

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE ASSEMBLY**

**FIFTY-FIFTH PARLIAMENT**

**FIRST SESSION**

**Wednesday, 31 May 2006**

**(Extract from book 6)**

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*Parliamentary Services* — Secretary: Dr S. O'Kane

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The Hon. LOUISE ASHER

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Jenkins, Mr Brendan James	Morwell	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
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Kotsiras, Mr Nicholas	Bulleen	LP	Wilson, Mr Dale Lester	Narre Warren South	ALP
Langdon, Mr Craig Anthony Cuffe	Ivanhoe	ALP	Wynne, Mr Richard William	Richmond	ALP



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**Wednesday, 31 May 2006**

**The SPEAKER (Hon. Judy Maddigan) took the chair at 9.30 a.m. and read the prayer.**

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

**The SPEAKER** — Order! I advise the house that under standing order 144 notices of motion 145 to 147, 253 to 262 and 333 to 334 will be removed from the notice paper on the next sitting day. A member who requires the notice standing in his or her name to be continued must advise the Clerk in writing before 6.00 p.m. today.

**PETITIONS****Following petitions presented to house:****Benalla–Tatong–Tolmie road: safety**

To the Legislative Assembly of Victoria:

We, who drive in the Tatong region of Victoria, draw to the attention of the house the deficient width of seal on curves on the Benalla–Tatong–Tolmie road. This road is used by log trucks (including B-doubles), as well as farmers, residents and cyclists. The width of the road is inadequate at the curves to accommodate both a truck and a car, causing drivers to be in fear of their own safety. The gravel shoulders quickly break up under truck use, particularly in wet weather, as trucks and cars are forced onto them. These corners are extremely dangerous to inexperienced drivers. We request that corner shoulders on the Tatong Road be sealed, most particularly the following corners where many accidents and close shaves occur.

- A: Mokoan — 7.5 km from Sydney Road, Benalla
- B: Whitegate, Smith's Road — 12 km
- C: Whitegate, Knight Road — 13.5 km
- D: McCauley's Crossing — 29.3 km
- E: Dodd's Bridge South — 34.8 km.

**By Dr SYKES (Benalla) (371 signatures)**

**Ferntree Gully Primary School: historic buildings**

To the Legislative Assembly of Victoria:

The petition of residents of the municipality of Knox draws to the attention of the house: the Association for the Preservation of Ferntree Gully Primary School's Historic Buildings.

The association's objective is to ensure that the original Ferntree Gully Primary School teacher residence and classroom, both built in 1883, the classroom built in

1901 and a third classroom built in 1937, are retained and maintained in good condition for the benefit of the local community.

The petitioners therefore request that the Legislative Assembly of Victoria:

retain the buildings aforementioned for use by the local community;

that funding be available by the government of Victoria to ensure that the buildings are preserved and maintained in recognition and respect of our past heritage and for the benefit of future generations.

**By Ms ECKSTEIN (Ferntree Gully) (210 signatures)**

**Boating: life jackets**

To the Legislative Assembly of Victoria:

The petition of the residents of Victoria draws to the attention of the house our total opposition to the regulations for the compulsory wearing of life jackets or PFDs. The petitioners therefore request that the Legislative Assembly of Victoria rejects these regulations as a matter of urgency.

**By Mr INGRAM (Gippsland East) (315 signatures)**

**Planning: Moonee Ponds land**

To the Legislative Assembly of Victoria:

This petition of residents of Victoria draws to the attention of the house that the Tullamarine Freeway, built in the 1970s, took a valuable green wedge resource from metropolitan Melbourne. We further draw attention to the current process of sale of a remaining parcel of land at Bent Street, Moonee Ponds, by the state government of Victoria. This parcel of land contains remnant vegetation and harbours wildlife. The state government has applied for rezoning of the land to residential, and this petition further draws to the attention of the house that the hemmed in nature of the parcel of land means significant local traffic issues which will affect both local residents and schoolchildren who attend Moonee Ponds Central School.

We the undersigned residents of Victoria therefore petition the house to transfer the title of the parcel of land to the City of Moonee Valley to manage and administer the land on behalf of the community, and so recognise the 1970s loss of community land, preserve the remnant vegetation and protect local residents and schoolchildren from significant traffic impacts of housing development on the land.

**By Mr LANGDON (Ivanhoe) (156 signatures)**

**Tabled.**

**Ordered that petition presented by honourable member for Ferntree Gully be considered next day on motion of Ms ECKSTEIN (Ferntree Gully).**

**Ordered that petition presented by honourable member for Benalla be considered next day on motion of Dr SYKES (Benalla).**

## DOCUMENT

## Tabled by Clerk:

Auditor-General — Performance Audit Report — *Planning for a Capable Victoria Police Workforce* — Ordered to be printed.

## MEMBERS STATEMENTS

## Budget: Northcote electorate

**Ms DELAHUNTY** (Minister for the Arts) — Two weeks ago I was pleased to host a celebration of volunteers in my electorate as part of National Volunteer Week. One hundred and eleven Northcote residents were volunteers at the recent fabulous Commonwealth Games.

Northcote's healthy creeks and clean, open parks are a credit to the volunteers of the Friends of Darebin Creek, the Friends of Merri Creek and the Friends of Merri on Parade. Northcote-based State Emergency Service volunteers do a great job across our northern suburbs, as do the volunteers from the Housing for the Aged Action Group. Yesterday's budget in fact provided great support for the aged in Northcote, particularly the free public transport on Sundays for seniors. I urge our senior citizens in Northcote to take advantage of this great initiative.

Volunteers in the arts in Northcote will have fantastic opportunities to participate in and enjoy arts and cultural events under a \$104 million boost to our state's festivals, museums, and film and television industry.

Also there is \$2.5 million extra in health and community services. That is very, very important for the Northcote community, with more hospital beds, reducing waiting lists, improving services in mental health and reducing obesity rates. But the train delays between Rushall and Clifton Hill have been a problem for Northcote commuters for years. The budget announcement of a Clifton Hill–Westgarth track duplication will mean Epping line trains will no longer have to wait. It is a fine budget for Northcote.

## Rail: rural and regional crossings

**Dr NAPTHINE** (South-West Coast) — Recent tragic accidents at railway crossings in western Victoria have again highlighted the urgent need to speed up the program to install crossing lights at all level crossings in Victoria. These accidents have highlighted the failure of the Bracks Labor government to respond to genuine community concern about these dangerous level

crossings. In my electorate I urge the government to immediately install warning lights at dangerous crossings at Panmure, where there are three such crossings, and at Myamyn.

I also take this opportunity to urge the government to adopt another simple, cost-effective safety measure which will save lives in country Victoria. I refer to an email that I received from Barbara Young at Macarthur:

Were the government to introduce a requirement that all carriages on all trains have continuous fluorescent stripes, cars and trucks would have additional warning, especially at night or in foggy conditions, when the risk is greater.

Ms Young says trains are often a kilometre in length and the visibility is often poor, and if the reflector strips were applied along the sides of freight cars, then they would be more visible. A similar sentiment is expressed in a letter to the editor of the Warrnambool *Standard* from Lyn Faull of Derrinallum:

Why does rolling stock not carry lights? Surely even wide reflector strips on the train carriages themselves would make them more visible.

I urge the government to adopt this cost-effective measure, which has been proposed a number of times. Having reflector strips on the sides of the carriages of freight trains and grain trains would be very important.

## Budget: Mulgrave schools

**Mr ANDREWS** (Mulgrave) — The Bracks government is giving schools in my local community the resources and facilities they need to give local kids the best start in life. Our record investment is paying real dividends, whether it be in year 12 completion rates or in employment, training and university places post secondary education.

The budget presented yesterday continues our commitment to local schools and local families, with a \$4 million investment to relocate the Monash Special Developmental School in Clayton North to the site of the former Brandon Park Secondary College in Wheelers Hill. This new investment and this new school will give kids with special needs in our local community the best start in life through new and improved facilities.

This initiative builds on more than \$5 million spent almost completely rebuilding Wheelers Hill Secondary College, with stage 2 to be opened very soon; the \$2.5 million new primary school facilities at Carwatha College in Noble Park North, which were opened by me in 2003; and new capital works, with construction well under way in relation to a new learning centre

funded as part of the Leading Schools fund at that school. Wellington Secondary College in my electorate has recently received planning support, which is an important step towards a redevelopment at the school in years to come; there is a new roof worth \$272 000 at Waverley Meadows Primary School; school maintenance grants across the electorate; record funding boosts for Catholic and other non-government schools in my local community; IT and other broadbanding upgrades — a whole range of initiatives to make our schools the best place for kids to learn and — —

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

### **Rail: north-eastern Victoria**

**Mr JASPER** (Murray Valley) — I wish to highlight to the house the urgent need for upgraded passenger rail services to north-eastern Victoria. I am receiving more complaints than ever before about the substandard service being provided. Complaints range from airconditioners not working, dirty and run-down carriages, seating shortages, timetables not being kept to, breakdowns and passengers having to transfer to coach services. The implementation of the so-called fast rail service for Bendigo and Ballarat to save a few minutes at a huge cost of over \$700 million has been to the detriment of train travellers in north-eastern Victoria, who put up with older style carriages which are often dilapidated and not fully operational.

The minister talks about the 10-year plan, Meeting Our Transport Challenges. His media release says that \$318 million will be provided for regional transport services, with only \$21.2 million for V/Line door safety upgrade and refitting of regional trains. Compare this with the announced \$858 million for metropolitan rail, bus and port services. The Labor Party has been in government in Victoria since 1999, claiming action with the reinstatement and upgrading of passenger rail services in country Victoria, but little has been done to the service in the north-east. I welcome the revised fare structure for country V/Line passengers, but the key to increasing patronage is the delivery of high-standard, efficient and reliable services. Unless these improvements are implemented, it will not be enough to draw large numbers of passengers back to using passenger rail services.

### **St Joseph's Primary School, Chelsea: peace project**

**Ms LINDELL** (Carrum) — I would like to speak this morning about the Kids Guernica international

peace project that has fully engaged some years 5 and 6 students from St Joseph's Primary School in Chelsea. On Monday I was delighted to go to the launch of their art project, which at the moment is being displayed at the Monash University Peninsula campus in the department of education. The mural is 4 metres by 8 metres. The Chelsea students who worked on this last year are the first students in Victoria, and only the second group in Australia, to take part in the Kids Guernica international peace project.

The project was prompted by Pablo Picasso's famous mural *Guernica*, which he created in 1937 to protest against the brutality of bombing in the town of the same name during the Spanish Civil War. The mural has become an international symbol of peace, and it has spawned the Kids Guernica international peace project. I congratulate all the students from St Joseph's who took part in this project, their teacher, Eloise Cole, and their principal, Christine Ash.

### **Rail: crossing safety assessment model**

**Mr MULDER** (Polwarth) — I call on the Minister for Transport to immediately investigate the Australian level crossing assessment model being adapted for assessing level crossing safety requirements and prioritisation in Victoria. According to an answer I received to a question on notice from the minister, the information collected during these risk assessments to determine the risk includes sighting distance measurements, existing protection, road topography, track geometry, average annual traffic volumes, train volumes, train speed and surrounding conditions.

The freight train accident at Lismore occurred during heavy fog, and the Lismore area, along with the Trawalla area where a passenger train derailed recently, are both fog-prone areas. One crossing had a give-way sign and the other a stop sign. Any assessment of level crossings in south-west Victoria, and indeed other parts of the state, needs to allow for the incidence of fog. As I understand the assessment model, it is based on a minimum requirements outcome, leading to the lowest level of protection being offered to level crossings, and therefore the motorists who are using the crossings.

Having visited the Lismore site following the accident and inspecting the surrounds with investigators, it is obvious that a degree of Russian roulette is involved in negotiating this and other level crossings during periods of heavy fog. The Australian level crossing assessment model may provide a template for the treatment of level crossings. However, I would ask the minister to ensure that when assessments are carried out on Victorian level crossings, local weather conditions are taken into

consideration. Even though the model does not necessarily support upgrades following accidents, the upgrade of the geodetic level crossing at Horsham followed a serious accident.

The people of Lismore deserve immediate action at the site of the recent fatality and freight train derailment.

### **Women: self-defence workshops**

**Mr HERBERT** (Eltham) — Over the past month I have hosted three free women's self-defence and safety workshops, and the fourth is to be held this coming Saturday. Whilst we live in a relatively safe local community in Eltham, many women had told me they would like the opportunity to learn more about how to improve their personal safety and avoid unsafe situations. Professional and practical women's safety and self-defence advice was provided at these workshops by Senior Constable Robyn Murphy of Victoria Police and well-known self-defence instructor Rick O'Brien, of Pro-Active Self Defence in Greensborough. Pro-Active has trained women in Australia and Papua New Guinea since 1992, specialising in real-life personal security and self-protection. I thank Robyn and Rick and his staff for their generosity in volunteering their time and expertise to this worthy cause.

All in all over 150 women participated in the forums. Many women have since told me that having the confidence to deal with different and dangerous situations is a really powerful tool, and they are grateful for the opportunity to learn more about how to defend themselves. Personal assaults can be devastating for victims and their families. The more awareness we have about how to evade unsafe situations, the better we are able to avoid personal injury. I would also like to thank the Montmorency and Glen Katherine primary schools for their support in providing the venue for the forums.

### **Planning: Hampton development**

**Mr THOMPSON** (Sandringham) — Under the Bracks government, ministerial approval has been granted to a Bayside planning scheme amendment which allows for a third storey to be built at 56 Beach Road, Hampton, also known as the Hampton Hotel site. The height of this building already approaches 12 metres, which I understand is the maximum level of buildings in Beach Road and equates in height to a four-storey building. The issue arises as to whether the quality of the research in studies supporting a variation in height is flawed and, therefore, whether the ministerial decision also is flawed.

My concerns are as follows. The Hampton Bayside height control study omits to state that the two-storey height of the building is already taller than the significant three-storey residential development at the rear of the building. It is unusual that the expert study justifies a third storey for the existing two-storey hotel by reference to the adjoining three-storey development but does not indicate that the abutting three-storey development is already lower in height. The height of the three-storey residential development at the back was set so that it would not be greater than the original hotel building.

The former height limit represents a level that was fought for and applied by the former City of Sandringham for decades. The position of the City of Bayside has been to oppose any increase in height for the Hampton Hotel site. I believe this is an extraordinary position that was arrived at because there was a flawed process.

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

### **Aged care: Western Lodge**

**Mr MILDENHALL** (Footscray) — Congratulations to the Minister for Aged Care in the other place and the Department of Human Services (DHS) for stepping in and appointing an administrator to the Western Lodge in Gordon Street, Footscray, on 28 April. This facility is widely recognised by the community visitors and the housing sector as the worst standard supported residential services and emergency housing facility anywhere.

The facility has some 60 residents, most of whom are affected by intellectual disability, homelessness and substance abuse issues. Already the Western Region Health Centre, the new administrator, has taken urgent steps to recommission the facility's smoke alarms, to ensure residents have access to three meals per day, to provide heating to rooms, to provide medical, mental health, occupational therapy and other assessments, and to provide adequate staffing for a secure environment. A consortium of the health centre, Yarra Community Housing, Metro West Housing, Melbourne Citymission, Wesley Central Mission and DHS are impressively coordinating the provision of immediate services and medium-term futures for this troubled facility.

I have been proud to play a role in coordinating these groups. It is a welcome resolution to an extraordinarily difficult issue that has plagued this community for decades.

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

### **Commonwealth Games: replica baton**

**Mr WALSH** (Swan Hill) — Now that the government's Commonwealth Games self-congratulation and spin has finally faded, runners in the Queen's baton relay have been left with a nasty memento of what was a proud and defining moment for them. Participants paid the hefty sum of \$300 for what they thought would be a replica of the baton they had so proudly carried. They were promised 'custom-made, full-sized replica batons that will look exactly like the official baton'. But what they got for their \$300 shocked them. The replica batons that have been brought into my office are scratched, warped, shoddy plastic aluminium affairs faced with paper stickers to replace the original flashing lights. The replica is nothing more than a cheap piece of plastic junk resembling something you would buy for a couple of dollars at a discount store.

Several people complained to my office in bitter disappointment, and I understand the reaction from those who bought the replica has been so swift and strong that the government is now offering a refund. The minister should step in and insist that its supplier replaces the replica with the one the runners expected and deserved to receive — a baton they would be proud to handle and display. It is pretty typical of this government all around. Once it is not in front of the cameras and journalists telling everyone how good it is, any rubbishy old thing goes.

**The SPEAKER** — Order! The Minister for Agriculture! This is not question time!

**Mr Cameron** interjected.

**The SPEAKER** — Order! The minister will be quiet.

### **Budget: Geelong schools**

**Mr TREZISE** (Geelong) — I take this opportunity to commend the Bracks government and specifically the 2006–07 Brumby budget on its commitment to education in Victoria and of course in my electorate of Geelong. The community of Geelong welcomes this ongoing commitment to public education within the electorate — —

**Mr Cameron** interjected.

**The SPEAKER** — Order! The Minister for Agriculture will be quiet or I will remove him from the chamber.

**Mr Cameron** interjected.

**Debate interrupted.**

### **SUSPENSION OF MEMBER**

**The SPEAKER** — Order! I suspend the Minister for Agriculture from the chamber for half an hour. He continued to talk after I asked him to be quiet. I ask the minister to leave the chamber.

**Minister for Agriculture withdrew from chamber.**

**Debate resumed.**

**Mr TREZISE** (Geelong) — At the secondary level North Geelong Secondary College has received \$3.26 million, an outcome that will transform a school that is now very tired into a modern facility to the benefit of all in the northern suburbs. The school has a very large multicultural student base. Western Heights Secondary College will also — —

**Mr Perton** — On a point of order, Speaker, as a result of your unusual step this morning, there is no minister at the table and the house cannot proceed.

**The SPEAKER** — Order! Stop the clock. We will wait for the minister to take his seat.

**Mr TREZISE** — At primary level, Manifold Heights Primary School will receive \$2.38 million and a further \$1.9 million will also be spent on Herne Hill Primary School.

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

### **Rail: Wodonga line**

**Mr PLOWMAN** (Benambra) — I call on the Minister for Transport to review the rail service on the Albury-Wodonga to Melbourne line, which is far from satisfactory. A government employee wrote to me earlier this year:

It really annoys me that we have the furthest to travel, up to 3½ hours, and are given limited service on trains that are not maintained to a satisfactory standard ...

**Mr Jasper** interjected.

**The SPEAKER** — Order! The member for Murray Valley will be quiet!

**Mr PLOWMAN** — He continued:

Bendigo et cetera, with less than one-third the distance, are given state-of-the-art trains that run every hour. One wonders if we rural people are being treated like second-class citizens. Not good enough.

Worse than this example is the closure of the rail service from Seymour to Melbourne every weekend for over a year. This rail service is to be replaced by buses, which would cause delays of up to an hour because they are not express and will have to service every station from Seymour to Melbourne.

Why are these country rail users being disadvantaged, you might ask. According to — —

**Mr Jasper** interjected.

**The SPEAKER** — Order! The member for Murray Valley will cease interjecting!

**Mr PLOWMAN** — According to a V/Line advertisement it is to provide improved rail services to the rapidly expanding urban growth corridor in Melbourne's north. Good luck to them — Labor's heartland! But what about the inconvenience suffered by all our country rail users? These works could be done at night, or at worst the existing train service could go all the way to Wallan, which would reduce delays by at least half.

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

### **Mornington Peninsula: human rights forum**

**Ms BUCHANAN** (Hastings) — Recently some 300 locals attended a human rights forum that was convened by the Mornington Peninsula Human Rights Forum Planning Committee with the assistance and full support of the Mornington Peninsula Shire Council and its councillors. At the meeting eminent human rights champions such as Helen Howells, Professor Haddon Storey and Malcolm Fraser spoke passionately of the need for Australia, as the last remaining developed nation not to have done so, to adopt a charter of human rights. I had the great honour of representing the Bracks government as I outlined the detail of the Charter of Human Rights and Responsibilities Bill that was recently tabled in this house, the first of its type in this country.

Chaired by Terry Laidler, the meeting agreed to the following motion: it applauded the recommendations of the George Williams Committee; it welcomed the announcement by the Attorney-General that he had introduced the bill into Parliament; and it called on the

Parliament of Victoria to promptly enact such a charter for our state.

Disappointingly neither the members for Nepean and Mornington nor the federal member for Flinders, who had all been invited by the group, turned up. If they had they would have heard many speakers present a clear and logical case to support such a charter, which is enormously important for the whole nation and respects the dignity of every member of our community.

I call on local Liberal members and candidates across the region to publicly indicate their support and become champions of a charter of human rights and responsibilities and to work with the Bracks government to have this legislation passed. Victorians deserve this legislation, as do all Australians. Local citizens want to know where their local members of Parliament stand on this vital issue in terms of their respect for the rights of all people who are born here or come to Australian shores.

### **Eastern Freeway: congestion**

**Mr PERTON** (Doncaster) — The government's recently announced strategy for public transport to Doncaster along the Eastern Freeway reads like an episode of *Yes, Minister* or *Yes, Prime Minister*. Those of us who have been in politics for a long time recall Premier John Cain refusing to travel on the Eastern Freeway and requiring his driver to travel extraordinary routes to get to places by avoiding the freeway. We recall that his government and the Kirner government constantly used Professor Bill Russell to produce ever more reports on heavy rail alternatives to the Eastern Freeway. The Cain government had sold the heavy rail reservation to East Doncaster, which made it impossible to construct a heavy rail option to East Doncaster.

The average Doncaster commuter wastes some 45 minutes a day at the end of the Eastern Freeway — many weeks of the year that could otherwise be used for recreation with family, being at work or in other productive activities. The original design of the Eastern Freeway was that it would be linked to the extension of the Hume Freeway into the city, but that too was sabotaged by the Labor Party by its subdividing bits of the road reservation.

I have been in Parliament 18 years, and the only government that did anything for the drivers in the eastern suburbs was the Kennett government, with the extension of the Eastern Freeway to Springvale Road. It is time for action, not more reports.

### **Transport: outer south-east**

**Dr HARKNESS** (Frankston) — It was an enormous pleasure to welcome the Premier, Treasurer, the Minister for Transport and the Minister for Planning to Frankston recently for the launch of the Bracks government's visionary and historic \$10.5 billion transport action plan Meeting Our Transport Challenges — Connecting Victoria's Communities. Public transport services in Melbourne's south-east will be dramatically boosted as a result of the strategy, which will provide better public transport services and less traffic congestion on the Monash Freeway — a great result for the people of Melbourne's south-east.

Speaking at Chisholm TAFE, the Premier and ministers outlined the enormous benefits to Victoria over the next 25 years in terms of road, rail, bus and tram improvements. Important improvements are being made to the public transport system in the short term, but the government is also committing to major long-term investment in the public transport system, which is necessary to meet the transport challenges of the future. I look forward to continuing to stand up for Frankston to ensure that Frankston benefits from this massive investment.

A day before the launch I was very pleased to announce \$844 000 in road safety funding to improve traffic conditions and reduce the incidence of crashes at three locations in Frankston. This funding, part of the \$240 million Arrive Alive! program, will involve the installation of traffic signals at the intersection of Cranbourne-Frankston Road and Beach Street, the upgrading of the intersection of Nepean Highway and Beach Street, and improvements at the intersection of the Frankston-Dandenong Road and Overton Road.

I am particularly delighted that my efforts over the past few years to obtain funding for lights at the intersection of Cranbourne Road and Beach Street have been fruitful. This corner is used on a daily basis by a lot of diggers and visitors to the RSL opposite, by hundreds of parents taking their kids to nearby schools, and by local residents. It just goes to show that — —

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

### **Berwick-Cranbourne Road, Cranbourne: upgrade**

**Mr PERERA** (Cranbourne) — I had the pleasure of joining the Minister for Transport in announcing a \$17 million major funding boost for the continued duplication of Berwick-Cranbourne Road between

Pound Road and Thompsons Road. This announcement highlights the Bracks government's commitment to improving safety in Melbourne's outer south-east and subsequently improving safety in the electorate of Cranbourne.

The project is the next stage of the duplication of Berwick-Cranbourne Road between the Princes Freeway at Berwick and the South Gippsland Highway. This stretch of road which the Bracks Labor government is duplicating has seen 19 casualty crashes, including one fatality, over the past five years. This funding will help reduce these figures dramatically.

The duplication will improve traffic flow in the area and greatly improve safety, mobility and access for residents and motorists who travel between Berwick, Cranbourne and the surrounding areas. This funding boost will also include bicycle lanes and a roundabout on Thompsons Road. This project not only is important to the local community but also has region-wide significance because of its role as the Cranbourne bypass.

The City of Casey strategic infrastructure planning study identified Berwick-Cranbourne Road as a bypass of Cranbourne and recommended further consideration of the bypass options. The Cranbourne township bypass study showed that the upgrade of Berwick-Cranbourne Road would be the more effective bypass of Cranbourne. This is the real Cranbourne bypass, and this is the Cranbourne bypass that I will be supporting.

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

### **South Barwon electorate: surf lifesaving clubs**

**Mr CRUTCHFIELD** (South Barwon) — I have the pleasure to inform members of the house about a very community-minded and innovative section of the coastal community in South Barwon — its surf lifesaving clubs. In particular I would like to mention the Barwon Heads, Thirteenth Beach, Bancoora, Torquay and Jan Juc clubs. These surf clubs have generously assisted Torquay Primary School to undertake its intraschool lifesaving program and participate in its regional school lifesaving carnivals through the lending of people and much equipment.

Last week I had the pleasure to launch Jan Juc Surf Life Saving Club's Know Your Beach program, which is sponsored by Ocean Acres, a lovely small-acre property development on Grossmans Road in Torquay. The Know Your Beach program is a first for Victorian and, I believe, Australian surf lifesaving clubs. Life Saving

Australia has safety information on its web site, but this is the first time an individual club has tailored an educational beach safety program for its own local beach. The impetus for this program came from a number of after-hour incidents and rescues this year. President Neil Haugh and his committee took it upon themselves to develop and, importantly, deliver this unique program.

The Jan Juc Surf Life Saving Club has put together a series of fact sheets to enable you to spot the dangers and inform you of how to best tackle a situation if you find yourself caught in difficult circumstances at Jan Juc. The Jan Juc surf club will also be running basic resuscitation courses, which can help you if you are ever caught in a situation where help is not directly at hand. I urge all users of Jan Juc Beach to access this wonderful program on the Jan Juc surf web site and via the training programs that it will run later in the year.

### **Peter Spyker**

**Ms MUNT (Mordialloc)** — It is with much pleasure that I rise today to congratulate the Honourable Peter Spyker, who is a former member of this house — and a former member for Mordialloc — on his investiture as a member of the general division of the Order of Australia (AM) on Thursday, 11 May, at the Government House presentation of the Australia honours awards.

Peter was awarded this honour ‘for service to the Victorian Parliament, particularly as a contributor to the development of multicultural affairs policies and as an advocate of consumer rights, health and welfare services, and migrant communities’. He was a pioneer in these areas. Peter has dedicated his entire adult life to the service of our community. He still serves as the president of the board of the Central Bayside Community Health Service in Parkdale, which provides a range of very useful health services to our local community.

I attended the presentation with members of Peter’s family. They were very proud of his achievements, as am I. Congratulations to Peter, and I thank him for his long and distinguished service to our community. I hope he has many more years of service ahead of him.

### **Member for Templestowe Province: comments**

**Mr LANGDON (Ivanhoe)** — Last night I was again attacked by a member for Templestowe Province in the other place, Bill Forwood, a man whose track record for working with his electorate, in particular in Ivanhoe, is so low that it does not even register. This is

a man whose community involvement consists of being seen at events, and once he has been acknowledged he often leaves. His personal attack on me relates to my state budget breakfast, to be held on Tuesday, 13 June, at the Old England Hotel. My invitation, which also invites people to the event, states:

Funds raised from the breakfast will go towards assisting and supporting local community groups and individuals who worked tirelessly in, with and for their local community.

Why did I write it? Because it is true. On 1 July I am hosting a community awards ceremony as part of my acknowledgment of Victoria’s 150 years of parliamentary democracy. I have written to every community group that I believe services my electorate seeking nominations of members of the public who have contributed to our community well above the call of duty. I am seeking to honour some of those countless number of individuals who in their work as volunteers and community representatives or in their employment have given exemplary service to their local community. If Mr Forwood were involved in the community, he would be aware of these nominations.

Why did I chose to write this notation and to seek donations to the Ivanhoe State Electoral Campaign Committee? Because it is subject to the rules of the Australian Electoral Commission and the account is audited. The cost of my community awards will be well over \$1400, and any funds left over from my budget breakfast will go to other groups.

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

### **Forest Hill College: funding**

**Ms MARSHALL (Forest Hill)** — Recently I had the pleasure of visiting Forest Hill College to announce \$200 000 in funding to develop new facilities for deaf students. The funding will enable Forest Hill College to convert two classrooms for use as deaf facilities, including soundproofing them and putting in specialist listening equipment. The funding will improve this excellent service and ensure that students can access a high-quality, modern learning environment. This year, 8 to 10 students will be using the facility and next year that is expected to increase to 16 to 20 students.

The funding is part of the Bracks government’s Excellence for All schools improvement program. Forest Hill College is one of 20 schools across the state which will benefit from this year’s round of government funding. This demonstrates the Bracks government’s continued commitment to rebuilding the education system and providing modern facilities for all

students. The funding will ensure that Victoria continues to remain a great place to raise a family.

## MATTER OF PUBLIC IMPORTANCE

### *Meeting Our Transport Challenges — Connecting Victorian Communities*

**The ACTING SPEAKER (Mr Savage)** — Order! I have accepted a statement from the honourable member for Brunswick proposing the following matter of public importance for discussion:

That this house congratulates the Bracks government on its visionary \$10.5 billion blueprint for the future of Victoria's transport system as set out in *Meeting Our Transport Challenges — Connecting Victorian Communities*.

**Mr CARLI (Brunswick)** — This morning I listened to the statement by the member for Frankston, who talked about the significance of the transport and livability statement for the south-east suburbs, particularly for the Frankston area. That response has been typical of local members of Parliament and communities right through metropolitan Melbourne and regional Victoria. The reason is that the transport and livability statement entitled *Meeting Our Challenges* that was recently launched by the Minister for Transport, the Treasurer and the Premier is a landmark for Victoria. It is an incredibly significant document for the livability and future of Victoria and in particular metropolitan Melbourne.

As part of the statement, the Bracks government announced that over the next 10 years it will invest \$10.5 billion in our transport. This is unprecedented investment in the transport system in this state. In particular, it will deal with some of the major bottlenecks in our train network that have been identified at a number of points in the system. Largely as a result of the lack of infrastructure investment over such a long time they now have to be dealt with — and they are expensive.

Our principal public transport network will be expanded significantly, in particular with the introduction of the orbital bus system. At the moment we have an essentially radial transport system of rail and trams augmented by some local bus routes. The orbital routes will provide a system that will run the circumference of the city. The orbital system will augment the radial system and will significantly reconfigure public transport in Melbourne, making it better and also much more usable for people throughout the city. There will be significant improvements to

arterial roads, particularly in outer metropolitan and regional areas.

Significant other improvements will be made to Victoria's transport system, including major improvements to the rail network and for the transport poor. Significant funding and programs will be provided for transport-poor areas, for those who are isolated or disabled or otherwise have difficulty in accessing transport.

The statement includes a series of major announcements of improvements that will be made throughout the entire transport system. However, it is not just a list of projects. I think the most exciting part of the announcement is that we are no longer dealing with a series of projects that are not necessarily connected or have just come out of local expediency. It is actually a blueprint for the whole transport system. It is about the future direction of Victoria's transport system and basically improving the livability of the city and the state.

We note that Melbourne has been voted by the *Economist* magazine as one of the cities with the highest levels of livability in the world, fighting with Vancouver for the premier spot. Melbourne has been selected for and congratulated on its livability for a number of years. Central to that has been the transport system. Melbourne has been given the highest rating possible for the quality of its road network, the quality of its public transport and the quality of its regional and international transport links. It is judged to be of world standing — it has the highest possible rating. Thanks to the Bracks government, not only do we have an excellent public transport and road system through metropolitan Melbourne, we also have seen the revitalisation of regional Victoria as far as passenger train networks are concerned.

I was a member of this house when reckless behaviour by the Kennett government allowed, first of all, the closure of a number of regional rail lines and also the increased deterioration of the rail system. When the Bracks government was elected it set about repairing the damage that was caused to our regional rail network. There has been a significant improvement, with a vast, continuing investment in the regional rail network.

Victoria is also a recognised leader in road safety. Historically, there has been a consensus in the Parliament on road safety. We have seen the road toll reduced to a third of what it was 35 years ago. At the same time we have seen a massive increase in the number of drivers and a massive increase in the number

of vehicles. Thanks to the efforts of the Bracks government, the Minister for Transport and the Victorian government, over the last three years we have seen the lowest number of deaths on our roads for many decades. This is a great achievement and something we need to be proud of.

In this period we have seen the opposition break ranks with the government. It is prepared to encourage excessive speeding and push forward a policy which will have inevitable lethal consequences. The consensus in the Parliament since the 1970s has been that hard decisions have to be made, and with the support of the entire Parliament we have seen that occur. We saw that on the issue of speeding, but we are now seeing a failure of commitment from the opposition as far as road safety is concerned.

No government can sit back and become complacent about its past achievements. We need new infrastructure and the renewal of old assets. That is essentially what has been done, and it has been done in the context of a massive population growth in the state. Victoria's population in 2001 was 4.8 million. By 2031 it is expected to have increased to 6.2 million. The population of Melbourne is expected to increase by another million, so that it will reach 4.5 million by 2031.

A lot of that growth, even with Melbourne 2030 and even with increasing population densities around our activity centres, will continue to be in the outer metropolitan regions. That is going to have a huge impact on our transport system. As well as that, the ongoing growth of our economy, the ongoing globalisation and the increased trade that is occurring throughout Victoria and through Victorian ports mean that there are enormous pressures on our transport system. We need a plan, and that is what this government has put in place — a plan that is effective and meets those challenges.

There are some obvious challenges, such as the congestion on our roads and the obvious congestion points in our rail system, that have to be dealt with. It is pointless to simply add more trains to an urban rail system without dealing with issues of capacity and congestion. It is not possible to expect the most significant part of our freight road system, the Monash–Westgate road corridor, to increase the amount of freight movement without increasing the capacity of that road.

The government is seeking to meet those challenges. The Monash–West Gate road corridor carries 15 per cent of all freight movements in Victoria, and Victoria is already the centre of freight movement for

south-eastern Australia. A disproportionate amount of freight comes out of and is moved through Victoria, and a large proportion of freight travels along the corridor of the Monash Freeway and the West Gate Freeway and bridge. The investment by the government will be a spend of \$740 million to improve that transport corridor by increasing its throughput by up to 50 per cent, which will reduce travel times and improve access to the freeway network for trucks and buses.

In addition to the massive improvement on that freight corridor, over the next 10 years almost \$2 billion will be spent on major road projects in regional Victoria and outer metropolitan Melbourne. Clearly these are areas of great need, so there will be major investment. But the Bracks government also realises that growth in road construction and road travel is simply unsustainable. We cannot keep increasing the number of people who use what is essentially a built and limited road system, so investment will have to be made in other areas, such as public transport and improving infrastructure for walking and cycling.

There will be significant reinvestment — around \$2 billion over the next 10 years — to boost the capacity of the Melbourne metropolitan rail network, which is crucial for a number of reasons. We can marginally improve timetabling in our train system — in fact we already have. At the moment I can see various members in the house who represent electorates along the Dandenong corridor, and they would know that the government has provided extra passenger rail services along the Dandenong corridor, but that timetabling can be improved only so much and only a limited number of trains can be added to the system. There has to be some improvement in capacity.

These major infrastructure investments will allow the number of trains in peak hour to be increased and will significantly improve the existing rail infrastructure by building a third track along parts of the rail system — for example, between Caulfield and Springvale on the Dandenong corridor and between West Footscray and Sunshine on the northern rail corridor. They also mean building a second track between Westgarth and Clifton Hill. The member for Northcote was here earlier this morning, and she also noted the importance of this investment in improving travelling times and the reliability of service on the Epping line. Major capacity improvements are crucial if we are to utilise the system more effectively. There will also be improved signalling in the city loop and more stabling in places such as Werribee, Sandringham and Cranbourne, so it is a fairly significant investment.

Probably the most significant revitalisation of our public transport is occurring in our bus network. Over the next 10 years \$660 million will be spent on building a number of SmartBus routes. As I described earlier, these services are strategic; they reorientate and reconfigure our principal public transport network in this city. They are premium services, run seven days a week. Routes where they have been introduced, such as along Blackburn and Springvale roads, have seen a 30 to 40 per cent increase in patronage as a result of improved service. There will also be major improvements and increases in local bus travel — \$650 million over 10 years to improve local bus services. As we know, a large part of Melbourne depends on buses for its public transport — not trains or trams, but buses — so that is where the investment is going.

There will also be significant investment in making public transport more accessible, to meet not only the requirements of federal legislation but also the needs of our disabled and ageing community. That includes investment in new facilities and in upgrades to existing facilities — a \$250 million spend. An additional \$20 million will be spent on flexible transport solutions, which is targeted at transport-poor areas, particularly areas of low density where it is difficult to provide route buses or regular services. Programs have already been trialled in outer metropolitan and country areas, and they have been very successful in meeting the needs of transport-poor areas and isolated communities.

These are significant improvements and this is a significant plan. I just — —

**Ms Beattie** — A vision.

**Mr CARLI** — It is a bold vision. The member for Yuroke says it is a vision, but it is not just a vision: it is a bold vision for our transport future, but achieving this vision will not be easy. There are no quick fixes to the issues and challenges. Our prosperous society is experiencing a significant increase in population, and that population is ageing, so we have to deal with those issues. We have to ensure that there is no short-term grab for votes; we are dealing with long-term positioning of transport in this state. The Bracks government should be congratulated on its responsible and bold vision.

As a keen cyclist I should also add that the government has committed to significant increases in funding for cycling infrastructure as part of this vision. There is no doubt that walking and cycling have lost out significantly as people have become more dependent on cars. It is important that we reclaim streets for walking

and cycling and that we reduce the number of unnecessary car trips, an extraordinary number of which are over very short distances and which can be replaced simply by walking or cycling. We have to use every means to ensure that we reduce car dependency and improve our public transport.

We also need to improve our road network and our ability to move freight through this state. As various members know, this state is the centre of freight movement for south-eastern Australia, and that too has to be looked at. This important package is a bold and well-funded vision, and I want to congratulate the Bracks government on its transport and livability statement.

**Mr MULDER** (Polwarth) — I rise to join in the debate on the matter of public importance (MPI), and I thank the government for providing the opportunity to comment on its MPI, which is:

That this house congratulates the Bracks government on its visionary \$10.5 billion blueprint for the future of Victoria's transport system ...

As I said in a release in relation to that particular document, I will be dead before most of the initiatives announced in it ever appear — if indeed they do, because, when you look at it, most of the visionary projects that the government talks about here are due over the period of time to 2030. Given that this government has been in office for seven years — and heaven help us all if it gets another four on top of that; 11 years! — the same thing will happen then as has happened in the past. All we will get is another plan and another document.

The real issue for the Liberal Party is not so much what is in the document; the crucial element is what does not appear in it. We are concerned about level crossings and level crossing safety right across the state of Victoria. One only has to look at the budget documents to see and understand the massive failure of the Bracks Labor government and indeed the Minister for Transport. I am not sure how many times I have heard him on ABC radio spruiking the acceleration of level crossing safety upgrades across rural and regional Victoria. Have a look at the budget papers. The government has committed to 38 level crossing upgrades but delivered 20. As appalling as it may seem to make this statement in the house, one of the upgrades committed to in September last year was the Lismore level crossing — the site of the freight train accident.

*Honourable members interjecting.*

**Mr MULDER** — It is on record in the media. The commitment to upgrade that level crossing was given in September last year, but the work was never carried out. It is one thing to go on the radio and make a whole host of statements about issues in relation to public transport or indeed to freight, but it is another thing to talk about public safety and give commitments to the media on air saying that you are actually doing something about level crossing upgrades. The government's own budget documents show that the minister halved — actually halved! — the number of level crossings the Bracks Labor government had committed to upgrade in the last 12 months. That issue has not been picked up within the document or the plan. It has been a furphy from day one. There has been no commitment to level crossing safety upgrades in the state, and the government needs to be condemned for its lack of action in that regard.

In order for a government to have any credibility in relation to the release of transport plans, it has to make sure that plan A has been delivered before it moves on to plan B. In the past this government has had a number of plans for transport. The Minister for Transport's metropolitan transport plan, which I had great pleasure in launching for him, had one project with a start and completion date on it — that one project of course being the upgrade of bicycle lockers at Melbourne's train stations. That was the only identified project in that entire document that had the start and finish date — bicycle lockers on Melbourne's railway stations. That document went flop and was described as a lot of gloss and floss with no substance. The minister could easily have that title.

The government has now come out with what is called the livability statement, *Meeting Our Transport Challenges*. But as I say, before moving from plan A to plan B, let us look at what has not been delivered from plan A. I refer first to the fast trains for regional Victoria. It was an \$80 million commitment that has ballooned into a \$750 million project. The cost for that project continues to climb, and we have the ridiculous situation on the Latrobe Valley line at the moment where it will be shut down for another 24 weeks — or is it 36 weeks or 48 weeks! We will not even get an express train service into the Latrobe Valley.

The Ballarat and Bendigo lines have continual closures and shutdowns. We know a huge amount of political pressure was applied to the contractors to have those train services up and running, and I believe safety has been compromised as a result. This was all about a ribbon-cutting exercise and something positive for the minister, as he departs the chair, to be out there doing with the Premier, but we all know the fast train project

has turned out to be an absolute dog for the people of Victoria. The rail extension to South Morang was promised prior to 1999, and it has not been delivered. The train to Leongatha was promised as part of the 1999 policy announcements, but it has not been delivered. Acting Speaker, you would no doubt be aware about the passenger trains to Mildura, which you negotiated in your deal with the government prior to 1999 when the Labor Party was in opposition. What happened? Nothing!

The government does not have any credibility for the plan it puts before the people of Victoria, because when you go back to plan A you see that the government cannot be trusted to deliver any of the projects promised in its plans because it has a record of making announcements, giving promises and making commitments but delivering nothing. The plan the government has now put forward has not a single major road, not a bridge and not a tunnel. If a Labor government is elected again in November, we will have 11 years of a Labor government in the state of Victoria, and the slogan for Victoria from that point onwards would be 'Stuck in traffic'.

Even though the government has had record receipts — it has gone up from \$19 billion to the \$32 billion allocated in the budget this year — it still cannot deliver a major road, bridge or tunnel project where the city interfaces with the suburbs or the outer metropolitan area. There is not a single rail extension in the metropolitan system and not a single new train or tram ordered until 2011 or 2012, which means a lot of commuters who travel by train will be stuck in those lousy, old Hitachi sweatboxes right through until possibly 2013, yet the government gave commitments that those trains would be taken off the network after the Commonwealth Games.

It is important that we go to the plan outlined by the government. Page 3 talks about maintaining Victoria as the place to be. The previous speaker indicated that Melbourne has been rated as one of the top two most livable cities in the world, but what he did not say is that Melbourne was the most livable city in the world. The reason it lost its title as the most livable city was that internationally it has been recognised that our public transport system is in decline. The member was trying to paint a bright picture from this document saying that Melbourne is one of the top two cities in the world but he failed to say that Melbourne used to be the top city insofar as livability goes.

I go to page 34 of the document. Once again this is called 'The plan', and it says the government will conduct a comprehensive review of transport legislation

with the aim of reforming and modernising the legislation to ensure that it supports Victoria's current and future needs. The government will also establish a new position of coordinator-general. Does that mean Peter Cosgrove might get a job? We are going to have a general in charge of the transport system in Victoria. The overall arching umbrella under which this whole plan will be put in place is another review and having a coordinator-general. No doubt he will be a mate of the government who will take up a cosy position. We will have a fat cat, a study and a coordinator-general!

I refer to page 35 of the plan, where the government talks about spending \$1.5 billion over 10 years to develop a cross-town transport network. It refers to a new SmartBus supported by local bus services and to the SmartBus technology. The *Herald Sun* of 23 March contains an article about the SmartBus program and states:

SmartBus, a central plank of the government's transport vision, has bombed, leaving Victorians with a \$68 million white elephant that is now being pulled down.

This is one of the cornerstones of the Bracks government's so-called SmartBus program and what it calls its plan for the future. The article continues that:

... computer software glitches have meant SmartBus has been almost permanently shut down and its technology is being replaced.

The government said the dismantling of real-time information signs on the SmartBus network's two main routes simply mark the end of a test period.

That is a \$68 million test period in Victoria. Once again it is a program that has gone belly up.

I am sure the Acting Speaker will be interested in what is stated on page 46 of the document. It refers to the Mildura rail line upgrade and says it will receive \$20 million of AusLink funding, and after commercial negotiations with the track operator the government will invest \$50 million in works on the rail track between Ballarat and Mildura. The \$20 million allocated by the federal government is on the table. I have a copy of the bilateral agreement which sets out what the \$20 million is for. It is for the upgrade and standardisation of the railway track between Mildura and Geelong, for which the federal government is prepared to commit \$20 million. The federal government will get a hole in a concrete sleeper for that \$20 million. There is no standardisation work being carried out on the Mildura line. The \$20 million was for standardisation work on the Mildura line, and what the Bracks Labor government is delivering to the Mildura community and to the rail standardisation project across

the state — a state government commitment of \$50 million and a federal government commitment of \$20 million, so it is \$70 million plus — is a hole in a concrete sleeper! I know the program will speed up freight trains to a certain degree, but I am sure the member for Mildura will be very disappointed given the commitment to him pre-1999 to realise that the federal government's \$20 million will result in a hole in a railway sleeper.

Page 48 of the document talks about greater flexibility for operators wishing to negotiate flexible fares. This refers to the taxi industry. We had the situation recently of Pat and Doug Grey in Castlemaine shutting down their taxi service because of the way the Bracks Labor government has treated taxi operators not just in Castlemaine but right across rural and regional Victoria. That industry is in an appalling state. What the document says is that if you live in the country an operator will be able to negotiate what they consider is a competitive fare. Does that mean on a Saturday night if your children are stuck at a party or a nightclub and they ring for a taxi that the taxi operator can say to them in country Victoria, 'I want 50 bucks to come and collect you.'? Is that what this means?

That does not seem to be what will take place in and around the metropolitan area. It would appear to me that the taxi industry is suffering in country Victoria — suffering because it has not had a price increase for a long period of time — but to allow taxidrivers to negotiate with children or women late at night as to whether or not they will pick them up and take them home, is total discrimination against country Victorians.

At page 59 the statement talks about additional park-and-ride spaces to cater for growing demand — that is, park-and-ride facilities such as the one at Doncaster. We know very well that the legislation has already gone through Parliament to allow for the installation of boom gates, fencing, signage, marking and devices. We know that Connex, for instance, has a contract signed with the government that allows it to charge \$2, plus consumer price index (CPI), for people parking cars at railway stations. The legislation, of course, refers not just to train operators but also to bus operators. We have no doubt that this is all about the Bracks Labor government slugging people who wish to use our public transport system and who wish to park their cars at railway stations and at the park-and-ride facilities. They will be slugged \$2, plus CPI, for leaving their cars there.

The deal in relation to CityLink and the Monash Freeway, of course, has been given an absolute canning and bucketing by Terry McCrann in the *Herald Sun* of

3 May, where he referred to this deal as being worse than anything overseen by the Guilty Party — the Cain and Kirner governments — in relation to the government cashing somewhere in the order of \$2.9 billion of concession notes for an up-front payment by CityLink. There is no doubt this is a dog of an agreement. All the financial analysts have been through the agreement the government has signed with Transurban. It has a stench about it in relation to who supported the deal, and there is no doubt this will be followed through as we move forward.

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

**Mr HOWARD** (Ballarat East) — I am certainly pleased to speak in support of this matter of public importance and to state very clearly that this Bracks government's visionary \$10.5 billion blueprint for the future of Victoria's transport systems, as set out in *Meeting Our Transport Challenges — Connecting Victorian Communities*, is a great plan to be commended by all sections of the Victorian community — and it is being applauded across Victoria.

I will start by looking at the media release from the Australian Railways Association, which was released on 17 May. The association's head, Brian Nye, said the plan would improve capacity on the rail system and address the growing demand across the system. The association praised the purchase of new rolling stock as planned in the statement. There is a quote there that even could be targeted directly at the opposition, because the media release quotes Brian Nye as saying:

It is always easy to criticise governments for not doing enough and not having any plans for the future. Here we do have a plan, it provides significant investment, and it gives some certainty to those working in the industry that the government is committed to improving the transport infrastructure.

I want to at first concentrate on the great improvements proposed in the public transport system that the *Meeting Our Transport Challenges* statement talks about. Let me just say that this is not a statement that comes out of the blue. It comes on the back of the achievements of this Bracks government in the seven years that it has been the government of Victoria. It does in fact significantly contrast with the previous seven years of the Kennett government.

Coming from Ballarat East, as I do, and representing the people of Ballarat East, under the seven years of the Kennett government we saw lots of rail lines closed down and then allowed to decay and fall into disrepair. There seemed to be no plan. We saw the Ballarat–Ararat

line closed. Some significant maintenance issues had been raised about the railway line between Ballarat and Melbourne, but nothing serious was done to anything other than to address the most basic maintenance. And yet under the Bracks government the regional fast rail proposal has not just seen the upgrade of the line between Ballarat and Melbourne, it has also seen an upgrade of the Bendigo–Melbourne line, which also runs through the Ballarat East electorate. Travellers from both of those corridors are now enjoying travelling on the new V/Locity trains.

I am very pleased, and I have no hesitation — —

**Mr Mulder** interjected.

**Mr HOWARD** — That is where the member for Polwarth clearly gets it wrong. His statements do not resonate in my electorate. I was very pleased last Sunday to take a number of people from my electorate on the V/Locity train service down from Ballarat to Ballan. They again saw that the new V/Locity trains are terrific: they are very comfortable, smooth running, and provide a great new service. They give a sense that public transport is something for the future and not just something to be run down, as it was under the Kennett government.

They were then able to travel by bus along the road back towards Ballarat, looking at the great rail infrastructure that was created, and in particular looking at the new Bungaree section of track, on which two significant new bridges have been created, which cuts off 5 kilometres of rail track. These two new bridges across the Moorabool River and the Lal Lal Creek are very impressive engineering structures. The work was done by the same company in Portland that produced the wind towers, so the towers that were used for these bridges were produced in Portland. It is terrific to see our Victorian technology in place on our rail infrastructure that is already upgraded. But of course people in my electorate wanted to know whether the government had a vision to do even more that would be of benefit to them.

Many rail travellers have raised concerns with me, which I have certainly raised with the Premier and the Minister for Transport. They think it is great to have an upgraded line into Sunshine, where clearly between Ballarat and Sunshine major time savings could be made, thus shortening the travel trip from Ballarat to Melbourne by on average just under 20 minutes. That is a great benefit especially to people who are commuting, and we see an even greater time saving between Ballarat and Melbourne. Those travellers have said, 'Once we get into the Melbourne metropolitan rail

system, if we get our slot right, yes, we can travel into Spencer Street or North Melbourne stations on time. But periodically we miss our slot, and with the congestion, which we know is increasing on the Melbourne metropolitan rail network, we are concerned there will be delays for our trains in the future and we think that should be addressed’.

This visionary statement released by our government does address that, and we see already that planning will be in place, starting later this year, to have a third track from Sunshine into West Footscray. This will be of great benefit to those travellers coming in on the Ballarat line and also on the Bendigo line. They will be able to travel with less interruption and make further time savings on those trips. This clearly will be welcomed by people in my electorate.

People in my electorate have also welcomed in recent weeks new bus services that are connecting into Ballarat station from the Daylesford–Hepburn Springs area and the Gordon–Mount Egerton area, and also the new bus services that run from Creswick that also can connect into Ballarat station. They enable people to travel down to Melbourne, or in fact in some cases back to Ballarat, before 9 o’clock in the morning. That is great for TAFE students or students at Ballarat university. It is great for any workers who want to get down to Melbourne from those areas.

This government has already delivered a great deal with regard to public transport, and things will be getting better. We see within the statement the allocation of \$350 million for regional rail rolling stock improvements. That shows we are not just stopping where we are; there will be further rolling stock improvements and better regional bus services, with another \$40 million going into that area. The public transport system is looking good in country Victoria, and people in my electorate and in other parts of country Victoria know it is the Bracks government that has delivered that.

Under the former Kennett government they saw that there were no plans for the future of public transport. This government is picking that up. Not only will people who are travelling in from Ballarat or Bendigo be able to get to Southern Cross station more quickly and smoothly, but North Melbourne station, where they would often go to get onto the city loop, will be upgraded and become a better facility for them. Of course the city loop is to be further upgraded under this proposal to ensure less congestion and quicker movement. This is a great proposal that will clearly benefit not just people in metropolitan Melbourne but people in the regions.

I know the people of my electorate of Ballarat East believe this is a great opportunity for them. They also know that while this is a great symbol of the Bracks government’s support for public transport, it also recognises that road transport is important as well. That is why we need to have good road links into Melbourne. The upgrade of the Monash–Westgate link is going to be important not only for Ballarat people but also for people from that corridor who travel across the West Gate Bridge into Melbourne. They want to see improvements in that area so that they can travel smoothly. It is important for business, it is important for commuters and it is important for people coming the other way out to Ballarat. They all see that there are many opportunities in the funding for country roads that has also been announced in this statement.

This is a statement for all Victorians. It is very futuristic, because it is saying, ‘We are not going to stop at the good works that have already been completed in these seven years of the Bracks government’. We have great plans for the next 10 years to improve rail, road and other public transport infrastructure that will be of benefit to country Victorians — —

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

**Mr WALSH (Swan Hill)** — In starting this contribution I remind the member for Brunswick that self-praise is no recommendation. That is the issue we have with this motion. The member for Ballarat East spoke about it being a visionary statement. I would much prefer to think of it as a mirage, because a lot of things the government has promised have never been delivered, as we have noticed over all of the last seven years. If you are looking at the legacy the Bracks government will leave and how history will remember it, it will be one of seven years of being over budget and over time.

I will focus on country transport issues in my contribution today. The first of those involves looking at the history of this government. In 1999 there was a promise that it would build an \$80 million fast train network. What do we have now? We have a bill of \$800 million and rising. What have we got for that \$800 million? We have services that are faster by a few minutes — but only particular services. Some of the services are actually slower. I will admit that the ride is smoother, but is it \$800 million smoother?

The real issue is that we have not had things delivered as they have been promised. Acting Speaker, you would be well aware of the broken promise made by

the Premier about the return of the Mildura passenger service. As I read it, there is nothing in this 10-year strategy that puts in place anything that means there is a realistic chance of that service returning to Mildura. We are going to have another 10 years at least of not having a passenger train to Mildura.

**Mr Nardella** interjected.

**Mr WALSH** — Later I will come back and talk about taxis.

**Mr Nardella** interjected.

**Mr WALSH** — The comments from the member for Melton are a classic example of why country people in particular are sick of this government putting the blame on the previous government. Labor has had seven years in government, it has had a record tax intake, and it has had more money to spend than any government in history. And what has it done? It has wasted it, with seven years of being over budget and over time. Nothing that has been promised is happening out there.

If we get into some of the detail of what has been promised for rail and look at some of the reports that have been written, we see it is going to cost \$40 million just to rehabilitate the current rail freight system — —

*Honourable members interjecting.*

**The ACTING SPEAKER (Mr Savage)** — Order! I am having difficulty hearing the honourable member for Swan Hill. I ask members to limit their interjecting.

**Mr WALSH** — It is going to cost \$40 million to rehabilitate the train system to provide for freight-only tracks that have a 65-kilometre-per-hour limit on main lines, a 50-kilometre limit on branch lines and a 20-kilometre limit on the extremities. To upgrade the Mildura line to a national network standard capacity of 23 tonne axle weight and 80 kilometres an hour will cost an additional \$48 million — and it will cost an extra \$21 million on top of that for additional maintenance if we want to go to standard gauge conversion. If we add all this together, it will cost \$187 million to convert the current system to a standard gauge, freight-only service, well in excess of the \$73 million that has been committed in this project — and \$20 million of that \$73 million is federal money for standardisation. Can the federal government trust the state government to deliver on what has been promised here, or are we going to end up with another Scoresby?

There is another issue with the upgrade of these lines. It is my understanding that on the Mildura line only one

in four sleepers is going to be replaced with concrete. The member for Polwarth asked what the federal government is going to get for its \$20 million. He suggested the answer was a hole in a sleeper — in only one in four of those sleepers! As part of the budget for doing the track the talk is about replacing only 1 in 10 of the red gum sleepers. When those involved lift the track to do this, they will find that a lot more of the sleepers are in a poor condition and need replacing than that.

It is interesting, when we talk about red gum sleepers, to find that a lot of people on the other side of the house are against the red gum industry and do not want us to have red gum sleepers. If you look at some facts around red gum sleepers, you find they are very environmentally friendly. We have something like 10 million sleepers under train tracks here in Victoria. If you do the arithmetic on that, you realise that nearly 8 million tonnes of carbon dioxide is locked up in those sleepers, which come from the renewable resource which is our red gum forests. But if you — —

**Mr Hudson** interjected.

**Mr WALSH** — The member for Bentleigh may joke, but it is true. If you look at what concrete sleepers do, you see that they create greenhouse gases. Replacing the 10 million sleepers we have out there with concrete sleepers would produce 1 million tonnes of greenhouse gases. We are going from an environmentally friendly sleeper made from a renewable resource to something that is manufactured and is going to harm the environment as we go forward.

The other issue I want to touch on is taxis and the long-awaited taxi report by the parliamentary secretary to the Minister for Transport. After talking to the taxi operators in my electorate I must say that they do not believe it delivers what they need, which is unfortunate. Some money for business planning is fine, but you have to be able to make a profit to do a business plan and move forward into the future.

The reduction in fees again is welcome, but it is not the real issue out there. The real issue for the taxi operators in my electorate is the cost of doing business, particularly the cost of fuel. They had a fee increase in 2000 and they got another increase in this last round of announcements, but half of that fee increase has gone to their drivers. The drivers deserve that, given the service they provide to people. I do not begrudge them the increase, and neither do the taxi operators, but it does not leave the operators a lot if they are to make a profit and be encouraged to stay in business and provide a service to country towns.

Looking at other groups in the transport industry, airlines have access to a fuel surcharge that they can increase or decrease as the price of fuel changes, which means they have a chance to recover some of the increased costs involved in running their businesses. Because of the uncertainty surrounding fuel prices, the major freight businesses that cart freight around Australia have fuel price escalation clauses in their transport contracts. So if the price of fuel goes up, they can go back and negotiate with the people they are carrying freight for to get an increase to cover the costs.

But the taxis have nothing like this at all; in the fees that are set for taxis there is nothing like a fuel escalation clause. It is well documented and has been previously spoken about. The taxi operators at Castlemaine closed their doors because it was all too much for them. I have talked to operators my area, and their main point is that they are different from city taxis in that they generally have shorter trips, so they do not have the higher fares. It only costs \$5 or \$10 to run down the street instead of \$20 or \$25 or a \$50 fare out to the airport, and they provide a service in helping the elderly and less able getting in and out of the car, getting into the doctor's surgery, loading their groceries and all those sorts of things. They would like to have a fair income out of the services they provide.

In the short time I have left I would like to touch briefly on one other issue. The member for Brunswick spoke about road safety. If there is money in this strategy — or this vision or mirage, depending on which way we look at it — for road funding, there is nothing in there for local roads. There is nothing in there, as I read it, for category C roads. In my electorate I have got several category C roads that are B-double rated but are effectively single-lane sealed strips. We have B-doubles and large trucks running on roads that effectively are not safe enough.

Look at some of the reports. If you invest in category C roads, you actually decrease the number of accidents and deaths on country roads by making sure that those roads are safer for cars and trucks to pass each other. It is also a concern that most of those roads are also school bus routes, so we have school buses, B-doubles and cars on narrow bitumen roads. It would have been great to see in the statement some money for category C roads.

**Ms BEATTIE (Yuroke)** — I should start my contribution to the debate by congratulating the member for Brunswick on bringing this matter to the house. I support the matter of public importance.

I have been sitting here listening very carefully, because in my view politics is a battle of ideologies. People put one view forward and other people refute that view. But I have been waiting for the Liberal Party policy — —

**Mr Nardella** — The New Liberals!

**Ms BEATTIE** — I have been waiting for a commitment by the Liberal Party or The Nationals or the New Liberals or whatever their combined name is. I have heard not one. I listened to the shadow minister. How many policies did he put forward? Not one. The member for Narre Warren South handed me a flyer from a candidate out that way who says he is willing to discuss the Liberal Party policy. That is a good thing, but how does he know what the policy is when the shadow minister has not put a policy forward?

I call on the Liberal Party to get its policies in order, because the only thing I have seen that might allude to a policy is that it will allow speed tolerance — in other words, if you see a speed sign that says '60 kilometres an hour', you can say, 'I do not really feel like doing 60 kilometres an hour today. I will do 66 or 68'. For goodness sake, what a policy that is! It was probably written by Juan Fangio for the grand prix corporation.

However, I want to talk about some terrific things that are happening with transport and roads, particularly in my electorate, because there is much that this government can be proud of doing there after years of neglect under the previous member for Tullamarine. I want to talk about the outer metropolitan roads. The government is to be congratulated on investing \$1.29 billion over the next 10 years in improving the outer metropolitan arterial road network. I know the member for South-West Coast will be particularly pleased, because he spoke to me about Mickleham Road. I have great news for the member for South-West Coast — we are duplicating Mickleham Road right up to Somerton Road. I know he will be congratulating the Minister for Transport on that initiative.

We have already spent \$9.1 million on the duplication of Barrymore Road. That project has been held up by issues related to a bit of land acquisition, but the contract has been awarded and it is just about to start. I am very pleased to say to the house that we have committed another \$16.3 million for duplication from Barrymore Road to Somerton Road. One of the great features is not only the road duplication but the bike lanes and all the extra safety features and improved roundabouts in that area. I look forward, as I know my constituents do, to seeing that road built.

I also want to touch on the buses, which are fantastic. We are going to get a SmartBus, so Liberals should avoid that. There will be no Liberals on it. Bus route 484 from Broadmeadows to Greenvale will be extended in the coming months to Roxburgh Park station, which I also want to talk about. You will know, Acting Speaker, that the train line now ends at Broadmeadows, but not under the Bracks government — we are taking it from Broadmeadows to Roxburgh Park.

**An honourable member** interjected.

**Ms BEATTIE** — Right now! It is due to open in 2007, and I invite the member for Polwarth and any other members to come out and do an inspection of the work sites. Those work sites are up and running. As I hear from the back, they do not want to see progress, but I will organise a tour. I am sure the member for Brunswick will facilitate a tour so members of the opposition can inspect the works at Roxburgh Park and Craigieburn.

Craigieburn is what I want to talk about. It is going to be a premium station — that is, it will be manned from the first train to the last train. Again, there is something fantastic happening. That is a project of over \$100 million with stations at Roxburgh Park and Craigieburn. We are meeting the challenges that lie ahead, as the member for Brunswick so eloquently said — and there are challenges ahead.

We have a growing population. When I take members opposite on a tour of the great facilities that are being provided, they will know that the Hume corridor is a growth area. The population is going to grow, but before that we are putting in the services. There will be buses to take to the train — you will not even have to get in the car. The opposition's flexible speed limits will not even come into play, because in and around Roxburgh Park and Craigieburn you will not have to get into a car. You will be able to get on a bus, catch the train to the station and then come straight into the city. Another thing that is fantastic about this project is that it is all in zone 2. How about that? That is fantastic.

The federal government put in some funding, but VicRoads built the Craigieburn bypass. That is a tremendous road. We worked through the difficult environmental issues; we protected the Craigieburn grasslands, the growling grass frogs and the legless lizards. The trucking industry loves the bypass.

I want to talk about a couple of other great things that are happening. One is the east-west transport links. We have provided \$5 million for a study of those links. Rod

Eddington, the well-respected former chief executive officer of British Airways and chairman of the Victorian Major Events Company, will head that assessment of the future east-west connections. That will recommend the best way forward for transport, road and freight travel. That is part of the action plan. Last week when I was chatting to the Lord Mayor of Melbourne, the Honourable John So, he was full of praise for the granting of \$5 million for the plan. He is a man who is popular with all of Melbourne, almost as popular as the Premier. He said it is fantastic and the city of Melbourne welcomes this transport plan.

What we have done is fantastic. I have heard members on the other side talk about rural roads. There is \$687 million in the rural roads investment plan, which is a 10-year program to upgrade arterial roads.

I look forward in the next few minutes to listening intensely to the Liberal Party, because I still want to hear one policy or one commitment. Apart from some local candidate out in Narre Warren South, nobody has put forward one commitment or one policy that the people of Victoria can hold up to scrutiny and say it is a Liberal Party vision. In this house we know there is no Liberal Party vision. Very soon it will be exposed to the people of Victoria for not having a vision. All it can do is sit there and whinge and knock. The Bracks government has the vision which we will be putting to the people in November. I am confident that the people will endorse our vision for transport and livability in Victoria.

**Dr NAPHTHINE** (South-West Coast) — I rise to join the matter of public importance debate. I have read the matter of public importance and it spells out what the government is doing to transport. When you look at the document that has been circulated on the matter of public importance by the member for Brunswick, it says:

That this house congratulates the Bracks government on its visionary \$10.5 billion blueprint for the future of Victoria's transport system as set out in —

have a look at it! —

*Meeting out Transport Challenges — Connecting Victorian Communities.*

That is what this government is doing — it is continually creating transport challenges for the Victorian community. I am pleased the member for Brunswick recognises that the Bracks government is spending its time creating transport challenges — meeting out transport challenges — for the community, because it is certainly not solving them. It is delivering more transport challenges to the community.

**Ms Beattie** interjected.

**Dr NAPTHINE** — The member for Yuroke asked about our policies. Let me give just two policies, and there are more on the web site. The first, which is very important — and the member for Yuroke would strongly support it — is that the Liberal Party is absolutely committed to abolishing the unfair \$82 registration fee that the Bracks government imposed on pensioners, war veterans and health care cardholders for motor vehicle registration. That is one policy. Another one is that we are going to lift the discriminatory, unfair cap on multipurpose taxis that this cruel, heartless government delivered to people with disabilities and elderly, frail people across Victoria. They are two policies which show that we care about people in Victoria.

Let us look at this glossy brochure which is full of spin and promises which will never be delivered, and, to use a colloquial expression, buggger-all for country Victoria. Let us examine the record of this government in terms of what it has done for transport. I refer back to the budget of five years ago. On 30 May 2001, five years ago to the day plus one, the Treasurer said:

... a key initiative in the budget brought down in this house two weeks ago was the provision of \$96 million over the next few years for the regional freight links program to provide standardisation of the rail freight gauge right across Victoria, but particularly linking Mildura with Portland.

The Treasurer boasted, saying:

It took just two budgets under the Bracks government —

to deliver this. Here we are, five years later, and not 1 metre of the Mildura rail line has been converted to standard gauge. That promise has been abandoned by this government, despite the Minister for Transport telling us in 2002 that 300 tonnes of steel had already been delivered, that 2000 tonnes were on the way, and that there was \$3 million worth of steel. In a press release of 18 June 2002 the minister said:

... the first stage of track converse on the Mildura line will occur early next year ...

That was in June 2002. Here we are in the middle of 2006, and still not 1 metre of track has been converted to standard gauge.

In the document the government is now glowing about it is committing itself to broad gauge — not to standard gauge — on the Mildura line. It has lied to the people of south-west Victoria, it has lied to the people of Mildura, and it has lied to the people of western Victoria. Both the south-west municipalities group and the north-west municipalities group have said that

standardisation of the Mildura rail line is one of the most important economic projects for the development of western Victoria.

*Honourable members interjecting.*

**Dr NAPTHINE** — The members are interjecting, but the Liberal Party never closed the Mildura rail line. They are absolute lies, like the lies they have been perpetrating across the state about their commitment to that line. They promised five years ago — —

**Mr Nardella** interjected.

**Dr NAPTHINE** — You can tell when you have hit a sore spot with government members; they rant and rave and try to shout people down, because they cannot defend their lies and broken promises on rail standardisation.

Let us look at another broken promise. In a media release of 12 July 2002 the then Minister for Ports in another place, Ms Broad, said:

The \$5.1 million project to build the Lascelles Wharf rail link will give bulk product exporters that use the port of Geelong a cheaper, cleaner and more efficient way of getting to market ...

That was in 2002. The media release includes comments from local members, including the member for Geelong who said that this would be a great project. There is even a comment from the member for Brunswick on 29 October 2003:

There are plans for a dual gauge link to Lascelles Wharf at the port of Geelong. The work is being done, it has commenced.

He said that in 2003. But when you go down to the port of Geelong to Lascelles Wharf you can see that no work has commenced. No rail track has been laid, not 1 metre of track — another lie perpetrated by the Bracks Labor government. So how can anybody believe it when it says it will duplicate Mickleham Road and do all the things in the glossy brochure — because it lies, it deceives, and it cheats the people time and again, as it has on rail standardisation.

We only have to look at the ‘farce’ rail project. That was going to be an \$80 million project. I refer to one of the great quotes of all time. The *Ararat Advertiser* of 21 March 2000 reports the Premier as saying:

We’re hopeful that we can at least kick off one of these physically by the end of the year ...

That was in 2000. He was going to have one of the fast rail trains up and operating by the end of 2000. It is

now 2006 and still we do not have the fast rail project on the track.

The only major contribution by the government to transport in Victoria, which was against the will of the people, was to change the name of the historic station from Spencer Street to Southern Cross. What an absolute disgrace! The people of Victoria know the station is on Spencer Street, and it had a time-honoured and historic name and it should not have been changed to Southern Cross or any other name.

In western Victoria we need to look at our road network as well as our rail network. We need a real action plan to upgrade the Princes Highway west of Geelong. We need a commitment to duplicate the road from Geelong to Colac, we need more passing lanes from Colac to the South Australian border, we need to duplicate or develop plans to duplicate the highway between Warrnambool and Port Fairy, and we need urgent and immediate action on that road to fix up its dangerous surface. Princes Highway is the no. 1 highway in Australia, and in western Victoria is full of ruts, potholes and cracks. It is becoming nothing more than a dangerous dog track under the Bracks Labor government which does not care about country Victoria. This is a government that is city-centric and does not care about country Victoria.

What is in the document that was released? This government says it is prepared to put money into the Princes Highway, as long as the federal government matches it. Let me advise the Labor government — but I should not need to advise it because it already knows this fact — that the Princes Highway is totally, 100 per cent, a state responsibility. It is about time this government and this transport minister accepted their responsibility to fix up their roads and not to keep blaming the federal government. It should not keep blaming others but accept its responsibility. The government has record levels of taxation and has over \$8 billion worth of GST each year, but it still cannot maintain basic roads, including highway no. 1 in western Victoria.

In addition, work needs to be done on the Henty Highway. That is the highway that runs from Mildura to Portland. It is a very busy highway, with increasing truck traffic due to the blue gum, mineral sands, grain and livestock industries. That road gets a helluva beating because the government will not standardise the rail line. There need to be more passing lanes and, again, plans to duplicate the road between Heywood and Portland — or an examination of the very innovative option of trucks being taken off the road at

Heathmere and directed along the railway easement to the port of Portland. This is a very important issue.

Finally, I refer to motorcyclists, who pay the unfair and discriminatory \$54-a-year tax invented by the Bracks Labor government. I have looked at the government's document — referred to in the circulated copy of the matter of public importance as 'Meeting our Transport Challenges' — and the words 'motorcycle' and 'motor scooter' are not mentioned once. They are ignored and neglected by the Bracks Labor government. This policy is absolutely hopeless.

**Ms BARKER** (Oakleigh) — I am very pleased to join the debate on the matter of public importance and to add my congratulations to the Bracks government for the vision, *Meeting Our Transport Challenges — Connecting Victorian Communities*. I support the member for Brunswick not only for bringing forward this matter of public importance but also for the great amount of work he does within that transport area.

I would like to talk a little about Melbourne's south-east, which will enjoy major benefits from this blueprint which has been laid down by the Bracks government. The population of Melbourne is expected to increase by 1 million between 2001 and 2031, and we know that much of that growth will be in Melbourne's outer south-east. While I am certainly not a member for the outer south-east, I am very aware of the challenges faced in both my area of the south-east and the outer south-east in managing congestion on our roads and particularly on our rail networks.

We are all aware of the visible problem of the Monash and West Gate freeways carrying traffic volumes in excess of 168 000 each day. There is a lot of congestion in both directions in morning and afternoon peak periods. We need to take action now to address those congestion problems, recognising that if we do not do it now it will become an even greater problem in years to come.

An amount of \$740 million will be spent on improving the Monash–West Gate road corridor, which is a very important and vital project. What will the \$740 million provide? The money will be used in a number of areas. It will add an extra lane on the Monash Freeway in each direction to Heatherton Road, widen the West Gate Freeway between the CityLink tunnels and the Bolte Bridge to separate merging and weaving movements, change traffic flows on the West Gate Bridge and approaches during peak periods, and add ramp metering from Narre Warren to Hoppers Crossing. I am aware of the ramp metering and how successful it is in terms of ensuring that the freeway flows.

While I certainly try to avoid the Monash Freeway as much as possible — I will be honest — there are times when I need to drive in. While the ramp movements slow us down getting onto the freeway, particularly during peak hours, they assist the flow of the freeway. Ramp metering from Narre Warren to Hoppers Crossing will be very important.

The result of just these improvements will be that the throughput of the freeway will be increased by up to 50 per cent, therefore we will improve travel times and travelling reliability. As I have said, that is something we are doing in the short to medium term to provide solutions to the congestion we all know about. But we need also to look to the future. That is why, as well as attending to these needs now, an assessment study will be commenced in 2006 to look at addressing future demands along the Monash–West Gate corridor. Importantly part of that study will consider how public transport alternatives can be integrated into any new east-west corridor. I think that is extremely important. I am an absolutely strong supporter and user of public transport. We are very fortunate, particularly in the area I live and work in, to have such a wealth of public transport available.

We also, as I have said, need to look at this issue in terms of public transport, because you just cannot continue to have unrestrained growth in road travel. It is unsustainable. Therefore we need to examine the ways in which we can integrate public transport by looking at the Monash–West Gate corridor. But this great blueprint, this great statement that has been made, certainly starts to deal immediately and in the longer term with public transport in an area that I am very keen to be involved in — trains and the rail network. I am a very regular user of public transport, particularly the train system. I use it in peak hour, so I can guarantee the house that on the lines I use — the Dandenong, Pakenham and Cranbourne lines — we desperately need some increase in capacity.

A lot of work has been done on the train network, but we need to start to look at both short and long-term initiatives and funding to address the issues. As the member for Brunswick said, there have been some additions to services on the Dandenong, Pakenham and Cranbourne lines. One of the issues we face is getting services to go through the city loop, which is running at capacity and cannot take any more services. Two of the extra services that were introduced late last year — I think — to run in morning and evening peak hours go directly to Flinders Street station. The capacity of the city loop is also an issue.

In the short term we will be making adjustments to the existing 2006 timetable to allow for an extra train service on the Dandenong rail line during shoulder peak times both in the morning and in the afternoon. A revised timetable in 2007 will allow for additional peak services on the Dandenong line. As a regular user of the train system, particularly in peak hour, I know we desperately need further trains on that system. We can attend to the number of trains now, and we are doing that, but we desperately need to increase the capacity and upgrade our infrastructure on that line.

Last year funding was set aside to start looking at the first stage of the development of a third rail line between Caulfield and Springvale. This transport statement significantly moves on from that initial study, and investment will be made to ensure that we commence that third track. Once we can do that, we will look at constructing a third track between Springvale and Dandenong within the next 10 years.

One thing I would like to say is that the greatest effect a third track on the Dandenong, Pakenham and Cranbourne lines will have is within my electorate between Huntingdale and Caulfield stations, particularly between Caulfield and Oakleigh. I want to thank the staff at the department and the minister's office who have found a way forward. We will be able to work with our communities in that area. It causes some concern, particularly between Caulfield, Murrumbeena and Oakleigh stations. The railway track is already very close to houses, and there are people who want to know what will happen in the future. I have given them my commitment that they will be involved in the consultation and the work we do as we move forward, but we desperately need a third track.

There will be a range of other capacity projects over the next 10 years. There will be more train stabling in places like Sandringham and Cranbourne, and there will be improvements to signalling in the city loop. As I have said, the city loop is an issue for us. An amount of \$15.4 million is needed to train 180 new drivers, for whom there is a desperate need. National Express did not train new drivers before it withdrew from the failed privatisation contracts of the previous government.

There is so much involved in this issue, and I do not have enough time to talk about all the great things that will happen, but I would like briefly to mention buses. The SmartBus is a big thing in my area, and we already have the Warrigal Road SmartBus running. The Rowville–Caulfield SmartBus service will start running later this year. Recently I was very pleased to join my colleague the member for Bentleigh when the Premier announced one of the first upgrades to local bus

networks — route 701, which runs from Bentleigh station to Oakleigh station.

**An honourable member** interjected.

**Ms BARKER** — Yes, it is a fantastic service, and there will be \$100 000 each year to upgrade that service. It will start running in August and will mean that people will have extended services on Saturdays. Importantly for a lot of older people in my area, they will get a new service on Sundays from 9.00 a.m. to 9.00 p.m. at a 60-minute frequency. For residents in the areas I and my colleague the member for Bentleigh represent, and particularly for older residents, Sunday services are especially important. Route 701 is a great initiative, because it connects Bentleigh and Oakleigh stations. Oakleigh is also a major transport interchange where people can connect to bus services to Chadstone and Box Hill or train services to Dandenong and the city. They can connect to these services from Bentleigh, but they can mainly connect to a bus services around the Oakleigh interchange.

*Meeting Our Transport Challenges* is a fantastic vision. It is a costed statement that sets the future for transport, and I congratulate the Bracks government.

**Mr WELLS** (Scoresby) — I join the debate on the matter of public importance. You have to laugh at the Bracks Labor government. Yesterday the Leader of the Opposition questioned the numeracy and literacy levels in this state and made the claim that the state of Victoria has the lowest literacy and numeracy levels of any mainland state. When we read the circulated copy of the matter of public importance, we see that it states it is about:

... the future of Victoria's transport system as set out in *Meeting out Transport Challenges* ...

The word before '*Transport Challenges*' should have been '*Our*', not '*out*', so members of the government cannot get even something as important as the copy of the topic of a matter of public importance right. That is how badly this mob, the members of the Labor government, are going.

I want to start by saying that there is no doubt that members of the Bracks government will say, do and promise anything before an election — to win votes. There is no greater example of that than how the people of the outer east have been duded over and over again. The arrogance of members of the Labor government means that they have not even attempted to meet the promises they have made. I touch on a couple of them. On the tram line to Knox, there was a big headline 'Light rail to city in four years' to an article that stated:

Knox commuters would be able to travel direct to the city by light rail within four years under a state government proposal to extend the light rail system to Knox city.

Transport minister ... announced the multimillion dollar proposal at East Burwood terminus at Middleborough Road last week.

... [he] said that the work would begin over the next four years to extend the line a further 12 kilometres to the Knox City Shopping Centre, along the Burwood Highway median strip.

We all read that and thought, 'This is pretty impressive'. Is it not ironic that the date on this article is Tuesday, 20 September 1988? The then Minister for Transport, Jim Kennan, the then member for Wantirna, Carolyn Hirsh, and a then member for Boronia Province, Judith Dixon, made the announcement just before the 1988 election. What happened? Not 1 millimetre of track was built. It was a Labor government lie. Members of the Labor government will say and do anything about public transport to win those votes. They have no morals and no ethics.

I have to admit that members of the opposition were a little surprised to see that in its 1999 election transport plan for the outer east the Bracks Labor Party stated on page 6 of a 12-page document:

Labor will commit \$19 million to extend the East Burwood tram route to the Knox City Shopping Centre.

That is what they said — they promised it. So in 1988 they promised to build the tram line right through to Knox city and in 1999 they recommitted to the same election promise. What has happened? They have built it to Vermont, but where is the rest of the actual election promise?

Given that the government has produced this \$10.5 billion blueprint, members would think that it would address the blatant lie to the people in the outer east and that the government would fix this broken promise. What has happened? Not another millimetre will be built. So that is another broken promise to the people in the outer east. The same transport plan for the election in 1999 stated on page 7:

Specifically, the plan would be required to address the fixed infrastructure requirements for the region and in particular identify a preferred train route to Rowville via Glen Waverley or Huntingdale.

In other words, there would be a feasibility study. What has happened? We are not asking for much but we cannot get funding for even a straightforward feasibility study. So twice based on the one document, the Labor Party's transport plan for the outer east, members of the government have not delivered.

We have transport congestion. The Minister for Transport promised an upgrade of Stud Road. It is congested; it is a death trap; there are more trucks on it; and there are more accidents on it, I am sure, than on nearly any other road — apart from Springvale Road, maybe. Once again, the people of the outer east have not seen the delivery of that promise. On the High Street Road duplication from Stud Road to Burwood Highway, we are still waiting and waiting.

When we go to the election in November, I guess one of the themes the opposition will be looking at having is, 'Do you trust Steve Bracks when it comes to public transport?'. It is a very straightforward question. The first thing is: did he fulfil his commitment to upgrade Stud Road? No — a broken promise. Did he build the tram line that he promised in 1999 and the Labor Party promised in 1988? No — the tram line to Knox city has not been built. Has he fulfilled his promise on funding the feasibility study on the train line extending from Huntingdale to Rowville? No. In the end, much to my disgust, the local Knox council paid for a feasibility study, spending \$40 000 when it should have been paying for a 50 cent stamp for a letter to the Minister for Transport and the Premier asking them to get the matter fixed. But they did not.

I could not go any further without saying that the biggest lie of all time was the commitment by the Bracks government to build the Scoresby freeway toll free. When members of the Bracks government went to the 2002 state election they put their hands on their hearts and said, 'If you vote for us there will be no tolls on the Scoresby freeway'. Everyone in our area, in the whole outer east and along the Scoresby corridor, received pamphlets that said over and over again:

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

It was very clear. The government had a memorandum of understanding with the federal government which in point 3 stated very clearly:

In relation to the freeway, Victoria agrees to provide 50 per cent of government costs for the construction of a freeway between Ringwood and Frankston ...

So members of the government had this piece of paper. They went to the election in 2002 and said, 'We've even signed an agreement with the federal government that we are going to commit 50 per cent of the cost of the Scoresby freeway'. That is how committed they were.

In the debate the Premier had with the then Leader of the Opposition, Robert Doyle, the moderator, Ian Henderson, asked:

Would you categorically rule out putting any more tolls on new and existing roads?

The Premier answered:

Yes, I will.

Well, will the people in the outer east trust the Premier this time around? No, because I can see nothing that the Bracks government has delivered. Members of the government have gone to elections promising the world and have consistently broken their promises.

How ironic was it that on 3AW on Tuesday, 15 April 2003, in an interview with Neil Mitchell the Premier said:

Two weeks ago, talking to you, I had not at that stage at all ever considered the fact that we would put on a toll.

That is a blatant lie. The Expenditure Review Committee gave summary advice to the Premier outlining a whole heap of options on tolling. So the Premier blatantly lied to Neil Mitchell when he said he had never considered it. Of course he had considered it — it is in this summary advice document.

In summary, the people in the outer east will have a clear option at the election on 25 November. They will be asked, 'Do you trust Steve Bracks?'. The answer will be no. He has broken promise after promise. He cannot be trusted when it comes to transport and public transport.

**Mr HERBERT** (Eltham) — I rise to support the matter of public importance proposed by the member for Brunswick and to congratulate the government on what is the most far-reaching public transport and livability statement this state has seen. *Meeting Our Transport Challenges* represents the biggest investment in transport in Victoria's history. It is worth saying that, despite some of the rubbish we have heard today from the opposition, this is the biggest investment in transport we have seen.

Over the next 10 years the state government will spend \$10.5 billion on providing the essential infrastructure that Victoria needs to cope with the ever-increasing demands on our transport system. To put that dollar amount in the context of actual services, over the next four years alone, for instance, we are going to see around 24 000 extra public transport services in Victoria every week; 50 million extra passengers carried on public transport per year; an extra 260 kilometres added to Melbourne's cross-town SmartBus network; and over 800 new staff — sacked by the previous government — employed on the public transport network. That is a phenomenal increase in

public transport in this state. Let us face it, with petrol prices at a record high and little prospect of relief, it is crucial that we get our public transport system right.

People in Eltham know that, if we are to meet their transport needs, we need more buses, more trains and a better functioning public transport system. The former government clearly abandoned transport in outer suburbs like Eltham. Those opposite like to deny it, but that is the case. They let public transport wind down. They closed six passenger lines, and they flogged off the system on unsustainable terms and left it to future governments to fix the mess they created. Now they sit here and have the nerve to whinge and whine. The effects on the Eltham electorate were pretty symbolic of the so-what attitude the former government had to public transport.

One of the very early acts of the Kennett government was to scrap the weekend service to the residents of Research. People will know that Research is in the outer part of the electorate. That weekend bus service was what people needed to get to the major shopping centre of Eltham on a Saturday to do their shopping, and it was what kids needed to get from Research to play sport in Eltham or get to the Eltham train station. The scrapping of that service created great hardship for those people and for many elderly people who did not have cars. I was pleased when one of the first things we did was to restore the Saturday morning service to Research. We put in new bus lines, and we extended services to other bus lines.

The member for Scoresby talked about so-called promises — most of them made up, much like the 20 000 copies of a pamphlet that went around my electorate from an upper house member for Templestowe Province, Bill Forwood. In the pamphlet he asserted that the government and I had made a commitment to duplicate the Greensborough–Hurstbridge line, which was an absolute lie. Clearly on my web site for three years — the member for Bass might like to have a look at it — I have put all the election promises from way back when I was first elected, and they have all been ticked off.

When it came to the Hurstbridge line, the government promised to do a study of a track duplication. We then went further than that. We looked at all the capacity issues along the entire Hurstbridge line, and we have found out where the problems are and where the solutions are. There is evidence of a direct lie that has been distributed — I would think using parliamentary funds — to 20 000 houses in Eltham. The member for Templestowe Province could not get it correct even then. He asserted that there was a single track from

Heidelberg to Hurstbridge. Obviously he had not even travelled on the line.

Before I speak about the statement in more detail, I would like to comment on the pathetic contribution by the member for South-West Coast. It is worth noting that whilst he talked about promises — he spoke about multipurpose taxis and concessions — he did not actually speak about policies for public transport. That is because, despite the defence the Liberals mount, they have no policies on public transport. They are not prepared to articulate to the public any plans or policies for public transport. They have not made one promise to put in an extra bus service. They do not have one policy to put in an extra train. There are no new lines that they are committed to. They have not committed to upgrading any level crossings. They have not committed to any station upgrades. They have committed to nothing — not one single service.

If you look at that web site, you find there is not one thing the people of Victoria can see that this opposition will do for public transport. The Liberals are happy to whinge and moan, but they are not prepared to commit to one single improvement.

**Dr Napthine** interjected.

**Mr HERBERT** — I would like to also put on the record that, despite his protestations, the member for South-West Coast did not acknowledge that there has been a new train station opened in his electorate at Sherwood Park. He also did not put on the record his contribution to selling off the Warrnambool train line to a private operator and the problems that created. He certainly did not put on the record his support, when he was in cabinet, for closing down the Mildura, Ararat and Bairnsdale lines. That is their record — no promises and no policies, but a history of closing down and dismantling public transport in this state. That should be acknowledged in this place.

On the other hand, and in stark contrast, this government has put its shoulder to the wheel and gone about the task of rebuilding our public transport system. We have made the franchises financially sustainable. How quickly the Liberals forget the contracts they entered into that almost closed public transport in this state. The Bracks government has had to make them sustainable. We have built new rolling stock, and we have dramatically increased bus services, including the introduction of the cross-town SmartBus service. As part of the fast rail project we have rebuilt decaying rural services in many provincial cities. We have built new stations, and that includes the magnificent job of rebuilding the Southern Cross station into a world-first,

world-class railway station — and the list goes on and on.

As a result of this investment, public transport patronage has risen — and risen dramatically. But the truth is that unless we are to give up on that increased patronage we have to improve the basic infrastructure of public transport in this state. We need better communications and more lines, and we need to get rid of the bottlenecks. We also need better signalling. We need to rebuild major public transport junctions like North Melbourne, and we need to make our stations user friendly for elderly and disabled people. We have to have generally coordinated bus services, and that is a huge task.

Well over a year ago I held a forum in my electorate at which we looked at issues concerning train services on the Hurstbridge line and bus services. People identified what they thought were the major capacity issues for Eltham. What did people want on the Hurstbridge line? They wanted more peak-hour services and more reliable services. To fix that up it became clear that there were two major issues: firstly, the notorious Clifton Hill to Westgarth section of track; and secondly, signalling and other problems with trains entering and exiting the loop during peak hour. They are the two most significant problems that result in delays in and restrictions to services on the Hurstbridge line. I am absolutely delighted to see in this statement that the government is addressing both those major problems. Whilst they are not in my electorate — they are on the inner part of the lines — they will have far-reaching rewards for people using public transport on the Hurstbridge line.

In addition, the 2007 timetable will provide for dramatically improved bus services. Late-night weekday services will be extended to 1.00 a.m. and to 1.30 a.m. on Friday and Saturday nights. That is fantastic news for an electorate like Eltham, which has a large number of young people who go into the city every weekend to enjoy themselves.

Of course we also have the fantastic new SmartBus system. Two services will come through my electorate: the yellow orbital service, which will connect Frankston and Ringwood to Melbourne Airport and travel through Blackburn, Greensborough, South Morang, Epping and Roxburgh Park; and the green SmartBus, which will go through Werribee and Broadmeadows, then to Greensborough and Eltham and up to Glen Waverley, Springvale and Chelsea. These will be fantastic for many people in my electorate. Along with the initiatives in other parts of

the transport statement they will greatly enhance public transport use.

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

**Mr DIXON** (Nepean) — As the shadow minister for education it behoves me to point out the spelling mistake in the circulated copy of this matter of public importance. When I went to school the word 'our' was spelled 'o-u-r', not 'o-u-t' — but I digress! I will now move on to the substance of the matter. There is little that is more important in my electorate of Nepean than public transport and transport in general. I have two major issues to do with roads and the provision of public transport.

In my electorate public transport means the route 788 bus that runs from Frankston down to Portsea. There are a number of problems with that bus route. In fact when the Minister for Transport was the shadow minister he talked quite eloquently and at length in this place about the outrageous cost of bus travel past Frankston and on to the Mornington Peninsula, saying how unfair it was that the Mornington Peninsula was not part of the Met. Now, seven years later, he is the Minister for Transport, the Mornington Peninsula is not part of the Met and the cost of public transport is still outrageous. As I said, this was a huge issue for the minister when he was shadow minister seven years ago. He has had seven years in power to do something about it, but absolutely nothing has been done.

**Mr Kotsiras** interjected.

**Mr DIXON** — As the member for Bulleen points out, perhaps that is due to the fact that he now has a driver and does not have to worry about these sorts of things.

The cost of going past Frankston or of going to Melbourne from the Mornington Peninsula is about \$24 return. That is a massive sum for somebody on a limited income. The bus service is not frequent. To give credit to the government, about 18 months or two years ago the frequency was increased slightly, but there is a long way to go, especially with after-hours and weekend bus services. People need buses just as much on weekends and after hours as they do during the week and during normal daylight hours.

A bit of work on this has been done by the local shire. It is actually quicker and cheaper to get to Melbourne from Ballarat, Bendigo, Traralgon and Geelong than from Rosebud. That is incredible. The distances travelled are quite different. The population on the Mornington Peninsula is just the same or very similar to

the population in those regional centres, yet it costs more and takes longer to get to Melbourne than to any of those centres.

The age and sociodemographic profiles of the Mornington Peninsula indicate that it is a very poor region with an elderly population. People do not have much access to cars, and a lot of people, especially the elderly, do not drive. Many widows live on the peninsula and do not drive, so they cannot access all the things that are available past Frankston. Many people need to travel further than Frankston for training, to shop, to attend medical appointments and for work. All these things can involve travelling further than Frankston. The geography of the peninsula means there is only one route that can be travelled, and that is via Frankston, and the cost of doing that regularly is absolutely prohibitive for anybody who is under 60 years of age. As I said, there are limited opportunities for people to buy and run cars, and the cost of petrol means that public transport is becoming more vital for the people of my electorate — but they do not have the services they have been promised and deserve.

I turn to the issue of roads. Point Nepean Road runs the length of my electorate. Most people arrive on the Mornington Peninsula via the Mornington Peninsula Freeway from Frankston, taking the Moorooduc Road and then the freeway, which actually runs out at Rosebud. After that most of the cars filter onto Point Nepean Road. Two years ago in summer the traffic count on Point Nepean Road at Rye shopping centre was 34 000 cars in one day. The count has changed since then, as has the number of days on which there is heavy traffic as the area becomes more popular as a tourist and holiday destination and as growing numbers of people live down there.

Thirty-four thousand cars a day is the threshold for VicRoads to look seriously at widening an arterial road, but here we have an undivided four-lane road — in some places it is two lanes — that is carrying 30 000 cars a day. Obviously on busy days traffic on the road does not flow; it just stops and drivers sit there. I have seen emergency vehicles having to travel on the wrong side of the road just to get from one place to another. The ambulance station in Rosebud is on Point Nepean Road, and often the ambulances cannot even get out. When they finally get to their destination and have to bring somebody back to Rosebud Hospital, they find they cannot even get in because the traffic is gridlocked. Ambulance, fire brigade, police and State Emergency Service vehicles have to travel on the wrong side of the road — sometimes they even have to go on footpaths and nature strips — just so the services

can operate. That is just not good enough in this day and age. In fact it is a public danger.

There are safety issues as well. With the amount of traffic travelling up and down Point Nepean Road it is almost impossible to cross from one side to the other. Those who are familiar with the geography of the area will know that the beach is on one side, so obviously people will want to cross the road to get there, but it is almost impossible to cross. At the moment VicRoads is installing one traffic island or pedestrian refuge a year, which is just not good enough when you have a stretch of 20 or 30 kilometres. Thousands of people want to cross the road and go over to the beach, but there are limited opportunities to do that. There are no breaks in the traffic, and it is destroying the amenity and safety of the area.

There is a solution, because there is a reserve along the Mornington Peninsula Freeway past Rosebud, most of which is owned by the government. We need to look at the options and find out the best way of relieving this traffic congestion. Should it be by building an extension to the freeway, should we run an arterial road down the existing reserve or should we sell that land and use the money to upgrade the existing arterial road, Browns Road? It needs widening and better intersections, but that could be an option.

What I am asking the government, and I have absolutely no commitment from the government for this, is that it do that feasibility study and environment effects statement, to look at the economic and environmental costs of the best option for extending the Mornington Peninsula Freeway and relieving traffic congestion on Point Nepean Road. There is no mention of that in this traffic plan or in the budget or anywhere else.

After lobbying by the local community and me, VicRoads did a traffic count on the Mornington Peninsula Freeway and found that its traffic numbers are huge and the noise is significant for the increasing number of people living alongside the freeway. There are no sound barriers; VicRoads has said it should have sound barriers but there is no sign of them. We have been let down on that too.

I briefly mention the EastLink tollway. Even though it does not run into my electorate many people will use it to go into the eastern suburbs or as a roundabout way to go to Melbourne or the north-east of Melbourne. The Frankston bypass is essential. At the moment the Mornington Peninsula Freeway feeds into Frankston. During peak periods and busy days, traffic banks up for many kilometres because of the traffic lights at

Frankston. The freeway goes through the back of Frankston where there are bulky goods stores, shops and what have you, railway crossings and the university, so traffic banks up. We will have a six-lane freeway also feeding into the Mornington Peninsula Freeway just north of Frankston, so all that traffic will bank up not only from the Mornington Peninsula Freeway but also EastLink. There is a reserve set aside for a bypass at Frankston which has been there for years. It comes out at Baxter and completely bypasses that area. It is a forward-thinking project but again the government will not even look at this. I note the member for Frankston has not even mentioned it, yet it is an important issue in Frankston and it seriously affects my electorate as well.

I am really disappointed the government has not spent any money in seven years on public transport or major road projects on the Mornington Peninsula. This transport study that the government has done is an absolute farce as far as the people of the Mornington Peninsula are concerned.

**Mr HUDSON** (Bentleigh) — It is a great pleasure to rise in support of the matter of public importance raised by the member for Brunswick. It is rare in this place to talk about a \$10.5 billion package, which is what the government has announced. That is what we will be spending on transport over the next 10 years, but if you listen to opposition members you would be lead to believe that nothing is being done. The fact is that a huge amount of money will be spent on transport. It is a magnificent package, yet all we hear from the opposition is whingeing, whining and carping about what is not there or what they think should be done. It is a great package. There are many aspects of the package that my parliamentary colleagues have outlined, and I want to focus just on one particular aspect of the package — those initiatives that will make the rail system safer.

There are 2274 official road and rail level crossings and 722 pedestrian crossings in Victoria, and 796 of the level crossings and 315 of the pedestrian crossings have active warning devices. If you listened to the member for Polwarth you would get the impression that these crossings did not appear on the Victorian landscape until 1999. The fact is these crossings have been a constant feature of the Victorian landscape for decades. They existed through the Bolte, Hamer and Thompson eras and have been a feature throughout the Cain and Kennett governments. They are not crossings that sprouted up magically under the Bracks government. It is totally irresponsible that the member for Polwarth is running around acting as if somehow the Victorian community has been exposed to some new danger that

did not exist in the past, because that is not true. The fact is those crossings have been there for a long time. What is new is the commitment to do something about them.

If you go back and look at the record of the Liberal and National parties in government and look at the number of crossings they upgraded in the 1990s, you see that there were very few of them. The Liberal Party public transport policy that was released at the last election sets out its commitment for upgrading level crossings. At the last state election the Liberal Party committed to upgrading just one crossing in the state of Victoria! By contrast the Bracks government is making rail crossings safer. In this package we have set aside \$208 million to upgrade level crossings and construct grade separations, which is a major commitment.

We have heard a lot today from the opposition attacking the regional fast rail project. The fact is that the project has delivered the biggest boost ever to level crossing safety in the state. Before that project there were 36 level and pedestrian crossings on the Bendigo line that had no bells or flashing lights or boom gates. After the regional fast rail work had been done that was reduced to just one level crossing. That is a great result. On the Latrobe Valley line the number of level crossings has been reduced from 21 to 4. The Geelong line has seen a complete elimination of passive level and pedestrian crossings, and in the Ballarat corridor 32 passive level and pedestrian crossings have been upgraded.

When the opposition comes in here and attacks the cost of the regional fast rail project, it is also attacking the efforts of this government to eliminate or upgrade those rail crossings and make them safer. It is unbelievable. It is unbelievable that the opposition comes in here and attacks the cost of the project that is eliminating level crossings, and then it complains that not enough money is being spent to eliminate them. This is just cheap opportunistic politics from the opposition. It is an easy job in opposition, is it not? Opposition members come in here and say, 'You are spending too much but you are not doing enough'. It is an easy job in opposition. Those opposite obviously like it and they should stay there and keep doing it.

The electorate will not be fooled by that. It will not be fooled by that kind of cheap opportunistic politics. It knows that the Bracks government is committed to upgrading our rail network and our level crossings, something the opposition never did. The additional funding committed in the *Meeting Our Transport Challenges* statement will provide for over 100 crossings to be upgraded over the next 10 years.

That is a 67 per cent increase in the number of crossings being upgraded over the next 10 years. That will bring the total number of crossings to be upgraded in the next decade to 240 crossings.

We should also note that upgrading crossings does not necessarily and consequentially lead to an increase in transport safety. A report by the Australian Transport Safety Bureau into 87 level crossing accidents over a decade found that 51 per cent of fatal crashes occurred at crossings with boom gates or some other form of active control. We need to be concerned about how we go about changing the behaviour of drivers and changing the behaviour of pedestrians at these crossings, as well as upgrading the crossings themselves. That is why the government has allocated funding to continue the Don't Risk It education program launched last year to warn people of the dangers of level crossings and to encourage them to follow the road rules at these crossings. This is an incredibly important issue because we have had a number of fatalities at the Bentleigh railway crossing. Recently, in looking into the most recent fatality we decided to do some research on what people were actually doing at these crossings.

At the Bentleigh crossing, with boom gates, bells, lights, fencing and pedestrian gates which shut, in the morning and afternoon peak there are 30 non-compliant crossings every day — in other words, we have pedestrians who are pushing through the emergency gates or are deciding they will just go around the gates onto the track and play chicken with the trains. That is obviously a recipe for disaster.

I strongly support this campaign to get people to understand that they need to be really careful at these crossings, just as they need to be careful at any other set of stop lights on the road. What we are doing in the schools in Bentleigh is conducting a major education campaign with students to convey to them that it is critical that they obey the signals at the boom gates.

On top of that we are putting in one-way emergency gates — this is one of the first crossings in Victoria to have such an upgrade — so that people in wheelchairs or others will be able to get off the crossing. They will be able to get back through the gates, but people will not be able to push through the emergency gates the other way. We are also installing a red-man flashing and second-train-coming sign to alert pedestrians to the fact that in the morning and afternoon peaks you will get stopping-all-station trains and express trains. It is absolutely foolhardy to take the risk of thinking the first train has gone and you can therefore take the

opportunity to slip across the railway line in advance of the express train.

But we are not just upgrading crossings. We are also upgrading the metropolitan control centre, at a cost of \$80 million. It coordinates thousands of train movements throughout the system every day. The operators of the system do a fantastic job, but the technology is worn out and it is hard to get parts for the system. We will upgrade it. That will improve not only the safety but also the capacity of the rail system in the future. I commend the statement to the house.

**Business interrupted pursuant to standing orders.**

## STATEMENTS ON REPORTS

### Public Accounts and Estimates Committee: budget estimates 2005–06

**Ms ASHER** (Brighton) — I wish to make some comments on the Public Accounts and Estimates Committee's report on the 2005–06 budget estimates and again wish to commend the attitude of this committee, in particular the Labor majority members on the committee.

I turn to look at the issue of the staffing of Major Projects Victoria (MPV). As can be seen at page 326 of the report, the minister was clearly asked to explain why Major Projects Victoria's staff numbers have increased from 18 in 2001 to 285, which is obviously a significant increase in the number of staff and a significant downturn in performance. The minister gave two explanations as to why the number of these bureaucrats had been increased. The first reason he claimed, as mentioned at page 327, was the establishment of a transport project development group within Major Projects Victoria. The second reason he claimed was, and this is a direct quotation from his presentation:

... a general rigour in getting things right at the start so we can have a greater degree of confidence as we go through a project that we will actually deliver within the budget parameters we set and deliver on time.

What an extraordinary statement that is from the Minister for Major Projects, in whose portfolio every single project is either late or over budget or both! It is clearly a nonsensical statement, because in answer to a question on notice previously he has advised me that the reason for the staffing increase was the fact that MPV handled project development and feasibility. That is also a nonsense, because if you look at the budget papers of previous years you find that was always the

case for Major Projects Victoria. The minister spouts nonsense both in Parliament in answers to questions and indeed to the Public Accounts and Estimates Committee. I hope he will do better and that the committee will pick him up on this when he next presents before the committee, which will be in a short space of time.

The second issue I want to raise today is completion dates. As can be seen at page 327 of its report, the committee asked what action the minister was taking to ensure that completion dates were as realistic as possible. The minister advised there is:

... a strong focus on programming and planning to ensure estimates of completion dates are as realistic as possible.

What a nonsense that is! I do not know if the committee wants to take the micky out of the minister, but it then goes on to speak about regional fast rail and Spencer Street station. I would have thought a Labor-dominated committee might have had slightly more discretion than to raise the issue of completion dates and then move on to examine those two projects. But let me be guided by the committee.

Let us have a look at what the committee had to say about regional fast rail. It looked at the budget increase, up to \$750 million — and we will see where this project ends up — and then asked at page 328 about what it referred to as a ‘budget extension’, and I assume that has come from the minister’s language. For the benefit of the house, that is a new word for a blow-out. A blow-out is now called, according to this government, a ‘budget extension’. As I have previously advised the house, the minister also has new words for late — they are ‘rescoping’ and ‘rephasing’. Members should add these to their lexicons. The Minister for Major Projects now refers to a budget extension; in common parlance it is a blow-out. Let us have a look at what he had to say about this. I refer to page 329 of the committee’s report:

At the estimates hearing, the minister advised that the total \$750 million budget estimate contained contingencies to cater for variations that occur from time to time. The minister claimed that the setting aside of moneys within the budget to cater for things that are unforeseen was standard practice with any capital project.

What a bad example to choose! This project started off at \$80 million. It is now \$750 million according to what the government is saying, and the minister claims there is a contingency in this and that this is normal. The only problem for the minister is that he regularly tells the press that these projects always blow out — sorry, these projects always have a budget extension, which appears to be his new language. I find it interesting that he has

again advised the committee of something different from what he has advised the press and the general public.

Again I just make the observation that this committee has been very forthright in its criticisms of this minister, and I encourage it to continue that job.

### **Law Reform Committee: warrant powers and procedures**

**Mr HUDSON** (Bentleigh) — Today I would like to talk about the report of the parliamentary Law Reform Committee on warrant powers and procedures. It is a committee that I chair. It produced a major report of over 550 pages containing 147 recommendations. I particularly want to focus on search warrants, because they permit acts that would otherwise be illegal, such as entering a place, using force if necessary and seizing certain things or objects that are found there.

The reason we have warrants is that they provide the community with a practical safeguard against the abuse of power by the state. They support the basic principle that I think all members of the house would support, which is that citizens should not be interfered with in their home without proper authorisation. For every person, if you like, their house is their castle. As citizens we have rights that should not be abrogated or interfered with by the state except where it is in the public interest to do so, and in those instances we issue search warrants.

Over 80 Victorian acts authorise the issuing of search warrants. In 2003–04, 12 434 search warrants were issued in the state. Most of them were issued under the Crimes Act and the Drugs, Poisons and Controlled Substances Act. One of the major recommendations of the report was the consolidation of these search warrant powers and procedures into a single search warrants act, because what the committee found was that the current powers, spread out as they are across those 80 acts of Parliament and exercised by different officers and authorised under different powers, were being exercised in a way which was fragmented and riddled with inconsistencies. The committee was particularly concerned that there should be a single system for issuing search warrants that promotes consistency and fairness across the Victorian acts authorising the use of these warrant powers.

In the course of its investigations the committee had the opportunity to have a look at the New South Wales Search Warrants Act of 1985, which, whilst it did not replace the wide range of acts in New South Wales which authorise search warrants, requires police

officers and inspectors to follow the procedures set out in the act and to meet certain standards in the execution of those warrants. The committee has recommended to the Bracks government that Victoria consolidate search warrant powers and procedures into a single act modelled on the New South Wales Search Warrants Act of 1985. I am pleased that the government has accepted that recommendation.

As I said, there were a wide range of other recommendations. I do not have the time to cover them all, but I want to touch on a couple of other recommendations of the committee. First of all, the committee recommended that legislation should be enacted to allow the seizure of material not included in a warrant if it is likely to constitute evidential material. That was recommendation 61. We made that recommendation because we believed it was clearly in the interests of law enforcement for police officers to be able to seize material — for example, if they are searching premises and they have a warrant to search for particular objects or things and they come across other evidence relevant to the search, which is obviously evidential material, they should be able to seize it. Currently some statutes permit this, but essentially the police rely on the common-law power. This recommendation proposes to codify the common law and improve the consistency of the various Victorian statutes that grant this power.

If you look at other jurisdictions, such as the commonwealth or New South Wales and Queensland, which essentially have these provisions, you see that they acknowledge the impropriety and establish why the conduct should nevertheless be overlooked. Our approach will offer much greater accountability in respect of the conduct of law enforcement officials than the current approach, because it will make it absolutely clear what the powers are — what they are able to seize and what they are not able to seize. Importantly, this recommendation will also promote consistency with other jurisdictions that use the uniform Evidence Act which grants such powers, such as the commonwealth legislation, New South Wales, Tasmania, the Australian Capital Territory and other states which are considering it, such as Queensland and Western Australia. I commend the report to the house.

### **Family and Community Development Committee: regulation of funeral industry**

**Mrs POWELL** (Shepparton) — I would like to make some comments on the Family and Community Development Committee's report on its inquiry into the regulation of the funeral industry, which was tabled on 17 November 2005. I will also comment on the

government's response which was tabled earlier this month.

I am a member of the Family and Community Development Committee. We were asked to consider the quantity and severity of complaints, the community perceptions of ethical standards, the public and environmental concerns, occupational employee health and safety issues, as well as the consumer protection and fair trading issues. During our inquiry we visited a number of funeral parlours across Victoria. We also had public meetings with funeral directors in Melbourne and in regional Victoria, including a public meeting in Shepparton which was very well attended. Through our consultations with the industry, we found that many funeral directors were very professional and adhered to all the standards they were meant to adhere to, understood the sensitivities of dealing with people at their most vulnerable and did not need more regulation or red tape. Particularly in country Victoria we found that many of the smaller funeral directors were very concerned that this inquiry would mean more regulations which would put them out of business or increase the costs of a funeral; we agreed with that.

The Labor members of the committee suggested that there were some complaints about the industry. They said that the complaints received did not provide a valid indication of the problems existing within the industry. They also said that there was nowhere to go with a complaint. I indicated a number of times to the committee that Consumer Affairs Victoria is the appropriate department. The government's response supported that response by the non-government members. It says — and I will read from it:

The Victorian government has complaints procedures in place to address consumer and employee concerns with the funeral industry.

Consumer Affairs Victoria provides an inquiries service to consumers and traders to provide information on fair trading issues, and help consumers and traders avoid disputes. Consumer Affairs Victoria also provides general conciliation services for consumer complaints that operate when trader and industry complaint handling mechanisms are unable to resolve a dispute.

The Victorian government will use the consumer booklet to promote existing government complaints services available to consumers dealing with the funeral industry.

We also heard from Consumer Affairs Victoria that from the year 2000 to 2004 there were only 53 complaints received about the funeral industry. Most of those were dealt with and solved effectively through conciliation, so it shows that there was no need for an extra level of bureaucracy.

One of the other areas that the Labor government criticised was the issue of self-regulation in the funeral industry. We heard from members of the funeral industry that they believed very strongly in a voluntary code of good conduct and a voluntary code of practice. The government believes that a voluntary industry code of practice allows more flexibility and is a means of addressing issues while improving the performance of the industry. Again, the non-government members were vindicated in their decision to try not to regulate the funeral industry.

We had a number of areas of concern about putting more regulation on the industry, so much so that the non-Labor members put forward a minority report. In the minority report we said:

However, we do not believe the case was made for the further regulation of the funeral industry and we believe that increased regulation will lead to increased costs, which will ultimately be borne by families.

We also believe that such regulation will disadvantage small funeral director operators, particularly in rural and regional areas. In our view this may well lead to business closures and funeral services not being readily available in country areas as a consequence.

Liberal and National party members also strongly reject the establishment of a funeral industry council ... which would impose the licensing of funeral directors and an authorised code of practice.

We believe that that body would result in some strong costs to the industry. The government in its response said that it does not support licensing, but it will introduce registration. The government's response also says that it does not support the establishment of the funeral industry council, so again non-government members have been vindicated in putting forward that minority report.

The government noted that a funeral industry council has been operating in New South Wales since 1992 and that it has not been working effectively. The government will establish an advisory body with the industry and community representatives to provide advice to the relevant minister. I think this is a good outcome. While we supported many of the recommendations, we certainly did need to put in a minority report.

### **Education and Training Committee: promotion of mathematics and science education**

**Ms ECKSTEIN** (Ferntree Gully) — I would like to speak briefly today on the Education and Training Committee's report into the promotion of mathematics and science education. Firstly, I would like to thank the

committee's staff — executive officer Karen Ellingford, and in particular research officer Andrew Butler — for their hard work on this inquiry and in putting together this excellent report. I am also pleased that the committee's report received the support of members from all parties on the committee.

The committee undertook an extensive review of mathematics and science education in Victoria as well as taking evidence interstate. The inquiry revealed a wide range in the nature and quality of maths and science education in our schools. There is also considerable variability in teacher quality, participation and achievement for different groups of students, and the availability of science equipment and facilities such as laboratories. I might also say that this was not unique to Victoria. We found that there was considerable variation in these areas in other Australian jurisdictions.

Mathematics and science education are important key skills for the 21st century and for students who are going to be living, growing up and working in the 21st century. Our world is increasingly dominated by advances in science and technology. Consequently, our young people need to be empowered to understand and to participate effectively in such a world. Mathematics and science literacy in our students that matches the best in the world is an important target to strive for by 2020. This is also an important part of advancing Victoria's economic, social, cultural and environmental goals.

Engaging students in mathematics and science learning is absolutely crucial to improving their skills in these areas. Maths and science education must deal with contemporary issues and developments in the new sciences, as well as being relevant to students daily lives.

The committee saw many innovative, engaging and exemplary practices and facilities where students and teachers can interact with cutting edge science and/or access state-of-the-art facilities. There is a range of centres of excellence such as the Gene Technology Access Centre as well as cutting-edge science facilities such as the Australian Synchrotron, which play an important part in lifting the knowledge and skills of teachers as well as familiarising and engaging students in the sciences.

The committee's extensive list of recommendations seeks to improve maths and science education in Victoria. For primary teachers, professional development focusing on enhancing knowledge, confidence and skills in teaching science is particularly important. For secondary teachers, the opportunity to

keep up to date with new developments and the practical uses of the new sciences will be the key focus of professional development. Maintaining student engagement will be paramount throughout.

Consequently science education needs to feature prominently in our schools, and our students need to access quality facilities where they can engage in practical and hands-on experiences and experiments. Fostering and developing the skills of scientific inquiry, experimentation and problem solving are fundamental to the future of our students and our state. Our children are our future, and consequently we need to provide them with an education in maths and science that is of the highest standard and the best quality we can make it. This is an important report for the future of maths and science teaching in our schools and therefore for the quality of education in Victoria. I commend the report to the house.

**Drugs and Crime Prevention Committee:  
strategies to reduce harmful alcohol  
consumption**

**Mr WELLS** (Scoresby) — I would like to speak on the report of the inquiry into strategies to reduce harmful alcohol consumption. In speaking on this report about four weeks ago I raised the recommendation that the supply of alcohol in a private residence to a person under the age of 18 should be done only with the written authorisation of that person's parent, guardian or spouse — that being a person over the age of 18, of course. That is an important point. If I, for example, am having a party for my elder son, who is 17, and he invites 20 of his mates, then what right do I have to serve alcohol to his friends if they are all under the age of 18? Under the current law if I am serving that alcohol in my own home, then there are no restrictions whatsoever. The committee recommendation makes it very clear that you should have written authorisation from the parents of a person under the age of 18 before you serve that person alcohol. That is the law in New South Wales.

After I spoke on this report Mr Bruce Clarke contacted me about what had happened to his family. His 15-year-old son died in 1999 as a result of the excessive consumption of alcohol supplied at a private party. Apart from the death of Mr Clarke's son, the sad part is that charges were not laid against the woman who supplied the alcohol, because the 15-year-old boy had received the alcohol in a private residence. This is an incredibly sad case. *Stateline* ran a story on what had happened. Mr Clarke is determined to continue campaigning to ensure that the state laws are changed. I

strongly support his push. Mr Clarke also gave evidence to the Drugs And Crime Committee.

As a parent of teenage boys I think it is well worth the government's considering this recommendation. Many people have said to me that there will always be a situation where people take their own alcohol to parties. I understand that, and I understand that people will consume that alcohol, but if the party is strictly controlled and only the parents of the person giving the party supply the alcohol — and then only to young people who have provided a written authorisation — that would be a very positive step.

The other recommendation I would like to raise is no. 34, on protocols that define the responsibility of Victoria Police and local government in relation to planning permits and liquor licences. In situations where there are a number of nightclubs and pubs — for example, in Geelong — we want to bring in an accord. If 9 out of 10 hoteliers, pub owners or club owners agree to sign up to an accord but someone else comes in and buys a hotel and refuses to sign up, then it all falls over. However, the accord could include such things as what time you should implement a lockout, what time you would stay open until and what time you should close, as well as a whole heap of good ideas about running hotels and clubs.

Around the Geelong area the amount of vandalism, antisocial behaviour and graffiti that comes as a result of the late closing of some nightclubs is getting out of hand. The business community is fed up with it and the local police are fed up with it. I think it is time we started moving towards mandatory protocols or mandatory instructions for some of these nightclub owners. In other words, allow it to be voluntary in the first instance, but if 90 per cent agree to it and the other 10 per cent do not, then it is time for the police to step in to make sure that we can get rid of antisocial behaviour.

**Road Safety Committee: country road toll**

**Mr TREZISE** (Geelong) — I take this opportunity to further discuss the Road Safety Committee's report on and recommendations relating to the country road toll. I would firstly like to note that at the present time deaths on Victorian roads are 24 down on last year — that is, a decrease of 15 per cent. If this trend continues for the rest of this year, and hopefully it will, Victorians will have another record low road toll despite there being a record number of cars on our roads.

One death on our roads is one too many. The Bracks government, through its Arrive Alive strategy,

continues to work hard on its goal of reducing the number of deaths and injuries on our roads by 20 per cent.

A major issue identified by the Road Safety Committee as contributing to deaths on country roads is fatigue. Fatigue-related crashes are most likely to occur when a driver lacks quality sleep or is driving when he or she would normally be sleeping. It was estimated by academics in the area that a driver who has been awake for 17 hours has a performance impairment while driving equivalent to a blood alcohol content of 0.05 per cent. In 2004 VicRoads estimated that 8 per cent of fatality crashes on Victorian country roads were directly related to fatigue. Victoria Police told the Road Safety Committee that fatigue-related crashes are more common on country roads than urban roads, with longer trips involving constant speed and monotony leading to drowsiness and inattention.

In its report the committee made seven important recommendations related to fatigue. All are aimed at reducing the hazard of fatigue while driving on our country roads. One important and practical recommendation of the committee was:

That VicRoads ensure that the number of rest areas on our rural roads and in built-up country areas be increased. These facilities must be adequately signed and have a reasonable level of security to ensure that drivers can safely make use of them to sleep when fatigued.

In its response the state government supported the recommendations, and it has requested in relation to that particular recommendation that VicRoads consult with road user groups to develop proposals for additional rest areas on country roads where there is an identified need.

Fatigue is a killer on our roads. We are all well and truly aware of that, especially on the country network. I commend the Victorian state government, Victoria Police, VicRoads and other stakeholders within the road safety fraternity for recognising that and taking effective steps to reduce fatigue-related deaths on our roads.

## **GAMBLING REGULATION (FURTHER MISCELLANEOUS AMENDMENTS) BILL**

*Second reading*

**Mr PANDAZOPOULOS** (Minister for Gaming) — I move:

That this bill be now read a second time.

Gambling regulation is by its very nature complex. It must evolve to respond to the new and emerging technological and technical challenges that constantly arise in such a multifaceted industry.

The Gambling Regulation (Further Miscellaneous Amendments) Bill 2006 reflects the government's ongoing commitment to deliver reforms that will enhance the regulation of the gambling industry, without compromising on rigorous probity measures.

The bill forms a critical plank in the government's policy platform of introducing a new regulatory framework for public lotteries licences.

The bill also simplifies the confidentiality regime contained in the Gambling Regulation Act 2003 and clarifies that the regime is intended to cover information held by the minister and the commission, and people acting on their behalf.

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

### **Facilitating a new public lotteries licensing regulatory landscape**

In November last year, I announced that the public lotteries licence process has entered its final phase, with a short list of registrants invited to formally apply for up to two public lotteries licences. The government anticipates it will be in a position to announce the final outcome of the current public lotteries licensing process in the near future.

The current licence held by Tattersall's expires on 30 June 2007 and the government has indicated short-listed registrants have been invited to apply for a single exclusive licence from July 2007 or for one of two licences covering specified segments of the lottery market in Victoria.

As a result of the public lotteries licence review which commenced in the second half of 2004, amendments were made to the Gambling Regulation Act last year. Arising from and consistent with the public lotteries licensing process, this bill introduces further enhancements to the future regulatory framework for public lotteries.

In particular, the bill will:

ensure that a public lottery licensee is responsible for all aspects of the conduct of a lottery, including those aspects that are conducted by another person on its behalf;

empower the minister to require a public lottery licensee to enter into an ancillary agreement as part of the licensing process;

enable the minister to appoint a temporary licensee to ensure continuity of the delivery of lotteries in the unlikely event that a licence is suspended or cancelled as a result of disciplinary action;

provide for more flexibility in terms of amending licences, to ensure that they can be 'living documents' that keep pace with the rapidly changing systems and products available in this field of gambling;

introduce a range of additional regulatory measures that will, amongst other things, safeguard against the sale of lottery tickets to minors and ensure rules can be made for certain lotteries such as footy tipping;

reinforce this government's commitment to openness and transparency by providing that any public lotteries licence and its ancillary agreement will be public documents; and

provide for transitional arrangements for any new licence recipients to ensure that such licences will be fully effective on 1 July 2007.

I am confident that the future licensing arrangements post-June 2007 and the package of legislative proposals contained in this bill and previous statutes provide the basis for a continued robust lotteries sector in Victoria.

### **Simplifying existing confidentiality safeguards**

The Gambling Regulation Act currently contains a complex confidentiality regime which protects 'protected information', that is, information with respect to the affairs of any person, or information with respect to the establishment or development of a casino.

Over time, the regime has been interpreted in a multitude of ways and has given rise to considerable debate about how some of these provisions should be applied.

The proposed amendments contained in this bill are intended to simplify, and clarify:

- what information is subject to the regime,
- who the regime applies to, and
- how information can be released.

One of the most notable of these amendments is the proposal to restrict the application of the confidentiality

provisions to the minister and the Victorian Commission for Gambling Regulation and those acting on their behalf.

In effect, this proposal ensures that the regime does not apply to information generated and held by the casino operator, Crown Ltd or to any other gaming venue operator. Rather, the casino operator and gaming venue operators will be in the same position as any other private corporation governed by the regulatory framework.

Furthermore, the bill contains amendments that will further safeguard against breaches of the general prohibition against disclosure of such information. For instance, there is an amendment that will prohibit a person who has lawfully obtained information from disclosing that information to a third party except in specific circumstances.

Finally, there are also a number of amendments that ensure that this confidentiality regime operates in a less cumbersome way. The bill provides the commission with the discretion to release protected information to enforcement agencies and other regulators where it considers such a release appropriate. These measures strike a balance between preserving the confidentiality of the information, and facilitating an exchange of information that is unfettered by administrative processes, for the purposes of ongoing regulation and law enforcement.

In short, the proposed amendments will simplify the application of the confidentiality provisions as a whole and, in particular, the circumstances and manner in which confidential information can be released.

I commend the bill to the house.

**Debate adjourned on motion of Mr KOTSIRAS (Bulleen).**

**Debate adjourned until Wednesday, 14 June.**

## **LAND (FURTHER MISCELLANEOUS) BILL**

*Second reading*

**Mr HULLS** (Minister for Planning) — I move:

That this bill be now read a second time.

The purpose of this bill is to change the land status of three Crown land reserves located in Belmont, Moreland South and Bendigo. These changes are

required to facilitate the construction of improved road and recreational facilities.

### **South Barwon Recreation Reserve, Belmont**

The bill will revoke part of a permanent Crown land reservation in Belmont that applies to the South Barwon Recreation Reserve.

The revocation is required to enable the construction of roadworks in Breakwater Road, Belmont. The roadworks are part of a \$6.4 million project to upgrade Breakwater Road. Breakwater Road forms a major east-west connection across the Barwon River. The roadworks will resolve what has been a major impediment to the distribution of commercial and industrial road transport in the Geelong area. In simple terms this proposal allows for a roundabout with an extra lane resulting in a two-lane roundabout. The current single-lane roundabout at the intersection struggles to cope with morning and afternoon peak time traffic.

The road improvements are the outcome of a commitment made in a joint media release by the Minister for Transport and the member for South Barwon, dated 19 July 2005, that \$6.4 million would be allocated in the 2005–06 budget to improve the Barwon Heads Road and the Breakwater Road at Belmont.

The City of Greater Geelong is delegated manager of the reserve and strongly supports this proposal, as does the wider community.

### **McDonald Recreation Reserve, Moreland South**

Similarly the bill will revoke part of a permanent Crown land reservation in Moreland South that applies to the McDonald Recreation Reserve. The bill will also revoke part of a restricted Crown grant, dated 4 May 1888, granted to the president, councillors and ratepayers of the Shire of Coburg.

The partial revocation of the permanent reserve and restricted Crown grant will allow 1018 square metres of the western margins of the land to be proclaimed as a road. This will enable the City of Moreland to widen Drummond Street to facilitate its use as an outlet for the newly constructed Pentridge Boulevard into Bell Street. It will also replace Urquhart Street as the bypass road to Bell Street which will create a more direct and safer bypass road. Drivers will no longer have to use the narrow Urquhart Street which passes a school, council offices and other community facilities to get to Bell Street from Sydney Road.

The Bracks government is pleased to introduce legislation that improves road safety and reduces congestion.

### **Sandhurst Water Supply Reserve, Bendigo**

The bill also facilitates the completion of a major aquatic and passive recreation facility for the people of Bendigo to be known as Crusoe Reservoir and No. 7 Park. This park which is located 10 kilometres from Bendigo will further enhance the city of Bendigo's growing reputation as 'the city in the forest'.

The site of the park includes part of the Sandhurst Water Supply Reserve that is no longer required by Coliban Water for water supply purposes and will become available for recreation that is compatible with the conservation of surrounding bushland and heritage structures. The Crusoe Reservoir and No. 7 Park is proposed to be managed by the City of Greater Bendigo as a committee of management. The city of Bendigo has prepared a draft management plan for the park which has been made available for public comment.

To facilitate this change in land use, the bill revokes part of the permanent reservation that relates to Sandhurst Water Supply Reserve and also revokes the relevant portion of the Crown grant, granted to the Board of Land and Works, dated 4 December 1893.

The City of Greater Bendigo has committed between \$4 and \$5 million to develop the park, while Coliban Water has already spent \$3 million upgrading the Crusoe and No. 7 reservoirs to allow for their decommissioning as water supply facilities. Coliban Water will retain responsibility for water supply structures which are still operational.

The Crusoe Reservoir constructed in 1873 and the No. 7 Reservoir constructed in 1859 form part of the Coliban water supply system which is listed on the heritage register as a historically important engineering system designed to bring water to the city of Bendigo.

The project is eagerly anticipated by the Bendigo community not only as a recreational facility, but also because of the proposed environmental works that will reintroduce endemic flora and fauna. New boardwalks and walking trails are proposed to be constructed throughout the reserve giving visitors an opportunity to view the flora and fauna without impacting on the environment. The project is part of an integrated parkland system throughout the Bendigo area that will be linked by networks of walking and cycle paths.

I commend the bill to the house.

**Debate adjourned on motion of Mr KOTSIRAS (Bulleen).**

**Debate adjourned until Wednesday, 14 June.**

## LONG SERVICE LEAVE (PRESERVATION OF ENTITLEMENTS) BILL

### *Second reading*

**Mr HULLS** (Minister for Industrial Relations) — I move:

That this bill be now read a second time.

Long service leave is a long established employee entitlement not just in Victoria but in all Australian jurisdictions.

Under the federal government's WorkChoices, there is a change to the matters that can be included in awards. The commonwealth has said long service leave is to be preserved as an award entitlement under WorkChoices, but this 'preservation' does not amount to protection. In fact the WorkChoices legislation actually puts long service leave entitlements at risk.

Nurses and other workers mainly in health care have an award long service leave entitlement that is superior to the standard in the Long Service Leave Act. These employees may lose this entitlement if long service leave is removed from the award through the award rationalisation process, or the award ceases to apply following a transmission of business.

This bill proposes to amend the Victorian Long Service Leave Act to protect and maintain award long service leave entitlements that are superior to the act. This in effect protects existing rights and the status quo. The act will prescribe the basic Victorian standard, but will also recognise the longstanding superior standard operating in some industries, notably nursing.

The state act can be overridden by a federal agreement, which is why the bill contains notification provisions. The bill amends the Long Service Leave Act to require employers to advise their employees if any workplace agreement has the effect of modifying or removing their long service leave entitlement as provided for under the Long Service Leave Act.

The federal Workplace Relations Act now denies employees in workplaces with fewer than 100 employees a right to claim unfair dismissal in the Australian Industrial Relations Commission. An employer in such a business will be free to terminate employment in order to deny an employee their long

service leave benefit, and the employee would have no right of redress in the commission. An employer could also demote the employee, or in the case of a casual employee, refuse to roster that employee for work.

The bill deals with the failure of the federal Workplace Relations Act to protect employees from being dismissed in this situation. The bill prohibits an employer from dismissing an employee or otherwise taking action against that employee, merely to avoid obligations under the Long Service Leave Act.

It is, however, difficult for an employee to prove that the sole reason for the dismissal was to avoid legislative obligations. The bill therefore specifies a reverse onus of proof where the employee is on long service leave, has applied to take leave or has otherwise advised the employer of an intent to take leave. This will mean that if an employee establishes the facts constituting the offence, the employer's unlawful intent is presumed, unless the employer proves otherwise.

In situations where the employee has not applied for leave or is not on leave, the employee would still be free to take the matter to court and seek reinstatement, but the reverse onus would not apply.

The industrial division of the Magistrates Court will be given similar powers to those enjoyed by the Supreme and County courts under the Juries Act. The court will be empowered to reinstate an employee in his or her former position or a similar position. If it is impracticable to reinstate the employee, the court may order the employer to pay the employee appropriate compensation.

In addition, a civil penalty of up to \$10 000 may apply.

The amendments to the federal Workplace Relations Act that have necessitated this bill came into operation on 27 March 2006. Workers entitlements to long service leave in this state have been exposed since then. Therefore it is proposed to make certain provisions of this bill operate from 27 March 2006 to ensure that employees accrued entitlements are protected on and from that date.

The provisions relating to the requirement to notify employees and the prohibition against termination in part 3 of the bill will not operate retrospectively but will take effect from 1 October 2006.

### **Summary**

The Long Service Leave (Preservation of Entitlements) Bill will help ensure certainty in respect of the long service leave entitlements of Victorian employees. The

legislation is necessary as a direct result of the uncertainty created by the federal government's WorkChoices legislation. The bill will also provide an employee with a course of action should their employer exploit the federal laws and seek to deny them their entitlement.

I commend the bill to the house.

**Debate adjourned on motion of Mr KOTSIRAS (Bulleen).**

**Debate adjourned until Wednesday, 14 June.**

## HEALTH LEGISLATION (INFERTILITY TREATMENT AND MEDICAL TREATMENT) BILL

*Second reading*

**Ms PIKE** (Minister for Health) — I move:

That this bill be now read a second time.

Victoria has long been recognised for its leadership in the statutory regulation of assisted reproductive technology in Australia for over 22 years, with the introduction of the Infertility (Medical Procedures) Act in 1984. In 1995 this act was replaced with the current Infertility Treatment Act, which was introduced by this Parliament with bipartisan support. This act built on the 1984 legislation and set out guiding principles, which specified that the welfare and interests of a person born of a treatment procedure are paramount. The 1995 amendment also established the Infertility Treatment Authority to regulate and license the providers of assisted reproductive treatments.

The first object of this bill is to amend the Infertility Treatment Act 1995 to enable infertility treatment clinics to be licensed in their own right to perform assisted reproductive technology procedures, rather than restricting licensing to hospitals and day procedure centres. This will improve the operation of the licensing scheme and the provision of these services.

At present section 93 of the act permits the Infertility Treatment Authority to issue a licence only to a public hospital, a denominational hospital, a private hospital or a day procedure centre. There is no capacity to issue a licence for a stand-alone organisation which is a legal entity, such as, for example, Melbourne IVF or Monash IVF. This has meant that these latter agencies have been required to rely on a licence issued to the organisation where they are located — e.g., a hospital — even though they are quite separate entities.

The current licensing arrangements are not ideal for the governance of the licence. It means that the licensee may not be the clinic providing treatment, and hence there is a lack of clarity between the licensee and the clinic over legal responsibilities and obligations.

This amendment expands the category of entities that can apply for and be granted a licence to include proprietors of clinics that provide infertility treatment services and are either based within a hospital or day procedure centre or access the clinical services of a hospital or day procedure centre. This person could vary depending on the business structure of the clinic but currently would most commonly be a body corporate.

There is no change proposed to the provisions regarding the imposition of conditions on a licence, the nature of treatment procedures, the approval of practitioners or the nature of the licensed centres at which treatment can be conducted.

There is widespread support for the alteration of the assisted reproductive technology licensing process from both members of the authority and the industry.

This bill also amends the Medical Treatment Act 1988.

The Medical Treatment Act reflects the strong community and professional consensus that the law should assist individuals, their families, their friends and medical staff to make informed decisions about whether medical treatment should be continued towards the end of a patient's life.

The amendments to the Medical Treatment Act make two minor amendments to the forms contained in schedule 3 of the Medical Treatment Act. Schedule 3 prescribes the form of refusal-of-treatment certificates to be given by agents or guardians of incompetent persons. It is important that these forms provide the appropriate guidance to people who need to sign them.

The first amendment clarifies that only those guardians appointed by the Victorian Civil and Administrative Tribunal with powers to make medical treatment decisions may lawfully refuse medical treatment on behalf of an incompetent person. The current wording of the schedule refers to an order of the Victorian Civil and Administrative Tribunal under the Guardianship and Administration Act, but it does not explicitly refer to the order being a guardianship order that specifically relates to medical treatment.

The second amendment to the schedule relates to a note for registered medical practitioners. The note has been redrafted to clarify that it applies to the registered

medical practitioner who is asked to verify the refusal-of-treatment certificate.

I commend the bill to the house.

**Debate adjourned on motion of Mr KOTSIRAS (Bulleen).**

**Debate adjourned until Wednesday, 14 June.**

**Sitting suspended 1.01 p.m. until 2.02 p.m.**

**Business interrupted pursuant to standing orders.**

## QUESTIONS WITHOUT NOTICE

### Budget: taxes

**Mr BAILLIEU** (Leader of the Opposition) — My question is to the Premier. With Victorians paying \$11.5 billion in state taxes this year, \$11.8 billion next year and \$12 billion the year after that —

**The SPEAKER** — Order! I remind members that they should be quiet and allow people asking questions to ask them without interruption.

**Mr BAILLIEU** — I will happily ask the question again. With Victorians paying \$11.5 billion in state taxes this year, \$11.8 billion next year and \$12 billion the year after that, how can Labor claim Victorians are getting real tax relief? Surely these are just Clayton's tax cuts?

**Mr BRACKS** (Premier) — I thank the opposition leader for his question. On a cursory reading of the budget papers you will see that the economy is due to grow next year by 3.25 per cent, the year after by 3.5 per cent and the year after by 3.25 per cent. I would have thought that if you were calculating to determine such a question you would have worked out that the economy is going to grow and expand as a result of that. More people, a bigger economy, and more people in work mean that more people are contributing to the economy.

So this budget delivers real tax cuts where it matters: in payroll tax, which will now be reduced to the second lowest payroll tax rate in the country; it will deliver the third consecutive cut to WorkCover premiums because we have managed the WorkCover scheme effectively and well; and it will also give another cut to land tax, which will mean that the top land tax rate will come down a year earlier and middle rates will also be reformed. In aggregate, in total, this is \$1.4 billion off the forward estimates. My suggestion is to read the

budget papers that show that the economy is growing — and that needs to be taken into account.

### Budget: trades bonus

**Mr LANGUILLER** (Derrimut) — My question without notice is to the Premier. I refer the Premier to the government's commitment to creating jobs and increasing skills and opportunities and I ask the Premier to detail for the house how initiatives in the government's 2006–07 budget deliver on that commitment.

**Mr BRACKS** (Premier) — I thank the member for Derrimut for his question. The speech made yesterday by the Treasurer in presenting the budget contains details which show that over the last six and a half years we have seen 320 000 new jobs in Victoria, one of the biggest job growth rates that Victoria has ever seen. We have also seen more recently, in 2005, about 18 000 new apprenticeships, which are up from 13 400 apprenticeships when we came to office in 2000.

We have also seen a greater retention in Victoria than other states of apprentices going from year 1 to year 2 to year 3 to year 4. But still, despite that, we have something like a 27 per cent drop-out rate after the first year of an apprenticeship, which is of concern because we need to retain or hold as many of these young skilled people as possible, to fill those trade areas in the future. We know that there is a trade shortage in certain occupations which we need to fill in the future as well.

Therefore I am very pleased that in the budget we have taken action with a new trades bonus to encourage first-year apprentices to stay, to remain, by supplementing their income so that they will have after the first half year a \$250 payment and if they successfully complete year 1 and enrol in year 2 they will have the remaining \$250, which will go to a \$500 bonus. Whilst that is not an enormous amount, it does make a difference on first-year apprenticeship wages. Let us be frank about it: first-year apprenticeship wages are probably amongst the lowest payments for any occupation anywhere in the country. Of course, supplementing that with a bonus is going to support those first-year apprentices and assist in making ends meet so that they are not enticed out to other occupations as well. I think this is well targeted and well presented and will make a difference.

We also have adjusted the overnight allowance for apprentices in regional areas who are staying away from home overnight. Often they need to do that to go to a technical and further education course which is in a

regional centre or a TAFE course in Melbourne. There has been no adjustment to the overnight allowance for some time. We are increasing that considerably from the current rate, which is a paltry \$9 a night — which is very, very small — to something like \$25, which is an almost threefold increase. That will help country apprentices as well to defray the costs of staying overnight when they are undertaking that compulsory part of their training as part of their apprenticeship.

We need to retain as much skill as we can in Victoria. We need to have people in trades areas in which there is a shortage and to encourage young people to go on and finish their trade — in this case, in an apprenticeship. This \$500 trades bonus I believe will support young apprentices in that very critical early time when we know first-year wages are not that attractive, and assist in retaining them so that we can get the benefits of those young people for a long time to come.

### **Portland and District Hospital: emergency department**

**Mr RYAN** (Leader of The Nationals) — My question is to the Premier. I refer to the fact that there will not be any doctors rostered to work at the Portland hospital accident and emergency service tomorrow and next Monday and I ask: why will the government not stop wasting \$80 million a year on self-promotion and start funding programs to encourage more doctors and nurses to work in country hospitals like Portland?

**Mr BRACKS** (Premier) — I thank the Leader of The Nationals for his question. I can inform him that one thing we will not do, which was done seven years ago, is close country hospitals. That is the legacy we were left by the National Party in this state. We will not be doing that. The former government closed country hospitals. We have put something like —

*Honourable members interjecting.*

**Mr BRACKS** — We have put increases in all our hospitals around Victoria, including regional hospitals, in a significant way. I should add that we have also got funding in this particular budget for a new regional college at Deakin which will assist in training some of our medical professionals. We have also over the last six and a half years recruited more doctors in Victoria and recruited more nurses — in fact, 6200 new nurses. We are also, as you, Speaker, know, working with the federal government for the Council of Australian Governments meeting which is coming up very soon to look at more training places and more encouragement for doctors to locate around Victoria in the future as well.

### **Budget: taxes**

**Mr STENSCHOLT** (Burwood) — My question is to the Treasurer — and what a great treasurer he is! I refer the Treasurer to the government's commitment to making Victoria a great place to do business. I ask the Treasurer to detail to the house how initiatives in the government's 2006–07 budget deliver on that commitment.

**Mr BRUMBY** (Treasurer) — I thank the member for Burwood for his well-researched question, and I want to thank the member for Burwood for the great assistance he has provided the government in putting together this budget.

When the Bracks government was elected in 1999 we had a payroll tax rate of 5.75 per cent, we had WorkCover premiums which were uncompetitive and we had a top rate of land tax of 5 per cent. Since we have been in government, to make our state more competitive, to drive investment and jobs, we have been reducing business costs and cutting business taxes. The payroll tax rate came down to 5.25 per cent. Yesterday I announced that that rate will be further reduced by 1 July 2008 to 5 per cent, which will be the second lowest rate in Australia.

I just want to say about the payroll tax rate that, because different states have different thresholds, some thresholds carry through into the tax assessment, some do not. Victoria's carries through. The consequence of the rate cut which I announced yesterday, in conjunction with the carry through of the threshold, means that the one state which has a lower rate than ours is Queensland, with 4.75 per cent. What our tax package means is that Victorian businesses with payrolls between \$1.95 million and \$11 million will now pay less payroll tax than those in Queensland, which has the lowest rate in Australia. That is not a bad effort.

We also accelerated the reduction in the top rate of land tax. We brought the 3.5 per cent rate down to 3 per cent, 2 per cent lower than the 5 per cent we inherited from the former Kennett government. The consequence of that change means that businesses in Victoria with land assets between \$400 000 and \$3.4 million will pay the lowest land tax in Australia.

If you are a small or medium business, Victoria is more competitive than any other state. You then add the three successive reductions in WorkCover premiums — 10 per cent, 10 per cent and 10 per cent — and you get \$170 million in reductions in business costs each year.

**Dr Napthine** — These are Clayton's tax cuts!

**Mr BRUMBY** — I will not respond to the interjection, but just so the opposition's response gets into *Hansard*, the opposition says these are Clayton's tax cuts. The Australian Industry Group does not think so. It thinks they are sensational tax cuts. It says these tax cuts put out the welcome mat to investors around the world. CPA Australia said:

... today's Victorian budget scores well by reductions to land tax, payroll tax and WorkCover premiums ...

It seems to think they are real tax reductions.

Here is the Victorian Farmers Federation:

... the 10 per cent reduction in WorkCover premiums is welcome, as it has been a top priority for the farm community for the past 12 months.

Here is the Property Council of Australia:

The property council applauded the Victorian government's decision to fast-track land tax reform by slashing the top rate to 3 per cent one year earlier than scheduled.

I see in the *Age* today that another Victorian company, Knight Frank, was also complimenting the changes to land tax. Here we have cuts to land tax, cuts to payroll tax, cuts to WorkCover.

**Mr Cooper** — On a point of order, Speaker, I refer to your two rulings with regard to the time taken to answer questions. The Treasurer has now been speaking for well over — —

*Honourable members interjecting.*

**The SPEAKER** — Order! I remind members of the government that points of order are serious in the business of Parliament. I ask them to be quiet. Everyone has the right to raise a point of order, whether government members agree with it or not.

**Mr Cooper** — Speaker, your rulings in 2004 and 2005 with regard to the time taken to answer questions are now being ignored. The Treasurer has been speaking for well over 4 minutes. I ask you to get him to conclude his answer.

**The SPEAKER** — Order! I ask the Treasurer to conclude his answer.

**Mr BRUMBY** — I will conclude by saying that the Victorian and Australian economies do face challenges in the future. Those challenges are from international economies, particularly those of Brazil, Russia, India and China, cost pressures, interest rates, oil prices and the high Australian dollar, and we do have an ageing

population. We need to make our state more competitive than it has ever been. These tax cuts and WorkCover reductions are necessary to drive new investment and new jobs, and that is precisely what they will do.

### Budget: taxes

**Mr BAILLIEU** (Leader of the Opposition) — My question is to the Premier. Given that Victoria has record taxes and massive GST windfalls, why is Labor sending Victoria back into a debt spiral that has all the hallmarks of the Cain-Kirner period?

**Mr BRACKS** (Premier) — I thank the opposition leader for his question. I reject the comments made in the early part of the opposition leader's question. The reality is that our tax rate is competitive with the rest of the nation. We are the second biggest state in Australia, with the second biggest population and the second biggest economy, and yet our taxation levels are on the average of the taxation rates in the country, whilst we are contributing more than \$1 billion each year to other states as a cost subsidy on the GST. You would have to say that that is good management, that is prudent financial management of the first order.

That is endorsed also, in answer to the Leader of the Opposition's question, by the press release which was issued on the day of the budget by Standard and Poor's, which reaffirmed our AAA credit rating — as I said, on the very day that we released our budget. In reaffirming the AAA credit rating Standard and Poor's indicated:

Victoria's balance sheet can comfortably afford the budgeted increase in the level of debt that is driven by its capital program ...

It went on to say:

The state is also in an enviable position of being able to provide tax cuts while maintaining its forecast operating surpluses.

That was Standard and Poor's. Every other economic commentator was endorsing that position and endorsing our government's position.

Could I finish on this point: when we came to office six and a half years ago, net debt as a proportion of gross state product (GSP) was 3.1 per cent. We have been paying down debt and unfunded superannuation liabilities to the level where now it is 0.9 per cent of GSP, and after — —

*Honourable members interjecting.*

**Mr BRACKS** — That is paying it down. That is using surpluses to pay down debt and pay down

unfunded superannuation. We have made room in the balance sheet, and even after spending \$12 billion over the next four years on new capital expenditure and infrastructure, we will still have a net debt which is lower than that which we found in 1999. Every commentator is endorsing this budget as financially responsible, good for the economy and good to drive a competitive position. We have only one group out of step, but they have been out of step for the last six and a half years as well.

**Budget: education**

**Ms BUCHANAN** (Hastings) — My question is to the Minister for Education and Training. I refer the minister to the government's commitment to making Victoria a great place to live and raise a family, and I ask her to detail to the house how the government's investing in education infrastructure, most recently demonstrated in the announcements in the government's 2006–07 budget, is delivering on that commitment.

**Ms KOSKY** (Minister for Education and Training) — I thank the member for Hastings for her question and her very strong interest in education. Yesterday's budget confirms that education is this government's no. 1 priority. It really was an education budget that was delivered yesterday. What yesterday's budget provides for education is \$1.2 billion of additional investment, which brings the total of additional investment by this government to \$6.3 billion since it came to office. That is additional, so it demonstrates our absolute commitment to education. Yesterday's budget sees this government's total capital investment in schools — that is, for capital in schools and TAFE institutes — at over \$2 billion, which is fantastic news.

Over the last three budgets the Bracks government's average capital investment in education and training has more than tripled the former government's average allocation in its last three budgets. It has more than tripled the amount that the previous government averaged over its last three years.

Just to put it in numbers, that is \$365 million, compared with the \$110 million that was spent on average by the previous government. Yesterday's budget delivered \$379 million for capital improvements in our schools. That is —

*Honourable members interjecting.*

**Ms KOSKY** — Yesterday's budget! That is the biggest capital spend ever on schools by any Victorian

government and something of which we are very, very proud. It includes the first \$100 million from the future sale proceeds of Snowy Hydro Ltd. It also includes nine new and replacement schools at \$50 million, which brings us to a total since 1999 of 56 new and replacement schools. There is \$115 million to improve and upgrade schools —

**An honourable member** interjected.

**Ms KOSKY** — I have to respond to the interjection from the other side. It is our job, unlike members of the previous government, who did not believe it was their job. They believed their job was to close schools down, not to invest in education.

**The SPEAKER** — Order! Back to the question.

**Ms KOSKY** — I just had to pick up that interjection; it demonstrates where they still remain. Some \$6.6 million will provide permanent facilities in schools that were predominantly portables, and \$27.5 million will drive excellence through specialisation in our secondary schools.

I will not run through all the schools, because it would take too long, but some of the schools that will benefit include: Albion North Primary School in Derrimut, with \$2.5 million; Urquhart Park Primary School in Ballarat West, with \$2.9 million; Echuca Secondary College, in the seat of Rodney, with \$7 million; Eltham Primary School, with \$2.16 million; Karoo Primary School in Ferntree Gully, with \$3.1 million; Swinburne Senior Secondary College, in the seat of Hawthorn —

**Mr Thwaites** (to Mr Baillieu) — Do you know where that is?

*Honourable members interjecting.*

**Ms KOSKY** — It will get \$4.16 million. We will let you know where it is, so you might be able to see the facilities.

For Myrniong Primary in Melton, there is \$1.44 million; for Mildura South Primary School, \$3.5 million; and for Pakenham Primary School in Bass, \$6.68 million.

*Honourable members interjecting.*

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

**Ms KOSKY** — These are just an example of the major investment we have made in these schools. The Bracks government has now committed to providing new facilities or major renovations at nearly

700 government schools across the state. This government is clearly committed to education and to making Victoria a great place to work, live and raise a family — as opposed to the Leader of the Opposition, who refuses to tell Victorians what he stands for.

**Budget: rural and regional Victoria**

**Mr BAILLIEU** (Leader of the Opposition) — My question is to the Premier. Why has Labor abandoned rural and regional Victoria?

*Honourable members interjecting.*

**The SPEAKER** — Order!

**Mr BAILLIEU** — Why has Labor abandoned — —

**Mr Maxfield** interjected.

**The SPEAKER** — Order! I ask the Leader of the Opposition to wait for a moment.

The member for Narracan will not interrupt in that manner after I have asked members to be quiet. If he persists, I will remove him from the chamber. The Leader of the Opposition, without assistance.

**Mr BAILLIEU** — Why has Labor abandoned rural and regional Victoria by slashing — —

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for Ballarat East!

**Mr BAILLIEU** — Why has Labor abandoned rural and regional Victoria by slashing \$28 million from the Department of Primary Industries budget?

**Mr BRACKS** (Premier) — I thank the Leader of the Opposition for his question. As with the first question, can I refer the opposition leader to the budget papers. Page 207 of budget paper 3 shows that Department of Primary Industries funding for 2005–06 was \$351.5 million and that in 2006–07, the subsequent year, the budget allocates \$398.7 million, an increase of 13.4 per cent.

*Honourable members interjecting.*

**Mr BRACKS** — Speaker, if I can go on — —

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

*Honourable members interjecting.*

**The SPEAKER** — Order! I have already spoken to the member for Burwood once. I warn him that if he

persists in interjecting in that way, I will remove him from the chamber.

**Dr Napthine** — On a point of order, Speaker, I ask the Premier to be fully open and truthful to the Parliament.

**The SPEAKER** — Order! The member will resume his seat. That is a statement, not a point of order.

**Mr BRACKS** — I will go on to elaborate even further. That is what the increase is in the Department of Primary Industries. The revised 2005–06 budget allocated a number of book appropriation transfers for one-off matters, and that is where the opposition leader, on advice from the shadow Minister for Agriculture, might have been misinformed. The one-off exceptions that were identified in the accounts include the Melbourne Markets acquisition, the federal exceptional circumstances payments — that is, the transfer payments coming from the federal government — and other like payments. These were matters which were one-offs. My only advice to the Leader of the Opposition is not to take advice from the opposition leader two leaders back.

*Honourable members interjecting.*

**The SPEAKER** — Order! I ask the Minister for Manufacturing and Export not to interject. If he continues, I will remove him from the chamber.

**Budget: School Start bonus**

**Ms MORAND** (Mount Waverley) — I direct my question to the Minister for Education Services. I refer the minister to the government's commitment to making Victoria a great place to live, a great place to work and a great place to raise a family. I ask the minister to detail to the house how the new \$300 School Start bonus will deliver on that commitment?

**Ms ALLAN** (Minister for Education Services) — I thank the member for Mount Waverley for her question. As we have heard already today from the Premier and the Minister for Education and Training, the Bracks government continues to heavily invest in education. Education is the government's no. 1 priority. The 2006 budget will deliver a \$1.6 billion boost to education and schools right across Victoria. As we heard yesterday, that includes the introduction of the new \$180 million School Start bonus.

This is a new initiative that will support around 125 000 Victorian parents of children in prep and year 7 with a payment from 2007 of \$300 per child.

The bonus recognises that it can be expensive for parents with children starting primary or secondary school. Families do need support, even though the Liberals and The Nationals might not think so. They need support at this critical time with things such as uniforms, books, bags and equipment. That is why over coming weeks we will also be making a half payment of \$150 to parents with children in prep and year 7 this year. We are doing this because the Bracks government is supporting families right across Victoria.

This School Start bonus is a universal payment and is in addition to the existing education maintenance allowance. The education maintenance allowance goes to around 200 000 children of low-income families in Victoria. In the 2004 budget the government increased this allowance by 60 per cent and indexed it for the very first time.

The School Start bonus has almost been universally welcomed. I say 'almost' because, as we are hearing again today, the Liberal opposition and The Nationals are so out of touch with the needs of and support needed for Victorian families that they have attacked the School Start bonus. They are on their own. In today's *Age*, for example, the Catholic and Independent Schools Association welcome the payments. Members of the house will have heard that Parents Victoria are delighted with the School Start bonus. Members may have heard its representative, Gail McHardy, on ABC radio this morning endorsing this fantastic new initiative.

The School Start bonus is just one more example of the policies the government is introducing to help make Victoria a great place to live, work and raise a family. It stands in stark contrast to the opposition leader who continues to refuse to tell Victorians what he stands for. The Bracks government has invested heavily in teachers and invested massively in capital works, in new schools and buildings right across Victoria. This budget recognises the important role parents play in the education of their children.

### **Budget: School Start bonus**

**Mr RYAN** (Leader of The Nationals) — My question is to the Premier. I refer to a quote from the president of the Victorian branch of the Australian Education Union, Mary Bluett. She states:

Victoria is clearly lagging behind and remains the only state where preschools are not looked after by the Department of Education and Training. This system clearly does not work and is in need of reform.

I ask: why does the government not spend the \$182 million allocated to the School Start bonus to achieve real educational outcomes by solving the long-term problems of kindergartens rather than pursuing the short-term aim of buying votes?

**Mr BRACKS** (Premier) — I thank the Leader of The Nationals for his question. He has indicated in his question to me that he would like the \$182 million that we have allocated over the next four and half years applied not to the School Start bonus but elsewhere. That means effectively if The Nationals ever happen to be in government they would get rid of the School Start bonus — that is what their policy is. That is fair enough; they have a policy!

We believe it is important and beneficial, with a growing economy, to give back to families. That is why we are saying to the Victorian people that this is a benefit of a growing economy, assisting and supporting families at a time when they most need that help and assistance. That time is when you have young children going into prep or into year 7 education and transferring to a secondary school. That is when expenses such as books, uniforms and sports requirements are important. We are committed to this because it makes good sense and it is giving back to Victorian families. I am interested to know that The Nationals are opposed to that and that is their policy.

### **Budget: rural and regional Victoria**

**Mr CRUTCHFIELD** (South Barwon) — My question is to the Treasurer. I refer the Treasurer to the government's commitment to growing the whole state and ask him to detail to the house how the 2006–07 budget delivers on that commitment?

**Mr BRUMBY** (Treasurer) — I want to thank the member for South Barwon for his question. The Bracks government is committed to growing the whole state. Since we were elected six and a half years ago there has been an extraordinary turnaround in provincial Victoria. We have seen population growth in the last year of 1.3 per cent, a significant reduction in the unemployment rate and building approvals in the last year at about \$3.89 billion — almost double what they were in 1999–2000. We promised to grow the whole state and we have been delivering on that since we have been in government.

Many of the announcements made yesterday in the budget, such as the School Start bonus, for example, which apparently is opposed by The Nationals, will assist 38 000 families in provincial Victoria. The WorkCover premium cuts which I announced will save

businesses in Geelong \$4.82 million a year in lower business costs, in the city of Ballarat, \$3.7 million a year, and in Shepparton, \$1.8 million a year. In this budget not only have we approved a record high capital works program for provincial Victoria, but we announced yesterday \$600 million in new capital works plus the \$200 million for the Regional Infrastructure Development Fund announced in *Moving Forward*. There is \$800 million of capital works approved in this budget for provincial Victoria.

I want to put that number in perspective. Under the former Kennett government total capital works spending per year used to be about \$1 billion a year. Yesterday we approved \$800 million just for country Victoria. That is a big commitment.

In the member for South Barwon's area, as an example, where there is strong population growth, the funds approved yesterday in the budget include \$28 million in capital works to begin the construction of a new school at Torquay 7-9, the modernisation of Grovedale Secondary College, and a new purpose-built facility at the Grovedale aged care facility to house 108 aged care residents. I put on the record the extraordinary advocacy and tenacity shown by the member for South Barwon in winning funding for these aged care facilities.

That is on top of replacement funding for the Barwon Heads bridge, improvements to local caravan and camping parks, rolling stock and train door safety, and improvements in the weekend and evening services of bus networks. All of that builds on previous budgets that allocated improvements to Grovedale Primary School, Belmont High School, two new ambulance stations, the Torquay police station, Bellbrae Primary School and the Geelong western bypass.

There were many other announcements yesterday. One of those was of course \$30 million for the pipeline for Bendigo to run water from Waranga to Eppalock — again a great announcement. I see that the Honourable Damien Drum, a Nationals member for North Western Province in the other place, said, 'This is fantastic news for the Bendigo region', and the member for South-West Coast said in relation to commonwealth funding that that would be 'a big ask'. I am pretty sure I saw the Leader of the Opposition out there last week saying the commonwealth should contribute. So who is right?

*Honourable members interjecting.*

**Mr BRUMBY** — You got the question wrong before.

**The SPEAKER** — Order! The Treasurer will address his remarks through the Chair, and I ask him to address the question.

**Mr BRUMBY** — Speaker, we did promise to grow the whole state. The infrastructure program announced yesterday is great for the outer suburbs of Melbourne and it is great for our country regions as well. It is a balanced program. It invests in transport infrastructure, in schools, in aged care, in hospitals and in community health facilities. It is a great program, and it will serve the whole of the state well.

## STATE TAXATION (REDUCTIONS AND CONCESSIONS) BILL

### *Second reading*

**Mr BRUMBY** (Treasurer) — I move:

That this bill be now read a second time.

On 30 May 2006 the government handed down its 2006-07 budget. This contained a package of state tax reductions and concessions which builds on the reforms of previous years and significantly improves Victoria's business competitiveness.

This bill implements reforms I announced in the budget, including further reductions in payroll tax from 5.25 per cent to 5 per cent over the next three years, further land tax relief worth \$167 million over four years, and increases in the stamp duty thresholds for concession card holders to ensure this exemption is not eroded by increases in property prices.

There were other announcements around state taxation reform in the budget that are not reflected in this bill. These matters will be legislated separately later this year. This bill is, as its title suggests, limited to enacting the reductions in taxation rates and increases in duty concessions.

The bill amends the Pay-roll Tax Act 1971 to enact the budget-announced progressive rate reductions for the next three years. Victoria already enjoys one of the lowest rates in the country and these further changes represent direct savings for Victorian businesses. The rate will reduce from 5.25 per cent to 5 per cent in staged reductions over three years. The first reduction of 0.1 per cent, representing a \$61 million saving for business, will apply for wages paid from July 2006. Overall, Victorian business will save \$533 million over four years due to these cuts.

Upon full implementation, the Victorian payroll tax rate will be 13 per cent lower than it was when the Bracks government came to power in 1999. This reinforces Victoria as having the second lowest payroll tax rate in Australia and brings our rate to within 0.25 percentage points of Queensland. Further, despite Victoria's higher rate, the way payroll tax is calculated in Queensland means that, following the reduction to 5 per cent, Victorian businesses with payrolls between \$1.95 million and \$11 million will pay less payroll tax than their Queensland counterparts.

The Land Tax Act 2005 is amended to give effect to the extensive tax cuts announced in the budget. This includes:

to reduce the tax rates that apply from 2006–07 by:

cutting the 1 per cent rate (starting at \$900 000) to 0.8 per cent;

cutting the 1.5 per cent rate (starting at \$1.19 million) to 1.2 per cent;

cutting the 2.25 per cent rate (starting at \$1.62 million) to 1.8 per cent; and

cutting the 3.5 per cent rate (starting at \$2.7 million) to 3 per cent (previously this rate was to be cut in two 0.25 per cent stages to become 3 per cent in 2007–08).

It should be noted that these amendments are being made to both the regular and trusts schedules, and that the middle-bracket reductions are also being made to the transmission easement schedule.

The bill also provides for the capping of increases in land tax liabilities across the land tax base (except for first-time taxpayers) so that increases assessed on the same properties cannot be greater than 50 per cent in 2006–07 compared to 2005–06 liabilities. Increases in the liabilities of trusts are also to be capped. The government estimates that around 10 000 taxpayers will benefit from capping in 2007.

This government has made massive reductions to the land tax rates. Over the last three years, I have announced land tax cuts worth \$2 billion. The reductions in this bill especially target those middle rates where the effect of increased valuations, due to Victoria's buoyant economy, has undoubtedly had effect. The government estimates that around 27 000 taxpayers will be better off under these reforms.

The government has recognised the dilution in the value of stamp duty concessions for the purchase of a

property by pensioners due to rising property values. This is the third time this government has increased the concession thresholds to maintain the value of the concession.

The government has increased the value of transactions for which both a full exemption and a partial concession are available from stamp duty for eligible pensioners. A full concession will now be available on transactions up to \$300 000 (previously \$250 000), saving pensioners \$13 660 in stamp duty, whilst a partial concession is now available for transactions of up to \$400 000 (previously \$350 000). The increased concessions will apply to all contracts of sale signed after 30 May 2006. This concession will benefit an estimated 2000 pensioners and concession card holders every year, including 400 extra pensioners and concession card holders who would not have qualified under the old thresholds.

A significant concession is now available on the average home transaction in Victoria, which is currently about \$360 000. This demonstrates the government's ongoing commitment to ensuring home ownership affordability.

When this government introduced the first home bonus into the First Home Owner Grant Act 2000 in 2004 it suspended the first-home-owner-with-families exemption or concession available under the Duties Act 2000. In last year's budget the government announced that it would extend the period for which the bonus would be available but that the amount itself would be reduced. Consequently the suspension of the duty exemption or concession was extended. However it has become apparent that as the bonus is now reduced, a very small group of people would actually be better off with the duty exemption or concession rather than the bonus.

The government is therefore retrospectively ceasing the suspension of the duty exemption or concession back to the date for which the bonus was reduced, that is, transactions entered into on or after 1 January 2006. Eligible applicants will now have the ability to elect to receive either the first home bonus or the duty exemption or concession. There is already a similar practice for applicants eligible for both the pensioner exemption or concession and the bonus that has been administered well by the State Revenue Office since 2004. This ensures no-one is worse off as a result of the introduction of the bonus.

This government has a proud record of taxation reform that benefits large and small business and ordinary Victorians. The budget measures contained in this act,

and the further measures announced in the 2006–07 budget on 30 May 2006 that will be brought before this Parliament later this year bring greater balance and equity to our taxation system.

I commend the bill to the house.

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

**Mr BRUMBY** (Treasurer) — I move:

That the debate be adjourned for one week.

**Mr CLARK** (Box Hill) — The opposition does not object to the adjournment for one week on this occasion. It is a consequence of the late delivery of the budget this year. We have debated that issue in the past; I will not go over that ground. But the consequence is that the government wants this bill passed prior to the commencement of the 2006–07 financial year. Given the lateness of delivery of the budget, that means that debate on this bill needs to be expedited, and in these circumstances the opposition does not object to there being simply a one-week adjournment.

The parliamentary secretary has offered expedited briefings to the opposition this Thursday afternoon or Friday, and we will take up that offer. As I indicated, therefore, we are prepared to accept an adjournment of one week on this occasion.

### **Motion agreed to.**

### **Debate adjourned until Wednesday, 7 June.**

## **EVIDENCE (DOCUMENT UNAVAILABILITY) BILL**

### *Second reading*

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

That this bill be now read a second time.

The bill amends the Evidence Act 1958 and the Victorian Civil and Administrative Tribunal Act 1998 to clarify the powers of the courts and the tribunal to intervene in civil proceedings where relevant documents are unavailable, whether before or after the commencement of those proceedings.

### **Background**

This bill forms part of the Victorian government's package of legislative measures to address the legal and policy implications arising from the Victorian Court of Appeal decision in the McCabe tobacco case.

During the 2005 spring sitting of Parliament, I introduced the Crimes (Document Destruction) Bill, which created a new criminal offence of destruction of documents to prevent their use as evidence in judicial proceedings. (The bill has now had a successful passage through the Parliament and received assent on 4 April 2006). At that time, I indicated in the second-reading speech that further complementary legislative reforms for civil proceedings would follow.

I am now pleased to introduce this bill, which implements the recommendation by Crown Counsel at that time, Professor Peter Sallmann, for a new statutory provision to provide judicial officers with very similar discretionary powers in dealing with the unavailability of documents both pre and post-commencement of proceedings.

The importance of this bill is indicated in Crown Counsel's reminder that the very basic feature of our civil justice system is that material relevant to civil justice proceedings be available to the court for the proper and fair resolution of those proceedings.

### **Powers of the courts and VCAT**

The purpose of the bill is to enable the courts and the Victorian Civil and Administrative Tribunal to intervene in civil proceedings where relevant documents are unavailable to ensure a fair outcome between parties in civil proceedings.

It is proposed that the commencement of the bill will coincide with the date of commencement of the Crimes (Document Destruction) Act 2006, either on a date to be proclaimed or, if not proclaimed, on 1 September 2006.

The legislation includes a broad definition of when a document is unavailable, including documents destroyed, disposed of, lost, concealed or rendered illegible, undecipherable or incapable of identification (whether before or after the commencement of a proceeding).

When a document or a copy of a document is unavailable in a proceeding, the court may make any ruling or order it considers necessary to ensure fairness to all parties, either on its own motion or on the application of a party. Without limiting the court's existing powers, the bill provides additional powers whereby a court may draw an adverse inference from the unavailability of the document; presume a fact in dispute between the parties to be true in the absence of evidence to the contrary; prevent certain evidence from being led; strike out all or parts of a defence or a statement of claim; or reverse the burden of proof.

### Reversal of the burden of proof

A general rule of law is that the burden of proof lies on the party who asserts the affirmative of the issue or question in dispute, and any legislation seeking a reversal of the burden of proof requires strong justification.

For example, where an assertion by a plaintiff that the documents sought from a defendant contain information relevant to assessing the personal injury suffered by the plaintiff, then the burden of proof generally lies on the plaintiff to prove that assertion. Where documents alleged to contain information about a defendant's manufacturing process are unavailable, the impact of their unavailability makes it difficult for a court to genuinely test the content of the documents as to whether the manufacturing process is related to the plaintiff's injury. It also makes it impossible for the plaintiff to prove the contents of the missing documents.

In such a case, and depending on the reasons for the unavailability of the documents, a court may consider it appropriate to reverse the burden of proof where the matter in question is specifically contained within the knowledge of the defendant and was not available to the plaintiff.

### Guidelines for the exercise of judicial discretion

Before exercising judicial discretion, the bill provides that a court must have regard to the following: the circumstances in which a document became unavailable; the impact of the unavailability of a document on the proceeding, including whether the unavailability of the document will adversely affect the ability of a party to prove its case or make a full defence; and any other matter the court considers relevant.

Under this provision, the kinds of matters a court must consider include:

whether litigation was contemplated or should reasonably have been anticipated at the time a document became unavailable;

the reasons a document was unavailable;

when a party knew, or could reasonably have known, that the documents contained, or may have contained, evidence of legal wrongdoing or a breach of legal obligations;

the nature of the relevant party's activities, its size and mode of operation, organisational sophistication, and its litigation history.

The weighting a court would apply to such matters differs in each particular case. For example, a large company manufacturing harmful products and operating in a litigious environment would no doubt be adjudged differently from a small firm or individual that has rarely caused harm and never been sued.

The legislation allows for all relevant matters to be taken into account and applies to either a plaintiff or defendant where documents are unavailable during civil proceedings.

### Transitional provision and retrospective effect

The legislation will apply to proceedings commenced on or after the date of commencement of the legislation regardless of when a document became unavailable. As the legislation is prospective, the rights of parties to any proceedings that may have commenced before the commencement of the legislation will not be affected.

A court's powers to take into account the unavailability of documents will be able to be used in respect of documents that may have been destroyed prior to the commencement of the legislation. Any perceived unfairness involved in considering documents that became unavailable prior to the date of commencement can be raised before the court as a relevant factor which may influence the exercise of the court's judicial discretion.

### Impact on document management policies

The proposed legislation may cause some organisations to review their document management and retention policies to ensure they are comprehensive and effective in relation to documents that may be required in evidence.

I note Professor Sallmann's comment that modern corporations already need top class document management policies not only to fulfil various legal obligations but also to perform at the optimal level as a business.

Furthermore, we live in a world that legally requires all of us to retain documents, irrespective of whether proceedings have been instituted. Familiar examples can be found in federal legislation such as the Income Tax Assessment Act, the Social Security Act and the recent WorkChoices legislation and regulations (which require employers to keep daily attendance records,

including starting and stopping times for all employees, including chief executive officers, for seven years).

The legislation is therefore not expected to have a significant impact on document management regimes.

### Conclusion

The issue of document destruction has figured prominently in recent years across a number of jurisdictions, including the Enron case in the USA. References to the McCabe case are now appearing in international journals in articles on the destruction of potentially disclosable documents in civil litigation and the importance of document retention policies. As a leading Australian law firm has noted, similar laws are likely to be adopted throughout Australia in the wake of this legislation.

This bill is a further example of the Bracks government's continuing commitment to ensuring that the integrity of the Victorian justice system is protected and enhanced.

Finally, I would like to take this opportunity to thank all those contributors to the Sallmann report and those persons who responded to the various consultations during the development of this proposal.

I commend the bill to the house.

**Debate adjourned on motion of Mr MULDER (Polwarth).**

**Debate adjourned until Wednesday, 14 June.**

## ELECTORAL AND PARLIAMENTARY COMMITTEES LEGISLATION (AMENDMENT) BILL

### *Second reading*

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

That this bill be now read a second time.

The main purpose of this bill is to implement a number of reforms relating to electronic democracy.

First, it amends the Electoral Act 2002 and the Constitution (Parliamentary Reform) Act 2003 to provide for a trial of electronic voting and make a number of miscellaneous amendments relating to electoral matters.

Secondly, it amends the Parliamentary Committees Act 2003 to —

allow parliamentary committees to take evidence by electronic means and to allow committee members to participate in meetings by audio or video link;

make technical amendments in respect of the tabling provisions for committee reports; and

give the Scrutiny of Acts and Regulations Committee (SARC) the ability to consider and report on an act that has already been passed if SARC was unable to consider it as a bill.

I now turn to each of the amendments to these principal acts in more detail.

### **Amendments to the Electoral Act 2002**

In its report *Victorian Electronic Democracy* SARC recommended that the Victorian Electoral Commission should develop and implement a system of electronic voting machines for local and general elections in Victoria.

SARC noted that electronic voting facilities are in use around the world, including in the Australian Capital Territory. SARC heard evidence on a range of security issues associated with electronic voting and concluded that electronic voting machines, appropriately designed and configured, can provide a secure way to vote.

Electronic voting is considered to be a valuable improvement to current voting practices, because it can provide secret voting to voters who may not have access to it otherwise. SARC noted that improving access by voters to a secret vote is a recognition of a basic human right.

It is proposed to trial electronic voting facilities at six 'super voting centres' at the next state election. Voters with vision impairment who could not otherwise cast a vote without assistance and who want to vote using an electronic voting kiosk will be entitled to use the electronic voting facilities. Voters within the category will have their name marked off the roll as is the current practice. They will then be issued with a smart card instead of a ballot paper. The voter will insert the card in the voting kiosk and the card will tell the kiosk which ballot papers to display. The voting kiosk will give the voter with vision impairment a range of options through a set of headphones as well as a touch screen. Voters will be able to navigate, make their selections and cast their vote using the touch screen or through a numeric keypad.

The provisions of the Electoral Act will apply to electronic voting except to the extent that they require variation to accommodate electronic voting. All of the

variations are contained in part 6A that will be inserted in the act by the bill. The provisions contained in part 6A make it clear that the new part does not create an entitlement to vote by electronic voting.

The commission will put in place security arrangements to ensure that electronic voting is secure and safe. It will be an offence to, without reasonable excuse, destroy or interfere with any computer program, data file or electronic device which is used, or intended to be used, for or in connection with electronic voting. This offence will attract a penalty of up to five years imprisonment or 600 penalty units.

The possible future expansion of electronic voting for eligible vision-impaired voters to other centres will depend on the outcome of the trial. The commission already reports to each house of Parliament on the administration of an election within 12 months of each election. As part of this report the commission will assess the outcome of the trial of electronic voting from its perspective. It is also expected that the Electoral Matters Committee of Parliament will also consider and report to Parliament on the trial of electronic voting as part of its functions.

In addition to establishing a trial of electronic voting the bill will amend a number of offence provisions in the Electoral Act to make it clear on the face of the legislation that they are indictable offences. These offences already carry penalties of 600 penalty units or five years imprisonment. It was assumed that because of the penalty of five years imprisonment these offences were indictable offences. However, due to the manner that the penalty is set out in legislation, the offences must be regarded as summary offences. The amendments will restore the position that was originally intended.

### **Amendments to the Constitution (Parliamentary Reform) Act 2003**

The bill will amend the Constitution (Parliamentary Reform) Act to —

provide for the timing of by-elections; and

make provision for a form of ballot paper to be used for Legislative Council elections when there are 20 or more groups of candidates.

### **Amendments to the Parliamentary Committees Act 2003**

The bill will incorporate recommendations that SARC made in its *Report on Victorian Electronic Democracy* in relation to parliamentary committees. The bill will

amend the Parliamentary Committees Act to allow parliamentary committees to take evidence by electronic means. If a committee decides to accept evidence by electronic means, the committee will have the ability to decide what value to give to that evidence.

The bill will also amend the act to allow committee members to participate in meetings by audio or audio-video link. Committee members may participate in meetings in this manner where the quality of the link is such that members of the committee attending physically can verify the identity of the absent member and the participation of one member remotely does not prevent the participation of another via a similar means. The committee must resolve unanimously to permit the use of these technologies for committee business. A quorum would still be required to be constituted only from those members physically attending the meeting. This reform recognises that the use of technology can reduce the burden of long-distance travel for those witnesses and committee members who live in rural and regional areas while placing some controls around its use to ensure the integrity of the work of the committees.

In addition to implementing the recommendations of SARC, the bill also amends the Parliamentary Committees Act following discussions with the clerks of Parliament to facilitate the easier tabling of committee reports. Accordingly, the bill provides for the tabling of a report of a joint investigatory committee once adopted by a committee to be laid before each house of the Parliament within 10 sitting days, or, if a house is not actually sitting within 21 days of the adoption of the report, a committee can unanimously resolve to give the report to the Clerk of each house. This approach then provides a clear process for tabling.

Finally, the bill will give SARC the ability to consider and report on an act that has already been passed if SARC was unable to consider it as a bill.

One of the core findings of SARC in its report on electronic democracy was that the community, including elected representatives, needs to develop the capacity to learn and experiment with the range of opportunities and applications that new technologies bring to the democratic process. SARC observed that new information and communications technologies have much to offer the democratic process if carefully implemented. This bill has embraced those findings and will continue the work this government has undertaken towards improving the access to democracy by all Victorians, in this year where we celebrate the 150th anniversary of the official opening of Victoria's Parliament House.

I commend the bill to the house.

**Debate adjourned on motion of Mr MULDER (Polwarth).**

**Debate adjourned until Wednesday, 14 June.**

## PLANNING AND ENVIRONMENT (GROWTH AREAS AUTHORITY) BILL

*Second reading*

**Debate resumed from 4 May; motion of Mr HULLS (Minister for Planning).**

**Mr THOMPSON** (Sandringham) — At the outset I will state that the opposition opposes the Planning and Environment (Growth Areas Authority) Bill 2006. This is a new tax, a tax on new subdivisions and a tax that will reduce housing affordability for families. The recently released budget paper 3 at page 331 provides an outline of the operational cost of the Growth Areas Authority that is being established under this bill.

**Mr Nardella** interjected.

**Mr THOMPSON** — The interjection from the member from Melton was that the bill has nothing to do with tax. The aggregate cost projected over the next five years for the operation of the authority is \$20.6 million, comprising \$1 million for establishment for 2005–06, \$5.5 million for 2006–07 — —

**Mr Nardella** — On a point of order, Speaker, the honourable member for Sandringham is anticipating the budget debate. This is not a debate on the budget, yet he is referring to matters in the budget in his contribution. I seek your advice. I think what he is doing is incorrect. If it is, I ask you to bring him back to order.

**The SPEAKER** — Order! Just to clarify it for the house, I made a ruling some time ago that for question time members could ignore the anticipation of debate rule in relation to the budget, but that does not apply to debate on bills. I uphold the point of order and advise the member for Sandringham that he cannot quote from the budget in discussing this bill.

**Mr THOMPSON** — Speaker, I was very happy to take up the interjection of the member for Melton when it was suggested it had nothing to do with taxation matters and in more general terms just to indicate that the cost of running such an authority in theoretical or practical terms will be a significant burden on the Victorian taxpayer. In addition to the payment of stamp

duty directly for purchases, there will be indirect taxation costs which will affect all Victorian taxpayers.

The Labor Party has had some difficulty in understanding the benchmark measures. The affordability of housing and the capacity of businesses to operate in this state can only be undertaken while people have the capacity to directly pay for real estate that has the capacity to operate their businesses within certain threshold levels. Going back a number of years the Labor Party has had no qualms in proposing a tax on the purchase price of a business according to the ad valorem scale. Not only would a purchaser have to pay for the goodwill on a business, their stock, legal and accounting fees and electricity bond, they would also have to pay a significant impost just to support the public service in this state. One only needs to look at the collapse of the Iron Curtain and communist regimes in Eastern Europe to understand that you can only carry things so far before operations are not able to prosper through planned economic activity.

In relation to the bill itself I would like to outline a number of general provisions. Melbourne 2030 was released in October 2002. It provides a framework for Melbourne's growth into the future. Five growth areas have been identified in relation to this particular bill. The government introduced urban growth boundaries in the spring sittings of 2003 following its smart growth committee process. The submissions to these committees have never been made public. I note in the house today a motion was moved to condemn the state government for the detrimental impact of its failed Melbourne 2030 planning policy on a number of municipalities in Melbourne including the city of Bayside.

As a result of its failure to consult properly with Victorian communities prior to the implementation of the policy, inappropriate development has been allowed which is out of character with the municipality and is occurring largely outside the desires of its residents. It is irrevocably changing the character of places such as the city of Bayside. There has been improper and excessive use of call-in powers by the Minister for Planning. The government has failed to properly listen to councils as a legitimate voice of the community and failed to fully support or fund them in the work required to process planning applications. There has been a failure to adequately fund the transport, human services and infrastructure requirements associated with the massively increased density planned in 2030.

There have been a number of submissions in relation to the bill. The acting chief executive officer of the City of Casey made a submission to the secretariat of the

Growth Areas Authority (GAA). I would like to read a couple of comments into the record reflecting the views of this particular council:

Council, however, has significant concerns that the new authority meets its overall objective without actually complicating the current process through the addition of another bureaucratic layer. Issues around the formulation and roles of the GAA are also of significance ... Of particular note are:

No growth area council representation on the board;

The proposal for the GAA to control DCPs. It is council's view that this is unnecessary, will not improve delivery, and will create substantial difficulties for the authority through lack of local responsiveness in particular;

The potential for exercising planning authority powers. Not enough detail has been provided to satisfy council of the intention of government in giving the GAA such powers;

No clear financial support for local government's role in development of structure plans.

These are concerns of a local council, which is at the cutting edge in a growth area, about the proposed legislation.

The track record of the government in relation to the implementation of its flawed 2030 policy is manifested on a wider scale as well. In the area of Bayside there was a plan to modify the impact of Melbourne 2030 on the local area, but the government refused to amend C2 as it was felt it was in conflict with its 2030 policy.

In continuing my analysis of the bill I would like to go to some other comments. In 2005 the government amended the urban growth boundaries. There were serious concerns about the process by which these changes to the city boundaries were made. There were ratification motions involved in each of the steps. On each occasion we opposed the government's approach arguing it was not open and transparent and therefore was likely to produce poor and potentially corrupt policy. We moved reasoned amendments.

The government claims to have consulted on this bill and the proposed authority by talking to the councils involved and stakeholders at a series of stakeholder meetings. We were told there were no formal submissions but views were conveyed at these forums. A document for discussion was available to the select groups — *Plan for Melbourne's Growth Areas* — but it was not freely available publicly.

The *Plan for Melbourne's Growth Areas* announced the introduction of the development contributions regime which claimed to support the more timely

provision of infrastructure for our new communities. The government also announced the establishment of a Growth Areas Authority.

The bill establishes the Growth Areas Authority, a statutory authority with few powers. The powers of the authority given in the bill are mainly focused on coordination, reporting and recommending to the minister unless the minister chooses to delegate powers, which he can do under clauses 7 to 9. The body is also planned to have a role in the strategic release of land. If such ministerial delegations are made, the authority could be very powerful indeed, effectively usurping councils and departmental powers. The government claims this will only be at the request of councils or the minister and may relate to a complex planning task.

The authority will operate in areas of land declared in the *Government Gazette* to be growth areas. A declared area may be all or part of a municipal district of one or more of the growth area councils. There are six councils listed in the bill that relate to five growth corridors: Casey, Cardinia, Hume, Melton, Whittlesea and Wyndham. An initial priority of the authority will be to administer the development contribution. The authority will be funded by a budget allocation, which I alluded to earlier, and will come into operation in July 2006 with a default date of 1 November 2006.

In terms of the statutory authority, five to seven members of the board will be appointed on the recommendation of the Minister for Planning, and a chair and deputy chair will be appointed by the minister. The authority will be required to produce an annual business plan. The authority may delegate to the chief executive officer, and the minister may give directions.

The minister must ensure that members have skills, experience or knowledge relating to planning, development, economics, financial management, local government and housing. It is interesting that in the skill set required for membership of the authority — and I will reiterate the areas: planning, development, economics, financial management, local government and housing — it is not mandated, firstly, that there be a representative from local government in the areas in which the authorities will be determining policy — and there are quite distinctive issues that confront the growth authorities in the different parts of outer Melbourne. Secondly, noting the government's purported commitment to sustainability, it is not mandated that someone with significant environmental expertise or understanding of sustainability issues is to be a member of the authority. That could be construed as being a serious omission.

The objectives are to be inserted as a clause in the Planning and Environment Act. They include timely and coordinated growth, ensuring infrastructure, services and facilities are provided in a timely and coordinated manner and promoting the sustainable development of land. While one of the objectives is to promote the sustainable development of land, there is no area of expertise stipulated in the legislation for the membership of the board of the authority that requires that knowledge or understanding. The objectives go on to cover promoting housing diversity and affordability, promoting employment, ensuring that land is available for commercial and industrial purposes and fostering the development of communities in the growth areas. The authority's functions are primarily to report and recommend to the minister, and it is claimed not to be an old-fashioned development authority.

There are some other issues I would like to comment on which I trust will not impinge upon the anticipated budget debate. The first is the question of the contribution charges for development. The final contribution charges are not yet known, but indicative estimates are in the government's discussion paper. The per-hectare cost, presuming there are 10 to 12 houses per hectare, are: \$2700 to \$3100 per block within the urban growth boundary (UGB) and zoned urban but not developed; \$4000 to \$4400 per block for land within the UGB but not yet zoned urban; and \$4900 to \$5400 per block for land bought within the UGB in November 2005. The second-reading speech contemplates more 'mature' plans for contributions to be developed.

I return to the remarks that I made at the outset of my contribution to the debate. They concern the fact that this authority will represent a new tax on home buyers. It is a tax on new subdivisions, and it is a tax that will reduce housing affordability for new subdivisions. When one contemplates the manner in which the authority will operate and the \$80 million that is being spent on government advertising campaigns and self-promotion, one can see that a more targeted level of expenditure by the government would achieve a better outcome for Victorian working families who are seeking to buy their first home.

I will now move on to some other comments on the bill and more generally. In my own area of Bayside the council submitted an amendment to the C2 planning scheme in response to the approach of the government to C2. The reply from the relevant minister — —

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for Sandringham has a couple of times referred to the City

of Bayside. He can mention that in passing, but that is not one of the councils that is covered by this bill. I ask him to return to the matter contained in the bill.

**Mr THOMPSON** — Thank you, Speaker, for your ruling. Suffice it to say that under Melbourne 2030 the plan is to increase Melbourne's population by a million people before 2030, which will require significant housing that not only will be situated in the growth areas about which this authority will have some substantive remarks to make but also will impact upon urban consolidation in metropolitan Melbourne. The point of my comments is really that the aspirations of local communities are being countered and rejected by the government in its flawed 2030 policy, of which the Growth Areas Authority is part, of providing infrastructure in the outlying areas of Melbourne. The impact of government planning policy under 2030 is of concern not only in the city of Bayside but also in metropolitan Melbourne.

The government made some play on the ALP web site a number of years ago about planning. Among its comments on its achievements in office were statements about the introduction of dual-occupancy and medium-density development, yet initially it waged political crusades objecting to that urban consolidation. Those views stand in contrast to its promotion of its achievements when in office concerning dual-occupancy and medium-density development. In the early 1990s one of the problems resulting from urban consolidation and dual occupancy related to the fact that there was no provision to deal with overlooking between sites in dual-occupancy developments. It was regulated intra-site, but it was not regulated between sites. It was Minister Maclellan, the former Liberal Minister for Planning, who rectified that particular flaw.

The government is keen to present itself as a government that is willing to consult, but a number of requests of the planning minister for deputations to discuss key planning issues have been turned down. I know that is certainly the case in relation to the City of Bayside. I know it is also the case with Boroondara, where there is a proposal for 15-storey towers. It is a matter of how to get the appropriate interface and planning outcomes that fulfil the aspirations not just for the growth areas but also for metropolitan Melbourne.

It is a very important issue, because containing development in inner Melbourne has implications for where the growth in the Victorian community will take place. I note that it has been a long-term plan of successive governments to limit height development in certain parts of this state, yet a number of years ago we

had the example of Minister Delahunty, as the then planning minister, allowing development with a third storey in a key area, which was contrary to the aspirations of the local council.

**Mr Nardella** interjected.

**Mr THOMPSON** — It was along the Victorian coastline in the City of Bayside.

*Honourable members interjecting.*

**The SPEAKER** — Order! I have been very patient with the member for Sandringham, but I again remind him that this bill relates specifically to the Growth Areas Authority and the six councils covered by that, of which Bayside City Council is not one. I ask him to return his comments to the bill before the house.

**Mr THOMPSON** — Thank you, Speaker. I will wind up my remarks on those wider matters. I point out that there are significant issues where the government has failed to consult with local communities both in inner Melbourne and also in the outer reaches. Earlier I alluded to the remarks of the City of Casey, when it asked why there was to be a new Growth Areas Authority. I would like to place its remarks on the parliamentary record in more detail. It said:

It is of concern that adding another level of bureaucracy without a much clearer understanding of the current functional capacities of local government will complicate rather than assist in the development of the growth areas. The consultation paper does not demonstrate clarity of understanding on how local government operates and what it actually delivers. Specific concerns will be addressed ... in this response. It is notable that the consultation paper timetable failed at the first requirement of understanding local government ...

It then asks:

How can adequate responses be made over the summer period without adequate reference to councillors?

In relation to the board, the City of Casey noted that:

However, the proposal does not include representation of growth area councils on the board — a significant flaw if it proceeds in the proposed form, as growth area councils must have advocacy opportunity at board level to adequately present local government concerns.

I am reminded of a comment made by a former American president that has some resonance in this debate:

... government is not the solution to our problem; government is the problem.

From time to time we have been tempted to believe that society has become too complex to be managed by

self-rule. In the present case, establishing bureaucracies may add additional burdens to service delivery which do not achieve the end outcomes. There have been very germane remarks from the City of Casey, a growth area council, which has pointed out some key concerns and criticisms in relation to the legislation before the house.

A number of other concerns have been expressed in the consultation paper in relation to the inquiry by design:

Extremely limited permanent resources, leading to exhausting workload on few officers;

Lack of understanding of complexities of local government;

Lack of appreciation of delivery achieved by local government;

Desire to deliver abstract outcomes without reference to local conditions including basic elements like topography;

Failure to challenge preconceived notions of what happens on the fringe and why ...

Policy positions that took many months, even years, to be developed are expected to be fully considered and responded by local government in a couple of weeks.

It is notable that the majority of planning professionals experienced with growth issues are working in the growth area councils. The capacity and quality of this experience and the intimacy of local knowledge must be recognised by any protocols established for consultation between GAA and the councils.

I have put on the record a range of concerns in relation to this new authority. It will add another layer of bureaucracy to the planning process. It makes inadequate use of local government expertise and insight. It will add another cost burden ultimately to affordability in this state for Victorian home buyers and Victorian families. It is for these reasons that the opposition opposes the bill.

**Mrs POWELL** (Shepparton) — I am pleased to speak on the Planning and Environment (Growth Areas Authority) Bill 2006. It is a fairly small bill. It amends the Planning and Environment Act to establish the Growth Areas Authority. This new authority was initiated under and is in line with Melbourne 2030. Melbourne 2030 was released in October 2002, about three and a half years ago.

Melbourne 2030 has a number of initiatives in it — it is a fairly complex document. It has been criticised by many people over the years throughout its process. One of the issues it deals with is to provide a policy base for better managing urban growth. Over the time that Melbourne 2030 has been in practice, there have been a number of amendments to the growth area boundaries, because it was identified by a number of speakers,

including myself, when we were talking about Melbourne 2030 years ago that more land needed to be released.

Those boundaries were put together and identified in a lot of haste. There was not much consultation with either private land owners or even the Victorian Farmers Federation. I remember speaking to members of the VFF and they were concerned about the lack of consultation with them and their members about the best use of the land on the outskirts of Melbourne. It was then identified that there was not enough land. It was also identified that this would increase the cost of housing, it would limit the range of housing, and it would limit the use of land that could be used for housing. It would increase the cost of housing and also reduce the land available for housing.

It was decided then that councils should be the bodies to look at this. They needed to work with their communities and land-holders to effectively make sure enough land was put forward for development, not just for housing but also for industries and commercial areas. Obviously this has now been shown to be right, because we now have before us a bill that introduces an organisation called the Growth Areas Authority, which is in effect going to be a quasi council and will affect all councils in the growth area. It will cause confusion. It will now be very complex to get a permit or undertake any development in those growth areas.

Green wedge zones were raised in Melbourne 2030 as part of the growth areas. As the people who owned land in those green wedge zones explained to members who were opposing or critical of Melbourne 2030, some of that land should have been in the urban growth areas rather than in those green wedge areas. There should have been more consultation to make sure that proper areas were identified as good agricultural land and that land in growth areas was identified as being used for commercial, industrial or residential purposes.

The Nationals will be opposing this bill. We have concerns about the establishment of another layer of bureaucracy. We have a concern about taking democracy away from local government. The fact that local government is the planning authority means that for the rest of the time, developers, people in residential areas and people who want to bring development and attract development to those areas will be confused. Whom do they go to? Do they go to this growth authority or do they go to the councils? I will read from the minister's press release shortly, but this is an issue which will cause confusion. It is another layer of bureaucracy. It is going to be more time consuming for

developers and it will be costly. There is a cost in establishing a bureaucracy such as this.

The growth area councils in the bill have been identified as Cardinia Shire Council, Casey City Council, Hume City Council, Melton Shire Council, Whittlesea City Council and Wyndham City Council. I asked for comments from the Municipal Association of Victoria, the Victorian Local Governance Association and the Property Council of Australia. I have received no formal responses as of yet from those organisations.

The Nationals did have some discussion with representatives of the Cardinia Shire Council. I have to put on record that they said they met with the authority and they believe there could be some better organisation and it may streamline the planning process. They were also given an assurance that the authority will consult with councils, but The Nationals have some concerns about this.

Some questions need to be raised. The representatives of the Cardinia Shire Council thought that they were meeting with the Growth Areas Authority. It is my understanding that the authority has not yet been established but will be by July. My questions are: has the authority been established and who is on it, and are the members of the task force that is going around saying that they are the members of the authority? I have a concern about who is meeting with the councils, making the direct contact and telling them what the authority will do.

In a media release of Thursday, 16 March, the Minister for Planning announced the establishment of a growth areas task force. I am wondering whether the members of that organisation have been meeting with the councils. The media release states:

The Minister for Planning, Mr Rob Hulls, today announced a new task force to oversee the creation of the Bracks government's Growth Areas Authority.

...

'This new body will spearhead a new partnership between local and state government and the private sector to create better communities ...

...

'The Growth Areas Authority will provide clear guidelines to answer the community's call for better designed, better serviced suburbs. It will also provide a one-stop shop for developers, reducing their costs for building new homes by cutting red tape and saving time.

The media release states that the minister said also that:

... the Growth Areas Authority would be established by July. It will have a broadly representative board with five to seven members.

The concern I have is that the discussion that is going on about what the Growth Areas Authority will do is about exactly what councils do. This is exactly what people vote their councillors in to do — they are the planning authority. When a ratepayer decides that they want somebody to oversee what is happening in their municipality and provide land in the best interests of their municipality, they go to the council. Now the government is putting another level of bureaucracy on top of that. It will be very confusing for developers to work out who they go to for their planning applications. I acknowledge that the authority will be concerned with only the growth areas and not right across the state, but those growth areas will have another level of bureaucracy which could inhibit some development.

The media release quotes the minister as saying also:

While the new body will not be a “silver bullet” for every single issue out there, we are confident it will simplify developers’ contact with government, listen to their needs, and expedite the process.

It will also listen to councils and the community and their needs, and help bring the all-too-often warring parties together to the table ...

The Nationals have some concerns that the proposed system will allow the minister to have another say in what is happening locally and will take local democracy away from councils. The Minister for Planning already has enough authority to use call-in powers and to limit development if he believes it is not in the best interests of the state. Again, we will see whether the authority is an apologist for the minister so that the minister is not criticised for using his powers to call in projects or stifle development where he believes that should happen.

The minister has said that the Growth Areas Authority will work with developers, councils and communities. As I said, there will be huge confusion and complexity. The authority will have a lot of planning power. New section 46AR sets out the objectives of the planning authority which will be called the Growth Areas Authority and provides that they are in part:

- (b) to ensure that infrastructure, services and facilities are provided in growth areas in a coordinated and timely manner;
- (c) to promote sustainable development of land in growth areas;
- (d) to promote housing diversity and affordability ...
- (e) to promote employment opportunities ...

- (f) to ensure the land is provided for commercial and industrial purposes ... in a coordinated and timely manner;

- (g) to foster the development of communities in growth areas.

All the areas listed are responsibilities of the state government, and should not be responsibilities of another organisation which is at arm’s length from the government. For housing affordability we have a Minister for Housing, and we have a minister who looks after employment — we have ministers who look after all those areas.

The Minister for Planning, not an authority that really is at arm’s length from the government and certainly at arm’s length from the council, should make sure that development is happening in a timely and appropriate manner. I would have expected that officers of the government’s own planning department would have the expertise to address any difficulties in the growth areas and the Minister for Planning would put in place some initiatives to make sure that those difficulties were looked at and fixed up.

Another area about which The Nationals have concerns is the lack of planners and technical experts in council departments. I am not sure whether the establishment of the authority will make the situation worse by taking some of the planners and other experts. I know that the authority will have its own staff. That will cause some confusion in the growth area councils. These are issues that perhaps the councils have genuinely not thought through. There will be some problems in growth areas outside the metropolitan area. The Nationals do not believe that putting another bureaucracy in place will streamline any of the processes.

There has been criticism about it taking too long for approval to be given to developments, not just in country areas but also in Melbourne. They have included the minister becoming involved and developments being put on hold while another process is gone through, whether it is through the Victorian Civil and Administrative Tribunal or the Supreme Court. Even if the councils have approved projects to go ahead the government has intervened and stopped some developments.

There is a concern also about the establishment of the authority increasing the cost of development. There will be huge costs, given that the authority will be allowed to have staff with expertise and have many consultants at its fingertips. I hope that the developers do not have to bear the burden of those costs.

One of the functions of the new authority as provided by new section 46AS is:

- (a) to make recommendations and report to the Minister on —
- ...
- (ii) the use and expenditure of levies collected in growth areas under development contribution plans ...

An interesting article appeared in the *Cranbourne Leader* of Wednesday, 14 December 2005. It is headed 'New land tax opposed by Casey council' and states:

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 —

**Mr Nardella** interjected.

**Mrs POWELL** — The member for Melton says they do not know what they are talking about, but I think the councillors are elected to the council to reflect the views of their constituents. The article states:

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.

...

Cr Lorraine Wreford said high growth in Casey meant ratepayers would be more disadvantaged here than elsewhere in the state.

She said: 'This state government announcement will affect people in our growth corridor more than any other area in Melbourne. If we care about our community and our struggling new families, we should be thinking very carefully about this. We must lobby our government on their behalf'.

It goes on further to state:

Planning minister Rob Hulls said the government would establish a Growth Areas Authority to ensure developers who had profited from the land release did not pass the tax on to buyers.

'The authority will advise on the release of land to ensure competition keeps a downward pressure on prices', he said.

'The authority will be required to report annually to ensure it has met its obligations in relation to housing affordability'.

I understand that the authority will be reporting to the minister. I am not sure whether the report will be tabled in Parliament but I hope that it will be, so that the Parliament can determine whether the authority is doing

what it was set up to do. When members read through the functions and powers of the authority we see that they are huge. They take in much of the authority of the Minister for Planning and a lot of the authority of local councils. We need to make sure that the authority is not hands off to such an extent that it will not be accountable to Parliament. Members need to make sure that the Parliament can determine whether the authority is doing what it is set up to do and whether councils and the community are happy with its input. After one year the authority should be reviewed.

**Mr Nardella** interjected.

**Mrs POWELL** — The member for Melton said it comes back to Parliament. I am happy to hear that, because it is important that Parliament actually has a look at what this authority is doing, how much it is costing the communities and whether the councils themselves would not have made a better job of it.

The Growth Areas Authority will have five to seven members. They will hold office for up to five years. The bill says they will be remunerated or given allowances. Those allowances will be set by the minister, but we are not yet aware of the cost of that. As I said earlier, we hope the Growth Areas Authority does not cause confusion with developers and commercial organisations about whose planning authority it is and who makes the decisions about the local planning powers that councils themselves have to adhere to under the planning legislation.

We need a full and open disclosure of the cost of the authority. One of the concerns I have is that, in the bill itself, there is no provision for dispute resolution. We need to have a process for councils and communities who do not agree or who have an objection to a decision by the authority. It is important that, if there is a dispute with either the council or a developer, there is a process of dispute resolution. If it is the Victorian Civil and Administrative Tribunal process, which most councils can go through and which is open to them under the Planning and Environment Act, there is a confusion — and it is not in the bill — about who will pay for the VCAT hearing. Is it the council or the authority? We need the matter of who pays for any VCAT hearing to be clarified.

Over the years there will be confusion about who will have responsibility — the staff of the authority or the council staff — for appropriate planning in those areas. I think there also needs to be a review of Melbourne 2030, which actually initiated the Growth Areas Authority, so that the authority really does truly consult with the stakeholders, with the people who own the

land and with the Victorian Farmers Federation, and make sure that Melbourne 2030 reflects good planning in Victoria.

We oppose this legislation. We do not believe the authority will be able to do what it says. What we are also saying is that we want true consultation with stakeholders. We hope the authority really does listen to the councils and all the stakeholders and makes sure there is appropriate and affordable development for housing in this state.

**Mr CARLI** (Brunswick) — I was very disappointed to hear the contribution to the debate of the member for Shepparton and the member for Sandringham, as they oppose this bill, which is part of introducing and ensuring good planning in our growth corridors. They made much, particularly the member for Sandringham, of the idea that this was a new tax, a new impost, on development.

Developer contributions have been around for many years. Local governments have used them to pay for roads and footpaths, and there have been a whole host of other ways to ensure that local infrastructure was paid for by developers. It has been a longstanding tradition in planning. What we are doing here is ensuring that the public infrastructure is partly paid for by development. It is also to ensure that public infrastructure is actually in place. What we have seen for many years in the growth areas of Melbourne is that suburbs are built and developed without the necessary infrastructure. We are trying to avoid that. We are trying to ensure that there is good planning, and the Growth Areas Authority is part of that.

The idea that these contributions are somehow a new impost is a nonsense. They have been around for a long time. In 1995 the previous government introduced the development contribution plan. That was a way to standardise contributions to ensure that local government could work out how the development would pay for part of the necessary infrastructure — the roads, footpaths, traffic management facilities, drainage, open space, local community facilities et cetera.

That was introduced by changes to part 3B of the Planning and Environment Act, which was further amended in 2004 to also allow public authorities and state ministers to ensure that part of the infrastructure could be paid for by development contributions. The authority will administer the development contribution plans for the state authorities. There is nothing new in them, they have been part of the planning system, they have been part of the development, but what is new and

important is that we have here an authority that is actually coordinating and making sure that there is local infrastructure in place, particularly transport infrastructure but also social infrastructure — schools and other things that are necessary for these communities. It is an effort to build communities as early as possible, so that we do not have a sprawl that just goes out in all sorts of directions.

That is what our metropolitan strategy has sought to outline in the five growth areas, as also has the defining of the green wedge areas. The government has tried to say, 'There are the urban growth boundaries. This is the land that is available for development. We will release the land in a timely way. We will ensure development and infrastructure is placed in a way that is appropriate for these communities as they are developing'.

Part of doing that is ensuring that there is some contribution from the developers through a charge on development. It is a very competitive market — there is a release of land and VicUrban is also out there developing land. The intention is that those changes will ensure the betterment of that land as it moves from rural use, or whatever its previous use was, and is urbanised and becomes an urban area with new buildings. As that happens there is an increase in the value, and part of that value will be used to pay for the infrastructure. It is a fairly fundamental, standard, well-used technique in terms of building new communities. Our charges in Victoria are modest compared to those in Sydney, but what is fantastic about this is that we will have an authority in place that will ensure that the release of land is carried out in a timely fashion so that there is a 15-year supply and a competitive market, which will ensure that there is not going to be a land shortage that creates a monopoly rent for developers.

We need to ensure the coordination of all those involved — the public players and local government — at all levels. That is fairly fundamental, but unfortunately that has not happened very often in our growth areas. This entity would also promote employment, so that as we build new affordable housing in our growth areas we can ensure the development of employment opportunities. Hence we are making sure that land is set aside for industrial purposes. We are also making sure that suitable transport infrastructure and other sorts of services are available so there can be commercial and industrial growth in areas of new development. It is about good planning.

From the member for Sandringham we heard about all the things you should do if you want bad planning. He

wants to forget about the recovery of any infrastructure costs through developers. He wants a laissez-faire system which allows growth anywhere, with no green wedges, no urban growth boundary, no coordination of services and infrastructure, and no growth corridors — but those things are the whole basis of good planning. I must say that much of our planning methodology, such as the concepts of growth corridors and green wedges, have their origins in the Hamer era. If we listen to the member for Sandringham we will go — —

**Ms Beattie** — Back to the Dark Ages.

**Mr CARLI** — We will go further back than the Dark Ages. We will destroy our capacity to plan the growth of this city. We will have not planning but ad hoc development based on whatever land a speculator can buy at whatever price. That is no way to house Melburnians or to look after the interests of our communities. That is no way to ensure the provision of amenities for young families, including such things as parkland, schools, community centres and libraries — all the things that matter to families in Victoria. Basically what we heard from the member for Sandringham was that we should throw good planning completely out the door. Clearly that is the view of the Liberal opposition. It wants to destroy good planning in this state.

Then we heard the member for Shepparton going on about the lack of democracy and increased bureaucracy. I have a lot of respect for the member for Shepparton, as she knows, but in this case I think she has failed to understand what is the very defined role of this authority.

I am very pleased to stand in support of this bill. It is a good example of how government is working to implement elements of our commitment to not only infrastructure and transport but also *A Fairer Victoria*. We are working at ways to find a better means of working together at a local level to ensure that families can enjoy the benefits of living in Victoria.

I want to return to comment briefly on development contribution plans (DCPs). As I said, there is nothing new about them. Importantly, they allow infrastructure to be placed in new communities in a way that is good for them and at an appropriate time. There are principles behind their use. To use a DCP there has to be a need for the infrastructure. This is not about infrastructure that is to be provided for future generations; it has to be based on the existing needs of these communities. A nexus between the development and the actual infrastructure needs to be generated, and there has to be equity. The contribution must be a fair

and reasonable part of the cost, and there has to be accountability. The fund collected must be spent on the infrastructure for which it was collected. These are the basic principles behind DCPs. This provision is a way of ensuring that developers — the ones who make profit from changing land from one use to another and who are able to develop these housing estates — use some of their profits to provide necessary infrastructure.

I must say that in its previous life I saw VicUrban develop Roxburgh Park. It was a government entity, and it put the infrastructure in itself and paid for it; it did not wait for the government to do it. That does not happen with a lot of developers. In this bill the government is saying that developers and the development industry need to pay part of the cost of providing infrastructure. That is good planning, and it will improve the lives of Victorian families.

**Mr SMITH (Bass)** — I cannot believe that last contribution — ‘The developers have to pay for something’. Fair dinkum!

*Honourable members interjecting.*

**Mr SMITH** — Let me start at the start! I would like to get on my feet and talk to the Planning and Environment (Growth Areas Authority) Bill and say, ‘What a pack of dills on the other side of the chamber!’. I cannot believe it! The developers have to pay for something! Hey! At the end of the day the people who buy the land and build the houses pay for them — and you people are ripping them off. You have your developer levy going in and your state government levy going in, and you are putting in place another level of bureaucracy.

**The ACTING SPEAKER (Mr Plowman)** — Order! The honourable member will direct his comments through the Chair!

**Mr SMITH** — Of course, Acting Speaker. Strike a light! I cannot believe these people. They just do not have a clue about what is going on in the real world. I think they just live in their electoral offices or in this Parliament House and do not get out and talk to the people who actually have to pay the costs of all these things.

We know how the price of land on some of these developments is just out of control. It can cost more to buy a block of land than to build the house on it, and that does not make sense. The requirements put on developers by this government have caused the cost of land to rise in the dramatic way it has in this last period of time — the seven dark years of Labor.

*Honourable members interjecting.*

**Mr SMITH** — That is what it has been: the seven dark years of Labor. Who has suffered because of it? It is the young families who want to get a house of their own but who cannot afford it because they cannot pay for the block of land as a result of the requirements forced on them by the government.

Let us get down to the real nitty-gritty. The very last page of the second-reading speech that this minister has put out says what this authority is all about:

In carrying out all of these functions the authority will answer to the Minister for Planning.

So he is going to tell them what they are going to do. He is going to tell them how they will override local government. He is going to tell them what he wants, so he can say, 'I did not have to call anything in. It is not my fault. This was done by the authority'.

We know the way this government and the Minister for Planning work — secretly! He will be trying to control any development going on anywhere in this state of Victoria, and I think that is just appalling. It is another layer of bureaucracy that is going to control development in this state. Fair dinkum! It comes at a cost to the developer, because in the end somebody has to pay for this. I cannot see anything in the budget that says the government is going to pay for setting this up. So somebody is going to pay for it, and that is going to be the developer.

The member for Brunswick said that developers make no contribution to any of the infrastructure that goes into place, but they put in all the infrastructure. They should not have to provide schools; it is the government's responsibility to provide some of those things. What do you think people are paying their taxes for? They are paying for the provision of the infrastructure that is necessary for them to lead decent and proper lives.

People should not have to pay twice — once in the form of taxes and then in the form of development costs going on blocks of land. This is a government responsibility, and this Bracks government is more than happy to walk away from it. Look at the extra taxes that people are paying. This government has another \$13 billion or \$14 billion to spend, and where has it gone? It has not gone into — —

*Honourable members interjecting.*

**Mr SMITH** — First off, it has not worked. It has not gone into the schools; it has not gone into public

transport or into police stations. It has not gone into the areas where this government expects the developers to pay. It is not up to the developers to pay for it. We have a development in Casey called Lakeside where the land was offered to the government so it could build a railway station. It is a brand-new development and should have gone in. It is in the 10-year plan. The government cannot keep its promises on the 5-minute plan. The Bracks government breaks promises, lies to people and expects to be able to walk away with the lies it tells. We only need look at the lies it told with Scoresby.

We heard today from the member for Scoresby about public transport that was promised back in 1988 by this government which is still not in place. This government lies, and unfortunately people have fallen for it just once too often. It has got the government elected but it will not happen again, I assure you.

**Mr Nardella** interjected.

**Mr SMITH** — The member for Melton may laugh, but the truth is — —

**Mr Nardella** interjected.

**The ACTING SPEAKER (Mr Plowman)** — Order! The honourable member for Melton will have his chance. I ask him to keep his comments for his own contribution.

**Mr SMITH** — Thank you, Acting Speaker, I am pleased that you have brought the member into line. It is about time. He abuses his position in this house by attacking members.

*Honourable members interjecting.*

**Mr SMITH** — I am not going to talk about the communists today. I am not going to get off the bill and talk about the government or the people operating it.

The legislation provides for the two areas of Casey and Cardinia to be combined. They are not areas that can be combined. Casey is nearly a fully developed area and Cardinia is just starting to develop. That area is nothing like what has happened in Casey. There are huge tracts of land in the Pakenham area that are still available for development. The Growth Areas Authority will start dictating terms to Cardinia council about what it will be allowed to do. It is wrong that the proposed authority will take over some of the controls. If the authority is going to be set up, why not have local council representation on the board of the authority? We need to have people there who have some understanding about the way local government works.

The potential for planning authorities to take control and dictate terms about the size of the land, how small it will be, what areas will be developed is taking control out of the hands of local government in the areas. That is wrong. Councils are elected by the people to make decisions about what will occur in the area. People do not always like those decisions, but the fact is councils are made up of an elected group of people who come from the municipality or area to represent the residents of that area. This authority is not representative of those people and will not even have councillor representation on the board. How can it represent the area or make decisions about what will happen in Casey or Melton without having some understanding of the needs and wants of the people in the area?

It is wrong that the proposed authority will have those controls and will not only answer to the minister but take directions from the minister. That is wrong because it will cost people more money and they will get less facilities because another bureaucracy is being set up. It is not just a group of people that will make decisions, but bureaucrats will work for it and it will cost money. The development levy paid by councils will go to the proposed authority to pay for bureaucrats sitting on their behinds, making decisions on behalf of the board, which is making them on behalf of the minister.

This is bad legislation. We do not support the legislation, because it is wrong. The government will find out it is wrong because the legislation will be in place for a short time until the Liberal Party is in government.

**Mr LOCKWOOD** (Bayswater) — I too wish to make a contribution to the debate on the Planning and Environment (Growth Areas Authority) Bill. It was good to hear another fascinating contribution from the member for Bass. I always look forward to the contributions of the member for Bass and his reference to pinkos and commos. Alas we missed out today. I have figured out why he refers to pinkos and commos. The member is a closet pinko; he wants to be a pinko which is why he refers to pinkos and commos.

The bill is about ensuring that infrastructure is in place to suit development. We do not want whole suburbs or areas developed without proper supporting infrastructure, as has occurred over the years. This is a solution to a problem that we have seen over the years where places like the areas in which I have lived in the outer east have been developed without infrastructure — no sporting facilities, no schools and no shopping centres or public transport. These things lag years behind, and this is a way to see that we get

this infrastructure in time with the development. Shops, schools, health services, jobs, sporting facilities and transport are needed when areas are developed. The development contribution increases costs, that is true, but it increases the benefits, and there are huge benefits in having coordinated infrastructure — the shops, schools, health services, sporting facilities and transport — as development occurs and not years afterwards. It is a huge benefit in avoiding future social and dislocation problems. It is important to avoid distress, because these things happen.

We are talking about costs, but what about the cost of not providing infrastructure? Over the years we have seen the cost of not providing facilities based on infrastructure, which leads to social problems, dislocation and isolation — all the things that go wrong because there is no supporting infrastructure. If those facilities are put into the areas in advance or as the areas develop, we solve these problems and reduce the costs. It may be a cost up front, but we reduce the cost downstream. Surely an ounce of prevention is worth a pound of cure. It is well worth putting in these facilities in advance rather than waiting for problems to occur. The costs would be much bigger than any development contribution downstream, but the benefits last for years. Usually state and local governments — quite often it is local government — are asked to sustain these costs until facilities are provided and they catch up on the backlog.

The Growth Areas Authority will be of huge benefit to councils. It is not about taking away the authority from councils, but is about having a coordinated approach and having a one-stop shop, as has been suggested by the Municipal Association of Victoria. This is a huge benefit to councils that might otherwise have come under pressure to provide these infrastructure services and will benefit enormously from having a coordinating authority.

The development contribution supports the Growth Areas Authority to undertake planning in cooperation with developers and local councils. The authority will work with stakeholders to ensure a strategic release of land, to secure infrastructure and services, and will play a role in coordinating government agencies and streamlining how new developments are planned, approved and delivered. It will work with local government and the development industry in each of the five growth areas named. Planning authority will not be removed from local councils; they will still have that. In the majority of circumstances the proposed authority will work with councils to ensure that its planning satisfies guidelines and will assist them with structured plans to see that the planning scheme is in

place to support the development that is required. It will be the collecting agency for the development contribution plan.

There has been talk about consultation, but the Municipal Association of Victoria has welcomed the development contribution and the Growth Areas Authority. The president said:

... communities in the growth corridors of Melbourne will benefit from improved planning, coordination and provision of community infrastructure —

and that the state government is showing necessary leadership. So it is well supported, and it is a necessary thing to do.

Of course it is all part of a plan for Melbourne's growth areas. We have to plan ahead for our newest communities. We have to see that they are well designed and have the services and facilities they need. The authority will work cooperatively with local councils and government agencies. It will reduce the regulatory burden on local government. It will maintain housing affordability by coordinating the release of land. It will make sure that developments are well thought out so that we have communities that are closer to shops, schools, health services and transport.

The authority will provide advice on the sequencing of new developments to ensure communities have services and facilities when they are needed. It will advise on the release and servicing of new land, as I said, and support development contribution plans for infrastructure and services for consideration by the government. It will give advice to councils and provide a one-stop shop for councils to go to. Quite often councils with large developments have a number of agencies to run around to before things get going.

We need this growth authority, which is obviously part of the Melbourne 2030 strategy. Ours is one of the five growth areas. The growth areas will continue to develop, accommodating up to 220 000 new households over the next 25 years. That requires a new approach to managing development and the delivery of infrastructure. As I said earlier, infrastructure services often lag behind, but taking a more long-term strategic approach will ensure that these facilities are provided in conjunction with housing developments.

By 2030 Melbourne's growth areas will accommodate up to 454 500 additional people in those 220 000 new homes, and over the next 25 years the land will need to be planned, rezoned, sequenced and released to support a competitive housing industry that provides a broad range of infrastructure and services. This task is

comparable to developing new communities with a total population close to that of Tasmania. Gone are the days of just carving up plots of land. This approach will require government agencies, councils and developers to put families first by rethinking the way they plan for new communities. As I said, locally I have seen the effects of the supply of infrastructure lagging years behind as communities ache and cry out for their facilities.

Of course there will be a significant boost for the housing and construction industry, leading to the creation of new jobs. There will be employment opportunities close to where people live, and jobs in those areas are expected to increase to 320 000 over the next 25 years under the policies and strategies outlined in this plan. We want to make sure that everyone can share in the opportunities that increased prosperity and growth can bring. This plan ensures that those opportunities will be as available in the future as they are today.

It is vital that we provide these facilities over the long term; that we plan for the future by planning over the next 25 years; that new estates have the facilities they need; that we coordinate with local authorities and provide them with the resources and facilities they need; that we cut red tape; that we ensure that people have affordable housing opportunities; and that they have opportunities to develop their lives in a community that is well supplied, well laid out, convenient, happy and resourceful. It is also vital that we ensure that Victoria continues to be a great place to live, work and raise a family. I commend the bill to the house.

**Mr HONEYWOOD** (Warrandyte) — The opposition, for good and proper reasons, opposes this legislation, not just because this is the second day in a row where this government has seen fit to introduce a new tax, which it prefers to call a levy. There are in fact three reasons why this legislation should be opposed. The first is that it is a new tax, and the opposition opposes the habit of this government to fix every problem by imposing another impost on the taxpayer.

The second reason is that this bill creates yet another authority. How many authorities, quangos and quagos does this socialist government intend to impose on the people of Victoria? We now have an ombudsman for everything on every street corner: Victoria is the place to be if you want to find an ombudsman. We have every ombudsman known to mankind — and then some. And now we have every authority that could possibly be dreamed up by every ministerial adviser, every so-called planning expert and every consultant

who has been paid for by this government to justify their existence. Here we have another authority comprising five to seven members. Heaven knows what they will be paid by way of meeting fees et cetera, what sort of support staff they will have, and how many Labor mates will be shoved in there on \$100 000-a-year-plus jobs to keep them occupied. This government is addicted to talk shops, and it is addicted to bureaucracy for bureaucracy's sake.

But there is a third reason to oppose this bill. What has happened to that great partnership we heard of? Acting Speaker, do you remember the wonderful local government summit, I think the government called it, when all the mayors were trotted down here to be told by the Premier in a full-day talkfest that they were going to be treated not as a third tier of government but as an equal partner to the state government? Yet what do we find in this legislation? Talk is cheap, because yet again we find legislation that is designed to totally override the rights and prerogatives of councils when it comes to their planning authority and their right to have local planning schemes. So there are not one but three good reasons why the opposition has taken the decision, not lightly — we never take these decisions lightly — to oppose this inept legislation.

The main purpose of the bill is to amend the Planning and Environment Act to establish the Growth Areas Authority. The bill provides that the GAA will operate in areas of land declared in the *Government Gazette* by the Minister for Planning to be growth areas for the purposes of the legislation. The government has had a few goes at this, I might add. We have had the green wedge legislation; we have had growth areas; and we have had all sorts of permutations. When she was the planning minister, the Minister for the Arts ignored her own green wedge legislation and imposed a nursing home on my electorate which was not allowed by her own legislation, only months after it had passed through both houses of Parliament. Of course that was a deal done behind closed doors. So we know that even when the government legislates, be it on green wedges or growth areas, it does nips and tucks to suit favoured friends.

But a growth area allegedly may cover the whole or a part of a municipal district and may comprise land in a municipal district of one or more growth area councils. Of course the so-called growth areas are Casey, Cardinia, Hume, Melton, Whittlesea and Wyndham.

**Mr Nardella** interjected.

**Mr HONEYWOOD** — I take up the interjection from the honourable member for Melton. You cannot

have a growth area without people. The way his government is going, people will be shifting not within growth areas but up north to Queensland and New South Wales. Kraft Foods is just another example, with 350 jobs going. Where are they going? Interstate, of course, because they know — —

**Mr Nardella** interjected.

**Mr HONEYWOOD** — No, interstate and overseas. You talk to any corporate leader in Victoria and they will tell you that, given the choice to extend or construct a new factory in Victoria, New South Wales or Queensland, they will elect to move interstate. They will not say it publicly, because they will be punished by this government if they do, but behind closed doors they will tell you that that is what they would do because of the work bans and limitations and the different costs of construction. We had that wonderful example of two factories that were exactly the same size, yet it cost two-thirds more to build the factory in Victoria than it did to build in New South Wales. That is typical of what this government has allowed to occur.

What I would like to ask is this: we have heard about these designated growth areas, but under 2030 what happens to a designated urban activity centre? The government has a few of those kicking around. It has Frankston, Bentleigh and Box Hill, and Ringwood in my electorate. The government is establishing a Growth Areas Authority. So what is happening with these urban activity centres? Will they just be left as something to be talked about? Yet again we find not \$1 in the state budget to establish the urban activity centre in Ringwood in my electorate. The previous speaker, the member for Bayswater, yesterday talked about Dandenong. All we heard from him was about the money in the budget going into Dandenong, including the money going to public transport, the money going to Dandenong for the planning authority and the special treatment for Dandenong.

He did not mention Ringwood, because Ringwood is in his electorate, but it is getting not one dollar in the state budget for these areas.

**The ACTING SPEAKER (Mr Plowman)** — Order! I ask the member for Warrandyte to come back to the bill.

**Mr HONEYWOOD** — We are going to have this authority looking after so-called growth areas. Time will tell whether any public infrastructure will be provided that will facilitate urban development in these growth centres. For example, the former Urban and Regional Land Corporation, about which we heard

yesterday in the debate on the Victorian Urban Development Authority (Amendment) Bill quite genuinely tried to churn back into genuine infrastructure the profits it made from selling land. A good example of that is that it paid for the extension of the railway line to the growth area in the northern suburbs around Epping in Melbourne. The old URLC did a great job when it came to providing the bells and whistles, the public parklands, the infrastructure of major road improvements to ensure — —

**Ms Beattie** interjected.

**Mr HONEYWOOD** — I take up the interjection of the member for Yuroke because she is saying it is vital infrastructure. Tell that to the people of Ringwood whom you have told they are going to have multistorey, high-density apartments with no road funding, no public transport — —

**The ACTING SPEAKER (Mr Plowman)** — Order! The member through the Chair, without interjections.

**Mr Nardella** interjected.

**The ACTING SPEAKER (Mr Plowman)** — Order! I have asked the member for Melton to confine his comments to his own contribution.

**Mr HONEYWOOD** — Government members can have all the designations they like. They can make all the attempts they want to play the Big Brother, we-know-what-is-best-for-you routines about dotting the i's and crossing the t's when it comes to planning, but if the government does not provide the public infrastructure that will support that growth in population — be it in a growth area or be it in a designated urban activity centre such as Ringwood in my electorate — it will all be for nothing. It means the government will be putting people into ghettos but will not be providing them with a meaningful range of options to enhance their lifestyle choice. That is what this is all about.

We are going to be interested to see how the functions of this authority are implemented. The government has as yet not removed planning or responsible authority powers from growth area councils. The government claims it has no plans to do so in future, which begs the question: what is this authority going to do? The bill contemplates that there may be occasions when the Minister for Planning or the councils request the authority to undertake a complex planning task — for example, the government claims for the sake of efficiency it would be more practicable for the authority to lead on implementing a particular outcome such as

where a proposal involves developing provisions intended to be applied consistently across all or a number of growth areas.

Again we have that we-know-what-is-best-for-you notion — that one bland urban landscape approach, with no attempt to differentiate between the cultures of different communities and no attempt to say, 'This community is a special place. It has a tradition and a culture that should be reflected in the type of housing in that area'. However, the second-reading speech does indicate that it is likely that the Growth Areas Authority (AAA) will assume planning control over councils. It states:

Into the future the authority will be tasked with undertaking the studies and analysis necessary to support future consideration of this issue. At the time the minister could authorise the authority to act as the planning authority and prepare the necessary planning scheme.

Therefore, shaft your local councils! The minister is going to override that much-vaunted partnership approach that was offered by the Premier at the start of this government in 1999 — the partnership approach with the third tier of government.

**Ms BEATTIE (Yuroke)** — What hypocrisy! In the last few sentences we heard about shafting local councils. I urge members opposite to think back to the early 1990s, when the former government sacked all the local councils, amalgamated them all and put commissioners in and when some of the people who had been preselected for Liberal seats became commissioners. That is part of the problem.

Back in the early 1990s the then state government withdrew from planning when it amalgamated the councils and left them to their own devices. At that time, with the amalgamations, some of the people with the expertise had been sacked or walked out the door as councils became newer, bigger entities, and there were many voids in planning. They were poorly equipped to handle the new way of doing things, and as a consequence many of the outer suburban areas we are talking about, such as Casey, Cardinia, Hume, Melton, Caroline Springs, Whittlesea and Wyndham, were poorly equipped. The councils were unable to provide the supporting infrastructure and services.

Also, when the councils were sacked many of the new bodies were required to take over large debts that they were not at all equipped to take over. There was also compulsory competitive tendering and a rate freeze at the same time, so we need to think back to the events that occurred at that time to lay the groundwork for what is happening today. After that occurred and that

big void was left there, in 1999 — and largely because there was so much dissatisfaction in rural and regional areas with the way they had been treated and their local governments had been sacked — the Bracks government came into office. We knew that you cannot just leave planning to be done ad hoc in the belief that planning stops at municipal borders, so we introduced Melbourne 2030. I have to say it was the first time there had been a plan for the whole state. The Minister for the Arts, who is at the table, was the Minister for Planning at that time, and I congratulate her on Melbourne 2030. I think it will leave a remarkable legacy.

The smart growth committees were appointed, and of course they were kept at arm's length from any political process. Last November, before the Christmas break, we heard the member for Hawthorn — now the opposition leader — saying that we should have talked to the developers, we should have had developers on the smart growth committee having input into them. What nonsense that was. We had those smart growth committees in place and they reported to the government, on urban growth planning.

The current Minister for Planning is in the house. I congratulate him on the Growth Areas Authority. He has done a fantastic job. It is obvious that the ministers are vitally interested in this bill.

The report recommended that the government consider the introduction of an ongoing mechanism to undertake infrastructure and planning coordination, and the establishment of the Growth Areas Authority is part of that recommendation. We will look for suitable people to be on the Growth Areas Authority. It is going to have between five and seven members. People with skills will be approached to become members of the authority.

We now have a task force with three members: Mr Chris Banks, the former chief executive officer of Delfin; Carol Schwartz, a director of the Highpoint Property Group; and Rob Spence, who as everybody knows is the chief executive officer of the Municipal Association of Victoria — again a person with local government expertise. The Growth Areas Authority will play a very critical role in ensuring that ordinary families such as the families in my growth corridor of Hume have access to affordable and well-serviced housing.

I want to say that the old days of just carving up pieces of land and whacking a road down the centre — that is, if they even put a road down the centre, and often it was a dirt road — have gone. We want to plan communities, and it is only by having the timely release

of land in some sort of order that that can be done. You also need to plan for the services. You need to plan for schools. You have to see where the schools are and where they should be — the same with the local shops, health services and jobs and transport. As an example of an area where those things are happening, I would point members in the direction of Hume, because we see that happening now in the Craigieburn area. We see that, because of this plan and the smart growth committees, things are happening in a consequential and orderly fashion.

The housing blocks have been subdivided at the same time as the Bracks government has been building a super-clinic along the road. Private developers are planning a major shopping centre, and we have put the railway extension in — and that relates to the \$115 million I spoke of in my contribution on the previous bill. There are buses to take people to the stations, and the schools are being built. So it is all happening because of good planning policy.

I will talk about another point, the provision of industrial land. This is very important, because it is no use having to use a litre of petrol to go and buy a litre of milk. You need the services and shops, but you need employment to go with them. It is no good creating housing in Casey and saying that the jobs are down in Wyndham. The jobs must also be near the housing so people can plan their trips and have a sustainable lifestyle. These are the hallmarks of good planning. In this budget we see some of the projects that should have been provided by developers who were playing catch-up. We are not doing that anymore. We are asking developers to make some contributions so the planning can take place.

The member for Warrandyte talked about people moving interstate because of the contribution charge. I refer the member for Warrandyte to the residential building approvals, which are at record levels. People are voting with their feet. They want to buy houses in these areas, and they want good parks, they want good roads, they want good transport, they want jobs close by and they want good health services. With good planning all these things can happen. It is not like the 1990s, where the previous government just sacked local councils and left them holding the baby for all these things. We are into good planning.

I am supporting this bill. I am disappointed that the opposition has put up two speakers and The Nationals have put up one. They do not really care about bills such as this; they are just opposing for the sake of opposing. It was interesting to hear the Leader of the Opposition say he is going to ditch Melbourne 2030.

What is he going to put in its place? Again there is no policy, just 'Scrap it'. Why? He does not even know why. The only policy the opposition has is to scrap Melbourne 2030, but there is nothing being put in its place. The opposition is throwing good planning out to appease a few small groups.

We will work with local councils and with the relevant authorities to maintain the good planning that has been the hallmark of this government. We are not being rushed into things but are laying the foundation for Victoria for many years to come. I commend the bill to the house.

**Ms BUCHANAN** (Hastings) — It gives me very great pleasure to stand and support the Planning and Environment (Growth Areas Authority) Bill. As an MP in an interface region, I have watched over the last three to four years as this government has turned around the planning process within Victoria to give greater consistency, security and support to local councils so they can do the job of planning in growth areas.

I support this bill because its intent is very clear. With the introduction of the development contribution charge to support the provision of new infrastructure in growth areas and the establishment of the Growth Areas Authority — or the GAA, as it is often called — to undertake planning coordination, the introduction of development contribution plans, and development and administration reporting and advisory functions in growth areas, we are setting up a process to provide the greatest support to growth areas and, by virtue of that, to the local councils that have responsibility for that. We will give greater security and tenure to developers in the region, and we will give the best possible infrastructure support to new families going into growth areas. I do not think anybody can dispute that premise.

More importantly, we will work with stakeholders both to ensure the strategic release of land so that some of the issues the member for Brunswick alluded to in relation to healthy competition in land prices will continue and to secure infrastructure and services to new communities. The authority will also play a role in coordinating other government agencies and, importantly, in streamlining how new developments are planned, approved and delivered in growth areas. That is a significant, very important point.

It is very disappointing that The Nationals and the Liberals are opposing this bill. One is led to believe that all care and no responsibility is the order of the day when you look at the opposition's reasons for not supporting this bill.

I will talk a little about the lead-up to the introduction of this bill and the consultation process undertaken by the smart growth committees. As many other members have pointed out, when Melbourne 2030 was introduced prior to the urban growth boundaries being finalised in November last year, smart growth committees were formed in the five key growth areas that the minister identified. They went through a very comprehensive, inclusive consultation process with all sorts of stakeholders in the community such as developers, landowners and prospective home owners.

I can recall that within the city of Casey the Casey-Cardinia smart growth committee letterboxed thousands of households and held at least three community sessions. Upwards of 300 people were in attendance. I attended two of those meetings myself. We were asked some very simple questions. There was a giant map of the whole area and people were asked where they would like services to go and where they would like the zonings to go.

I do not know how more consultative and inclusive you can get than that process — people of the region with strong environmental, commercial and social interests were asked to contribute. They had an opportunity to determine where within the area identified by the smart growth committee they would like their services and economic and social infrastructure to go. I have never seen a process like that done by any other government. I would love any of the opposition speakers to tell me how inclusive they have been in terms of having people in the community so hands-on when it came to planning processes in the past. I do not believe they would be able to match the very inclusive process that was undertaken by the smart growth committees.

A recommendation coming out of the smart growth committees was to establish the Growth Areas Authority to look at the development of the developer contribution plans (DCPs). That came out of that very inclusive process of engaging the communities around those smart growth committee regions.

Disappointingly, I did not see any opposition MPs from either the Liberal Party or The Nationals at any of those very large community meetings held at local government centres. Not once did they give up their Saturday afternoons to come along and hear what the residents, businesses and landowners had to say about the future growth of those regions.

I want to talk about the make-up of the new authority. As other members have pointed out, it will have a board consisting of five to seven individuals who will have very important skills in looking at growth, planning, environmental, social, economic and commercial

business interests and needs. They will be working very collaboratively with councils. I want to take up the suggestion that this would take away from the rights of local governments. I want to stress that this government has not removed planning or responsible authority powers and it has no intention of ever doing so. The GAA will work with councils to ensure their planning satisfies guidelines. That means they are going to support councils in getting up planning scheme amendments in a responsible, consistent and sound manner. Nowhere is that more important or more vitally needed than in the City of Casey, which has been struggling with a mishmash of planning scheme amendments and inappropriate development all over the place. It is not able to keep pace with the infrastructure needs of the growing community.

The member for Sandringham was very selective in discussing comments from the City of Casey. When I had a discussion about this process with the chief executive officer (CEO) — the Minister for Planning was in the same room — and the mayor the overwhelming response from them was, and I quote the mayor, ‘Bring it on as quick as you can! We need it, and we needed it 10 years ago’. I cannot think of a more glowing endorsement from the City of Casey than that, when the mayor was engaged in and consulted about the process.

I want to take up another point made by the opposition in this debate. It was suggested that the process of the GAA would take away democracy from the local government authorities. I am sorry, but the only way to respond to that sort of inane comment is to ask what the sacking of councillors, the unilateral appointment of commissioners and the introduction of compulsory competitive tendering did to local government back in the 1990s? What democratic processes were they? I would respond by saying Buckley’s and none. There is no better example of the withdrawal of democracy than what happened in the 1990s. We are supporting local government through the planning processes. I cannot think of a better way than through the GAA.

Other comments were made about the increase in costs for families wanting to go into a residential subdivision in a growth area. I would like to point out some of the benefits the GAA will bring in supporting local government to get sustainable development right. I will take the hypothetical case of a young family where the husband goes out and works. Under the GAA theoretically he will not have to use his car, because he will be able to go to a well-defined and planned bus stop not more than half a kilometre from his house. There will be bus stops and services around so that he

will not have to use a car and the family will not have to get a second car.

The mum may stay at home with a couple of young kids. She will not suffer social isolation as many in growth areas do at the moment because there will be a preschool around the corner to take her children to. If they have any developmental needs, they will be very quickly identified by the qualified staff. The children and mum will get the chance to socialise with other families in the area who are happily able to walk to their local preschool because it has been located on the basis of sound planning so that parents can walk to it. The dad will come home early from work because he will work in one of the commercial precincts that will be developed in co-location with residential areas under the GAA principles. He will not have to drive kilometres away to support his family.

These are the principles of good urban planning which the GAA will be working with in cooperation and partnership with local government to enhance the role that local government has been struggling with for such a long time. I certainly support this bill and I commend it to the house. I wish it a speedy passage.

**Mr KOTSIRAS (Bulleen)** — I was not going to speak, but I cannot believe the rubbish from the mushrooms on the other side. I cannot believe the ignorance shown by members of this government. I cannot believe they cannot see that this is another tax. It is more money for the government. It has nothing to do with planning — absolutely nothing to do with planning. It is all about mates and finding jobs for mates.

The main purpose of this bill is to establish the Growth Areas Authority — yet another authority established by this government. It has so many authorities it is unbelievable. Why would it establish an authority? To ensure that it provides jobs for its mates. One of the reasons this government will fall is planning issues — all the secret deals — —

**An honourable member** — The kickbacks.

**Mr KOTSIRAS** — The kickbacks this Labor government gets will be its downfall. Planning is one of the areas that will bring it down.

What is a growth area? Proposed section 46AO(1)(a) provides that the minister may:

- (a) declare an area of land in the municipal district of one or more growth area councils to be a growth area for the purposes of this Part ...

The minister has the power to do what he or she wants. They will just ignore local government and the councillors. Keep in mind that the councillors are elected by the residents; this government will simply ignore local councils and the minister will do what he or she wants to do. That is very disappointing, especially when hearing the rhetoric from government members when they talk on the bill.

I refer to the powers. Proposed section 46AU(2) provides:

- (2) The Growth Areas Authority must comply with a written direction of the Minister.

Again the authority will do whatever the minister wishes it to. The minister will tell the authority what to do and the authority will come out and publicly say what the minister has asked it to, but the minister will hide behind the authority when the news is bad. This is simply a way for the minister to push through the government's view and then sit back and pretend that it is not the view of the government.

The membership of the authority will consist of not less than five members and not more than seven members, and of course they will be appointed on the recommendation of the minister. Again it will be jobs for mates. That is all this is about: jobs for mates. I am sure there are many Labor mates who are looking for jobs. Of course the members will have to have special skills — they will probably need to be able to listen, as mushrooms, to the government and to not stand up for the community. That is all this is about. The authority is all about the government looking after its mates.

Melbourne 2030 is a disaster, and the government knows about it. Residents in my electorate believe it is a mess. Now the government is trying to establish another authority which will do nothing more than just give it a voice. It will ignore local councils, it will ignore the councillors, and it will ignore the will of the residents. It will just make sure that the authority will come over the top and do what it wants to do in the municipalities. That is a disgrace, and for that reason we will be opposing this legislation.

This is poor legislation, and it is a shame that members opposite do not have the courage to stand up and say this is bad legislation and the minister should take it back. Unfortunately, as I said earlier, they just sit there like mushrooms and are fed rubbish, and then they stand up and read from the same hymn book. That is all they do, repeating page after page. They have to sit there and listen and stand up and repeat what the other person has said. It is bad legislation and government members should oppose it and it should be thrown out.

It should never have been introduced into Parliament, because it is simply another tax on the people of Victoria.

**Ms NEVILLE** (Bellarine) — Are we not all much more enlightened by the contribution by the member for Bulleen? I should point out, because it does not show up in *Hansard*, that I am saying that very sarcastically.

I am genuinely pleased to speak in support of the Planning and Environment (Growth Areas Authority) Bill. As other speakers have said, it establishes the Growth Areas Authority, which this government was committed to back when the Melbourne 2030 process was undertaken. What we have here is a piece of legislation that is about ensuring good planning. It is not just seeing planning as about how to subdivide bits of land, but about ensuring that as that is done, infrastructure and services are provided in the new communities.

Let us be clear: we have a choice here in Victoria. We can either have planned development and achieve sustainable, viable and vibrant communities, or not have that and allow development to be driven by developers. They could come along, purchase some rural land and say, 'We'd like to put a subdivision here and build a new community here', and councils could decide they need to do it. With no planning, developers could just be allowed to drive that.

This bill is all about how we ensure we work in partnership with all the various stakeholders — with councils, with developers and of course with our communities. It is all about ensuring that as growth occurs — and growth will continue to occur as population grows — there is appropriate and well-planned development.

It was amazing to listen to a number of the contributions from opposition members. They talked about this being all about usurping the powers of councils. Other members have spoken about, and I feel I cannot let this go without making a comment, who usurped whose powers. We can look back not that long ago to a government that sacked councils, appointed administrators and forced amalgamations on communities. I remember those days and being out in communities that had lost their councillors and the council that they were so much a part of. It hurt those communities. It is only really now that communities are starting to rebuild and move on from that. That is usurping council powers — actually sacking councillors.

I do not think I could count the number of times that I have heard in this house opposition members criticising the Minister for Planning for not intervening in the planning process. On the one hand we hear that councils are the planning authorities; we should not usurp their powers. On the other hand we constantly hear them condemning the Minister for Planning for not calling in a proposal, condemning the Minister for Planning for not intervening in a council decision and condemning the government for not calling in a decision. We see opposition members having it both ways. They want councils to be all powerful; however, when they do not like something they want the minister to call it in — and they condemn the government when it does not do it.

This is all about partnerships, so we are not constantly reacting to issues or bad planning that may occur. Instead of saying, 'We don't like this, let's call it in', let us get the planning right to start with. Let us ensure that growth is occurring in appropriate areas and that that growth is planned appropriately to support communities and ensure that they are sustainable in the future.

As other members have said, the Growth Areas Authority will cover six growth areas in Victoria: Cardinia-Casey, Hume, Melton-Caroline Springs, Whittlesea and Wyndham. The Growth Areas Authority will provide advice to government about the availability of land and ensure that appropriate land is available to continue to create downward pressure on land prices.

There has been an interesting debate today around the development contributions charges, about it somehow putting the prices of houses out of the reach of families. My understanding of the way house prices work — and I am certainly not an economist — is that availability of land would be one of the key drivers for determining the cost of housing in particular areas. As is now regularly the case in lots of communities and where there is a situation where there are only three or four years of land availability, yes, house prices will go up. But where you are planning for provision for around 15 years, you are able to create competition because enough land is available to ensure house prices go down. That is what will determine house prices in the future. It is not a development charge.

The member for Bass in his very loud contribution — not very worthy, but very loud — talked about this putting up house prices and about it being terrible. I do not know where he has been, but I can tell honourable members that certainly members of the communities that I represent talk to me all the time about the need to ensure that, as part of a development, appropriate

infrastructure and services are provided. There have been countless numbers of communities which have not had footpaths, drainage, parks and public transport and which were not planned around schools or hospitals. What people continually say is, 'We need a footpath here and we need these services there'. What they are saying is that there is an element of having developers who get land that has been rezoned from rural or industrial to actually make a contribution.

I have no doubt that if I go to my community and say, 'We have put this in place', it will be overwhelmingly welcomed. That is what members of my community talk to me about all the time. As new developments go in, they ask what provision is being made for open space, what provision is being made for community space and what provision is being made to ensure that we have appropriate schools available that can cater for the growth in population?

I find the argument of the member for Bass — that it is the government's responsibility — bizarre. Yes it is, but the way we pay for that is through community money — in other words, through taxes. We pay for schools and for infrastructure through taxpayers dollars. But to say that we should not and do not have a responsibility to ensure that developers make some contribution to the cost of the infrastructure that is going to be required because of the growth of those communities when the developers are going to reap financial benefits from those areas is just a ludicrous argument. At some point someone pays. At the bottom end, taxpayers are the ones who are paying for those new communities and ensuring that infrastructure is available.

This authority is all about good planning, and it is all about a partnership with all the stakeholders out there. The system we have at the moment, where we allow developers to drive the development and expansion of particular communities, is not sustainable. It must be done in a strategic way. This authority will be working with councils and looking at structure plans and at those communities that do not have them to ensure that we are all moving strategically together and that the areas of growth are appropriate.

In my community the proposal by a particular company for a major development that would have had a huge impact in my community was not done in a strategic way. In that community there was no structure plan. However, the council went ahead and said, 'Yes, we think it should go out for public exhibition'. In that case the minister determined that it was inappropriate for that development to occur. Communities want those sorts of developments to be done in a strategic way. Let

us all work together to ensure that our boundaries are right, that we have enough land available to meet the population growth in Victoria and that we have the infrastructure and services to support those communities and make sure they are sustainable.

A previous speaker mentioned ghettos — and that is what we do not want. We want communities with good services and infrastructure so that Victoria continues to be a great place to live for all Victorians and those who continue to move here. I commend the bill to the house.

**Ms GREEN (Yan Yean)** — It gives me great pleasure to join the debate on the Planning and Environment (Growth Areas Authority) Bill. The Growth Areas Authority was announced late last year when the government outlined its plan for managing Melbourne's growth areas — and I am very familiar with growth areas, because I represent Whittlesea, which is a very significant one. The others are Casey, Cardinia, Melton, Caroline Springs, Hume and Wyndham. The Whittlesea development itself is phenomenal, with the existing growth node at South Morang and new communities at Mernda-Doreen and Epping North. I think this authority is going to deliver for those communities. What we are talking about is a partnership approach with responsible developers. Most of the developers in my area are responsible and welcome this, and local government welcomes it.

We have just heard a lot of nonsense from the opposition. What would it know about partnership? The previous Premier, Mr Kennett, ran roughshod over communities. There were never any partnerships, because the situation under Mr Kennett was 'my way or no way'. The opposition has been bleating about respect for the third tier of government. We are the government that respects local government as the third tier. The previous government never did. There was no democratic representation: it sacked all the councillors and put in commissioners instead. There were dodgy development deals.

Today accusations have been flung around this place by opposition members about secret deals. For goodness sake, this is the crowd that brought us the land deals of the early 1980s. They do not want openness and transparency in the development industry. They are the ones who want to do secret deals with mates. They have also never cared about the outer suburbs. If an area is not on *Melway* maps that have Malvern, Hawthorn or Toorak on them, they do not give a rat's! They have never cared about the outer, northern, south-east or western suburbs. We care about those areas, and that is why we want to build good communities there.

As the member for Bellarine mentioned, the member for Bass said in his very loud contribution that this work is usurping the work of government — but it is not. Members can see in the budget presented this week that we have not vacated the field. In my own area of Epping North, new schools have been proposed. There are new schools in Laurimar and Mill Park Lakes, and a special development school has been proposed for Mill Park Lakes, where last year we also funded a children's centre. We are going to fund another children's centre in the Whittlesea area. We need to do these things in partnership with developers. Developers are making significant profits from the investment they are making in these communities.

The people in existing communities and those moving into these areas think it is quite reasonable that a contribution is made. This year I have had developers speak to me, assisting my push for schools to be funded in the new suburbs. They want to talk to me about what other community infrastructure, co-located in those areas, they could be involved in funding. They are not afraid of the proposal. It is important to have a planned approach in development and the government is doing that.

All that members of the opposition say is that they will throw out Melbourne 2030. I was horrified by the contribution from the member for Warrandyte, who as usual was bending the truth. You would never know what he stood for. In the newspaper area that we share — I am the member for north Warrandyte; he happens to be the member for the other side of the Yarra — his platitudes about supporting green wedges are reported. From what I heard today, it sounds like he has recanted on that.

You just would not know what these clowns would do if they got in. There would be unbridled development. Our green wedges would not be protected. We would not have magnificent parks such as were announced in the budget. There will be a new metropolitan park along the Merri Creek, with 16 kilometres of cycling path and preservation of that beautiful environment. All those new communities moving into the area will have access to open space. The proposal shows respect for those people and treats the environment with respect. Last year the government, in partnership with the council, committed a quarter of a million dollars to the Quarry Hills park.

These are the sorts of things that members of the Liberal Party were never interested in when they were in government. The plan was just to throw up the houses. Who cared what happened? My first five years before my family moved to country Victoria were spent

in a new subdivision in East Doncaster. We had messy, dirty, filthy, unmade roads, appalling drainage, no schools and no kindergartens. We had to travel a long way to get the most menial of services. It was before Doncaster Shoppingtown was built. I remember that we used to go to Northland to shop — all the way from Doncaster to Preston — because there were no shops around. It had not been planned. Well, those days are gone. The government will not be irresponsible on those things.

I also want to correct something else that the member for Warrandyte said when he was criticising the good contribution made by the member for Bayswater. He said that there was nothing in the state budget for the Ringwood transit city. I have to correct the member for Warrandyte. I do not know whether he cannot read or he just continues to bend the truth, as is his wont. He should reread the budget papers, where he will find that \$2.6 million is provided for the Ringwood transit city. The member for Warrandyte also said that everyone is moving to Queensland. They are not. He might be moving to Queensland, with his new hairdo and new career!

Many, many people are moving to Victoria. Only recently I was speaking to a family from Sydney who said how delighted they are and they commended me about services going in early. The Mill Park Lakes estate is only about five years old and it has three bus services going into it. In the budget the government has announced an additional span of hours for those bus services so that people can get around. The families in the Hayston Valley estate have lived there for only a year. There is a bus servicing that estate and now there will be a school. That sort of thing just does not happen in Sydney. Also, the developer contributions that the government is asking for compare very favourably with those in Sydney. That is one of the reasons that our housing industry is going so well. In raw figures our housing approvals and starts are way ahead of those in New South Wales, despite its larger population.

The government must look at the task before us because of all those people moving to Melbourne and the growth areas. We are talking about half a million people moving to the outer suburbs by 2030. That is the same as the whole population of Tasmania. It would be derelict of the government not to plan that appropriately to ensure that there are good roads, drainage, gas, telecommunications, open space, schools, and neighbourhood houses — all the sorts of things that people in the inner city take for granted. The government is building communities, not just suburbs or housing estates.

Another component of this growth is that the government needs to ensure that people have local jobs. In the Whittlesea growth corridor where the Melbourne wholesale fruit and vegetable market will be relocated is the Cooper Street employment precinct. The target of the Whittlesea council has been to have at least one new job for every new house built in the city of Whittlesea. We are finding that there are about one and a half to two jobs going in, so we are well ahead of the game. That means less cost for transport infrastructure and less likelihood of traffic congestion — because people do not have to travel out of the area.

Returning to the development industry, it does welcome the proposal. It is a sensible thing to set up a Growth Areas Authority. The proposal does not usurp the role of councils; it treats them and the community with respect. There is no reason why people should have to use a litre of petrol to buy a litre of milk. I commend the bill to the house because it will make those new growth suburbs great places to live, work and raise a family.

**Mr PERERA** (Cranbourne) — I rise to speak in support of the Planning and Environment (Growth Areas Authority) Bill 2006. The bill gives effect to the government's commitment to establish a Growth Areas Authority. This is part of the Bracks government's big vision to manage urban growth with the extra 1 million people who in the next 25 years will choose Victoria as the place to live, work and raise a family. This is a reality, given that currently Victoria has the highest rate of building approvals of any state. Members of the opposition may not like to accept this because that suits them, but the reality is that the figures indicate that Victoria is a popular place.

In the early 1990s, the state government withdrew from regional planning, leaving local government to coordinate with developers and to provide state and local government infrastructure. As a result, outer suburban areas have been developed without supporting infrastructure and services. The amalgamation and sacking of councils by the previous Kennett government did not help, either. I can point to a number of areas in the cities of Casey and Frankston where new subdivisions that have been there for many years have created requirements for road infrastructure enhancements that have never been attended to. Partnerships between the councils, developers and other stakeholders have not occurred to the extent that they should have.

The establishment of the Growth Areas Authority is important, because it will bring together all those involved in the development of Melbourne's growth

areas. The five to seven members who will be appointed to the authority will have skills, experience or knowledge in areas of planning, development, economics, financial management, local government, and housing. They will be experts and will have the knowledge to deal with developers and other planning authorities such as councils and community groups, just as VicRoads deals with stakeholders. Those people will not have a vested interest and will work with the elected representatives on councils and local members of Parliament.

The growth areas identified in Melbourne 2030 are the cities of Casey-Cardinia, Hume, Melton, Caroline Springs, Whittlesea and Wyndham. Every week 45 to 50 families move into the Casey City Council area. It is a huge challenge to provide housing infrastructure, job opportunities and open areas for such growth.

The plan for Melbourne's growth areas announced the introduction of a development contributions regime to support more timely provision of infrastructure. It would be hard to argue that these contributions will be passed to first home buyers. The reason is that the market will determine it by demand and supply. One role of the growth authority will be to ensure that there is enough land for housing for the next 15 to 25 years. As the demand meets supply, the prices will stabilise. I am sure the opposition will not want to endorse that. However, the state government will continue, through the budget, to meet the majority of the costs of public transport, roads, environment and other infrastructure. The living, breathing example of this is the 2006-07 budget which will deliver a massive \$4.9 billion capital works program.

The development contribution plan will outline the infrastructure to be provided to each growth corridor, as well as identify funding sources and time frames for its delivery. The government has not removed planning or responsible authority powers from the growth councils. This is in stark contrast to the previous Kennett government, which sacked councils. However, clause 9 amends section 190 of the Planning and Environment Act 1987 to provide that if the minister is a responsible authority, the minister may delegate powers, discretions and functions to the Growth Areas Authority or the chief executive officer of the authority. This is important, especially in cases where development proposals are intended to be applied across a number of growth areas. It is a better and a workable arrangement.

The Growth Areas Authority will play a critical role in ensuring that ordinary working families have better access to affordable, well-serviced housing in Melbourne's growth areas. The authority will ensure

that local job opportunities are easily accessible within each of the five growth areas. It will ensure that new developments will be well-served from the outset. The local jobs are very important at a time when petrol prices are skyrocketing. It will ensure that new estates are well-designed and have good access to roads and public transport. The authority will ensure that working families in these new estates do not have to use a litre of petrol to buy a litre of milk or a loaf of bread or a can of Coke. The authority will be forward looking, fostering the development of communities in growth areas and not just oversighting the subdivision of land.

We have successful authorities such as VicRoads working with local councils and the communities, and this will be another one. This authority will have expertise in land management, in zoning, and in building suburbs with good infrastructure and local job opportunities. The authority is another example of how the Bracks government is working to implement elements of A Fairer Victoria which committed the government to finding better ways of working together at a local and regional level.

This is good news for present and future generations whose ultimate dream is to own their own home in Victoria. This will be the great dream of people who are looking forward to coming and settling down in Victoria. The Victorian government has already put in place a state migration program encouraging regional settlement. There will be so many people looking forward to settling in Victoria and raising a family. This type of planning authority will help in the future to plan where the housing should be and where the infrastructure should be put in place and managed in the future. I commend this bill to the house.

**Mr HUDSON** (Bentleigh) — It is a great pleasure to speak in support of the Planning and Environment (Growth Areas Authority) Bill. It is a great bill, and I just cannot understand for one minute why the opposition is not supporting it. This authority will work closely with local government communities and developers to ensure that we have an orderly release of land. It will also ensure that we have a timely delivery of infrastructure and of services such as schools and hospitals, jobs and transport to new communities.

The point of all this is that planning is quite a complex matter. It is something which I would have thought the opposition would recognise and would be supporting. We do not want to see a repeat of the problems of the past. We do not want our outer suburbs to be developed like Broadmeadows was in the 1950s and 1960s. In the 1950s and 1960s we had more than 12 000 residents a year moving into Broadmeadows, through the housing

commission, into spartan, concrete, prefab houses. Sure, they were given houses — the only problem was that the planners forgot all about the shops, kindergartens or health services of any kind. Many of the roads were not even paved at that time.

If you go back and look at the reports at the time, you see that residents would carry their shoes in their bags and leave their muddy walking shoes lined up at the train station for the day while they were at work. The swimming pool was not opened until 1962, the town hall in 1964. The local shopping centre did not get started until the 1970s, and Broadmeadows did not even have a library until the Bracks Labor government funded the development of the Hume Global Learning Centre in 2002.

I could not believe that. When I was working for the Premier in 2002 we had Frank McGuire come to us and say, 'We do not have a library in Broadmeadows' — 40 years after the suburb was established! How could an area that had been a major urban area for over 40 years not even have a library? The answer to that is that successive governments had not planned for a community in Broadmeadows.

Frank McGuire tells the story of how in 1981, when he was a 24-year-old reporter on the *Herald*, he went to interview Major-General Ken Green, who was retiring from his position as Victoria's most senior public servant. Frank asked Major-General Green what had been the greatest failure in his decades of public service as the top-ranking bureaucrat in the state. Major-General Green said, 'In one word, Broadmeadows'. Of course Frank McGuire had been born in Broadmeadows, and he was totally knocked off his chair by that statement, because there was the state's leading public servant in the Bolte-Hamer era saying that there was a total failure of coordination — that is, the housing was put in by the Housing Commission and the factories were built by big companies like Ford and Pacific Dunlop, but there was no social infrastructure in the area. We all know the social problems that were created in Broadmeadows as a result.

Broadmeadows has matured as an urban area, and many of these planning issues have been resolved. If you go out to Broadmeadows now it is fantastic to see a whole new generation of young migrants lining up at the door of the \$12 million Hume Global Learning Centre, their noses pressed against the window before it even opens. They are dying to get in to use the facilities — the computers, the Internet and the other things the facility offers them in terms of education and resources.

The Bracks government does not want to see any more Broadmeadows. We do not want to create any more suburbs like Broadmeadows. In her contribution to the debate the member for Yuroke referred to the fact that we are in danger of repeating those problems in her area. In the adjoining area of Craigieburn we are in danger of not getting right the coordination between the hospitals, the development and the schools. That is what the Growth Areas Authority is all about. It is about making sure that ordinary working families have better access to affordable, well-serviced housing in Melbourne's growth areas.

The Liberals have made a great song and dance in here today about how development is financed. Let us look at how the Bracks government is funding development in these outer urban areas. First and foremost, through this budget the Bracks government is investing a record amount of money in social and physical infrastructure. If you look at the money that is going into schools, hospitals, roads and transport in the 2006–07 budget, you will see that it is \$4.9 billion. What was the Kennett government averaging right throughout the 1990s? One billion dollars!

**Mr Wells** interjected.

**Mr HUDSON** — It was neglect, plus there were the budget surpluses you were delivering in the 1990s, and all you did was squirrel them away. You left a huge backlog of infrastructure in these outer urban areas.

**Mr Wells** interjected.

**Mr HUDSON** — That was resolved within two years of your being in government, and you squandered the rest of the legacy — and you know it. Some of that infrastructure will be funded in the budget by public sector borrowings. That is entirely appropriate, because borrowings mean that successive generations will pay for long-life infrastructure. You have a combination of some infrastructure being provided in the budget and other infrastructure being funded by borrowings.

**Mr Wells** interjected.

**Mr HUDSON** — The member for Scoresby gets up here and suggests in some way that the government is somehow on a debt train. The level of debt as a proportion of the state economy is less than it was at the end of the Kennett era, so he does not know what he is talking about.

The government is also going to ensure that councils have the capacity to properly provide this infrastructure. Apart from the fact that the Kennett government sacked councils and removed their capacity to coordinate the

provision of infrastructure, it completely nobbled them by capping rates. It said, 'These areas are going to grow', but they would not provide the infrastructure in terms of sewerage and roads and other services that need to be provided in these areas. What is happening now is that these councils are paying — —

*Honourable members interjecting.*

**The ACTING SPEAKER (Mr Seitz)** — Order! This is not a free-for-all. That is discourteous to the member on his feet.

**Mr HUDSON** — These councils are in a position where they are having to put up their rates, not only to fund new infrastructure but to pay for the infrastructure that is falling to bits as a result of the capping of rates in the 1990s. That was a complete disaster for local government.

Finally, there are the development contributions. Of course the Liberals are opposed to development contributions as well and claim that they are going to drive up land prices. What absolute tosh that is! The most important determinant of land prices in these areas is competition, and that is what the Growth Areas Authority is going to ensure. It will ensure that there is competition between developers and an orderly release of land. We will not have any of the things that went on in the past, where developers bought up land, hoarded it in land banks and did not release it until the price went up to a premium and people paid through the nose for that land. We will ensure that the market operates effectively and efficiently in these areas. And not only that, we will ensure that VicUrban also plays an appropriate role.

**Mr Wells** — A socialist policy.

**Mr HUDSON** — The member for Scoresby says it is a socialist policy, but it was the Hamer government that introduced the Victorian Urban Land Authority. It was the Hamer government that recognised there needed to be competition with private developers to ensure that families in outer urban areas were getting house and land packages at affordable prices — and here we have the member for Scoresby saying it is socialism!

It is a sad, sad reflection on the current-day Liberal Party, which has as its great legacy people like Sir Rupert Hamer and Alan Hunt, who recognised that we needed orderly development, competition with private developers and green wedges. Now of course they are junking Melbourne 2030, orderly planning and orderly development. It is to their shame that they are junking their legacy. I commend the bill to the house.

**Mr NARDELLA (Melton)** — The bill before the house really does demonstrate why the opposition — the Liberals and the New Liberals — are just not ready to govern in this state. There is a stark contrast between the Bracks Labor government and members of the opposition, who would junk Melbourne 2030 and throw it on the scrap heap. They want to go back to a laissez-faire system of property development, with all of its problems, including dirt roads and not being connected to sewerage, gas and electricity. Their position contrasts starkly with that of the Bracks government, which is far sighted. We are anticipating needs within these new communities.

It was just a disgrace to hear the member for Bass. Let me put on record that the member for Bass, who was on the Rural and Regional Services and Development Committee, of which I am the chair, has gone out to these new communities and seen their problems, yet he comes into this house and starts talking about the good old days when he and his mates — when he was on the council — used to put together these developments of dirt tracks, dirt roads and liquefied petroleum gas bottles. That was how services were delivered to these communities, and that is what the member for Bass was on about, even though he was a member of my committee. We are planning for the future, and we are making Victoria a great place to live and raise a family.

The Liberal Party and, worse still, The Nationals — and let me put that on the record — have come in here today and acted in a disgraceful manner without any understanding of the bill. They are just like the Liberal Party members who have spoken in the debate today, with their rhetoric, their untruths and their talk of myths and anarchy. They are going back to the bad old days where the developer ruled and where he made the decisions and ensured his cut or profit was protected above everything else. The honourable member for Yan Yean talked about that in her contribution. The opposition wants to go back to the days of the Liberal governments and the Gowans royal commission of the mid-1970s, because that is where corruption was. That is where the Liberal Party would take this state into the future.

They should not come in here and oppose the Growth Areas Authority on the basis that it will provide services that people moving into these estates absolutely need and instead go back to the days of corruption and brown paper bags where a development was put through not on the basis of need, good planning or good services for householders but on the basis of the corruption and the dirty deals that occurred under previous governments — and certainly the corruption that occurred with Minister Maclellan and the previous

government — which were absolutely rife in this state. There was no planning under the previous government.

**Mr Wells** — On a point of order, Acting Speaker, the member for Melton has just accused a previous planning minister of being corrupt. I ask you to direct the member to withdraw that disgraceful comment right now.

**The ACTING SPEAKER (Mr Seitz)** — Order! I believe the rules of the house are that the offended member must take objection. As this member is not in the house, he cannot take objection to the statement. Therefore there is no point of order.

**Mr NARDELLA** — The honourable member for Scoresby is still protecting his mates.

**Mr Wells** — On the point of order, Acting Speaker, it is my understanding that you have ruled that anyone from the government side can accuse anyone from a previous government of being corrupt. Is that your ruling?

**Mr Stensholt** — On the point of order, Acting Speaker, it is my understanding that if someone feels they have been impugned in the house and they are not a member of the house they can approach the Speaker and the matter can be dealt with by the Privileges Committee.

**The ACTING SPEAKER (Mr Seitz)** — Order! I will rule on my previous ruling on this matter. If members use unparliamentary language, I will ask them to withdraw.

**Mr Wells** — On the point of order, Acting Speaker, the member for Melton used unparliamentary language, and I ask you to ask him to withdraw.

**Mr Nardella** interjected.

**The ACTING SPEAKER (Mr Seitz)** — Order! Unless the member for Melton wants to speak on the point of order, I want to consider the point.

**Mr NARDELLA** — Acting Speaker, what are the words that the member for Scoresby wants me to withdraw?

**The ACTING SPEAKER (Mr Seitz)** — Order! In the opinion of the Chair there was no unparliamentary language used by the member for Melton. Therefore I do not uphold the point of order.

**Mr NARDELLA** — What a waste of time.

**Mr Wells** interjected.

**Mr NARDELLA** — I will get back at you, that is fine. The Growth Areas Authority will be absolutely critical to the development of communities within Victoria. The proposed authority will work through the strategic release of land in developing areas, and it will work with stakeholders. That is a problem the previous government never had. Its work with stakeholders — and the member for Scoresby was a member of the previous government — involved sacking 211 councils until it ended up with 78. Not only did it do that, but it put unreal restrictions on them.

Opposition members talk about partnerships, but their idea of partnership was to install their own commissioners or lackeys, like Leonie Burke, the former member for Prahran, and the member for Shepparton. Some members of The Nationals are in the same position. They should not come into this house talking about partnerships when they were destroyers in the community. They brought in compulsory competitive tendering and did not understand its effects. They have no understanding of their communities and their service needs. This bill is about providing the wherewithal and the services such as roads and libraries that the honourable member for Bentleigh talked about. One of the greatest planning disasters occurred in Broadmeadows. It took the Bracks Labor government, a few years ago, to develop a library for that area. I stand by my words. We do not want to go back to the corrupt old days of the Kennett government and Minister Maclellan, which is why we are supporting the bill.

**Mr MAXFIELD (Narracan)** — I rise to speak in support of the Planning and Environment (Growth Areas Authority) Bill. There is no doubt that this issue is causing strong debate in the chamber. You realise why passions are running high when you see what the Liberal Party stands for and that it is driven by protecting its wealthy and rich mates and that it seems to structure most things around how it can best extract campaign contributions, whether they be in brown paper bags or something more hidden.

The Growth Areas Authority bill which we are debating today is really about proper process. It is about bringing local government and people together to deliver the sorts of planning that will support and grow our communities in a proper manner and allow the timely release of land to keep prices down. That is probably one of the reasons why the Liberal Party is so sensitive about the debate on this bill. The timely release of land will keep land prices down, which will not maximise their mates' profits.

When you look at the interests some members have in property development, you realise how close this is to their hearts. It is funny how we can get passionate about so many important issues of policy, but when it comes to subdivisions and dividing up land the passion of the Liberals knows no bounds. We have seen them jumping up and down with points of order and getting excited, because if this is done sensibly and appropriately through the proposed authority's managing the process, prices will be kept down so affordable land can be delivered to ordinary men and women in this state.

But of course it is more than that. This is about planning around our future growth areas so that we can deliver the sort of infrastructure that we need. Under the Kennett government, and we saw it under the Hamer government, not only were there very questionable practices in place but the attitude was to just subdivide, and there was no provision for services. Those governments did not worry about people being stranded in communities without access to basic services so long as one of their mates was making a quick buck.

But when you look at what we are planning here and at the issues you realise that this is strategic and is designed to deliver to the new communities the sorts of services that are required: shops, schools, health services, jobs and transport.

**Mr Walsh** interjected.

**Mr MAXFIELD** — I note the member for Swan Hill is making some interjections from across the chamber. He was not in this Parliament when the Nats and the Libs were last in coalition. They certainly ignored the issues. What they did was flog everything off, and you now see people wanting to get natural gas in some of these areas. What they have done is deny these growth areas the opportunity to get gas. The government has now had to put in \$70 million of funding to deliver gas right across regional Victoria because the National Party flogged it off to its mates. It flogged off our gas and we are now forced to come up with taxpayer funds.

What we have here is proper, sensible planning rather than the corrupt practices of the past, when it was all about the National-Liberal party mates and how they can look after each other and scratch each other's backs. The fact is that the National Party, as it was then called, proudly sold off our power network and we now have to subsidise the delivery of power to country consumers out of the budget. Of course we now have people worked up about the Snowy Hydro sale, yet in Canberra the Nationals championed it. The Nationals in

Canberra announced that they were selling off their share of Snowy Hydro and wanted the Victorian government to come on board. What hypocrisy!

The Nationals MPs in this chamber stand guilty of gross and absolute hypocrisy on this issue. They have absolutely no credibility at all on this one. In opposition the Nationals are all voice, but in government they do everything the Liberal Party says because they want the perks of office. They do not care how many of their members they sell out. They do not care what happens to regional Victoria or regional Australia, as long as they can get their backsides on some leather seats in government in Canberra. They will do anything for that, and they will do anything to get it in this state.

What we are debating here is a bill to establish the Growth Areas Authority, and this is all about delivering for our communities, for the sorts of people Labor has always represented. Once again we are standing shoulder to shoulder with them — no brown paper bags. We have to overcome some of those legacies of the National Party sell-offs and closures. Every time I drive through Moe and go to Lowanna College I drive past the old Moe hospital, which the Liberal-National party coalition promptly closed. I go past schools the National Party closed. If I go to that wonderful place, East Gippsland, I drive past a railway line which we reopened after the National Party had previously closed it.

**An honourable member** — What about Mildura?

**Mr MAXFIELD** — I should not respond to interjections, but the National Party closed the country line to Mildura. What a wonderful budget we have had this week! Was there funding for fixing up the Mildura railway line? Of course there was — millions and millions of dollars. The National Party closed it; we reopened it. Let us not forget about this: if The Nationals do crawl their way back into office with the Liberal Party in the future, there is no question that they will sign up to the Liberal Party's slashing of government services.

I noted the earlier interjection about debt. After the council amalgamations the East Gippsland shire was left by the Kennett government with a debt of \$18 million. The Kennett government forced it to sack all its workers and then slapped an \$18 million superannuation bill on it. Then it rammed in a 20 per cent rate cut which meant the shire could not maintain its infrastructure, so we are seeing crumbling infrastructure in East Gippsland. We had an \$18 million debt as a Jeff Kennett-National Party gift to the people of East Gippsland, and members of The Nationals

wonder why there is now an Independent holding the seat!

When it comes to selling things off, The Nationals claim they inherited a bad situation. After they flogged off the State Electricity Commission electricity and the gas, the budget was in the black; it was not in the red. For the first 18 months there were some budgets in the red, but from then on that government had massive surplus after massive surplus. The bigger the surplus it had, the more public assets it flogged off. That is just the reality of it. The more money it could pocket, the better. The Nationals just wanted to flog off and flog off assets as a matter of principle. They would do anything to keep the Liberal Party happy. They know darned well that the Liberal Party has never seriously taken regional Victoria into account.

The fact is that The Nationals in Canberra will sign up for the sale of Snowy Hydro. Based on their comments, the fact is that The Nationals want it sold. Their leadership in Canberra made it quite clear that they supported the sale, and they signed up for it. The Nationals' leadership was demanding that Victoria sign up and sell too. It is hypocritical for The Nationals in Victoria to come in here and talk about why we should not flog it off, knowing darned well that their party in Canberra wants to flog it off. We see now that they are desperately keen to have a marriage of one sort or another. I do not know why. You would think that for once they would stand up for country Victoria.

However, I am pretty proud of the record of the Bracks government. The budget has delivered tremendous amounts for my electorate. The budget presented this week shows how committed we are to regional and rural Victoria. I commend the Planning and Environment (Growth Areas Authority) Bill to the house. I know it will enhance the lives of many, many Victorians.

**Mr SEITZ** (Keilor) — I rise to support the Planning and Environment (Growth Areas Authority) Bill. Clause 1 sets out the main purpose of the bill, which is to amend the Planning and Environment Act 1987 to establish the Growth Areas Authority. Clause 2 provides for the bill to commence on a day to be proclaimed, and if it has not come into operation before 1 November 2006 it will come into operation on that day. Clause 3 provides that in the bill the Planning and Environment Act 1987 will be called 'the principal act'. Clause 4 amends definitions in section 3(1) of the Planning and Environment Act 1987 to include a definition of 'growth area' and a definition of 'Growth Areas Authority'. Clause 5 inserts a new part 3AAB into the Planning and Environment Act 1987. That is

what we are here to debate — the establishment through this legislation of the new authority, which is an important part of the process of planning and development.

We have gone through the Melbourne 2030 studies and public consultations have taken place right across Victoria — not only in Melbourne and the urban fringe and interface areas, but right across Victoria. The community had its input and its say. As always, consultation does not mean that government planners will do what individual people express or say, they put together an aggregate view of the whole community and do what is in the best interests of and what best meets the needs of the state.

We have achieved that by establishing our smart growth area committees. That took further consultation, particularly in my electorate between the shire of Melton and covering the Caroline Springs region. That consultative process continued with the whole community. There were big attendances and various strenuous arguments were put up by the community as to what areas should be included for development and what should not be included, because people have waited for land to be subdivided. This government has made a sensible decision to have orderly planning.

I well recall when I came to St Albans in 1956 that there were no services, no provisions and no planning. The real estate agents were selling blocks of land and you had to pay them to connect the water or electricity to your house. The same went for the telephone. Forget about roads, drainage and sewerage; none of those services existed.

Later on came the new subdivision called Kealba, where I personally started campaigning and getting involved in the politics of the scheme, ensuring that a developer at least put in the sewerage and the roads — and they were all screaming that they were going to go broke doing that. They had to have sealed roads, sewerage connected and stormwater drains. We managed to achieve that with the Hamer government, but lo and behold, what happened? The estate did not sell at high prices, but the trick then used by that government and the then education minister was using commonwealth government money to build a library in Kealba, which was then used as classrooms. We had to send a deputation to Canberra to expose as a myth the use of commonwealth money by the Hamer government to build a library, which was used as a school so their friends and developers could sell the land in Kealba at a higher price and move.

There is a whole history and background to that situation. It was about who was related to whom at the time and who was the minister. I do not wish to go into it and inflame the situation even more and upset opposition members, but history records who was involved, who was subdividing the area and who was the education minister at the time. When we did expose that embarrassing situation, the government had to immediately set about building some classrooms at Kealba High School. That is how the high school was built.

This legislation is the right step forward. In my electorate I have a lot of disgruntled residents and land-holders, because their land was not included for development at this stage. That will be reviewed in maybe 7 or 15 years time if there is further growth. When I was elected in 1982, Sydenham was a subdivision without sewerage, without water and without telephones — without anything! I had to work with the minister in the Cain government to provide and install those services, and the people had to pay for it themselves: they had to contribute a share to get the road constructed, to get the sewerage and electricity connected and to get other services on their properties.

We do not want to go back to those dim, dark old days. We need to go forward because the community expects today when they move into a new area that they will have the services, facilities and land set aside for the neighbourhood shopping centre, for the child-care centre, for the medical centre, for the scout hall and for sporting and recreation facilities. The government's establishment of Watergardens as a transit city is a further step in this orderly planning development. It is proof of the success of the government's implementation of the program that the Queensland Investment Corporation is investing another \$150 million in expanding the Watergardens shopping centre and providing orderly planning, and therefore providing much-needed access and services for the community in my electorate.

I am very grateful to the current Minister for Transport for overcoming the legacy of the Kennett era where we had single track roads put in on the cheap for the developers so they could sell and access their land. Who is paying for it? The Victorian taxpayer is paying now to duplicate those roads, to put tunnels under railway lines, to put in traffic lights, to put in speed humps, to overcome the legacy that was left behind in recent times by the Kennett government. It should have been done at that time with proper planning. There should have been road connections so buses could go from Caroline Springs to Taylors Road shopping centre and to Watergardens. Those things did not happen. We

are now in the catch-up situation where we have to once again subsidise the builders and subdividers who have long since moved and made their profit out of the area. Taxpayers have to foot the bill for those sorts of conditions.

I hope the Growth Areas Authority, which will be established by the bill, will be made up of responsible people who will be appointed by the minister and will ensure that we do not have legacies like that left behind, that we are developing and are able to expand the area. In my electorate I have one big subdivision which is Taylors Hill. There is no criticism of the subdividers there, but there are no facilities for a kindergarten, for senior citizens or for a scout hall in that area. My opinion is that material decisions have to be made by an authority that is independent, that is not just considering the rate revenue. Many a time you will get local councils only considering subdivisions and extra blocks so they will earn more money and get more rates in. Land that is not rateable has to be provided for future services for the community in the area. I am fearful of that.

Delfin, which has large properties and land — and I am very conscious of its good name in the industry; it has been named as the industry leader by its peers for its development of Caroline Springs — has employed progressive thinking in the development of those sorts of services within the electorate. But when you have the neighbouring small subdivisions not providing that, and where the council takes money in lieu rather than providing the facilities and the services, sometimes that money in lieu does not come back to the area and the subdivision where it needs to be put.

The other thing that concerns me is the adverse position that has been put by members of the opposition. I hope they do not get into government until my area is fully developed and we have proper planning and other processes put in place. On the basis of their display today, I hope they will not get into government in Victoria again as long as I am in this Parliament. I wish the bill a speedy passage through the house.

**Ms D'AMBROSIO** (Mill Park) — I too rise to give my wholehearted support to the Planning and Environment (Growth Areas Authority) Bill. Before I go through the key elements of the bill, I would like to describe the climate in Victoria and the nation. To understand this climate we need to turn our minds to the climate that existed back in the 1980s, when we had stronger partnerships in this country between state and federal jurisdictions.

When we had a federal Labor government back in the 1980s, it understood the role for good, solid regional planning and for infrastructure development, and, together with state governments, planned for the future. In those times, in sharp contrast to what exists at the moment with the federal Liberal-National coalition government, we had regional development funds which greatly assisted outer suburban growth areas, such as my electorate of Mill Park, with infrastructure projects. In that time, for example, because we had forethought and took up responsibilities at a federal and state level for growth areas, we had the important extension of the Plenty Road tram to Childs Road, Mill Park, which at that time was a fairly new suburb.

Unfortunately, with the advent of the Kennett government, some of that funding was diverted to other areas, and that caused the tram extension to fall well short of its intended conclusion. That is a sign of what we have in terms of the Liberal Party and The Nationals on the other side. That is what they want to do. They want to return to those days. Likewise, the Northern Hospital, which was planned by the previous Labor government, was curtailed in its scope, which meant that by the time it opened under the Kennett regime it was already behind in coping with the growth in our outer area. It is no wonder that we are hearing that attitude and mentality expressed again here today. It took the Bracks government to build it up again as a hospital and to build a new agenda for transport in metropolitan Melbourne.

This bill is about ensuring that we have the legislative tools to grow our infrastructure and services along with the growth in population and resulting increase in community needs. The Growth Areas Authority will perform a vital function in delivering access to affordable, well-serviced housing in the growth areas of Melbourne. Whittlesea is one of the five designated growth areas, and my electorate lies wholly within the city of Whittlesea. I am pleased, as are many people from local government who are keen to see this implemented once the Parliament passes it.

I will give the house an example of where things fall apart or fall short of what the community needs when you do not have a coherent planning policy. On one of the newer estates in my electorate, the Highview estate in South Morang — this was in the days when the Kennett government sacked local councils and replaced them with commissioners — the local commissioners worked hand in hand with the developers to carve the land into the smallest possible pieces, which meant that the streets were very small. Today they are barely wide enough for rubbish trucks to go through.

One of the key issues that came up when I was doorknocking in the run-up to my election in 2002 was that the Highview estate had no neighbourhood playground, because it was not thought worthwhile. As part of the deal they did, the commissioners and the developers decided that rather than locate a playground in the Highview estate they would parcel together land on the other side of Plenty Road. That is where they designated a neighbourhood playground. I would challenge anyone who lives in that area to take their kids by the hand and try to cross Plenty Road to access a neighbourhood playground. Yet that is what we had, and that is what the opposition wants us to keep. We are not interested in that.

We are interested in providing good quality services in growing areas where young families are going. We are determined to ensure that those services are provided in a timely fashion when people most need them — that is, when their families are young. We do not want people having to cross 80-kilometre-an-hour stretches of roads to access neighbourhood playgrounds, for example. So I am pleased that this authority will, with careful guidance and in partnership with local government communities and developers, enable land to be released with adequate consideration given to the provision of necessary services such as schools, maternal and child health services, shops, transport and — dare I say it? — neighbourhood playgrounds.

The authority will have the job of maintaining a fair and transparent process for the release of land through its advice to government on keeping housing prices as affordable as possible. Good access to roads, health, shops and public transport is what people are screaming for, and that is what this government invested in delivering through the last election. The authority will also administer the new development contributions plans.

The best cities of the world are as such because of good holistic planning, good coherent policy and good planning and delivery of services. Those on the other side are averse to this; they always have been and always will be. ‘Society’ is a word seldom used by the other side, but we are not ashamed to use it on this side because it makes us all healthier, it makes us safer and it helps us progress to a much better quality of life.

The results of higgledy-piggledy planning in the past have been satellite suburbs with no connections between communities and vast sprawls of development with no forethought given to people’s needs. The social consequences have been well catalogued by experts over the years and their evidence accepted very broadly. That has resulted in myriad problems of social

isolation and a lack of good quality services for people in greatest need. That is why the bill has been brought to this house.

All you have to do is look at the budget, at *A Fairer Victoria* and at the other types of things this government is interested in. We are not about single issues but about growing all of metropolitan Melbourne and all of the state in a fair and equitable sense. Just look at the policy initiatives that have been delivered. Yesterday's budget is one example of how this government has coherent policies and coherent programs to deliver good-quality services and a better quality of life for all of metropolitan Melbourne and indeed Victoria.

Expert evidence shows that the best investment that anyone can make in families is in the early years of their kids' lives. That is when you make the most difference, and that is why we have an authority and a contributions plan to ensure that kids and young families have the services that will make the most difference to their lives during the time of greatest need. That will ensure that we have a society which is stronger, which has better bonds and which will grow and prosper more equitably and assuredly into the future. That is what good planning is about — and that is the end result of good planning. It is not about planning for its own sake in terms of what rates can be collected and the like. It is about what society gets out of it, and it is about the measure of a good society.

As a metropolis we have certainly suffered over the decades on two fronts — the unabated sprawl of the built environment and, in part as a consequence, a lagging behind in the provision of services and infrastructure, which a very small population compared to the area in which it was located was unable to deliver to significant effect. This government has had enough of that. We have introduced legislation to stop the urban sprawl. We have an authority which will manage, with a coherent, sensible, people-first approach, how growth is to be managed, how housing is to be developed, and how services are to be delivered to growing families in our community. I am very proud of this on a lot of different levels. It is testimony to our holistic approach to planning and to the delivery of services to those people in greatest need — our young families.

**Mr DELAHUNTY** (Lowan) — I rise on behalf of the Lowan electorate to speak on this very important bill, the Planning and Environment (Growth Areas Authority) Bill 2006.

*Honourable members interjecting.*

**Mr DELAHUNTY** — They should wait and see. Even though it had all the money flowing into it, we were the only party to take a seat off the Labor Party at the last election. If Labor members want to interject, I will take them all on as they come across the chamber!

My colleague the member for Shepparton has done a lot of work on this bill, and I congratulate her for it. The purpose of the bill is to amend the Planning and Environment Act 1987 to establish the Growth Areas Authority — yet another authority. We already have councils that are planning authorities, and we already have a Minister for Planning — or should I say a part-time Minister for Planning. We have a problem because the minister is not only the Minister for Planning but also the Attorney-General and the Minister for Industrial Relations. He needs assistance, so the government is going to create another authority. This will mean higher costs for the Victorian community and for developers, and therefore consumers who want to buy a home are going to have to pay higher costs.

The Growth Areas Authority will operate in line with Melbourne 2030. We know there are still problems with that, but I do not want to get into the details. I am very concerned that we are now stepping on the toes of councils that have planning officers and planning authority. We have the minister, who also oversees those types of things, and we the Victorian Civil and Administrative Tribunal. Every day I am in this Parliament I hear about more and more work being handballed on to VCAT. I would like to see its budget; I am sure it has grown immensely because of all the work it has to undertake.

In this chamber we hear talk about minimising costs so people can operate in Victoria. As the member for Shepparton said, this is going to create higher costs, a fact which is highlighted by an article in the *Sunbury-Macedon Ranges Leader* entitled 'Land limits force':

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 survey argued that macro economic 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.

The councils covered by this bill are Cardinia, Hume, Melton, Caroline Springs, Whittlesea, Wyndham and

Casey. Another article in the *Cranbourne Leader* newspaper is entitled 'New land tax opposed by Casey council'. The council was concerned that the \$8000 tax on new land would be passed on to consumers, which would make it unaffordable to live in that municipality.

**Mr Maxfield** interjected.

**Mr DELAHUNTY** — The member for Narracan screamed across the chamber, 'Do you know where they are?'. I sure know where Caroline Springs is — I go past it, as the member for Ripon does, on a regular basis.

**Mr Helper** interjected.

**Mr DELAHUNTY** — It is a traffic jam, and I thank the member for Ripon for reminding me. The federal government has given money for the Caroline Springs bypass or the Melton bypass, but when is this state government, as has been regularly highlighted on television, going to get on and do the work? The money is there, but this state government is not doing the job. If it is going to do anything for these growth corridors, when it gets the money from the federal government it should spend it and get rid of those traffic jams. The member for Ripon and I come through there on regular basis. I am sure he would support that.

The question we have to ask in relation to this legislation is whether this authority is going to step over the line and tread on councils' toes? Councils are very protective of their planning arrangements. They like to be able to work with adjoining councils, which I am sure they do on a regular basis.

I have heard many speakers in this chamber talk about the role of commissioners. I am proud to say I was one of those people, even though it was very hard work.

**Mr Helper** interjected.

**Mr DELAHUNTY** — The member for Ripon said I was the only good one. I would like to think I was the only good one, but there were a lot of others! The member for Shepparton, who sits beside me, was another excellent one.

**Mr Helper** interjected.

**Mr DELAHUNTY** — The member for Ripon is also congratulating the member for Shepparton. The reality is that it was hard, but it was very enjoyable and enlightening. I think we did a lot of good work. The commissioners had a role, and this Labor government has sacked councils and put in commissioners in the time it has been in power. I wish it would get over it.

That happened seven or eight years ago. A lot of people out there talk about the fact that the commissioners got on and did the work and took into account their communities' aspirations. We talk about democracy. The member for Melton is thankfully not here, but the reality is that the people in his area voted to keep commissioners, which was an amazing outcome. It was democracy at work.

While I have the chance I will talk about the work being done by this new authority. I heard the previous member talk about neighbourhood communities and neighbourhood houses. I have a letter here from neighbourhood houses that are very concerned about this government having taken 3 per cent from them last year and proposing to take another 3 per cent from them this year. I know some money from the minister went to them last week, and they are grateful for that, but it is well short of what they were asking for. The communities which have spoken to me, particularly the Horsham neighbourhood house, say they are very stretched for cash to replace computers and the like. While the adult, community and further education sector and others are taking money away from them, they will not be able to deliver these very important services to country communities.

We will also see what this authority will do in relation to traffic management. I am not sure what its role will be there, but in country areas the Road Management Act is creating more concerns. Country Fire Authority groups have written to me concerned about the Road Management Act and their ability to do burn-offs for fire season preparedness and their ability to burn off in concert with their neighbours. There are many questions that need to be answered by the minister. It will be interesting to see how the authority deals with that issue.

I refer to preschools. It will be interesting to see how the new suburbs are designed and how preschools are linked in. As we know, there are child-care centre requirements, but The Nationals strongly believe that, if new schools are developed, preschools should be linked to the education system and located close to the school sites.

Another member wishes to speak, so I will finish off by saying that The Nationals are opposed to this legislation. It will create another authority and overlooks the role of local government as the planning authority, the role of the Minister for Planning — or the part-time Minister for Planning — and the role of VCAT. It will also create higher costs. As I said earlier, new land taxes and higher costs will make new outer

Melbourne suburbs unaffordable. For those reasons I will be opposing this legislation.

**Ms GILLETT** (Tarneit) — It is with enormous satisfaction and pleasure that I am able to make a brief contribution tonight to the debate on the Planning and Environment (Growth Areas Authority) Bill.

When I was privileged to be elected to represent the then seat of Werribee in 1996, which seems like a lifetime ago, if such legislation had been in place the work that stood ahead of that newly elected member and her wonderful council would not have been so complex or difficult. This bill is a most wonderful godsend to the growth corridors that represent the families — —

**Dr Sykes** interjected.

**Ms GILLETT** — I will not take up the interjection, because that would be unruly, but perhaps those who do not live in growth corridors do not have a real understanding of the pressures that exist within the entire community for the provision of not just physical but also social infrastructure. My community grows more quickly than virtually all other communities in this country, apart from two. The pressure that growth puts on everybody who provides services — federal, state and local governments — is enormous. This legislation creates an independent authority that will be able to take responsibility for gathering funds which are so badly needed to provide the essential services that growing communities need.

I completely agree with my colleague the wonderful member for Mill Park, who talked about the significance of this bill in terms of the improvement in the outcomes and lives of people who are raising young families. Although he represents one of the most beautiful places in Victoria, I think the member for Lowan somehow misses the point of the great dilemma that exists when dealing with the pressures of growth. The growth authority carries great hope for the future. It is the great hope of all of us who represent growth corridors that it will absolutely make sure that our progress will never again be impeded, as it was 10 or 15 years ago, by the substantial lag that used to take place in the past between human growth — that is, human population increase — and the provision of the services that those human beings, those families, need in order to live their lives in an appropriate, nurturing and efficient way.

The legislation is absolutely critical to providing better outcomes — economically, socially and environmentally — for our communities who live in

the growth corridors. It will not be very long before the growth corridors are part of what we consider to be metropolitan Melbourne. At the moment they are in transition, and they need the independence and important help the Growth Areas Authority can offer them because of its understanding of their specific and special needs.

This government will not countenance the situation that was allowed by previous governments — the Kennett government in particular — that just said, ‘Well, they are dormitory suburbs. People go there to sleep; they go there to raise their families. We don’t need to provide services’. I commend the government. This is one of the most wonderful pieces of legislation I have seen go through this Parliament in the last 10 years. I commend the bill to the house.

**Mr HULLS** (Minister for Planning) — I thank the honourable member for her contribution to the debate and all members on this side of the house who contributed in support of this legislation. It is important legislation. As many members have said, the Growth Areas Authority will play a critical role in ensuring that ordinary working families have better access to affordable, well-serviced housing in Melbourne’s growth areas.

I notice that opposition members are opposing this legislation. They are opposing it because they have already made public statements saying that they oppose Melbourne 2030. This legislation is about ensuring that when people move to growth areas appropriate infrastructure is in place and they do not have to use a litre of petrol to buy a litre of milk. It is all well and good for those opposite to say, ‘Look, we live in our lovely leafy suburbs and we have appropriate infrastructure, but if you are going to live in a growth area you are not entitled to that infrastructure’. That is an absolute shame, an absolute shame!

In wanting to abolish Melbourne 2030 the opposition is really saying that it is in favour of urban sprawl — in fact, it is in favour of urban splatter. In the past we have seen under Liberal regimes ad hoc developments being approved willy-nilly, without any strategy at all. As a result communities developed without any eye to appropriate infrastructure in those areas, and communities were really abandoned. They were abandoned because no strategic plan was put in place by the previous Liberal government. What the opposition now wants to do in abandoning Melbourne 2030 is to go back to those days when developers sought the ear of the minister of the day and put their case, and without any strategic plan in place, developments were given the nod. We are not about

that at all. We are about having a plan — Melbourne 2030 — to ensure that people do live close to public transport and do have housing choices close to appropriate infrastructure.

The Growth Areas Authority is all about ensuring that development in growth areas proceeds in an appropriate manner. The authority will work closely with councils, with communities and with developers to ensure a strategic release of land and a more timely delivery of infrastructure, and also to ensure that services such as shops, schools, health services, jobs and transport are close to new communities. As I have said in my second-reading speech, it will advise the government on the release of land to ensure there is strong competition between developers, thereby keeping downward pressure on house prices. It will also act as a watchdog on housing affordability and monitor house price movements. The Growth Areas Authority will also administer the new development contributions plans, which will back up the government's commitment to providing infrastructure to growth areas.

We believe this is an important piece of legislation. It reaffirms our commitment to ensuring that infrastructure is provided in a timely manner in those growth areas of Melbourne. It ensures that the government gets expert advice in relation to the sequential release of land in those growth areas.

To oppose this legislation and to oppose Melbourne 2030 will lead us back to the dark old days where there was ad hoc development and smatterings of small, non-viable residential subdivisions which were splattered right across growth areas, all of which were without access to public transport, appropriate services and appropriate facilities.

Also, the abandonment of Melbourne 2030 will in effect mean the concreting of green wedges. It will lead to development chewing up areas like the Yarra Valley, Macedon Ranges and the Mornington Peninsula. It will also lead to an absolute lack of transparency. It will lead to brown paper bag deals between developers, councils and the like. It is just not on. We are not prepared to return to those days. That is why we believe this legislation is so appropriate. It provides for transparency, but more importantly it provides for partnerships. That is why we believe this legislation is appropriate. I certainly wish it a speedy passage.

#### House divided on motion:

*Ayes, 59*

Allan, Ms

Kosky, Ms

Andrews, Mr	Langdon, Mr
Barker, Ms	Languiller, Mr
Batchelor, Mr	Leighton, Mr
Beard, Ms	Lim, Mr
Beattie, Ms	Lindell, Ms
Bracks, Mr	Lockwood, Mr
Brumby, Mr	Lupton, Mr
Buchanan, Ms	McTaggart, Ms
Cameron, Mr	Marshall, Ms
Campbell, Ms	Maxfield, Mr
Carli, Mr	Merlino, Mr
Crutchfield, Mr	Mildenhall, Mr
D'Ambrosio, Ms	Morand, Ms
Delahunty, Ms	Munt, Ms
Duncan, Ms	Nardella, Mr
Eckstein, Ms	Neville, Ms
Garbutt, Ms	Overington, Ms
Gillett, Ms	Pandazopoulos, Mr
Green, Ms	Perera, Mr
Hardman, Mr	Pike, Ms
Harkness, Dr	Robinson, Mr
Helper, Mr	Savage, Mr
Herbert, Mr	Seitz, Mr
Holding, Mr	Stensholt, Mr
Howard, Mr	Thwaites, Mr
Hudson, Mr	Trezise, Mr
Hulls, Mr	Wilson, Mr
Ingram, Mr	Wynne, Mr
Jenkins, Mr	

#### *Noes, 23*

Asher, Ms	Mulder, Mr
Baillieu, Mr	Naphthine, Dr
Clark, Mr	Perton, Mr
Cooper, Mr	Plowman, Mr
Delahunty, Mr	Powell, Mrs
Dixon, Mr	Shardey, Mrs
Doyle, Mr	Smith, Mr
Honeywood, Mr	Sykes, Dr
Jasper, Mr	Thompson, Mr
Kotsiras, Mr	Walsh, Mr
McIntosh, Mr	Wells, Mr
Maughan, Mr	

#### **Motion agreed to.**

#### **Read second time.**

#### *Remaining stages*

#### **Passed remaining stages.**

#### **Sitting suspended 6.28 p.m. until 8.02 p.m.**

### **PRIMARY INDUSTRIES ACTS (MISCELLANEOUS AMENDMENTS) BILL**

#### *Second reading*

#### **Debate resumed from 4 May; motion of Mr CAMERON (Minister for Agriculture).**

**Mr SMITH (Bass)** — It is nice to see so many pinko, commo, trade unionists here in the chamber tonight. Could I surprise them by saying that, very much against the grain, the opposition is not opposing this bill.

**Honourable members** — Shame!

**Mr SMITH** — I am sorry about that. We see this as a reasonable bill and I think there is probably some merit in it. The bill I am talking about is the Primary Industries Acts (Miscellaneous Amendments) Bill that has been brought into the house by the government.

The bill is roughly divided into three areas. The first contains changes to legislation to recognise the greater autonomy given to the states in regard to fishing in Australian waters under the offshore constitutional settlement. The second part is about the payment of a fee in relation to an abalone fishing licence. This is the one thing that gave me a little bit of grief, the fact that the government had stuffed up the previous legislation and parliamentary counsel found that a fee could not be imposed on some holders of abalone fishing licences. The third part of the bill is about the sale of pet food from butchers shops. My colleague the member for South-West Coast will address that issue.

The changes to the Fisheries Act 1995, which are what the bill is all about, relate to the new arrangements under the offshore constitutional settlement, or OCS, which is an arrangement between the commonwealth, state and Northern Territory governments. The Australian Capital Territory does not, of course, have any waters in which people fish. I went back into the records to find out about the OCS and discovered it has been in place for some time.

A 2003 review done of the commonwealth fisheries policy resulted in improved management arrangements between the differing jurisdictions. I refer to the 2003 document *Looking to the Future — A Review of Commonwealth Fisheries Policy*. In paragraph 4.2, headed 'Improved management arrangements between jurisdictions', it states:

Agreements under the offshore constitutional settlement (OCS) framework provide for the management of fish stocks or fisheries. Management is either by the commonwealth or a state or the Northern Territory, or — for a limited number of fisheries — under a joint authority agreement, in which the commonwealth and a state or the Northern Territory jointly manage a fishery.

It is a quite convoluted way of being able to deal with the fisheries around the boundary of Australia. It is a reasonably complicated matter and all the jurisdictions

had been involved until the 2003 review of the fisheries policy. The review states further:

There are more than 50 active agreements on fisheries management between the commonwealth and the states and the Northern Territory under the OCS framework. These agreements allocate management responsibility between governments by species, by species within an area or by method of fishing, or a combination of all of these. The resulting management arrangements may be complex and in some cases may split jurisdictional responsibility for management of the same fish stock.

If members reflect on the problems we have in some of our fishing areas, particularly in our northern waters with some of the intruders coming in from Indonesia and Japan and plundering and pillaging the stocks of Australian fish, they will understand the importance of the commonwealth, states and Northern Territory arrangements to ensure that our fish stocks and particularly the sustainability of fishing in those areas are protected. Until now we have had the agreement.

The document states also that:

The review identified a number of concerns about fisheries arrangements under OCS.

Under 'Outcomes' the review states:

The commonwealth government will progressively review OCS fisheries agreements and management arrangements with the states and the territories with the aim of achieving —

and the reason for having this part of the legislation is to try to achieve something —

single-jurisdiction management based on target stocks — recognising the need to implement ecosystem-based fisheries management;

where this is not possible, sharing of jurisdictional and management responsibility for a stock;

where management of a fishery is shared, agreements between jurisdictions, which may include requirements to undertake shared stock assessment; development of efficient processes for data collection and sharing, collation and validation; streamlining licensing arrangements; coordinated research and development programs; and cost recovery.

These are all important things in regard to our fisheries and to an agreement between the states. It goes on to say that there will now be a single vessel monitoring system. There will be an observer program and a licensing system, and logbooks will be kept. It will be done properly and in a more controlled way, instead of having large numbers of them in different states of the commonwealth trying to make all these arrangements.

There will be agreed management frameworks for recreational fishing, including charter fishing and

traditional fishing, and a reduction in the burden of management on fishers. The important things we have to try to sort out are what is going on in the fishing waters around Australia and how Victoria, in particular, can have a little more say over what is going on in this state. The changes that are being made will allow us as Victorians to make some decisions on what is going on in our waters. That involves an agreement between Victoria, the other states, the commonwealth and the Northern Territory. It will provide a broad express power to allow the government to vary existing and future OCS (offshore constitutional settlement) fishery arrangements.

It will allow the federal, state and territory ministers to create and terminate OCS fisheries arrangements, which until now has been done by the Governor-General and the state and Northern Territory governors. The current arrangement is quite strange. The Governor-General of Australia and the governors of each of the states and the Northern Territory have to agree on the arrangements that are made. That is probably going overboard, and we have now reached the stage where the state and territory ministers will be able to make some decisions and talk to the commonwealth in regard to them.

**The ACTING SPEAKER (Ms Campbell)** — Order! Would the members having conversations remove themselves from the chamber so the member for Bass can have the attention of the house.

**Mr SMITH** — I must say it is nice for a change to have a bit of general conversation going on in the chamber instead of members opposite yelling abuse at me.

*Honourable members interjecting.*

**Mr SMITH** — Hello, the pinkos are at it again. Here they go!

It also provides for regional fisheries arrangements in regard to fish and lobster and other crustaceans like abalone that are able to move in waters that cross state lines. We are not quite sure where they always are, but at least we can have some regional fishing arrangements covering them.

This bill will allow state laws to be applied, not just commonwealth laws, and I think that is a good thing. It will also allow for the granting, issuing and renewal of licences and permits for the purpose of operating the new arrangements. This is an important part of the commonwealth fisheries policy review which was done in 2003 and which allows for a far more agreeable

agreement to be put in place, particularly for us here in the state of Victoria.

I would like to move on to the second part of this legislation, which deals with abalone and the levying of a fee for notifying the department secretary of the holder of an abalone fishery access licence who is nominated to take abalone under an individual abalone quota unit. It is quite a convoluted thing, and I am glad the minister is here. I must say that I am very pleased to have had the opportunity to speak to the member from East Gippsland, who is quite familiar with abalone, and to learn a little more about the way the licences work and about the people who are in a position to take abalone.

I understand that the fee the government is looking to charge is about \$192. Given the amount of work that is going to be undertaken by some of the bureaucrats, it is probably a reasonable fee for them to levy so they at least know who is allowed to be out in Victorian waters collecting abalone, because it is quite a lucrative business to be in.

The abalone industry is an important industry as far as Australia is concerned. We are recognised as being one of last countries where healthy stocks of wild abalone remain. Australia alone accounts for about 50 per cent of the global abalone market. That is pretty important, particularly for us here in Victoria. Victoria is second only to Tasmania in the amount of commercial blacklip abalone that is collected in Australia. Victoria's share of this is worth about \$70 million a year — and that is the wild catch. We are not talking about aquaculture; we are talking about the people who go out and collect abalone in our oceans and around some of the beautiful waterways we have in Bass Strait.

I had a bit of a look in *Hansard*, because I could remember talking about abalone and the problems we had with what we used to call abalone poachers but now call abalone thieves, I understand. People from the Seafood Industry Victoria, which is a very important organisation as far as commercial fishing is concerned, informed me of this when I recently talked to them about the legislation before the house. They were quite intrigued to know that I had the information which had been put before Parliament but which they had not been told about.

I thought that in his second-reading speech the minister said he was going to talk to the industry and ensure that it knew all about what was going on in this legislation. Anyhow, it was my pleasure, Minister, to be able to inform them about the legislation. They had no objection to this legislation being put forward, and I do

not think anybody in their right mind would have any objection to what is being put into it.

As I said, I went back to *Hansard* to have a look at some of the issues that I spoke about. Going back to the early 1990s, you can see that a large number of changes were made. They involved licence fees and some of the interesting stuff we talked about, such as poachers — the thieves who are out in our waters plundering the abalone. The name Campbell Strachan was mentioned at that time. Obviously I had done a great deal of research, as I have done this time around, and I found that he had forfeited a number of boats, which were taken from him by the government. That was fine, because at that stage it was a Liberal government; we would not like to think a Labor government had done that sort of thing! We also found that a lot of his equipment had been taken from him. At that stage I think he had been in jail six times, and he is probably in jail somewhere now for stealing abalone. He had a hugely lucrative deal going. At the time he was able to account for something like \$40 million-worth of abalone stolen from our waters.

I then went on to name another 12 people involved in abalone poaching. The people from the department might like to read my speech in *Hansard* to see if any of the same people are still around. I am sure they would be, because there is a fair amount of money in abalone poaching and they were making a big quid out of it. I noticed that at one stage the state government — a Labor state government — was looking at increasing licence fees from \$10 000 to \$50 000, which, of course, members of the opposition were outraged by. I would hate to think what the fee is now, but it has probably gone up considerably in the last 10 or 15 years. I think we all understand the importance of this industry and the fact that there is a large dollar in it. The abalone industry was not the sort you would have liked to get into, when you considered the amount of diving that used to be done and the difficulties involved in collecting abalone.

It looks a little bit easier these days. Recently I went to, I think, Indented Head to look at one of its abalone aquaculture farms. There were probably 6 to 8 acres of sheds in which they are doing a fantastic job as far as the aquaculture of abalone is concerned. They have certainly created a huge market for it. It was great to see the scientific way in which they have developed this industry and are continuing to develop the market that has been created. If I am not mistaken, most of the stock goes to Japan, and the abalone farmers are being quite ingenious in the way in which they package their abalone. I am sure that farm was at Indented Head.

The way they have gone about that development certainly is a credit to Steve Rotis, his board and the other people involved. They pump seawater into their development, clean it and then pump it out again. They have a large number of ponds and have gone about their business in a great way. I do not know how much his market is worth — I did not ask him — but I am sure it is worth a great deal to Victoria because the business exports to other countries, including Japan.

Of course aquaculture is a very important industry, particularly when you think that abalone pulls about \$100 or even \$120 a kilogram. By the time it gets to some Asian countries the price is probably 10 times that amount. It is a great market for Victoria and for Australia, and I think it is something that we as Victorians should be working harder at. I just ask that the minister take back to his department that we should be doing more to develop our aquaculture industry in Victoria. I understand that we have only about 2.9 per cent of aquaculture developments in Australian waters and on land. The development at Indented Head is on land. We have to do more about it. I know that it has taken the minister and his department seven years to put some abalone fishing leases in Port Phillip Bay on the market so that people can take some interest in them and further develop the Victorian aquaculture industry. I think we have to do more.

It was a pleasure to go down to the beach at Kilcunda with Geoff Coleman, a former Minister for Natural Resources, to launch the Kilcunda abalone farm. We were up on the cliffs overlooking that magnificent foreshore, which has now been ruined by the wind towers that are on that same beach. As late as tonight I have learnt that another 12 wind towers are to be put on that foreshore, which will probably scare the abalone and ruin our industry, apart from scaring some of the people down in Wonthaggi. I must say that it is a real worry that these wind towers are being placed on that beautiful piece of foreshore where we have that aquaculture farm.

It is very important that we work with people who want to get into aquaculture. I know that a lot of people have been scared off by this government's failure to provide incentives and its unwillingness to participate in aquaculture development in this state. We know that some people have gone interstate to set up what have become very successful farms. You only have to go to Tasmania, to South Australia and to Western Australia to see how good their aquaculture industries are.

The third part of this particular piece of legislation relates to the changes and amendments to the Meat Industry Act 1993, which will enable the sale of

pre-packaged pet food within retail butchers shops. When he is due to speak I will hand over to the member for South-West Coast to talk about this very important part of this legislation. However, I can say to the minister that we do not say no to this piece of legislation. We support it going through because we think it is good and will sort out what has been a bit of a problem between the commonwealth, the states and the Northern Territory in some of their agreements about fishing in Australian waters. The opposition supports what is happening, and hopes the bill has a speedy passage and that it will make life a lot better for Australian people.

**Mr WALSH** (Swan Hill) — I commend the member for Bass for his contribution on this bill. In my time in this place I think the member for Bass has given the best contribution I have ever heard him make when discussing the issues in this bill. To be fair to the member for Bass, he has done quite a bit of research on what makes up the aquaculture and fishing industries.

It is interesting to look at some of the history of this bill. The Minister for Agriculture, who is in the house at the moment, actually took over responsibilities for fisheries when the Fisheries (Amendment) Bill was passed in 2003. At that time responsibility for fisheries was transferred to be part of the Department of Primary Industries (DPI). That was the result of the splitting of what was the Department of Natural Resources and Environment into what are now the Department of Primary Industries and the Department of Sustainability and Environment (DSE). At that time I disagreed violently with the splitting up of those two departments, and things that have happened since that time have reinforced my view that the former DNRE should not have been split. I say that because we have seen DPI become very much the poor cousin of the two departments. DPI has become subservient to DSE, and that it is very disappointing.

*Honourable members interjecting.*

**Mr WALSH** — The Minister for Agriculture may joke about this, but as someone who has come out of the agricultural industry and has had a passion for agriculture for a long time, I am sad to see the decline of the Department of Primary Industries under this government, and particularly under this minister. He should hang his head in shame at the way the department has been marginalised by the Bracks government. Country Victoria and the Victorian economy in general have lost out on this because agriculture and the associated value-added food industries drive the economy of country Victoria. It needs a strong champion and a strong department. It is

sad to say we have neither. We do not have a minister who is a champion for his portfolio. He is happy to see head office staff numbers increase and staff on the ground decrease. He is happy to see the head office staff drive the policy direction of the department quite often to the detriment of the on-ground performance of programs.

In a lot of ways we have seen an intellectual drain from the department. Good staff have left because of the dominance of head office and the political agenda of head office staff versus those staff who actually do the real work on the ground and really help the agricultural industries in Victoria.

The Nationals do not oppose the legislation but approach any legislation introduced by the minister, particularly regarding the fisheries industry, with some trepidation. We have seen legislation on the fisheries industry introduced by the minister which the industry has lived to regret. There are particular examples that I will talk about. Some of the legislation introduced has not been to the benefit of the industry into the future.

It is important to understand that the government was elected on the platform of consulting with industry and being open and transparent and talking to industry. When the bill was second read we undertook industry consultations. Earlier this week I spoke with Seafood Industry Victoria about this legislation. We think it is important to go to industry, talk to them and find out what they think about these issues. When I rang Seafood Industry Victoria they said they had no opposition to the bill but that they would have appreciated being consulted by the department on the amendments being introduced and asked what they thought of them. The department, which I assume is under the guidance of the minister, did not see fit to speak to the peak industry body about this bill. It is sad to see that a government, which was elected on the policy of being open and transparent in working with industry, has not spoken to the industry that is affected by part of the bill. The minister should hang his head in shame for the way he works with the industry.

**Mr Cameron** interjected.

**Mr WALSH** — The minister interjects. If another member of this place were responsible for the fishing industry, I would like to think he or she would instruct the department to talk with the peak industry body that had responsibility for that industry so the industry would know what was going on. Later when we come to the issue about pet food I will refer to that again. In this case the department, as I understand, had not talked with Seafood Industry Victoria about the amendments

introduced by this bill. Whether Seafood Industry Victoria agreed or disagreed, they were not consulted about the bill.

We have heard a lot in this place about the Kennett government. When Bill McGrath and Pat McNamara were ministers with responsibility for these portfolios they had a real empathy with the agricultural and fishing industry in Victoria and its development. They had a real passion for developing what was a fledgling industry — something that had a bright future for Victoria. Those two ministers were passionate about it. The minister responsible for this portfolio in the first Bracks government, the current Minister for Local Government in the other place, was committed to the industry and saw things through and made sure the industry was happy with government proposals.

**Mr Cameron** interjected.

**Mr WALSH** — The minister interjects that the previous ministers in the Kennett government were soft on abalone poaching. That is very unfair.

**Dr Napthine** interjected.

**Mr WALSH** — It is absolutely wrong, as the member for South-West Coast indicates. Ministers McGrath and McNamara were very committed to developing the aquaculture industry in the state, something that the current minister is not doing. The minister with this responsibility in the first Bracks government did a very good job in keeping the industry and its focus going, but the current minister has let that focus slip. He seems to be hell-bent on regulating the industry and charging it out of existence.

Honourable members will remember the PrimeSafe legislation, where the Victorian Meat Authority took responsibility for the fishing industry, and the subsequent debate that took place about that, particularly around the yabby industry. We had a struggling, fledgling industry, but we had a viable yabby industry with a lot of people committed to the industry who had committed capital to dams and programs around that, but they were effectively charged and regulated out of existence. I had numerous emails and phone calls from people in the industry who could not make a living because of the charges and regulations that were imposed.

One of the key issues was the definition of when is a yabby food. I agree with the industry that when the yabby is alive it is livestock. It is no different to a vealer or lamb that is going to market; it is livestock. When it is cooked it becomes food. We had the situation where PrimeSafe put regulations on the yabby industry which

were unachievable, or they could not afford to do the things imposed by the regulations. In time we will rue the day we went down that path.

**Mr Cameron** interjected.

**Mr WALSH** — I remind the Minister for Agriculture that he was suspended for half an hour this morning for unruly interjections. I am sure the Acting Speaker will enforce the rulings so that the Minister for Agriculture behaves himself in the future. This is all part of the history leading up to the introduction of the bill. The Minister for Agriculture, who has responsibility for the fishing industry, does not have a passion or commitment to the industry. He should be more proactive and make sure the department works with the industry and is not about imposing regulations and charges on it that put people out of business.

I will briefly touch on the aquaculture industry in my electorate. Sam and Margaret Costa of Boundary Bend set up a horticulture and aquaculture property. They are pumping water out of the river into ponds, running aquaculture and then reusing that water on their property to grow horticultural products. In this place we have often talked about the fact that water is such a precious resource that we should use it a minimum of two times or even more if we can. Sam and Margaret Costa have actually set up this property on the river at Boundary Bend. They have a number of dams and pump water out of the river into the dams in which they have fish, and then use the water for horticultural products. Sam and Margaret have a real issue with the department. I believe the department has been vindictive to Sam and Margaret.

Sam had an aquaculture licence. Unfortunately Margaret was quite ill and inadvertently forgot to pay their aquaculture licence fee. At that time Sam was accused by the department of illegally fishing on the Murray River, and because he had not renewed his licence and was slightly late in paying the fee and because he had those charges hanging over him the department took the view that he was not a fit and proper person, so it decided it would not renew his aquaculture licence. As I said, Sam has this absolutely fantastic setup at Boundary Bend. He has supplied Snobs Creek with brood stock over a number of years at times when Snobs Creek has not been able to obtain brood stock in its own right. But because of these charges hanging over him, Sam was regarded as not a fit and proper person to hold an aquaculture licence.

One of the concerns I have is, for a start, the presumption of innocence. If we put that to one side, we find that Sam has now been found innocent of those

charges in Mildura Magistrates Court. He was found guilty on one charge, which was having nets on his property, and because he did not have an aquaculture licence at the time they were deemed illegal, but he was found innocent of the major charges.

The department has been persecuting him, saying he has to go through an aquaculture licence review panel process. He is now having to bring back all the witnesses and get a barrister to represent him and go through the whole process again. Because he has not been able to sell fish for a couple of years, he is under financial pressure. I think the department is persecuting him quite unfairly and believes it can actually stop him from undertaking aquaculture into the future.

**The ACTING SPEAKER (Ms Campbell)** — Order! Do I take it from what the member has just said that there is a court case currently under way?

**Mr WALSH** — The court case — —

**The ACTING SPEAKER (Ms Campbell)** — I would caution the member if that is the case.

**Mr WALSH** — The court case is finished. He has been found innocent. He is now going before the aquaculture licence review panel to get his licence back, but the department is putting him through the same sort of process as a court case, even though he was found innocent. I believe under our justice system we have a presumption of innocence, so he should now be able to get his licence back.

**The ACTING SPEAKER (Ms Campbell)** — Order! I suggest the member get back to the bill.

*Honourable members interjecting.*

**Mr WALSH** — The interjectors may jest about this issue, but — —

*Honourable members interjecting.*

**The ACTING SPEAKER (Ms Campbell)** — Order! I am sure the member for Swan Hill can make his contribution to the debate without interjections. I ask the member to please give his attention to the bill.

**Mr WALSH** — I have talked about the aquaculture issues in the bill and the inadequacy of the minister's actual running of his department and sticking up for the industry for which he has responsibility.

The bill also deals with changes to the Meat Industry Act 1993 which allow butchers shops to sell pre-packaged pet food containing meat in the same way as supermarkets do. As part of the consultation on this

bill I went to some of the butchers shops in my electorate and took the bill and the second-reading speech and said, 'You guys will now be allowed to sell packaged pet food'. They looked at me as though to say, 'What is going on here?'.

*Honourable members interjecting.*

**Mr WALSH** — The point I am making is that we have a lot of people out there in the industries that never really know what is being proposed in this place, and it is the responsibility of the department to make sure that the industry knows what is going on and has an input into the formulation of what comes before this place. Going to butchers shops in my electorate was an interesting exercise. The butchers had no idea what was going on, because obviously no-one within the system has bothered to consult with the industry. If it were not for people from this place going out and saying to industry, 'This is the legislation that has come into Parliament. This is how it will impact on you. What do you think?', they would not know what is going on. I think again it comes back to the performance of the government.

*Honourable members interjecting.*

**Mr WALSH** — I cannot help — —

**The ACTING SPEAKER (Ms Campbell)** — Order! The member can help by addressing the bill.

**Mr WALSH** — I can help myself, can I? I cannot help but pick up the interjection from the minister, who asks if he has to go to every butchers shop. No, he does not have to go to every butchers shop, because that is not practical or achievable, but he needs to talk to the industry associations and he needs to make sure there is some publicity out there so that people know the changes that will occur as we introduce legislation in this place.

As I understand it from talking to people in the industry, the changes to the Meat Industry Act 1993 effectively put them on a level playing field with the supermarkets. The supermarkets have for some time had the capacity to sell the products the butchers shops will now be allowed to sell. I think we have all seen over time the way butchers shops have been at a competitive disadvantage to the supermarkets, because the supermarkets have had their marketing power and have had the opportunity to sell quite a few pet food products other than just strictly meat. This will now give a bit of advantage back to the butchers shops, which I actually commend.

*Honourable members interjecting.*

**Mr WALSH** — I am definitely not disingenuous. If you want a good cut of meat you go to a butchers shop, you do not go to a supermarket. It is the same if you want good fresh fruit and vegies: you go to a greengrocer, not the supermarket, to buy your fruit and vegies. As some of the horticulturalists I know very well have said, if you want to make sure you stuff up good fruit and vegetables you send them to Safeway and Woolworths to be sold. You need to go to a greengrocer to make sure you get the best product or to a butchers shop to make sure you get the best cuts of meat. That ends my contribution to the debate on this bill.

The Nationals do not oppose this bill, but the caution I sound to this house is that we would dearly love to have a minister who would actually stick up for his portfolio, become a champion for his portfolio and make sure that those in agriculture and in the fishing industry know they have someone at the cabinet table who will push their cause rather than someone who will cave in to his factional mates and make sure he does whatever deals he needs to do to get ahead in the Labor Party.

**Mr HOWARD** (Ballarat East) — It is always a pleasure to be an after-dinner speaker and to follow on from the speeches given by the member for Bass and the member for Swan Hill. This is a great opportunity to speak on the primary industries bill and to educate the house a little on what the bill does. It is an opportunity to talk about issues in the fisheries industries and about the fact that butchers shops will now be able to sell pet food.

The member for Bass started off pretty well tonight and provided us with some information about the value of fisheries in this state, which of course is very significant. There is a broad range of industries within the fisheries sector, including the abalone industry, which of course is at the very high value end of the market and is now a very important export earner for this state, right through to the fin fish industries, the prawn industry, the shark industry and all the other elements of the wild catch industry, as well as the aquaculture industry that is developing in this state.

But this bill in essence relates to issues where fisheries cross state and federal boundaries, and therefore some sensible discussion needs to take place between the federal government, the states and the Northern Territory to ensure that the management of the fisheries is not complicated by the different boundaries within which those activities take place. It is for that reason that we have the offshore constitutional settlement (OCS), which was put in place to help to discuss and plan these issues and ensure that the state-federal

boundaries do not cause complications which are going to be to the detriment of the fisheries industry in this state.

This legislation is really backing up agreements that have been made in regard to the OCS that have already, I believe, been put in place in the federal Parliament to assist in addressing identified issues that can be further improved within the OCS arrangements. Essentially there are three areas under which they operate where there are express powers for governments to vary existing and future OCS fisheries arrangements. We want to ensure that OCS arrangements are current, accurate and accord with developments in the fisheries management; that communication can continue to happen effectively; and that changes in the industries can be managed appropriately.

This also allows for commonwealth and state ministers to create and terminate new OCS fisheries arrangements as they see fit. In the past the arrangements have rested with the governors-general and the governors of states, so this changes that arrangement slightly. At the moment we have nine arrangements within this state that relate to the OCS from the mollusc industry through the trawl fishing industry, the fin fish industry, fisheries and invertebrates, royal red prawns and associated species and the bi-catch and fisheries associated with school and gummy sharks. In those areas we need to keep updating the arrangements or ensuring that we simplify the arrangements between the states and the federal government. That is the essence of the initial part of this bill.

I am very pleased to see that it appears that both opposition parties recognise that this is a sensible bill to bring forward in this regard and that they are not opposing it. They took some time, especially in the case of the member for Swan Hill, to advise us of that, but that appears to be the case.

Clearly I want to state that this government has carried out a lot of work and introduced legislation to ensure that the future of the wild catch fishing industry is strong in this state through the setting of quotas and the tightening up of licensing arrangements, and also increasing policing in regard to poaching within fisheries industries, especially within the abalone industry. This government has worked to ensure that we have supported the industry in that way as well as ensuring quality assurance issues through the PrimeSafe legislation.

The marine parks legislation has been very important in ensuring that we are protecting areas where fish can

breed and develop so that there is future ground to ensure that the fisheries industries are going to be sustainable in this state. The government has introduced a very broad sweep of legislation and actions to ensure that the fisheries industries in this state continue to be sustainable and that we have also assured quality so that people, whether the fish catches are sold domestically or for export, know that quality assurance is built into the industry at all points and that the industry is going to have a very sound future.

Within the legislation there is also a second part within the fisheries area of this bill that addresses the issue of abalone quotas and simply being able to attach a fee where quotas are being transferred, and to advise the department and ensure that those quotas are registered. The legislation will allow the fee to be attached formally and that will tidy up an anomaly that has existed for some time.

I now move on to the issue of butchers shops in this state. The butcher shop industry has been struggling over a number of years in competing against supermarkets. A number of butchers shops have been closing each year across this state as they have been around the country because they have had difficulty competing against the supermarket industry. But, as we know, a lot of people like to be able to go to butchers shops where they believe they can get better quality meat and they can talk to the butcher about the meats that are being sold, so there is still an opportunity for growing this industry. More and more people across the state are saying, 'We want to look at quality' and 'We like to go and talk to the people in the shops about the food we are buying', so butchers shops do still have a future within this state.

The legislation in regard to butchers shops being able to sell pre-packaged pet food is in response to industry recommendations to the government that they want to have the same opportunity as supermarkets. Although any fresh meat that is prepared and sold in butchers shops must be suitable for human consumption, it will be possible under this legislation to be able to sell pre-packaged pet food — whether that be tinned or other forms of pre-packaged pet food — in butchers shops that has not been prepared on site. It may not be fit for human consumption but it can be packaged separately as pet food and identified as such.

There are a number of regulations associated with that, but it is in line with requests to the government from the industry and it will enable butchers shops to provide another opportunity for sale which will help them to build their opportunities in their industry and keep butchers shops a part of our community. This

government is always pleased to be able to look at recommendations and suggestions that come in from various parts of the industry. If they have sense to them and can be practically enacted, then this government is pleased, as we see within this legislation, to respond to those issues that industry brings forward to us.

Although the member for Swan Hill in his contribution said that the government is not consulting, this is a very clear case where the government is responding to industry requests and is addressing them in a very sensible way. I commend this bill to the house.

**Dr NAPHTHINE** (South-West Coast) — I rise to speak on the Primary Industries Acts (Miscellaneous Amendments) Bill. My particular task is to address the issue in clause 6, which is the amendment to allow the sale of pre-packaged pet food from butchers shops. That amends the current Meat Industry Act 1993. The section of that act that we are amending is section 37A, which is headed 'Ban on sale of certain meat at butcher shops'. It states:

A person at a butcher shop must not sell any meat that is unfit for human consumption, regardless of whether or not the meat is intended to be consumed by humans.

That is the current law that applies in butchers shops in Victoria. The butcher shop can only sell meat that is fit for human consumption. That is not to say that butchers cannot sell meat for people to use to feed their pets, but they must be selling meat that would otherwise be fit for human consumption. People can go in and buy mince or good steak to feed to their pets if they wish, or they can go and buy bones that are used for pets or even offcuts of meat, but those offcuts of meat must be fit for human consumption. The current law makes it very clear that butchers in Victoria cannot sell meat other than that which is fit for human consumption.

The issue and the challenge that was put is: why cannot butchers shops be like supermarkets in Victoria which sell meat but also sell pre-packaged pet food such as cans of Pal, pre-packaged meaty kibble and a whole range of other pet food products?

In other states butchers shops are allowed to sell those products. As part of my examination of this legislation I consulted with the industries involved, particularly the pet food industry. I quote from a letter I received from John Aird, executive manager of the Pet Food Industry Association of Australia. He said:

Thank you for your call and letter of 10 May regarding the proposed changes to the Meat Industry Act regarding the sale of pet food in butchers shops.

Our association is fully supportive of the proposed changes.

Mr Edward Meysztowicz of Butcher Bob pet foods goes further. He wrote, and I quote:

I write to you in support of the forthcoming tabling of amendments to the Meat Industry Act in regard to the sale of pre-packaged pet food in retail butchers shops. Sale of pre-packaged pet food is allowed in NSW and Queensland and is specifically described and managed in NSW legislation. The passing of this amendment will clarify the retailing of pre-packaged pet food in Victoria.

Pre-packaged pet food includes dry kibble, for example 'Pal Meaty Bites' and 'Cobber', canned and chub packed pet food and snacks such as strips and pellets. These are currently sold throughout supermarkets in Victoria, including in the meat sections of supermarkets. This is allowable because supermarkets fall under the Food Act, administered by local government authorities.

Retail butchers shops fall under the Meat Industry Act, administered by PrimeSafe, Victoria's food safety authority ...

The passing of this amendment to the Meat Industry Act will bring Victoria into line with other states and effectively remove an inadvertent restriction to competition in the retailing of pre-packaged pet food.

I, like my colleague the member for Swan Hill, visited a number of my butchers shops to show them a copy of this bill and seek their opinion on it. While they were generally supportive of the change, most of them had never heard of it. Even when I contacted the peak body for the butchers, it had also not heard of this legislation. While there is support for this legislation, it is a pity there was not greater consultation. I understand that there was consultation — —

**An honourable member** interjected.

**Dr NAPHTHINE** — No, I said the peak industry body was not consulted. The pet food industry body was consulted, and indeed it asked for the legislation, but the butchers were not consulted, and I do not think that is acceptable.

**Mr Holding** interjected.

**Dr NAPHTHINE** — I take up the interjection from the Minister for Police and Emergency Services when he calls on the Minister for Agriculture to resign. He has called on the Minister for Agriculture to resign for inadequate consultation. I say, 'Hear, hear!' to that. I think the member for Mulgrave should get the job as Minister for Agriculture. The Minister for Agriculture disgraced himself today in being thrown out of Parliament for his unruly behaviour. Now his colleague is calling for his resignation. All I can say is that — —

**The ACTING SPEAKER (Ms Campbell)** — Order! The member should come back to the bill.

**Dr NAPHTHINE** — Back on the bill, it is important to note that these changes will not allow butchers shops to sell fresh, unpackaged pet meat or pet food. Fresh meat from a knackery, which is designated specifically as fresh pet food, cannot be sold through a butchers shop, because that would run the real risk of mistakes or substitution. I agree with that. We support these changes.

In my discussion with the butchers, though, I went around to the butchers shops. The butchers do an excellent job — —

**Mr Delahunty** interjected.

**Dr NAPHTHINE** — Yes, I did buy some meat. I bought some pork chops from an excellent butcher in Heywood. I bought some sausages at another butchers shop which were excellent — not quite as good as Kel's gourmet sausages but very good sausages. And I bought some beautiful steak.

The butchers raised a very important issue, that there is a significant difference in the way the government polices or administers the butchers shops versus the same people selling meat in supermarkets. PrimeSafe conducts a number of random audits, and it has regular monthly visits to butchers shops, whereas supermarkets, which are selling exactly the same meat to consumers under the Health Act, are rarely visited, are rarely inspected and are not given the same scrutiny and certainly do not incur the same costs that PrimeSafe imposes on butchers shops. It does put the butchers shops at a significant disadvantage.

If this government is genuinely concerned about small and medium-sized businesses like butchers shops, which are generally family businesses, it needs to review the way that it administers and manages butchers shops compared to the significant advantage it gives supermarkets. That should be pursued.

Clause 5, which amends schedule 3 to the Fisheries Act, relates to the abalone industry. It relates to an inadvertent slip in the previous legislation whereby it did not provide for fees to be charged for people who have an abalone quota but no licence to dive, and who need to nominate a diver for collecting their abalone quota. Every time they nominate a diver to collect some of their abalone, they need to pay \$192 notification fee. While my colleague the member for Bass, whose former industry was in plumbing, says \$192 for the notification of a name and recording it — which is about a 5 or 10-minute job — is probably a reasonable fee, I think he is basing that on his previous fees in his plumbing industry. In the veterinary industry one would

say that was an exorbitant fee for a 5-minute job. We have much more reasonable and fair fees for our customers.

On the broader issue of fees I want to raise some concerns about the abalone industry. Abalone is an important and vital industry, and it deserves congratulations in Victoria for being one of the few wild catch industries left. That is a great tribute to the leadership of the divers themselves, the people involved in industry and governments of various persuasions. But I am concerned — and this is only a small component — that the abalone industry is continually seen as an easy target for increases in fees, levies, taxes, licences and charges. We have to be very careful about that.

The other issue I would raise with regard to the abalone industry is a proposal which has been floated to cut the bag limit for recreational abalone divers to five per person. I think it currently is 10 per person. I do not think it is necessary to cut the quota from 10 to 5 for recreational abalone divers, and the government is heading down the wrong track if it is heading that way. It is important that we deal firmly and strongly with abalone poachers, or abalone thieves. They should be dealt with to the full extent of the law. However, cutting the bag limit from 10 to 5 for recreational divers is a bit pedantic.

Finally, I want to raise the need to promote and support aquaculture in the context of a major event that has happened in the abalone industry in south-west Victoria. The two major abalone aquaculture sites at Port Fairy and Portland at Allestree have recently lost nearly all their stock — 3 million abalone at each place. In all a total value of \$45 million worth of abalone has been destroyed because of an infection of ganglioneuritis virus. There does not seem to be the capacity within the Department of Primary Industries to assist and help them with this issue. If we are going to develop an abalone aquaculture industry to augment our wild catch industry, we need to invest more in abalone aquaculture.

**Mr ROBINSON (Mitcham)** — I am pleased to have the opportunity to make a contribution to the debate on the Primary Industries Acts (Miscellaneous Amendments) Bill 2006. It is true to say that primary industries are not readily associated with the Mitcham electorate, although in a secondary and tertiary sense there are many people in the electorate whose livelihoods depend upon the activities of those industries.

It is true that I am not as familiar as some members would be with the operation of abattoirs and the role they play in the meat industry, although I want to point out that I am the chair of the Economic Development Committee, which undertook some work in relation to the Wodonga abattoir. We were very fortunate last year during our labour hire inquiry, an excellent inquiry which the member for Lowan assisted the committee with and which delivered some unanimous recommendations, to visit the abattoir. We made a field trip, and to her great credit the office manager for the committee joined us armed with the trusty committee camera. I have to say she certainly went well beyond the call of duty in putting up with the inspection we did. She took lots of photos, and I think she learnt a lot. I am amazed that she did not put in a stress claim later, because it was not her cup of tea. Indeed that side of the meat industry is not everyone's cup of tea, but it is an absolutely essential part of a very valuable industry.

Similarly I have some familiarity with our primary industries because of my role in the last Parliament as the Parliamentary Secretary for State and Regional Development, which I very much enjoyed. One of the tasks assigned to me at that point, and it is probably something the current parliamentary secretary, who has just left the chamber, also has, was being a member of the Food Victoria Council, formerly known as the Food Industry Advisory Council.

**An honourable member** interjected.

**Mr ROBINSON** — I do not know if it does anything now, but I can certainly say that in my time it worked very hard. I know the member for Swan Hill would back those comments up, because he was an integral member of that committee, and the Premier valued his counsel. I do not think I am spilling any secrets or breaching any trust when I say that it was obvious to all around that table that the Premier enjoyed no greater support on the council than that which he got from the member for Swan Hill in his former role as a senior office-holder with the Victorian Farmers Federation. In his present guise the member for Swan Hill is a member of The Nationals, for however long that remains. I can say that I knew where his heart lay, and he was very well disposed to what the government was trying to achieve for our primary industries.

I enjoyed listening to some of the earlier contributions on the bill, particularly by the member for Bass, who in his new position is almost statesmanlike. You could close your eyes and almost think his was a statesmanlike delivery. It is all relative, because then again you could open your eyes and meet the individual and be sadly disappointed! It was great to see him

trying to make a new start on the front bench. He is still prone though to jumping to conclusions, and I thought some of the commentary he made on the bill was a little inaccurate. Indeed at question time today he got very excited when the Treasurer quoted the CPA and its response to the budget. Knowing of his affection for anything to do with communists and the Communist Party of Australia, I saw him jump up. But I have to tell him that the Treasurer was actually referring to certified practising accountants, not the old Communist Party of Australia.

I want to make two commentaries on the specifics of the bill — —

**The ACTING SPEAKER (Mr Jasper)** — Order!

It would be excellent if the member could comment on the bill itself.

**Mr ROBINSON** — It would be very valuable, Acting Speaker, I know, but I just needed to frame the context of my comments over the last 5 minutes.

I want to comment on those parts of the bill that will amend the Meat Industry Act, and in particular, which the member for South-West Coast alluded to, the intention of the legislation to permit packaged pet food to be sold in butchers shops. This is a very commonsense approach, and I am sure it will enjoy the support of all members. It follows on from the time-honoured practice of people going into a butcher shop and buying a bone for the dog. That has been going on for so long and there has never been a problem with it, so it makes absolute sense to extend that to the opportunity to buy packaged pet food. Notwithstanding the argy-bargy in the chamber, some of which I feel has been manufactured, it is a very commonsense step. This government prides itself on its commonsense stance, which characterises so much of what it does.

I would like to note, however, the importance of relative health standards, which was spelt out in the minister's second-reading speech. I am led to believe that municipal councils will have a key role to play, as they always have, in enforcing those relevant standards. I simply trust that the councils will be able to enforce those standards adequately and without any confusion for the retailers. The last thing we would want to see out of these amendments, which are commonsense and are designed to encourage competition and commerce, would be some confusion at a municipal level about what the retailing butchers can and cannot do. I trust that that will not be a point of confusion in the future.

The second commentary I want to make in the time available concerns fisheries and those parts of the bill that will amend the Fisheries Act. These amendments proceed from intergovernmental negotiations and show the great capacity for a progression of policy when it is required in the national interest. As much as I understand it is easy for everyone to criticise why state and federal governments never get along, the truth is, as this legislation demonstrates, that the state and federal governments can reach common agreement on issues in the national interest. There are few issues that will be of more importance in years to come, both in Australia and abroad, than our fisheries. We are seeing an explosion of demand, and it will continue in years to come.

**Mr Walsh** interjected.

**Mr ROBINSON** — I do not know that deep sea saltwater fish actually inhabit the Murray and the Snowy rivers, but if the member for Swan Hill knows more about that than he is letting on, he should let us know. We are already at the stage where we see fishing fleets from foreign countries going much further afield than they once did. It is the fact that in this day and age, and it will only become more so, fisheries are not immune from the ravages and depredations of fishing fleets if the people in charge of the fleets have a mind to abuse the fields and take more from them than the fields can produce. That area will become far more significant in years to come as population increases and as we inevitably see the depletion of some of the more productive fishing fields, particularly in deepwater areas.

I recall from the time I spent on the Scrutiny of Acts and Regulations Committee and its subcommittee that there are few areas of government activity, either in Victoria or elsewhere, that are more complex and intricate than the management of fisheries. This state has regulations, as do all other states, governing a plethora of fishing species, fishing seasons, quotas and what have you simply because of the complexities of fisheries as such.

I commend the minister for the work he has done in helping achieve the intergovernmental agreement. It is a small step towards ensuring greater sustainability of our fishing resources, and I think it is a step in the right direction. With that comment, I am very happy to support this bill.

**Mr DELAHUNTY (Lowan)** — It has been riveting stuff sitting here tonight listening to the informative debate on this very important bill, the Primary Industries Acts (Miscellaneous Amendments) Bill. My

colleague the member for Swan Hill has spent 20 minutes covering the full gamut of the bill. I want to focus just on clause 6, which inserts new subsections 37A(2) and 37A(3) into the Meat Industry Act 1993 to permit the sale of pre-packaged pet food containing meat in Victorian butchers shops.

My background is in the meat industry. Years ago I was a meat inspector and also worked as a meat industry standards officer with the Victorian government; and before that with the commonwealth government in the Australian Quarantine and Inspection Service (AQIS). The responsibility for meat inspection passed to the Victorian Meat Authority, which is now called PrimeSafe, so I have had a lot of involvement with the meat industry.

It was an interesting part of my life and I met some interesting people, such as Wally Curran and a few of those guys, in my travels. I met a lot of people who were very down to earth and good people in relation to what goes on in rural and regional Victoria.

I just want to say that this is commonsense legislation that should have happened many years ago. It is good to see that the act is being amended to allow pre-packaged meat to be sold in butchers shops. As the member for South-West Coast said, a lot of people go into butchers shops now to buy meat for their pets. It could be good fillet steak, it could be offcuts, it could be bones or the like, but all the meat sold must be fit for human consumption — and it is. Most people go in and buy bones and those types of things, but a lot of meat that is fit for human consumption is bought for pets. As we know, supermarkets are already allowed to sell pre-packaged pet meat. This bill will allow butchers shops to do the same.

As I said, only meat sold by butchers shops must be fit for human consumption. Pet food manufacturers, as the member for South-Coast said, would like to expand their retail options, and I will come back to the number of pet food shops in Victoria in a moment. However, consumers would also like more options. We are seeing, particularly in rural and regional Victoria, larger supermarkets setting up, whether it be Safeway, Coles or others, and we are seeing a lot of butchers shops and a lot of retail outlets dying off right across Victoria. One way of keeping butchers shops and supplying very necessary meat to consumers is to allow them to sell further lines, so the extension of the ability to do so is a welcome option for people in country Victoria. As we know, this is already allowed in New South Wales and Queensland. I have always thought that Victoria led the other states, but in this case we are following New South Wales and Queensland.

The industry is regulated by PrimeSafe, and it is good to see that right across Australia meat industry standards have been developed and implemented by all states, territories and the commonwealth. There are common grounds that we can work on. Members will remember the old meat inquiries and the like some years ago when there were a lot of different standards in different states and a lot of meat moved across borders that was not done kosher — that is not the right word because there is kosher-killed meat now. However, it was not done according to law, and it is good to see that we now have common standards right across Australia.

It is interesting to note that even in retail shops and pet food establishments there is a requirement for potable water in processing facilities. This is an issue right across rural and regional Victoria. Unfortunately the government, against the wishes of most people in Victoria, is selling off Snowy Hydro. We believe some of that money should be spent not only on schools but also — —

**An honourable member** interjected.

**Mr DELAHUNTY** — We are talking about potable water in retail shops, and we want to see some of the money from the sale of Snowy Hydro, if it does go through, coming back into water facilities.

**An honourable member** interjected.

**Mr DELAHUNTY** — No, I am not a supporter of it. I am just saying that if it does happen, then as well as the money being spent on schools, money should also be spent on water facilities, because the standards in meat processing facilities require them to have potable water.

It is interesting to read the PrimeSafe annual report and see the change in the number of retail butchers shops in Victoria. Back in 1998–1999 there were 1197 retail butchers shops. In 2004–05 that number had dropped to 1054, a decrease of 143. A lot of those shops were in rural and regional Victoria. Again, the drop in numbers was because they were finding it hard to compete against the supermarkets. The allowance made for them under the provisions in this bill will give them a little more scope to increase activity in their shops, and hopefully they will be able to sustain their numbers.

When we look at the PrimeSafe statistics on pet meat processing plants in Victoria we see that back in 1996 there were 24 plants. That dropped to 16 in 2004–05 according to the PrimeSafe annual report, so even in the pet food industry there has been a drop-off. Even though I can see that across Victoria there are a lot

more pets, they might be serving them not only pet meat but also meat fit for human consumption.

It is interesting to look at pet food establishments in Victoria. The high was in 2000–01 when there were 96 establishments. That number dropped by 15 in 2004–05 to 81. When I look at these statistics I am also interested to see that in the last year in Victoria 1.5 million cattle were killed, nearly 3.5 million sheep were killed and just over 7 million lambs were killed. It is also interesting to see that there has been an increase in the number of rabbits killed. I did not realise so many rabbits were killed.

**Dr Sykes** interjected.

**Mr DELAHUNTY** — They must be all coming from Benalla. We do not allow them in the Lowan electorate! There were 33 836 rabbits killed in Victoria last year, which was an increase from the previous year, when 14 544 rabbits were killed. I wonder whether those rabbits are going into the pet food industry — I am sure they are. The second-reading speech says that the bill will allow pet food that is manufactured, processed, pre-packaged and labelled in a sealed, robust, leak-proof container to be sold at retail butchers shops.

The pet food must come from an approved pet food processing facility operating in accordance with a licence under the Meat Act in Victoria or an equivalent facility in another state such as New South Wales or Queensland or in the territories. Pet food can even come from overseas so long as it has been approved under the Australian Quarantine and Inspection Service system. As we know, pre-packaged pet food includes canned and chub-packed formulations of pet meat, grain, dry extruded kibble, pellets, and dry extruded snacks — for example, treat strips. All those types of food are now approved.

The concern I have, which has not been picked up, is that in Victoria there are over 3000 licensed meat transport vehicles. To have a licence to transport meat means that the vehicle can only carry meat fit for human consumption. This rule is also applied to retail butchers shops. The question I ask, which may be answered by the next speaker or by the minister who sums up the debate on the bill, is this: does allowing pet food to be sold at retail butchers shops also mean that meat transport vehicles, which are currently licensed only to transport meat fit for human consumption, will be allowed to carry pet food based on the same criteria as a retail butchers shop? If it does not, I think there should be an amendment to the bill to allow it. If pet food is good enough to be sold out of retail butchers

shops in a sealed, robust and leak-proof container, it should also be allowed to be transported in meat transport vehicles. As I said, there are over 3000 meat transport vehicles in Victoria.

The meat industry is an interesting industry. It is one that has been going through a lot of challenges. Sam Kekovich is now supporting the meat industry, particularly the red meat industry. Meat is good because it has iron and other types of things in it. Overall the meat industry has had a lot of challenges, particularly because of the cost of doing business in Victoria. It is a very important industry not only for consumers but also for the farmers who grow produce. I again express my concern about meat transport trucks and repeat that The Nationals will not oppose this legislation.

**Mr LIM** (Clayton) — I am pleased to stand here in this chamber tonight to support the Primary Industries (Miscellaneous Amendments) Bill 2006. This sort of bill is not going to make headlines in tomorrow's *Age* or *Herald Sun*. Most people think it is a dull bill, yet I believe it is a bill which will affect certain people in different ways.

The bill of course makes amendments to two acts within the portfolio of agriculture — the Fisheries Act 1995 and the Meat Industry Act 1993. There is no doubt that the amendments to the Fisheries Act 1995 will improve the fisheries arrangements under the offshore constitutional settlement, the so-called OCS. The OCS establishes the arrangements between the commonwealth, states and territories with regard to offshore fisheries and a range of other matters relating to the sea, including fisheries.

The review of the commonwealth fisheries policy, conducted three years ago, identified several areas of concern with the OCS fisheries arrangements. In order to improve cooperation between the state and commonwealth governments and to improve the management of fisheries, the federal government introduced the Fisheries Legislation Amendment (Cooperative Fisheries Arrangements and Other Matters) Act 2006.

To complement the proposed changes to the commonwealth act this government has had the foresight to introduce this bill to amend the Victorian act so it accords with the commonwealth act. It also provides for the granting, issuing and renewal of licences and permits necessary for the operation of the new OCS arrangement. The amended act will allow Victorian law, as well as commonwealth law, to be applied, as well as allowing more than one law to be applied in a fishery under a single OCS.

The other part of the bill, which is more interesting, amends the Meat Industry Act 1993 to allow retail butchers shops to sell pre-packaged pet food. I am amazed that none of the speakers before me saw the significance of this amendment. As a member of the ministerial small business task force I see this as leadership from the government in protecting and promoting the interests of small business; I look at butcher shop operators very much as small business people. Under the current Meat Industry Act butchers shops are not allowed to sell meat that is unfit for so-called human consumption. This seems reasonable enough — it means that all meat that is sold in butchers shops must come from a licensed abattoir, must have met meat inspection standards and may not contain preservatives or other prohibited substances.

In the days when most dog and cat food consisted of horse flesh, kangaroo meat or other meat which had been killed other than at a licensed abattoir, it was good practice to ban the selling of such meat in retail butchers shops: there were concerns that bacteria or other contamination from the pet meat would get onto meat intended for human consumption. That was a reasonable precaution. However, the pet food market has moved on and most pet food is now pre-cooked and pre-packaged and does not present the same threat to human health. Pre-packaged pet food is sold alongside fresh meat intended for human consumption in supermarkets in Victoria and it is sold in butchers shops in other states.

Manufacturers of packaged pet food and retail butchers are keen to supply pre-packaged pet food for sale in butchers shops. It is unfair that supermarkets are allowed to sell this product but small independent butchers are currently not allowed to do so. That is what I meant by my comment about the foresight of this government in protecting the interests of small butchers. The restriction on butchers shops selling pre-packaged pet food is, in effect, now only a restriction on competition, or a restraint of trade. This bill removes this restriction and allows the sale of pre-packaged pet food in butchers shops so long as it is labelled, packed in strong, sealed, leak-proof containers and has been processed at an approved pet food processing facility. Importantly this amendment will not permit butchers to sell fresh pet meat, so there is no risk to human health.

This provision is most welcome because it will benefit the packaged pet food industry and help keep retail butchers shops in business. I commend the bill to the house and I commend the minister for his leadership.

**Dr SYKES** (Benalla) — I rise to speak on the Primary Industries Acts (Miscellaneous Amendments) Bill. I wish to focus on clause 6 which allows the sale of processed pet food in retail butchers shops in Victoria. As previous speakers have indicated, this puts Victorian butchers shops on the same footing as their interstate counterparts and supermarkets in the state. By restricting butchers to selling only processed pet food the bill seeks to protect against the substitution of meat within the industry.

If we just look at the substitution concerns, they are well founded. I have a keen interest in the issue of meat substitution in that I was involved with the regional veterinary laboratory at Benalla in the era of the roo in the stew catastrophe, which cost the Australian red meat industry millions and millions of dollars.

There was a requirement to tighten up the legislation and enforcement of legislation throughout the whole industry, to protect a market worth millions and millions of dollars. The regional veterinary laboratory at Benalla played a very important role in that protection of the Australian red meat industry by developing what is known as the ELISA, or enzyme-linked immunosorbent assay, test to help differentiate between various species of meat — that is, to determine whether the meat was coming from cattle, horses, kangaroos or pigs. That issue of substitution is extremely important and the protection of the industry against the impacts of substitution from both a human health and market access point of view are extremely important. Therefore that aspect remains a solid and rational component of the bill.

The intention of the bill to put retail butchers shops on the same footing as supermarkets and retail butchers shops interstate is extremely important because the proprietors of butchers shops and their staff work extremely hard. They work on fine margins when the commodity prices are high and they continually face an uphill battle to gain a reasonable reward for their efforts. As you appreciate, Acting Speaker, one of the fundamental philosophies of The Nationals is that people should be rewarded for their personal endeavour.

In recent times the application of a piece of legislation made it even tougher for retail butchers shops. I refer to the requirement introduced into Victoria for the active refrigeration of meat transport vehicles. I put it to the Parliament that, contrary to what is being achieved in clause 6 of this bill, that requirement by the Victorian government sought to focus on the process of requiring that the meat be actively refrigerated, rather than focusing on the outcome of delivering meat to the

wholesale outlets in a form suitable for human consumption. That approach showed a failure to understand the ability of retail butchers in small country communities to deliver product in a wholesome and food-safe condition to consumers and wholesale and retail outlets without the need for the expense of \$6000 or more for active refrigeration. However, the local butchers accepted the inevitability of installing that refrigeration. Regrettably, that requirement contributed to two butchers in Benalla alone electing to close up shop.

This piece of legislation will enable the butchers shops that are left to compete more effectively with the supermarkets and therefore it is appropriate to support it. As suggested by the member for Lowan, the issue raised by him about the ability of transport vehicles to transport food for pets as well as food for human consumption needs to be addressed by the minister in summing up.

I would like to touch on the broader issue of pet food in general. We continue to grapple with the issue of kangaroo meat not being permitted to be processed legally or commercially in Victoria. That is in spite of it being allowed to be processed in other states for either pet or human consumption and being allowed to be sold in Victoria for either pet or human consumption. For what appear to be ideological reasons and a love-in relationship with the Greens, the Labor government will not allow the practical, commonsense commercial harvesting of kangaroos in Victoria for both pet food use and human consumption. The net result is that tens of thousands, if not hundreds of thousands, of kangaroos breed up and then are destroyed on property, often not as humanely as they could be. They are simply shot to stinking waste. Now in north-east Victoria land-holders are getting permits to shoot hundreds of kangaroos to waste, merely to alleviate the nuisance that they are causing, but regrettably they cannot be commercially utilised.

At one stage in my career I worked in an abattoir at Myrtleford — the Cavendon brothers abattoir — which processed ostriches, emus and deer. It was very keen to set up the processing of kangaroos for pet food consumption or human consumption, but regrettably the ideological opposition from the Victorian Labor government has prevented that from occurring. That has resulted in an inability to secure jobs in that area and has done nothing to enhance the economic viability in the Ovens Valley. It has robbed people of job opportunities.

The other thing the member for Swan Hill touched on, in what we would all agree was a broad-ranging lead

statement on the part of the Victorian Nationals — and long live The Nationals; we shall live forever — was the demise of the Department of Primary Industries (DPI) under the current minister. I share that concern. Most recently I have had a couple of first-hand experiences of where the DPI is being gutted. I am talking about the reduction of staff available for pest animal and weed management, and in particular fox control. The minister has made a real issue of switching over to a, supposedly, more streamlined approach for providing 1080 baits for fox control.

I say to the minister that if he believes it is more streamlined, then he must believe in fairies at the bottom of the garden, because it is absolutely ludicrous. We have the situation now where people such as myself who want to access Fox-Off have to ring the department, only to be told, ‘You can come into Benalla at a certain time — one hour of one day in one week’. There is no flexibility. It is not like the good old days when there was flexibility.

What is more intriguing is that in this new, efficient and streamlined Department of Primary Industries the person who provides that service in Benalla has a round-trip journey of over 200 kilometres a time to come to Benalla from Nathalia to provide that service. There is a person in Benalla who is capable —

**The ACTING SPEAKER (Mr Jasper)** — Order! I hesitate to interrupt the member for Benalla, but I would like him to refer to the provisions in the legislation. He has been wide-ranging in his contribution, but I ask him to refer back to the bill.

**Dr SYKES** — Thank you, Acting Speaker. This is relevant because foxes are canines and dogs are canines. Dogs eat pet food and we are talking about pet food in this case. In responding to your directive, Acting Speaker, The Nationals will not be opposing the bill because there is a commonsense component to it. The government has listened, at least belatedly, to the needs of retail butchers. If we can do anything to help retail butchers continue to exist in both country communities and elsewhere then that will be fine.

While touching on the existence of retail butchers, Sammy Kekovich was mentioned as doing a promotion for the red meat industry. Sammy and I go back as playing opponents a long time ago. Interestingly, the time I played against him in the reserves, I kicked four goals at centre half-forward; he did not do so well. The following week I was up in the seniors and Sammy was still in the reserves. So before we get concerned about my straying from the intent of the bill, I repeat that in relation to clause 6 The Nationals — —

**An honourable member** interjected.

**Dr SYKES** — I got a couple of votes that day, but it was only the reserves! The Nationals will not be opposing the bill, but we ask the Bracks government to continue to listen to country people and to apply commonsense provisions, not only in relation to retail butchers shops but across the board.

**Mr HELPER** (Ripon) — It gives me an enormous amount of pleasure to speak on the Primary Industries Acts (Miscellaneous Amendments) Bill. I want to commence by commenting on some of the contributions we have had from the opposition and from members of The Nationals who seem to be taking this legislation somewhat flippantly. There are three parts to the legislation. I want to concentrate my comments on an area I know more about than the other two — the other two being the offshore constitution settlement arrangements and the transfer of abalone quota units. Even if global warming melts the icecaps, Ripon is a long way from the sea, and I do not claim to be an expert on those industries. However, the sale of pet food in butchers shops is something that is serious and goes to the heart of what is necessary in this state and what is part of the necessary regime of — —

*Honourable members interjecting.*

**The ACTING SPEAKER (Mr Jasper)** — Order! I would prefer to listen to the contribution made by the member on his feet than hear the interruption from the two members across the table.

**Mr HELPER** — Thank you, Acting Speaker. This is an issue that is important not only to Victorian families in terms of convenience in their being able to purchase pet food from butchers shops but also to the butchers shops themselves. They are an important industry, an important part of our communities and very often an important part of small communities such as those that I represent.

While I am commenting on the flippant way in which The Nationals and the opposition seem to have been treating this legislation, I particularly want to single out — through you, Acting Speaker — the comments made by the member for Swan Hill. I note that he is in the chamber but, regrettably, not in his place, so presumably he will not interject.

The issue I found most offensive in his presentation was that he spent 20 minutes of his contribution berating the Minister for Agriculture — a trap, I must add, that the member for Benalla seems to have fallen into, although in somewhat less quantum. Nevertheless, the member for Swan Hill spent his contribution

contributing not very much to the legislation but more to his zealous drive to criticise the government.

I have a proposition to put to the member for Swan Hill: if he is so offended by the Minister for Agriculture and the government, I challenge and encourage him tonight, later tomorrow or in the very near future, here or outside the chamber, to categorically rule out that The Nationals will accept preferences from the Labor Party, particularly in the upper house, at the forthcoming election. That may well cement the zealous passion with which he criticises the government.

Nevertheless, I am happy to make my contribution primarily on the bill, and I want to concentrate, as I said before, on the sale of pet food through butchers' shops. This bill is a worthwhile amendment to the Meat Industry Act 1993. It has been called for and encouraged by the butcher shop industry itself and allows for the sale of processed pet foods through butchers shops.

We all know that many butchers shops set aside some meat to sell as pet food, which would be fit for human consumption but is not desirable for human consumption. What is wrong with that? This legislation makes it a possibility; it is a very practical amendment. What this legislation provides for is that, at the same time as buying a bone for Rover, you can also buy a can of Pal for Rover. That is a reasonable, practical thing. It is a practical thing for families that are time challenged and prefer to do the type of one-stop shopping they have not been able to do at supermarkets. This legislation puts butchers shops back on the level playing field a bit more in terms of competing for market share with the supermarket industry. I personally think that means a lot to families, and it is a really practical proposition to make life in Victoria that much better.

As I said before, it is also an important economic initiative for the butcher shop industry, because it allows butchers shops to more adequately compete with the meat outlets in supermarkets. On those two grounds, I strongly recommend the legislation to the house. I see it as a serious piece of legislation that again enshrines the commitment that the Bracks government has to making life more comfortable and pleasant for families. At the same time, it also invigorates economic activity in butcher retailing in general, but particularly for small butchers throughout the country. I commend the bill to the house.

**Mr LEIGHTON** (Preston) — The Primary Industries Acts (Miscellaneous Amendments) Bill

amends two principal acts — the Fisheries Act 1995 and the Meat Industry Act 1993. Firstly, with respect to the Fisheries Act, the amendments will improve the fisheries' arrangements under the offshore constitutional settlement (OCS). That establishes the arrangements between the commonwealth, the states and the Northern Territory with regard to offshore fisheries and a range of other matters relating to the sea.

The amendments provide, firstly, a broad express power for the government to vary existing and future offshore constitutional fisheries arrangements; secondly, a broad express power for the commonwealth, state and Northern Territory ministers to create and terminate OCS fisheries arrangements; and, thirdly, an additional option for the management of fisheries' resources by commonwealth, state and Northern Territory governments by providing for regional fisheries arrangements.

The other part of the bill is closer to home for many of us. Clause 6 amends the Meat Industry Act. Currently butchers shops can only sell product that is fit for human consumption. This will allow the sale of packaged pet food — but not all pet food; it has to be pre-packaged and sealed in a robust leak-proof container at an approved pet food processing facility so that it is protected from contamination in the conditions under which it is to be handled, transported and/or stored.

These are changes that the industry itself has sought. I think they are fair and equitable because supermarkets have had an advantage over butchers shops, but it is still important to ensure that the pet food is properly sealed to protect it from any form of substitution, both advertent or inadvertent.

I, along with the member for Benalla, have some sympathy for the idea of our exploiting kangaroo meat as a resource, having previously owned property in the north of the state for eight years. You could see the plague of kangaroos being a pest for farmers, the damage they were doing more generally to the countryside and the hazard they were to motorists. If this is a move towards exploiting it as a resource, I have no objection. I know there are others who also want to speak, so with that I support the bill.

**Mr INGRAM** (Gippsland East) — I rise to speak briefly on the Primary Industries Acts (Miscellaneous Amendments) Bill. I will focus on some of the issues which impact directly on my electorate and, arguably, on me personally. Whilst I do have an interest in the abalone industry, which is on the register of interests, I

do not believe it is a direct pecuniary interest. I do not think I need to declare it.

I would like to focus particularly on the arrangements between the commonwealth and state fisheries. My understanding is that this has come about through negotiations with the commonwealth and state ministers. It will change the way state and federal relationships in the area of commonwealth and state fisheries are managed, particularly in the way that variations can be made to the agreements. It is my understanding that those agreements have to be rescinded and new arrangements put in place. I also understand that legislation passed through the commonwealth Parliament recently, so the provision basically endorses the commonwealth provisions. Whilst some of this may not be totally necessary, it puts in place the relationship between the commonwealth and state fisheries.

My electorate has quite a number of significant commonwealth fisheries, particularly at Lakes Entrance. They are extremely important to Victoria. There are quite interesting relationships between some of the state-managed fisheries and the commonwealth-managed fisheries, particularly involving some of the inshore trawl and the south-east trawl.

A number of species are targeted on the inshore trawl and in some of the other inshore fisheries which make up the major portion of the quota-managed fisheries at the commonwealth level. In particular there has always been some dispute between the shark fisheries, the inshore net fishermen and the commercial shark fishermen. Fisheries are a highly valued resource in the eastern Bass Strait area, and I would like to focus on one in particular — the scallop fishery.

There is incredible pressure on the scallop fishery at the moment. The commonwealth has closed some of its waters to scallop fishing, and there is a significant problem with the scientific research being conducted at Bullock Island, an RMIT facility. It is essential for the ongoing support of the scallop industry in eastern Victoria that RMIT continues to fund that research, and it is also very important that Victorians buy local scallops when they are available.

There seems to be a problem in the abalone sector with the Fisheries Act and the provisions concerning the abalone quota management system. I am referring to clause 5 of the bill, which amendment picks up on licence-holders who purchase quota from an access licence-holder but do not necessarily have the right to harvest the fish. Basically the owner of that licence is

required to nominate a diver to catch the fish for them. Under the current system it appears the government was not able to get a cost-recovery component of that licence fee. I think this should be supported by most people within the industry, because it fully covers that industry cost.

Having said that, I would also like to say that I support the bill. I will take up one comment made by the member for Benalla about the use of kangaroo meat. I would like to think that we could do the same for sambar deer. In my area a farmer had a permit to cull 100 sambar deer in one year, but those animals had to be left in the paddock to rot. Clearly that is a major health problem as it is a dairy area and the deer graze on his maize paddock. He is culling 100 deer annually — on one occasion he culled 18 in one night — so those carcasses should be removed and used for pet food in a commercial way. If we are looking at using kangaroo meat, we should also be looking at this issue as well.

**Ms CAMPBELL** (Pascoe Vale) — I rise to support the Primary Industries Acts (Miscellaneous Amendments) Bill. Given that three of us wish to speak before the house adjourns, mine will be a very brief contribution.

I want to place on record how important this legislation is to people in the Pascoe Vale electorate. Although I must admit that I have not been inundated with thousands of letters requesting this legislation, butchers in my electorate are most appreciative of it. I place on the record the appreciation of many in the surrounding areas, including the butchers in Kent Road, Pascoe Vale, and in Glenroy, Hadfield and Sydney Road — and particularly those in the Victoria Street mall in Coburg.

This legislation enables local butchers to sell pre-packaged pet food. Currently pre-packaged pet food is sold in supermarkets, so this legislation will be of assistance in ensuring that local butchers are better able to compete with supermarkets. The legislation will ensure that customers who go to local butchers to buy the family meat will also be able to buy meat that is specifically brought in to be sold as pet meat. I think it is important that as legislators we make it clear to our constituents that this legislation is very important. It will ensure the continued commercial success of our butchers, and that will benefit the general community. Customers will be able to go to the one place to shop for both products.

**Mr HARDMAN** (Seymour) — I also rise to support the Primary Industries Acts (Miscellaneous Amendments) Bill. The bill makes provisions for arrangements between the state and the commonwealth

for the management of offshore fisheries. It is great to see the commonwealth and states working together on sensible arrangements. I know the Acting Speaker will be very keen to see these cross-border anomalies looked at, as it is one of his favourite topics. The bill is a result of the inadequacies of the offshore constitutional settlement for fisheries. It tries to address those, making the settlement more efficient and effective through flexibility.

With regard to the meat industry, the changes that allow for the sale of pet meat that has been manufactured, processed, pre-packaged, sealed in a robust, leak-proof container and labelled in a pet food processing facility are sensible ones. I enjoy going to my local butchers shops. They have vastly improved over the last few years. They compete very well with supermarkets because they are pleasant places to go and they sell a bit of variety — maybe some free-range eggs. Now you will be able to get pet food there as well, so maybe you will have only one stop on the way home when getting tea for the family and also the dogs, so that is a great thing. I commend the bill to the house.

**Mr TREZISE** (Geelong) — I am also happy to briefly contribute to the debate tonight. I support the bill, which amends both the Fisheries Act 1995 and the Meat Industry Act 1993. As the member for Geelong I am always pleased to support the many initiatives of the Bracks government in relation to the fishing industry. As the house would be well and truly aware, the Geelong area is very much reliant on the fishing industry and is steeped in fishing history. As the member for Bellarine would be well aware, through the Bellarine area we have towns such as Queenscliff and St Leonards, which owe their existence to the fishing industry, as do many towns along the west coast. I am always happy to support the Bracks government in its many initiatives to support the fishing industry and also to support things like the marine national parks.

I am aware of many families in Geelong, such as the Keitos family, whose name is synonymous with fishing — —

**The ACTING SPEAKER (Mr Ingram)** — Order! The time to interrupt business has arrived.

**Business interrupted pursuant to standing orders.**

## ADJOURNMENT

**The ACTING SPEAKER (Mr Ingram)** — Order! The question is:

That the house do now adjourn.

### Motor vehicles: stamp duty exemption

**Mr DIXON** (Nepean) — I raise a matter with the Minister for Transport regarding the payment of stamp duty on a vehicle used to accommodate a wheelchair. I ask the minister to either exempt the vehicle from stamp duty or clarify what the current arrangements are, as they seem to be causing some confusion.

A constituent of mine, Christine Lincoln, has written to me about her disabled son, Matthew, who is 14. Up until recently their family car has been a station wagon, but as Matthew has gotten older it has been more and more difficult to get Matthew into the car, which obviously cannot accommodate a wheelchair, or Matthew cannot stay in his wheelchair in the car. It is impossible for either parent to manhandle Matthew to get him in and out of the car, as well as the wheelchair.

The family has recently bought a new vehicle, and they had to pay \$50 000 to convert it with a ramp and all the accessories to take Matthew directly into the car — so they do not have to lift Matthew, but have the wheelchair lifted by a hoist so he can go straight into the vehicle. Of course the \$50 000 was not found easily. Christine organised a whole lot of fundraising through her family and with the help of Ritchies Stores, where she worked for a number of years, the local Rotary group and Lions Club, which all raised money and contributed to the conversion.

Christine did the right thing and obtained an engineer's certificate for the vehicle, so it meets all VicRoads requirements. She was under the impression from earlier communication with VicRoads that she would not have to pay stamp duty on the vehicle, but she has now been told by VicRoads that she will have to. I quote from her letter:

So could someone please explain to me how it is that we then should have to come up against the ridiculous ruling that was handed to me by the VicRoads staff member, highlighting that we don't get a stamp duty exemption unless 'the vehicle is designed solely for the conveyance of one incapacitated person and will not be used to convey any other person'?

The reality of that is just ridiculous, because it is a family car. Does that mean that no-one else in the family can be in the car, so therefore any time the family wants to go out with Matthew, somebody drives that car and the rest of the family have to follow behind in another car? The regulation actually says that no-one else, other than that disabled person — I presume the driver can be in the car — can actually be in the car with Matthew. That is why I seek this clarification.

The family has done the right thing. It has done the fundraising, and this is a very frustrating thing for them.

I have written to the minister regarding this, but it is so important, and I think it has ramifications for other people, that I wished to bring it up in this place. I ask for the urgent attention of the minister and a clarification of the ruling.

### Western Port: nuclear facility

**Ms BUCHANAN** (Hastings) — I direct my request to the Minister for Environment. The action I seek is for the minister to strongly campaign against any moves by the Howard government to put a nuclear reactor, a nuclear enrichment facility or a nuclear waste processing or storage facility near Western Port.

As members would be aware, the Prime Minister has recently called for a national debate on domestic nuclear energy use. While he was gallivanting around the world the Australia Institute think-tank released findings suggesting that Western Port would be an ideal location for a nuclear power plant.

In stark contrast, the Bracks government and I are steadfastly opposed to having nuclear power plants in Victoria. However, the federal parliamentary secretary to the environment minister and Flinders MP, Greg Hunt, whose electorate covers Western Port, told 3AW radio host Neil Mitchell on 24 May:

In principle do I have a problem with nuclear power in Australia? No, actually I don't ...

When asked if he would object to a nuclear power plant being built in his electorate, he responded:

In principle, it's ... you know, I don't have a problem with the idea ...

But I do have a problem, as do the residents around Western Port. While Greg Hunt is keen to be the Montgomery Burns of Flinders, I publicly and unequivocally state that I will never, ever support a nuclear enrichment plant, a nuclear reactor, or a nuclear processing or storage facility near Western Port. Greg Hunt is using his unqualified scientific spin to avoid categorically ruling out the introduction of nuclear power facilities around Western Port. I call on him to categorically rule out what is a very real threat to Victoria's sustainable future. Where does the state Liberal Party stand on this issue? Like many others, we in the government do not know.

The Victorian environment minister recently stated that this nuclear push would divert investment from the wind industry sector and from efforts to make coal cleaner through gasification and geosequestration, carbon capture and storage. I concur, and am appalled

at this blatant backing away from renewable energy options.

This is not the first time that Western Port has been identified as a potential home to a nuclear power plant, but we must ensure that this is the last time. In 1968 then Premier Henry Bolte identified French Island as a location for a future nuclear power station before the community rallied to force his government to abandon its plans.

If Greg Hunt wants to be serious about addressing climate change, then he should get his minister and his government to increase their paltry 2 per cent mandatory renewable energy target to that of the Victorian government's target of 10 per cent by 2010. They should reduce greenhouse gas emissions by 60 per cent in 2050 to be on a par with the UK target, establish a national emissions trading scheme, ratify the Kyoto protocol and support wind turbine developments in Victoria.

As UNESCO-declared Western Port and Mornington Peninsula Biosphere chairman, Rob Jell, said recently, on hearing of the local nuclear power debate:

Nuclear power generation was not ecologically or sociologically sustainable ...

If someone can show me such a reactor then we might be able to have discussions ...

He further said:

I'm sure even the residents of Bald Hills would go for a wind tower over a nuclear reactor.

I urge the minister to continue to campaign against any nuclear power facility proposals for Western Port and to keep up the great work of having Victoria lead the way in the implementation of alternative renewable energy sources.

### **Medical practitioners: Cohuna**

**Mr MAUGHAN** (Rodney) — I raise a matter for the Minister for Health concerning the doctor shortage in Cohuna. Cohuna has an excellent hospital, a first-class medical practice — the Cohuna Clinic, which is headed by Dr Peter Barker, who works incredibly long hours. He is one of the few country doctors who still practise obstetrics in country Victoria.

Dr Barker has been operating with the assistance of another part-time doctor one day per week and with interns or overseas-trained doctors under supervision. He needs about four full-time doctors to operate that practice. One of the doctors who has been with him is Dr Maan Bashour, who has recently been deregistered

by the Medical Practitioners Board for his failure to attain the fellow of the Royal Australian College of General Practitioners qualification or the Australian Medical Council examination within the five-year time limit that is imposed by the Medical Practitioners Board.

Dr Bashour worked in Swan Hill hospital unsupervised and was respected by his peers. He worked in the Cohuna practice for two years, largely unsupervised, both in the hospital and in the practice. He was very popular with both staff and patients and was very safe in that he immediately discussed clinical cases that concerned him with more experienced doctors. He worked in Portland for some time providing clinical services in that area. He provided a very valuable service for five years and had no adverse events during that time. He has worked incredibly hard for 80 hours per week servicing the community. One could say he did not devote sufficient time to his studies and therefore failed to pass his examinations.

He is now no longer allowed to practise in Victoria. There is absolutely no change in his qualifications, experience or approach to patients. In fact one could argue that he has even greater experience because of the time he has had in practice. There is absolutely no scientific basis for this five-year arbitrary limit on overseas-trained doctors to pass their exams. The Cohuna clinical practice, which services 7000 patients, has advertised extensively overseas and in this country but has been unable to attract either doctors or trainees. I would argue that Dr Bashour should be able to practise under supervision. He is prepared to go back to Cohuna and work under supervision.

There is a grave shortage of doctors in country Victoria, as members of the house are well aware. I therefore appeal to the minister to use her best offices to persuade the Medical Practitioners Board of Victoria that it should take a less bureaucratic and authoritarian approach to the registration of overseas-trained doctors and be a little bit more flexible, not so as to lower clinical standards but to allow doctors like Dr Bashour to continue to practise under supervision until such time as they pass their examinations.

### **Glen Park community centre: funding**

**Ms BEARD** (Kilsyth) — The matter I wish to raise is for the Minister for Victorian Communities. I ask the minister to consider an application for a grant from the Community Support Fund by the committee of the Glen Park community centre in Bayswater North in the Kilsyth electorate for a contribution towards the relocation of a hall which has been kindly donated by

the Uniting Church in Bayswater. The building has been offered to Glen Park community centre on the condition that the centre is able to raise \$50 000 to cover costs in the relocation to its Bayswater North site. Maroondah City Council has generously offered \$15 000 towards the cost, but the centre is seeking further funding.

I was most fortunate to attend the recent annual general meeting of the Glen Park community centre and noted that Robyn Murray and the team described their centre as 'a vibrant hub for learning and generating community spirit'. Anyone who was at that meeting would have quickly agreed that it is very much a vibrant hub. I always enjoy visiting the centre and meeting the locals for a wonderful, low-cost lunch. Some of the community activities provided by the Glen Park community centre include the operation of a men's shed, a great value cafe and courses in social painting, artways, computers, computers at a snail's pace and creative writing.

I would like to place on record my thanks to the Uniting Church for its generous donation of the building. I know it will be a great addition to the community and enhance the wonderful work carried out at Glen Park. The astounding contribution to the centre by Robyn Murray and Peter Harris, committee members Karen Purtle, Laura Cameron, Railey Orger, Debra Pisa, Tanya McNeal, Pauline Hutchinson, Phil McIver, Jill Faulkner and Linda Gorton and the many volunteers all help make Glen Park community centre a popular learning centre and favourite meeting place not only for locals but also for many in the wider community.

I would be pleased if the minister would consider a grant, with a view to obtaining a result as soon as possible, as it would give a tremendous boost to the staff and the community. The member for Bayswater also has a keen interest in this project as many in his electorate are enthusiastic visitors to the centre. The minister has already visited Glen Park community centre and has expressed his admiration for the valuable work carried out there. I know he will be welcome if he decides to make future visits. This would be a great use of government money, and I hope the Minister for Victorian Communities can approve the Community Support Fund application and give the Glen Park community centre the opportunity to continue the valuable work it carries out.

### **Snowy Hydro Ltd: sale**

**Mr PLOWMAN** (Benambra) — The issue I wish to raise this evening is for the attention of the Premier. I ask the Premier to withdraw from the sale of Snowy

Hydro Ltd and not proceed with it until the major concerns of the irrigation industry and the environmental movement are satisfied.

Neither the Victorian nor the New South Wales government has helped to pay for the construction or operating costs of the scheme. The Snowy Hydro scheme was funded by commonwealth borrowings, and the ongoing maintenance and running costs have been paid for by the consumers of electricity right across eastern Australia. Both state governments stand to gain massive windfall gains from the sale of Snowy Hydro without having paid a cent towards its construction or maintenance. This Australian icon of engineering excellence, which took the lives of 127 Australians during its construction, belongs to the people of Australia — not to the two greedy Labor governments who are hell-bent on selling it.

The two major concerns surrounding this sale relate to the ongoing security of releases of water for irrigation and for environmental flows. In both cases the water must be released when it is required, not just when the maximum return can be obtained from power generation. There is also the question of the water that is stored in the Snowy reservoirs in excess of the minimum amount of 2088 gigalitres that Snowy Hydro is required to release annually. Currently in excess of 1000 gigalitres is stored in Jindabyne that cannot be accessed by the irrigation industry or by governments for environmental flows.

One example of the restriction on access occurred when, during the recent drought, the rice growers of New South Wales were required to pay millions of dollars for access and then had to pay the water back — that is, they were forced to pay for it twice. Under private ownership the scheme's new operators will have a much greater incentive to operate it for profit, maximising their returns to shareholders through targeted electricity sales rather than meeting the needs of downstream consumers.

There have been massive changes to both the electricity industry and the water industry over the past 15 years, and no-one can guess what changes will occur over the next 72 years. I agree with Senator Bill Heffernan, who said, 'I am afraid that in years to come we will live to regret the sale of Snowy Hydro unless these major concerns are satisfied'.

### **Aged care: Geelong facility**

**Mr TREZISE** (Geelong) — I raise an issue with the Minister for Aged Care in the other place. It relates to the provision of additional beds at the multicultural

aged care services facility within my electorate of Geelong. The action I seek from the minister is that he work with the multicultural aged care facility to assist it to obtain the required beds it is currently seeking. The multicultural aged care facility in Geelong is an accredited not-for-profit, community-based organisation that provides residential aged care accommodation, extended community aged care packages and independent living accommodation for socially disadvantaged people from multicultural backgrounds.

In 2002 it received a Victorian award for excellence in multicultural affairs, as the minister at the table, the Minister assisting the Premier on Multicultural Affairs, would well and truly know. It first opened its doors in 1994 and is the major multicultural aged care service provider in Greater Geelong and the Barwon south-west region. A recent local demographic study identified both geographic areas — that is, Greater Geelong area and the Barwon south-west region — as having the highest concentration of migrants, and it highlighted the fact that the number of elderly migrants is expected to rise over the next 15 years.

Currently the facility is experiencing increased demand from the multicultural community for respite accommodation, including day respite services, dementia-specific accommodation and supported residential accommodation. Strategic planning involving the wider community, the local board and staff has identified that additional respite beds, dementia-specific beds and a supported residential service would provide accommodation relief within the Geelong community. I was pleased to visit the facility — probably 10 days ago — with the relevant minister. We met with the chief executive officer, Ms Joy Leggo, with whom I have worked over the last six or seven years — and I must say Joy has done a magnificent job at the facility. More recently Mr Alwin Gallina has joined the team at the facility as the director of care. I know that Mr Gallina will also provide great management and support to the residents at the facility.

This is an important issue for Geelong, especially for people from a migrant background, and I look forward to working with the minister and with the facility. I look forward also to the minister's assistance in addressing this important matter for the community.

### **Horticulture: Mildura–Sunraysia**

**Mr SAVAGE** (Mildura) — I wish to raise an issue for the attention of the Minister for Agriculture. As members in this place would be aware, as I speak there are some very significant adverse agricultural impacts

occurring in the Mildura–Sunraysia area, affecting producers of dried fruits, wine grapes, table grapes and the citrus industry. This year, for the third year in a row, the dried fruit industry received lower prices. Members will be aware that tens of thousands of tonnes of citrus fruit have been dumped because there was no market for them. As you drive around Mildura you see many thousands of tonnes of wine grapes that have not been picked or have been dumped on the ground. This year it is estimated that the wine grape industry will have a decline in its returns of up to 80 per cent or 90 per cent. Everywhere you see the impact of these downturns in these agricultural sectors.

As a consequence the Mildura Rural City Council and the Wentworth Shire Council have produced a report, *Economic Sustainability Study of Mildura Horticultural Region*, dated 24 March 2006. This report makes certain recommendations to the state and federal governments for action to assist in recovery and sustainability. In this year's state budget \$1.5 million is allocated. The amount of \$1.4 million was requested in this report for budgetary consideration. In the discussions I had with the Minister for Agriculture prior to the budget I certainly endorsed strongly the case for agricultural assistance for these sectors. The action I seek is the prompt provision of the \$1.4 million in accordance with the recommendations in this economic sustainability study.

Also in this report is a request to the federal government for \$18 million of funding, as it is the federal government's responsibility to provide industry adjustment. That has been the case historically. Considering that the calls for exceptional circumstances assistance made by the Honourable Barry Bishop, a member for North Western Province in another place, have been rejected out of hand by the federal agriculture minister, Peter McGauran, there is a great need for the industry assistance packages that would be a flow-on from this report.

I do not agree with some of the recommendations in this report. The primary causes for the decline in the citrus and dried fruit industries are so-called free trade and the abject failure in the labelling of citrus product, which allows in huge quantities of concentrate from Brazil that is not defined in any adequate way for consumers. I call on the minister to implement the recommendations of this report.

### **Swiss consulate: relocation**

**Mr MILDENHALL** (Footscray) — I raise a matter for the attention of the Premier. I ask that he make representations to the Swiss authorities regarding the

most appropriate major city location for the Swiss consulate. Whilst Parliament is celebrating its 150th year the Swiss community in Melbourne has been celebrating the 150th year of its consulate in Melbourne. However, the Swiss community in Melbourne has been extremely disappointed to hear of the Swiss government's intention to close its Melbourne consulate and consolidate its consular activities in Sydney.

The Swiss community in Melbourne is cohesive and has a tangible profile through the activities of the Swiss Club, an organisation and a venue with which many members of this place, past and present, have been well acquainted. I have been privileged to represent the Premier on a number of occasions and have joined the Swiss community at functions, particularly the 100th anniversary of the Swiss Club last year, and the concerns regarding the future of the consulate have been raised with me on many occasions.

I would ask that the Premier point out the advantages of a Melbourne location for a consulate. Five of the top eight Australian companies are based in Melbourne. The finance industry is increasingly moving back to Melbourne and the recent takeovers of Wizard by GE Capital, Southcorp by Foster's, and TAB New South Wales by Tabcorp will increase this trend.

Melbourne has stronger population growth, a lower cost of living, higher living standards, lower taxes and stronger economic growth, and it takes one-third of Australia's new settlers. It is also the home of major events — Roger Federer wins his Australian Opens here. From Governor La Trobe's Swiss wife, Sophie, to painter Louis Buvelot and the various Victorian political plots hatched at the Swiss Club, the Swiss have played a prominent role in Victoria, and it would be a shame to see the consulate close. I ask the Premier to point out to the Swiss authorities why Melbourne is the more appropriate location for the Swiss consulate.

### **Donvale Living and Learning Centre: funding**

**Mr PERTON** (Doncaster) — Before I start may I commend the honourable member for Footscray and join with him in his call. I know my friend the member for Bulleen also joins him in that as well.

I raise a matter for the Minister for Education and Training. I ask for action in that she reverse the funding cuts she has made to the Donvale Living and Learning Centre in my Doncaster electorate. Labor's funding cuts will mean more than 100 Doncaster adult students will miss out on important vocational training courses over the next 18 months. My friend the member for

Nepean has just today in the media complained that this budget offers very little in terms of training. But for my constituents and those who use the Donvale Living and Learning Centre the situation is even worse — there are funding cuts.

This government has loudly declared it has a strong commitment to education, but in reality it is depriving some of those least able to afford to pay of the chance of further training and learning. The Donvale Living and Learning Centre has an enviable community program, particularly its vocational and computer classes. Its programs and activities have substantially helped residents in their efforts to receive further education, return to work, improve their health and wellbeing — both physical and mental — and increase their literacy, language and life skills. Many students have undertaken nationally accredited courses which have enabled them to obtain work. The centre also offers career counselling and other skills to help participants return to the work force.

The community benefits of these programs are obvious — for instance, more than 50 per cent of those who undertook a community and event volunteering course at Donvale were successful in obtaining positions as volunteers at the Commonwealth Games. Donvale Living and Learning Centre has evolved to meet the changing needs of the community. Last year it provided learning opportunities to almost 4000 local residents, of whom more than 25 per cent were from a cultural and linguistically diverse background. But the cuts this heartless government is imposing will mean the centre will have to cut its programs and student numbers. As a result the residents of Doncaster and surrounding districts will be deprived of important learning opportunities.

On a recent visit to the Donvale Living and Learning Centre the Liberal candidate for Doncaster, Mary Wooldridge, met an enthusiastic group of women who were learning how to become medical receptionists. If the cuts go ahead, these women will be able to do the course only by paying full fees. That will simply put it out of reach for many of them who are hoping to receive some worthwhile training before returning to the work force.

The centre wants its full funding reinstated and consideration given to increasing funds statewide by another \$5 million a year. Over my 18 years as a member of Parliament I have found the centre to be a wonderful organisation and one that has made a great difference to the community. I know my Liberal candidate successor will fight — —

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

### **Budget: Whittlesea children's centre**

**Ms GREEN (Yan Yean)** — I wish to raise a matter for the attention of the Minister for Children. The action I seek is for the minister to do all in her power to ensure that the children's centre for Whittlesea, which was a welcome announcement in this week's state budget, is built in the Doreen area — and there are two very compelling reasons for Doreen to get priority for this new children's centre.

The first is the opportunity for co-location with the new primary school for Laurimar, which was also announced in this week's state budget. We know that this is a good model that works. The state government has previously funded the City of Whittlesea to provide a children's centre at Mill Park Lakes, across the road from the Mill Park Lakes prep-to-year 9 school, which is to open in 2007, with a special development school component opening in 2008. It will be a one-stop shop for families in this education and family precinct.

The second compelling reason is to ease the burden on the Shire of Nillumbik and the families living in its area. Although it obtains no rate revenue from the new housing estates in Doreen, the shire is providing the lion's share of children's services to families at Laurimar and Doreen. The Yarrambat kindergarten, when officially opened in its new permanent location, having been a pack-up kinder last year, was filled immediately. I really felt the distress of the secretary of the kindergarten committee, who had a child there, when she told me that she would be unable to enrol her second child at the kinder the following year because it was full of Whittlesea residents. That is really not fair to her, being a Yarrambat mother, an active community member and indeed a Nillumbik ratepayer, and her child is going to have to travel all the way to Hurstbridge.

I understand now that the Nillumbik Shire Council is reluctantly going to give priority to Nillumbik residents only, which is also going to disadvantage those families at Laurimar. It is time for the City of Whittlesea to act to provide children's services such as kindergarten and child care in the Doreen growth corridor. There is now an opportunity, with the announcement of a children's centre for Whittlesea, and I urge the minister to work collaboratively with the council to ensure that this centre is established in Doreen. Although there are other needs in the area, I think Doreen should get priority because of its location.

I want to thank the minister as well for the Best Start program in the shire of Nillumbik, which has also been funded in this year's budget. We have seen great work done in the Best Start program that has been operating in the city of Whittlesea, and I think the budget delivers some excellent things for children's services in the outer suburbs. I really hope it is going to very much benefit the residents of Doreen and Laurimar.

**The ACTING SPEAKER (Mr Ingram)** — Order! Ten matters have been raised, but before calling the Minister for Agriculture to respond to the member for Mildura, I refer to the matter raised by the member for Hastings for the attention of the Minister for Environment. After reviewing and listening carefully to the matter raised by the member for Hastings, I draw the member's attention to *Rulings from the Chair* and to rulings by Speaker Maddigan on 13 September 2005 and Acting Speaker Nardella on 19 October 2005 in relation to ministerial responsibility. That ruling states:

Matters raised on the adjournment debate must relate to Victorian government administration. It is therefore in order to ask a minister to raise an issue at a federal level which relates specifically to Victorian government administration. However, it is not in order to request a state minister to lobby or refer matters to federal ministers that are not within the state minister's responsibility.

The matter raised by the member for Hastings was about continuing to campaign against nuclear power in the state, which in my view is out of order.

### **Responses**

**Mr CAMERON (Minister for Agriculture)** — The member for Mildura raised a matter with me in relation to the horticultural industries in the Sunraysia region. Honourable members may be aware that there are difficulties in some of the horticultural industries, particularly the large ones, in the Sunraysia, with lost markets abroad being one of the issues. In the winery industry, for example, we have seen accelerated depreciation tax arrangements in earlier years and therefore a lot of plantings. As a result there is an oversupply at the present time, which has helped contribute to a broad problem in the Sunraysia area.

I am well aware that the member for Mildura regularly makes keen representations on behalf of horticulturalists. Acting Speaker, you would be aware, since I know you have a similar view, that in a debate on labelling over the course of last year the member made his views clearly known in relation to what should or should not have 'Made in Australia' put on it. One of the problems with having 'Made in Australia' written on packaging is that it is a matter that is governed by the Trade Practices Act. Certainly the

federal agriculture minister last year made it clear that it was a problem, because you could have 'Made in Australia' on the label even though the packaging and the labour might form half of the content, but the actual product within the packaging may not be Australian. It gives an impression that it is Australian, and that was the matter he was going to take up with the federal Treasurer and Treasury. I will certainly write to him to seek an update as to how he is going in relation to that matter.

The honourable member for Mildura referred to the economic sustainability study of the horticultural region which involved the Mildura Rural City Council and the Wentworth Shire Council. They went through a process suggesting ways to help bring about an improvement to the industries for the future. I have to advise the honourable member that, as he originally said, the request to the federal government for the sustainability of the region was \$18.4 million, and \$1.4 million from the state government.

The honourable member for Mildura may not be aware that the council has altered its request since that time and its request of the federal government is now \$600 000 and its request of the state government is \$380 000. I cannot explain to the honourable member the reason for the different amounts, but I understand that there were discussions between the council and the federal government and that as a consequence of whatever occurred that alteration took place. However, I can certainly assure the honourable member for Mildura that my department will be discussing the new request with the Mildura council. As he said, we have allocated \$1.5 million towards horticultural initiatives, and he will appreciate that we want to do things there. We will discuss that and we will also have ongoing discussions with the honourable member for Mildura in light of this changed request.

The honourable members for Nepean, Rodney, Kilsyth, Benambra, Geelong, Footscray, Doncaster and Yan Yean raised matters for the attention of ministers, and I will refer those matters to them.

**Ms Buchanan** — On a point of order, Acting Speaker, I heard your ruling in relation to my adjournment matter, and I would like to seek your assistance to clarify the grounds on which you ruled it out of order. I raised the matter for the attention of the Minister for Environment, and I believe you indicated that my request was not within the scope of Victorian government business. I am happy to seek clarification on this, Acting Speaker, but I consider that it is within the realm of Victorian government business as it relates to the 1993 state government legislation under the

nuclear energy administration act of the Victorian Parliament. It is as a consequence of that potential conflict with Victorian government legislation that I raised this matter in the adjournment debate.

**The ACTING SPEAKER (Mr Ingram)** — Order! On the point of order, there are a number of rulings on pages 2 and 3 of *Rulings from the Chair* which highlight what is required to be requested in the adjournment matter that is presented to the Parliament. The member might like to look at a number of rulings by Speakers Plowman and Delzoppo and, as I indicated, by Speaker Maddigan and Acting Speaker Nardella, and also a more recent one at the bottom of page 2 about what constitutes action. I listened very carefully to the matter raised, and the Chair can only rule on what is presented in the member's presentation. Because of that the Chair is left with no option other than to rule the matter out of order.

**Mr CAMERON** (Minister for Agriculture) — Acting Speaker, I should have said earlier in relation to the matter raised by the honourable member for Mildura that I will make the documents available to him.

**The ACTING SPEAKER (Mr Ingram)** — Order! The house stands adjourned.

**House adjourned 10.37 p.m.**

