach to tolling roads. It seems that it is okay to do it in New South Wales and other states where they are given a fair proportion of the share and things like that, but from this point of view it is not going to happen. In this respect it seems there is one

rule for Australia, except for Victoria. Like I said, it is a pity that the opposition is happy to see Victorian motorists being duded out of \$540 million of their fuel taxes because of these things.

**Mr Maughan** interjected.

**Ms BUCHANAN** — I wish you guys would often stick to yours!

*Honourable members interjecting.*

**The ACTING SPEAKER (Ms Lindell)** — Order! The member for Polwarth should stop interjecting in that manner.

**Ms BUCHANAN** — I will take up the interjection. Governments are there to govern for all the people. Where do the people go when governments close schools, sack nurses, sack teachers and things like that? That implied agreement to serve the population and serve all Victorians went out the window when the opposition was in power.

**An honourable member** interjected.

**Ms BUCHANAN** — Yes. And it became even more broke after the absolute social destruction you guys were involved in.

In conclusion, it has given me great pleasure to speak on this bill on behalf of the residents of the Hastings electorate. They are going to benefit substantially from being able to use this infrastructure. Again we go back to the issue that they will continue to have choice in terms of using this infrastructure. They can choose to use the existing roads, which will be upgraded, or the toll road. One thing this government is about is giving choices to people. That is one thing that the opposition knows nothing about.

**Mr MAUGHAN (Rodney)** — Right from the start I have supported tolls. I always have and I still do. I listened with a great deal of interest to the member for Hastings. As my colleague the member for Benalla has been interjecting all along, in one sentence let her justify the lie of why the government has reversed its commitment.

**Mr Nardella** — It's your contract.

**Mr MAUGHAN** — It has nothing to do with the contract. Prior to the last election this government promised that it was going to be a freeway. The Premier put his name to a letter that went around all the people in the eastern suburbs of Melbourne, which promised the road would be delivered on time, on budget and that

it would be a freeway. Why is it that when in power this government reverses that? They have cancelled the signed agreement, which was signed by the Minister for Transport and the commonwealth government. It is true: the commonwealth was prepared to pay \$540 million provided the Victorian government honoured its commitment to have a freeway.

That is what it is all about, and the member for Hastings and other members can talk all they like, but none of them have stood up and justified why this government has done a complete backflip and has broken its commitment to — —

**Mr Walsh** — A Bracksflip!

**Mr MAUGHAN** — A Bracksflip. That is a good word for it, as my colleague the member for Swan Hill points out. It is a Bracksflip.

**Dr Sykes** interjected.

**The ACTING SPEAKER (Ms Lindell)** — Order! The member for Rodney does not need the assistance of the member for Benalla to make his contribution.

**Mr MAUGHAN** — I very much appreciate his assistance, but I think I have enough to go on with. I point out, as I already have, that I support tolls. I note that when we were in government we were quite up front with what we were doing about tolls. For people to go on about tolling an existing road as if CityLink is the same as the former Tullamarine Freeway defies imagination. They are nothing like the same beast, nothing like the same road. People are very pleased to use that road and to pay for it.

Again, the Labor Party when in opposition wanted to have that a freeway. That would have meant that every man, woman and child in country Victoria who very rarely used that road would have been paying an average of something like \$600 for a road they would never use. Is that equity? Is that reasonable? I would argue that it is certainly not. I am more than happy to pay every time I drive on the road, and I would argue that commercial operators are again more than happy to pay for use of that road. That is a principle that I fully support, and it is a principle that applies all around the world. I have an interesting cutting in my office that I picked up from the *China Daily* some eight years ago. This was about a centralist controlled government that was advertising in the government-owned newspaper, the *China Daily*, for foreign-owned consortiums to build, own and operate tollways in China. This was the time when we were arguing about tolls on CityLink!

I was in China recently, together with the President and the Speaker, to celebrate the 25th anniversary of Victoria's sister-state relationship with Jiangsu Province, and I think in the brief time I was there I probably went on at least 20 tollways. Tollways are accepted in China, they are accepted around the world and yet when in opposition this government was vigorously opposed to tolls. I now agree that it has accepted the reality of the situation, and we do need tolls. We are not opposed to tolls; we have supported them all along. What we oppose is the hypocrisy of this government that says one thing and does another. Prior to the election it promised that there was going to be a freeway and then there was a complete backflip after that to say, 'Sorry folks, we have changed our minds'. Prior to the election the government knew it was going to introduce tolls. Its members lied; they deceived the people of Victoria. They got into government on a false promise to the people in the eastern suburbs, and they will live to pay the cost of that.

I welcome this project. It is a great project, I agree with that, and it will improve transport in the eastern suburbs. I support the notion of user pays. We in The Nationals certainly support the road, but we do not support the deliberate distortion and the lying to the electorate. The government stands condemned for its lies and for its deception. We welcome, as members of the government welcome, the creation of 6500 jobs. That is a good thing. We welcome better transport services, and we certainly welcome user pays. The Nationals will not oppose this legislation, but they are vigorously opposed to any deception of this government in conning the people of Victoria that they were going to get a freeway when they now find that they have a tollway instead, which is not what they were promised.

**Ms LINDELL** (Carrum) — It gives me great pleasure to stand in this place today to speak on the Mitcham-Frankston Project (Amendment) Bill. This bill will continue to facilitate the work undertaken by the Bracks government to build this road. Unlike the opposition, which has promised for years that this project may get off the ground, we are the ones actually delivering it. Where else in Australia can you travel 40 kilometres at a cost of \$4.43? On the largest piece of road infrastructure in Victoria, that's where.

This freeway will provide very friendly tolling regimes for casual users and permanent users. I must say I could not attend the turning of the sod yesterday, but from hearing what my parliamentary colleagues have said about Mr Finn campaigning on the back of a truck with Liberal corflutes, I thought it was quite ironic that someone had to come from Sunbury all the way over to

the eastern suburbs to protest. Obviously it is not such a big issue — only to those Liberals! I think most Victorians, including most people in the outer east, will be delighted when this piece of infrastructure is put in place. My husband works in the transport industry and can appreciate the money and the time savings that the large road companies will make by using this road. Currently they are jam-packed on Stud Road. Springvale Road and Stud Road create bottlenecks for their businesses, so this will certainly alleviate the turnaround times on deliveries and the costs for their vehicles.

Earlier this week I was quite amused to see that the federal transport minister, Mr Anderson, supported another toll road in New South Wales, but obviously not in Victoria. So we can see that the federal government is happy to fund toll roads interstate, but it broke the Scoresby memorandum of understanding when it unilaterally capped its 50 per cent commitment to \$445 million. Unlike the CityLink project, we are not closing feeder roads. Stud Road will not be closed off; people will have a choice. Under the CityLink project there was no choice. The former government closed all those roads and forced people to use CityLink. I was fortunate yesterday to get an overview of the project. There will be great bike paths and transport lanes which will be very effective in that corridor. It is aesthetically pleasing; the sound barriers will be lovely. There are pedestrian overpasses, 17 major interchanges and 86 bridges.

A key element of the bill is that, unlike CityLink, it allows an extra 14 days for people to pay their toll, which gives people 28 days to pay before infringements and penalties are imposed. I commend this bill to house and I look forward to the opening of this project in 2008.

**Mr DOYLE** (Leader of the Opposition) — I could say it is a pleasure to join this debate. First of all, let us make sure that we understand that this project is critical for Victoria. It is probably the most important piece of infrastructure — —

**Mr Nardella** interjected.

**Mr DOYLE** — I worry because whenever the member for Melton agrees with me I have to reconsider my position, but in this case I am happy to continue. It is a very important project. Let us not forget that during the last election campaign the Premier personally wrote to the million or so people who live in the Scoresby corridor, promising them that he would deliver Scoresby, on time, on budget and without tolls. That is what they were promised — 1 million people were

promised the delivery of the Scoresby freeway without tolls. Then on 14 April in 2003 the Premier suddenly had the revelation that he would have to impose tolls in what was probably the greatest piece of political duplicity that has been seen in this state for decades.

**An honourable member** interjected.

**Mr DOYLE** — If lying is good financial management, then you are welcome to it, but the people up and down that corridor will not forget that lie. The last Labor member who contributed to the debate said that only the Liberals are worried about this. I can assure that member that those words will come back to haunt her at the next election, including in the lead-up to it. This is the greatest political lie that has been told in Victoria for decades.

What is worse is that in the week before the federal election we released four documents which clearly demonstrated that the government had been considering tolling for many months before the last state election.

**An honourable member** interjected.

**Mr DOYLE** — I am sorry about the written word. They would not know on the back benches, because typically, like mushrooms, these were expenditure review committee documents. At cabinet level it was clearly demonstrated that the government was considering tolling months and months before the last state election, and the government has been caught out. For me the worst part in this whole process is that the government even denied that a single document was in existence.

The Ombudsman's report is yet to be tabled, but it will be, and it will demonstrate that there are political fingerprints all over the issue of the tolling of the Scoresby project and the way the public of Victoria were lied to. It is as simple as that. I put on the record my contempt for the letter which was written by the Secretary of the Department of Premier and Cabinet and dropped to the media last Friday and which purported to investigate why the department was not able to find any documents about tolling the Scoresby and then attempted to exonerate himself and his department, in contempt of the Ombudsman's office, and that is also a matter that the Ombudsman will be looking at. There are political — —

**Mr Stensholt** interjected.

**Mr DOYLE** — When public servants try to circumvent the Ombudsman's office and a proper investigation, it is not the opposition that has to worry about it. I can assure the member that the

Ombudsman's office will investigate that, and it has given me every assurance that it will do so. There are political fingerprints all over what has happened about Scoresby.

Let us look at a couple of things. I know the government is very keen to have our report on alternative methods of funding the Scoresby, and we will release it — —

**Mr Nardella** interjected.

**Mr DOYLE** — It is not PricewaterhouseCoopers, and it is not two and half pages of flimsy argument, I can tell you that! We will release the report, and if we have to do that in stages to demonstrate all this to the people of Victoria, we will. After all — and this is a remarkable argument — I am promising to deliver exactly what Labor promised last time. Labor members — newcomers to the house — were out there last time promising the people of Victoria that that is what they were going to deliver. All I am trying to do is help them deliver on their own promises. They should be with me on this, not against me — or are they all so spineless in the party room that they let the Treasurer and the Premier roll over the top of them. In that case they will need some outplacement counselling.

**Ms Eckstein** interjected.

**Mr DOYLE** — I was here long before you arrived, and I will be here long after you are gone!

*Honourable members interjecting.*

**Mr DOYLE** — I will not bother to learn your names, because I am not going to need them!

*Honourable members interjecting.*

**The ACTING SPEAKER (Ms Lindell)** — Order! The Leader of the Opposition should make remarks through the Chair and not across the chamber!

**Mr DOYLE** — Let us put a couple of things firmly on the record. It is not \$7 billion, and Labor Party members know that. We will be able — —

**Mr Merlino** — It is at least \$7 billion!

**Mr DOYLE** — I would be very careful for the moment, member for wherever, because you have believed your own propaganda. The people of Victoria will not believe a word you say — —

**Mr Nardella** interjected.

**The ACTING SPEAKER (Ms Lindell)** — Order!  
The member for Melton is now warned!

**Mr DOYLE** — I love it! Every time Labor members get up and mention the word ‘Scoresby’ they remind one million Victorians about how they lied to them, and one million Victorians will not forget. So every time Labor members mention the word ‘Scoresby’ all they do is remind Victorians that they are not to be trusted and that no-one should believe a word they say. It is as simple as that.

We will be able to deliver a toll-free Scoresby and infrastructure projects for country Victoria — and yes, the state can afford it. If the government were to read its own publications, surely the \$1.2 billion six-month surplus would indicate to it that the state can afford to deliver infrastructure as the Labor Party promised. I know it hoped that in the duplicity of announcing its stunning backflip on tolls on 14 April 2003 the public of Victoria would eventually forget. I know it hoped that it would die down. But it should have learnt by now that it has underestimated the anger throughout that corridor. It is not just the one million people affected in all of those seats — —

**An honourable member** interjected.

**Mr DOYLE** — Economic management? That’s terrific! Let us talk about the fast rail links, or Spencer Street station or budget overruns or land tax or stamp duty or all the ways in which this great state could be so much better — except that you mob happen to have the reins of power. Let us focus on the Scoresby project. What a remarkable thing happened yesterday. The government must think that the public of Victoria is stupid if it believes it could change the name and therefore change the game. The government is not going to fool the public! Quietly people up and down that corridor have already made up their minds about the government mob. They have already made up their minds about what they will do to Labor members at the next election, and those members will deserve it. This is the greatest political lie in Victoria’s political history. The government will pay a price for it, and it deserves to.

We believe the public of Victoria deserves a toll-free Scoresby. We think it is a critical project, and therefore we will be working to deliver exactly what the people up and down that corridor deserve, a toll-free — —

**An honourable member** interjected.

**Mr DOYLE** — It is just remarkable. Make some noise now, mate, because you are going to be looking for a job. I am not going to bother to learn your name or

seat either. I am not going to need it, because you are not going to be here, you and all your mates. It is — —

**Mr Stensholt** interjected.

**The ACTING SPEAKER (Ms Lindell)** — Order!  
The member for Burwood! Will the Leader of the Opposition refer his comments through the Chair and not just to ‘you’ across the table!

**Mr DOYLE** — The best part is that in their heart of hearts they all know it. So I say to Labor Party members, ‘Please keep on talking about the Scoresby. Please come in here every day and mention the Scoresby. Please have the Minister for Transport, who is such a respected public figure, say “Scoresby” as often as he can’. Every time the government mob use the words ‘Scoresby’ or ‘Mitcham-Frankston’ or ‘EastLink motorway’ they remind one million people about how they lied to them. At the next election we will be reminding people about what government members promised them, and we will be letting them know that it is only our party that can deliver to them what the government promised.

The shame is that this is a tremendously important project for Victoria and for the east and south-east of Melbourne, but it should be delivered exactly as was promised. It should be delivered without tolls, and it should be delivered on time and on budget. Can government members name one project that has been delivered on time and on budget? There is not one.

**Mr Nardella** — Come out to my electorate and look at the schools!

**Mr DOYLE** — I would be delighted to come out to the house of — —

**Mr Nardella** interjected.

**Mr DOYLE** — Perhaps I could find my way to Labor Party branch functions in that case, because I understand they need a *Melway* for that too, mate. But I would be delighted to come out at any stage at the invitation of the member for Melton.

We will continue to remind the people of Victoria about the lie that Labor told about the affordability of this project, and we will continue to promise the people of the Scoresby corridor exactly what they deserve — that is, a toll-free Scoresby. We will satisfy them with nothing less. Only the Liberal Party can deliver a toll-free Scoresby, as Labor promised.

**Mr NARDELLA** (Melton) — It was very interesting to see, Acting Speaker, that for 5 minutes of

his 10-minute contribution on this very important bill the Leader of the Opposition had only three members from the Liberal Party supporting him. He had the honourable member for Wantirna, the honourable member for Brighton and the honourable member for Polwarth, and it took — —

**Mr Wells** — The member for Scoresby!

**Mr NARDELLA** — Sorry, the member for Scoresby, not Wantirna, which is where he used to be. For 5 minutes nobody came in to support him. Nobody was here to support the Leader of the Opposition in his contribution on the Scoresby tollway and on the decision that we have made to create 6500 more jobs, to construct a roadway that is absolutely imperative for the economic development of the eastern suburbs and to make sure that the promises that the Liberals could never deliver were put in place. For 5 minutes he had three lonely, miserable members of the Liberal Party opposition to support him. There were proportionately more members from The Nationals — three — supporting the Leader of the Opposition than there were from within his own party.

Of course they do not support him. They are all on the phones, working out who is going to be the next Leader of the Opposition. The Mitcham–Frankston project is not going to be what propels the Liberal Party into government. The backflip that the honourable Leader of the Opposition has undertaken over this period of time means that he is going to put this state into debt in the vicinity of \$7 billion. The member talked about the report that he has summoned and is paying for in regard to taking the tolls off and renegotiating a contract for the motorway — that is, the secret report that he is not prepared to release. Why not? Because he knows this state would be bankrupted under his leadership. He understands about the schools, hospitals, teachers and nurses he would have to sack and the public transport he would have to cut back on. Those projects and essential services are needed by the people of Victoria, and his policy to rip \$7 billion out of our budget is just not sustainable.

That is why the Leader of the Opposition has not brought that document to this house, that is why there is no debate on his policy of ripping \$7 billion out of the state budget. Like his leadership it is unsustainable. It is very interesting that when the Leader of the Opposition was on his feet the first person who came in after 5 minutes was the honourable member for South-West Coast. He was the first one in because he had just got off the phone after doing his numbers. But that is all right; we will leave it there.

This bill is very important, because it puts in place the great things that we have had to put in place given our opposition to what the Liberals and The Nationals did with the Tullamarine Freeway. It is very interesting to have seen the ex-member for Tullamarine on the news last night. The big loser — for the information of Hansard, I am making a big ‘L’ on my forehead — Bernie Finn was there, with a Liberal Party sign on one side and a ‘No tolls’ sign on the other. Bernie Finn was a supporter and proponent of the Tullamarine tollway.

**Mr Walsh** — On a point of order, Acting Speaker, I realise that there has been a very wide-ranging debate on this bill, but I would ask that you bring the member for Melton back to addressing the bill.

**Mr Stensholt** — On the point of order, Acting Speaker, this has been a very wide-ranging debate, and the latitude which has been given to all other members, including the Leader of the Opposition, should be given to the member for Melton.

**The ACTING SPEAKER (Ms Lindell)** — Order! Yesterday I heard the first speaker from the opposition, the shadow Minister for Transport, and the parameters set in that contribution were extremely broad. I made a note to myself that if I had the misfortune to chair this debate, I would pay particular attention to the very broad nature of the first contribution. I do not uphold the point of order.

**Mr NARDELLA** — A number of questions have been asked by members of the Liberal opposition here today, including, ‘Why do we have to toll this particular road?’. The answer is quite simple. I know it is very difficult for them to understand this. I suppose you need to draw a cartoon and put in some figures, because that is the only way they can understand things. But there are a couple of very simple propositions to put.

The first is that there was a \$1 billion black hole left by the Kennett government in public transport, and we had to find the \$1 billion. We also had the federal government lying to the Victorian community when it said, ‘We do not want tolls on the Scoresby freeway’ — as it was then — ‘and we are prepared to pay fifty-fifty for that’. But then Anderson came out, press release in hand, and said, ‘We are capping it at \$445 million’. The project itself is \$2.5 billion. The Victorian economy and the budget could not afford that extra money. So we had that black hole and the cap of \$445 million.

Then we had the loser, Bernie Finn, out there holding up a placard. When I was a member for Melbourne North Province in the other place I opposed — and I

continue to oppose — the tolls on the Tullamarine freeway, but Bernie Finn supported them. The hypocrisy of Bernie Finn, who is desperately looking for an upper house seat in the Liberal Party to get back into Parliament, is just beyond words. I am surprised that Inga Peulich, who was a member of this house previously, was not there with him, because they are all going for upper house seats.

This bill is critical to economic development out in the east and for the 6500 jobs it is creating now. It is important to understand that, unlike the previous Liberal government, we are not closing down Stud Road or Springvale Road. It is going to be about choice. People out in the east, unlike my constituents out in Melbourne North, have a choice. They can continue to use the roads that they use presently, or they can use a brand new road that they choose to pay for — and under this legislation they have a range of payment methods without the penalties. I support the bill before the house.

**Mr Walsh** — On a point of order, Acting Speaker, I did not interrupt the member in his contribution, but I seek your guidance on how we refer to our federal parliamentary colleagues. The member was actually talking about the Deputy Prime Minister and Minister for Transport and Regional Services. He should not be referred to as ‘Anderson’. Federal members of Parliament deserve the same respect as we show members in this place and should be referred to by the correct title.

**The ACTING SPEAKER (Ms Lindell)** — Order! I will refer the point of order to the Speaker.

**Ms BARKER (Oakleigh)** — I am pleased to make a brief contribution to the Mitcham-Frankston Project (Amendment) Bill. Before starting my contribution on this project, I indicate that I was here when the Leader of the Opposition spoke, regrettably, and I recall that he implied that members on this side of this house ‘think people are stupid!’. I guarantee the Leader of the Opposition that no-one on this side of the house, none of my colleagues, consider any of the people who reside in their electorates stupid. We consider that the people we represent deserve an explanation. That is what my colleagues and I have been doing since we regret the decision that had to be made to toll this project.

I have spent a considerable amount of time — I have had some reaction but not a lot — explaining the reasons for the tolling of this project in my electorate. I have spent time with my constituents explaining why the decision had to be taken, why it is that as a

government we wish to remain financially responsible and why we wish to include other areas in this project which will benefit all Victorians. As I said, I have spent considerable time doing that and I will not accept a statement that any member on this side considers the Victorian electorate stupid. We do not.

This project has a number of very great features to it, including the actual roadway itself. On a number of occasions questions have been asked in this house during question time about aspects of the project and I have been disappointed that I have not been able to ask one of the questions. I have been disappointed that at times when the Treasurer or the Minister for Transport have been answering the question they have not mentioned what I call the centre of the universe, Oakleigh. There are a number of great parts to this project, including public transport and environmental improvements, bike paths and so on. It will be terrific.

I have the pleasure sitting beside the member for Brunswick, the Parliamentary Secretary for Infrastructure. For some time he has given this part of the project a name — and I am proud to uphold it — relating to the SmartBus service along Wellington Road which will go from Rowville to Caulfield station. When it was announced the member for Brunswick named it the Ann Barker SmartBus. I am pleased to accept the honour of the Ann Barker SmartBus. For some time we have been looking at transport links — —

**Dr Sykes** interjected.

**Ms BARKER** — I pick up on the interjection. I say to him that if he ever refers to me and branch stacking in the same sentence, I will personally take him to task on it.

*Honourable members interjecting.*

**Ms BARKER** — I will not accept any laughter. I am a decent, honest person and have been a member of the Labor Party for a long time. I do not branch stack. Keep your tongue in your mouth on that issue. I get very angry about it!

**The ACTING SPEAKER (Ms Lindell)** — Order! The member should ignore interjections.

**Ms BARKER** — I refer again to the Ann Barker SmartBus, which I am very proud of. For some time there has been a number of major projects and a number of major developers in that corridor plus the Monash University Clayton and Caulfield campuses. Monash University currently provides bus services between the Clayton and Caulfield campuses as a link for their students. They are doing a great job. There are

a number of reasons why it is necessary to provide a good public transport link between Rowville and Caulfield. We have Mirvac at Waverley Park and the Gandel group at Chadstone. We have not only the university but also Equiset, which is developing a great facility at the Caulfield campus of Monash University.

It was my pleasure to get together with those organisations and with the Monash and Caulfield campus councils and talk about how we may be able to provide a better transport link through that area. We have done a considerable amount of work on it, so when the project was put together tolling gave us an opportunity to provide better public transport for the area and a lot of other things that are connected to this project. The Wellington Road bus service will be a great service to the people not only of the Rowville area and those people travelling between the Monash University Clayton and Caulfield campuses, but it will come directly through the centre of the universe, Oakleigh.

I have been disappointed on occasions in this place when questions have been asked and they have talked about this wonderful SmartBus service between Rowville and Caulfield. I do not recall at any time that they said it will pass through Oakleigh. I want to place on the record my thanks to the Treasurer and the Minister for Transport for ensuring that the Ann Barker SmartBus service along Wellington Road is an important component of this extremely important project, which retains financial responsibility in the state of Victoria and provides a great infrastructure project providing investment and opportunities for the south-east.

**Mr STENSHOLT** (Burwood) — I am delighted to speak in support of this bill, which will provide a large number of provisions that ensure that EastLink will be built on time and will deliver to the eastern suburbs and south-eastern suburbs a marvellous project. I note Mr Ogden from the Royal Automobile Club of Victoria said yesterday that, ‘It is a red-letter day; it is a marvellous, marvellous project’.

I was amazed by the contribution of the Leader of the Opposition, who has been at sixes and sevens on this project. He says he supports tolls for CityLink, but then backflips when it comes to EastLink. He said he would honour the contract and then he suddenly changes his mind, probably because Peter Costello — Goldilocks Costello — told him to. He said he would renegotiate and rip up the contract. The Leader of the Opposition keeps changing his mind. He also said that the contract would never be signed. Well, it has been signed. Not only that, we had the turning of the sod yesterday for

EastLink. Now the Leader of the Opposition says that not only would the contract not be signed, but it needs to be renegotiated or ripped up! The man has no credibility and the Liberal Party has no credibility, particularly when it comes to financial management.

The Leader of the Opposition says it is not right for governments to renegotiate these contracts. He should make up his mind. He says there is no threat to sovereign risk. You want to hear what the business people say about that. They are very concerned about sovereign risk if contracts are repudiated and changed by state governments. We are talking about billion-dollar contracts. This is the largest road contract in Australia. You cannot walk away from the projects and rip them up. This is a great threat to business. People will not invest in Victoria and put our economic future at risk, not only in terms of the budget or fiscal arrangements, but the whole economic structure in Victoria, by ripping up contracts. It is not done and is not appropriate to do.

The Leader of the Opposition started his contribution by saying what a marvellous project it is. Not so long ago he called it a white elephant! He should make up his mind. Is it a white elephant, or is it a red-letter day and a great project for Victoria? The people of the eastern suburbs and the south-east know what it is — it is a great project for Victoria. EastLink is a great project for Victoria; it is not a white elephant. It will be something that will be welcomed by people. It will be built well and will create 6500 jobs and produce great dividends for Victoria.

The final point I make is for the Leader of the Opposition. He referred to the member for Monbulk — he did not even know where he came from. He does not want to remember his name, and he actually said that to me last time. He did not bother to remember my name. Indeed 60 per cent of the electorate of Monbulk did not even know his name. They did not even know who he was before the last election.

**An honourable member** — They still don’t.

**Mr STENSHOLT** — They probably still don’t! It is a matter of getting your facts right, knowing what is going on, not changing your mind, not talking about white elephants when it is a really great project. EastLink is a great project. It is going to deliver absolute prosperity for the eastern and south-eastern suburbs. I commend this bill to the house.

**Sitting suspended 1.00 p.m. until 2.02 p.m.**

**Business interrupted pursuant to standing orders.**

**QUESTIONS WITHOUT NOTICE**

**Land tax: increases**

**Mr CLARK** (Box Hill) — My question is to the Treasurer. I refer him to the reported statements by businessman Mr Lindsay Fox that he knows no-one in business who can lift their prices twentyfold in a short space of time and get away with it, yet some businesses and landlords are facing land tax increases of that order, and I ask: will the Treasurer now admit that he badly bungled his land tax changes last year, and will he now promise to put together and announce a land tax rescue package to undo some of the damage he has caused?

**Mr BRUMBY** (Treasurer) — I thank the member for Box Hill for his question and remind him that the tax reform package that was announced last year in relation to land tax was worth \$1 billion over five years. It was the biggest tax reform package in land tax we have seen in this state for decades. It dragged the top rate down from 5 per cent to 4 per cent, a reduction of 20 per cent in the marginal tax rate paid by high-paying land tax payers in Victoria, and under aggregation that is many — —

**Mr Honeywood** interjected.

**Mr BRUMBY** — They are at the top rate. It is instructive to ask — —

*Honourable members interjecting.*

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

**Mr BRUMBY** — It is instructive to ask what the top rate was under the Kennett government. The answer is that it was 5 per cent. The top rate under the Bracks government is 4 per cent, trending down to 3 per cent over the next three years. This was the biggest package of land tax reform in the state's history. We have lifted the threshold.

**The SPEAKER** — Order! The level of interjection is far too high. I ask members, particularly those on my left, to be quiet to allow the Treasurer to be heard. The member for Box Hill has asked the question and members have the right to be able to hear the answer.

**Mr BRUMBY** — We have lifted the threshold. When the Bracks government was elected to office the threshold was \$85 000; today it is \$175 000. We increased the middle scales by more than 5 per cent. This was a major reform package. I ask this question: if you own \$500 000 worth of property in Australia, in

which state do you pay the least land tax? The answer is Victoria — by a long, long way.

**Mr Doyle** interjected.

**Mr BRUMBY** — And they are not important? Those people are not important? For land tax on a property of \$500 000 in Tasmania you pay more than \$8000, in Queensland you pay more than \$5000, in Western Australia you pay more than \$1500, in New South Wales you pay more than \$2000, in South Australia you pay more than \$4000 and in Victoria you pay under \$1000 — and you are complaining about it!

*Honourable members interjecting.*

**The SPEAKER** — Order! The Treasurer, to continue.

**Mr BRUMBY** — Here we have capital improved value of \$1 million as an asset holder around Australia: in Tasmania you pay more than \$20 000, in Queensland you pay almost \$15 000, in Western Australia you pay \$10 000, in New South Wales you pay almost \$10 000, in South Australia you pay \$12 000, and in Victoria you pay \$6000 — again, the lowest state in Australia.

We have brought the top rate down; we have lifted the thresholds. At \$500 000 and \$1 million we pay the lowest amounts of land tax in Australia.

**Mr Doyle** interjected.

**The SPEAKER** — Order! Through the Chair!

**Mr BRUMBY** — Here we are in 2005, but we still have not seen an economic policy from the opposition. Where is it? Where is the opposition hiding it? Not a thing, not a policy!

We have had very strong economic growth. We have had very strong population growth. As the Premier and I have made clear, we are not unsympathetic to businesses in those middle brackets that are seeing a strong escalation in land values and because of the progressive tax system are moving through in exactly the same way as income tax. If you are at the bottom of the scale and your income doubles, your income tax bill goes up three or fourfold because it is a progressive system; so it is with land tax. We are addressing it by bringing the top rate down; we are addressing it by lifting the threshold. I am not going to pre-empt the budget. We bring the budget down in the first week in May. We always look at revenue issues, and we always look at expenditure.

**Population: growth**

**Mr LUPTON** (Pahran) — Can the Premier update the house on the latest Australian Bureau of Statistics data demonstrating that Victoria is a great place to raise a family and what — —

*Honourable members interjecting.*

**The SPEAKER** — Order!

**Mr LUPTON** — I am really happy to repeat this, because I am raising a family here too, and I like it. Can the Premier update the house on the latest Australian Bureau of Statistics data demonstrating that Victoria is a great place to raise a family and what challenges have to be addressed to maintain this momentum?

**Mr BRACKS** (Premier) — I thank the member for Pahran for his question. He, like all members on the government side, is committed to making sure we have the best possible place to bring up a family here in Victoria. Speaker, if you want any demonstration of that, just look at the Australian Bureau of Statistics population figures which were released yesterday and at the media reporting of that. For the first time in living memory we see that Melbourne has had the greatest population increase — 44 800 extra people came to Melbourne, compared to Brisbane, which had 39 700, or Sydney, 33 500 people. We had the biggest number of people coming to Melbourne in living memory. We have led the nation on people wanting to choose to live here in Victoria and Melbourne.

Outside Melbourne Victoria had an extra 61 400 people move into it. That was the second-largest increase of all Australian states and ahead of New South Wales, remembering that New South Wales of course has a larger population base. Yet New South Wales had under 50 000 people settle there compared to the 61 400 people who came to this state over the same period. So Victoria is a place that people want to come to; Melbourne is a place people want to come to.

Country and regional Victoria has had a thriving population increase, growing at the national average and reaching 1.4 million people in the recent population statistics. The figures showed that Melbourne's population in 2003–04 reached 3.6 million. As we know, Victoria has now reached an overall population of 5 million people.

The largest growth in the state occurred in the city of Casey. Not surprisingly, it has been the largest growth area for some time. We had some 8700 new residents or a 4.3 per cent growth — one of the fastest growing areas in the state. The second largest growth occurred in

Wyndham, with 8400 new residents or an 8.4 per cent growth. Of course, that is growing at a greater rate.

*Honourable members interjecting.*

**Mr BRACKS** — Name them? I can name the seat of Melton and note that in Melton we had an increase of 9.1 per cent. They are all coming to see the member for Melton; 5900 people came to the Melton area, which is the highest growth area, coming off a smaller population base than Wyndham or Casey.

In regional Victoria, Golden Plains recorded the fastest per capita population growth, with an increase of 3.6 per cent, or 570 people, and Geelong experienced its largest increase, up by 2800 people or 1.4 per cent.

The member for Pahran asked me if Victoria is a great place to bring up a family — don't just take it from the member for Pahran or the Premier: people are voting with their feet and coming in big numbers to our state. It is a great place to bring up a family, and we should sustain that momentum by doing the things we have been doing over the last five years. If you want to see success in the population policy that this government has had over the last five years, here is the outcome of that success — through our having the biggest population increase of any state in Australia.

We have a sound budget, which attracts people to our state, and we have a AAA credit rating. We have good services, with 25 new schools and 11 replacement schools built. That is a result of our work of managing the budget well over the last five years. We have 26 hospitals which have been upgraded, and we have 60 new police stations. This has all been part of attracting people. A strong economy, good livability and good services are what attract people to your state, and that is exactly what the policy of this government has been over the last five years.

We have also said that we welcome migrants from all over the world, and that has helped in attracting a larger share of migration to this state than our population share. Can I give you one example of that, Speaker? When we came to office this state received 19 per cent of skilled migration to Australia; we now have well over 25 per cent. That has been due to the work that our government has undertaken in attracting skilled migration, in putting up \$3 million for municipalities, to assist them in locating, settling and supporting migrants. People are coming here in droves, and that is going to help our economy and the demand in our economy as well.

You do not maintain this effort or attract further population increase by closing 300 schools; you do not do it by sacking 9000 teachers; you do not do it by sacking 2000 nurses; and you certainly do not do it by closing 12 hospitals. That is a policy which we have rejected and continue to reject. We are building up services. We know that the alternative policies which we have examined will drive people away from Victoria.

**Mr Honeywood** — On a point of order, Speaker, the Premier has been going for over 5 minutes and before he winds up further, could you wind him down?

**The SPEAKER** — Order! I uphold the point of order. I ask the Premier to conclude.

**Mr BRACKS** — Speaker, I will wind up. Victoria is a great place to live, and people are voting with their feet by coming here in big numbers. We do have a great place to live because we have good services, a good budget, a sound economy and strong livability, but you will not have a good place to live if you cut into those services. We have examined the alternative policies of those opposite, and we believe their policies will mean that people will be driven away from Victoria whilst they try to fund their \$7 billion black hole.

### **Teachers: registered sex offenders**

**Mr RYAN** (Leader of The Nationals) — My question is to the Premier. I refer to the Premier's comments on radio 3AW this week, when he mistakenly and offensively described Orbost teacher Andrew Phillips as a convicted child sex offender, and I ask: with the benefit of hindsight, does the Premier now accept that the legislation on this issue is flawed and there should be provision for appeals or a tribunal to consider exceptional circumstances?

**Mr BRACKS** (Premier) — I thank the Leader of The Nationals for his question. The question asks me whether I believe that the legislation we passed in this house with the support of all parties, including The Nationals, was flawed. The answer is no. Our government believes there should be no discretion when it comes to sexual offences against children. In this case the person pleaded guilty, and therefore that was a matter which was taken into account in the legislation. I clarified that matter later, and I will clarify it to the house.

I make no apologies and our government makes no apologies for having no discretion when it comes to child-sex offences. In relation to people who are teaching in our classrooms, and I have said it many

times, teachers have a special duty of care and are acting in the place of parents — in loco parentis — and therefore acting in place of the family. If we had discretion in this matter, you would see that many cases would be publicly debated about whether teachers should be teaching in classrooms, given their past from police records. I do not think that is a suitable way to conduct an education system. We want the highest possible standard, and I believe we will have it as part of the reforms and changes that we have undertaken.

### **Manufacturing: government initiatives**

**Mr LANGUILLER** (Derrimut) — My question is to the Minister for Manufacturing and Export. Given the Bracks government's recent success in facilitating manufacturing and industry investment in Victoria, can the minister outline how this success generates jobs and helps make Victoria a great place to raise a family and what needs to be done to ensure that this continues?

**Mr HAERMEYER** (Minister for Manufacturing and Export) — I thank the member for Derrimut for his question. It needs to be acknowledged that the member for Derrimut's electorate covers a very large slice of the all-important manufacturing industry here in Victoria.

In response to his question, Victoria is a great place to be for families. Melbourne, our capital, is constantly awarded the title of the world's most livable city, and Victoria is very arguably the world's most livable state. Some of the key attributing factors in that include our great lifestyle, which is underpinned by good schools, good hospitals and safe streets and also by satisfying, rewarding and well-paid jobs.

Manufacturing is the greatest provider of full-time jobs in this state, and Victoria is the manufacturing heartland of Australia. Manufacturing is the heartbeat that underpins and drives our economy more than anything else. Recent Australian Bureau of Statistics (ABS) statistics show that Victoria continues to lead Australia in manufacturing job growth. As of February — —

**Mr Plowman** — On a point of order, Speaker, I believe the minister was reading from a document, and I ask you to ask him to table that document.

**The SPEAKER** — Order! Was the minister reading from a document or using notes?

**Mr HAERMEYER** — I am reading from handwritten scrawl!

**The SPEAKER** — Order! The minister is reading from his notes.

**Dr Napthine** interjected.

**The SPEAKER** — Order! That was a totally unnecessary interjection by the member for South-West Coast. I ask him to be quiet.

**Mr HAERMEYER** — ABS statistics for February show that Victoria has 339 400 people employed in manufacturing. That is up 10 700 from the same period last year. Manufacturing job growth in Victoria is at 3 per cent and is streets ahead of any other jurisdiction in Australia. This is a great set of numbers for Victoria.

Local and international investment in Victoria is also booming. Victoria is seen as a stable, business-friendly and manufacturing-friendly state that has a great infrastructure and skills base and is a reliable supplier of product.

**Mr Perton** interjected.

**The SPEAKER** — Order! The member for Doncaster will cease interjecting in that manner!

**Mr HAERMEYER** — It is increasingly being regarded as a regional centre of excellence across the manufacturing industry, particularly in the automotive sector, the aerospace sector and the defence industries. We are developing a great future in elaborately transformed manufactures.

Our state is also leading the way in exports. We have great export-facilitation initiatives in this state, such as the Opening Doors to Export plan, and even small manufacturers are gaining significant benefit from that.

At the airshow last week I met with Gippsland Aeronautics, a small company run by George and Marguerite Furlong in Traralgon in the electorate of the member for Morwell. At the moment they are exporting 16 aircraft to the United States Air Force Civil Air Patrol, which is a great coup for them: they beat international companies like Beech and Cessna to get that contract. Within the current year they expect their plane manufacture to reach somewhere in the vicinity of 100, of which nearly half is to be exported. That is a great performance by a small company in Victoria.

There are lots of similar examples. In the electorate of Ballarat West, Ceramet Technologies has invested \$13.5 million and created 90 jobs. In the electorate of Murray Valley the green tea manufacturer, Ito En Australia, has invested \$3 million and created 25 jobs. Kozma Industries in Broadmeadows has invested \$2.5 million in a new manufacturing plant and created 15 jobs. In the South-West Coast electorate the

Midfield Group in Warrnambool has invested \$3.5 million and created 50 jobs.

I could go on with a great long list. Just last week at the airshow Hawker de Havilland and the Treasurer announced an investment of \$175 million to design and build wing components for the Boeing 787 Dreamliner, which will create something like 200 jobs and hundreds more in the supply chain for this state.

In relation to Toyota, the Premier just recently opened the new Asia-Pacific technical centre in Clayton — a \$47 million facility housing up to 120 specialist engineers in Australia's most advanced automotive design engineering facility. I can understand why the opposition thinks this is all very funny. It takes manufacturing very seriously!

I looked up the web site of the opposition spokesman on manufacturing and exports today. This is what I found under 'Output' — one media statement and four blank pages.

**Ms Beattie** interjected.

**The SPEAKER** — Order! The member for Yuroke will cease interjecting in that silly manner.

**Mr Honeywood** — On a point of order, Speaker, the minister has now been reading for over 5 minutes, and he is now drawing attention to alternative party policies. I ask you to bring him back to order.

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for Carrum! The minister has been speaking for a considerable period of time, and I ask him to conclude his answer.

**Mr HAERMEYER** — Let me say that while I was looking for an alternative policy, I did not find one. All I found was a skimpy little press release.

I have been talking to manufacturers and I have been talking to the business community generally. They are very worried about the prospect of a government tearing up a \$7 billion contract, and the message that would send to their overseas parents and to overseas investors.

**The SPEAKER** — Order! I ask the minister to conclude. He has now been speaking for over 7 minutes.

**Mr Plowman** — On a point of order, Speaker, I again refer to your ruling yesterday, when you said that

a minister must relate his answer to the government business program or to government administration. I suggest the minister is not abiding by the ruling you made yesterday.

**The SPEAKER** — Order! I ask the minister to conclude and, in concluding, very quickly refer only to government business.

**Mr HAERMEYER** — I am concluding. I must say that I am referring to government business and the concerns that have been expressed by manufacturers and business generally about the black clouds that may appear on the horizon. They are very concerned about creating a \$7 billion black hole which affects our capability to support infrastructure, to support manufacturing and to support export development in this state. They are also concerned about anything that affects the livability of our state.

### **Rail: Mildura service**

**Dr NAPHTHINE** (South-West Coast) — My question without notice is to the Premier. I refer to the government promise in 2001 to convert the Mildura rail line to standard gauge and to the Premier's commitment, repeated yesterday, to return passenger rail services to Mildura. Given that Victorian passenger rail services operate on broad gauge, how are the Mildura passenger rail services going to be delivered on the promised standard gauge to Mildura?

**Mr BRACKS** (Premier) — I thank the member for South-West Coast for his question. As I mentioned yesterday, we will deliver a return of the passenger rail line to Mildura. We will be making some further announcements on this matter. As the Minister for Transport has mentioned on many occasions in this house, we are also working with the federal government on other issues, including standardisation. That is part of the proposals which will come forward.

However, I can say that we are the only party which is committed to bringing back the passenger rail line. We should not forget that the member for South-West Coast was part of a government which closed this very line. He should get up here and apologise for closing the line.

*Honourable members interjecting.*

**Dr Napthine** — On a point of order, Speaker — —

*Honourable members interjecting.*

**The SPEAKER** — Order! I ask government members to show some courtesy to the member for South-West Coast.

**Dr Napthine** — I am very sorry the Premier is unable — —

**The SPEAKER** — Order! What is the member's point of order?

**Dr Napthine** — My point of order is that the Premier has been debating the issue rather than answering the question. How is the Premier going to deliver passenger rail services on a standard gauge line?

*Honourable members interjecting.*

**The SPEAKER** — Order! I know what the question was. The Premier, to answer the question without the extreme rudeness from my left. In relation to the point of order raised by the member for South-West Coast, the Premier is required to address his comments to the question.

**Mr BRACKS** — In summary, the question related to the reintroduction of the passenger rail line in Mildura. We are committed to returning it.

**Dr Napthine** interjected.

**The SPEAKER** — Order! The member for South-West Coast!

**Mr BRACKS** — It is very hard to talk about returning a passenger rail line without remembering that it has to be returned for a reason. What is the reason that it is being returned? It was closed by the previous government. The previous government, which the member for South-West Coast was a member of and a cabinet minister in, took the decision to close this rail line, which we will reopen.

### **Employment: skilled migrants**

**Ms NEVILLE** (Bellarine) — My question is to the Minister for Employment and Youth Affairs. Can the minister outline how the government's successful skilled migration program continues to contribute to Victoria's economic and social progress, which helps make Victoria the place to raise a family?

**Ms ALLAN** (Minister for Employment and Youth Affairs) — I thank the member for Bellarine for her question. As we heard from the Premier earlier today, the Bracks government is working very hard to help make Victoria, and particularly regional Victoria, a great place to raise a family by investing in and building strong, vibrant regions right across the state.

We are doing this by boosting our efforts at increasing the population, addressing skill shortages and attracting more skilled migrants, with a particular focus on regional Victoria.

Our strategy is working. We heard the Premier mention earlier that when we came to office Victoria was attracting around 18.7 per cent of Australia's skilled migrants. We are now at 27 per cent. That is an outstanding achievement, and we want to build on that. We have invested an additional \$6 million in our skilled migration strategy to build on that achievement and help make Victoria the lead state in attracting skilled migrants. Under our strategy we have revamped the Living Victoria web site, which is a key tool in attracting potential migrants. I am pleased to report to the house the outstanding success of this web site. Last month over 36 000 visitors came to this site, which is an increase from 5000 visitors in the month before the new site was launched. This would be an outstanding success in any campaign strategy, and it is a direct result of our efforts to target potential migrants.

The Premier also mentioned earlier our efforts to assist regions in helping them to settle and retain migrants in their local communities. It is our way of saying to those regional communities around the state that we will help them, that we will back their efforts to attract more migrants to their regions. In the past few weeks I have had the opportunity to launch the first 2 of these 11 strategies — in Ballarat, with the members for Ballarat West and Ballarat East, and in Warragul last week, with the member for Narracan. This strategy has been welcomed by regional Victoria. The mayor of Ballarat, David Vendy, spoke in support of our strategy. He was quoted in the Ballarat *Courier* as saying:

Ballarat today, like many regional cities in Australia, is faced with ... an ageing population and not enough young people with the skills we need to carry our city into the future ... We also need to increase our very low levels of ethnic diversity to make Ballarat more attractive in the global economy and marketplace.

Victoria is also achieving great success in the direct sponsorship of skilled migrants. When we came to office the Victorian government was sponsoring only 120 skilled migrants. In the last financial year we sponsored over 1000 skilled migrants to Victoria, and we are building on this. The new skilled independent regional visa category came in on 1 July last year, and in just eight months we have endorsed over 480 applicants across a range of professions with skills in demand.

Victoria's efforts in leading the way on attracting migrants are being recognised not just by potential

migrants but also by the international press. This month the popular UK *Daily Mirror*, with a circulation of over 2 million, featured Victoria's efforts to attract more migrants to our state. In an article titled 'Victory for key skills' the *Daily Mirror* reported:

If you've always wanted to start a new life down under but have been put off by the complexities and expense of emigration, then now could be the time to think again.

The state of Victoria, with its vibrant capital, Melbourne, with its easy access to beaches, snowfields, rivers and vineyards, is targeting Brits for the skilled migration program.

It is through this hugely successful international marketing campaign to attract skilled migrants to our state that we are creating strong regional economies and vibrant communities and making Victoria a great place to raise a family.

### Speed cameras: Overseas Projects Corporation of Victoria

**Mr MULDER** (Polwarth) — My question is to the Minister for State and Regional Development. Will the minister advise the house whether the Overseas Projects Corporation of Victoria has been successful in its attempts to sell Victoria's faulty speed camera system to Botswana?

**Mr BRUMBY** (Minister for State and Regional Development) — We are creating a new position — Agent-General to Botswana — and we are looking for applicants. You would be good.

**Mr Mulder** interjected.

**The SPEAKER** — Order! I can understand the member for Polwarth's enthusiasm for the subject, but as he has now asked his question perhaps he could be quiet and allow the minister to answer.

**Mr BRUMBY** — I am sad to say the member for Polwarth just failed the job interview.

**Mr Mulder** interjected.

**The SPEAKER** — Order! I think that will do! The Minister for State and Regional Development, with no assistance from the member for Polwarth.

**Mr Mulder** interjected.

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

**Mr Perton** interjected.

**The SPEAKER** — Order! And the member for Doncaster!

**Mr BRUMBY** — He is applying for the job as deputy leader, I understand.

**The SPEAKER** — Order! I think we will return to the question now.

**Mr BRUMBY** — The Overseas Projects Corporation of Victoria has been wound up, and the company was liquidated in the last financial year. The government of Victoria no longer owns OPCV, so I suggest the honourable member make inquiries to the new owners.

### Planning: Melbourne 2030

**Mr STENSHOLT** (Burwood) — My question is to the Minister for Planning. Can the minister advise the house how the government's approach to planning in metropolitan Melbourne is helping to make Victoria the place to raise a family and whether the government has considered the impact of alternative policies on this goal?

**Mr HULLS** (Minister for Planning) — I thank the honourable member for his question. It is true that the Bracks government has a comprehensive plan to guarantee Victoria remains a great place to raise a family. This plan reflects what Victorians have been telling us about what they value in relation to Melbourne. It gives Victorians much greater choice about where and how they live. It provides for population growth, and it provides for job growth, especially in activity centres closer to where people live. It will certainly continue to attract —

**Mr Perton** interjected.

**Mr HULLS** — We will get onto that. It will certainly continue to attract investment into this state. The plan also makes very efficient use of infrastructure we already have in place. Programs such as transit cities and structure planning for activity centres will ensure that the best use is made of infrastructure in our urban areas. We know this smart growth delivers better communities and is a much more responsible way to manage infrastructure. The plan will ensure that Melbourne does not continue to sprawl outwards, consuming places like the Yarra Valley, the Mornington Peninsula and the Dandenong Ranges in its wake. It will see our shopping centres transformed into genuine activity centres, places where people work, live, shop, socialise and enjoy culture. It will see more jobs located in these centres. It will give people more

housing choice. It will protect existing suburbs from inappropriate development.

Some, including the opposition, say that Melbourne 2030 is flawed. Of course they have failed to come forward with any policies or ideas for how this growth is going to be managed. People like Bob Birrell and Professor O'Connor, along with the opposition, seem to believe urban sprawl is Melbourne's ordained future. These people actually believe Melbourne is still made up of nuclear families living behind white picket fences, driving FJ Holdens and hanging the clothes on the Hills hoist. This is fantasy land stuff. Do they still believe in the Easter bunny? Sunday is Easter Sunday! We all know the cost of urban sprawl to the community is absolutely immense. We do not want to see our suburbs march outwards towards Gippsland, trashing our parkland and open spaces. The fact is that we have a plan, an excellent plan for the future.

*Honourable members interjecting.*

**The SPEAKER** — Order! The level of interjection is far too high. I ask members to be quiet. The minister, to continue.

**Mr HULLS** — We have an excellent plan for the future. The only plan I can find that the opposition has is to replace the grand-daddies at the next election with the grand-duddies like Stephen Elder and Bernie Finn.

### Water: government policy

**Mr RYAN** (Leader of The Nationals) — My question is to the Premier. Has the government ruled out building more dams in Victoria?

**Mr BRACKS** (Premier) — I thank the Leader of The Nationals for his question. I note that behind that question is the recently released Nationals policy, which would see some new dams built in Victoria. That is their policy. Our policy is set out clearly for everyone to see in *Our Water Our Future* — our plan for water sustainability in the future. Our plan is about investing in water infrastructure, recycling, re-use and conservation of water and making sure that we can have a vibrant primary industry sector with more secure water flows in the future and better irrigation systems. Our plan is about the sustainability of our river system to make sure we can also apply some water to the sustainability of our rivers as well. Our plan is all about social responsibility as well as environmental and economic responsibility. If you want an example of what our plan is, just look at the Wimmera–Mallee pipeline and you will see it writ large.

**Mr Ryan** — On a point of order, Speaker, the Premier is debating the question. It simply seeks a yes or no answer — more dams or not?

**Mr Batchelor** — On the point of order, Speaker, the Leader of The Nationals is abusing the points-of-order procedure where he simply uses it as a vehicle to restate the question. Speaker, you should not entertain hearing points of order of that fashion. The Premier is entitled to give facts. He was doing that, and unless the Premier is protected it will turn question time into a farce.

**Mr Plowman** — On the point of order, Speaker, the Premier was clearly debating the question. It was not a matter of repeating the question but of making it clear that the Premier was not answering the question.

**The SPEAKER** — Order! The Leader of The Nationals is entitled to raise a point of order any time he wishes during the conduct of question time, as long as it is within the guidelines laid down by the standing orders. At the same time the Premier is able to answer the question in any way he wishes, as long as it also fits in with the guidelines. As I understand it, the Premier was referring to the work the government has done on the Wimmera–Mallee pipeline — it does not go through Essendon! — so I ask him to continue.

**Mr BRACKS** — The Wimmera–Mallee pipeline, as I mentioned, is a good example of our government and the commitments we have which, we are pleased to say, are also supported by the federal government in a cooperative effort to invest in securing our water system and our channels by stopping evaporation and seepage. We can then use that water to give a secure water right to irrigators so that they have much more security in the future; we can put surplus water into streams, which will ensure that we attract population and economic growth back to that area. There is the example.

Our policy is there for everyone to see. We have consistently said we do not see new large dams as an answer to Melbourne's water problems. We are clear on that. All you are doing by that policy is taking water from some farmers and giving it to others, which is not a good policy for the future. We need to invest in water. We need to conserve water; we need to look at recycling and reuse projects. That is our policy as it is set out in *Our Water Our Future*. I am glad in a sense that we have an alternative policy. It is not a workable one, it is a very short-term one. If you want to look at long-term water sustainability, the government's policy is the best in the nation.

### Population: rural and regional Victoria

**Mr HARDMAN** (Seymour) — My question is to the Minister for State and Regional Development. Can the minister outline to the house the most recent information that demonstrates the government's success in making regional Victoria the place to raise a family?

**Mr BRUMBY** (Minister for State and Regional Development) — I thank the member for his question. Regional Victoria is booming, and families are blooming in regional Victoria!

I am delighted to advise the house that the recent Australian Bureau of Statistics data on annual population growth for regional Victoria was 1.2 per cent. This is a fantastic figure, the best figure for provincial Victoria in 15 years. You have to go back to 1990, but I think it is instructive in this chamber to go back just 10 years to 1995. Under the Bracks government for 2003–04, the latest figure available is 1.2 per cent; under the Kennett government in 1995, the toenails era, it was 0.1 per cent!

**An honourable member** interjected.

**Mr BRUMBY** — Why would that be? It might have had something to do with the government of the day! It might have had something to do with 12 closed hospitals, 200 closed schools, closed railway lines, Mildura gone, cutbacks to aged care — —

**Mr Thwaites** — Thanks for the question, though!

**Mr BRUMBY** — Good interjection! The fact is that in 1995 there was a growth of 0.1 per cent. People in country Victoria were really fleeing what was an economic train wreck in provincial Victoria.

*Honourable members interjecting.*

**Mr BRUMBY** — Needless to say, across provincial Victoria there have been some fantastic success stories. On page 1 of today's Ballarat *Courier*, under the headline '87 000 make city home', there is reference to a 1.5 per cent increase in Ballarat's population. That is just fantastic!

Here is another great story as well — not that there is any competition between Bendigo and Ballarat! Page 1 of the *Bendigo Advertiser* carries the headline 'City nears 100 000 population' — it had a population growth of 1.8 per cent. Today's *Herald Sun* says 'City enjoying boom' — and the Premier mentioned this before — and referred to Melbourne having 44 800 residents.

I am sure the honourable member for Benambra would be interested in a *Border Mail* article about Wodonga, headed 'Lifestyle: jobs help city thrive'. The growth in Wodonga — get this! — was 3.2 per cent; in Mildura, 1.3 per cent; in Warrnambool, 1.3 per cent, and in Horsham, 1.2 per cent. These are great figures.

I am delighted to announce to the house today that Regional Development Victoria, with nine months of the year gone, has exceeded its target for investment facilitation in regional Victoria. The target for the whole year was \$600 million. That target has now been achieved more than three months ahead of schedule. One of the reasons that people are flocking to live in provincial Victoria is because, as we heard from the Minister for Manufacturing and Export before, there are jobs and opportunities now under the Bracks government.

I am also delighted to advise, as the State Revenue Office advised me as of yesterday, that in regional Victoria, 6561 people have received the \$5000 first home bonus grant that was introduced last year by the Bracks government. It is proving to be a stunning success. These are great results for provincial Victoria; they are fantastic in terms of making Victoria a great place to raise a family. It is driven by strong industries, strong job opportunities, investment in health, investment in education, a great environment and fantastic national parks — these are the things that are drawing in people to provincial Victoria. So in the space of a decade we have gone from toenails to a stampede. It is a great story for provincial Victoria.

## MITCHAM-FRANKSTON PROJECT (AMENDMENT) BILL

*Second reading*

### Debate resumed.

**Mr BATCHELOR** (Minister for Transport) — Summing up, I would like to thank all the members who have contributed to this debate through last night and again today. It is an issue that is of great importance to this Parliament and the people of this state. The bill sets out to facilitate the work of the Bracks government in delivering EastLink, the largest urban road project in Australia. The bill gives effect to a number of features of the project, agreed in the concession deed between the Bracks government and ConnectEast and which was signed on 14 October 2004.

This amending bill makes the EastLink project even better than was originally envisaged, because these are additional elements that were not contained in the original legislation that came before the house, because of the success of this government in negotiating additional items during that contractual phase. I would just like to refer to those. It is interesting to note that many of these elements are advantageous to either the communities through which EastLink will travel or the members of the community who will use it. Those who choose to use it will be able to take advantage of it.

The disappointing aspect of the debate, particularly from the comments and contributions made by members of the opposition, is that they chose to talk about other things rather than the substance. It is disappointing that they chose to reject or ignore the really positive elements such as the tolling regime. When we originally sought to have in place a tolling regime it was envisaged that there would only be one opportunity to answer an invoice if you accidentally or unintentionally used the tollway, but because of the negotiating stand we were able to achieve a two-invoice system before the matter was taken any further. This is in stark contrast to the original arrangements in the CityLink project, which was the first tolling regime introduced into Victoria by the previous government.

As I said, this bill includes a revision of the tolling arrangements in light of the tolling products proposed during those negotiations and the products ending up in the concession deed. The act currently provides that casual users of the toll road who have not made prior arrangements to use the road will receive an invoice in the first instance. Enforcement will only follow if the invoice is not paid within 14 days. If this bill is passed, and I am hopeful that it will be supported and passed by all parties here, the proposed amendments to the act will provide a fairer system of tolling by allowing for two invoices to be issued to a person prior to any enforcement action proceeding.

A modest toll administration fee of \$4 will be charged with each invoice, as well as the one-off VicRoads look-up fee. What we are trying to do is make it easier and cheaper for people to use this piece of infrastructure. In stark contrast to the previous government, we are not rushing to enforcement as a first step; rather we have a procedure of providing invoices. This amendment is a significant improvement, because it will provide not just one invoice but two.

In certain circumstances the cost of the administrative fee may of course be higher than the cost of the actual toll itself, but one obvious reason for that is that this government has struck a bargain — an arrangement —

on this project to deliver the lowest commercial tolls of any toll project anywhere in Australia. Not only have we been able to deliver that, we have also been able to ensure that there will be real and meaningful advantages for those people who live in the area and those people who use the facility. It is a much fairer system than the onerous system introduced by the previous Liberal government for the CityLink project. Members will recall that under the CityLink legislation occasional users of CityLink had to make a payment by midnight; otherwise they would face a \$100 fine. On coming to government we were able to ameliorate the harsh elements of that, but they were not as successful as those that we have been able to achieve with this set of contractual arrangements for the EastLink project.

The VicRoads look-up fee, which I mentioned earlier, is a one-off fee that is based purely on recovering the costs associated with ConnectEast's requesting a driver's name and address from the VicRoads database. Obviously this information is needed to make the invoice system work effectively, and the costs will be outlined in the invoices sent to EastLink customers.

The bill provides for the Dandenong southern bypass. It extends the definition of the project to include the construction of the southern bypass. It will be a huge boost for the City of Greater Dandenong. It will stimulate jobs and boost economic development in the region, and it will promote the development of Dandenong as a transit city in its own right. By including the construction of the Dandenong southern bypass as part of the EastLink project the Bracks government has secured a significant and strategic benefit for the community at no cost to those people who will use the bypass, because it will be toll free.

The bill also provides for the enforcement of non-performance by ConnectEast. This is the first time that a toll company in Australia will be required to meet performance standards. The concession deed sets out a number of key performance indicators, which the state will use to assess the performance of ConnectEast in operating EastLink. If ConnectEast fails to perform according to these indicators, the bill allows the state to enforce contractual penalties against it. So in essence, if it does not do what it has contractually set out to do, this bill — if it is supported by the parties in this house — will enable the state to ensure that ConnectEast lives up to those contractual obligations. We are committed to ensuring that ConnectEast provides the best possible service to its users — the people of the east and south-east of Melbourne — and this bill provides a framework to achieve that commitment.

The bill also provides a land tax exemption for ConnectEast, which is not being charged land tax on the land it is using to build EastLink. That charge was not levied under the Kennett government's CityLink project. Not charging land tax means that we have been able to keep the toll as low as possible for those people who choose to use the road. If the charge were levied, as people in the opposition have suggested, then ConnectEast would merely seek to pass it on by way of higher tolls, and I cannot understand why the Liberal Party in this state is putting forward public arguments for higher tolls.

I also want to comment on the AusLink funding. It is interesting to note that while we are getting on with the job of building this important infrastructure, the opposition is continuing its veto on funds coming into the state for other road projects. The federal government is withholding \$540 million at the behest of the state opposition leader, and in doing so the state opposition is preventing other important road projects from going ahead. They include projects such as the Calder Highway upgrade, which could be brought forward and delivered earlier; the Deer Park bypass; and the Goulburn Valley Highway. There is a list of projects that could be brought forward, and we think the opposition is acting against the best interests of the people of Victoria.

It is interesting that in the very week in which we are debating this bill, the federal Leader of The Nationals, the Deputy Prime Minister, is suggesting how his government might support toll roads in New South Wales. So while it is prepared to put millions of dollars into toll roads in New South Wales, it is not prepared to help out with either the EastLink project or a whole raft of other important road projects that I have listed — or any other road or rail project of the federal government's choosing, as long as it is provided for in Victoria. It is our \$540 million. It is money that has come from Victorian motorists, and the federal Treasurer has got his grubby hands on it and is trying to steal it from the people of Victoria. We want that money to come here, and we want the federal government to apply the same sort of criteria that it is apparently happy to apply in New South Wales but is not happy to apply here in Victoria.

We want the Victorian Leader of the Opposition to stop preventing this money from coming to Victoria. We want him to stop encouraging the theft of Victorian motorists' money by the federal Treasurer and to support this government's campaign to have that \$540 million provided for road or rail projects of the federal government's choosing or by mutual agreement — either way in support of projects here in

Victoria. It is not a hard ask, it is a small ask. All we ask of the Leader of the Opposition is that he be a Victorian first rather than a member of the Liberal Party first and that he put the interests of the state ahead of the political interests of the Liberal Party, but apparently he is not prepared to do that.

It is with great pleasure that this week — the very week that the Premier commenced the construction of the EastLink project — we are actually providing amendments to legislation that will deliver a far better set of contractual arrangements, a far better tolling regime and a far better scope of the project that will benefit Victorians for many years to come. It is in stark contrast with what was happening out on the construction site where the Liberal Party held a meeting to protest against this important project going ahead — —

**Ms Beattie** — Who was there?

**Mr BATCHELOR** — They were out there under the scripted instructions of that loser, Bernie Finn, who came all the way from Sunbury to be the cheerleader. As a former member of this house and a member of the former government he was responsible for putting tolls on an existing road — the Tullamarine Freeway. He was responsible for that, and the people of the eastern suburbs ought not to forget that. All the talk out there amongst members of the Liberal Party holding up Liberal Party signs was that it is Bernie Finn who is seeking through an abuse of the internal preselection process within the Liberal Party to unseat the member for Scoresby. The member for Scoresby was not present at the commencement of the project either to support or oppose it, but his opponent Bernie Finn was. We want the people of the east to remember that Bernie Finn was the man who put the tolls on the Tulla.

#### House divided on motion:

*Ayes, 69*

Allan, Ms	Languiller, Mr
Andrews, Mr	Leighton, Mr
Barker, Ms	Lim, Mr
Batchelor, Mr	Lindell, Ms
Beard, Ms	Lobato, Ms
Beattie, Ms	Lockwood, Mr
Bracks, Mr	Loney, Mr
Brumby, Mr	Lupton, Mr
Buchanan, Ms	McTaggart, Ms
Cameron, Mr	Marshall, Ms
Campbell, Ms	Maughan, Mr
Carli, Mr	Maxfield, Mr
Crutchfield, Mr	Merlino, Mr
D'Ambrosio, Ms	Mildenhall, Mr
Delahunty, Mr	Morand, Ms
Delahunty, Ms	Munt, Ms
Duncan, Ms	Nardella, Mr
Eckstein, Ms	Neville, Ms

Garbutt, Ms	Overington, Ms
Gillett, Ms	Pandazopoulos, Mr
Green, Ms	Perera, Mr
Haermeyer, Mr	Pike, Ms
Hardman, Mr	Powell, Mrs
Harkness, Mr	Robinson, Mr
Helper, Mr	Ryan, Mr
Herbert, Mr	Savage, Mr
Holding, Mr	Seitz, Mr
Howard, Mr	Stensholt, Mr
Hudson, Mr	Sykes, Dr
Hulls, Mr	Thwaites, Mr
Ingram, Mr	Treize, Mr
Jasper, Mr	Walsh, Mr
Jenkins, Mr	Wilson, Mr
Kosky, Ms	Wynne, Mr
Langdon, Mr	

*Noes, 17*

Asher, Ms	Mulder, Mr
Baillieu, Mr	Naphine, Dr
Clark, Mr	Perton, Mr
Cooper, Mr	Plowman, Mr
Dixon, Mr	Shardey, Mrs
Doyle, Mr	Smith, Mr
Honeywood, Mr	Thompson, Mr
Kotsiras, Mr	Wells, Mr
McIntosh, Mr	

#### Motion agreed to.

**Read second time; by leave, proceeded to third reading.**

*Third reading*

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

That this bill be now read a third time.

#### House divided on question:

*Ayes, 69*

Allan, Ms	Languiller, Mr
Andrews, Mr	Leighton, Mr
Barker, Ms	Lim, Mr
Batchelor, Mr	Lindell, Ms
Beard, Ms	Lobato, Ms
Beattie, Ms	Lockwood, Mr
Bracks, Mr	Loney, Mr
Brumby, Mr	Lupton, Mr
Buchanan, Ms	McTaggart, Ms
Cameron, Mr	Marshall, Ms
Campbell, Ms	Maughan, Mr
Carli, Mr	Maxfield, Mr
Crutchfield, Mr	Merlino, Mr
D'Ambrosio, Ms	Mildenhall, Mr
Delahunty, Mr	Morand, Ms
Delahunty, Ms	Munt, Ms
Duncan, Ms	Nardella, Mr
Eckstein, Ms	Neville, Ms
Garbutt, Ms	Overington, Ms
Gillett, Ms	Pandazopoulos, Mr
Green, Ms	Perera, Mr
Haermeyer, Mr	Pike, Ms

Hardman, Mr  
Harkness, Mr  
Helper, Mr  
Herbert, Mr  
Holding, Mr  
Howard, Mr  
Hudson, Mr  
Hulls, Mr  
Ingram, Mr  
Jasper, Mr  
Jenkins, Mr  
Kosky, Ms  
Langdon, Mr

Powell, Mrs  
Robinson, Mr  
Ryan, Mr  
Savage, Mr  
Seitz, Mr  
Stensholt, Mr  
Sykes, Dr  
Thwaites, Mr  
Trezise, Mr  
Walsh, Mr  
Wilson, Mr  
Wynne, Mr

*Noes, 17*

Asher, Ms  
Baillieu, Mr  
Clark, Mr  
Cooper, Mr  
Dixon, Mr  
Doyle, Mr  
Honeywood, Mr  
Kotsiras, Mr  
McIntosh, Mr

Mulder, Mr  
Naphine, Dr  
Perton, Mr  
Plowman, Mr  
Shardey, Mrs  
Smith, Mr  
Thompson, Mr  
Wells, Mr

**Question agreed to.**

**Read third time.**

*Remaining stages*

**Passed remaining stages.**

**Remaining business postponed on motion of Mr BATCHELOR (Minister for Transport).**

**ADJOURNMENT**

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

That the house do now adjourn.

**Yarra Trams: Kew community festival**

**Mr McINTOSH (Kew)** — I raise a matter for the attention of the Minister for Transport relating to a payment made by Yarra Trams following the Kew community festival held around the long weekend in early March. That payment was occasioned by virtue of a delay caused by a community parade on the streets in High Street and Cotham Road in my electorate. It was presumed that the payment was around \$10 000 but I have not been able to ascertain the accuracy of that.

The action I seek is to have the minister inquire into the matter and determine whether a payment was made by Yarra Trams to the government as a result of the delays occasioned by the community parade during the festival. If it was paid, I raise the possibility of it either being returned to Yarra Trams or alternatively to the

community, who conducted a very successful community festival.

The Kew festival has been running for 30-odd years and commences on the Saturday of the long weekend with a series of community events, culminating in a community parade which literally thousands of primary school students from around my electorate attend, along with church and other community groups. It was attended by the local mayor and four councillors. Many of the local members of Parliament were able to attend. We did not participate in the parade but were there cheering people on. The parade lasts for approximately 1 hour and blocks High Street and Cotham Road.

Yarra Trams has been a significant supporter of the community festival for a number of years. It is a principal sponsor, and the centrepiece of the start of the parade is Yarra Trams running a tram down High Street, then up Cotham Road to Victoria Park, where the parade finishes and the family fun day continues.

It would be very disappointing if the parade put on by the local community, supported by a number of sponsors including Yarra Trams and involving thousands of people — most of whom are primary school children dressed up in various costumes — had an outcome in which Yarra Trams pays a penalty to the government occasioned by the Kew community coming together for its annual festival. Accordingly I ask for the money to be repaid.

**Kingston: traffic study**

**Ms MUNT (Mordialloc)** — I raise a matter for the Minister for Transport and I ask him to help alleviate traffic congestion in the city of Kingston. We need the construction of a relatively short stretch of road that would provide the missing link in the area's road system.

Traffic moving east to west in the Kingston area has insufficient productivity. The arterial road network is discontinuous, forcing traffic to have to travel north or south along Warrigal Road when trying to travel east to west. I understand that the Kingston traffic study, which has had extensive public consultation and consultation with Kingston council and other local councils in the area, has identified this lack of east-west connectivity as the area's major problem.

I ask the Minister for Transport to give serious consideration to the construction of an extension of South Road from Warrigal Road to Old Dandenong Road. I first recall hearing of the proposals for the South Road extension when I was a child growing up in

Highbett many years ago. Many promises have been made to our community over the years, but I believe it is time to actually act and make it happen for our community.

The South Road extension, coupled with some minor improvements south from Old Dandenong Road to Boundary Road, would provide a direct connection for east-west traffic from Boundary Road to South Road. The South Road extension will provide for local east-west movements through the area, and the new EastLink will take region-wide traffic out of the area altogether, providing much-needed traffic relief in the Kingston and Mordialloc electorates.

I ask the minister to continue the good work the Bracks government is doing in providing transport infrastructure where it is needed and to consider the provision of the South Road extension.

### **Parks Victoria: Crown land licences**

**Mr DELAHUNTY** (Lowan) — I raise a matter for the attention of the Minister for Environment. The issue relates to two land-holders in my electorate who have been pressured by Parks Victoria to resume their Crown land licence.

The action I seek from the minister is that he arrange for an urgent review by an independent third party person of these decisions by Parks Victoria with a view to continuing with the current licensing regime.

I will give the house some background to these issues affecting these two land-holders. Firstly, I have visited the farm of Mr Grant and Mrs Kerry Hausler of Goroke, and looked at the concerns raised by the Hauslers. I am a supporter of their desire to protect their young family. The Hauslers are young farmers who want to protect their family from fires. Mr Hausler is concerned that a similar situation to the Balmoral fires may occur, putting him, his family and property at risk. It is difficult enough to keep young farming families in the region without added pressure from government departments.

In a letter to the Hauslers from Mr Brett Cheatley, regional manager west, Parks Victoria, dated 22 April 2003, an undertaking was given that:

No trees will be planted any closer to your home, or to Wades and Hauslers Road, than the existing forest vegetation within the bushland reserve.

A *Weekly Times* article outlined the concerns of the Hauslers. It says that Mr Hausler:

... feels betrayed by a Parks Victoria decision to evict him from a grazing lease his family has held for 50 years.

Mr and Mrs Hausler are very active in the community. They coordinate the Goroke and community Landcare group that has planted over 3000 trees on their property and have kept 30 hectares of bushland in pristine condition on their farm.

I also refer to Mr Rob and Mrs Jillian Sinclair of Tabor, who have contacted me regarding their grazing rights over 27 hectares of Crown land, with a creek frontage that runs through their property. The Sinclairs have also been informed by Parks Victoria that their grazing licence will be revoked. Parks Victoria has written to Mr and Mrs Sinclair, stating:

Trees will be planted on areas where it proves impractical to re-establish wetland values.

The Sinclairs have informed me that tree planting is inappropriate in the area in question and that the Department of Sustainability and Environment and Parks Victoria are keeping the pressure on these people. I ask the question: where is the good neighbour and where is the partnership with rural and regional Victorians?

Farmers and land-holders have been very much at the forefront in Landcare arrangements and Tidy Towns, and particularly when fires happen — the Balmoral fires being a particular example — there is an enormous effort by farmers, service clubs and Country Fire Authority volunteers. I again ask the minister to take action in seeking to arrange an urgent review by an independent third party about the decision of Parks Victoria, so that these farming families, these young people, can get on with their lives and work with the community on Landcare.

### **Craigieburn: health services**

**Ms BEATTIE** (Yuroke) — I wish to raise a matter for the urgent attention of the Minister for Health. My concern is the lack of health services in Craigieburn. Although the Dianella Community Health Centre does a fantastic job under the chief executive officer, Mark Sullivan, more health services are needed in the area. Many patients who need services like renal dialysis, physiotherapy, speech therapy, hand therapy, pathology and radiology have to travel many kilometres to avail themselves of those services. Demand for services like these is growing almost daily. The growth is just enormous. Earlier today the Premier mentioned the fast-growing areas of the city: Wyndham, Casey and Melton. Craigieburn is within the urban growth boundaries and a phenomenal amount of growth is

going on in that area. Young families are moving there to establish their first home, taking advantage of the first home buyers grant offered by the state government.

I am aware that the Bracks government has purchased land — indeed I announced the site — for a super-clinic in Craigieburn. I ask the minister, because of the lack of services, to secure the funding so construction of that super-clinic can go ahead and those much-needed services can become available in the area as soon as possible. The Minister for Health has proven time and again that she cares about the health of all Victorians. I ask her to secure the funding for the super-clinic so that Craigieburn, which I know is high on the minister's agenda, receives all those much-needed services.

### **Trams: Clarendon Street, South Melbourne, traders**

**Mr MULDER** (Polwarth) — The issue I raise is for the Minister for Small Business. On 5 January this year the Minister for Transport urged motorists to 'think tram' as work began on a claimed three-month trial to remove parking and install hook turns in Clarendon Street, South Melbourne. I recently visited Clarendon Street and talked with traders whose takings have in some cases dropped by 20 to 30 per cent. These are devastated, hardworking, honest small business operators. The Minister for Environment's electorate office is in Clarendon Street, but he has done nothing to rescue these small businesses from a drop in takings that is not the fault of these business owners.

The changes to the tram stops are huge. Three car parks have been removed at the relocated stops. The hook turns are creating a danger for motorists, and cars routinely queue up across intersections when trams are picking up and setting down passengers at the relocated stops. Almost three months have now passed, and I want to call upon the Minister for Small Business to 'think traders' as many businesses in South Melbourne have been hard hit by these changes and the roads are less safe. I call upon the Minister for Small Business to join me and walk along Clarendon Street and meet every one of these traders. Perhaps the Minister for Environment could also join him.

When these changes were introduced the Minister for Transport said that at the end of March an assessment would be done to determine the effectiveness of the treatments and that successful treatments would be installed permanently. Then in the *Herald Sun* of 17 March the Minister for Transport said the trial would

remain in place until the end of April. Is it March or April?

I ask the Minister for Small Business to visit Clarendon Street and the Minister for Transport to inform the house what assessment will be undertaken. It is quite obvious that these small businesses that I visited are the types of everyday business you see in every street, and particularly in strip shopping centres. These operators run on very small margins and rely on high turnover. Such a change to traffic within Clarendon Street is having a devastating effect on their business. I call on the Minister for Small Business to take action on this matter.

### **Maribyrnong: aquatic centre**

**Mr MILDENHALL** (Footscray) — I raise a matter for the attention of the Minister for Sport and Recreation in another place. I ask him to conduct an education program for some misguided objectors, particularly the member for Hawthorn, in regard to their opposition to the closure of the Footscray pool. The member for Hawthorn and his misguided friends oppose the closure of the Footscray pool and its replacement by the new state-of-the-art Maribyrnong aquatic centre.

We all know the member for Hawthorn can swim and is renowned in that area, but he needs to spend more time out of the water and in the offices of these pools to understand how they ought to be planned, managed and located. He wants to keep the old pool open despite its lack of structural soundness and the fact that it loses over \$1.2 million per annum. It is the worst performing municipal pool in Australia and is losing patrons in droves. It would also need a 20 per cent increase in municipal rates to bring forward the alternative plan that has been put forward by the objectors.

The member for Hawthorn also supports the Greens party in its assertions that the Maribyrnong aquatic centre is in the wrong place and is not a suitable replacement, despite the fact that an independent panel found it was in an accessible location, was value for money and in particular was accessible via an 11-minute tram ride from the centre of Footscray. It also acknowledged that there is no space left in the centre of Footscray to build a facility of this type.

The Bracks government is stimulating a pool-building bonanza in this precinct of Melbourne. There is over \$50 million worth of publicly accessible pools either built or with committed funding. There are major refurbishments scheduled at Ascot Vale, Sunshine and Altona, a new pool at Maribyrnong, and new pools

recently opened at Victoria University and Kensington. This area will be known and renowned for its aquatic opportunities. It ill behoves the member for Hawthorn and his misguided supporters to assert that there is a lack of opportunities.

This is a significant education challenge that I am asking the minister to assist with, because despite my assurances the member for Hawthorn does not seem to understand — but I am sure that with a bit of effort he will get there.

### **South West Institute of TAFE: funding**

**Dr NAPHTHINE** (South-West Coast) — The issue I wish to raise is for the Minister for Education and Training. I seek the minister's action in ensuring that the South West Institute of TAFE receives capital funding for stage 3 of its redevelopment and that it receives that funding in the upcoming 2005–06 financial year. Capital funding for TAFE works comes from the federal government through the Australian National Training Authority — or at least it will until 1 July this year, when those circumstances will change. Although the money comes from the federal government, it is the state minister and the state government that largely decide on local state priorities. Therefore I call on the minister to give priority to stage 3 of the South West TAFE redevelopment of the Warrnambool campus.

South West TAFE opened on 4 July 1984. At that time there were only 40 staff and 2500 students. As of 2005 there are over 10 000 full and part-time students at South West TAFE. There are over 500 full and part-time staff, and it operates on three very good campuses at Warrnambool, Portland and Hamilton. During the term of the previous Kennett government the campuses at Hamilton and Portland were significantly upgraded. Following the change of government the plans for stages 1 and 2 of the redevelopment of the Warrnambool campus were continued by the current government, and I appreciate that. Indeed on 3 March this year Gary Hardgrave, the federal Minister for Vocational and Technical Education, opened combined stages 1 and 2 of the Warrnambool campus redevelopment. The campus is now sitting ready for stage 3.

Stage 3 will cost approximately \$14.5 million and will involve the replacement of the institute's main administration building, building B. When completed it will enable the arts department to be relocated to the Timor Street campus. This will complete the redevelopment of the Warrnambool campus and, with the upgrading that has already taken place of the

Portland and Hamilton campuses, will ensure South West TAFE is well placed into the next decade and beyond. Given the need for an increased emphasis on and effort in skills training, apprenticeship training and the development of appropriately trained people to meet the growing needs of the economy of south-west Victoria, investment in the capital upgrade of South West TAFE Warrnambool campus is absolutely vital.

Therefore I urge the Minister for Education and Training, when she allocates the federal funding within Victoria — and I reiterate that it is federal money that funds these capital developments and the state minister who decides how it is allocated — to give priority to stage 3 of the redevelopment of the Warrnambool campus of South West TAFE. It is much needed and will be put to good use.

### **Libraries: Emerald**

**Ms LOBATO** (Gembrook) — I raise an issue for the Minister for Local Government in another place. The action I seek is for the minister to support the current application made by the Cardinia Shire Council to the Living Libraries fund.

Before I discuss this issue further, I would like to take the opportunity to wish my little baby a happy birthday: Ashleigh Jade turns three today!

For many years the Emerald community has been without adequate library facilities in particular and many facilities in general. It does not currently have a library, and there has been a very strong push from the very active community to update, upgrade and implement new facilities within the township of Emerald. They have been using a mobile library for quite a few years, and the number of loans for the whole shire amounted to 161 000. The number of loans just for Emerald amounted to almost 96 000 in 2003–04. This demonstrates the overwhelming need by the community for library facilities.

I have been in regular contact with the Emerald library action group for the last two years. Peter Weatherhead, John King, Dawn Wilson and Mike Shaw, among others, are to be congratulated for their dedication and persistence in ensuring that Emerald has adequate facilities. Along with all other residents of Emerald, this group has been cheated out of its fair share for too long.

The population of Emerald is around 7000, with approximately 20 000 residents within the whole catchment of the hills area. I am sure that they would make very good use of the library up there. In August the Friends of Emerald Library presented me with a

petition signed by more than 3000 people calling for their own library. When I was preparing a letter of support I was going through a file and found some press clippings on when the group presented me with a petition. It was interesting that the ward councillor was there for the photo opportunity, and yet he commented to the journalist that perhaps I should stay away from local government issues. I find that strange, because I am calling for facilities for the Emerald community.

**Ms Morand** interjected.

**Ms LOBATO** — Yes, it is disgraceful. I acknowledge the demand and need of Emerald residents and ask the minister to support the application.

### **Honeysuckle Creek Reservoir: decommissioning**

**Mr PLOWMAN** (Benambra) — The matter I wish to raise is for the attention of the Minister for Water. What I request of the minister is that he review the decision by Goulburn Valley Water to decommission the Honeysuckle Creek Reservoir at Violet Town. It is being decommissioned due to safety worries with the weir, as it does not meet the criteria for surviving a 1 in 500 000-year event, but it is to be replaced with two systems, one of which can only survive a 1 in 100-year event and the other of which can only survive a 1 in 20-year event.

Professor David Smith, who holds the chair of biomedical and environmental engineering in Melbourne University's department of civil and environmental engineering, submitted a report that states 'that the knowledge base for the actions proposed by Goulburn Valley Water ... is inadequate'. Professor Smith listed various reasons for keeping the facility, including the opportunity for water policy studies with the nearby Dookie campus, involving catchment hydrology, potential usage of lower grade water, garden design and water management, and flora and fauna. Fears have been raised by locals about the lack of other suitable supplies of water for firefighting purposes, as the reservoir is ideally located for helicopter use in times of fires in the Strathbogie Ranges — and in times of fire every minute of turnaround time is vital.

There is also a colony of platypuses in the current discharge pool. This habitat would be greatly disturbed by the proposed work. There is also 23 000 cubic metres of silt contained behind the wall, and there seems to be a material residual risk under the plan for replacement that this silt — contaminated with various metals including barium, cobalt, chromium, iron,

manganese, titanium, copper, zinc, aluminium and lead — could be mobilised and would end up on farming land to the west of Violet Town. This is taken from the report by Earth Tech, which was commissioned by Goulburn Valley Water.

The cost of decommissioning is estimated at over \$500 000. Many people believe this money could be far better spent by leaving the wall in place but enlarging and strengthening the spillway. This would leave a safer environment and maintain a body of water for firefighting purposes. This worthwhile option appears not to have been investigated by either Goulburn Valley Water or the Department of Sustainability and Environment. There was strong community opposition to this reservoir being decommissioned. I ask the minister to review this decision and call in this determination.

### **Crime: burglary prevention**

**Mr SEITZ** (Keilor) — I raise a matter for the Minister for Police and Emergency Services. Crime rates are at an historic low. However, the incidence of burglary is likely to rise over the holiday periods, particularly over Easter and the coming school holidays. The action I seek is that the minister provide detailed information on strategies that Victorians can employ to reduce the risk of home intrusion. Statewide, the overall incidence of burglaries has fallen by 15.9 per cent, with the incidence of residential burglaries falling by 10.2 per cent.

The number of residential burglaries has fallen by 3.9 per cent within the Brimbank local government area and by 11.3 per cent within the Melton local government area. Crime rates are down, but I am concerned about house burglaries, and with Easter coming on I ask the minister to advise Victorians what they can do to prevent break-ins and how householders can take small steps to prevent burglaries. Most people somewhere along the line experience intrusions into their homes. I, for one, have had two burglaries happen in my house, although I have got an alarm system. It is an eerie feeling when you discover that the privacy of your home has been invaded and things have been stolen. It is not just the goods that are taken but the feeling that is left behind of having had your home invaded. I would ask the minister to outline some precautions that Victorians can take over the Easter holiday period.

### **Responses**

**Mr HOLDING** (Minister for Police and Emergency Services) — I thank the member for Keilor for raising

this matter. He raises a very important issue — that is, the steps that Victorians can take over the Easter break, and indeed over other holiday periods, to protect their homes from the incidence of burglary. As he rightly points out, Victoria's crime statistics over recent years have shown very impressive and encouraging reductions. The crime rate — that is, the number of offences per 100 000 people — has decreased significantly in Victoria in the last five years. In the last three years the figure has gone down by 17 per cent, and Victoria now has the lowest crime rate of any state or territory — a rate that is almost 23 per cent below the national average.

Victoria's crime rate is now at a lower level than it was in 1993–94, and for that no small measure of credit is due to the current Minister for Manufacturing and Export, who did a tremendous job in his period as Minister for Police and Emergency Services.

The actions we are encouraging Victorians to take through the campaign that Crime Prevention Victoria will be running over the Easter break include locking up their homes while they are away, taking measures to make sure they have somebody — a friend or a neighbour — collect their mail, junk mail and other things, making sure they properly secure and lock their homes before they leave, perhaps leaving a light on to give some pretence that people are at home, securing vehicles, particularly if they are going to be left unattended for a period of time — —

**Mr Plowman** interjected.

**Mr HOLDING** — And leaving the radio on, as the member for Benambra reminds me. Also when they are leaving their holiday homes — if they are fortunate enough to have a holiday home — at the end of their holiday period they should properly secure them and store any valuable items away from obvious public view. This is the message we will be sending out to Victorians over the Easter period. Crime Prevention Victoria will be playing an important part in helping us get that message across to Victorians, and we hope that all Victorians have a safe and happy Easter.

**Mr HAERMEYER** (Minister for Manufacturing and Export) — The member for Polwarth raised a matter for my attention relating to issues of concern to Clarendon Street traders — —

**Mr Delahunty** — On a point of order, Speaker, it is not even 4 o'clock. Why are ministers not in here to respond to adjournment matters?

**The SPEAKER** — Order! The member for Lowan knows as well as I do that that is not a point of order. The minister, to continue.

**Mr HAERMEYER** — I am here to respond to adjournment matters, Speaker, but I might also point out that many of the opposition members who raised items on the adjournment are not in the house at the moment either.

**Mr Plowman** — On a point of order, Speaker, might I point out to the minister that very few members of the government benches are here either.

**The SPEAKER** — Order! That is not a point of order.

**Mr Plowman** — The minister is totally out of order in making that comment.

**The SPEAKER** — Order! The member for Benambra is totally out of order in keeping on speaking when I have asked him to desist. That was not a point of order. The minister, to continue.

**Mr HAERMEYER** — Speaker, people in glass houses should not throw stones — —

**Mr Plowman** — Will you retract that statement, seeing as it — —

**Mr HAERMEYER** — No. It was absolutely accurate — —

**Mr Plowman** interjected.

**The SPEAKER** — Order! The member for Benambra! The minister, to continue.

**Mr HAERMEYER** — The member for Polwarth raised a matter for me in my capacity as the Minister for Small Business relating to the Clarendon Street traders and some traffic and parking issues there. While they affect small business, the minister who has responsibility for dealing with those particular issues is the Minister for Transport.

**Mr Mulder** interjected.

**The SPEAKER** — Order! The member for Polwarth has had his turn. I ask him to be quiet.

**Mr HAERMEYER** — Maybe in conjunction with local government. I am happy to raise these matters with the Minister for Transport and talk to him about the nature of the issues.

**Mr Mulder** interjected.

**Mr HAERMEYER** — Look, I have walked down Clarendon Street a damn sight more than you have, I can tell you.

**Mr Mulder** interjected.

**The SPEAKER** — Order! The member for Polwarth should be quiet.

**Mr HAERMEYER** — I will raise those issues and discuss them with the Minister for Transport to see what the best means are by which to address the member's concerns.

The member for Kew raised a matter for the Minister for Transport.

The member for Mordialloc also raised a matter for the Minister for Transport.

The member for Lowan raised a matter for the Minister for Environment.

The member for Yuroke raised a matter for the Minister for Health.

The member for Footscray raised a matter for the Minister for Sport and Recreation in the other place.

The member for South-West Coast raised a matter for the attention of the Minister for Education and Training.

The member to Gembrook raised a matter for the attention of the Minister for Local Government in the other place.

The member for Benambra raised a matter for the attention of the Minister for Water.

The matter raised by the member for Keilor has already been dealt with by the Minister for Police and Emergency Services.

All those other matters I will draw to the attention of the relevant ministers, who will respond in due course.

**The SPEAKER** — Order! The house is now adjourned.

**House adjourned 3.47 p.m. until Tuesday, 19 April.**

**QUESTIONS ON NOTICE**

*Answers to the following questions on notice were circulated on the date shown.  
 Questions have been incorporated from the notice paper of the Legislative Assembly.  
 Answers have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.  
 The portfolio of the minister answering the question on notice starts each heading.*

**Tuesday, 22 March 2005**

**Police and emergency services: United Firefighters Union agreement**

4. **Mr WELLS** to ask the Minister for Police and Emergency Services with reference to the agreement signed with the Country Fire Authority (CFA) and the Metropolitan Fire [and] Emergency Services Board (MFESB) —
- (1) What is the total additional financial impact of the agreement on the budget of each of the CFA and the MFESB, in dollar and percentage terms, for the financial years 2002–2003 to 2005–2006 inclusive.
  - (2) What is the direct additional budgetary contribution of the State Government, in dollar and percentage terms, towards such increased expenditures in each of the financial years 2002–2003 to 2005–2006 inclusive.

**ANSWER:**

I am advised as follows:

(1) & (2)

The Governor-in-Council (GIC) approved budgets for the CFA and MFESB, as well as the budget impact of the Enterprise Bargaining Agreements (EBAs) and the Government’s relative contribution to the EBAs are summarised in the table below.

Note that there has been no budgets approved for the 2005–2006 financial year.

	2002/03		2003/04		2004/05	
	CFA	MFESB	CFA	MFESB	CFA	MFESB
<b>GIC approved budget \$m</b>	156.1	159.5	179.7	195.3	191.7	216.9
<b>Total EBA:</b>						
– \$m	5.04	13.51	9.36	26.08	13.43	37.76
– Relative to GIC budget	3.2%	8.5%	5.2%	13.4%	7.0%	17.4%
<b>Total Government share of EBA</b>						
– \$m	1.13	1.69	2.11	3.26	3.02	4.72
– Relative to total EBA	22.5%	12.5%	22.5%	12.5%	22.5%	12.5%
– Relative to GIC budget	0.7%	1.1%	1.2%	1.7%	1.6%	2.2%

**Police and emergency services: State Emergency Service vehicle fleet**

5. Mr WELLS to ask the Minister for Police and Emergency Services how many operational vehicles were deployed across Victoria as at 30 June 2000, 31 December 2000, 30 June 2001, 31 December 2001, 30 June 2002 and 31 December 2002.

**ANSWER:**

I am advised as follows:

The numbers of Victoria State Emergency Service operational vehicles deployed across Victoria were as follows:

Date	Total Vehicles
30 June 2000	Data Unknown*
31 December 2000	Data Unknown*
30 June 2001	Data Unknown*
31 December 2001	Data Unknown*
30 June 2002	401
31 December 2002	411

\* Until recently, records for vehicles used by the VICSES were held on various forms and reports. This information is not on the newly established VICSES assets database and to collate the data for 30 June 2000 to 31 December 2001 would be a burden on resources for the VICSES.

**Police and emergency services: Country Fire Authority vehicle fleet**

8. Mr WELLS to ask the Minister for Police and Emergency Services, as at 30 June 2000, 31 December 2000, 30 June 2001, 31 December 2001, 30 June 2002 and 31 December 2002 —

- (1) How many operational vehicles were deployed across Victoria.
- (2) How many tankers were deployed across Victoria.
- (3) What was the average age (years of service) of the tankers deployed.
- (4) How many pumpers were deployed across Victoria.
- (5) What was the average age (years of service) of pumpers deployed.

**ANSWER:**

I am advised as follows:

CFA Vehicle Fleet	30/06/00	31/12/00	30/06/01	31/12/01	30/06/02	31/12/02
Total number of deployments of operational vehicles	37,906	36,905	48,858	37,413	44,285	44,018
Total number of deployments of tankers	18,252	15,320	25,943	15,209	22,585	19,615
Average age of tankers deployed (yrs) [* see note]	*	*	*	*	*	*

Total number of deployments of pumpers	15,088	15,531	17,344	16,204	16,708	17,220
Average age of pumpers deployed (yrs) [* see note]	*	*	*	*	*	*

Note

\* CFA advises that *average age* 'snapshot' figures cannot be recalculated for the specific dates requested, as the CFA computer software used to generate these figures only provides the *current* figure on the day that the query is made.

**Police and emergency services: State Emergency Service volunteers**

10. Mr WELLS to ask the Minister for Police and Emergency Services how many active volunteers were there as at 31 December 2000, 31 December 2001 and 31 December 2002.

**ANSWER:**

I am advised as follows:

The numbers of Victoria State Emergency Service active volunteers are as follows:

Date	Total classified as 'Active'
31 December 2000	3,388
31 December 2001	3,385
31 December 2002	3,096

**Finance: Shannon's Way Pty Ltd**

410(ai). Ms ASHER to ask the Treasurer for the Minister for Finance — with reference to Shannon's Way Pty Ltd —

- (1) Since 20 October 1999, how many jobs awarded to the company were exempted from the Victorian Government Purchasing Board.
- (2) On what grounds were exemptions given.
- (3) Was a certificate of exemption issued.
- (4) Who signed the documents granting exemption.

**ANSWER:**

I am informed that:

Since 20 October 1999 the Department of Treasury and Finance has awarded no jobs to the firm Shannon's Way Pty Ltd. which were exempt from the Victorian Government Purchasing Board.

**Police and emergency services: Bureau of Emergency Services Telecommunications**

423. Mr WELLS to ask the Minister for Police and Emergency Services —

- (1) Is there a register maintained of declared gifts, gratuities or other benefits, as received by BEST management, employees and contractors, from external companies, organisations or individuals.
- (2) If there is no register, what probity measures are in place to ensure that BEST management, employees and contractors are not subjected to offers of, or accept, monetary or non-monetary inducements/benefits from potential bidders, actual bidders or other stakeholders, on projects managed or overseen by BEST.
- (3) Have any gifts, gratuities or other benefits been declared by BEST management, employees and contractors in relation to three current projects under management of BEST — the Mobile Data Terminal Network (MDT), the Melbourne Metropolitan Radio Network (MMR) and the Emergency Altering System (EAS).

**ANSWER:**

I am advised as follows:

- (1) There is no central register maintained by BEST of declared gifts, gratuities or other benefits, as received by BEST management, employees and contractors, from external companies, organisations or individuals. To date, no gifts have been accepted that have necessitated a register be established.
- (2) There is a range of measures in place to ensure that BEST management, employees and contractors are not subjected to offers of, or accept, monetary or non-monetary inducements/benefits from potential bidders, actual bidders or other stakeholders, on projects managed or overseen by BEST. These include:
  - a. All BEST staff are bound by the ‘Code of Conduct for the Victorian public sector’ which explicitly details requirements in relation to the offer of gifts, favours etc.
  - b. BEST project staff and contractors are regularly briefed on probity issues relating to projects and these briefings include the public sector requirements in relation to the offer of gifts, favours etc. BEST contractors all sign Professional Services Agreements as part of their engagement process.
  - c. All staff and contractors associated with the projects have signed a probity Declaration of Interest statement.
- (3) There have been no gifts, gratuities or other benefits declared by BEST management, employees and contractors in relation to three current projects under management of BEST — the Mobile Data Terminal Network (MDT), the Melbourne Metropolitan Radio Network (MMR) and the Emergency Altering System (EAS).

**Treasurer: Australian Centre for Public Infrastructure**

- 531.** Ms ASHER to ask the Treasurer with reference to the Centre at Melbourne University Private — has the Department of Treasury and Finance paid, part-paid or subsidised any staff to enrol in any of the courses provided by the Centre; if so, how many and which courses.

**ANSWER:**

I am informed that:

The Department of Treasury and Finance has not paid, part-paid or subsidised for any staff to enrol in any of the courses provided by the Australian Centre for Public Infrastructure at Melbourne University Private.

**Housing: unit prices**

- 563.** Mrs SHARDEY to ask the Minister for Health for the Minister for Housing with reference to new housing acquisitions for each of 1999–2000, 2000–2001, 2001–2002, 2002–2003 and 2003–2004 — how many units were purchased or built for less than \$100,000 in each broadband area.

**ANSWER:**

I am informed that during the financial years 1999–2004, 6,523 properties have been acquired, of which, 1,048 were purchased or built for less than \$100,000. In relation to the specific detail referred to in the question, most of these were acquired in the earlier years and that few properties were acquired for less than \$100,000, even in rural Victoria, in the latter years.

In addition, a large number of other capital projects under \$100,000, not directly related to property acquisition or construction, are undertaken annually at a significant cost.

**Housing: unit prices**

- 564.** Mrs SHARDEY to ask the Minister for Health for the Minister for Housing with reference to new housing acquisitions for 2004–2005 —
- (1) How many units will be purchased or built for less than \$100,000 per unit in each broadband area.
  - (2) What is the average price of a unit under \$100,000 in each broadband area.

**ANSWER:**

I am informed that:

With reference to new housing acquisitions for 2004–05 —

- (1) There are no units currently being purchased or built for less than \$100,000 per unit.
- (2) As there are no units under \$100,000, the average price of a unit under \$100,000 in each broadband area cannot be determined.

**Housing: project costs**

- 566.** Mrs SHARDEY to ask the Minister for Health for the Minister for Housing —
- (1) What is the total value of new projects for the Office of Housing costing less than \$100,000 and therefore not listed in the *2004–2005 Public Sector Asset Investment Program — Budget Information Paper No. 1* separated into —
    - (a) total estimated investment;
    - (b) estimated expenditure for 2004–2005.
  - (2) What was the purpose of each expenditure.

**ANSWER:**

I am informed that:

- 1(a) The total value of new projects for the Office of Housing costing less than \$100,000 and therefore not listed in the *2004–2005 Public Sector Asset Investment Program — Budget Information Paper No. 1* is \$ 20.324m.

- 1(b) The estimated expenditure for 2004–2005 of new projects for the Office of Housing costing less than \$100,000 and therefore not listed in the 2004–2005 Public Sector Asset Investment Program — Budget Information Paper No. 1 is \$ 20.324m.
- (2) The purpose of this expenditure is for the provision of new replacement of appliances such as heaters and hot water services, as well as other small capital works through the Physical Improvement’s minor capital program.

**Major projects: Major Projects Victoria**

**574.** Ms ASHER to ask the Minister for Major Projects —

- (1) How many staff (full time equivalent) are currently employed by MPV.
- (2) How many staff (full time equivalent) were employed by MPV in —
- (a) 2001–2002;
- (b) 2002–2003.

**ANSWER:**

As at the date the question was raised, the answers are:

- (1) 85 staff are currently employed by Major Projects Victoria (MPV). In addition to project implementation and delivery tasks MPV now undertakes the additional tasks of project development and feasibility functions.
- (2) (a) In the 2001–2002 financial year there were 18 staff employed on project implementation and delivery tasks.
- (b) In the 2002–2003 financial year there were 29 staff employed on project implementation and delivery tasks.

**Energy industries and resources: Haystac Public Affairs Pty Ltd**

**595(c).** Ms ASHER to ask the Minister for Agriculture for the Minister for Resources — with reference to Haystac Public Affairs Pty Ltd —

- (1) What payments have been made to the company by the Minister’s department or private office or any agency or statutory body under the Minister’s administration since 26 August 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

**ANSWER:**

I am informed that:

There have been no payments made to Haystac Public Affairs Pty. Ltd. by the Department of Primary Industries, my private office or any agency or statutory body under the administration of the Minister for Resources since 26 August 2003.

**Arts: Haystac Public Affairs Pty Ltd**

**595(d).** Ms ASHER to ask the Minister for the Arts — with reference to Haystac Public Affairs Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 26 August 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

**ANSWER:**

I am informed that/as follows:

No payments were made to Haystac Public Affairs Pty Ltd by Arts Victoria, by my private office, agency or statutory body under my administration, since 26 August 2003.

**Attorney-General: Haystac Public Affairs Pty Ltd**

**595(e).** Ms ASHER to ask the Attorney-General — with reference to Haystac Public Affairs Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 26 August 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

**ANSWER:**

I am informed that:

No payment has been made to Haystac Public Affairs Pty Ltd by my Department or my private office.

To provide details of payments made by agencies and statutory bodies under my administration would be an unreasonable diversion of my department's resources. The Honourable Member may wish to submit a more specific question outlining in which particular agency or statutory body they are interested.

**Local government: Haystac Public Affairs Pty Ltd**

**595(o).** Ms ASHER to ask the Minister for Environment for the Minister for Local Government — with reference to Haystac Public Affairs Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 26 August 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

**ANSWER:**

I am informed that:

The response is nil.

**Victorian communities: Haystac Public Affairs Pty Ltd**

**595(al).** Ms ASHER to ask the Minister for Victorian Communities — with reference to Haystac Public Affairs Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 26 August 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

**ANSWER:**

I am informed that:

The response is nil.

**Women's affairs: Haystac Public Affairs Pty Ltd**

**595(an).** Ms ASHER to ask the Minister for Women's Affairs — with reference to Haystac Public Affairs Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 26 August 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

**ANSWER:**

I am informed that:

The response is nil.

**Multicultural affairs: Haystac Public Affairs Pty Ltd**

**595(ap).** Ms ASHER to ask the Minister assisting the Premier on Multicultural Affairs — with reference to Haystac Public Affairs Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 26 August 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

**ANSWER:**

I am informed that:

The response is nil.

**Arts: Shannon's Way Pty Ltd**

**596(d).** Ms ASHER to ask the Minister for the Arts — with reference to Shannon's Way Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 28 October 2003.
- (2) On what dates were the payments made.

- (3) Briefly describe the project for which payment was made.

**ANSWER:**

I am informed that/as follows:

No payments were made to Shannon's Way Pty Ltd by Arts Victoria, by my private office, agency or statutory body under my administration, since 28 October 2003.

**Local government: Shannon's Way Pty Ltd**

**596(o).** Ms ASHER to ask the Minister for Environment for the Minister for Local Government — with reference to Shannon's Way Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 28 October 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

**ANSWER:**

I am informed that:

The response is nil.

**Police and emergency services: Shannon's Way Pty Ltd**

**596(ab).** Ms ASHER to ask the Minister for Police and Emergency Services — with reference to Shannon's Way Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 28 October 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

**ANSWER:**

I am advised that:

No payment has been made to Shannon's Way Pty Ltd by my Department or my private office.

To provide details of payments made by agencies and statutory bodies under my administration would be an unreasonable diversion of my department's resources. The Honourable Member may wish to submit a more specific question outlining in which particular agency or statutory body they are interested.

**Victorian communities: Shannon's Way Pty Ltd**

**596(al).** Ms ASHER to ask the Minister for Victorian Communities — with reference to Shannon's Way Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 28 October 2003.

- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

**ANSWER:**

I am informed that:

The response is nil.

**Women's affairs: Shannon's Way Pty Ltd**

**596(an).** Ms ASHER to ask the Minister for Women's Affairs — with reference to Shannon's Way Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 28 October 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

**ANSWER:**

I am informed that:

The response is nil.

**Multicultural affairs: Shannon's Way Pty Ltd**

**596(ap).** Ms ASHER to ask the Minister assisting the Premier on Multicultural Affairs — with reference to Shannon's Way Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 28 October 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

**ANSWER:**

I am informed that:

The response is nil.

**Arts: Social Shift Pty Ltd**

**597(d).** Ms ASHER to ask the Minister for the Arts — with reference to Social Shift Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 28 October 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

**ANSWER:**

I am informed that/as follows:

No payments were made to Social Shift Pty Ltd by Arts Victoria, by my private office, agency or statutory body under my administration, since 28 October 2003.

**Local government: Social Shift Pty Ltd**

**597(o).** Ms ASHER to ask the Minister for Environment for the Minister for Local Government — with reference to Social Shift Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 26 August 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

**ANSWER:**

I am informed that:

The response is nil.

**Police and emergency services: Social Shift Pty Ltd**

**597(ab).** Ms ASHER to ask the Minister for Police and Emergency Services — with reference to Social Shift Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 28 October 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

**ANSWER:**

I am advised that:

No payment has been made to Social Shift Pty Ltd by my Department or my private office.

To provide details of payments made by agencies and statutory bodies under my administration would be an unreasonable diversion of my department's resources. The Honourable Member may wish to submit a more specific question outlining in which particular agency or statutory body they are interested.

**Victorian communities: Social Shift Pty Ltd**

**597(al).** Ms ASHER to ask the Minister for Victorian Communities — with reference to Social Shift Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 26 August 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

**ANSWER:**

I am informed that:

The response is nil.

**Women's affairs: Social Shift Pty Ltd**

**597(an).** Ms ASHER to ask the Minister for Women's Affairs — with reference to Social Shift Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 26 August 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

**ANSWER:**

I am informed that:

The response is nil.

**Multicultural affairs: Social Shift Pty Ltd**

**597(ap).** Ms ASHER to ask the Minister assisting the Premier on Multicultural Affairs — with reference to Social Shift Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 26 August 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

**ANSWER:**

I am informed that:

The response is nil.

**Major projects: West Gate Bridge Memorial Park**

**598.** Ms ASHER to ask the Minister for Major Projects — what was the total of the final amount allocated to the West Gate Bridge Memorial Park from —

- (1) WorkCover.
- (2) Parks Victoria.
- (3) VicRoads.
- (4) The Community Support Fund.

**ANSWER:**

As at the date the question was raised, the answer is:

The West Gate Bridge Memorial Park budget of \$1m was achieved by equal contributions of \$250,000 from each of the Victorian government agencies listed.



**QUESTIONS ON NOTICE**

*Answers to the following questions on notice were circulated on the date shown.  
Questions have been incorporated from the notice paper of the Legislative Assembly.  
Answers have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.  
The portfolio of the minister answering the question on notice starts each heading.*

**Wednesday, 23 March 2005**

**Community services: shared supported accommodation**

**585.** Mrs SHARDEY to ask the Minister for Community Services with reference to the 4417 clients in shared supported accommodation as at 30 June 2004, an increase of 92 over the 2003 number of 4325 clients — how much of the increase was the result of —

- (1) Residential respite places being transferred to shared supported accommodation.
- (2) Clients transferring from Kew Residential Services.

**ANSWER:**

I am informed that:

During 2003–04

- (1) No residential respite places were transferred to shared supported accommodation.
- (2) 90 clients were transferred from Kew Residential Services.

**Community services: disability services**

**591.** Mrs SHARDEY to ask the Minister for Community Services —

- (1) How many people in total were assessed as eligible to receive services under the *Intellectually Disabled Persons' Services Act 1986* as at 30 June 2004.
- (2) How many of these were aged —
  - (a) under 18 years;
  - (b) 18 or more years.
- (3) How many people in total were assessed as eligible to receive services under the *Disability Services Act 1981*.
- (4) How many of these were aged —
  - (a) under 18 years;
  - (b) 18 or more years.

**ANSWER:**

I am informed that:

- (1) As at 30 June 2004, 21,967 people were assessed as eligible to receive services under the *Intellectually Disabled Persons' Services Act 1986*.

- (2) Of the total 21,967:
  - (a) 3,743 people were aged under 18 years
  - (b) 18,224 were aged 18 or more.
- (3) This information is not collected.
- (4) This information is not collected.

**Community services: disability services**

**592.** Mrs SHARDEY to ask the Minister for Community Services with reference to the Disability Service Needs Register as at 30 June 2004 —

- (1) How many of the carers of people registered for shared supported accommodation were aged —
  - (a) under 55;
  - (b) 55–64;
  - (c) 65–69;
  - (d) over 70.
- (2) How many of the carers of people registered for in-home support were aged —
  - (a) under 55;
  - (b) 55–64;
  - (c) 65–69;
  - (d) over 70.
- (3) How many of the carers of people registered for day programs were aged —
  - (a) under 55;
  - (b) 55–64;
  - (c) 65–69;
  - (d) over 70.

**ANSWER:**

I am informed that:

Accurate information is not available as not all people on the Service Needs Register have a carer and/or carer's age recorded.

**Health: steam boiler tender**

**594.** Ms ASHER to ask the Minister for Health with reference to a tender placed by Bassett Kuttner Collins in May 2004 for one steam boiler for the Austin and Repatriation Medical Centre and one of the tenderers Hunt Boilers Melbourne —

- (1) Why were the specifications of the tender changed during the tender process.
- (2) Why was Hunt Boilers Melbourne not informed of the change of the tender specifications.
- (3) Why was Hunt Boilers Melbourne not given the opportunity to re-tender.

- (4) Why was the contract awarded to a company importing the required goods from overseas when a local alternative was available.

**ANSWER:**

I am informed that:

1. Two existing boilers were being converted from briquette to natural gas at the Repatriation Hospital. A tender for the supply of a new backup boiler was called and five firms submitted tenders on 2 June 2005. The tender requirements were changed on two occasions:
  - Prices were sought for a larger boiler from each of the five tenderers when problems were found during the conversion of one of the existing boilers. The second existing boiler was still operating and could not be tested.
  - Tenders were being assessed when it was revealed that the second boiler proposed for conversion had extensive cracking and was unsuitable for unattended operation. The firm submitting the lowest price was initially requested to provide a quote for a second new boiler. Consultants then sought prices from all other firms for the supply of two new boilers. This confirmed the recommended firm provided best value for money.
2. All tenderers including Hunt Boiler Melbourne were advised of the revised tender:
  - Regarding increased capacity on 14 July 2004 by email.
  - Revised conditions, for the supply of two new boilers, were sought on 6 August 2004 by phone and email.
3. Hunt Boilers Melbourne were given the same opportunity, as all tenderers, to submit a response to the revised tenders.
4. The contract was awarded to an Australian company submitting the lowest price and best value for money. The tender included imported components and utilises local labour for a significant portion of the project.

