

PARLIAMENT OF VICTORIA

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(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-FIFTH PARLIAMENT

FIRST SESSION

Tuesday, 30 May 2006

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Tuesday, 30 May 2006

The SPEAKER (Hon. Judy Maddigan) took the chair at 2.02 p.m. and read the prayer.

SHADOW MINISTRY

Mr BAILLIEU (Leader of the Opposition) — Following a change in the leadership of the Liberal Party I advise the house of the following further changes. Shadow ministerial responsibilities have been assigned as follows: in the other place, the Honourable David Davis, planning; the Honourable David Koch, forestry; the Honourable Wendy Lovell, tourism; the Honourable Andrea Coote, community services; and the Honourable Richard Dalla-Riva, scrutiny of government; and in this house, the member for Sandringham, housing; the member for Scoresby, corrections; and the member for Bulleen, multicultural affairs. The member for Mornington is the manager of opposition business.

QUESTIONS WITHOUT NOTICE

Hospitals: waiting lists

Mr BAILLIEU (Leader of the Opposition) — My question without notice is to the Premier, and I ask: why are the numbers of patients waiting for more than 12 hours on hospital trolleys three times higher now —

Mr Maxfield interjected.

The SPEAKER — Order! The member for Narracan will cease interjecting in that manner.

Mr BAILLIEU — Why are the numbers of patients waiting for more than 12 hours on hospital trolleys three times higher now than they were when Labor came to office?

Mr BRACKS (Premier) — I thank the Leader of the Opposition for his question, and I congratulate him on his elevation to the position of Leader of the Liberal Party.

The government has committed more resources to health, the most resources of any government in the history of this state. We have something like 6000 extra nurses in our hospitals, we have more doctors who are practising in our state and we are treating thousands and thousands more patients. Not only that, but in the recent advice given objectively by the Productivity Commission, it found that our hospital system is the most efficient and well run in the country. It is the best

performing health system in relation to waiting times of any jurisdiction in this country.

The investment is paying off — the investment we put in because of the neglect of seven years under the previous Liberal administration. We have been restoring funds to the health system, and as a part of that the outcomes have improved significantly. We are putting a record amount of resources into health and treating a record number of patients — and also, objectively, ours is now the best performing health system in the country.

Mr Baillieu — On a point of order, Speaker, the Premier is debating and in fact avoiding the question, which is in regard to the number of patients waiting for more than 12 hours on hospital trolleys.

The SPEAKER — Order! Raising a point of order is not an opportunity to repeat the question. I understand the Premier has concluded his answer.

Automotive industry: Ford Australia

Mr TREZISE (Geelong) — My question is also to the Premier. I refer the Premier to the government's commitment to attracting investment and new jobs to Victoria, and I ask him to detail to the house how the recent announcement by the Ford Motor Company of Australia is an example of the government delivering on its commitment.

Mr BRACKS (Premier) — I thank the member for Geelong for his question. The member knows that of course Geelong has received a significant boost to its economy over the last 12 months, whether it has been the relocation of the Transport Accident Commission, whether it has been the new investment in renewable energy which is now part of the Geelong economy, or whether it has been the announcement which I made with the Prime Minister some weeks ago in relation to new investment by Ford in its operations in Australia, both at Broadmeadows and also in Geelong.

I was very pleased to be with the Prime Minister, the state Treasurer and also the federal Minister for Industry, Tourism and Resources, Ian Macfarlane, when we announced the biggest single investment in the automotive industry here in Victoria — that is, some \$1.8 billion of new investment in Ford Australia. That investment will lead to something like 1500 direct jobs as part of the operations at both Broadmeadows and Geelong, and it will also mean that the security of the existing work force of 6000 people at Broadmeadows and Geelong is secure. This investment will boost the state's economy by some \$120 million a

year and see one of the largest research and development investments we have seen in any sector in any industry in this state.

What is so important about this announcement is that it effectively means that with General Motors Holden exporting and having a large research and development centre, with Toyota exporting and having a large technical centre for research and development, and now with Ford working with our government and undertaking import replacement with the Ford Territory, which has proved successful in replacing previous imports, this investment in a new research and development centre, which will be based at both Broadmeadows and Geelong, doing research and development both for the new generation Falcon in the next 10 years and for export and manufacture overseas, will ensure that there is design capacity here in Victoria and for those new and emerging markets overseas as well.

This is great news for our economy in Victoria, and it is great news for Ford both in Geelong and Broadmeadows. If you look at the last six and a half years, you see 320 000 new jobs created by our government. If you look at what we have done in passenger motor vehicles, with new investment in design and research in the three auto companies here in Victoria, and if you look at what has happened with both export and import replacement, you see we have built a foundation which will be strong in the automotive sector for a long, long time to come.

I know this will be important to Geelong because of course Ford drives Geelong. There is only one other thing we need in addition to that. It is looking very, very difficult, but I still have faith that we will get the other one, the Holy Grail, some time in the future as well.

Schools: work experience guidelines

Mr RYAN (Leader of The Nationals) — Dream on, dream on! My question is to the Minister for Education and Training. I refer to my question to the minister on 13 September 2005 regarding work experience guidelines. I ask: why has the minister not done anything to fix these nanny-state directives, which amongst other things ban students in the field of veterinary studies from handling animals, ban students in hairdressing from touching scissors and ban students at child-care centres from feeding children?

Ms KOSKY (Minister for Education and Training) — Can I thank the new leader of the

National-Liberal coalition — or is it a new party? Joining up?

Honourable members interjecting.

The SPEAKER — Order! The minister will address the Leader of The Nationals correctly.

Ms KOSKY — Unlike those on the other side of the house, Speaker, we have major concern for occupational health and safety standards for students and for adults. We are concerned about workplaces for all who enter them — unlike those on the other side. The restrictions around work experience — —

Honourable members interjecting.

The SPEAKER — Order! The level of interjection is too high, particularly from the member for Doncaster.

Ms KOSKY — The restrictions around work experience are there in order to ensure that young people can actually do work experience in safe environments. Those restrictions are there to ensure that our young people work in safe environments. We are similarly committed to making sure that adults work in safe work environments. In a veterinary area chemicals, medicines and needles are used, so there are appropriate restrictions for work experience. Those on this side of the house are committed to work experience, we are committed to education and we are committed to safety.

Meeting Our Transport Challenges: bus services

Ms BARKER (Oakleigh) — My question is to the Minister for Transport. I refer to the government's commitment to investing in public transport as part of the Meeting Our Transport Challenges action plan, and I ask the minister to detail for the house how the new cross-town bus network will deliver on that commitment.

Honourable members interjecting.

The SPEAKER — Order! The Minister for Transport, without the assistance of the member for Polwarth.

Mr BATCHELOR (Minister for Transport) — I thank the member for Oakleigh for her question. What the transport and livability statement, *Meeting Our Transport Challenges — Connecting Victorian Communities*, has delivered is busloads of public transport improvements for Melbourne and for Victoria as a whole. In fact it has committed \$1.4 billion over

the 10-year period for improvements in bus services. This is the biggest increase and improvement in bus services in Victoria's history. It is unprecedented, and it is a new paradigm for public transport travel in — —

Ms Asher interjected.

Mr BATCHELOR — You do not know what 'paradigm' means.

Ms Asher interjected.

Mr BATCHELOR — We will get someone to help you in a minute. It has created a new paradigm for people in the outer suburbs of Melbourne, and it will provide a new form of public transport services to these people living beyond the footprint of the fixed rail network.

In respect of the cross-town or orbital services, the SmartBus services, which are really central to our vision, we are providing \$660 million to deliver this project over the next decade. The SmartBus program provides a high-frequency bus service along arterial roads. It operates with bigger, expanded hours of operation. It is a high-frequency service, and it is Disability Discrimination Act (DDA) compliant, so all members of our community can gain access to it. We have already seen the success of the trials in the south-east of Melbourne, where patronage has increased by some 30 per cent.

Stage 1 of our SmartBus upgrade involves the delivery of services between Caulfield and Rowville in 2006 and the Ringwood–Dandenong route in 2008. Stage 2 will see the development of three orbital routes through the northern and western suburbs. The red orbital route will go between Box Hill and Altona; the green orbital route will go between Nunawading and Airport West; and the yellow orbital route will go between Ringwood and Tullamarine. These new SmartBus services, as I indicated earlier, will feature a span of services beyond what is currently the standard in the local bus network. It will offer real-time information, greater frequency and, of course, DDA compliance.

So this new form of public transport delivered to the outer suburbs which are beyond the fixed-rail network will provide the sort of public transport services that have been denied the people of the outer suburbs for so long and it will encourage people to use buses to do all those local trips. The overwhelming proportion of trips in the outer suburbs now are in fact local trips and these SmartBus services, together with the local bus network, will provide the public transport answer to these people.

Schools: literacy and numeracy

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier: after seven years of Labor, why does Victoria have the lowest literacy and numeracy standards of all the mainland states?

Mr BRACKS (Premier) — We are very happy to compare the seven-year record of our government with the seven-year record of the previous government. Could I remind the opposition that when they were in government they actually closed some 300 schools and sacked some 9000 teachers — closed 300 schools and sacked 9000 teachers — and also the completion rates for year 12 education were reducing and reducing and reducing, literacy rates were going down and numeracy rates were going down. So if we are comparing our seven-year period with the seven-year period of the previous government, there is absolutely no comparison at all.

On outcomes, we are now seeing improved literacy and numeracy rates, and Victoria has the highest level of participation to year 12 education of any state in Australia. There is only one place in Australia that has a higher participation rate in year 12 education and that is the Australian Capital Territory — and that is not a state. So we have the highest completion rate for year 12, the highest participation, our literacy rate is going up and our numeracy rate is going up.

The one sure way to reduce outcomes in education is to reduce funding — that is the one sure way. That is what we had for seven years when the opposition leader was the president of the Liberal Party in this state. For seven years we had that: we had underfunding of education, we had schools closed, we had teachers sacked.

Mr Cooper — On a point of order, Speaker, the Premier is clearly debating the question. I ask you to bring him back to order.

The SPEAKER — Order! I ask the Premier to return to answering the question.

Mr BRACKS — Thank you, Speaker, I will. I am very proud of and pleased about the outcomes we have had over the last seven years. We have achieved a significant increase in outcomes in both literacy and numeracy. Not only that, we have more people involved in education than we have had for many years, with the highest participation rate in the state's history.

Police: community safety

Ms BEARD (Kilsyth) — My question is to the Minister for Police and Emergency Services. I refer the

minister to the government's commitment to making Victoria a safer place to raise a family and ask the minister to detail for the house any recent confirmation that we are delivering on that commitment.

Mr HOLDING (Minister for Police and Emergency Services) — I am very pleased, firstly, to thank the member for Kilsyth for her question and to remind her and all honourable members that there are many things that are occurring which confirm Victoria's status as a safe place to live and a safe place to raise a family.

The Australian Bureau of Statistics has recently released further data which confirms Victoria's status as a safe place. We now have a crime rate which is 21.5 per cent less than the crime rate in 2000 and 2001. We have a crime rate which is well below the national average. In fact, in Victoria people are much less likely to be assaulted than people living in any other state in Australia. This is something we are very pleased about.

We have a property crime rate which is well below the national average, and it has reduced by 28 per cent since 2000 and 2001. We have a motor vehicle theft rate which is 52 per cent below the national average. We are very pleased to see Victoria's crime rate declining.

Mr Baillieu interjected.

Mr HOLDING — The Leader of the Opposition interjects 'violence'. Last time I checked, assault was a violent crime, and Victorians are less likely to be assaulted than people in other states or territories.

But there are more things that the government can be doing to make sure that it continues to lower the crime rate. One thing is by recruiting more Victoria Police members. We are very pleased that over the two terms of the Bracks government we have already recruited 1500 additional police. We well remember the previous government promising 1000 police but cutting 800. We are very pleased to be recruiting additional police.

At the same time we have also been building new police stations. This means that Victorians in many different parts of Victoria have the benefit of police working from state-of-the-art police stations. In fact, as part of our program, this government is in the process of constructing 136 police stations across the state, a program worth \$280 million — the biggest police station construction in the state's history. Many members of this place have been able to participate in the openings of those police stations and seen the joy that they have brought local communities where they have opened.

In May this year I was pleased to join with local members in Brunswick and Caroline Springs to celebrate the opening of new station there.

Mr Ryan — Was it a joyous occasion?

Mr HOLDING — It was a joyous occasion. We also celebrated new police stations being opened in places like Boort, Quambatook, Speed, Hopetoun, Linton, Bannockburn, Lake Bolac and Timboon. Right across the state, across the period of April and May, we were celebrating the opening of new police stations which will deliver better police resources and better police outcomes to those local communities. Members of the opposition are on the record claiming that we would not be opening some of these police stations in this term. Members of the opposition said the police stations at Quambatook, Woomelang and Speed would not be opened. They said that the police station at Linton would not be opened, so I was very pleased to be able to join with the local member, the member for Ripon, in Linton to celebrate the opening of that wonderful new police station.

Many exciting things are occurring that are making Victoria a safer place to live and raise a family. We are very pleased to see our crime rate down; we are very pleased to see more police on the streets; and we are very pleased to see a record investment in new police station facilities.

Rail: gauge standardisation

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. In May 2001 Labor promised to convert the Mildura rail line to standard gauge. When will the — —

Honourable members interjecting.

The SPEAKER — Order! I remind members of the government that they are required to be quiet while members ask questions. I ask them to be quiet to allow — —

Mr Ryan interjected.

The SPEAKER — Order! The Leader of The Nationals! I remind the Leader of The Nationals that he is to cease speaking when the Speaker is on her feet. I ask members of the government to be quiet to allow the Leader of the Opposition to ask his question.

Mr BAILLIEU — In May 2001 Labor promised to convert the Mildura rail line to standard gauge, and I ask: when will the Premier deliver on his standard gauge promise?

Mr BRACKS (Premier) — I thank the Leader of the Opposition for his question. I am pleased to announce as part of the transport and livability statement and also as part of our budget, which will be incorporated of course because of the transport and livability statement commitments, that we are committing a \$53 million contribution to ensure that we have the Mildura line ready to be upgraded and able to be converted to passenger rail in the future.

Honourable members interjecting.

The SPEAKER — Order! The member for Mornington! I ask the members for South-West Coast and Mornington to cease interjecting in that manner and to allow the Premier to answer the question.

Mr Cooper interjected.

The SPEAKER — Order! I warn the member for Mornington.

Mr BRACKS — That upgrade will enable trains to run at an average of 80 kilometres per hour, which will be an enormous benefit. Of course the conversion to standard gauge is part of that project as well, which will — —

Dr Napthine interjected.

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

Mr BRACKS — I will say it again: the conversion to standard gauge will be enabled because of that upgrade, and that is part of the project.

Dr Napthine — On a point of order, Speaker, the Premier is deliberately misleading the house. He knows the upgrade is a broad gauge upgrade; it is not a standard gauge upgrade.

The SPEAKER — Order! The charge of deliberately misleading the house is a very serious one, and I ask the member for South-West Coast to withdraw.

Honourable members interjecting.

The SPEAKER — Order! I have asked the member for South-West Coast to withdraw; I ask him again.

Dr Napthine — In deference to the Chair, I withdraw.

The SPEAKER — Order! The Premier, to continue his answer.

Mr BRACKS — I reiterate that in the details of the press release of the announcement they are convertible sleepers, and those convertible sleepers enable — —

Honourable members interjecting.

The SPEAKER — Order! The Premier will resume his seat. I know members are very excited because it is budget day, but I ask them to be quiet to allow question time to proceed in an orderly manner.

Mr BRACKS — The first stage will be — —

Mr Mulder interjected.

The SPEAKER — Order! I warn the member for Polwarth.

Mr BRACKS — The first stage will be the upgrade to enable the freight trains to go at 80 kilometres an hour. They are convertible sleepers, which is indicated in the release — in the details — which means it can be converted to standard gauge in the future.

Mr Baillieu — On a point of order, Speaker, the Premier is debating the question. My question was ‘when’. If his sleepers are convertible, I ask him when he is going to convert his sleepers.

The SPEAKER — Order! There is no point of order. The Premier, to continue.

Mr BRACKS — Importantly this is actually returning to Mildura what was taken by the previous government. Not only did the previous government close the *Vinlander* service, it also closed the Bairnsdale line and it closed the line to Ararat as well. We have spent the last six and a half years repairing the damage of closed rail lines and closed services around Victoria. This is another step in our recovery from seven years of the Kennett government.

Gippsland Cancer Care Centre

Mr JENKINS (Morwell) — My question is to the Minister for Health. I refer the minister to the government’s commitment to ensuring Victoria has a world-class health system and ask the minister to detail for the house how the government’s \$21 million cancer care centre in Gippsland is an example of that commitment.

Ms PIKE (Minister for Health) — I thank the member for Morwell for his question. The government knows how important it is for people living in rural and regional Victoria to have specialist services close to where they live. For too long cancer sufferers have had to travel to Melbourne for their services — a long way

from the communities in which they live and a long way from the communities that support them. We have been turning around cancer treatment services since coming to office and have a number of initiatives that have improved access to cancer services for people right around the state.

Mr Ryan interjected.

The SPEAKER — Order! I can hear the Leader of The Nationals quite clearly from here. I ask him to be quiet.

Ms PIKE — Whether it is the additional magnetic resonance imaging services at the Bendigo hospital, the new \$20 million Andrew Love Cancer Centre at the Geelong hospital or the \$37.2 million in additional research funding that was announced by the Treasurer last month, we are doing a number of things to enhance our cancer service and research capabilities.

Earlier this month I was delighted to be in Traralgon with the members for Narracan and Morwell and the federal Minister for Agriculture, Fisheries and Forestry, Peter McGauran, to open the \$21 million Gippsland Cancer Care Centre. What a fantastic initiative. It marks a new era in cancer care, with that service in Gippsland now being able to provide access to the latest and most updated cancer treatment services.

For the very first time radiotherapy services will be available for people in the Gippsland region. Given that often people have to spend a lot of time having that kind of treatment — it can take many weeks — and that in the past they had to be away from family, friends and home for a long period of time, this is a vital service that will make a terrific difference to those people. It is a high-quality service and people can be well assured that with the support of the teams from the Alfred hospital, who come and work in partnership with the people in the Latrobe Valley and the broader Gippsland region, that service is as good as any in the whole of the country.

This announcement is another example of the very practical ways in which the government over the last six and a half years has been rebuilding our health service and making Victoria a better place to live and raise a family.

Snowy Hydro Ltd: sale

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier, and I ask: is the Premier prepared to give evidence to the New South Wales parliamentary inquiry on the proposed sale of Snowy Hydro Ltd?

Mr BRACKS (Premier) — First of all, I thank the Leader of the Opposition for his question. The New South Wales inquiry is constituted under the New South Wales parliamentary rules. It is up to ministers in that state or the Premier in that state, as it would be in any other state, to determine whether or not they present. I am accountable to this Parliament, as is appropriate, and in being accountable to this Parliament, I am happy to answer any questions on this matter.

On this matter I am pleased to say that the commonwealth today has decided to cap by legislation the foreign ownership arrangements for individuals, corporations and aggregate shareholders in the Snowy scheme. That is in spirit with the original agreement. Our government supports that legislation, which will be introduced into the federal Parliament in June. That will see a cap on foreign ownership of 15 per cent for individual shareholders and 35 per cent for aggregate foreign ownership. That would be in keeping with the agreement we have between the commonwealth, the state government in Victoria and also the New South Wales government.

Industrial relations: WorkChoices

Ms D'AMBROSIO (Mill Park) — My question is to the Minister for Industrial Relations. I ask the minister to update the house on the government's efforts to protect Victorian working families from the federal government's extreme industrial relations regime.

Mr HULLS (Minister for Industrial Relations) — I thank the honourable member for her question. In Victoria we are already seeing the devastating impact of WorkChoices and its impact on the hard-earned wages and entitlements of many Victorian families. The Bracks government has legislated and will continue to look at legislating to mitigate the devastating effects created by John Howard's industrial relations nightmare. Our response has included the setting up of the Office of the Victorian Workplace Rights Advocate — —

Honourable members interjecting.

The SPEAKER — Order! The member for Mulgrave, the member for Richmond and the member for Ripon!

Mr HULLS — I am pleased to advise the house that the workplace rights advocate, Mr Tony Lawrence, commenced yesterday. Mr Lawrence, a barrister with extensive experience in employment and industrial law,

has worked for both employers and unions. He has already started investigations into alleged unfair work practices, including work practices at a company called Spotlight, where the employer is offering agreements that do not contain award conditions including overtime, penalty rates and annual leave loading. In New South Wales employees receive compensation of just 2 cents an hour for giving up these entitlements. Here in Victoria they get a total of nothing for giving up these entitlements. That investigation is being undertaken by the workplace rights advocate.

Victoria has also received legal advice that tragically, with the stroke of a pen, Canberra can use its regulation-making powers to exclude the operation of Victorian legislation. I believe that this issue is of such significance to working families that a bipartisan approach is required. That is why I wrote to the new Leader of the Opposition and asked him to stand up for Victorian workers. I asked him to join me in seeking a guarantee from Canberra that it would not use its regulation-making powers. Tragically he has refused.

Let us be clear about what is under threat from the commonwealth regulation-making powers. We have legislated in this state to assist Victorian working families. We have introduced the public sector employment award entitlement legislation to protect the award safety net of public sector workers. We have introduced the workplace rights advocate legislation, occupational health and safety legislation, outworkers legislation to protect outworkers from unfair treatment, child employment legislation to protect young children in the workplace, owner-driver legislation to protect owner-drivers and also long service leave legislation to protect long service leave. Tragically the new Leader of the Opposition has personally voted against every single one of those pieces of legislation.

Honourable members interjecting.

The SPEAKER — Order! The Minister for Industrial Relations, to return to answering the question.

Mr HULLS — At my meeting with the federal minister for workplace relations two weeks ago he refused to guarantee that he would not use the commonwealth's regulation-making powers to override Victorian legislation. That really is an abomination. In Victoria we have set up the workplace rights advocate and we have passed other pieces of legislation because we oppose the draconian WorkChoices legislation. Indeed we want to make Victoria a great place in which to work and raise a family. Can I say in conclusion that that seems in stark contrast with the opposition leader,

who would not have a clue about the daily struggle of ordinary Victorian working families.

AUDITOR-GENERAL

Appointment

The SPEAKER — Order! I wish to advise the house that I have received the following letter from the chair of the Public Accounts and Estimates Committee:

On 25 May 2006 the Governor in Council accepted a recommendation of the Public Accounts and Estimates Committee and appointed Mr Des Pearson as Victoria's 25th Auditor-General.

Mr Pearson will take up his appointment on 1 October 2006.

BUSINESS OF THE HOUSE

Notices of motion: removal

The SPEAKER — Order! I wish to advise the house that under standing order 144 notices of motion 142 to 144, 248 to 257 and 333 to 345 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 6.00 p.m. today.

TRANSPORT LEGISLATION (FURTHER AMENDMENT) BILL

Introduction and first reading

Mr BATCHELOR (Minister for Transport) introduced a bill to amend the Transport Act 1983 to provide for the accrediting of drivers of certain types of vehicles, to confer certain powers on the director, to make other amendments to the Transport Act 1983, to amend the Rail Corporations Act 1996 with respect to the powers of Rail Track and to make other minor amendments to that act, to make miscellaneous and minor, and transitional related, amendments to the Rail Safety Act 2006, to make minor amendments to the Transport Legislation (Further Miscellaneous Amendments) Act 2005 and the Public Transport Competition Act 1995 and for other purposes.

Read first time.

**NATIONAL PARKS AND CROWN LAND
(RESERVES) ACTS (AMENDMENT) BILL***Introduction and first reading*

Mr THWAITES (Minister for Environment) — I move:

That I have leave to bring in a bill to amend the National Parks Act 1975 to make further provision for parks under that act, to amend the Crown Land (Reserves) Act 1978 to make further provision for reserves under that act, to make other amendments to those acts, to amend the Heritage Rivers Act 1992 and the Mineral Resources Development Act 1990 and for other purposes.

Dr NAPHTHINE (South-West Coast) — I ask the minister for a brief explanation of the contents of the bill.

Mr THWAITES (Minister for Environment) — The bill creates a number of conservation reserves. It re-reserves a natural features reserve at Aireys Inlet as a recreation reserve and makes some other miscellaneous amendments.

Motion agreed to.

Read first time.

**STATE TAXATION (REDUCTIONS AND
CONCESSIONS) BILL***Introduction and first reading*

Mr BRUMBY (Treasurer) introduced a bill to amend the Duties Act 2000, the First Home Owner Grant Act 2000, the Land Tax Act 2005 and the Pay-roll Tax Act 1971 to give effect to initiatives in the 2006–07 state budget and for other purposes.

Read first time.

**DRUGS, POISONS AND CONTROLLED
SUBSTANCES (AMENDMENT) BILL***Introduction and first reading*

Mr HOLDING (Minister for Police and Emergency Services) introduced a bill to amend the Drugs, Poisons and Controlled Substances Act 1981 in relation to definitions and offences, including new offences, in part V of that act, the scheduling of drugs in schedule eleven to that act, search warrants, the disposal or destruction of drugs of dependence and other things in certain circumstances and to provide for authorised police

employees to perform specified functions under the act and for other purposes.

Read first time.

**EVIDENCE (DOCUMENT
UNAVAILABILITY) BILL***Introduction and first reading*

Mr HULLS (Attorney-General) introduced a bill to amend the Evidence Act 1958 and the Victorian Civil and Administrative Tribunal Act 1998 in relation to documents that are unavailable in civil proceedings and for other purposes.

Read first time.

**ELECTORAL AND PARLIAMENTARY
COMMITTEES LEGISLATION
(AMENDMENT) BILL***Introduction and first reading*

Mr HULLS (Attorney-General) — I move:

That I have leave to bring in a bill to amend the Electoral Act 2002, the Constitution (Parliamentary Reform) Act 2003 and the Parliamentary Committees Act 2003, to consequentially amend the Constitution Act 1975 and the Magistrates' Court Act 1989 and for other purposes.

Mr McINTOSH (Kew) — I ask the minister for a brief explanation of the bill.

Mr HULLS (Attorney-General) — The bill makes a number of reforms to the Electoral Act and provides for the trial of electronic voting and a whole range of other technical amendments.

Motion agreed to.

Read first time.

**LAND (FURTHER MISCELLANEOUS)
BILL***Introduction and first reading*

Mr HULLS (Minister for Planning) introduced a bill to revoke certain land reservations and Crown grants and for other purposes.

Read first time.

LONG SERVICE LEAVE (PRESERVATION OF ENTITLEMENTS) BILL*Introduction and first reading*

Mr HULLS (Minister for Industrial Relations) introduced a bill to amend the Long Service Leave Act 1992 and for other purposes.

Read first time.

ACCIDENT COMPENSATION AND OTHER LEGISLATION (AMENDMENT) BILL*Introduction and first reading*

Mr HULLS (Attorney-General) — I move:

That I have leave to bring in a bill to amend the Accident Compensation Act 1985, the Accident Compensation (WorkCover Insurance) Act 1993, the Emergency Services Superannuation Act 1986, the Transport Accident Act 1986, the Workers Compensation Act 1958 and the Wrongs Act 1958 and for other purposes.

Mr McINTOSH (Kew) — I seek a brief explanation from the minister about the bill.

Mr HULLS (Attorney-General) — The bill does a number of things, but primarily it will improve benefits for injured workers, in particular workers who return to work on a part-time basis after suffering an injury. It is all about improving benefits for injured workers.

Motion agreed to.

Read first time.

HEALTH LEGISLATION (INFERTILITY TREATMENT AND MEDICAL TREATMENT) BILL*Introduction and first reading*

Ms PIKE (Minister for Health) — I move:

That I have leave to bring in a bill to amend the Infertility Treatment Act 1995 and the Medical Treatment Act 1988 and for other purposes.

Mrs SHARDEY (Caulfield) — Could the minister provide a short explanation of the bill?

Ms PIKE (Minister for Health) — This bill does two things. Firstly, it enables clinics which provide infertility treatment to be registered in their own right rather than through another organisation. Secondly, it amends the Medical Treatment Act to make it clear that

only guardians appointed by the Victorian Civil and Administrative Tribunal with powers to make medical treatment decisions may refuse medical treatment on behalf of incompetent people.

Motion agreed to.

Read first time.

GAMBLING REGULATION (FURTHER MISCELLANEOUS AMENDMENTS) BILL*Introduction and first reading*

Mr PANDAZOPOULOS (Minister for Gaming) — I move:

That I have leave to bring in a bill to amend the Gambling Regulation Act 2003 in relation to public lotteries and confidentiality, to consequentially amend the Tobacco (Amendment) Act 2005 and for other purposes.

Mr SMITH (Bass) — I would like the minister to give members a brief explanation.

Mr PANDAZOPOULOS (Minister for Gaming) — I am very happy to do that. Members of the house will be aware that the government is implementing a new lottery licence structure. This bill will provide a smooth transition for that and a new regime for confidentiality provisions.

Motion agreed to.

Read first time.

PETITIONS

Following petitions presented to house:

Boronia Road, Wantirna: safety

To the Legislative Assembly of Victoria:

The petition of residents of Wantirna, especially those living north of Boronia Road draws the attention of the house to the dangerous situation being endured by children en route to Regency Park Primary School, St Lukes Primary School, Mariemont Preschool and Wantirna College as well as their parents and school crossing supervisors working on the school crossing on the corner of Boronia and Amesbury Avenue, due to the high volume of fast moving traffic on Boronia Road, which has a speed limit of 80 kph, and which has had numerous minor vehicle collisions over the past few months. Parents are very concerned at the danger to their children caused by these circumstances.

The petitioners therefore request that the Legislative Assembly of Victoria take immediate action to make this

section of road safer for children travelling to and from school by reducing the speed limit, installing traffic signals or both.

By Mr LOCKWOOD (Bayswater) (195 signatures)

Racial and religious tolerance: legislation

To the Legislative Assembly of Victoria:

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

1. Religious freedom essentially includes the freedom to teach, preach and propagate one's beliefs, and to express opinions about other world views. This applies to all religions, and certainly to the Christian religion where Christ commands His followers to propagate their faith — Matt. 28:18–20
2. The Racial and Religious Tolerance Act 2001 aims to outlaw vilification, but its enforcement places 'an intolerable curb on religious freedom' and threatens free speech itself.

In any case, the legislation is unnecessary in a community that has always had effective mechanisms for correcting intemperate or offensive statements (whether on religion, race or any other topic) — namely, public forums in newspapers, open debate and discussion, talkback radio etc.

In view of the fact that the Australian constitution

forbids the making of any commonwealth law 'prohibiting the free exercise of any religion' (section 116), and

decrees that 'when a state law is inconsistent with a law of the commonwealth, the latter shall prevail ...' (section 109).

Your petitioners therefore request that the Racial and Religious Tolerance Act 2001 be repealed.

By Mr CAMERON (Bendigo West) (10 signatures)
Mr STENSCHOLT (Burwood) (14 signatures)
Mr ANDREWS (Mulgrave) (11 signatures)
Mr MAUGHAN (Rodney) (18 signatures)

Footscray electorate: schools

To the Legislative Assembly of Victoria:

Due to the demographic changes occurring in the suburbs of Kingsville, Yarraville and Seddon we, the undersigned, believe that the current options for suitable secondary education will not meet future demands and request that the Legislative Assembly of Victoria undertake a study into the need for a secondary school to service the areas of Kingsville, Yarraville and Seddon with a view to provide a state secondary school to meet the demonstrated local need.

By Mr MILDENHALL (Footscray) (1027 signatures)

Tabled.

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

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 5

Ms D'AMBROSIO (Mill Park) presented *Alert Digest No. 5* of 2006 on:

- Charter of Human Rights and Responsibilities Bill**
- Energy Legislation (Miscellaneous Amendments) Bill**
- Infringements (Consequential and Other Amendments) Bill**
- Justice Legislation (Further Miscellaneous Amendments) Bill**
- National Parks (Otways and Other Amendments) Bill**
- Planning and Environment (Growth Areas Authority) Bill**
- Primary Industries Acts (Miscellaneous Amendments) Bill**
- Transfer of Land (Alpine Resorts) Bill**
- Valuation of Land (Amendment) Bill**
- Victorian Urban Development Authority (Amendment) Bill**

together with appendices.

Tabled.

Ordered to be printed.

DOCUMENTS

Tabled by Clerk:

Commonwealth Games Arrangements Act 2001 — Orders under s 18 (10 orders)

Crown Land (Reserves) Act 1978 — Section 17DA Orders granting under s 17D leases over:

Albert Park Reserve

Lorne Foreshore Reserves

Financial Management Act 1994:

Budget Paper No 2 — 2006–07 Strategy and Outlook

Budget Paper No 3 — 2006–07 Service Delivery

Budget Paper No 4 — 2006–07 Statement of Finances incorporating the Quarterly Financial Report No 3

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule No 34

Parliamentary Committees Act 2003:

Response of the Attorney-General on the action taken with respect to the recommendations made by the Law Reform Committee's Inquiry into Warrant Powers and Procedures

Response of the Minister for Consumer Affairs on the action taken with respect to the recommendations made by the Family and Community Development Committee's Inquiry into the Regulation of the Funeral Industry

Response of the Treasurer on the action taken with respect to the recommendations made by the Public Accounts and Estimates Committee's Report on the 2005–06 Budget Estimates

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

- Bayside Planning Scheme — No C38
- Boroondara Planning Scheme — No C17
- Brimbank Planning Scheme — No C80 Part 1
- Campaspe Planning Scheme — No C29
- Cardinia Planning Scheme — No C64
- Casey Planning Scheme — No C35 Part 1
- Darebin Planning Scheme — No C10 Part 3
- Gannawarra Planning Scheme — No C12
- Glenelg Planning Scheme — No C25
- Greater Bendigo Planning Scheme — No C70
- Greater Dandenong Planning Scheme — No C77
- Greater Geelong Planning Scheme — Nos C65, C100, C111, C135
- Hume Planning Scheme — Nos C11 Part 1, C50, C55 Part 1, C55 Part 2
- Manningham Planning Scheme — No C57
- Mansfield Planning Scheme — No C6
- Melbourne Planning Scheme — No C116
- Monash City Council — No C62
- Nillumbik Planning Scheme — Nos C25 Part 1, C38 Part 1, C39
- Northern Grampians Planning Scheme — No C19
- Port Phillip Planning Scheme — Nos C55, C56
- Pyrenees Planning Scheme — No C14
- Strathbogie Planning Scheme — Nos C14, C35
- Whitehorse Planning Scheme — No C51
- Wyndham Planning Scheme — No C79

Rural Finance Act 1988 — Direction by the Treasurer to the Rural and Finance Corporation to administer Exceptional

Circumstances Assistance under the Rural Adjustment Scheme

Snowy Hydro Limited — Report for the period 27 June 2004 to 2 July 2005

Statutory Rules under the following Acts:

- Chattel Securities Act 1987* — SR No 51
- Corporations (Ancillary Provisions) Act 2001* — SR No 44
- Human Tissue Act 1982* — SR No 50
- Magistrates' Court Act 1989* — Nos 46, 48, 55
- National Parks Act 1975* — SR No 49
- Road Safety Act 1986* — SR Nos 52, 53
- Subordinate Legislation Act 1994* — No 45
- Supreme Court Act 1986* — Nos 43, 44
- Victorian Civil and Administrative Tribunal Act 1998* — SR No 54
- Wrongs Act 1958* — SR No 47

Subordinate Legislation Act 1994:

Ministers' exception certificates in relation to Statutory Rule Nos 43, 44, 51, 52, 53, 54, 55

Ministers' exemption certificates in relation to Statutory Rule Nos 32, 40, 48, 50.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the house dated 26 February 2003:

Courts Legislation (Judicial Conduct) Act 2005 — Remaining provisions on 28 April 2006 (*Gazette S119*, 28 April 2006)

Sustainable Forests (Timber) Act 2004 — Part 2 and sections 109 and 138 on 18 May 2006 (*Gazette G20*, 18 May 2006).

ROYAL ASSENT

Message read advising royal assent to:

9 May 2006

- Aboriginal Heritage Bill**
- Drugs, Poisons and Controlled Substances (Aged Care Services) Bill**
- Drugs, Poisons and Controlled Substances (Prohibition of Display and Sale of Cocaine Kits) Bill**
- Land (St Kilda Triangle) Bill**
- Road Safety (Drugs) Bill**
- Sustainable Forests (Timber) (Amendment) Bill**
- Valuation of Land (Amendment) Bill**

16 May

**Disability Bill
Education and Training Reform Bill**

APPROPRIATION MESSAGES

Messages read recommending appropriations for:

**Charter of Human Rights and Responsibilities
Bill**

**Infringements (Consequential and Other
Amendments) Bill**

**Planning and Environment (Growth Areas
Authority) Bill**

**Victorian Urban Development Authority
(Amendment) Bill.**

APPROPRIATION (2006/2007) BILL

**Message read recommending appropriation and
transmitting estimates of revenue and expenditure
for 2006–07.**

Estimates tabled.

Introduction and first reading

**Mr BRUMBY (Treasurer), pursuant to standing
order 87, introduced a bill for the appropriation of
certain sums out of the consolidated fund for the
ordinary annual services of the government for the
financial year 2006–07 and for other purposes.**

Read first time.

Second reading

Mr BRUMBY (Treasurer) — I move:

That this bill be now read a second time.

This budget is what good government in the
21st century is all about.

This budget invests in the things that Victoria needs to
meet the challenges ahead: an educated and skilled
work force, healthy people, first-class infrastructure and
a competitive business environment.

As we head further into the 21st century, these are the
investments that every Australian government — state
or federal — should be making.

And these are the investments that form the heart of
Victoria's 2006–07 state budget.

Six years ago — in our first budget — we set out to
undo the damage left behind by the previous
Liberal-National government.

We set ourselves the task of restoring services in
education and health that had been closed down and run
down by years of funding cuts and underinvestment.

We set ourselves the task of growing the whole state
and reversing years of decline in provincial Victoria.

We set ourselves the task of helping Victorian
businesses to succeed in an increasingly competitive
global environment.

It is worth recalling the legacy left behind by the
previous government:

350 state schools closed

9000 teachers removed from our schools

3500 nurses and 6500 support staff taken out of our
hospitals

6 passenger rail services closed.

These are the facts. That is the legacy we inherited.
That is the damage that has taken more than six years of
leadership, hard work and substantial investment to
repair.

It is true that we inherited a strong financial position.

But we have made that position even stronger.

In 1999 Victoria's net debt was 3.1 per cent of gross
state product. Today, net debt is just 0.9 per cent of
GSP and will rise to 2.5 per cent by 2009–10.

In 1999, net financial liabilities were 10.6 per cent of
GSP. Today, net financial liabilities are less than 7 per
cent of GSP.

Governments are defined by the choices they make —
and the Bracks government has made very different
choices to the previous Liberal-National government.

In this budget, we have chosen to use the strength and
stability of Victoria's financial position to invest for the
future.

We have chosen to build schools and hospitals — not
close them down.

We have chosen more investment in public
infrastructure — not less.

We have chosen to grow our regions — not let them sink into decline.

We have chosen to tackle disadvantage — and create new opportunities.

We know that Victoria faces challenges. And we know that this is not a time to do nothing when we have the capacity to do so much.

This budget — the seventh budget of the Bracks government — meets the challenges and makes the right choices for Victoria's future.

A great track record on economic management

Speaker, this budget reaffirms the government's success in delivering sound financial management while investing in the drivers of a strong, growing and robust economy.

In 2006–07 Victoria's economy is forecast to grow by 3.25 per cent — maintaining the state's strong, consistent record of growth.

Jobs growth remains strong, building approvals are at record high levels and business investment per capita is above the Australian average — with the \$8.4 billion invested by Victorian businesses in the December quarter of 2005 the highest on record.

Our strong economy and quality of life continue to attract more and more people to Victoria.

In June 2005 Victoria's annual population growth exceeded the national average for the first time in 41 years — and in 2004–05 provincial Victoria's population grew by 1.3 per cent, the highest growth on record for 15 years.

Victoria is performing strongly — but we cannot afford to be complacent.

The challenges that face our state — indeed, face our nation — are as big as they have ever been.

The minerals commodity price boom, the strong Australian dollar and increasing competition from China and India are all placing Victorian businesses — especially our manufacturers — under pressure.

We also face the challenges of rising international oil prices, the continuing impact of dry climatic conditions and managing the impact of an ageing population.

The 2006–07 budget tackles these challenges by making Victoria the most productive and competitive economy in Australia.

And we continue to do that within a strong framework of sound financial management.

For the seventh consecutive year the government will meet its commitment to deliver an operating surplus in excess of \$100 million. We will deliver a surplus of \$317 million in 2006–07 and surpluses averaging \$316 million over the following three years.

Victoria's balance sheet remains comfortably within the AAA credit rating parameters.

An unparalleled investment in infrastructure

Speaker, when we came to office, the Liberal-National government had invested \$6 billion in infrastructure over the previous six years.

Over the last six and a half years we have more than doubled that investment to \$13 billion.

In this budget, we deliver the largest capital works program in Victoria's history, with a record high investment of \$4.9 billion — almost as much in one budget as the previous government delivered in six years.

This investment is crucial to boosting productivity and participation, attracting even higher levels of business investment and gearing up our economy to make the shift to the high-value industries and jobs that will maintain our quality of life.

And not only have we massively increased investment in infrastructure, we have also extended that investment across the whole state.

Through our *Moving Forward — Provincial Victoria* statement, the budget delivers an additional \$200 million to renew the highly successful Regional Infrastructure Development Fund.

We are also making sure that infrastructure, services and jobs in Melbourne's growing outer suburbs keep pace with the needs of the increasing number of Victorian families who now live in these areas.

In the city of Casey, for example, the average annual population growth over the last five years has exceeded 4 per cent. That is why this budget provides \$35 million for a new 100-bed aged care facility in Doveton; major upgrades to two primary schools; a new technical education centre in Berwick; and \$17 million to duplicate the Berwick-Cranbourne Road.

That is on top of seven new schools built across the area since 1999, major upgrades to 16 schools and of course the new Casey Hospital.

Speaker, just two weeks ago the government released *Meeting Our Transport Challenges*, which sets out a \$10.5 billion action plan over the next 10 years to ensure that our transport system supports Melbourne's and Victoria's growth in a responsible, sustainable way.

The 2006–07 budget marks the start of this action plan.

Over the next four years we will provide \$737 million for a major package of improvements to the Monash–West Gate corridor and more than \$850 million to extend and improve bus, train and tram services, improve rail safety and upgrade rail stations.

We will also provide \$345 million to upgrade arterial roads across the state, including the duplication of Mickleham Road and the Western Port Highway, and the replacement of the Barwon Heads bridge.

These transport projects will reduce congestion on our roads, deliver better freight connections for industry and significantly improve the comfort, safety, frequency and reliability of travel for a great many Victorian families — particularly those in Melbourne's outer suburbs.

Making Victoria the best place to do business

Speaker, Ford Australia's recent commitment to a \$1.8 billion investment in Victoria, including a new global R and D centre, highlights the importance of an attractive, competitive business environment to driving jobs and economic growth.

When we came to office, Victoria had the second highest number of state taxes. Today, we have the second lowest.

We have cut payroll tax from 5.75 per cent to 5.25 per cent.

We have slashed the top rate of land tax from 5 per cent to 3.5 per cent.

We have abolished six taxes under the intergovernmental agreement — and announced the abolition of a seventh tax, rental duty, from 1 January 2007.

Today I am pleased to announce that, at a time of growing cost pressures on Victorian businesses, the government will further reduce business costs by a massive \$1.4 billion over the next four years.

We will cut payroll tax from 5.25 per cent to 5 per cent over the next three years — saving over 20 000 Victorian businesses more than \$530 million and

bringing to 13 per cent the total reduction in payroll tax since the government came to office.

We will introduce further land tax relief worth \$167 million over the next four years.

We will reduce the middle rates of land tax by 20 per cent.

We will cut the top land tax rate to 3 per cent from 2006–07.

We will cap increases in land tax liabilities for a further year.

We will eliminate indexation factors.

And — for the first time — we will allow people to appeal their land valuations at the time they receive their land tax assessments.

These changes mean that most Victorian businesses with site values between \$400 000 and \$3.4 million will now pay the lowest land tax of any Australian state.

Speaker, in each of the last two years, the government has cut WorkCover premiums by 10 per cent.

In this budget — for the third consecutive year — we will again reduce WorkCover premiums by 10 per cent, saving Victorian businesses a further \$170 million a year.

This reduction will take Victoria's WorkCover premiums to an historic low — and 25 per cent lower than New South Wales.

These measures will boost the capacity of Victorian businesses to attract investment and generate jobs — and unquestionably make Victoria the best place in Australia to do business.

Driving jobs and growth

While these cost reductions will significantly relieve the pressure on Victorian businesses, the global environment remains especially challenging for some industries.

That is why this budget delivers a \$73 million boost to the tourism and events industry — including \$52 million to attract exciting new events to Victoria, \$8 million to attract major business events to the new Melbourne convention centre and \$12 million to market Melbourne and Victoria in interstate and international markets.

Speaker, by making the right choices now, we will build Victoria's industry base for the future — giving ourselves a competitive edge in a world where economic growth and high-value jobs are increasingly driven by innovation, knowledge and creativity.

Victoria is now the leading biotechnology location in our region — home to one in every two people who work in the Australian biotech sector, and attracting around half of all National Health and Medical Research Council grants.

The 2006–07 budget consolidates this leadership by providing \$230 million to support growth in Victorian medical research and life sciences through the *Healthy Futures* statement, released in April.

We will also increase funding to Victoria's film, TV and digital media industries by \$8.9 million; invest \$15 million to develop Victoria's dynamic and growing design industry; and provide \$15 million to boost cutting-edge research in information and communications technologies.

Victoria is now a major hub for financial services, and this budget will provide \$1.4 million for the APEC regional finance centre, which will become the leading international financial regulation and training centre in the Asia Pacific.

Maintaining Victoria's livability

A strong economy is obviously critical to Victoria's capacity to meet the challenges ahead. But so too is a strong environment and a high quality of life.

Funding provided in this budget will help to maintain Victoria as one of the most livable places in the world.

We will invest more than \$90 million to ensure that all Victorians have access to arts and cultural activities, including improvements to the Arts Centre and the State Library of Victoria.

We will provide \$20 million for a new heritage strategy that will help communities to better understand, care for and manage Victoria's heritage.

And we will provide \$13 million for the Great Parks for a Liveable City program, creating three new metropolitan parks in Werribee, Craigieburn and Melton.

We will also continue to protect and manage Victoria's environment, with a strong focus on managing the state's water resources wisely and responsibly.

We will provide an extra \$160 million for vital water projects, including:

\$30 million towards building a new pipeline to secure Bendigo's water supply and the future of surrounding irrigators;

contributions of \$50 million to the Gippsland Water Factory and an extra \$50 million to the Wimmera Mallee Pipeline; and

an extra \$25 million to vital work being carried out by the Murray Darling Basin Commission.

The government will also release a major sustainability statement later in 2006.

Our leadership on regulation and national reform

Speaker, the government's leadership in pushing for a comprehensive new national reform agenda is also contributing to jobs and business growth.

Last August, the Premier released *A Third Wave of National Reform*, which outlined Victoria's proposals to raise living standards and lift productivity and work force participation through reforms in health, education, regulation and competition.

In February of this year, the Council of Australian Governments largely accepted Victoria's proposals and agreed to work together on a new national reform agenda.

Victoria remains well ahead of this national reform effort.

The 2006–07 budget reinforces our strong reform credentials by providing \$42 million for new measures that will cut red tape for businesses and non-government organisations by 15 per cent over the next three years.

Delivering high-quality health services

Victoria is also making a substantial contribution of \$124 million to the COAG national reform initiative in health.

We will provide \$87 million to fight obesity, promote health and fitness, and tackle chronic conditions, such as diabetes.

More than 45 per cent of Victorians are overweight or obese — which is not only costing lives but also adding to our health costs.

This new funding will encourage more healthy and active lifestyles for Victorians of all ages — including a new Kids Go for Your Life program in primary schools and new chronic disease management teams around the state.

And it is just one element of the \$2.5 billion investment in health and community services delivered as part of this budget.

Since coming to office, the government has brought an extra 1300 doctors and an extra 6000 nurses and health care workers back into our health system.

We have rebuilt — or are rebuilding — more than 25 hospitals across the state.

And in 2005–06 our hospitals will have treated 250 000 more patients than were treated in 1999.

In this budget, we will provide funding for the largest health project in Australia's history — the redevelopment of the Royal Children's Hospital.

When this project is completed, Victoria will have one of the most advanced children's hospitals in the world. It is a project that reflects our choice as a government to build new hospitals, not close them down — and it will stand as one of the enduring legacies of the Bracks government.

We will also double the size of the Royal Melbourne Hospital's emergency department, provide a new dialysis and outpatient centre at Box Hill Hospital, rebuild Rochester Hospital, build a new community health centre in North Richmond, and provide funding for a new medical school in Geelong.

We will invest \$498 million to treat an additional 37 000 patients in 2006–07 in our hospitals and to boost areas that are coming under the greatest strain, such as intensive care, maternity services and neonatal care.

We will fund a \$10 million blitz on waiting lists and invest \$114 million to extend successful diversion programs that are reducing hospitalisations for people with chronic and complex conditions.

In a few days time, we will also launch the new Nurse on Call line — a very significant new service that will give Victorians access to health advice provided by registered nurses who will be on call 24 hours a day, seven days a week — and that will also help to reduce demand on our hospital emergency departments.

A Fairer Victoria

Speaker, in 2005, the government released the *A Fairer Victoria* statement.

That statement set out — for the very first time — a clear and unequivocal commitment from a Victorian government to tackle entrenched disadvantage and create new opportunities for disadvantaged people, families and communities.

Again, these are starkly different choices from those made by the previous government.

In last year's budget, we provided \$788 million to fund 85 specific actions under *A Fairer Victoria* — actions that are already making a difference in the lives of many Victorians and their families.

In this budget, we will provide a further \$818 million for *A Fairer Victoria* — with a strong emphasis on giving Victorian children the best start in life.

It is now very clear that investment in the early years of a child's life not only gives them a solid foundation for developing social and other skills, it also generates greater returns for governments than spending money to fix problems later in life.

We are providing a massive boost of \$268 million to protect vulnerable children, improve the wellbeing of children in care, deliver more early intervention services for families and employ more than 100 extra child protection workers.

We will provide \$10 million to provide greater support for disengaged young people who need help to get their lives back on track.

And we will provide \$25 million to boost services for children in Melbourne's fastest growing areas.

Through *A Fairer Victoria*, the government will also deliver:

\$170 million to improve mental health services;

\$67 million for additional disability support services, including \$21 million in new support for young people in nursing homes; and

\$62 million to continue to work with indigenous Victorians to tackle disadvantage and strengthen local communities.

Improving community safety

Speaker, the government also continues to direct substantial resources towards improving community safety.

Victoria now has the largest number of police officers ever — and our crime rate is more than 16 per cent below the national average.

In this budget, we will provide \$53 million to continue to upgrade our police stations and courts — including a new station at Yarra Junction — and \$109 million to protect Victorians against terrorism and organised crime.

We will continue our tough approach to road safety — an approach that has led to the three lowest road tolls for Victoria since records have been kept.

In this budget — along with an expansion in roadside drug testing — we will invest more than \$520 million through the Transport Accident Commission for the next phase of our road safety strategy.

The government makes no apologies for our approach to road safety. We are determined to get drivers to slow down and to stop driving under the influence of alcohol or drugs to save lives and reduce the numbers of Victorians who are seriously injured on our roads each year.

Making provincial Victoria the best place to live, work and invest

Speaker, in this budget, the Bracks government continues to meet the commitment we made in our very first budget to grow the whole state.

The budget provides more than \$800 million for provincial Victoria — including major new investment in schools, roads and health and community services.

In Warrnambool, for example, we will provide \$11 million to complete the redevelopment of the South West Institute of TAFE and \$4.6 million for a major modernisation of Warrnambool College.

Dr Napthine — That is federal funding, and you know it is federal funding! It is 100 per cent federal funding!

The SPEAKER — Order! The member for South-West Coast's behaviour this afternoon has been nothing to be proud of. I ask him to be quiet, or I will remove him from the chamber.

Mr BRUMBY — He is embarrassed by good news. There have never been so many announcements for the south-west coast.

In Warracknabeal, we will provide \$22 million to redevelop Warracknabeal Nursing Home: one of 39 regional aged care facilities that have been upgraded since 1999.

And in Wodonga, the budget provides a further \$55 million towards the construction of the Wodonga rail bypass.

This budget also provides funds for the \$502 million *Moving Forward* provincial statement, released late last year.

Alongside the extension of the Regional Infrastructure Development Fund, we will provide \$100 million for an entirely new Provincial Victoria Growth Fund to help Victoria's regions continue to drive investment, business and population growth.

As part of *Moving Forward*, we are also providing significant new support for key regional industries, including:

an \$11 million package of support for the dairy industry;

\$27 million for the energy and resource sector; and

a \$27 million boost for regional tourism.

This budget also provides additional support for farmers, including an extra \$1.5 million to help Victoria's horticulture industry explore new opportunities to improve productivity, upgrade skills and secure jobs.

Giving high priority to schools and skills

Speaker, as I said at the start of this speech, an educated and skilled work force is crucial to Victoria's future prosperity.

Education has been — and continues to be — this government's highest priority.

We want Victoria to lead Australia in education and skills.

That is why we have made an unprecedented investment in education.

That is why we have built 28 new schools, upgraded hundreds of schools across the state, and brought an

extra 6200 teachers and staff back into our school system.

That is why last year in Victoria more apprentices and trainees completed their training than in any other Australian state.

And that is why in this budget we will invest more than \$1 billion in schools and skills.

Today, I announce that the government will introduce a new \$300 School Start bonus for every Victorian child starting prep or year 7.

The bonus will be paid directly to families, with around 125 000 children benefiting each year from this initiative.

We all know that uniforms, books and other equipment can place additional financial stress on families with children starting primary and secondary school.

The new School Start bonus will assist parents to get their children off to school with everything they need — supporting families and highlighting the importance of education.

The full bonus will commence at the start of the 2007 school year.

For the current school year, families with children enrolled in prep or year 7 will receive a half-payment of \$150 to be paid at the commencement of term 3.

In this budget, we will also invest an additional \$448 million in education and training infrastructure.

We will build or complete nine new and replacement schools across Victoria — and provide \$58 million to buy land for 11 new schools in Melbourne's growing outer suburbs.

We will upgrade a further 33 schools and build new specialist facilities at secondary schools in areas such as music, design, science and sport.

But we are not stopping there.

We are planning to deliver the biggest one-off investment in school building projects in Victoria's history by providing \$600 million from the sale of Victoria's share of Snowy Hydro.

This budget accelerates the first \$100 million of those funds to modernise 23 schools, build 4 replacement schools, and build permanent school facilities in 3 country schools at Boneo, Little River and Traralgon.

We will also provide \$20 million from these funds to commence major regeneration projects across 25 school sites — projects that will provide the bold new leadership and excellence in education that is needed for Victoria's future.

These projects will include the new John Monash Science School, which will be a leading school for science, technology and innovation located within the Monash University precinct.

Another project will be the Maribyrnong Sports School at Maribyrnong College — which will become the school of choice for students seeking excellence in sport and academic performance.

Other schools and communities to benefit from these regeneration projects will include Broadmeadows, Bendigo, Altona and Echuca.

We will also inject \$50 million into school maintenance — bringing forward funds to enable all government schools to immediately fast-track maintenance works.

Speaker, the government understands just how much this state's future relies upon equipping young Victorians with the right set of skills.

That is why this budget invests \$241 million to deliver the *Maintaining the Advantage* skills statement, released earlier this year.

In addition, the government will introduce a new \$500 trades bonus to give young Victorians an incentive to continue with their apprenticeships — and to improve the current situation where around one-third of apprentices drop out of their apprenticeship in the first year.

The new trades bonus will be paid directly to apprentices in two instalments — with \$250 paid six months into the first year of their apprenticeship and \$250 paid when they re-enrol for their second year.

The new bonus will help around 17 500 young Victorians through a critical time in their apprenticeships — and help to provide the skills that are in demand by Victorian business and industry.

Appropriation bill

Speaker, the Appropriation (2006/07) Bill provides authority to enable government departments to meet their agreed service delivery responsibilities in 2006–07.

The bill supports a financial management system that recognises the full cost of service delivery in Victoria, and is based on an accrual framework.

Schedule 1 of the bill contains estimates for 2006–07 and provides a comparison with the 2005–06 figures. In line with established practice, the estimates included in schedule 1 are provided on a net appropriation basis.

These estimates do not include certain receipts that are credited to departments pursuant to section 29 of the Financial Management Act 1994.

Last year's budget continued Victoria's record of leadership in accounting practice, presenting one of the first financial reports in the nation to be prepared under the Australian equivalents to the international financial reporting standards. The 2006–07 budget consolidates Victoria's transition to these new standards.

The budget has once again been reviewed by the Auditor-General, as required by the high standards of financial reporting and transparency established by the Bracks government in 2000.

Conclusion

Speaker, a little over two months ago, Melbourne hosted the biggest and the most successful Commonwealth Games in history.

Nearly 6000 athletes and officials from 71 countries came to Melbourne — supported by around 14 000 enthusiastic volunteers.

The Commonwealth Games have delivered a significant legacy to Victoria — and not only in terms of their economic contribution to the state or in world-class sporting facilities.

They have left their mark in the pride Victorians felt in successfully hosting such a great event and showcasing our state to the rest of the world.

The games might be over, but Victorians can look with confidence to the future.

And just as the Commonwealth Games showed Victoria's capacity to deliver a world-class event, the 2006–07 budget takes Victoria forward as a world-class state and economy.

Speaker, in the years ahead Victoria will face many challenges.

The 2006–07 budget makes the right choices to meet and to master those challenges.

It is the finest budget of the Bracks government's term in office — perhaps apart from the first — and it will deliver a stronger, fairer and better future for Victoria.

Speaker, I commend the bill to the house.

Debate adjourned on motion of Mr CLARK (Box Hill).

Debate adjourned until Thursday, 1 June.

APPROPRIATION (PARLIAMENT 2006/2007) BILL

Message read recommending appropriation and transmitting estimates of revenue and expenditure for 2006–07.

Estimates tabled.

Introduction and first reading

Mr BRACKS (Premier), pursuant to standing order 87, introduced a bill to appropriate certain sums out of the consolidated fund in respect of the financial year 2006–07 and for other purposes.

Read first time.

Second reading

Mr BRACKS (Premier) — I move:

That this bill be now read a second time.

The bill provides appropriation authority for payments from the consolidated fund to the Parliament in respect of the 2006–07 financial year, including ongoing liabilities incurred by the Parliament such as employee entitlements that may be realised in the future.

Honourable members will be aware that other funds are appropriated for parliamentary purposes by way of special appropriations contained in other legislation. In addition, unapplied appropriations under the Appropriation (Parliament 2005/2006) Act 2005 have been estimated and included in the budget papers. Prior to 30 June actual unapplied appropriation will be finalised and the 2006–07 appropriations adjusted by the approved carryover amounts pursuant to the provisions of section 32 of the Financial Management Act 1994.

In line with the wishes of the presiding officers, appropriations in the bill are made to the departments of the Parliament.

The total appropriation authority sought in this bill is \$87.989 million (clause 3 of the bill) for Parliament in respect of the 2006–07 financial year.

I commend the bill to the house.

Debate adjourned on motion of Ms ASHER (Brighton).

Debate adjourned until Thursday, 1 June.

BUSINESS OF THE HOUSE

Program

Mr BATCHELOR (Minister for Transport) — I move:

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 4.00 p.m. on Thursday, 1 June 2006:

- Infringements (Consequential and Other Amendments) Bill
- Justice Legislation (Further Miscellaneous Amendments) Bill
- Planning and Environment (Growth Areas Authority) Bill
- Primary Industries Acts (Miscellaneous Amendments) Bill
- Victorian Urban Development Authority (Amendment) Bill

This is a government business program of five pieces of legislation. The reduced number of bills takes into account the fact that this week the government has presented to the house its budget and that on Thursday the Leader of the Opposition will be delivering the response of the opposition, which will trigger the debate by all sides of the chamber in relation to the appropriation.

In the context of progressing legislation through the chamber, we have set an objective of passing these five bills. In order to achieve that objective and the objective of responding to the budget, I would like to inform the house that on Thursday we intend to sit late into the night past the 4.00 p.m. guillotine, concluding with the adjournment, commencing around 10.00 p.m.

This is a big and important budget, and it is one that has been presented later in the financial year than has been the practice in recent times. We therefore need to make sure that we not only provide time for members of this house to make their responses to the budget but also get it through in a timely way before the end of this financial year. In that context, the sitting hours will be normal for today and Wednesday, but on Thursday we

will be sitting through, as I said, commencing the adjournment at around 10.00 p.m.

It is envisaged that we will be dealing with these five bills today and Wednesday. As I understand it, there has been a request from the opposition to first deal with the Attorney-General's bills. We have accommodated that to suit the needs of the opposition. We also will be dealing first up today with the Victorian Racing Bill — it is only a second-reading — and there will be other second readings during Wednesday and Thursday.

Mr COOPER (Mornington) — The opposition does not oppose the government's business program. However, we have some concerns about the way in which this sitting of Parliament is coming to a conclusion.

After today we will have 20 sitting days left in this Parliament. We have five pieces of legislation, which will clearly be debated at some stage this week, together with the 11 bills that have been introduced today. I take it from what the Leader of the House has just said that we can expect to see more legislation introduced in coming weeks, and that is because of the signal he is sending to us that we are going to have a late sitting on Thursday in order to maximise the time available this week for the budget debate.

When you apply the hours available after 4.00 p.m. on Thursday, you are going to have something like 20 to 24 members making a contribution to the debate. Even though we have a further two weeks before we have another off week — and that would normally be more than sufficient to debate the budget, given that members have only 15 minutes to contribute to the debate — that sends a clear signal to me that the government has an agenda in regard to matters other than the legislation coming before this house. Certainly that means that this house is going to be under some pressure as we come towards the end of the session.

We will certainly do our best this week, but we will have 11 second readings, and together with the budget we have six pieces of legislation to debate, four of which are going to be guillotined at 4.00 p.m. on Thursday. The opposition is keen to see the other two bills that are sitting on the notice paper brought on for debate before the end of this Parliament. We would certainly welcome the Channel Deepening (Facilitation) Bill being brought forward for debate. It is an important piece of legislation, not only to the member for Nepean and me but in general terms to the entire Parliament and the members of this house. It has been sitting on the notice paper for many months and should be brought forward for debate.

The Courts Legislation (Judicial Pensions) Bill is another piece of legislation which the shadow Attorney-General, the member for Kew, would strongly welcome being brought on for debate. We would like to have an assurance from the government that, in the dying days of this Parliament, we are not going to be subjected to long and lengthy sittings with truncated debate on the significantly boosted legislative program which we now see is going to come in over the next couple of weeks.

We want some assurance that the house will be given sufficient time not only to debate the second readings of those bills, some of which we have been notified of today and which are of importance, value and note, but to consider some of them in detail. We are not going to be at all happy if we see bills being shovelled through and guillotined at 4.00 p.m. on a Friday without sufficient debate on the second-reading stage; and where we believe there is a need to consider bills in detail, we think we should be given that opportunity.

Mr MAUGHAN (Rodney) — We are not at all happy about this business program and we will be opposing it. In the interests of the workings of the house, we are not going to divide on it, but I think it shows contempt for the opposition parties and in particular for members from the country who have a 3-hour drive to get home and fulfil all sorts of commitments.

Mr Savage interjected.

Mr MAUGHAN — Or 4, 5 or 6 hours, as the member for Mildura quite rightly points out. If this government had any regard at all for country members, it could easily give them some notice so they could make their arrangements accordingly. We knew nothing about this until the minister got on his feet and said we would be sitting until 10.00 p.m. on Thursday! I spoke with two members of the government about the business program this morning, and I have spoken with another within the last hour, and no indication was given that we would be sitting until 10.00 p.m. on Thursday. So we will oppose it as a matter of principle, but we are not going to divide on it.

Otherwise it is not a bad business program. There are five relatively minor bills. We could get through them, despite the fact that on Thursday we have two very important speeches on the budget from the Leader of the Opposition and the Leader of The Nationals and we have a matter of public importance on Wednesday.

I agree with the comments of the member for Mornington about item no. 12 on the notice paper —

the channel deepening project is still there. I wonder why that debate is not being brought on. Like the member for Mornington, The Nationals want to see that bill debated as soon as possible, certainly before Christmas. I wonder what the heck — —

An honourable member interjected.

Mr MAUGHAN — Yes, which year? I wonder what the delay is from the government's point of view. It cannot be environmental concerns. The bill should be on the government business program. I wonder why it gets bumped every week. When he introduced the bill 18 months ago, the Minister for Transport, who is sitting at the table, said it was urgent and important. Prior to that the government's *A Fairer Victoria* statement said that it was very important and showed the priority the government gave to these very important projects. If this project has got priority, heaven help those that are a low priority. We want to see the bill debated. It should be on the government business program.

We are not at all happy about sitting late on Thursday night without any prior notice.

Mr Jasper — Disgraceful!

Mr MAUGHAN — As the member from Murray Valley indicates, it is disgraceful. We take our responsibilities in our electorates seriously. We all have commitments, and it is unfair when we have a 10 o'clock adjournment, which means it is half past 10 before we finish, and we have a 3, 4 or 5-hour drive home. This government will have blood on its hands if a member drives home and runs off the road because they are overtired. For that reason we oppose the government's business program.

We ask for a bit more consideration. We ask for some prior consultation and a little courtesy from the government if it is going to sit to these ridiculous hours. This government talked about family-friendly hours. In opposition it was talking about knocking off at 8 o'clock and all sorts of things. Now that it is in government we sit until 10 o'clock on a Thursday evening. It is disgraceful. We oppose the government's business program, but in the interests of the workings of the house we are not going to call a division.

Motion agreed to.

PERSONAL EXPLANATION

Mr HULLS (Attorney-General) — I seek to correct *Hansard* regarding the second-reading speech on the

Infringements (Consequential and Other Amendments) Bill 2006. The second-reading speech made on 4 May 2006 contains an error which I now seek to correct. In the course of the second-reading speech I referred to a provision which would allow for the service of interstate warrants under the Commonwealth Service and Execution of Process Act. The bill does not contain such provision.

MEMBERS STATEMENTS

Auditor-General: appointment

Ms CAMPBELL (Pascoe Vale) — Under the Westminster system the Auditor-General is a cornerstone of our democracy and as an independent officer of the Parliament acts as what is affectionately known as the citizens' watchdog. Under legislative changes introduced in 1999 upon the election of the Bracks government, the Parliament was given the responsibility through the Public Accounts and Estimates Committee of recommending future appointments to the office of Auditor-General. The legislation, as the Premier stated at the time, strengthened the accountability of the Auditor-General to the Parliament and enhanced the power of the Parliament over the executive.

On Friday Mr Des Pearson was announced as Auditor-General upon the recommendation of the Public Accounts and Estimates Committee and subsequent acceptance by the Governor in Council. Today the presiding officers informed Parliament of Mr Pearson's appointment and commencement on 1 October for a period of seven years. The successful result and smooth proceeding of the appointment process augur well for any future appointments of independent officers of the Parliament. The spirit of bipartisanship was obvious on Friday when the Premier, the deputy chairman of the committee, the Honourable Bill Forwood from the other place, and I were able to stand together to inform citizens of this important announcement.

Mr Pearson's professional experience covers working in the commonwealth Auditor-General's office, being chief auditor in Darwin for the commonwealth Department of Primary Industries and Energy, working with the Australian Capital Territory TAFE and, in 1991, becoming the Auditor-General in Western Australia as a lifetime appointment. It is a great success for Victorians to have Mr Pearson as our Auditor-General, and we look forward to continuing with the current Auditor-General until the new appointment.

Hepburn: spa redevelopment

Ms ASHER (Brighton) — I draw the house's attention to the fact that Major Projects Victoria has put out to tender the redevelopment of the Hepburn spa bathhouse. The expressions of interest are to close on 8 June 2006. However, there are three key problems with this. The first is that construction will commence four years after it was first announced. It was first announced on 4 October 2002 by the Minister for State and Regional Development and the Minister for Tourism. The same two ministers again announced this project on 6 April 2006. We see a pattern of a pre-election announcements.

The second problem is that, of course, there has been a budget blow-out. The cost to taxpayers will rise by \$3 million. The original allocation from the taxpayers was \$5.2 million. It is now \$8.2 million. However, in the release of 6 April 2006 the government did not come clean and say the extra \$3 million was a blow-out; it simply said '\$3 million'. But as is par for the course for this government, we see a \$3 million blow-out in the government contribution to this project.

The third problem is that the bathhouse will be closed for 14 months. This will affect other businesses in the area and was not what the government originally indicated when it made the announcement on this project. The Hepburn spa bathhouse redevelopment is late and over budget. It is in line with the fact that under this government every single major project is either late, over budget or both.

Telecommunications: telephone charges

Mr LEIGHTON (Preston) — I have recently had reports of two incidents of consumers receiving bills for telecommunications services from a company with which they have no contractual relationship. The first had accepted reverse-charge calls from a relative in the Philippines. She was happy to accept the calls over a period of several months, given that her Telstra bill did not seem to be blowing out. She was distraught later to receive a substantial account from Optus. It seems that, whenever a reverse-charge call comes into Australia, it is a matter of potluck which telecommunications carrier it ends up with.

The second incident concerns a person whose computer was hijacked by rogue software which dialled an overseas number using the Optus override prefix. He was similarly upset to later receive a substantial account from Optus. This consumer also had his account with Telstra. Both these cases involved people from a non-English-speaking background.

In my view there needs to be a tightening of the arrangements for telecommunications providers to appoint themselves as carriers in such cases. It is not enough for a carrier to say that numbers have been dialled with their override or that their operator gave the name of the carrier at the time that they asked about charges being accepted.

Casterton Kelpie Festival

Mr DELAHUNTY (Lowan) — Today I highlight some of the upcoming events that are happening in the Lowan electorate, such as the eisteddfod, the antique fair and the vintage and veteran car rally in Hamilton. In Horsham there are the state volleyball championships, the Cover Girl fashion spectacular and the Victorian Yamaha championships. But the one I really want to highlight today is the Casterton Kelpie Festival.

The kelpie and Casterton have become synonymous, particularly over the last 10 years following research that found the kelpie breed had originated from Warrack homestead near Casterton. It is not by chance that Casterton now holds the most successful and best publicised working dog auction in Australia. In 1997 the Casterton Apex club held the first working dog auction, where turnover was about \$6100. In 2003 a kelpie was sold at a record price of \$5000 and the turnover was in excess of \$100 000.

Casterton has cemented its identity as the birthplace of the kelpie with the Kelpie Festival being held over the June long weekend. This year will be its 10th anniversary. There will be a gala ball on the Saturday night, with a full program of events over the weekend. This year there will be a couple of new events, one being the kelpie count, which is to see how many kelpies will fit in the back of a ute. This builds on the innovative event held last year called Mutton Mayhem, which raised \$800 for the Dergholm Social Club.

The Kelpie Festival, like many of our country events, would not happen if it were not for the enormous effort and support of volunteers. Over 200 volunteers will be involved in the kelpie weekend. Events like this are the heart and soul of regional life and make enormous contributions to the social and economic wellbeing of Lowan electorate. These events are run on shoestring budgets, with great support from volunteers, local businesses and the community.

Mexican Social and Cultural Association of Victoria

Mr LANGUILLER (Derrimut) — I wish to congratulate the Mexican Social and Cultural Association of Victoria (MexVic), which is a not-for-profit organisation founded in 2004 with the intention of helping enrich the lives of Mexicans living in Victoria and at the same time promote the culture of Mexico amongst residents of all cultural backgrounds.

MexVic strives to help Mexicans who come to live in Victoria feel and fit in better by offering them services such as orientation, useful local contacts and opportunities for social interaction and cultural development. MexVic takes every opportunity to involve local residents of other cultural backgrounds in its activities to show them the many facets of Mexican culture and entice them to share their cultures with their members.

MexVic helps Mexicans living in Victoria to establish an identity as a group and join forces to pursue common interests in fields as diverse as sport, culture, art, family and social life or business. It helps Mexican immigrants and their families to integrate responsibly into the Australian community and to better understand the system. It facilitates the showcasing of Mexican art and culture through the organisation of and participation in cultural events and the support of groups that promote the practice of any form of Mexican art. It encourages people from any background to participate.

Thompsons Road, Lower Templestowe: upgrade

Mr KOTSIRAS (Bulleen) — I stand to condemn this lazy and inept government for its inability to finish projects on time and on budget. The upgrade of Thompsons Road is already six months behind schedule and indications are that it might be at least 12 months overdue. It is another example of this inept government attempting to manage projects.

This government announced the upgrade of Thompsons Road on 5 May 2004, two years ago, with much fanfare. At the time the Premier said:

In a couple of years it will mean you have safety when catching a bus. You will have a better road.

I have to advise the Premier that a couple of years is up and the road remains the same. Work has stopped on Thompsons Road and there is no indication of when it will recommence. The initial cost of this project was \$9 million, but due to delays it will probably end up

costing the full \$12 million that was allocated. Instead of the extra \$3 million going towards other projects such as the upgrade of King Street, it must now be spent on Thompsons Road, because this government simply cannot manage and cannot finish projects on time and on budget. Manningham residents are simply not getting value for their money from this lazy and incompetent government.

Banksia Secondary College: *Pippin*

Mr LANGDON (Ivanhoe) — On 18 May I had the great pleasure of attending the Banksia Secondary College production of *Pippin*. It was another great production from that school. I am one of the sponsors for these productions, and I was very pleased to be there with my family.

There are a lot of people involved. Banksia Secondary College has a unique way of involving other schools in the area. This year the schools were Preston West Primary School, Preston Primary School, View Bank Primary School, Heidelberg Primary School, Northcote Primary School, Fairfield Primary School, Bellfield Primary School and Banyule Primary School. It was brilliant.

The cast is often praised, so I will start with the crew this time. They were Tom Crank, Keith Chatterton, Nicole Flanders, Ben Schulz and Stuart Flanders, who were working behind the scenes getting everything done. The people in the starring roles were Lorien Stark, Mark Morabito, Brett Walford, Tash Mpantellis, Christine Rose, Stephanie Papworth, Johnny Hehepoto, Monique O'Meara, Natt Cole, Kieran Barrett, Alyce Jessup, Samantha Williams, Ashley Holmes, Sarah Peters, Kiefer Williams, Jessica Reesby, Soeraya Sobh, Reannon Ploughman, Adele Ogden, Daniel Morabito, Justin Jones and Jenny Zeng.

HMAS *Canberra*: dive site

Mr DIXON (Nepean) — The federal government has offered the hulk of the HMAS *Canberra* to the states as a diving site. The ship will be handed over free of charge, with the state having responsibility to pay for its towing and scuttling. New South Wales and Victoria have expressed interest in the ship as a dive site, although Victoria only did so at the last minute at the urging of the diving industry of Victoria, the federal member for Flinders, Greg Hunt, and me.

The Victorian proposal is to scuttle the ship outside Port Phillip Heads, where it would become an exciting dive site for local and visiting divers. The Victorian diving industry has put together a brilliant case to

secure the hulk, which as a dive site would add to the diversity of Victoria's already famous diving destinations centred around the bottom end of Port Phillip Bay.

The New South Wales government has recognised the importance of the potential of the hulk to its diving industry and is backing its dive industry's bid with \$250 000. Unfortunately the Victorian government is insisting that the federal government also pay the state for the privilege of giving a gift, so no financial incentive has been forthcoming from this government.

Surely this government can find some money from its leaked funding for tourism in today's budget. After all, it is rolling in GST, taxes, fines and stamp duty.

Western Bulldogs Football Club

Ms BEATTIE (Yuroke) — I was recently provided with two Western Bulldogs memberships to distribute to people in my electorate as part of their Year of the Dog promotion. I decided to purchase a third and got the local media to assist me in running a competition to encourage supporters to write to me sharing their belief in why they deserved to be provided with a membership. The response was fantastic: there are some serious and committed Bulldogs fans out there. They put great effort into it. I saw everything from poems to drawings, and some entrants even decorated their envelopes in the Bulldogs colours. I could not make a decision, so I bought another five memberships to go with the original three on offer.

The entries came from a diverse field. The lucky recipients of the Year of the Dog memberships are: Luke Ashcroft, aged 12, of Greenvale, a Bulldogs fanatic living in a house full of Bombers supporters; Rachel Johnson, from Craigieburn, who decorated her envelope and claims that her first words ever were 'Go Doggies'; Joe Arrigo, from Gladstone Park, whose wife entered on his behalf; Allyson Blaskovic, from Roxburgh Park, who entered on behalf of her sons; Russ Nilson, who was a Commonwealth Games volunteer, from Tullamarine; Karen Haig, who claims to have red, white and blue blood, from Tullamarine; Cathy Rankin, on behalf of her husband, Bill, a reformed soccer fan from Scotland; and Christine Hochheimer, from Craigieburn, who offered to dye her hair red, white and blue.

The Bulldogs had a fantastic start to the season, and I hope the winners enjoy the opportunity to cheer the Bulldogs on.

Thomas Campbell

Mr SAVAGE (Mildura) — I wish to bring to the attention of the house the passing of Thomas Alexander Campbell on 25 May at Manangatang. Yesterday at Underbool the community paid their respects and showed the high regard in which Tom Campbell was held in that community.

Tom Campbell was a friend of mine and a person for whom I had great respect and admiration. Tom was born on 28 October 1938. Many years ago he and Barbara ran the Linga post office and store. Tom also ran the silo and harvested salt at Pink Lakes. He was a great community contributor who was always cheerful, and he made time for people, especially children. Tom was also the neighbourhood watch coordinator for the area for about seven years.

In February 2004 Tom Campbell received a citizen's commendation from Victoria Police, and I will read the citation:

For outstanding community service and bravery at Torrita on 9 October 2002, when at risk of his own personal safety he removed a seriously injured person from a burning vehicle and in doing so saved his life.

I think that epitomised Tom Campbell — a great contributor and an unselfish man. I make known to this house my sympathy for Tom's wife, Barbara, and his children, David, Kathy and Sharon. I know the community of Underbool would share those thoughts.

Ferntree Gully Arts Society

Ms ECKSTEIN (Ferntree Gully) — On 14 May I attended an exhibition at the Hut Gallery in Ferntree Gully of the works of Aldo Bellamo. Aldo has taken as his inspiration for this exhibition the bushfires at Wilson's Promontory and their consequent impact on the landscape. He has produced a series of about 30 paintings which reflect the devastation of the fires on the landscape. The paintings are almost abstract in nature and bring out the form and structure of the rocks, the skeletal shapes of the charred trees and shrubs, and the soul of the land laid bare by the fires. Aldo's work is as confronting as it is fascinating and engaging. I would like to congratulate Aldo on this stunning exhibition, as well as the Ferntree Gully Arts Society, which operates the Hut Gallery, for putting it on.

The Ferntree Gully Arts Society is the second oldest arts society in Victoria and celebrated its 60th anniversary in 2004. I would like to thank the society and its members for their longstanding commitment to the arts in the Ferntree Gully community and for

providing a venue and exhibition space for local artists to practise and display their works.

Some wonderful local artists work out of and show their works at the Hut Gallery. I encourage all honourable members to take the opportunity to see the current exhibition, or indeed any future exhibitions, at the Hut Gallery in Ferntree Gully whenever they are in the area. I have no doubt they will be in for a great treat and will appreciate the quality of the works they will see there.

Public transport: Bass electorate

Mr SMITH (Bass) — I wish to raise the issue of public transport in Bunyip, Garfield, Tynong and Nar Nar Goon and let the Minister for Transport know that he has not fooled anyone in those areas regarding fast trains, because people in those towns know that the only way the minister can promise fast trains is to not allow the trains to stop at their stations.

The house should be aware that the Minister for Transport has stopped the trains again for another five months so work can be carried out on the line to Traralgon. It had been closed for 12 months, but recently it opened briefly while the new trains were trialled. Of course that is when the panels blew off one of the trains when it went too fast. Now it seems that the line has closed again. Maybe the convertible sleepers the Premier spoke about today are being installed.

The minister needs to look at the timetables and ensure that the 'f-a-r-c-e' train stops at all stations so that people in the areas of Bunyip, Garfield, Tynong and Nar Nar Goon can have a reliable, punctual and worthwhile service — not like the one they have now. These people live in a growth corridor and are in need of a proper public transport system. They are not people who are in a position to own two cars, but they would use a public transport system if it were reliable and on which they felt they could probably get to work on time.

Vietnam: National Assembly election

Mr DONNELLAN (Narre Warren North) — Today I rise on behalf of the Vietnamese constituents in my electorate and various people I have met in Vietnam, including Father Ly Donam Hai and members of the underground union movement there. They are concerned about the upcoming elections for the National Assembly of Vietnam. As stated in the Vietnamese constitution under article 4, only those candidates approved by the Communist Party are able

to stand for the peak decision-making body, the National Assembly. The people chosen, as stated in the Bloc 8406 campaign led by Father Ly and others, are elected simply as subordinates of the party.

The various members of Bloc 8406 and local constituents are also concerned about forced voting, which effectively includes family members voting on behalf of absent members who might be in a country town or somewhere else. Those in Bloc 8406 and others effectively call for articles 6 and 7 of the Vietnamese constitution to be properly abided by. Articles 6 and 7 deal with having proper democratic elections.

In recent statements Bloc 8406 dissidents and local members of the community have called on the Vietnamese government to eliminate article 4 of the constitution, which allows the Communist Party to run the National Assembly. They have called for free elections and for the boycott of elections held under the current system. They have also called on the United Nations and other outside forces to push Vietnam towards democratic processes and to stop the abuses.

Rural and regional Victoria: football and netball clubs

Dr SYKES (Benalla) — I wish to draw the attention of the house to the plight of many small country football and netball clubs as they battle for survival. In the Benalla and District Football and Netball League several matches have had to be forfeited this year due to a lack of players.

The Devenish Football and Netball Club has been particularly hard hit. To compound its problems, it is facing significant increases in the cost of water for its ground. This is because Goulburn Murray Water is applying tough, user-pays principles to the water used for community recreation facilities. Similarly, the attention of the Tatong community is being diverted from recruiting footballers and netballers because of the protracted negotiations with Goulburn Murray Water and other organisations over putting in a dam to provide emergency water supplies in the event of a drought or fire.

The Bracks government could make life a lot easier for small country football and netball clubs by showing some commonsense and compassion in the application of water management policies. In particular, I ask the Bracks government to review its policy of requiring community recreation reserves to purchase water — or alternatively, to provide grants for the purchase of water and the costs of metering et cetera. I also request the

Bracks government to direct organisations such as Goulburn Murray Water to adopt a can-do approach and implement projects such as the Tatong community emergency water supply promptly and efficiently. It is time the Bracks government lived up to its claim to govern for all Victorians.

Myanmar: violence

Mr LIM (Clayton) — I rise today to add my voice to the international condemnation of the ongoing acts of violence in Burma by SPDC troops that are aimed primarily at the innocent, ethnic minority group in eastern Burma known as the Karen people.

It is somewhat uncommon for members of this house to speak of international condemnation. However, when more than 10 000 people have been displaced into inhospitable jungles without food, shelter and medicine, every person who has a public voice needs to stand up and demand appropriate action be taken.

We cannot stand quiet when escaping villagers are hunted down like animals and then tortured and raped. We cannot be reserved about condemning the use of landmines to kill villagers trying to return to their homes although food supplies and the village itself have been destroyed. We cannot ignore the need for humanitarian assistance to the remaining few who go hungry and need medical attention. We cannot continue to be indifferent when many of the actions of the junta can be labelled genocide. We cannot let the Howard government be selective in its overseas intervention when the screaming voices of the oppressed in Burma ring loud in our ears, hearts and souls.

I condemn the Burmese military regime and demand the federal government do all in its power to stop this unending tragedy in Burma.

Swimming pools: regulation

Mr COOPER (Mornington) — If the concerns of the Swimming Pools and Spa Association of Victoria are well founded, the Bracks government has a major issue on its hands which requires decisive action. According to the association, the issue is that many swimming pools are being constructed by unlicensed builders who are using loopholes in the system to operate without having to comply with any of the legal requirements set out by the Victorian government.

The association says that many consumers are being persuaded by these dodgy, unlicensed builders to apply for permits as owner-builders. Essential safety issues and fencing requirements are not being followed, and this then puts lives at risk. For example, it is alleged

that there are many instances where these dodgy operators are filling pools with water before a pool barrier is completed. The licensing of builders, and their adherence to the Building Act 1995, is an essential protection for consumers and provides stability to the industry. Both those vital matters are now under threat. The question that now requires an answer from the government is what, if anything, is going to be done about this matter. Or will it just be another issue that is ignored by this do-nothing government?

John and Margaret Williams

Mr ROBINSON (Mitcham) — Congratulations are in order for two couples resident in the Mitcham electorate who have recently celebrated notable anniversaries. The first is John and Margaret Williams, who recently celebrated their golden wedding anniversary. Mr Williams was a founding member of the renowned Maroondah Singers, and it was appropriate that the singers participated in the anniversary celebrations. Mr Williams is also very active as chairman of the Maroondah presbytery of the Uniting Church of Australia. The couple's anniversary celebrations will include a caravan trip to Brisbane in the middle of this year, and we wish them all the very best.

Doris and Matthew Conrad

Mr ROBINSON — If 50 years is worth celebrating, then 70 years is certainly worth celebrating. Doris and Matthew Conrad have managed to chalk up 70 years of marriage, which is an extraordinary achievement. They are now resident in Blackburn and they look back fondly on the Sunday evening dances of their courtship. They are great advocates of continued physical activity — Mr Conrad still regularly rides his exercise bike to stay in peak condition. That is a great thing. These couples are a great advertisement to everyone for their commitment to married life.

Glen Huntly Primary School: junior councillors

Ms BARKER (Oakleigh) — I would like to congratulate a number of children from Glen Huntly Primary School for their work as junior councillors for that great school. The Glen Huntly junior councillors are Taylor Dale, Chris Melenhorst, Mariel Beiers, Patrick Ryan, Emma Sinclair, Tristan Allan, Sian Rossjohn, Morgan Borley, Andrew Coleman, Keerthena Arjuna, Elliot Dale, Georgia Cox, Stanley Lin and Adriana Georgiou. They are a great group of young people.

I had the pleasure of meeting all but Adriana last week when they visited Parliament House to learn more about how government works at a state level. They were able to sit in the Legislative Assembly chamber and experience how the Premier, Deputy Premier, Speaker, clerks and ministers and leaders of the opposition parties undertake their work. We also had plenty of opportunity to discuss the work of a member of Parliament and how that work relates very much to how they will conduct themselves as junior councillors for their school.

I am very confident that these Glen Huntly Primary School junior councillors will listen to their classmates regarding the issues and ideas they have about the school and will raise them at their meetings. They also understand that all issues and ideas need to be considered in line with current school policy and programs, and that while it is important to listen and consider matters which are raised with them, they also have a responsibility to ensure good governance. The Glen Huntly Primary School junior councillors are enthusiastic, eager to listen and learn and responsive to ideas. I believe their classmates will see that they have a very good junior school council which will work very hard for them and their great school. I wish them all the best in their ongoing work.

Friends of Organ Pipes National Park

Mr SEITZ (Keilor) — Last Saturday I had the pleasure of joining the Friends of Organ Pipes National Park, on the Calder Highway in my electorate, in their tree-planting program. The Organ Pipes National Park was a gift from the Green's trust via Stan Payne, who was a trustee, and was established on what was once a desolate area along the Maribyrnong River. Trees have been planted there by volunteers over many years — my involvement with the rehabilitation of the Organ Pipes National Park area goes back some 30 years.

It gave me great pleasure to be present once again and to have a look at the native flora and fauna which has been reintroduced to the area. On Saturday the rangers were taking down the nesting boxes provided for the sugar gliders which have been brought into the area and which are surviving and thriving on the native vegetation planted in the area. The kangaroos introduced into the area are also flourishing. In the Maribyrnong Valley and right along the Calder Highway we have mosses and native grasses. These have been brought into the area after seeds were saved from different locations. They are thriving in the valley and around the Organ Pipes National Park, which is an important part of our establishment.

River Nile learning centre

Mr MILDENHALL (Footscray) — I wish to congratulate the Footscray West Anglican community on its outstanding local initiative to establish the River Nile learning centre. I had the privilege of being present at the official launch of the River Nile learning centre last Friday night. The aim of the learning centre is to provide a bridging program for students, particularly those from Sudanese and specifically South Sudanese backgrounds, who, despite having access to excellent intense English language programs at the Western English Language School and other centres, find themselves, while at a comparable competency level at the school, out of sync with their age group. That has led to difficulties in mainstream schools. This program is there to fill that gap and create that link. It is an outstanding initiative.

VICTORIA RACING CLUB BILL

Second reading

Mr PANDAZOPOULOS (Minister for Racing) — I move:

That this bill be now read a second time.

I am proud to present this bill to the house today. This bill will help facilitate the corporatisation of one of our state's most significant racing institutions — the Victoria Racing Club.

The Victoria Racing Club is currently governed by the Victoria Racing Club Act 1871, an act which is now outdated and often impracticable. The Victoria Racing Club has become incorporated pursuant to corporations law and this bill fulfils a government obligation to help facilitate this corporatisation.

Key features of the bill

I now turn to some of the key features of the bill.

The bill will transfer all existing rights, property, assets, debts, liabilities and obligations currently vested in the chairman of the Victoria Racing Club to Victoria Racing Club Ltd.

This means Victoria Racing Club Ltd will not have to go through the costly and time-consuming administrative exercise of individually novating every agreement and contract that it is party to.

Crown lease of Flemington Racecourse

Underlying Victoria Racing Club's success is its position as lessee of the Crown land at Flemington Racecourse. This bill will see the lease for Flemington Racecourse transferred from the chairman of the Victoria Racing Club to Victoria Racing Club Ltd. The current lease will continue to run for the remaining 43 years of its current 99-year term. Governor in Council will have the power to grant a new lease for a period not exceeding 99 years on the expiration of the current lease.

Victoria Racing Club Ltd may use and manage Flemington Racecourse for the purpose of a public racecourse and for any other use not inconsistent with the purpose, or authorised under this bill.

The Victoria Racing Club currently undertakes a variety of activities at Flemington Racecourse in addition to the conduct of race meetings. The government recognises the importance of ensuring that Victoria Racing Club Ltd is able to continue using the racecourse land to generate revenue for the club beyond race day activities.

To give effect to this intention the bill provides that Victoria Racing Club Ltd may use the racecourse land for the purpose of a public racecourse and any other use not inconsistent with this purpose.

Victoria Racing Club Ltd may also use or grant subleases or licences for any purpose that has been approved by the minister for Crown land in respect of the racecourse land.

This provision allows Victoria Racing Club Ltd to sublease and licence the land for purposes such as training while allowing the government to control the general purposes for which the Crown land is sublet and licensed.

Management of Flemington Racecourse

The Victoria Racing Club Act 1871 that currently governs the operation of the Victoria Racing Club provides that the club may make by-laws in relation to a number of matters at the racecourse including the setting of admissions fees and the general management of the land.

As previously noted the 1871 act has become outdated and it is obviously inappropriate to grant a private company the power to make by-laws in relation to Crown land.

At the same time we need to ensure that Victoria Racing Club Ltd is able to effectively manage Flemington Racecourse. For this reason the bill grants the Minister for Racing the power to make regulations in relation to:

the care, protection, good order and management of Flemington Racecourse;

the safety of persons and animals on Flemington Racecourse;

the imposition of tolls and charges such as admission fees;

the reservation of particular areas of the racecourse by Victoria Racing Club Ltd for specific purposes; and

any other matter that the Minister for Racing considers necessary to ensure that Flemington Racecourse is used and managed in accordance with the provisions of this bill.

Any regulations made under these provisions will confer the necessary powers and obligations on Victoria Racing Club Ltd to give practical effect to the regulations.

Licences held by the Victoria Racing Club

Of course Victoria Racing Club Ltd is unable to operate as a racing club conducting race meetings at Flemington Racecourse without the appropriate licences issued by the Minister for Racing under the Racing Act 1958.

The bill will therefore deem the Victoria Racing Club's Racecourse and Racing Club Licences under the Racing Act to Victoria Racing Club Ltd.

The Victoria Racing Club's venue operator's licence under the Gambling Regulation Act 2003 and liquor licence under the Liquor Control Reform Act 1998 will also be deemed to Victoria Racing Club Ltd.

Other general provisions

The remaining provisions of the bill maintain the rights and responsibilities of the Victoria Racing Club under the Victoria Racing Club Act 1871.

These include:

Victoria Racing Club Ltd must maintain the racecourse and its buildings so they are fit for the purposes of a public racecourse; and

the Crown will have the power to inspect the racecourse and land and buildings and issue a notice for repair if not satisfied that they are fit for the purposes of a public racecourse;

the racecourse land will revert to the crown if it is not used in accordance with the provisions of this bill for a continuous period of 12 months, or if Victoria Racing Club Ltd is wound up; and

upon any such reversion the Crown will pay compensation to Victoria Racing Club Ltd for the value of buildings and improvements on the land.

Conclusion

This bill will allow one of Victoria's most significant and nationally and internationally recognised racing clubs to become incorporated and operate in a more efficient and commercial manner.

I commend the bill to the house.

Debate adjourned on motion of Mr KOTSIRAS (Bulleen).

Debate adjourned until Tuesday, 13 June.

INFRINGEMENTS (CONSEQUENTIAL AND OTHER AMENDMENTS) BILL

Second reading

Debate resumed from 4 May; motion of Mr HULLS (Attorney-General).

Government amendments circulated by Ms GARBUTT (Minister for Community Services) pursuant to standing orders.

Mr McINTOSH (Kew) — The opposition does not oppose the bill or the proposed amendments. I have spoken to representatives of the government about these amendments and have been fully briefed on them. Although the amendments are substantial, they are largely in the nature of typographical corrections. But as I said, we do not have any difficulties with the proposed amendments nor with the bill. Accordingly we will not oppose the legislation.

This is the follow-up to the Infringements Bill, which we passed earlier this year. Although this bill was foreshadowed in the original bill, it is certainly based upon what I think is an unbelievable statistic which is — and this comes out of the minister's second-reading speech on the first bill — that there are some 40 000 people in this state that have 10 or more

warrants against their names in relation to the non-payment of fines in our current infringement system. That seems to me to be a staggering level of non-payment, and those people certainly should not be referred to as 'a few recalcitrants', as the Attorney-General has described them.

It seems to me that we have a significant problem when 40 000 people have 10 or more warrants against their names. It is certainly the prime reason why we are moving in the direction of reform in the area of infringements. The fact is that some \$700 million is outstanding. It is an indictment of the government's mismanagement of infringement processes in this state that that level has actually been attained. As I have said, that \$700 million represents some 40 000 Victorians who have 10 or more warrants standing against their names.

However, we will not oppose anything that will improve the system. That was the basis on which the opposition did not oppose the original bill. We were concerned about the bureaucratic nature of it; certainly it is very complicated. The principal legislation covered some 50 acts, and this amending bill now extends that to nearly 60 acts, now incorporating particularly — this is one of the major provisions of the bill — the coverage of local laws. As I understand it, there was an agreement between the Municipal Association of Victoria and the government in relation to that.

However, largely this bill is dotting the i's and crossing the t's, fixing up a number of typographical errors and also cross-referencing amendments. It was certainly foreshadowed. But when you look at the original bill, which was 150 pages, and note that the amending bill, with all its typographical errors and cross-referencing, is another 111 pages, it is a matter of concern that we seem to be still picking up some clear errors coming through in the amending bill, as seen in the amendments that have just been tabled in the chamber.

I believe there is a need to reform this law. I am very happy that these corrections are being made. I have no doubt there will be further corrections picking up the problems. It just seems to me the bill has been introduced with an abundance of haste to deal with a significant problem in this state. With those brief remarks, I indicate that we do not oppose the legislation.

Mr RYAN (Leader of The Nationals) — The Nationals do not oppose this legislation. Mind you, we do think some sort of explanation is due by the government to the Parliament as to why we are debating this bill at all. The principal act received royal

assent on 11 April. Here we are 49 days later debating this amending bill, which was introduced on 2 May, 21 days after the principal act received royal assent.

This bill contains about 50 amending provisions dealing with problems in the principal act. It adds a new part 15, which has a grouping of 24 new provisions, and on top of all that, of course, it makes further amendments to an additional 60 acts. But the point is, it is surely an extraordinary state of affairs. This has to be a record of some unfortunate proportions, that a principal act which received royal assent only 49 days ago is being amended to this amazing extent, and it behoves the Attorney-General to provide an explanation to the house as to why this process has had to be gone through.

The infringement notice, which essentially is the subject of the principal act and the amending provisions, has become an indispensable part of the operation of the judicial system in Victoria. It has made a huge difference to the way in which our courts operate. It has effectively removed from the consideration of the court a vast proportion of the work that used to come before the courts for consideration by the magistrates in particular. That is a good thing, of course, as a general principle. However, elements of this bear careful consideration by the government before it extends this use of the infringement notices to a point where they ultimately defeat the purpose of the provision of justice to the Victorian community.

By nature infringement notices reverse the onus of proof. If a person who is the recipient of an infringement notice, and who is therefore subject to paying the fine that it imposes, wishes to contest whatever might be the charge which draws the infringement notice in the first place, then the person concerned has to actually give notice to the court of an intention to defend the proceeding. That obviously flies completely in the face of the usual notions of the way the judicial system operates, in that as a matter of course a person is innocent until proven guilty. Of course it is the extensive use of the infringement notice system which has wrought major change to the way in which that principle has long operated in the law in this state and indeed jurisdictions around Australia.

I sound a note of warning to the government that when it has before the house a bill which makes the extensive changes which this bill makes, that of itself is something which requires explanation given the circumstances and time frames. But over and above that, the general system of the application of infringement notices is something about which we need to be very careful, so that we do not go too far with

regard to their application across communities in Victoria. Mind you, I think the changes to the system that were brought into effect by the principal act are constructive. The capacity to make instalment payments and the like, the provisions that better accommodate those who are disadvantaged in our community and matters of that nature are worthy additions.

This bill now extends the application of the principal act to the children and young persons legislation. That obviously was an oversight by the government in the first place. This bill then amends a series of other acts that are specifically referred to as having their own part in the bill. Then there is a schedule which contains a long list of additional pieces of legislation, and all of those will be subject to the operation of the new system which has been introduced under the principal act.

The only other point I want to comment on is that the penalties imposed by these infringement notices will no doubt be the subject of the automatic increases that occur under the government's legislation, which will take effect again this year on 1 July. We will see all the penalties, all the fines and all the impositions in their many forms — the thousands upon thousands of them — across the whole gamut of operation of the government, increase by the consumer price index or thereabouts as of the stroke of midnight on 30 June or 1 July, whichever is the operative date; I have forgotten which, but it is in that 24-hour period.

This is government by subterfuge. People no longer get the opportunity to be able to debate these increases. As is the wont of this government, there is an imposition of secret taxes that people have no idea about until such time as they suddenly find themselves having to pay an amount of money for any one of literally thousands of fines and financial impositions that are forced upon them, and then they find that the amount of money they are having to pay has increased from what it was the year before simply because this government, by stealth, has imposed those additional impositions upon Victorians. It adds up to tens of millions of dollars which additionally flow into the government's coffers.

Funnily enough, in grandiose statements such as those which accompanied the Treasurer's budget speech today, these sorts of things just quietly slide by, and like so many other elements of the way this government does business, they are a real pointer to who it is and what it is.

Mr MILDENHALL (Footscray) — It is a pleasure to speak on the Infringements (Consequential and Other Amendments) Bill before the house today. As other

speakers have indicated it is cognate with the Infringements Act 2006 and therefore forms an integral part of that package. In fact probably the only point of substance made in the debate thus far was around the issue of the speed with which this bill has appeared in the Parliament in relation to the royal assent being granted to the Infringements Act.

But it is the case that the principal act, the Infringements Act 2006, was introduced in spring last year and sat over until autumn this year to provide adequate opportunity not only for public comment but for detailed examination and for the partnership to be created with local government, which has now seen local laws included in the new infringements regime. That process has enabled the bringing forward of the planned package of consequential amendments to other legislation and transitional provisions manifest in this bill. It is not a sign of significant fault with the original legislation; it shows an accelerated and streamlined tidying up of the legislation, with some very good work by parliamentary counsel and officers of the Department of Justice.

Mr McIntosh interjected.

Mr MILDENHALL — That is right, the task-oriented Attorney-General.

The legislation has some notable components. As other speakers have indicated, the bill has application across a large number of acts. The detailed amendments have some substance but they are largely of a mechanical or typographical nature. I understand that one particular set of amendments, the return to sender provisions, are a result of the Public Accounts and Estimates Committee's drawing to the attention of the government that some infringement notices were marked 'return to sender' in attempts by offenders to avoid paying infringement fines. The bill specifically deals with that matter and provides that an infringement notice posted to an authorised address — that is, one that a person must by law keep up to date, including an address given to a public transport enforcement officer — is deemed to have been served on that person, even when the notice is marked 'return to sender'. That will put paid to the method that is being used increasingly by those who seek to avoid paying infringement notices.

One of the more shameful episodes in this place has been the proposal by the Liberal opposition in particular for much wider tolerance levels on speeding infringements in the name of reducing the number of infringements being paid and the impact that would have on the number of those payments and the revenue

from them. In the context of an extraordinarily successful road safety campaign, it ill behoves the Liberal opposition to be proposing wider tolerances on speeding infringements. As a state we have had extraordinary success in reducing the road toll. The infringements regime should be as tight, stringent and robust as reasonably possible. There will be debate about what is 'reasonably possible', but the proof of the pudding is in the eating, and through our very robust road safety campaign more lives have been saved and more serious injuries prevented in Victoria than in many other comparable jurisdictions.

Another component of the introduction of the principal act has been the fine waiver offer by the government and a number of participating councils. Since 1 February Civic Compliance Victoria has entered into nearly 6000 payment plans with an average value of around \$500. That particularly affects those who would find difficulty in paying their infringement fines and need to enter into such arrangements. Under the fine waiver offer, from 1 February to 30 April more than 45 000 debtors settled a total of 65 307 obligations with full payment and had a total of \$5.5 million in fees waived.

In that period, a further 39 800 debtors with a total of more than 200 000 PERIN obligations either entered into or had existing PERIN payment plans, which led to \$21.3 million in fees being waived. So some significant inroads have been made into those outstanding fees, both in numbers and amounts. The offer runs out tomorrow, so I encourage any members of this place who need to have the opportunity to take up this offer to get on their bikes and get moving.

This bill is the culmination of a comprehensive review and includes both more robust enforcement measures and a use of greater compassion in identifying those who either inadvertently or through hardship have been unable to meet their obligations. It is reforming legislation that is firm but fair and I have great pleasure in endorsing it before the house today.

Mr LIM (Clayton) — I am glad to be taking part in the debate on the Infringements (Consequential and Other Amendments) Bill. The bill complements the Infringements Act 2006, which has just received royal assent. Members will recall that the Infringements Act provides a new framework for the issuing, serving and enforcing of infringement notices by amending the Magistrates' Court Act, the Road Safety Act 1986 and the Subordinate Legislation Act.

On-the-spot fines or infringement notices were introduced into Victoria 50 years ago, originally as a

way of enforcing parking laws. Nowadays more than 1000 offences are enforced in this manner. At the same time as the number of offences subject to enforcement by infringement notices has risen, defaulting on fines has increased. Defaulted fines now are worth more than \$700 million and more than half a million people have warrants out against them for not paying fines. In some cases, fines have not been paid due to financial hardship but in others there has been evidence that people have deliberately avoided paying fines.

Clearly, something had to be done, both to better enforce the collection of infringement penalties and to protect those who are financially compromised by the weight of fines. That something was a thoroughgoing review of the infringements system in Victoria by the Department of Justice and Professor Richard Fox from Monash University's faculty of law. The immediate result of that review was this year's Infringements Act, and this bill is the second and consequent part.

The purpose of this bill is to make a very large number of consequential amendments to some 60 other pieces of legislation and to repeal or amend provisions which will no longer be required or which will be inconsistent with the new system.

The bill also contains transitional and savings provisions which will facilitate the orderly transition from the present infringements system to the new system, which begins on 1 July 2006, as other speakers have mentioned. In addition it incorporates some minor amendments to correct a few typographical and other errors in the earlier bill and makes a few other necessary changes.

I am not sure that the imposition of fines is ever going to be considered popular by those being fined, but the community still has the expectation that the justice system should be fair, impartial and effective, and that includes the imposition of fair and equitable penalties on those who infringe the rules of society.

The ACTING SPEAKER (Mr Plowman) — Order! The honourable member for Clayton knows that he is not allowed to read all his speech. He should give at least some of the speech verbally, and I suggest that he endeavour to do that.

Mr LIM — Thank you for your advice, Acting Speaker. I have first hand experience of living in a society where there is no fairness in the application of the law or infringement penalties. I strongly feel that this Infringements (Consequential and Other Amendments) Bill will go a long way towards making sure that the imposition of fines and infringement

collections is fair and accessible by all. Therefore I look forward to the implementation of this bill to its full extent and wish it a speedy passage.

Mr HOLDING (Minister for Police and Emergency Services) — Obviously I do not propose to add to the contributions that have been made by members to the debate on the Infringements (Consequential and Other Amendments) Bill. Suffice it to say that this bill amends a significant piece of legislation, the Infringements Act 2006. These consequential amendments will improve the operation of that legislation as well as make a range of technical amendments that, amongst other things, address typographical errors and incorrect cross-referencing.

I have now had the opportunity to reflect more fully on that original piece of legislation, and I thank those members of this house who have contributed already — the member for Kew, the Leader of The Nationals and the members for Footscray and Clayton. I wish the bill a speedy passage.

Motion agreed to.

Read second time.

Consideration in detail

Clauses 1 to 15 agreed to.

Clause 16

Mr HOLDING (Minister for Police and Emergency Services) — On behalf of the Attorney-General, I move:

1. Clause 16, lines 17 to 19, omit paragraph (b) and insert —

‘(b) within 21 days of deciding the review, serve on the applicant a written notice advising of the outcome of the review.’.

Amendment agreed to; amended clause agreed to; clauses 17 to 94 agreed to.

Schedule

Mr HOLDING (Minister for Police and Emergency Services) — On behalf of the Attorney-General, I move:

2. Schedule, page 92, line 32, after “2006” insert “and state the infringement penalty in respect of the offence”.
3. Schedule, page 94, after line 11 insert —

“() Section 32(1)(dc)(i) is **repealed**.”.

4. Schedule, page 94, line 17, after “2006” insert “and the penalty for that offence is the prescribed infringement penalty in respect of that offence”.
5. Schedule, page 98, line 14, after “2006” insert “and the penalty for that offence is the prescribed infringement penalty in respect of that offence”.
6. Schedule, page 102, line 24, after “2006” insert “and the penalty for that offence is the prescribed penalty in respect of that offence”.
7. Schedule, page 104, line 11, after “2006” insert “and the penalty for that offence is the prescribed infringement penalty in respect of that offence”.
8. Schedule, page 104, line 28, after “2006” insert “and the penalty for that offence is the prescribed infringement penalty in respect of that offence”.
9. Schedule, page 105, line 37, after “2006” insert “and the penalty for that offence is the prescribed infringement penalty in respect of that offence”.
10. Schedule, page 106, line 23, omit “omit” and insert “for”.
11. Schedule, page 106, line 24, omit ‘notices’ and insert ‘notices’ **substitute** “and infringement penalties for those offences”.
12. Schedule, page 106, line 37, after “2006” insert “and the penalty for that offence is the prescribed infringement penalty in respect of that offence”.
13. Schedule, page 108, line 6, after “2006” insert “and the penalty for that offence is the applicable penalty set out in the Schedule”.
14. Schedule, page 109, line 19, after “2006” insert “and the penalty for that offence is the prescribed infringement penalty in respect of that offence”.

Amendments agreed to; amended schedule agreed to.

Bill agreed to with amendments.

Remaining stages

Passed remaining stages.

JUSTICE LEGISLATION (FURTHER MISCELLANEOUS AMENDMENTS) BILL

Second reading

Debate resumed from 4 May; motion of Mr HULLS (Attorney-General).

Mr McINTOSH (Kew) — This bill is perhaps best described as an omnibus bill that amends a number of pieces of legislation in a variety of ways. The opposition supports the legislation, and I will give a

brief overview of what I believe are its salient and important features.

The bill provides the ability to use material recorded by way of digital audio technology as evidence in our courts. Although relatively new, this process has been around for a number of years. The government's safeguards appear to be in line with the procedures for other forms of recording, given that the technology has been around for some considerable time.

Recently I was involved in a case at the Victorian Civil and Administrative Tribunal where we needed to get a transcript. VCAT reports all its proceedings by way of digital recording in any event, although it is used not as evidence but for the purpose of having a transcript of proceedings. Many other courts use this procedure. I think the Magistrates Court uses a similar form of digital recording rather than taping its proceedings — perhaps others can correct me if I am wrong — but digital recording is certainly in use at VCAT. Members of the opposition have no qualms about the new technology, with all the safeguards that are built into the bill, being able to be used to provide evidence in our courts.

There is another important amendment in the bill which is worthwhile and which the opposition supports. I refer to the process for taking DNA samples from parties during the course of an investigation. If a person is found not guilty, the protocol is — or the law requires — that the DNA sample be destroyed after a period of time. However, a verdict of not guilty by reason of mental impairment may create a new circumstance. There is no doubt that many people who are found not guilty by reason of mental impairment may have committed the *actus reus* — that is, the criminal act — but at the time they committed the crime they lacked the necessary mental capacity to be found guilty. Importantly in that circumstance the bill provides that a court can ensure that DNA samples are retained for the purposes of solving not only crimes that may be committed in future but crimes that may have occurred in the past. I think that is a necessary extension of this very important law enforcement armoury.

Most members of the community and members of the opposition feel that DNA testing is a very important part of the armoury of law enforcement. However, at this stage I hasten to say that this matter is the subject of some public debate. Delays in processing DNA tests and drug analyses at the forensic laboratory have also been the subject of debate. These are matters of profound concern, particularly when people are charged with serious offences like trafficking in commercial

quantities of drugs. An 18-month delay is completely unacceptable to the community. I am very pleased to see that as part of the government's usual practice of leaking information to the public in the lead-up to budget the Premier visited the forensic laboratory, where he announced that his government would make a concerted effort to address the problems with DNA testing and drug analysis. I am very grateful that has taken place, although I hasten to add that those delays have been around for a considerable time. I am disappointed it has taken so long to address this problem but grateful that it has finally occurred.

There is a very small amendment to the Crimes (Sexual Offences) Act to remove an incorrect reference to the victim of the offence of compelling sexual penetration being a child. The offence of compelling sexual penetration is a criminal offence. Somehow the Crimes (Sexual Offences) Act limited the offence to children, but this bill amends that situation, and the schedule has also been amended. One of the consequences is that this bill will be covered by the Sex Offenders (Registration) Act and will expand its ambit to include offences against adults as well as children. That is a worthwhile step.

The bill also amends the Surveillance Devices Act. I understand that these amendments are in accordance with a national agreement on surveillance devices. The commonwealth legislation required an amendment, so pursuant to that agreement, Victoria is amending its Surveillance Devices Act. Essentially it provides that the use of surveillance devices by the Australian Crime Commission is to be overseen by the commonwealth Ombudsman. The amendments in clause 21 of this bill permit that to occur. However, the commonwealth Ombudsman is required to have an annual report tabled in the commonwealth Parliament. Similarly, this bill amends the Surveillance Devices Act to provide for a mechanism whereby that report can be tabled in this Parliament some 14 sitting days after its receipt by the Attorney-General. The opposition also supports that amendment.

There is a curious amendment to the Working with Children Act. I say at the outset that members of the opposition have profound concerns about that act. As many of us commented in this place at the time of the debate and later publicly, it appears to be a bureaucratic nightmare. It provides for a very complex system of analysis and different levels of inquiry and process for appeal, depending on what information has been disclosed by or obtained about an applicant. I certainly would appreciate an explanation from the Attorney-General of why we are going about this change. Essentially it provides that rather than an

application being made on a prescribed form, which is a normal part of the process, an application can now be made in a form that is approved by the secretary of the department.

It was always a matter of some curiosity as to why the secretary of the department was the person to whom you made the application. Certainly the opposition has always said that that should be done by an independent children's commissioner. While we have commissioners coming out our ears in relation to data security, privacy and a whole variety of other matters, this state still does not have a children's commissioner — notwithstanding the importance of children in this community. A children's commissioner should be the person to whom these types of applications should be made. However, the government in its wisdom has chosen to lumber the secretary of the department with the task of dealing with all of these applications.

I presume — I do not know — that the complexity of those applications and other things have prevented prescribed forms from being introduced and that the forms have had to be changed on a number of occasions. To make matters simpler, this amendment provides for the secretary of the department to determine what the approved form will be. This matter was discussed at the Scrutiny of Acts and Regulations Committee, and its members indicated that they were concerned that the process and the setting of the form were being left to the discretion of the secretary of the department and would no longer be subject to oversight or scrutiny by this Parliament or by SARC. Members of the Scrutiny of Acts and Regulations Committee drew that matter to the attention of the minister, and they are still awaiting a response.

As I said, I certainly want some indication from the minister as to why that change has occurred. I suspect it relates to the large number of applications that were being made and the confusion and the inability to change that if there were difficulties.

I also note that the Scrutiny of Acts and Regulations Committee makes the point that while there is a prescribed list that governs name, address, gender, type of work — those sorts of things which are set out — there is also a catch-all clause in the form-making power of the secretary of the department. She can require any further information that she thinks is necessary. It was a matter of some discussion down at SARC. In fairness to the secretary, as I understand it the current regime enables the secretary, on the basis of an application being submitted, to seek further information

in any event, so it is really an extension of that existing power, although that can appear on the form.

There is one other matter I want to draw to the attention of the house. This was drawn to my attention by the Clerk. There appears to be a typographical error on page 17 of the bill. Typographical errors have to be corrected. The Clerk has considered this matter and will be advising the house that clause 17(23) and (24) should read 'section 464Z(3A)(b)' and 'section 464Z(3B)(a)'.

Mr Ryan interjected.

Mr McINTOSH — As the Leader of The Nationals has indicated, it could actually bring the government down. However, it appears to be a clear typographical error. It is not unusual for us to discover these types of typographical errors. We have just debated a bill in relation to a number of typographical errors. Luckily these have been picked up by the Clerk. The opposition has no concerns with those amendments being effected by the Clerk. With those brief remarks, I indicate that the opposition supports the bill.

Mr RYAN (Leader of The Nationals) — The Nationals also support this legislation. Probably the most outstanding and important feature of it is in relation the use of DNA samples in that those that are taken from persons who are found not guilty by way of mental impairment will now have their samples retained. We think that is a sensible course of action because, as a generic comment, this category of persons may well be productive of criminal activity which can later be accorded to them through the use of the DNA sample that has been taken from them. This seems to us to be a sensible extension of the existing legislation that it should have application in the manner that the bill contemplates.

The second-reading speech records that about 125 people have been tried under the Crimes (Mental Impairment and Unfitness to be Tried) Act of 1997, which gives us an idea of the extent of the prospective application of the legislation in its amended form once this bill is passed by the house.

The other amendments have been outlined by the member for Kew. I echo his sentiment about the support for forensic work undertaken by the police. I remember at the police summit late last year I was on a panel of people responding to questions raised by police officers, and the single most outstanding feature that came before that gathering from police at the coalface — police on the line — was the lack of forensic support. There was an enormous amount of

frustration from those present in the room who recorded again and again instances where they had done the work that the police officers are required to do but were not able to proceed any further — either by initiating a charge or by bringing the matter to trial as the case may be in each instance — simply because the results of forensic tests were not back. As the member for Kew has instanced, there were examples given in the course of that forum where police officers were having to wait anything up to 18 months before those forensic results were made available. That is absolutely unacceptable.

The government has recently announced some additional funding. We welcome that and hope that it is able to serve the purpose of ensuring that these forensic tests, and more particularly the results arising from them, can be made available to the justice system to expedite many of the trials that are otherwise having to wait until that material arrives.

The amendment regarding the use of digital recording devices is a sensible addition to the relevant legislation. It is simply bringing Victoria into line with the use of modern technology. We also welcome that. Taken in its totality, The Nationals believe the legislation is sensible and deserves to be supported, and that is precisely what we are doing.

Mr LUPTON (Pahran) — This bill is an important addition to the broad regime that currently exists in Victoria in relation to the collection and use of DNA samples in criminal proceedings. Its main purpose is to close a loophole that currently prevents DNA samples from being taken from people who are found not guilty by reason of mental impairment. We are talking about people who, for a variety of reasons, did not have the requisite mental element or were incapable of having the requisite mental element to commit an offence, and therefore, although a court may ultimately find that the facts of the case are proven, the person is found not guilty by reason of mental impairment, in that they did not have the required mental element to technically commit the crime.

Currently in Victoria people who are found guilty of criminal offences are subject to a regime of DNA sampling and the retention of DNA samples for a period of time. Currently people found not guilty by reason of mental impairment have been outside that regime. It seems sensible and appropriate in circumstances where someone is found not guilty purely by reason of mental impairment that the use of DNA technology ought to be applied in those instances because it can be of great use in solving outstanding crimes. For that reason it is sensible and appropriate

that the regime be extended in the way that this bill contemplates.

The legislation comes before the house as a result of the government adopting a recommendation of the Victorian parliamentary Law Reform Committee. I have the honour to serve on that committee of this Parliament. That committee conducted a very thorough and wide-ranging review and inquiry into the use of DNA technology in criminal proceedings in Victoria and made a number of recommendations, which the government has, since the report was tabled, shown support for and has adopted in a number of cases. This particular legislation is another example of the government adopting the recommendations of that report. I congratulate and thank the government for doing that.

It is important when we are looking at the use of DNA testing, sampling and retention of samples to make sure we strike the appropriate balance between ensuring that the police have all the appropriate powers and resources to effectively fight crime and also to protect the rights of individuals. This legislation effectively does that. It is also another example of the Bracks government's commitment to community safety, and, as somebody who places a very high priority on community safety, I am very pleased that the government is enacting this legislation.

Community safety has a number of elements. One is driving down the crime rate. In Victoria in recent years we have seen the crime rate falling dramatically — by over 20 per cent. We are now 16 per cent below the national average. That is a great result for which the government should be commended, and it is the result of having more police, having more resources devoted to community safety and policing, and smarter policing. A 150 per cent increase in the police budget and the use of police in a smarter and more intelligent way under the active leadership of Chief Commissioner Christine Nixon has resulted in marvellous improvements in community safety in Victoria. Of course we had reductions in the number of police in the 1990s. We now have 1500 more police over and above retirements than we had when this government came into office, and the results are there for everyone to see in a safer Victoria.

The use of DNA technology is an important component in the other major element of community safety — that is, solving crimes effectively when they do occur. The appropriate use of this DNA technology has been and will continue to be an effective, important part of law enforcement and community safety in this state.

As I said a little earlier, it is important to strike the right balance between ensuring that the police have all the appropriate powers and resources that they require to fight crime effectively and protecting individual rights. This legislation achieves the right balance. The bill will enable the County and Supreme Court judges to order DNA samples to be taken and retained from people found not guilty by reason of mental impairment. It is appropriate that the members of the judiciary and our higher courts be given that responsibility and be able to exercise that responsibility on application.

The Magistrates Court will not be able to make those orders, and that is appropriate, because where a person is found guilty by reason of mental impairment in the less serious cases that are dealt with in the Magistrates Court, the appropriate outcome is often that they be automatically and unconditionally discharged. In those cases there really is no appropriate finding upon which to ground the taking or retention of DNA samples. But with the serious cases of criminal activity that are dealt with in the County and Supreme courts this legislation will enable those samples to be taken and retained, and that is appropriate and proper.

I also want to make mention of the recent significant increases in funding that have been allocated by the Bracks government to the forensic science laboratory here in Victoria. The scientists and others working at the forensic science laboratory carry out a very important function. It is important that they are properly funded, and the government recognises that and has taken appropriate steps to ensure that the funding to those services has increased significantly. That is another example of this government's commitment to community safety. I commend the government for its adoption of this recommendation of the Victorian Parliament's Law Reform Committee, and I commend the bill to the house.

Mr THOMPSON (Sandringham) — In commenting on the Justice Legislation (Further Miscellaneous Amendments) Act I would like to draw attention to the wide-ranging differences between the Victorian legislative regime and those in other jurisdictions. In Victoria we have a very cautious approach to DNA collection and preservation of the file on the part of an individual. This follows, in part, the American experience. After the World Trade Centre collapse, where many floors of the building were compressed into a mass just 6 feet high and there was a great loss of life and all that could be collected was bone fragments, DNA testing was given a very strong trial. The Americans invested heavily in upgrading DNA technology and the collection of samples and their recording in perpetuity.

One feature distinctive to the Victorian regime is the destruction of records following the acquittal of someone charged with a crime. This is in contrast to the British system, where the record of virtually every DNA sample that is taken is put on the database. There is a view that that has had an impact upon crime resolution in the United Kingdom. In Victoria we have taken a cautious approach. There is a general maxim that it is better that nine guilty people go free than that one innocent person be convicted.

Caution may well be appropriate in the present case, but I would take the view that on multiple occasions in the future there will be examples where the issue of DNA recording is examined by this house with a view to its being used more effectively in crime detection and prevention. I was involved in the Law Reform Committee in the last Parliament, and it initiated a review of the use of DNA in crime detection and prevention.

The final recommendations of the more recent all-party committee were perhaps more constrained than those the earlier committee might have been heading towards, but this is a very significant area of science and a very significant area of law. The opposition supports the bill before the house today.

Ms BUCHANAN (Hastings) — It gives me great pleasure to rise and make a brief contribution to the debate on the Justice Legislation (Further Miscellaneous Amendments) Bill. I think everybody would agree that DNA evidence and the progression of DNA research that has enabled DNA testing to be used to ascertain the identity of people involved in illegal activities have had a major impact on the issue of community safety across the nation.

There are six key areas the bill addresses or amends to reflect the fact we want to keep the issues of policing, community safety and Victoria's laws responsive and effective. The two areas I will very quickly talk about relate to the issue of the requesting and retaining of DNA samples for people who, after being charged and tried, are found not guilty by virtue of being mentally impaired. I will also talk about the issues around the recording of evidence by digital technology.

It is important to acknowledge that we are not changing the process by which a person can be found guilty or not guilty because of mental impairment; the issue is the retaining of evidence that could help solve past and future crimes. This important piece of legislation can help solve crimes, get resolution of unresolved activities and provide closure to victims of crimes which might have gone back over many years.

I want to pay due regard to the outstanding work done by the parliamentary Law Reform Committee. Its recommendation has been taken on board by the government. It is another example of this government listening, acting and working through an important issue.

On a personal level, I have a son who has gone before the County Court and been deemed to be not guilty by virtue of mental impairment. I know how important this can be in terms of the families going through this process and being requested to provide DNA samples. It is something family members agree to when they have a family member who is found not guilty for this reason.

I want to talk briefly about the application of digital technology to the collection of evidence. As we know, at the moment people investigating crimes use magnetic tapes when they are recording evidence. That technology is becoming outmoded. There is a capacity for information recorded by magnetic tape to be manipulated and tampered with. It is important to go through a process where justice is seen to be done. Digital technology is better, so it is important to use it in terms of resolving and solving crimes.

This collection of proposals or amendments together makes an omnibus bill. Each one by itself may not be important, but collectively they go towards reflecting the fact that we want Victorian laws, particularly where they address issues of community safety, to remain responsive, effective and reflect the best technology that is available. We want our police force to be able to effectively use it so it can continue to drive down crime with its resources and numbers and Victoria can continue to be one of the safest places to live, work and raise a family.

Ms NEVILLE (Bellarine) — I am pleased tonight to speak briefly in support of the Justice Legislation (Further Miscellaneous Amendments) Bill. The bill makes a range of minor amendments to a number of pieces of legislation. I want to talk about a couple of them in the short time I have available to me. One that a number of members have spoken about tonight is in relation to the collection — both the taking and keeping — of DNA samples from someone who has been found not guilty by reason of mental impairment. This amendment resulted from a recommendation by the parliamentary Law Reform Committee in Victoria which looked broadly at the issue of the use of DNA to solve crime. It has become a really important tool that our police force now relies on in relation to solving crimes.

When the Parliament and government consider any form of amendment, we consciously have to weigh up the issue of individual rights versus appropriate police powers in order to keep our community safe. This goes to the issue of ensuring that the police have the necessary tools to resolve serious crimes. It is important that this particular amendment relates only to cases that are heard in the County Court or Supreme Court — that is, serious crimes and not those which are heard by the Magistrates Court which are perhaps less serious.

The amendment is trying to balance individual rights. It is obviously very important that people who are found not guilty by virtue of mental impairment will tend to be vulnerable and disadvantaged in our community. It is important that we continue to maintain those protections for people in that situation whilst ensuring we have the tools necessary to solve individual crimes.

One of the issues the Leader of The Nationals raised was in relation to forensic services. I think he mentioned he had been to some forum with police officers who had raised the issue of the resources necessary to ensure forensic services were able to respond quickly and appropriately when using DNA in solving crime. I want to remind the Leader of The Nationals and the Parliament that this government recently invested over \$13 million in improving our forensic services. This was in fact on top of a contribution we made employing approximately 23 additional staff in 2000.

That was a significant investment in forensic services that were unable to cope with the increasing demand for the new crime-solving technique.

DNA goes to the issue of solving crimes, and police use it as an important tool in doing that. But one of the priorities of this government is the prevention of crime. To do that it needs resources not just at the crime-solving court end of the system, but early in the system in terms of police resources and facilities.

The government has taken the need to prevent crime very seriously. In my community it has built a new \$5 million police station, it has provided additional — I think there are now over 15 — police services, and it has maintained locally based community police stations in Queenscliff, Portarlinton and Drysdale and remains committed to those services. They are extremely important in the prevention of crime, and with police being on the ground working with local communities and local neighbourhood watch services to ensure that communities are safe, Victoria has been able to achieve the sorts of figures it has achieved with its crime rates.

Today we heard from the Minister for Police and Emergency Services that Victoria has the lowest rate of assault of any state in Australia. To have brought down the crime rate for something like assault, which is a very serious crime, to such a low level is a significant achievement of this government. That is a reflection and outcome of the significant investment it has made in police numbers and facilities.

Another important amendment contained in the bill is that which will allow for digital technology in the recording of information. It is hard to believe the current situation where information is able to be recorded only on a magnetic tape. The amendment will enable the use of modern technology in the recording of information, as our reliance as a community on that sort of technology continues to increase. That is a reflection of a changing and modern society with the sorts of technologies that are available, and access to our justice system is being improved and upgraded to what most in the community are used to.

The bill makes a couple of minor technical amendments to other pieces of legislation — for example, the amendments to the Crimes (Sexual Offences) Act 2006, to the Surveillance Devices (Amendment) Act, to the Major Crime Legislation (Office of Police Integrity) Act, and also to the Working with Children Act, which require that the application form for a check sets out the particulars contained in the legislation.

The bill is just a reflection of the business of justice and the business of government. The government is continually looking at current pieces of legislation and at ways it can improve them to better reflect and respond to the community to ensure our justice system is modern and rigorous. On that note I commend the bill to the house.

Mr LIM (Clayton) — This bill makes a series of technical but nonetheless highly important amendments to a range of legislation from the justice portfolio. As the minister said in his second-reading speech, none of these amendments on its own marks a significant policy initiative, but taken together they reflect the government's commitment to ensuring that the justice system continues to work efficiently and fairly for Victoria. I concur with this view, but would add the comment that sometimes what may seem like a very minor issue to a legislator may have enormous significance to a victim of crime — for instance, the changes to the Victorian DNA sampling laws to be set out in the Crimes Act 1958 are technical and apparently minor, yet are likely to have enormous significance

both to victims of crimes and for the criminal justice system.

To give an unrelated example, there was considerable outrage over the fact that the criminal record of the late William Watkins, who is thought to have killed two Melbourne women before being killed in a shootout with a Western Australian policeman, cannot be released for various legal reasons. I am not in any way wishing to query the validity of those reasons, but one can imagine how the friends and relatives of those two women feel — that the state is protecting the rights of a murderer, while the rights of their dear friends have been so severely compromised.

The situation with DNA testing is similar. We have to weigh up the rights of the person who has committed a crime against the rights of the general community, particularly the rights of crime victims. The position at the moment is that if a crime suspect is DNA tested, the rules that apply to their DNA profile depend upon whether that suspect is found guilty or not. The profiles of convicted offenders are retained indefinitely, while other profiles must be destroyed. However, if a person who is known to have committed a crime is found not guilty on the grounds of mental impairment, for example, then under the present law their DNA profile must be destroyed.

The Victorian parliamentary Law Reform Committee proposed an amendment to the current law to enable a person's forensic material to be retained under such circumstances. I am pleased to report that this bill amends section 464ZG(3)(b) of the Crimes Act 1958 so that where someone has been found not guilty because of mental impairment, the police are not obliged to destroy forensic samples or profiles from that person. This will come as a great relief not only to those who have suffered from that person's known crimes but also to other potential or unknown victims who may at last reach some resolution.

The bill makes a great many other modifications to legislation, principally to the Crimes Act 1958, of no less importance than this one. These amendments show that the Bracks government is committed to ensuring that our laws remain responsive, effective and relevant to the needs of the people of Victoria. I commend the bill to the house.

Ms DUNCAN (Macedon) — It gives me great pleasure to speak on the Justice Legislation (Further Miscellaneous Amendments) Bill. While it has been said that in some respects it is an omnibus bill, it makes a number of minor amendments which together further demonstrate the government's commitment to making

sure that Victoria is as safe as possible and that crime prevention is as good as it can be.

I refer to the two amendments to the Crimes Act 1958 relating to forensic procedures. Currently, where a person's DNA is collected during an investigation and that person is found to be not guilty or the case is dropped for one reason or another, that DNA sample is destroyed. There were some anomalies where, if a person was found not guilty by reason of being mentally impaired or unfit to be tried, the DNA of that person was destroyed as a result of that finding. This amendment allows for that DNA sample to be kept.

That is a good proposed amendment, because while that person may not have any criminal sanctions imposed on them, the ability to maintain that DNA sample in the database may help solve not only future crimes but also previous crimes. While, as I said, there may be no legal sanctions imposed on that person because of their mental impairment, it is incredibly important that our community — particularly victims of crime and their families — at least knows who perpetrated a crime and whether criminal sanctions are able to proceed.

Another part of this bill which I would like to briefly speak about and which again is an amendment to the Crimes Act 1958 concerns the use of digital technology. This is obviously a progressive change to the technology used in policing. Instead of magnetic tapes there is a move to digital technology. This will obviously enhance the technology that is used to record the evidence of witnesses and also safeguard the justice system by making a lot less likely any form of tampering. This will protect the police, protect witnesses and protect those charged with or convicted of crimes. It is another move to ensure that our justice system is as good as it can be. I commend the bill to the house.

Ms D'AMBROSIO (Mill Park) — I wish to add a few words of support to the bill before us. The machinery nature of these proposed amendments is about assisting to enhance the legislation that governs our justice system in Victoria. One proposed amendment to the Crimes Act which carries more weight than many of the others in effective crime solving, if you like, deals with the rules governing DNA sampling. That particular amendment arises from a report from the Law Reform Committee, which recommended that allowance be made for the taking and storage of a person's DNA in circumstances where the person has been found not guilty of a crime by reason of mental impairment.

There is general agreement among members of the house that this is a desirable and sensible tool to assist in the investigation of crimes which may not be related to the crime a person is found not guilty of by virtue of their mental incapacity or impairment. In particular, comments have been made that it will assist police investigations into other crimes. In some cases the resolution of outstanding crimes may give peace of mind to families who have been affected by those crimes. In some instances it may also lead to a person suspected of having committed a crime being removed as a suspect if that person's DNA sample suggests they had nothing to do with the commission of other crimes. That could also be an important aspect of the rehabilitation or treatment of a person suffering a mental impairment.

The bill allows for the taking of DNA samples to be ordered by the County and Supreme courts, so we are looking at crimes which are at the serious end. There are safeguards included in the bill in terms of process or the procedures which need to be followed for the taking and storage of DNA samples.

A further amendment to the Crimes Act allows for the introduction of more modern day technology in the recording of information that is obtained by police through the interviewing of suspects. One of the functions of this government has been to bring justice into the modern age. I suppose this is at the lower end of it but it is nevertheless an important change to allow audio and visual devices — instead of a tape recording — to be used for the taking of information which may be used as evidence. The bill recognises that with modern technology comes greater ability, greater flexibility and greater options to manipulate or tamper with information which is recorded using that modern technology. It addresses that by including provisions to safeguard against tampering with evidence recorded through these new technologies.

I wish to touch on a few other amendments to be made by the bill. They are minor, in consequence. They are no great leap forward in terms of policy but on the steady road of tidying up our justice system and ensuring that we have a system which is as effective as is expected by the community. For example, there is a minor amendment to the Crimes (Sexual Offences) Act which deals with an incorrect reference in schedule 3; there is no real need for further comment on that. There are also a couple of minor amendments to the Surveillance Devices (Amendment) Act and the Major Crime Legislation (Office of Police Integrity) Act. There is a repeal of two redundant provisions in the latter act and there are some amendments to the former which reflect commonwealth law regarding the use of

surveillance devices under Victorian law. Lastly, there is an amendment to the Working with Children Act which deals with need for the application form for police checks to reflect the specifics contained in the act.

Again, there is no major jump in policy. The amendments pertaining to DNA sampling represent one area of policy change which I know has broad support. It is desirable, it is sensible and it is balanced in terms of the need to provide police with greater opportunities to solve crimes while protecting the information of private citizens. I think that is well balanced. I commend the bill for speedy passage today.

Ms CAMPBELL (Pascoe Vale) — I rise to support the Justice Legislation (Further Miscellaneous Amendments) Bill. I congratulate the Attorney-General on this legislation. I have had the opportunity to reflect on the bill, particularly in relation to how it affects not only people with what many would consider to be a mental impairment but also people who are classified as having an intellectual disability. This bill will perhaps be seen by many people as being fairly bland in terms of making minor technical amendments to legislation which is the responsibility of the Attorney-General and the Minister for Police and Emergency Services. However, I see it as being particularly important because as a result of this legislation we will rectify inconsistencies and exposures which, quite frankly, should not exist here in Victoria.

We also need to congratulate the Victorian parliamentary Law Reform Committee on its very good work which highlighted the importance of DNA sampling and the need to enable a person's forensic material to be retained or obtained and held indefinitely if he or she has been found not guilty by reason of mental impairment. The work of this parliamentary committee and the evidence it took on this subject has enabled very good support for this legislation today.

I want to reflect on a case that came to my attention where a person with an intellectual disability was caught committing what I consider to be a fairly horrible crime. There was difficulty in getting the police to understand the importance for community safety in ensuring that this person was charged and that the community had the opportunity to have the case heard, which I believed would result in the community being better protected. Without the clarity of this legislation the police and the courts were in something of a bind. I hope this will enable all aspects of the judicial and policing system to understand that it is important for community protection to charge people as appropriate and then let them have their day in court. I suggest that

nobody in this house wants anyone convicted and sent to jail for a crime which they logically and intelligently were unaware they were committing, but this legislation will enhance the community and its safety.

I particularly want to talk about clause 9, but before I do that I will make another couple of points about the bill in general. It is good that both the County Court and the Supreme Court are able to order that DNA samples be retained or taken from people found not guilty by reason of mental impairment. Equally, it is excellent that the Magistrates Court is not able to make these orders because the kinds of crimes and cases heard in the Magistrates Court are obviously far less serious. If a mentally impaired defendant is unconditionally discharged, then I do not think anyone in the community wants the Magistrates Court to hold those samples.

Clause 9, which inserts proposed section 464ZFAAA into the Crimes Act, particularly relates to children, and it is important to record the importance of the clause. Proposed subsection (1) contains definitions of 'child' and 'forensic sample offence'. It also notes that forensic sample offences are listed in schedule 8 but do not include offences tried summarily. Proposed subsection (2) provides that a police member may apply to a court for an order directing a person to undergo a forensic procedure where that person has been found not guilty because of mental impairment of a forensic sample offence, or of conspiring, inciting or attempting to commit a forensic sample offence. That application may be made at any time after the finding, but not later than six months after the final determination of an appeal or the expiry of any appeal period.

Proposed section 464ZFAAA(4) requires notice of the application to be served on the person from whom the sample is sought, and where the sample is sought from a child, the child's parent or guardian. It is important that the notice must include a requirement for the person to attend the hearing of the application in person, or be represented by his or her lawyer.

Proposed subsection (5) is fairly straightforward. It relates to the court determining an application to consider the seriousness of the circumstances of the offence of which the person has been found not guilty because of mental impairment, to be satisfied that in all the circumstances the making of the order is justified, and at the court's discretion make such other inquiries as are considered desirable.

Proposed subsection (12) is also important. It provides that an order may not be executed prior to the expiry of any appeal period or until an appeal against the verdict

has been dismissed, whichever date is later. We would of course say that that is just pure commonsense, but it is important that it is included in the legislation.

With those words, I commend the bill to the house. I think this is very, very good legislation. Whilst it might be considered by some as containing merely technicalities, certainly in relation to people with mental impairment or intellectual disabilities and for community safety it is fantastic legislation. I commend both ministers and the parliamentary Law Reform Committee for their great work particularly in relation to DNA sampling.

Mr HULLS (Attorney-General) — I thank all members for their contributions to the debate on this piece of legislation. As many speakers have said, through this bill the Bracks government will certainly close a loophole preventing deoxyribonucleic acid (DNA) samples being taken from people found not guilty by reason of mental impairment. Those powers will certainly help the police to solve existing cases and to investigate crimes that may be committed by that cohort in the future. The bill implements a recommendation of the parliamentary Law Reform Committee.

The shadow Attorney-General was supporting the bill but raised a particular issue as to why changes are being made to the working-with-children check application form. The bill amends the requirement for the form to be prescribed by regulation to being able to be approved by the secretary of the department. The bill sets out minimum requirements for the form, such as name, address and the like. The basis of the change — and this really gets to the question that he raised — is to enable the form to be adopted as the need arises whilst the working-with-children check regime is in its infancy. There is no intention that the form be changed willy-nilly but rather to allow a rapid response to any identified need for change that can benefit applicants, enhance the administration of the scheme and ensure that the secretary can obtain appropriate and necessary information to assist her in determining whether to grant a check. This is because under the current arrangement the secretary can require more information if she needs it to consider an application. These changes will make the form far more flexible, which is appropriate.

As members know and many speakers, including the honourable member for Pascoe Vale, have said, mental impairment legislation does aim to protect those vulnerable defendants by ensuring that they are diverted out of the criminal justice system under appropriate levels of supervision and that they do not carry the

stigma or consequences of being found guilty. However, we also understand that that must be balanced against the need for effective law enforcement. Accordingly the bill will enable the County Court and the Supreme Court to order DNA samples to be retained or taken from people found not guilty by reason of mental impairment. We do understand that they will have been found not guilty but we believe that it is important to get the balance right.

The Magistrates Court will not be able to make these orders. The reason for that is pretty simple. In the less serious cases that are dealt with by the Magistrates Court, the mentally impaired defendant has a right to be automatically and unconditionally discharged. We believe it would be fundamentally inconsistent with that right to require the defendant in a Magistrates Court case to give DNA samples. As other speakers have said, this is consistent with the approach taken by the government under the sex offenders registration scheme.

As with most pieces of legislation it is a matter of getting the balance right. We believe we have got the balance right in this legislation and I think that is certainly evidenced by the fact that there is wholesale support for this very important piece of legislation. I, too, wish it a speedy passage.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

Clerk's amendments

The ACTING SPEAKER (Mr Seitz) — Order! Pursuant to standing order 81 I have received a report from the Clerk saying that he has made the following corrections to the Justice Legislation (Further Miscellaneous Amendments) Bill:

In clause 17(23), line 1, after '464' he has inserted 'Z' so it now reads '464Z(3A)(b)'.

In clause 17(24), line 4, after '464' he has inserted 'Z' so it now reads '464Z(3B)(a)'.

VICTORIAN URBAN DEVELOPMENT AUTHORITY (AMENDMENT) BILL

Second reading

**Debate resumed from 4 May; motion of
Mr BRUMBY (Minister for State and Regional
Development).**

Ms ASHER (Brighton) — The Liberal Party opposes the Victorian Urban Development Authority (Amendment) Bill. It is the usual scene: another sitting week under the Labor administration in Victoria, and of course another tax. This is one of the fundamental areas of difference between the Liberal Party and the Labor Party. The Labor Party will always tax you more, and the Liberal Party will always tax you less. Let us look at the charge being brought in by the bill before the house. The bill enables a new charge called an ‘infrastructure recovery charge’ to be levied by the government. Previously there was a general charge that was levied by VicUrban, but this is a specific and different charge.

The charge is going to be levied on declared project areas, and so far the only declared project area is the Dandenong development. If you look at the range of projects conducted by VicUrban at the moment, you see there are developments in both metropolitan Melbourne and regional Victoria, so one would anticipate that those developments would also have an infrastructure recovery charge levied on them. I would also expect, given that Dandenong is a transit city, that some of the other transit cities may be declared as project areas and attract the infrastructure recovery charge.

This tax, while starting off as very small, has the potential — —

An honourable member — Ten per cent!

Ms ASHER — It is relatively small. It has the potential, obviously, to spread right across a number of declared project areas.

The government’s aim is to partially recoup its public investment. However, there are a number of other elements of the bill before the house. Firstly, there are also adjustments to the general charge. A new feature will be added, which is to include, as one of the criteria for the general charge, the distance of the property from services or facilities. There is also going to be a general development charge, in addition to a general charge and in addition to an infrastructure recovery charge. So there is a range of charges in the bill, some already extant, some new.

The second element of this bill concerns a number of changes to compensation for the compulsory acquisition of land to remove the possibility of paying compensation for anything that has already been value-added by the taxpayer. That specific amendment is one that has value on the face of it. But overall, as I said, the Liberal Party’s position is that it opposes the bill because it opposes yet another tax.

The thrust of the bill is, of course, this new charge. It is all very well for the government to argue that it will apply only to commercial developments, and it has set out how this will apply to commercial developments. The fact of the matter is if it is applied to a commercial development it will be passed on to consumers. It will be passed on to home buyers; it always is — that is the way the economy works. If a charge is levied at one point, it will flow through to the next point. The government is introducing a charge that will, unfortunately, impact on people trying to buy homes, in the first instance in Dandenong, but, as I indicated, there will be other areas of Melbourne and regional Victoria which are already project areas for VicUrban where this charge will clearly apply in future.

The infrastructure recovery charge will be based on what the government calls ‘development value’. The development value will be the building works plus the site value, or the estimated site value after a subdivision. In terms of definitions — and there is a whole raft of new definitional clauses that the government has brought in to enable this charge to be levied — that is the basis of the charge. The charge will be capped, and I love the way the government uses the word ‘cap’. In the budget today we saw that the government used to have a major events cap, and the cap has been lifted. The government has a very loose understanding of the word ‘cap’. Nevertheless at this stage the government has capped its charge at 10 per cent of the development value. The second-reading speech in fact specifically refers to the Dandenong example, where the government is obviously trying to create an impression that it is not so voracious after all. It basically posits that in Dandenong the charge will be a lesser percentage than 10 per cent. It is likely that in many cases a lower percentage would be charged. In the Dandenong case it is expected — it is not definite — to be 5 per cent of development value.

Interestingly enough, I do not believe the government, because I have seen it perform over the last seven years. It is all very well to say that this charge might be expected to be 5 per cent or that, for example, it is likely that in many cases a lower percentage will be charged. We know what this government is like in terms of taxation. It needs to raise a vast amount of

money in order to fund its expenditure. I do not believe the government when it makes that claim in the second-reading speech. It has, of course, given itself plenty of room to move for the future with this particular charge.

The government's intention is that the charge will be levied on commercial developments. It has chosen to define commercial developments by way of a number of exemptions. It has certain criteria for exemptions for subdivisions and certain criteria for exemptions for building work. On the face of it — although let us see it in practice — the exemptions appear to quarantine commercial development. Exempt are the construction of up to two dwellings on a lot and the construction of buildings which are ancillary to a property, such as a pool, spa, shed or carport. It exempts other building work over a threshold amount, initially set at \$250 000, which will be indexed, and the bill sets out the process for the indexing of that particular amount.

The government argues that it has made an attempt to confine this charge to commercial development. But as I argued earlier, if you have done Economics 101 and understand how tax works, you know you cannot confine tax. If there is a cost to someone producing a good, it will be passed on in the final product. I would have thought this government would want to make house and land packages as cheap as possible, particularly for young people, but that is clearly not the policy intent of the bill before the house.

The bill extensively sets out the method of notice for the infrastructure recovery charge, and it sets out an appeals process. There are very narrow and specific grounds for objection to this charge — specifically, that the objector is not liable for the charge or that there has been some sort of technical error in calculation. Again I will not go through this issue in great detail, because the second-reading speech covered it. A dispute resolution procedure is put forward, initially involving VicUrban. There is an opportunity to appeal to the Victorian Civil and Administrative Tribunal, and finally there is provision for appeal to the Supreme Court. That is the substance of the bill before the house.

The Liberal Party has a number of observations about the bill. I will make seven observations about it.

Honourable members interjecting.

Ms ASHER — This is just a one-point plan: this is tax. I have seven observations; they are not a plan, they are observations. My first observation is that this government has form in its management of VicUrban. It has been shoddy from the outset — and I think that is

the general view of anyone or any of the stakeholder groups that have any association with VicUrban. The predecessor body was the Victorian Urban and Regional Land Corporation. We all know of the Jim Reeves case, where the Premier sought to employ his mate Jim Reeves as the head of that organisation. We had the absurd circumstance, in Parliament and out of it, of the Premier trying to claim that Jim Reeves was a past friend. It was discovered that he went on holidays with him — and one presumably only goes on holiday with very good friends. The Jim Reeves case was the ultimate example of jobs for the boys. That is the government's form in this area.

My second observation is that the government then — I would argue in retribution to the Victorian Urban and Regional Land Corporation — amalgamated that organisation with the Docklands Authority to form the new entity of VicUrban. We are now amending the principal legislation for VicUrban. At the time the Liberal Party opposed this amalgamation very vigorously for a number of reasons.

One was that it was retribution for the fact that Jim Reeves did not get the job he coveted — the Premier wanted to get back at the organisation. Secondly, we opposed it on the grounds that the Docklands Authority carried considerable debt, whereas the Urban and Regional Land Corporation paid dividends to the government. At the time we requested that firewalling take place. The government said it would take place, and the annual reports indicate a degree of firewalling. We always felt that the two bodies were not compatible for a number of reasons, one of which was that one paid dividends to government and the other had considerable debt.

The third observation I wish to make on the bill regards the role of the minister. This causes the opposition some concern, particularly given this minister's track record.

Mr Hulls — Is that me?

Ms ASHER — No, it is the Minister for Major Projects. I am sure the Attorney-General is well aware of his own legislation, including every little itemisation of clause numbering.

Mr Hulls — Absolutely. And the Minister for Major Projects is a fantastic minister — don't you have a go at him!

Ms ASHER — The Minister for Major Projects obviously has a key role to play in the setting of the infrastructure recovery charge. I refer to proposed section 51M of the bill before the house, which requires

the minister to give a recommendation, and obviously the Treasurer has to support that recommendation, to levy the charge on the owners of these commercial properties.

Clause 51M(3) specifies that:

Before making a recommendation under sub-section (2), the Minister must be satisfied that the total amount estimated to be received from the charges levied under the resolution on owners of properties in the project area will not exceed the estimated amount (determined by the Minister) of public investment incurred or to be incurred in the project area ...

The obvious question for anyone looking at this is: what if the minister's estimate is completely wrong? Obviously the flow-through consequences are that additional taxes will be paid. Of course this minister cannot even get right the crowd figures for the synchrotron open day. We had a circumstance where the Treasurer claimed that 12 000 people attended, and in the other place the minister claimed, I think, that 6000 people attended — but his glossy pamphlet claimed 20 000 attended that opening. Of course he was forced to issue a statement of correction.

Mr Hulls interjected.

Ms ASHER — It is a trivial example, but one that makes my point. We are actually entrusting this minister, who cannot even get crowd numbers for an open day right, to estimate — it is his determination — the level of public investment incurred or to be incurred in the project area. That is the basis of part of this charge, and that is cause for some concern. I also note that this minister is spending \$5 million of taxpayers funds this year on spin. This was announced in the budget update and reiterated in the document presented to the house today.

I also have a concern about the performance of the minister arising from a comment in the second-reading speech, where he claimed that the charge is not an 'open-ended revenue-raising mechanism'. That is what the Minister for Major Projects said. This is the guy who cannot even get crowd figures right. I do not agree with the minister that this is not an open-ended revenue-raising mechanism. In fact the bill — his own bill — gives the lie to the claim he made in his second-reading speech. Again I refer honourable members to proposed section 51R(4). Basically this proposed section provides for the revocation, variation or alteration of a resolution. But again the minister has powers that I want to draw to the attention of the house. Proposed section 51R(4) reads:

Without limiting sub-section (3), an order under that sub-section may —

I repeat, 'may' —

revoke a resolution made under this Subdivision if the Minister is satisfied that the estimated amount (determined by the Minister under section 51M(3)) of public investment incurred or to be incurred in the project area subject to the resolution has been recovered under the resolution.

So you have a circumstance in which the minister can do what he wants. The bill does not say the minister 'must' revoke or vary these charges when the amount of public sector investment has been recovered. The bill does not use the word 'must'. It specifically uses the word 'may', so the minister has discretion. As I said earlier, in setting the charge the minister can get it wrong, with no ramifications other than additional taxes flowing through to the government; and under proposed section 51R, the minister is under no obligation whatsoever to terminate the charge, because the bill says the minister 'may' revoke, not the minister 'must' revoke.

The minister's claim in the second-reading speech that this is not an open-ended, revenue-raising mechanism is not correct, and those sorts of claims should not appear in second-reading speeches.

The fourth observation I want to make relates to the issue of tax itself. We have seen under this government a raft of taxation increases and levies. We have seen new development taxes. In fact this week before the Parliament a bill dealing with development taxes for growth areas will be debated. We have seen increases in taxes and charges. We have seen a raft of taxes under this government, and in this bill the government is using the vehicle of VicUrban not just to levy the charge that VicUrban was able to levy previously, which was the general charge, but is using VicUrban to levy more taxes. As I said, this imposition will ultimately fall upon consumers.

It is interesting to look at what the government estimates this tax will raise: in 2006–07 it is expected to raise \$2.2 million; in 2007–08, \$4.7 million; in 2008–09, \$11.7 million; and in 2009–10, \$11.8 million. I have to say in fairness to the government that that is a combination of the Revitalising Central Dandenong project land sales plus the infrastructure recovery charge set at 5 per cent. I would be more than happy if the next speaker for the government were able to disaggregate that figure for the opposition, but at the moment the revenue from the Revitalising Central Dandenong project is going to yield that amount of money.

The house should bear in mind that I have already made the observation that there is a range of other projects right throughout metropolitan Melbourne and regional

Victoria, there are other transit city projects, and in this place the Premier did not rule out this levy being put upon other transit cities. The amount of money that will flow to the government from this levy could be very substantial. Again I seek guidance as to the disaggregation of that particular figure, but it is clear the government expects to gain a considerable amount of revenue from that levy.

The next issue I want to raise is that of the Dandenong development. There is specific reference to the Dandenong project in the second-reading speech, with the government's announcement of \$92.8 million, a further announcement of \$197 million, the claim that we are going to have \$1 billion of investment and 5000 jobs generated from this, that it is the first transit city project and so on. The government spent considerable time addressing the Dandenong project, and I want to make a couple of observations about that project.

Construction on the project did not commence until three years after the government's first announcement. We are quite accustomed to seeing from this government very significant lag times between announcements and the actual commencement of work. On 12 March 2002 the Premier and the then Minister for Planning, the Honourable Mary Delahunty, announced:

A major redevelopment plan to turn Dandenong into the economic hub of the south-east ...

It was also announced that there would be redevelopment of the former Dandenong saleyards into a residential precinct, and the government later changed the name of that project to Metro 3175. At the time Metro 3175 was going to be:

... a \$250 million urban renewal project which would deliver 1400 new homes and create more than 4000 jobs during the next five years.

That is a quote from a press release issued by the Premier on 12 March 2002 to which I previously referred. As you would expect under this government, the Urban and Regional Land Corporation annual report in 2003 stated that work was going to commence in 2004. As we are accustomed to with this government, an April 2004 newsletter then said that work would commence on the site in mid-2004, with sales to start early in 2005.

In 2004 the project completion date was 2011 to 2014. The 2005 VicUrban annual report said construction work started in April 2005, so again in terms of a start date, there was the same old problem of any major project — a flurry of announcements but already

behind time with the commencement of the particular project.

On 26 September 2005 the government reannounced the \$92.8 million Revitalising Central Dandenong project. The whole project was going to take 10 to 25 years, according to the press release of 26 September 2005 from the current Minister for Major Projects in the other place. The press release said 1000 new homes would be built, whereas oddly enough the 2002 press release said 1400 new homes were to be built. This so-called recovery charge was announced in that press release as well. The government needs to get its act straight about how many houses are going to be built on this, because it is apparent to me, as someone who likes to track their press releases, that it will say the first thing that comes into its mind.

Again, on 26 April this year the government announced an additional \$197 million for the Dandenong urban renewal project on top of the \$92.8 million which was announced in September 2005. Basically it has had four years of announcements out of this one — and it is late; they are always late — four years of announcements and a late project. Interestingly enough — and I would be happy again to receive clarification on this — in the press release of 26 September 2005 announcing the initial \$92.8 million, the government claimed that the project would create 5000 jobs. However, on 26 April 2006, with an additional \$197 million, the project is still only creating 5000 jobs. That to me would indicate that the government is just plucking away at figures — just pick a figure, any figure; pick a date, any date. Basically I make those observations about Dandenong.

My sixth observation is that the tax will spread to VicUrban areas and possibly other transit cities, and I have made that point.

Mr Hulls interjected.

Mr Thompson — Where do you live, Hullsie?

Mr Hulls — I live in Essendon.

Ms ASHER — Why don't you live in your electorate like the rest of us?

Again, I make the observation that the tax will spread to other VicUrban areas and possibly other transit city areas. I continue to make the point that this tax will not just be absorbed by developers. That is not the way the economy works. The tax will be passed on to the people who buy the houses in these areas, and whether it is 1000 houses or 1400 houses — you pick your press release — all of those people will end up paying these additional charges as they flow on to the consumer.

Finally, I wish to make my seventh point, which is a comment on the government's mentality — that is, seven observations. I cannot let this go without making a comment. In the second-reading speech I found a quote that to my mind sums up exactly what this government is all about, and again this is one of the fundamental differences between this party on this side of the house and the government on the other side of the house. This is an extraordinary statement and shows the attitude of the Minister for Major Projects:

Where government leads, private investment follows.

What a comment! Go run that one past the Victorian Employers Chamber of Commerce and Industry or the Australian Industry Group or the private sector. What a nonsensical statement that is from the government — 'Where government leads, private investment follows'.

Mr Hulls interjected.

Ms ASHER — The Attorney-General is saying it is right. That is my point. This bill encapsulates one of the differences between the two parties. One difference is that the Labor Party will always favour taxation; the other difference is the government — —

An honourable member interjected.

Ms ASHER — And even in the example of Docklands, which was thrown over the table — for example, the Collins Street extension was meant to be funded by the private sector. That was going to happen under us. This government picked up the tab. That is the problem with this government. It wants to use taxpayers money to fund things that the private sector could well fund itself.

I am conscious of the approaching dinner break. I wish to reiterate, in case the government did not get the picture, that the Liberal Party opposes the bill because it is an extra tax and it is unnecessary.

Sitting suspended 6:30 p.m. until 8:02 p.m.

Mr DELAHUNTY (Lwan) — I rise on behalf of The Nationals to speak on the Victorian Urban Development Authority (Amendment) Bill. As we know, this is another taxing bill.

Mr Lupton interjected.

Mr DELAHUNTY — Wait just a sec. Hold your peace! I would like first of all to thank my colleague the Honourable Bill Baxter in the other house for preparing a briefing paper for The Nationals, which we discussed on Monday night. The main purpose of this bill is to modify and expand the capacity of VicUrban to levy

charges on development. We have consulted widely about this one, but The Nationals have come down with a decision to oppose this legislation.

Honourable members interjecting.

Mr DELAHUNTY — The reason for doing that, for the sake of all those attending here tonight — and it is great to see a good audience! — is that this is another Labor taxing bill. We have already had the budget here today. We have seen a government which is swimming in money — GST, speed fine revenue, land taxes and stamp duty — and now it has to bring another bill into this Parliament to allow for more charges and more taxes, with a further levy on development for people who want to reside in Victoria.

VicUrban already has the power to impose charges in declared project areas. This bill increases that capacity with additional charges — firstly a general development charge and secondly an infrastructure recovery charge. The infrastructure recovery charge can be up to 10 per cent of the development cost, which is the land plus the building costs — in other words, the capital improved value. It is interesting to note that even under proposed section 51R(4), if the amount collected turns out to be more than the actual sum needed, there is no statutory requirement that the excess be refunded.

An honourable member — Do you want to give developers money back?

Mr DELAHUNTY — The member asks whether I want to give developers money back. The reality is, as we all know, that these charges will not be paid so much by the developers; they will go on to the cost to be paid by the purchasers or people doing business in Victoria.

The Nationals were not opposed to the establishment of VicUrban. I congratulate my former colleague the Honourable Roger Hallam, who was involved in setting up the then urban and regional development authority. I want to compliment him by highlighting the Horsham saleyard project. It started in 2000, but it had already been started in 1998, when the council, which I was then a member of, wanted to relocate the saleyards out of Victoria, and we needed patient capital.

At that stage we could not get private developers for the project, but we got the urban and regional development authority to put up its money, and the project was started. It was pleasing that this government continued with it. There were a few problems with Heritage Victoria over that project, but with the then planning minister we overcame some of those problems.

It is pleasing that the saleyards project is now nearly all covered with housing developments, and there is a bit of commercial development to follow in linking it to the old saleyards bazaar or the cattle bazaar, as it was known. The government working with the developer created a good outcome. That project did not need the developmental levies proposed in this legislation.

As members know, VicUrban reports to the Minister for Major Projects in the other place. Most of his projects are running over time and over budget. Therefore we understand that the real agenda for this bill is to tax people and businesses more to pay for the government's inability to manage projects and manage money. It is interesting to note in today's budget that the Labor government has overspent the last seven budgets by \$8.7 billion — all in seven years.

An honourable member interjected.

Mr DELAHUNTY — Out of the budget papers! So one can understand the real agenda: this budget is about taxing people more to pay for the government's excesses. It is interesting that other people are also voicing many concerns about the housing affordability crisis. I refer to an article published in one of the Leader group of newspapers under the heading 'Land limits force' on 28 February 2006. I quote:

Melbourne is in the grip of a 'housing affordability crisis' caused by government policies that strangle land supply, according to a new international survey.

The article goes on:

The survey argued that macroeconomic factors, such as low interest rates, were not the main reason for price increases, pointing out that some large US cities had not experienced similar escalations. Instead, there was growing evidence that extraordinary house price growth was linked to planning policies that created land scarcity, while lighter land regulation was typical of affordable markets.

Even in that we have seen a concern that government policies are creating problems. Even in the Victorian Urban Development Authority Act 2003, which was the original act, section 50, under the heading 'Charges', says that VicUrban can already:

... levy charges on the owners, occupiers or licensees of properties in the project area —

- (a) for the supply of telecommunications or other services provided by ... an agreement —

also in relation to promotion of the project area.

Already within the current act there is the ability to charge people for activities going on there. This bill seeks to add another tax — a really sneaky tax. It is up

to 10 per cent of the land value and the buildings on it. The new tax is on top of about 10 new or extended taxes introduced by the Bracks government since it came to power.

An example is the \$8000 infrastructure tax on new land. I again quote from a Leader newspaper article dated 14 December 2005 under the heading 'New land tax opposed by Casey council'. It says:

State government ministers will be invited to witness first hand the hardship their infrastructure tax will place on young Casey families.

Councillors fear the \$8000 tax on new land will be passed on to consumers and prevent young families from buying their first home.

While welcoming plans to increase residential and industrial land in Casey and Cardinia, the councillors have presented a united front in opposition to the accompanying tax.

Again, it is not only international surveys; it is also councils that were concerned about the fact that we are going to make land and buildings very expensive, particularly for our younger people, but also for people who want to live in Victoria. It is not only in relation to residential development; this tax is on commercial development, so again we are going to see it become more costly to do business in Victoria.

All these new costs and taxes will hit the cost of housing, the cost of new developments and the cost of new factories, which will mean higher property costs, increased rents — people out there are screaming about the costs of rents now — and also increased prices of goods and services because the reality is that all these taxes and charges will be passed on to the end consumer. In other words, it will mean that we in Victoria will have higher costs to live in Victoria and to do business in Victoria.

I have a copy of the annual report of VicUrban for 2005, which I have read through. It is an interesting document, and I will cover a couple of the projects mentioned in that report. From the point of view of The Nationals we are interested in what is happening in rural and regional Victoria. There is a project at Tower Hill in Swan Hill which is being developed by VicUrban in partnership with the Swan Hill Rural City Council. The report states that it will be built over 150 hectares and will be located minutes from the thriving township of Swan Hill. It will provide over 1200 dwellings and housing for up to 3000 people. So there are some good developments happening in rural and regional Victoria.

Another one mentioned in the report is the Grove in Shepparton, which is a partnership between the Office

of Housing and VicUrban. The Grove will comprise about 100 lots and will become the home of an estimated 500 residents. So there are some good rural and regional projects happening. I will come back to one in my electorate a little later. The fear from all this is that this bill is only focused mainly on the Dandenong project, but there is no reason why it cannot be extended to cover projects not only in other transit cities around Melbourne, but also in cities right across rural and regional Victoria.

In the financial statement on page 11 of the annual report it also states that its net profit after tax was \$22 million. Here is a government agency making a net profit where the revenue was \$185 million and the number of lots sold was 912. When you divide those figures you can see the value of the lots sold compared with the revenue it gained. It will be interesting to look at this in the next couple of years and for the years gone by. I think it will be going up at an exponential rate. The concern we have in The Nationals is that we are going to get increased costs.

I also looked further in the annual report. Page 23 states that it had \$152 million in land sales and the cost of that land to it was \$94 million, giving it a gross profit of \$58 million. You can see there is obviously a big difference between the cost of the land it purchased and the on-cost to consumers. It is interesting to look at some of the other costs, which I will not go into because of time, particularly in relation to directors who are all listed in the report; you can see why we need to have increased taxes because we have to pay for all those directors and staff.

Another project I will talk about is a regional project in Hamilton in my electorate. I am informed that VicUrban has signed up with the Southern Grampians Shire Council. It is a 26.8-hectare site where they are planning to have 300 allotments. It will be overlooking Lake Hamilton in the most picturesque part, right on the edge of Hamilton. The council tells me that this is a long-term project to develop and sell the site over about 13 years and that VicUrban has an agreement with the Southern Grampians shire for a high-quality development.

I think VicUrban should be about facilitation, it should be about innovation, it should be about understanding the needs not only of metropolitan people, but also of country people in rural and regional Victoria. It must also be commercial, because private developers who do similar work do not have the same protection that VicUrban does under this legislation and previous legislation.

I turn to the Dandenong project that this focuses on.

Honourable members interjecting.

Mr DELAHUNTY — I am not laughing about it: I am just saying the reality is that VicUrban has a lot of legislative protection where a lot of commercial developers do not.

It is interesting to note that this bill mainly focuses on the Dandenong project.

An honourable member interjected.

Mr DELAHUNTY — It is a good project, and I have talked about that. If you had been in here a bit earlier after tea, you would have heard all about it.

The Dandenong project talks about diversity, and that is to be commended. It talks about places to meet, and it is to be congratulated on that. It talks about accessibility, including better public transport, and we would like to have that in rural and regional Victoria. However, the Minister for Transport did not get much in the budget for public transport in rural and regional Victoria. It also talks about people's livelihoods and about the beauty of Dandenong, with more trees, gardens and those types of things.

The one thing it talks about that I want to focus on is affordability. We all remember back to the days when we bought our first home; it was a pretty big ask. If VicUrban is going to meet the demands of our young people in rural and regional Victoria, as it should in all of Victoria, it needs to make sure it acts commercially and has affordable properties.

VicUrban is a government statutory authority that also deals with planning and commercial development. We have seen the work done at Docklands and right across rural and regional Victoria, and a lot of it is good stuff. There is no disagreement about that; it does some good work.

An honourable member interjected.

Mr DELAHUNTY — The member referred to Roxburgh Park. I know where it is, though I have not been there.

Under this bill VicUrban will undertake and declare projects. It will also have responsibility for implementing Melbourne 2030, and we know there are problems with that. My understanding is that it only deals with urban projects, and that is understandable in relation to the role it plays, particularly in Melbourne

but also in places like Shepparton, Horsham, Swan Hill and Hamilton.

An honourable member interjected.

Mr DELAHUNTY — That is correct: I said they were urban projects in places like Shepparton, Swan Hill and the like. The bill applies to people undertaking work on a commercial scale. As the second-reading speech says, it is not about two-lot subdivisions, and the work must be worth more than \$250 000.

Under new section 51M the authority may levy charges for infrastructure recovery on owners of private property in the project area. As we know, only the Dandenong project area has been designated at this stage, but our understanding is that that could apply to any other project right across Victoria. That is our worry and fear — and this is on top of the \$8000 — —

An honourable member interjected.

Mr DELAHUNTY — It is a good project, but there should be no need for more charges. New section 51 also provides for the infrastructure recovery charge to be based on a percentage of the development up to a maximum of 10 per cent. As was highlighted by the member for Brighton and again by my colleague the Honourable Bill Baxter, a member for North Eastern Province in the other place, there is nothing in the bill to say the charges can be passed back if people have paid more than they needed to.

New section 51ZG — this is about the appeal process — provides that a person can apply in writing to the authority on the levying of the general charge, and under new section 51ZH they can write to the authority on the levying of the infrastructure recovery charge. Under new section 51ZO there is an opportunity to appeal to the Victorian Civil and Administrative Tribunal, and new section 51ZP sets out the procedures enabling an appeal to the Supreme Court. There is a three-step process involving the authority, VCAT and the Supreme Court. All those things would cost money, particularly if the person has to go all the way to the Supreme Court.

Overall, that is the reason why we are opposing the bill. It will impose more costs on living in Victoria and more taxes on doing business in Victoria — —

An honourable member interjected.

Mr DELAHUNTY — Even one of the Labor members of the house said to me, when I asked if he was going to speak on this bill, 'I am not talking on that one. That is another taxing bill'. Even Labor's own

people say this is going to be another tax on people buying houses. This is a general charge; and as we know, a general charge remains.

An honourable member interjected.

Mr DELAHUNTY — The general charge will remain; it will still be there. And there is also an \$8000 land tax, this time up to 10 per cent of the capital improved value. So for those reasons The Nationals will be opposing this legislation.

Mr CARLI (Brunswick) — I am very disappointed by the two speeches made by the opposition parties against this bill. The Victorian Urban Development Authority (Amendment) Bill is important legislation. It allows for major urban development like the Dandenong project, where there is a massive investment by the public sector in the buying and redeveloping of the commercial areas of central Dandenong, the building of the George Street bridge and the development of the former saleyards into residential areas.

These are massive investments, and this bill enables the government to recoup some of those costs. It was very telling that the member for Brighton said that the private sector should have paid for the infrastructure involved in the extension of the Collins Street tram into Docklands. That is exactly what is happening, in that a charge will be levied to recoup money spent by the public sector on the major redevelopment of an urban renewal area such as Dandenong — and Dandenong certainly needs a massive reinvestment.

The member for Brighton says there ought to be a means by which the state can recoup some of those costs, and she gave the example of the Collins Street tram extension. Even the member for Lowan talked about the ability of VicUrban to recoup some money for provisions already set out in the act, so there is nothing extraordinary about this bill, given the massive investment by the state. That investment improves the amenity and the value of those properties in Dandenong. There is no doubt that the type of investment we are seeing in Dandenong as part of the transit city project will provide a massive improvement in the value and the amenity of the Dandenong area.

What is happening in this process is that some of the money that comes from the urban renewal redevelopment of central Dandenong is a charge collected by the state and which is used to help in the betterment and increased values resulting from that massive reinvestment. This infrastructure charge can only be applied to VicUrban-declared areas. The

member for Lowan suggested it could be declared generally throughout Victoria. It cannot be; as I said, it can only be in areas declared by VicUrban. It is only there to recoup a portion of the investment in the VicUrban-declared project area.

Mr Delahunty interjected.

Mr CARLI — No, it cannot. In fact there is a limit and the government cannot recoup more money than it has actually invested. The charge is only going to be used where the government is making major public investments. It is not a further tax to bring in money; it is there as a result of the massive reinvestment, which, as I said before, increases the value of that land for commercial interests and also improves the amenity for those communities. It is a fair charge because it affects development on a commercial scale, being limited to developments that are of a certain scale, and it is not aimed at the small home owner or a person undertaking a small renovation. It is only charged when there is a commercial-scale development.

It will enable VicUrban to conduct these major urban renewal projects, and it will give everyone the ability to make investments. It will give the private sector the ability and the vision to invest in Dandenong because the public sector is putting in the infrastructure; it is purchasing the commercial land and creating the types of areas where reinvestments can be made. The charge is based on a percentage of the development value and is only paid upon development, so there are incredible limitations on when this charge can be used — only in declared areas, only for development — and in the case of Dandenong, it is 5 per cent of the development value.

This fear that has been created by the members for Brighton and Lowan is pure scaremongering. Their suggestion is that it could be applied or that it could happen, raising all sorts of fears with the innuendo that somehow this is going to be a net that is widely cast throughout Victoria and is basically there to create yet another windfall for the government. Certainly that is not what it is about. The other one is the targeting of home owners and raising the fear that the charge will affect home owners. It will not affect home owners. Works such as the building of two houses on a lot and two-lot subdivisions will be exempt from the charge. Any renovation work that is under \$250 000 will be exempt from the charge.

Clearly the charge is aimed at commercial developments. And why should it not be? If we look at the case of Dandenong, we are looking at saleyards and an urban centre which have passed their prime. Anyone

who knows Dandenong will know that a lot of developments have occurred on the other side of the Princes Highway and that the areas between the railway station and the Princes Highway really need a thorough reinvestment. This is very much about the public sector leading the way for future private sector investment.

Given the sheer scale of the investments that have been made by the government, there is a need to recoup some of the costs. That will also allow for investment to occur in other areas that need major urban renewal, where there needs to be a partnership between the state and the private sector. At the end of the day what is really critical in all this is that the investment by government will improve those areas and increase the value of the land. Therefore the government will be able to recoup some of the costs through an extra charge. The amendment provides that the charge will be not more than 10 per cent in any declared VicUrban area, and in the case of Dandenong the charge will be 5 per cent.

It is a very fair and equitable charge. It is not to be applied ad hoc and as a broad net across Victoria. It is not open ended; it is clearly capped at 10 per cent, which is entrenched in this legislation. It will only be levied at the time of development, so those people who are not developing the sites will not be burdened with the extra charge and those who take the opportunity to develop and to realise the increased value of the land as a result of the public sector investments will be levied — but they will have an ability to pay that levy, because the work that has been done by the public sector to make urban renewal possible has increased the value of that land.

When we talk about the Dandenong project we are talking about a project of immense size. It is possibly the largest urban renewal project ever undertaken in Australia. It would not be possible for the government to simply invest there without recouping some of the costs of that investment. The developers who are interested in the development are also supportive.

The charge will not affect the ordinary home owner who wants to undertake modest home renovations or build two buildings or even subdivide land into two subdivisions. This is a good, fair and equitable charge. More importantly, the legislation provides for objection and appeal rights so that if someone is dissatisfied with and objects to the initial charge levied by VicUrban it can be appealed at the Victorian Civil and Administrative Tribunal.

The charge that will be applied is based on the investments made by the public sector. It will be

capped, and the developer can realise the costs with the increased value of the land and the redevelopment. There will be no better example than Dandenong. Dandenong will become a great urban centre as a result of the urban renewal. It will be of immense dimensions, and that will be made possible only because some — some, I will not say all — of the costs borne by government can be recouped.

There was some talk by the member for Lowan about the importance of public transport. You could not get a better outer area of Melbourne for public transport than Dandenong. It is a transport hub; it has a railway station and a major bus interchange. Dandenong is also the centre of one of the largest — —

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

Mr HONEYWOOD (Warrandyte) — The purpose of this bill is to provide additional and so-called appropriate and flexible options for the government to extract additional and potentially unlimited funds for investment in urban development projects. The ability of this government to extract these additional dividends is of course currently not available to it under the Victorian Development Authority Act 2003. Essentially what we have here is another tax or levy — the government describes all taxes nowadays as levies — and it will apply to developers.

However, let us not forget in this house that this authority was always meant to be about providing affordable housing. The member for Coburg opposite claiming that this new tax, which the government prefers to call a levy, will not flow on to first home buyers in these estates highlights just how few members opposite understand the way in which the private sector works. They are saying, 'Don't you worry, those in the private sector are nice guys. They will wear this extra tax on each block of land. They will not pass it on to the first home buyer; they will just reduce their profit because they want to be generous to the Bracks government and give it some extra tax revenue'. As my children would say, 'Get real!'

It behoves members of this house to look at some of the recent history of how we got to this position. Of course, we should never forget the poor old former Urban and Regional Land Corporation which only a couple of years ago was forced into a shotgun marriage with the Docklands Authority. The Victorian Urban Development Authority Act 2003, which I referred to a moment ago, changed it all. The old URLC was sitting on assets worth \$70 million in broad acre value, and it had \$250 million in profits. But the Docklands

Authority, which took over the URLC rather than it being a merger of equals — forced by the government — had a mere \$167 million debt at the time.

We were told by the then Minister for Major Projects, who is now the Minister for Transport, 'Don't you worry, they are going to build Chinese walls between the assets of the poor old Urban and Regional Land Corporation and the Docklands Authority'. We were told, 'Don't you worry, the Docklands Authority will not be allowed to pilfer profits from the Urban and Regional Land Corporation'. History shows that exactly the opposite occurred. In true non-consultative style, this government did not speak a word to the board of the corporation of its intention to take over the former Urban and Regional Land Corporation, which had survived throughout the Cain and Kennett governments and had done the right thing by first home buyers. It had been a real market setter when it came to the affordability of lots for first home buyers and had been competing actively against the private development market.

No minister of this government said a single word to the Urban and Regional Land Corporation board members, which it had appointed, before those board members picked up the newspapers one day and read that they were to be done away with and their board was to be abolished. That occurred in December 2002 with an announcement by the Premier. But members will recall that the Premier had a few problems with the Urban and Regional Land Corporation at the time because he wanted to impose his best mate, who really was not his best mate, as its chief executive officer (CEO) on a \$300 000 a year salary. This government does not come to this debate with clean hands — far from it.

Unlike the Docklands Authority, the URLC board completed a comprehensive audit of its assets as at 1 December 2002 through an independent auditor, which is why we know that it had \$70 million in broad acres and \$250 million in profits. But the then CEO of the Docklands Authority, Mr Tabart, the most well-remunerated man in Victorian history — even above and beyond Terry Moran — refused to have any audit made of Docklands Authority assets, so of course it may have been more than \$167 million in debt at the time it took over, rather than merged with, the poor old URLC.

The project status report on everything owned by the URLC came out later in May 2003. It showed that the corporation had a AAA rating and was already doing all of the development across regional Victoria that any

such authority owned by a state government should be doing, notwithstanding the attempts by the government to paint a very different picture — that the URLC was only doing metropolitan land developments. In fact it had already embarked upon a number of regional Victorian developments which the member for Lowan, who is sitting at my side, agrees with and states that that is a fact.

The lack of process in the appointment of a new CEO and the lack of process in the demise of the former Urban and Regional Land Corporation is there for history to record. Of even greater concern was the fact that no entity analysis was done at the time the Docklands Authority took over the URLC. That meant that no analysis was done, notwithstanding the comments made by the then Minister for Major Projects who said that there would be Chinese walls between the two previous authorities. No analysis was done as to what each entity's mission should be and what the mission of the new combined Victorian Urban Development Authority should have been.

It is amazing that the legislation at the time, which we are now amending, had a clause which allowed for a specific person to be appointed as the CEO — that was groundbreaking stuff! No other piece of legislation in the history of Victoria has included an actual nomination for who the CEO of the authority had to be.

Mr Dixon — Who was it?

Mr HONEYWOOD — It had to be John Tabart. He was the most well-paid person in Victorian history, other than Terry Moran. That meant there was no attempt to scrutinise that CEO's performance.

As we have already heard, there was no attempt by that person to embark on an independent audit of the assets of the Docklands Authority. Instead this Parliament was saying to the people of Victoria and to the whole of the Australian development market that the only person fit to do this job — to employ the gun in the shotgun marriage and oversee the demise of the Urban and Regional Land Corporation, which, as I said, did a great job under former premiers John Cain, Joan Kirner and Jeff Kennett — was going to be the incredible John Tabart. But of course, as we know, he was the one who finished up getting the job that the Premier's best mate, who was not supposed to be the Premier's best mate, missed out on.

The history of this government in actually using a transparent process when recruiting and highlighting how that process works has been doubly compromised in this particular authority. We then found that all the

former key people — apart from the board members, who were not consulted when they were sacked before the Premier's announcement one day — at the URLC were gotten rid of by Mr Tabart. They were all dismissed one by one. They did not have their contracts renewed, and guess who, one by one, got the key jobs? They were people from the Docklands Authority, of course. The people from a very specific authority which was set up to oversee development in a central business district area finished up being responsible for this massive expansion exercise for all regional land development and all greater metropolitan and interface developments that were the responsibility of the state government.

Again history will show whether the taxpayer got a good deal from this. Did the poor old first home buyer — whom the ALP cares about, according to the rhetoric of its platform — actually get a good deal? Of course not, because as I said at the start of my contribution to this debate, what this means is that in terms of affordable housing, this is yet another tax by stealth which will undeniably flow on to the purchasing price of any new allotment. Ironically the private development industry will be the beneficiary of this, because private developers will not have to benchmark themselves against a government-owned authority which is about not taking profit for this government to recycle into other departments and other budgetary items but is about setting a benchmark of low-cost housing allotments for first home buyers to take advantage of.

So much for the ALP platform when it comes to the Treasurer having to try and make up for the debt announced today in the budget which we are going to be addicted to under this free-spending Labor government.

Mr LOCKWOOD (Bayswater) — I rise to support the Victorian Urban Development Authority (Amendment) Bill. It is always a pleasure to follow the member for Warrandyte — I always enjoy listening to his tripe, which means nothing.

Mr Honeywood interjected.

Mr LOCKWOOD — I will read my own notes, thank you very much.

It is interesting to hear the Liberal Party characterising the levy as a tax which will flow on to first home buyers, which is a load of rubbish. The levy is there as an infrastructure charge to provide infrastructure. It is a matter of what you get for the levy, not so much what it costs. Commercial developments will benefit from

having infrastructure provided. Contributing to the cost of the infrastructure will be of benefit to the development; it will enhance the development and make it more valuable. The customers will receive that benefit from the infrastructure and it is only fair that the developers contribute to the cost of providing that infrastructure — there will always be a benefit for the levy paid. Infrastructure is always a selling point for developers. The better the infrastructure, the easier it is to sell. Less infrastructure means less profit so the higher the quality of the product the better.

That leads to the point that this infrastructure recovery charge has been used in the Revitalising Central Dandenong project, which is part of the broader transit cities project. Dandenong is one of 13 transit cities across the metropolitan area. This charge is only for areas where the government is investing significant amounts of money and developments for commercial sale or commercial purposes and it is based on development value only. It is payable on development, it is not a tax on the end users.

Transit cities is a great project. The government is investing significant amounts of money in transit cities. Last year we saw the investment of \$92.8 million in the transit cities project in Dandenong. This year we will see another \$197 million for the transit cities project. Transit cities are of vital interest to me because we also have a Ringwood transit city.

Mr Honeywood — That's going far!

Mr LOCKWOOD — It is — the other end. And of course Ringwood and Dandenong will be connected by the new SmartBus, which will begin operation.

Mr Honeywood — What about the third railway line?

Mr LOCKWOOD — We need to improve infrastructure and the transport system, but we are into transit cities at the moment. The transit cities project is about creating safe, vibrant, better connected and more sustainable communities centred around quality public transport. That is what the transport and livability statement is all about — quality public transport. The transit cities project is there to link people. Dandenong is a major beneficiary of that.

The transit cities projects are part of the Melbourne 2030 policy. The Liberals would throw that away — they would throw the baby out with the bathwater and have no planning at all. We need a proper planning structure. We need to centre high-density development on the activity centres, on the commercial centres where public transport is and get it out of people's

backyards. We do not necessarily want units popping up everywhere, we want them in planned areas. That is why we have a planning infrastructure, a planning policy to direct those major developments into major activity centres like Dandenong and Ringwood.

The proposals for Dandenong are there to assist the development. There is significant housing going on in Dandenong. VicUrban and the council have commenced the residential development of Metro Village which will house some 2000 to 3000 residents. They are developing the old Dandenong town hall as a major performing arts centre. The council has commenced the refurbishment of the Dandenong produce market. There is new, innovative street lighting in Walker Street. A new four-star Ramada Encore hotel has been opened. Design work for the George Street bridge is well under way, and planning approvals have been given for a number of new residential developments in and around the city centre. Support for Dandenong is working. Dandenong will be revitalised and be a major centre of the south-east. It will be a great home for thousands of people, a quality home with a quality urban centre.

Of course these are long-term infrastructure developments that will take 10 to 15 years to breathe new life into this city and generate millions of dollars of private sector investment as well. The government is showing the way, and the private sector will of course join in and contribute its part to the redevelopment of Dandenong. The local council will also play a vital role in setting up transport and other infrastructure. The streamlined planning process will attract private commercial development.

To go over the \$92 million transit city investment announced in September, there is \$50 million to purchase and redevelop land in a declared area in central Dandenong, something that will certainly add life to the city. An amount of \$17.5 million has been earmarked to build the George Street bridge, along with \$25 million for the redevelopment of the former saleyards, something else that is vital to the rehabilitation and redevelopment of Dandenong. The infrastructure recovery charge of about 5 per cent will contribute to infrastructure redevelopment. It is a valuable charge that will provide better infrastructure development for the private developers and for the people who live there, and Dandenong will be better as a result.

The extra \$197 million, which was announced just one month ago in April, takes the total to \$290 million. It is estimated that it will create 5000 jobs, attract \$1 billion in private sector investment, create quality, affordable

housing options and provide transport and traffic solutions for Dandenong. It will be a great boost to the Dandenong project.

I will watch with interest to see what happens at Dandenong, because Ringwood is also a transit city that is destined to become a high-quality activity centre with improved public transport and significant private investment, which I am sure we will hear more about as the year goes by. The quality of Ringwood will dramatically improve as well, as will the quality of Dandenong. High density housing is being encouraged in the centre of Ringwood, as it is in and around Dandenong. We are looking to build communities with fair access to services and employment opportunities and to provide a range of housing, including affordable housing. As I said, we want these centres to be significant hubs for bus and rail services in eastern and south-eastern Melbourne.

This budget adds to that. We will see extended bus services in the areas that feed Ringwood. We will see the extension of the SmartBus service from Ringwood across town to link with Dandenong, and I believe that will come into operation later in 2007. It is being advanced as part of the transport and livability statement. There will also be improved services to Ringwood with the investment in rail infrastructure, as well as improved transport to Dandenong with the third rail line from Caulfield through to Springvale and later on all the way out. There is a growing population centre out beyond Dandenong which that will service, as well as the area immediately around Dandenong. Improved transport, especially the improved rail lines, will be the key. I fully support the Victorian Urban Development Authority (Amendment) Bill and commend it to the house.

Ms BUCHANAN (Hastings) — It gives me great pleasure to rise in support of the Victorian Urban Development Authority (Amendment) Bill and the infrastructure recovery charge. I support the bill because its intent is very clear. It will allow VicUrban to use an infrastructure recovery charge to enable government to recover a portion of its investment in VicUrban-declared project areas.

Many speakers before me have talked about the scenario in Dandenong, as the minister did in his second-reading speech. I thought it appropriate at this time to give some background on where Dandenong has been, where it is going and why it has taken the Bracks Labor government to look at investment in the city and change it around.

For many years I was based in the offices of Centrelink at Dandenong. I had a good opportunity to get a sense of what Dandenong was about at a grassroots level — and I am going back to the period from 1997 to 1999. At that stage Centrelink was the only place with a booming business in Dandenong. We had many customers through our doors, as did the Visycare centre down the road, as we were dealing with people from a disadvantaged region with disadvantaged backgrounds. At the time, with its infinite kindness, the federal government was dumping temporary protection visa recipients in Dandenong, giving each of them a bank account, a cheque, a bit of identification and nothing else. There were no support services available for them. People in all the support services in Dandenong were working as hard as they could with tiny resources to try to house those people in an already overcrowded, disadvantaged area.

At the same time, we had a lot of vacant land around Dandenong which was being used for nothing when it could have been used for some great social and economic infrastructure investment. Again, there was no interest from the government at that time. I hark back to an earlier speaker's comment that I think was alluded to by a member of the government who said that private entities should be paying for infrastructure as well. That is the core issue behind the infrastructure recovery charge.

The government has taken the initiative to do some investing in Dandenong that has brought in subsequent investment. We have seen that in many of the government's renewal projects, particularly the urban renewal projects, one of which is in the Hastings township in my electorate. When the urban renewal project down there was announced, investment started to swamp the township through traineeship opportunities, infrastructure upgrades and enhanced service delivery, and there will be the same flow-on effects in Dandenong.

It is interesting that for many years South East Development has been operating in the Dandenong region. It has made many recommendations about levels of government investing in infrastructure in Dandenong to attract private investment back to the area. As much as those recommendations were made in good faith, not one level of government — I refer particularly to Liberal governments in the region — took on those recommendations at any time. It took this government to look at investing in infrastructure in the Dandenong region in conjunction with VicUrban, its development arm in affordable housing, to do anything in Dandenong to make an economic, cultural, environmental and social difference to that community.

Now we have the opposition disappointingly opposing this bill, with its members saying that it represents another tax. I am sorry, but I totally disagree with that premise. Hell will freeze over before we see a member of a Liberal government take an interest in the development of Dandenong. Liberal government members have not done so for the past 20 years, and I doubt that they will in the next 20 years. It has taken a Labor government to look at putting infrastructure investment into Dandenong that in turn will attract into the Dandenong region an amazing amount of investment from a variety of different sources.

In this context it is often stated that the Dandenong region is one of the major manufacturing hubs in Victoria, with 40 per cent of container units coming out of the port of Melbourne ending up in the region. The investment in Dandenong will have flow-on effects for not only the Mornington Peninsula but the Westernport region as well. For an opposition to turn around and say that it is not worth investing in Dandenong just shows how much its members are out of touch with what the community needs from an economic, environmental and social point of view.

It is exceptionally disappointing because I thought that with the change of leadership we might have had a bit more of a positive, proactive focus on this. I was very naive to think that a change of face might have meant a change of policy.

Mr Dixon interjected.

Ms BUCHANAN — The member for Nepean says, 'Wait until Thursday'. The member for Bass might be putting up his hand for the leadership. He has gone from the backbench to the middle bench to the front bench. Who knows? He might be going there.

Mr Dixon interjected.

Ms BUCHANAN — The member for Nepean says that he would join the Labor Party if the member for Bass ever stood for the leadership. You do not need any more words.

Mr Dixon interjected.

Ms BUCHANAN — It is in *Hansard* now; you cannot retract it. That is the way it works.

What I am alluding to on this issue is that Dandenong was a very much neglected and ignored part of metropolitan Victoria. It has major social, economic and environmental disadvantage. It took this government to invest in Victoria and by virtue of that it has brought private investment into the area. It is only

fair — and I think the rest of Victoria will concur with this — that the infrastructure recovery charge will enable the government to recoup a portion of its investment in a VicUrban-declared project site. That investment in infrastructure will bring more private investment into the area.

The reality is that private companies will not come into an area unless they believe they can recoup a return — and they will reap a fantastic return from the Dandenong development. The time is right, with this government's investment into the area on many different levels, to get a great return for the people who live there and for the beautiful multicultural community of Dandenong to enjoy.

You can add to that the investment we have put in over nearly seven years, which is in contrast to that of the previous government whose record on infrastructure investment is abysmal. I see the new Leader of the Opposition in the chamber at the moment. It is interesting to note that he is hanging his head in shame about the time they were in office and the lack of infrastructure investment they put into Victoria, knowing very well how much government investment and initiatives drive and bring in further private capital investment to an area and from which the whole of Victoria benefits. I do not need to spell out again that under the former government 350 schools were closed, 6 passenger rail services were closed, 9000 teachers were removed from schools and 10 000 hospital staff were slashed from the health system in Victoria.

I will outline the impact that had on Dandenong. The slashing of funding for drug and mental health rehabilitation services in Dandenong had a major impact on how people perceived Dandenong. I look at what we are doing now with the investment in the Dandenong Hospital, particularly in the areas of rehabilitation and mental health services in that region, and what we have done to revitalise Dandenong from an economic point of view, and at how we have backed that up with investment infrastructure.

As another member alluded to earlier, the transport hub at Dandenong, with the bus services and rail lines, is fantastic. There are more than just \$2 shops in Dandenong now, which is a good indication of what is happening to the social and economic fabric of Dandenong. Only through this government were we able to drive that change in the community. We have shown how investment from a state government drives change in the community. It is a real pity that during its seven long, dark years the former government did not get the message that when you are prepared to invest in

a little bit of infrastructure for an area, the returns reaped are tenfold.

It is interesting that opposition members are whingeing; in many respects they are whingeing, carping, moaning and whining because we have taken too long to fix up their mess! But we have done the right thing by Dandenong. This area is going to go ahead in leaps and bounds. The infrastructure recovery charge that we are putting on is very fair, and it will reap benefits in terms of affordable housing, economic growth and export and manufacturing opportunities within the region, which will lead onto the apprenticeship initiatives that we are going to implement as well. Everybody in the Dandenong region, including the private developers and home owners, will win because of this bill. I support it and commend it to the house.

Ms BEATTIE (Yuroke) — I want to talk about the background to and the policy basis for the bill. It is my firm belief that the Liberal Party and The Nationals — I think they are still separate parties! — are both opposing it, but I do not think they understand it. They do not understand the reason they are opposing it; they are just flinging all sorts of accusations around the chamber, which I completely refute. After I have finished talking about the policy basis I will refute some of the absolutely silly claims that have been made.

The purpose of the bill is to enable VicUrban to levy charges on owners and occupiers of land in declared project areas to which the relevant section applies. Those charges are for the services and infrastructure in the area provided by VicUrban, such as the supply of telecommunication services and other major infrastructure, the promotion of the project area, maintenance and common facilities. The charges levied on different properties may vary based on the class of the property — for example, the size or value of the land or the extent of the use of the facility or service. It was considered necessary to provide an alternative basis for levying a charge so that the most appropriate configuration or combination could be selected for each particular project to which the charge applies.

In July 2005 the Bracks government considered options for the recovery of part of the government's investment in Dandenong transit city. As a result it also considered whether new types of charges were needed for future VicUrban projects. It was agreed that a broader range of recovery charge mechanisms should be developed. It was considered desirable to enable charges to be levied selectively when development takes place rather than universally, so you can be selective on the projects that it applies to. This is especially relevant in some of the

disadvantaged areas like Dandenong or the city of Broadmeadows, which has a transit city.

Mr Wynne — In Footscray!

Ms BEATTIE — In Footscray, indeed. If government does not lead the way then it is going to be awfully difficult to develop those areas. The implication of the charge would be decided on a case-by-case basis. It is intended that the charge be applied to VicUrban declared projects. The opposition is saying that it is going to be charged willy-nilly, but it specifically states that it is on declared projects where the investment is significantly greater than the level of government expenditure that would normally apply. Members can see that there is a real impetus to get those projects going.

As I said, opposition members do not seem to know what they are talking about, but then they do not know the outer suburbs. They do not go beyond the tram tracks. I doubt if there are too many developments that need infrastructure charges in Brighton! They say they are opposing the bill and yet they only had two speakers on it, the member for Brighton and the member for Warrandyte. I have to say: is the member for Warrandyte's heart in opposing this bill? He is exiting this place; he is in the transit lounge himself! The Nationals had only the member for Lowan speak in opposition to it. How disgraceful is it that they could not even be bothered to put in a real effort to do the research to tell us why they are opposing it?

I want to talk about the infrastructure recovery charge and refute some of the propositions that the opposition has put forward. The infrastructure charge can only be applied in a VicUrban declared area. That charge enables the government to recoup a portion of its investment in a VicUrban declared project area. The charge would only be applied where the government is investing a significant amount in the project, and it is levied at the time of the development. There is no big slush fund sitting there. When you are ready to develop it, the charge applies and not before. The opposition seems to be saying that it is going to apply to blocks of land and first home buyers and all this sort of nonsense.

Mr Wynne — Nonsense!

Ms BEATTIE — As the member for Richmond says, it is nonsense. Development, as is clearly defined in the bill, is in the construction of three or more dwellings on a lot — subdividing land into three or more lots and works to the value of more than \$250 000 for the development of any other kind. Anything not

captured in that definition of development is exempt from the charge.

That leads to the next point that I want to refute. I want to give an example of the development value and how it is calculated. The value refers to both the construction and the subdivision process. With respect to construction, the development value is the sum of the site value at the time of development and the cost amount of the building work for the development.

My colleague the member for Brunswick made the point that the value of the land may be up to \$250 000 and the construction costs may be up to \$300 000. The charge would be a percentage of that sum. In the case of Dandenong, 5 per cent of the development value will be charged. Using the example of 5 per cent, the sum of those two values would attract an infrastructure charge of \$27 500.

Much has been said by various speakers about the outcome of this levy. The outcome will be — in my view and in the view of this side of the house — the kick-starting of those projects where it is needed. These are projects that private investors might not be attracted to, or where they are not sure of the markets. The government leading the way with the charge will attract private investment to come on board and develop areas like Dandenong, Footscray and Broadmeadows.

This is a good bill, which I support. I am disappointed that the opposition and The Nationals are not supporting it, because they cannot put forward good reasons for this. The reasons they have put forward for opposing it are based on absolute nonsense. Once again they have not done their homework, they have not put in the hard yards and they have not gone beyond the city area where most of their members are based. They have not gone outside, have not looked in the suburbs or regional areas. The member for Lowan was spouting on about regional areas, but why did we only have one member from regional areas speaking on the bill on behalf of The Nationals?

The Liberal Party and The Nationals are not clear as to why they are opposing the legislation. They are opposing it for opposition's sake. What seems to be behind it is that they do not want these areas to be developed. They want to say this government is putting in place another tax, but it is not a tax at all.

This is a good bill. I know others wish to speak on it, so I commend the bill to the house and wish it a speedy passage.

Mr WYNNE (Richmond) — I rise to support the Victorian Urban Development Authority (Amendment)

Bill and in doing so acknowledge the excellent work that has been done not only by the government in developing this bill but also by VicUrban.

VicUrban deserves credit for some excellent work over the years, not only in the Docklands area but also in other parts of the urban environment — and I will talk about some of those shortly, particularly regarding the Dandenong area. In my own area of Richmond I have had preliminary discussion with VicUrban staff who have expressed an interest in being helpful on some redevelopment sites. These are quite tough sites, but they could potentially yield some interesting outcomes for the community in the electorate I have the honour of representing.

The bill we debate today goes to the heart of what this government is about. It is about maintaining and improving the livability of Melbourne and Victoria generally. It will be one of the legacies of this government as we look back in many years to come. One of its core values has been to ensure that we deliver across Victoria, and, most particularly, that we deliver in a sustainable way that enhances the livability of the state for the population.

Mr Pandazopoulos — As well as Dandenong.

Mr WYNNE — In response to the Minister for Gaming, who is the member for Dandenong, I will get to the issue of Dandenong in a moment.

The government recognises this, and that is why we plan for urban renewal that ensures that government services and infrastructure are supplied when residents need them, not afterwards. Of course an excellent example of this approach, as the Minister for Gaming, who is at the table, has indicated, is the revitalisation of central Dandenong. I had the pleasure of visiting Dandenong as part of a community cabinet program in April this year.

Mr Pandazopoulos interjected.

Mr WYNNE — As the minister reminds me, we were called into the fray to doorknock nearly four years ago now.

Mr Pandazopoulos — More! It was 1999, mate!

Mr WYNNE — Gee, is it that far back — 1999?

Honourable members interjecting.

The ACTING SPEAKER (Mr Ingram) — Order! Honourable members should allow the member for Richmond to speak uninterrupted in this debate.

Mr WYNNE — I do not wish to be diverted. Thank you very much, Acting Speaker, but they were — —

Ms Beattie — Halcyon days!

Mr WYNNE — They were halcyon days — good days — and I was happy to support the member for Dandenong, as at that point we wanted to consolidate our position. Of course, rest assured — —

Mr Pandazopoulos interjected.

Mr WYNNE — Indeed. As I am reminded by the minister, the then Premier of the state said he had no interest in looking after Dandenong unless they could — —

The ACTING SPEAKER (Mr Ingram) — Order! The member for Richmond must remain focused on the bill.

Mr WYNNE — I am doing my best, Acting Speaker, but — —

Honourable members interjecting.

Mr WYNNE — I would submit that in fact it is on the debate, because it was the lack of interest of the former government in areas like Dandenong that saw the demise of that government. As I said, I was out at the community cabinet program in April this year, and it was there that the Premier announced a \$197 million infrastructure project to support urban renewal in Dandenong.

An honourable member interjected.

Mr WYNNE — I will repeat that: \$197 million. This new funding comes on top of the \$97 million already promised last year, bringing the total to almost \$300 million in state government investment. The entire south-east will share in the benefits of one of the largest urban renewal projects ever undertaken in Australia. There will be new transport links, up to 5000 new jobs and it is estimated that over \$1 billion in private sector investment will follow the government's investment in this area.

Much of the new infrastructure in projects such as this are quite rightly paid for by the state as an initial kick-off for these areas. An obvious consequence of this development is that land prices rise, which results in gains for private sector developers. Of course we do not begrudge that. We live in an economic system that rewards investment. However, the government submits that there is an opportunity — and, rightly, we should take up that opportunity — for a land value capture as a

result of public sector investment. There should be some capacity to draw back some of that initial investment so that it can be spread more broadly through the community.

And that comes to the bill itself. The principal purpose of the bill is to provide for an infrastructure recovery charge. The charge itself will be very specific. It will be a targeted method of delivering a reasonable — and I underline 'reasonable' — return on the state's investment. It can only be introduced in declared major urban development projects — in other words, in areas where the government is making a substantial investment to lead private sector investors. In those areas VicUrban will be able to levy the charge on the rise and development value that occurs due to the government's investment. The charge will be determined on a percentage of the development works plus the land value.

In the case of subdivision a charge will be based on the value of the development as established independently by the Valuer-General. As my colleagues have indicated, the percentage of the charge will be based on extensive modelling, with an upper cap of 10 per cent. In many cases it will be less than that and, as the Parliamentary Secretary for Infrastructure indicated, in Dandenong, for example, the level is anticipated to be only 5 per cent.

The charges will only apply where land is subdivided into two or more lots, where there are two dwellings on a lot and/or works to the value of more than \$250 000, which obviously will be indexed. I believe that we have aimed the charge at properties based on these strict commercial criteria because, simply put, the government has no intention of imposing additional charges on working families and ordinary home owners. Indeed the introduction of this charge potentially lowers the burden on ordinary home owners.

It is important to acknowledge that under existing laws VicUrban has the power to levy a universal charge on all properties within a zone. However, with the passage of this bill VicUrban will be able to target levies specifically, as I indicated earlier, on declared projects. It is important to note that when the minister sets a charge, the minister must be satisfied that the expected revenue will not exceed the government's investment. Moreover, if the revenue received unexpectedly matches the original investment earlier than expected, the minister is empowered to revoke the charge, so there are checks and balances involved in the application of this measure. I submit that that is further confirmation of the government's intentions. We are not looking to increase general taxation revenues; we

are simply looking to ensure that the government gets a fair return on its investment in very specific circumstances.

The best example of this is the magnificent investment of \$300 million in the Dandenong region. As the Premier indicated in his announcement at Dandenong in April, Dandenong will, without question, become the second capital of Victoria; I do not think there is any doubt about that. The extraordinary investment that is going in there is expected to be followed by in excess of \$1 billion worth of private sector investment. Already you can see a sea change occurring in Dandenong. You are going to see the Dandenong shopping complex completely changed and refurbished, with a major public transport linkage to be established at Dandenong to service that whole south-eastern corridor in terms of jobs and investment opportunities for the good people in that area.

Indeed it gives me pride to be part of a government that recognises the importance of Dandenong and the south-eastern region, where we are putting our investment in and leading private sector investment. Only a Bracks government, including a decent minister like the Minister for Gaming, who is at the table, cares for the people of Dandenong. I commend the bill to the house.

Mr HUDSON (Bentleigh) — It is a great pleasure to speak in support of the Victorian Urban Development Authority (Amendment) Bill. The bill allows the government, through an infrastructure recovery charge, to recoup its investment in a VicUrban declared project area. This charge will only be levied in areas where the government is investing a significant amount of money.

We would have to say that by any measure, when you look at the investment the Bracks government is making in Dandenong, it is a huge amount — indeed, a fantastic amount — of money. It is a great credit to the member for Dandenong, and it is a great credit to the government that it has had the courage to identify that this was an area that needed revitalisation and a new focus.

The Kennett government was a city-centric, central business district-centric government. Every single thing it built was in the CBD. What we are doing through the transit cities program is recognising that we need to create major urban centres where people in Melbourne live, work and raise their families. What is fantastic about this project is that the government is actually trying to shape urban development in those areas and create better places for people to live. This is a huge

urban renewal program. It is a 15 to 20-year project that will generate more than \$1 billion worth of investment and create over 5000 jobs. It is one of the biggest urban renewal projects that Melbourne has seen for a long time. It is a project that will revitalise Dandenong.

We ought to go back and have a look at the antecedents to this project, because one of the original objectives, which the opposition should be supporting, was that Dandenong was set up to be the second major regional city outside Melbourne, Geelong being the first. As it turned out, Dandenong would become a hub for food processing, for manufacturing and for new growth areas right through that corridor. That happened because government had the foresight to designate Dandenong to be a growth area.

It is a sad reflection on the current Liberal Party that it is not prepared to support the continuing development of Dandenong. It is an area that needs revitalisation. Thirty to 40 years on, this is an area which has gone through a major restructuring. We know that manufacturing is having a hard time as a result of the growth of competition from China, India and other Asian countries. We know that you have to develop new industries and you have to give a new face to centres like Dandenong. That is precisely what this government is going to do.

The opposition says this is not going to work, but we know it does work — you have only to look at some of the major urban development projects that have been undertaken around Australia. Let me take you back to the biggest, and I believe the best, urban renewal program in Australia undertaken by the commonwealth, which was the Better Cities program. It was a program instituted by the Hawke government and by a great visionary in Brian Howe, who had the foresight and courage to see that, if you wanted to drive investment in these run-down areas around Australia and if you wanted to shape the development, you had to have major public sector investment. The Better Cities program was a \$1 billion program. Let us look at it now, 15 years on. It generated well over \$5 billion worth of private sector investment, and it was a program that not only got the private sector involved but shaped where development occurred.

Take the Beenleigh to Robina railway line — a project which helped shape development on the Gold Coast, and more importantly put a public transport spine into that area — or take Redfern, an incredibly run-down area which now has a major IT business park development which has revitalised that inner urban area in Sydney. Let us look at a project like the Ultimo Pyrmont precinct — one of the biggest of the projects

funded under the Better Cities program. I worked on that project with my colleague the member for Richmond. I am not talking about the Ultimo Pymont project from the point of view of self-congratulation, but to illustrate something about Ultimo Pymont.

One of the key elements in Ultimo Pymont was an inclusionary zoning principle. For the benefit of the house, that meant that any developer who wanted to build there had to do one of two things: they either had to put a certain percentage of funding into an affordable housing fund or they had to build affordable housing units within the complex. This was something that developers had to do themselves, and it resulted in over 300 affordable housing units within 5 kilometres of the central business district of Sydney, which, under the auspices of City West Housing, were made available to low-income people.

Did that project fail because developers said, 'No, we are not going to invest in this area.'? Did they say, 'No, this is a project we are not prepared to invest in. It is too much of a disincentive.'? Absolutely not. If you go to Ultimo Pymont now, you will see that it is a totally transformed project. Why is it a transformed project? As part of Better Cities, Ultimo Pymont put the first tramline back into Sydney since they were all ripped out in the 1960s. Why do you think the waterfront at Geelong has gone so well? The Better Cities program made the investment in the Geelong wool stores project for Deakin University and moved the university back into the city of Geelong.

These projects show what government investment can do. Quite frankly, we need to be having these kinds of investments. Not only that, I believe that if government did not seek to capture some of the benefits that are generated by these projects as a result of public sector investment, it would be totally irresponsible. The reason for that is that if you go to any developer and you talk about urban development, they will ask you, 'What is being planned here in terms of infrastructure?'.

We know that developers will want to build where there are major transport nodes such as railway lines. They will want to build where there are schools being established; they will want to build where there are major parks being developed; and they will want to build where there are major community facilities or bus routes being set up. The reason is that they know those kinds of public sector investments will add exponentially to the value of their developments — as compared to areas where there is no public sector investment.

What in fact happens is that the investment by government reaps profits for the developers in those areas. That is fine — we understand that the private sector is investing to make profits — but it is important that the public sector recoups some of that. That is precisely what this bill will do. It will allow the government to recoup something from the investments it will be making in areas like Dandenong.

The opposition says, 'We are opposed to this'. In Docklands the Kennett government required private developers to put in all the infrastructure and to pay for it themselves.

An honourable member — The same model.

Mr HUDSON — The very same model. That government said, 'If you want to develop Docklands, you will have to pay for the infrastructure'.

An honourable member — And they signed up to Better Cities.

Mr HUDSON — And that government signed up to Better Cities. Now the opposition is saying, 'Oh no, we don't want the government recouping something from these investments. Let the developers have the areas and let them reap the profits, but let's not get anything back from them'. That is a ludicrous proposition.

I think this is a fantastic bill. The claims that have been made by the opposition about this bill are absolutely absurd. The idea that this is going to add to the cost of house prices, for example, is totally ridiculous when you look at the scale of the developments we are talking about here. The fact of the matter is that this charge is going to apply to large developers. They welcome the certainty that comes from a government saying, 'This is the kind of infrastructure investment we are making in this area'.

This charge will attract the private sector to Dandenong and will bring investment into the area. It will make the transit city work in an effectively functioning way. But more importantly, what this levy will do is ensure that when Dandenong is revitalised, all the required core elements of public sector investment will be there. I commend the bill to the house.

Ms GREEN (Yan Yean) — It is with great pleasure that I join the debate on the Victorian Urban Development Authority (Amendment) Bill. The bill provides for some important changes to the existing act, which enables VicUrban to levy charges on owners or occupiers of land in declared project areas. These charges are for services and infrastructure provided by VicUrban in those areas. Some of the services could

include, for example, telecommunications, the provision of major infrastructure and the maintenance of common facilities.

We will see this infrastructure recovery charge in action, as speakers before me have said, in the revitalisation of the city of Dandenong. This revitalisation will see the total investment of nearly \$300 million over 15 to 20 years in an enormous urban renewal project — something that Dandenong deserves. We had a previous Premier in this place try to say that Dandenong was a premier city. He might have talked about it, but he never actually put any money into it, because he did not care about working-class people in the south-east — just as he did not care about the north. The project will generate about \$1 billion of private sector investment and around 5000 jobs.

VicUrban is also active in my community. It is building the new community of Aurora, a housing development that is going to be about the size of the provincial city of Warrnambool. I have seen VicUrban at work. I have mentioned Dandenong, which has been identified as the first transit city. However, we have a number of other transit cities around the place, including Epping and Greensborough. I would really welcome having this charge and this urban renewal and consolidation happening in the communities I represent in Epping and Greensborough. Reasonable developers welcome the certainty that this sort of charge delivers.

This infrastructure recovery charge can only be applied in a VicUrban declared area, so some of the outlandish claims that have been made by the opposition do not hold any water. The charge will enable the government to recoup a portion of its investment in those VicUrban declared project areas. Why should the taxpayer not have that? The charge will be associated only in an area in which the government is investing a significant amount of money, as it is in Dandenong, and the charge is levied at the time of development.

The charge is fair. It affects development on a commercial scale or for commercial purposes. Typical new home owners will not have to pay the charge; nor will a retailer doing minor renovations such as a new shop fit-out for less than \$250 000 in value. The charge targets commercial-scale development. It enables the government through VicUrban to conduct major urban renewal projects in certain areas of Victoria. The opposition says it opposes this, but it ran out of puff after two or three speakers.

Ms Buchanan — Hopeless! They are drowning their sorrows.

Ms GREEN — Yes, they are drowning their sorrows. I welcome this charge. I welcome the involvement of VicUrban in my community. I will not anticipate the budget, but I know that having a new school in my local area, a VicUrban area, will be a good thing. I commend the bill to the house and support the comments of previous government members.

Mr PANDAZOPOULOS (Minister for Gaming) — So many members want to talk about this very important bill on the urban redevelopment of Victoria, with the focus on Dandenong. May I say as the member for Dandenong how proud I am that most of this debate is really about the development opportunities in Dandenong. A lot of the debate and focus has really been — —

An honourable member interjected.

Mr PANDAZOPOULOS — No, I am not summing up. The Minister for Planning will sum up. I am talking as the member for Dandenong.

It is very rare that this house debates a bill that focuses primarily on one particular electorate. This is important for redevelopment as part of the role of VicUrban, and it does a fantastic job. Having evolved from the Urban Land Authority to VicUrban, it has been doing a great job across the whole state.

A lot of this bill is about enabling provisions for the redevelopment of Dandenong as a transit city. I was the Minister for Major Projects in the first term of the government, and members have referred to how this model is similar to the Docklands model. When I was Minister for Major Projects I argued in government that the Urban Land Authority had to learn about best practice models, one being the Docklands model, where the private sector contributes to investment. Not only did we make a down payment last year of about \$90-odd million on the redevelopment of Dandenong, but we also heard today about a further \$197 million reinvestment in Dandenong as a transit city.

Dandenong in its heyday used to be known as the gateway to Gippsland. If you look at road and rail infrastructure, the city has been designed as an interface with regional Victoria on the edge of Melbourne. It acts and functions in effect as a second city to Melbourne.

The investment boom in the 1980s and 1990s bypassed Dandenong because governments were not focused on the planning realities of those areas. Unfortunately Dandenong has a lot of land consolidated in very small parcels. Dandenong was not able to compete when large office blocks and decentralisation were occurring in places like Box Hill and Frankston in the 1980s,

simply because from a planning point of view it was too hard for an investor to invest in those areas. By the time you did land consolidation and compulsory acquisition, your costs were too high and it was not a competitive model.

This government has seen the opportunities and has the vision to bring Dandenong back to its heyday, and that is why this investment has been occurring. Transit cities is a strategy of reinvestment in urban areas where there is a potential for redevelopment. Those areas for potential redevelopment already have great road and rail networks, and it is a matter of utilising spare land, undervalued land and undercapitalised land to reach the economic potential of those localities.

Dandenong is the perfect opportunity. It is priced right. The major investment of this government in EastLink is creating a huge incentive for the private sector to finally take notice. The private sector, in terms of the urban redevelopment of the Dandenong central business district (CBD), ignored it for 20 years. Industrial growth has gone really well, but the CBD of Dandenong has suffered. This transit city focus is providing the private sector with an incentive to say that a coordinated government strategy, supported by the local council and supported by the Dandenong Development Board, will mean that there is a long-term vision for Greater Dandenong.

The first down payment on this was last year. People who know Dandenong will know that there was a former saleyards site in the centre of Dandenong, right next to the Dandenong railway station. Of course saleyards with cattle have moved out even closer to provincial Victoria. That was a great opportunity for someone, with the support of the local council, to convert the area into a new housing estate or new apartment development.

The reality in places like Dandenong is that a lot of people — for example, empty nesters — cannot afford to live in inner city suburbs but do not want the four-bedroom house in Dandenong North. They have got their friends, they have the resources and the community facilities in Dandenong, and they want to live locally. There will be 4000 new residents in the Dandenong saleyards development. That first down payment means that VicUrban is supporting the new estate. Already the first day's sales have shot through the roof. There is more demand than blocks available, so the position is very good for Dandenong.

We are building a new bridge — it is called the George Street rail extension — to provide a new network across Dandenong in order to get to the Dandenong South

community, which until this stage has been isolated from the Dandenong CBD. There is a big residential community in Dandenong South but no-one to date has come to support them. We are building this new George Street bridge, integrating with the Dandenong railway station, integrating Dandenong South with the CBD, and also building a new bridge over the Dandenong Creek to connect Dandenong South to get this city fully functioning. Investors are walking with their feet on that. This latest down payment —

Mr Mulder — You said they are walking on their feet; what else would they be walking on?

Mr PANDAZOPOULOS — They are voting with their feet and they are walking with their feet as well.

Mr Mulder interjected.

Mr PANDAZOPOULOS — The member should have been there when they actually turned up!

Mr Mulder — You are walking on your hands, you lot, you and your mate next door to you holding hands.

The ACTING SPEAKER (Mr Ingram) — Order! The member for Polwarth should cease interjecting in that manner.

Mr PANDAZOPOULOS — At least I know more about his electorate than he knows about mine. The reality is that this first-stage development has reignited excitement in Dandenong, not only among the local community but also among investors. This latest announcement made by the Premier when community cabinet sat over a month ago in Greater Dandenong has been massively supported by the Greater Dandenong Chamber of Commerce, by the Dandenong Retail Traders Association and by the Dandenong community, because what we are going to finally see is the integration of Dandenong as a fully functioning city.

The economic impediments that the private sector could not deal with are being worked through as a result of government proactive development through VicUrban with the support of the City of Greater Dandenong and the Dandenong Development Board. I was quite interested to see the last hoorah of the current Leader of the Opposition whilst he was still the shadow Minister for Planning and was criticising this development. We are seeing now action taken by the opposition in not supporting this initiative. It is a small levy on the development sector to get a big development return. Local businesses in Greater Dandenong — retailers and the chamber of commerce — are so massively supportive of this,

which just shows that the Leader of the Opposition is out of touch and out of date.

The Leader of the Opposition is not the person for business, he is not the person who understands how to make Dandenong grow in the future. He has opposed this. He also said that the Dandenong Development Board has done nothing and should be sacked. I commend David Cowlshaw as the chairperson of the board. Setting up a development board was another way to focus on best development practices globally.

I need to commend the City of Greater Dandenong. It has been very supportive. When the current Leader of the Opposition was shadow Minister for Planning, he said the opposition would not support this and that the development board should be sacked. The mayor of the City of Greater Dandenong, Cr Peter Brown — and I must commend him also — said that the current Leader of the Opposition obviously did not know what he was talking about. The City of Greater Dandenong has great potential for investment because of this initiative and EastLink but it cannot handle everything on its own. It is pleased that for the first time in many years a state government is supportive of the city. Cr Peter Brown said the Leader of the Opposition was out of touch.

The opposition utters platitudes about this charge being an impediment and cost to business, but it has not done the hard work. It has been a lazy opposition and has not gone to talk to businesses in Dandenong or with the council to find out that the development board and this initiative are supported. The community in Dandenong has been waiting for this for a long time.

The reality is that in 10 years time people will look back at the decision we are making tonight and say this bill has allowed Greater Dandenong, and Dandenong itself, to return to its heyday. Dandenong is not only the gateway to Gippsland; the pioneers designed it as the second city of Melbourne. Dandenong did not have government support until the Bracks government came in. I commend the Premier, and I also commend the Minister for Major Projects in the other house, who is leading this project. He has a great vision. It is great for Dandenong and it is a good development model we can learn from for other parts of Victoria.

It is supported by the private sector and developers. It is the way to get underperforming areas and land to work to their best economic potential to support local communities, to grow local populations, to grow local business and to grow local opportunities. People in Dandenong do not want to be ridiculed any more. They look at this project as a new future. That is what we are doing as a government. I and the local members have

been pleased to support it, and we are really pleased that the government is acting, but we are disappointed the opposition just does not get it!

Ms CAMPBELL (Pascoe Vale) — I am pleased to follow the minister who has such a passionate advocacy for his electorate. The minister was forceful in explaining exactly why this legislation is essential not only for Dandenong but other areas that are underperforming at this time.

This legislation is about investing in areas that have problems. It is about not only looking at problems but about fixing them. I spent a significant time in my life over 30 years ago around the Dandenong area. If you look at the specifics of this legislation, the parcel of land covered by the bill has not changed much in 30 years. This legislation will enable it to be developed.

This is good legislation because it establishes infrastructure that is badly needed around areas such as Dandenong. The infrastructure includes roads, public open spaces, public transport, traffic calming and a safer environment. It assembles sites together for redevelopment. That is the kind of good public-infrastructure, citizen-focused planning that this government presents to this Parliament and residents in Victoria. It is the kind of legislation that the opposition should be supporting.

The current shadow minister claimed this was a tax. That is a grave exaggeration of the truth. This is not a tax; this is about investment by government, and it is a recovery charge, which is quite different to a tax. This is about ensuring investment by the government is made in areas that badly need it. It ensures that the people who reap the benefit from that investment assist in recouping those charges.

In relation to the total sum of the investment and the result of that investment, we are going to have in Dandenong and in areas such as the one in Dandenong, more people, more business, more private sector developers and more builders operating to make this state a great place to live, work and raise a family.

I want to turn to a couple of clauses in the bill. Proposed section 51A in clause 7 is a key component of the legislation. It provides for certain classes of subdivisions of land and building work to be exempt from the levy of charges on development. Proposed section 51A(1) sets out the classes of subdivision of land which are exempt, and they are:

- (a) ... a subdivision of land into not more than 2 lots —

which of course is subject to proposed subsection (3) —

- (b) a subdivision of land that involves an alteration to the boundaries of the lots on an existing plan of subdivision but does not increase the number of lots above the number of lots on that existing plan of subdivision; or
- (c) a subdivision of an existing building into lots or lots and common property; or
- (d) a subdivision of land where an existing building is situated on each lot to be created by the subdivision.

Those are the exempt developments. The classes of building works which are exempt under proposed section 51A(2) are:

- (a) the construction of up to 2 dwellings on a lot;
- (b) the construction of the following buildings when they are ancillary to a dwelling —
 - (i) a garage, carport or shed or similar non-habitable building;
 - (ii) a fence, mast, antenna, retaining or free-standing wall, swimming pool, spa or similar structure;
- (c) the carrying out of protection work —

as defined under the Building Act 1993 —

- (d) except as provided in sub-section (4) any other building work if the total cost of the building work does not exceed the threshold amount —

which is \$250 000, and that can be varied under clause 51B.

I hope that clarifies for the shadow minister what is in fact exempt. Smaller scale subdivisions and building works such as those outlined are excluded from the levy, which does not apply to ordinary home owners or small-scale, non-commercial development.

The other provision I wish to refer to particularly is proposed section 51R, which provides that the authority may by resolution vary or revoke any resolution levying an infrastructure recovery charge. Why is this included? It is because the government does not want to recover anything over and above the estimated amount of the public investment. That is very good legislation. That is about recovering the cost of the investment that will enable the development to be advantageous in terms of being a saleable commodity.

Proposed section 51S provides that:

An infrastructure recovery charge is not payable in respect of a development if a planning permit or building permit was issued for the development before the publication of the resolution levying the charge.

That should make it really apparent to the house that this amendment clarifies that, where a development has

been issued with a planning or building permit prior to the gazettal of the resolution levying the infrastructure recovery charge, then the development is exempt from the charge.

The implementation of this charge is going to be decided on a cost-by-cost basis. It is intended that the charge be applied in VicUrban-declared projects with a level of investment and intervention that is significantly greater than the level of government expenditure that would normally apply. It is about recouping for others the benefit that goes to those who obviously enjoy a better life as a result of this big investment by government through VicUrban. It is good legislation. It is a recovery charge, and anyone who suggests it is a tax has got their facts absolutely back to front.

Mr NARDELLA (Melton) — I want to agree with the honourable member for Brighton. As she said in her contribution, which I heard in my room, this bill shows the difference between Labor and the Liberals and Labor and the New Liberals — that is, between the commitment to urban and regional development by Labor and the inaction by the conservatives and their opposition to this bill. That says to the house that those opposite are not ready to govern. It also shows another difference between the two — that is, that Labor is prepared to debate the bill.

We have had speaker after speaker support this bill. The opposition is opposing it, but has managed to put up two speakers. Where are the others? Opposition members are lazy and are not prepared to come into this house. What does that demonstrate? It shows that the leadership of the new Leader of the Opposition, the member for Hawthorn, is doomed. They cannot get their act together. They cannot even debate a bill they are opposing. They are a disgrace. If they cannot debate the bills before the house — if they are not prepared to put in the hard work and are not prepared to go to the library, where they can get assistance from the library officers — they are not ready to govern. This bill, which is about supporting transit cities and supporting Dandenong, demonstrates that they are not ready to govern whatsoever.

The Kennett government policy on Dandenong was very simple — that is, if the people of Dandenong had voted to knock off the honourable member for Dandenong, who is now a minister and who is here in the house, they would have got a Liberal minister and Dandenong would have been looked after. The Bracks government is doing this because it is the right thing to do and because it is about growing the whole of the state and about looking after families in Victoria.

These lazy, good-for-nothing opposition members are not prepared to debate the bill, and they have demonstrated absolutely that they are not ready to govern — and they will not be able to under their new leader, who has been missing in action through the whole debate. He is the ex-shadow Minister for Planning. He should have a say on this — he should know what he is talking about — but he has been scouting around outside this place, not prepared to debate this very important bill. I support the bill before the house.

Mr HULLS (Minister for Planning) — I thank all members for their contributions to the debate on this bill. I will touch on the contribution by the honourable member for Melton, because he is dead right — —

An honourable member — He is dead right.

Mr HULLS — He is dead right in agreeing with the Deputy Leader of the Opposition. This is a defining bill about the difference between that side of the house and this side of the house. Given that they are opposing this bill, you really have to ask what the people on the other side actually stand for. In opposing this bill, what they are really doing is opposing government investment in one of the biggest major neighbourhood renewal projects ever to take place in this state. That is the reality. We fully support this very important project in Dandenong.

In opposing this bill — —

Dr Napthine interjected.

Mr HULLS — Those noddies opposite — —

Dr Napthine interjected.

Mr HULLS — Those noddies opposite are opposing the philosophy — —

Ms Asher interjected.

Mr HULLS — I do not need a microphone! They are opposing the philosophy of government investment as a means of attracting private sector investment. In opposing this bill they are really also opposing the strongly held views of the democratically elected local council. All they have to do is go out to Dandenong — if they actually know where Dandenong is — and have a discussion with the local council, because it is fully supportive of this partnership arrangement.

Honourable members interjecting.

Mr HULLS — It is fully supportive of this partnership arrangement. The reality is that this is real

Labor stuff. This is about neighbourhood renewal in Dandenong. It is not about neighbourhood renewal in Toorak or anywhere else; it is actually about neighbourhood renewal in Dandenong, and members on this side of the house fully support it. It is about renewal; it is about improving the amenity of the Dandenong area; it is about a partnership arrangement with the council and with the state government; and it is also about partnership with the private sector. It is about ensuring that the private sector contributes to the long-term vision for Dandenong. That is why the government is fully supportive of this piece of legislation.

Provisions already exist in the act to allow for a charge to be incurred in relation to VicUrban project areas, so this is nothing new. They have been in place since 2003. For crocodile tears to be emanating now from members on the other side of the house in relation to this bill is nothing more than grandstanding. It really does show the difference in philosophy between them and us. I would have thought every member of this house would support such a substantial renewal project in Dandenong — but no!

An honourable member interjected.

Mr HULLS — The Leader of the Opposition has not actually spoken on this bill, but if he is speaking through the Deputy Leader of the Opposition, it means he too opposes this neighbourhood renewal project in Dandenong.

It will be a test for him, because we are about to divide on this bill. It will be very interesting to see whether or not he can actually stand up for the people of Dandenong and show that he is not just another garden gnome variety Tory who opposes these types of very important urban renewal projects. That will be a test, and it will occur in about 1 minute.

I thank all government members who contributed to the debate on this legislation. I am proud to be associated with this bill. I know the people of Dandenong certainly want it to receive a very speedy passage, as does the democratically elected council in Dandenong.

House divided on motion:

Ayes, 56

Allan, Ms	Kosky, Ms
Andrews, Mr	Langdon, Mr
Barker, Ms	Languiller, Mr
Batchelor, Mr	Leighton, Mr
Beard, Ms	Lim, Mr
Beattie, Ms	Lindell, Ms
Buchanan, Ms	Lobato, Ms
Cameron, Mr	Lockwood, Mr

Campbell, Ms	Lupton, Mr
Carli, Mr	Marshall, Ms
Crutchfield, Mr	Maxfield, Mr
D' Ambrosio, Ms	Merlino, Mr
Duncan, Ms	Mildenhall, Mr
Eckstein, Ms	Morand, Ms
Garbutt, Ms	Nardella, Mr
Gillett, Ms	Neville, Ms
Green, Ms	Overington, Ms
Haermeyer, Mr	Pandazopoulos, Mr
Hardman, Mr	Perera, Mr
Harkness, Dr	Pike, Ms
Helper, Mr	Robinson, Mr
Herbert, Mr	Savage, Mr
Holding, Mr	Seitz, Mr
Howard, Mr	Stensholt, Mr
Hudson, Mr	Thwaites, Mr
Hulls, Mr	Treize, Mr
Ingram, Mr	Wilson, Mr
Jenkins, Mr	Wynne, Mr

Noes, 22

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

Motion agreed to.**Read second time.****Business interrupted pursuant to standing orders.****Sitting continued on motion of Mr BATCHELOR (Minister for Transport).***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.

Planning: Brighton development

Ms ASHER (Brighton) — The issue I have is for the Minister for Planning. It is a great pity that he is no longer in the chamber, because I wish to issue an invitation to him to accompany me on a familiarisation

visit around Brighton and Hampton. In particular the aim I have is for him to see the amenity of the two suburbs of Brighton and Hampton and to view some of the sites where inappropriate development proposals are being considered.

I note that the member for Sandringham has also requested the Minister for Planning to meet with a deputation. I understand that has been refused, so I thought the minister may like to take up my personal offer.

My record on high-rise development is that I have long been opposed to it in residential areas. Residential areas of course should have two-storey dwellings. I am more than happy to draw the attention of members of the house to my performance as a previous member for Monash Province in the other place, when high-rise development on the foreshore was actually stopped as a consequence of my representations to the previous government.

I am therefore more than happy to put on the record my strident opposition to a four-storey development proposed for Warleigh Grove, Brighton. This is an unacceptable proposal. There is a similar and equally unacceptable proposal in Well Street, Brighton. I have written to the minister about each of those proposals. I also want to draw to the attention of the house the Hampton rehabilitation hospital site — a site previously owned by the government and flogged off to the private sector by tender. There is a grossly inappropriate development proposed for that site. These proposals are unacceptable in my electorate.

The reason these proposals are being considered can be sheeted home to Labor's Melbourne 2030 policy which requires 16 000 additional households in the City of Bayside. We on this side of politics oppose 2030. It is a flawed policy plan. I draw to the house's attention that we on this side of the house will withdraw this proposal, which was introduced without an adequate impact analysis or consultation. Therefore a new strategy is required. I reiterate that 2030 has been used to justify projects that are against the community's interests and expectations. I urge the minister to accompany me on a tour throughout Brighton so he can see the damage his policy is causing.

HMAS Canberra: dive site

Ms NEVILLE (Bellarine) — I raise a matter for the Minister for Tourism. The action I seek is that, if Victoria is successful in securing HMAS *Canberra*, the minister ensures it is sunk off the Point Lonsdale–Collendina coastal area near the current shipwreck area. I am aware

that the federal Minister for Defence has offered the decommissioned HMAS *Canberra* to Australian states for gifting as a dive attraction. Similar offers were made and accepted in relation to HMAS *Perth*, HMAS *Hobart* and HMAS *Brisbane*. I am also aware that the Victorian government has submitted to the federal minister an expression of interest in securing the vessel.

In all of the cases I have mentioned the commonwealth gifted those vessels and provided resources for the transporting of the vessels. The house would be aware that the decommissioning and transportation of such vessels is a comprehensive task. We need to ensure that it complies with Environment Protection Authority standards and that the vessel is safe to sink. I would hope the commonwealth would treat Victoria as it has the other states.

I recently met with representatives of the Victorian artificial reef society, a peak organisation which was recently established to represent key segments of the dive community from across Victoria. Its purpose is to assist in securing HMAS *Canberra* for Victoria and to reach agreement among its members about the appropriate location for the vessel. The society is extremely supportive of the government's expression of interest and the proposal to sink HMAS *Canberra* as a new artificial reef in Victoria. It is of the view that the most appropriate location for this artificial reef is off the Point Lonsdale–Collendina coastal area, and has sought my support as the local member.

It is my view that this provides an exciting opportunity to expand tourism in the area, build on the Victorian dive industry and showcase one of the most beautiful marine environments in Australia, if not the world.

As the local member I offer my full support for the sinking of HMAS *Canberra* off Point Lonsdale–Collendina. A new artificial reef would represent a significant new tourist attraction for Victoria, and particularly for my community in Bellarine. There would unquestionably be large economic benefits for Victoria as a whole but particularly for the Bellarine community. The location I am proposing has received significant support from dive operators across Victoria. If Victoria is successful securing HMAS *Canberra* from the commonwealth government, I ask the minister to designate Point Lonsdale–Collendina as the site for the new artificial reef.

Motorised scooters: safety

Mr DELAHUNTY (Lowan) — I raise a matter for the Minister for Transport. I request that the minister take action to improve the safety of older Victorians and those with disabilities who use mobility scooters in

Victoria, particularly in rural and regional Victoria. The issue was again brought to my attention by an article in the *Wimmera Mail Times* of 24 May entitled 'Gopher safety worries police'. The article states:

Horsham Police Community Consultative Committee has raised concerns about gopher and scooter safety.

The article is accompanied by a colour photograph highlighting the need for reflective safety jackets to be worn by riders.

It is interesting to note that country Victorians believe there is a strong need for greater public awareness of the safe operation of mobility scooters. We have an ageing population — in fact the number of people aged 65 and older will double by the year 2030 to around 25 per cent of our population — and given that knowledge it is reasonable to expect that the use of the scooter will increase in coming years.

Currently there are few regulations which effectively deal with the use of mobility scooters. Under the Australian road rules a scooter is classified as a pedestrian and must share the footpath with other pedestrians. In Victoria you do not have to register your scooter if it does not travel above 10 kilometres an hour. Therefore scooter users are not covered by the Transport Accident Commission's no-fault insurance.

Bass Coast shire has put out a 32-page booklet covering legal requirements, advice on safety and suggestions that users wear highly visible reflective vests. Unlike bicycles, scooters do not have to have front and rear lights fitted, but they are recommended. A 2003 parliamentary report recommended that safety standards be developed to regulate the use of mobility scooters on public pathways and roads, along with awareness campaigns focusing on the rights and responsibilities of scooter users and the public. Many people in country Victoria are using scooters because of the lack of public transport, so they are very popular vehicles.

For the safety of users and the community in general, the minister must consult with scooter users, VicRoads, local government, health professionals and the police to develop an action plan for the safe operation of mobility scooters here in Victoria.

SML Suppliers (Australia) Pty Ltd

Mr PERERA (Cranbourne) — The matter I raise is for the attention of the Minister for Manufacturing and Export. The action I seek is for the minister to take all necessary steps to support our local manufacturing and

export businesses. This is the recipe for keeping our jobs in Victoria.

I recently had the pleasure of opening the SML Suppliers (Australia) Pty Ltd state-of-the-art plant. Established on 7 July 1998, the company built its foundation on exporting scrap rubber materials which were originally headed for the waste compound. Over the years the company has grown in size and stature, successfully exporting thousands of tonnes of scrap rubber compound and in turn contributing greatly to the Australian environment and economy.

The new project involves using the scrap rubber to manufacture rubber mats that are used in many fields such as industry, in the form of safety mats, and farming and agriculture, in the form of stable horse mats. They are also used in wet areas in restaurants. The manufacturing plant at 89–91 Licola Court, Dandenong South, which produces this type of mat, is unique in Australia. SML aims to introduce an Australian-made rubber mat onto the market — an Australian first — and to reduce low-quality overseas imports. The prices are very competitive, and the quality is far superior to the imported stuff available on the Australian market.

Every prospective Australian buyer the company has so far contacted has already indicated that they will buy rubber mats from SML as soon as their stocks run low. At present the plant has an estimated value of \$700 000, with 10 employees. The current daily output is estimated at 100 mats with a wholesale price of \$50 each, equating to a monthly turnover of \$125 000. I am absolutely positive that these rubber mats will vigorously compete with imports from China, India, Indonesia and other countries and kick them out of the market. SML has expanded its sales right across Australia and is hoping to capture the whole market in about 12 to 18 months. In two years time it is planning to market aggressively overseas.

This impressive new plant is the sort of investment that is triply welcome, because it will benefit the economy, the environment and the local community. I urge the minister and the Bracks government to continue to support our local manufacturing and export businesses.

Portland and District Hospital: emergency department

Dr NAPHTHINE (South-West Coast) — I wish to raise a matter for the Minister for Health. The action I seek is for the minister to come to Portland to meet with local community leaders and fix the crisis at the Portland hospital's accident and emergency service that

is putting lives at risk. Each year almost 10 000 people come to Portland hospital's accident and emergency service seeking urgent medical attention. Despite this enormous workload, the state government does not fund accident and emergency services at Portland.

The government expects accident and emergency services to be provided by the already stretched hospital resources and hospital staff, particularly nursing staff, together with the good grace of local doctors. These doctors are expected to do a full day's work in their local clinics and then be available 24 hours a day, seven days a week on an after-hours roster for accident and emergency duties. This is far too much to ask of local general practitioners when there are 10 000 presentations a year. Is it any wonder that now only three doctors are prepared to be on the accident and emergency roster? This also means that for 24 hours on several days, including a day this week, there will simply be no doctor available on call at the accident and emergency service in Portland. That is an absolute disgrace.

Recently at Heywood there was a tragic accident in which two people were killed. That same day no doctor was on duty at Portland, which had the nearest hospital. That is totally unacceptable to the Portland community and it is simply putting lives at risk. In the first three months of this year there were 2350 presentations at Portland's accident and emergency service, including 574 that were classified as urgent, emergency or in desperate need of resuscitation.

Portland is a large industrial centre, with industries operating 24 hours a day, seven days a week; it is an international commercial port; it has a large commercial fishing industry; it has a growing population; and it is a growing tourist venue. It is absolutely unacceptable to have no doctor on call at the accident and emergency service in Portland and to not have a funded accident and emergency facility at the Portland hospital, when the nearest hospitals with accident and emergency facilities are more than an hour away at Hamilton or nearly an hour and a half away at Warrnambool. This is simply putting the lives of people in Portland at risk on a daily basis.

The minister must come to Portland to meet with the local community action group, the hospital board, accident and emergency nurses, and the Glenelg shire. Recently several hundred people were at the town hall in Portland at a crisis meeting called by the president of the hospital board because of the crisis facing the accident and emergency service. The government must fix the accident and emergency problem and ensure that there is a doctor there 24 hours a day, seven days a

week. The Australian Medical Association agrees that this is a state responsibility. The state must accept that responsibility and fix the problem.

Geelong: cricket practice facility

Mr TREZISE (Geelong) — I raise an issue for action with the Minister for Sport and Recreation in the other place. The issue I raise relates to the Geelong Cricket Club's proposal to install a first-class, state-of-the-art regional practice wicket facility at its ground at Kardinia Park. For the information of the house, the Geelong Cricket Club is a member of the premier cricket competition in this state, the Victorian Cricket Association, which it joined in the 1992–93 season, and it fields four senior sides in the competition. Importantly, it is the pinnacle club not only in the Geelong area but also in western Victoria. It is a club that regional cricketers can aim at playing with. In turn, the Geelong Cricket Club works very closely with all grassroots clubs in bettering local cricket within the greater Geelong region.

As I said, the Geelong Cricket Club is now seeking to install a first-class regional practice facility. The action I seek is that the minister meet with representatives of the club and explore avenues of providing assistance to the club for its proposal. In seeking this action, it is important to note that the practice facility will be utilised by not only the Geelong Cricket Club but also regional clubs and, more importantly, local schools. I think it would be a great advantage for young school-aged cricketers who do not have access to turf wickets to have such access and also the benefit of first-class coaching from the Geelong Cricket Club. Most of the young cricketers who do not have access to first-class facilities in Geelong do in fact come from state schools.

The installation of a first-class regional practice facility in the Geelong area would be a great facility for cricketers, especially young school cricketers in Geelong. I therefore look forward to the minister's assistance with this matter.

Police: Lismore

Mr MULDER (Polwarth) — The matter I wish to raise is for the Minister for Police and Emergency Services. It concerns the fact that the township of Lismore in south-west Victoria has been without a police officer for a year. I want the minister to ensure that a police officer is appointed to Lismore as a matter of urgency.

At a recent listening post at Lismore, resident after resident raised their concerns about not having a police officer on duty in the town. The residents of the town get a whistle stop from the next town whereby a police officer calls in, opens up the station for a few hours and then leaves. I am told this happens approximately once a week. Lismore was the scene of the recent horrific freight train accident, and the matter of the number of level crossings in the area without flashing light protection was also raised with me during my meeting with local residents. Level crossings that do not have flashing lights in the police-free zone in and around Lismore are a recipe for another disaster to occur.

I note that the Chief Commissioner of Police, Christine Nixon, said on 29 May that regional police will be the focus of a plan to prevent carnage on the state's roads as Victoria Police aims to reduce the annual road toll to 200. The commissioner went on to say that a greater regional focus and better partnerships with the community are the key to reducing the toll. If the intention is to reduce the road toll to 200 and the manner in which this is to be achieved is by increasing policing, then it is imperative that our stations in south-west Victoria have a full component of police officers to carry out the work.

I would also like to point out to the minister that partnerships with communities require two parties: the police and the community. As it stands at the moment the Lismore district would be left out of such a strategy due to the fact that it does not have a police officer in the town.

I again call on the minister to ensure that just one of the supposed hundreds of additional police officers he continually refers to finds their way to Lismore. As the chief commissioner went on to say on 29 May, 'If we could get people to wear their seatbelts and not drink and drive, if we could deal with fatigue, if we could do policing in the right place at the right time, we feel that we could make a difference'. Given recent events in the Lismore district, it is the right place, and there is no time like the present to ensure that Lismore gets a police officer.

When I was talking to people in the local community at my listening post they indicated to me that you can already pick the change in behaviour of the heavy vehicles that are coming through Lismore and the surrounding area. Those areas have level crossings that do not have signals on them. They have also indicated to me the change in behaviour of some of the younger people in the area, particularly their driving patterns. It is imperative that they get a police officer in Lismore.

Information and communications technology: network neutrality

Mr LEIGHTON (Preston) — My matter is for the Minister for Information and Communication Technology in the other place. I ask her to examine what action can be taken to support the principle of Net neutrality. I believe this issue has increasing implications for consumers in the choice and cost of various services purchased over the Internet.

Wikipedia, the online encyclopaedia, defines Net neutrality, or network neutrality, as follows:

Network neutrality is the principle that network operators should not discriminate among network applications.

What I understand Net neutrality to mean is that Internet service providers (ISPs) of broadband should not favour the services or web site content of certain applications over others. It is quite possible for an ISP to provide greater bandwidth through special pipes in virtual private networks, which favour certain services, and at the same time slow down or block other services. I will give a couple of examples.

Companies that legally provide movies for downloading, which ISPs can slow down or speed up, offer to charge a company more to enable their product to be downloaded quickly. Voiceover Internet protocol (VoIP), which involves making telephone calls over the Internet, favours some companies over others. VoIP is a way of making it increasingly cheap for consumers to make phone calls over the Internet.

In 2004 a North Carolina ISP blocked its DSL customers from using any rival web-based phone service. I have previously raised the issue of paid email, where AOL and Yahoo! have introduced a two-tiered email system in the United States. In April AOL blocked all emails that advocated opposition to the scheme enabling Internet service providers to charge for online services such as Google or Amazon, which in turn would be passed on to consumers. In 2005 Canadian telephone giant Telus blocked customers from visiting a web site sympathetic to the Telecommunications Workers Union during a contentious labour dispute.

There are a range of ways ISPs can favour or discriminate against various services, applications and web sites on the Internet. I believe that as the Internet becomes more mature this will become more of an issue. In the United States there are now growing moves, which are attracting some bipartisan support, to amend antitrust legislation. In this country I support

open access and unbundling. I would be grateful if the minister would have her department examine this issue.

Kraft Foods: staff reductions

Mr JASPER (Murray Valley) — I raise a matter for the attention of the Minister for State and Regional Development, and in his absence the Minister for Agriculture, who is at the table. I refer to the shock announcement last week by Kraft Foods that it will be reducing by 325 the number of staff at two of its plants in Victoria, particularly the plant operating at Strathmerton in my electorate of Murray Valley, which employs approximately 400 people.

It is proposed that there will be a reduction of 150 staff at that plant, with the transfer of some of the operations to the plant operated by Kraft in South Australia. It has been suggested that a plant in the Middle East will be developed to take over the production of cheese spread and canned cheese, which is currently exported from the Strathmerton plant to the Middle East.

The action I seek from the minister in addressing this issue is a discussion with Kraft as to why the changes have been put in place and why there is going to be this reduction in production at the plant at Strathmerton. I remind the house that in the late 1990s Kraft spent about \$76 million upgrading the facilities at Strathmerton. The member for Rodney and I visited the plant late last year, and it is a state-of-the-art facility. Additionally, there has been an upgrade of the water supply to the plant.

The government provided about \$400 000 and Kraft put in about \$1 million to provide an upgraded water supply to Strathmerton, and particularly to provide an upgraded water supply service to the Kraft plant. That investment was made on the basis that there would be a continuing operation of Kraft at this factory. I have had discussions with senior representatives of Kraft who have indicated to me that, whilst these changes are being implemented, at this stage there is no intention to close the factory at Strathmerton.

Obviously people in the Moira shire and the Strathmerton area are concerned about being able to continue with employment. That reduced employment will have a devastating effect on the township and the surrounding areas. We hear the government making statements about extensions and developments taking place in employment, particularly the one with Ford, which has been announced today with great aplomb. We need to get the minister out into country Victoria, up to Strathmerton or at least talking to the people who represent Kraft and making sure that they understand

the importance of this manufacturing plant to north-eastern Victoria and the Goulburn Valley. We need to encourage Kraft to continue to operate that plant. If there is a need for state government support for that to continue in operation, surely that is what the government needs to consider.

Kraft is a critical employer within the area and within the dairy industry. We want to make sure that Kraft, as a huge company within Australia and beyond, also recognises its responsibility to a manufacturing plant in this part of the state which provides important employment. I look for service and support from the minister.

Energy: marketing

Ms CAMPBELL (Pascoe Vale) — I raise a matter for the attention of the Minister for Energy Industries in the other place. The action I seek is that he address the concerns of Mr Owens, a Pascoe Vale constituent, regarding the marketing practices of electricity firms. Mr Owens's complaint arose from a recent call he received from Momentum Energy asking him to switch his electricity supplier. He states that the salesperson tried to make him believe Momentum Energy is part of AGL, which he contends is clearly deceptive marketing.

The majority of Victorians have decided to remain with their original energy suppliers, despite the possibility of potential savings on the cost of supply. They are constantly approached by potential suppliers, be it by phone, by door-to-door salespeople or by mail. We have 14 residential and commercial retailers all keen to compete with AGL. That means there is a proliferation of companies ringing people, often on a weekly basis, and asking them to switch suppliers.

I have a large number of older constituents in my electorate, and for many of them English is a second language. It is complicated for them to evaluate the cost of offers made by companies, let alone to understand the pages of terms and conditions that are provided. I think in many cases you actually need a broker to act as a facilitator to decipher what is put before you. I noticed some members nodded their heads at that comment.

On behalf of Mr Owens and many other constituents, I submit that there needs to be scrutiny of the marketing practices of energy companies. We need detailed scrutiny of what are claimed to be plain English contracts, to which they are supposed to have signed up. There also needs to be an investigation into whether we require additional constraints on the behaviour and approach of electricity firms marketing to Victorian

consumers. It may be appropriate for the minister's office to handle this itself or for it to be passed to the energy and water ombudsman — but I will leave that to the minister.

I acknowledge that Victoria is regarded as one of the most competitive energy retail markets, but this cannot be at the expense of fair marketing practices for Mr Owens or any other resident of Victoria.

Responses

Mr CAMERON (Minister for Agriculture) — The honourable member for Brighton raised a matter for the Minister for Planning. I note that she was a member of a government that was a very keen supporter of high-rise building, including the 18-storey HMAS Lonsdale site development, which all of the cabinet at the time, including the honourable member, cheered on.

The honourable member for Bellarine also raised a matter for the Minister for Planning.

The honourable member for Lowan raised a matter for the Minister for Transport.

The honourable member for Cranbourne raised a matter for the Minister for Manufacturing and Export.

The honourable member for South-West Coast raised a matter for the Minister for Health.

The honourable member for Geelong raised a matter for the Minister for Sport and Recreation in another place, who is a successor to his father.

The honourable member for Polwarth raised a matter for the Minister for Police and Emergency Services.

The honourable member for Preston raised a matter for the Minister for Information and Communication Technology in the other place.

The honourable member for Murray Valley raised a matter for the Minister for State and Regional Development.

The honourable member for Pascoe Vale raised a matter for the Minister for Energy Industries in the other place.

I will refer those matters to the respective ministers.

The ACTING SPEAKER (Mr Nardella) — Order! The house is now adjourned.

House adjourned 10.33 p.m.