

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE ASSEMBLY**

**FIFTY-SIXTH PARLIAMENT**

**FIRST SESSION**

**Tuesday, 13 March 2007**

**(Extract from book 4)**

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**Deputy Speaker:** Ms A. P. BARKER

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

The Hon. S. P. BRACKS

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

The Hon. J. W. THWAITES

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

Mr E. N. BAILLIEU

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

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**Leader of The Nationals:**

Mr P. J. RYAN

**Deputy Leader of The Nationals:**

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| Green, Ms Danielle Louise       | Yan Yean           | ALP   | Seitz, Mr George                      | Keilor           | ALP   |
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| Harkness, Dr Alistair Ross      | Frankston          | ALP   | Smith, Mr Ryan                        | Warrandyte       | LP    |
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| Ingram, Mr Craig                | Gippsland East     | Ind   | Victoria, Mrs Heidi                   | Bayswater        | LP    |
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| Kosky, Ms Lynne Janice          | Altona             | ALP   | Walsh, Mr Peter Lindsay               | Swan Hill        | Nats  |
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| Lim, Mr Muy Hong                | Clayton            | ALP   | Wynne, Mr Richard William             | Richmond         | ALP   |



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**Tuesday, 13 March 2007**

**The SPEAKER (Hon. Jenny Lindell) took the chair at 2.04 p.m. and read the prayer.**

**CONDOLENCES**

**Hon. James Lionel Simmonds**

**Mr BRACKS (Premier) — I move:**

That this house expresses its sincere sorrow at the death of the Honourable James Lionel Simmonds and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as a member of the Legislative Assembly for the electoral district of Reservoir from 1969 to 1992, as Minister of Employment and Training from 1982 to 1985 and as Minister for Local Government from 1985 to 1988.

When he was Labor Prime Minister in 1949, Ben Chifley famously said:

I try to think of the labour movement ... as a movement bringing something better to the people.

We have a great objective — the light on the hill — which we aim to reach by working for the betterment of mankind.

Those were the aspirations Ben Chifley set out for the Australian Labor Party, and those were the aspirations Jim Simmonds worked to fulfil throughout his adult life, whether it was in the local community, on the shop floor or in this chamber. The aspirations to help working men and women acquire the education and skills they needed to get the jobs they wanted, to be fairly treated in those jobs and to earn enough from their labour to raise a family were abiding principles which Jim Simmonds brought into this house when he became a member of Parliament.

I have quoted Ben Chifley's definition of what it means to be aspirational, and the Honourable Jim Simmonds embodied that definition. He entered the workforce as a process worker at a company that did not like paying for Christmas holidays — as we heard at his state funeral. As Jim once recalled:

To avoid paying us for the public holidays, it was the practice to sack everyone and tell them to reapply after the new year.

Jim had only started work on 2 December, but it made no difference. From being unemployed Jim turned himself into a skilled tradesman, a union leader, a politician and ultimately a minister of the Crown. But he never forgot the first experience in the workforce. When he became Minister of Employment and Training he told a journalist that he was aware of the social, economic and personal problems facing the

jobless, because he had been there. When he was pushing 60 and there was talk in 1985 of his losing his job after he had been a minister for a term, he went to a doctor for a check-up, just in case anyone argued that he was too old for the job. As Jim recounted to a young reporter at the *Age* at the time called Brendan Donohue:

I took the precaution to make sure, and [the doctor] said, 'You are all right for the next four years'.

The story of Jim Simmonds is worth remembering, because it teaches us two principles: firstly, that you cannot judge a person's potential by their employment status; and secondly, that unless we give people a chance to get an education and learn a skill, we will never discover their full potential.

Jim Simmonds reached his full potential. He won an apprenticeship in fitting and turning through the Boys Employment Movement and then trained as a toolmaker at Melbourne Technical College. He became a shop steward and then a branch secretary of the Amalgamated Metal Workers Union. He became a Trades Hall delegate. He joined the ALP and became secretary of the Heidelberg West branch. And he worked as a skilled tradesman for 20 years before entering Parliament in 1969.

That background stood Jim Simmonds in good stead during his 23 years of parliamentary service. His first intervention on the floor of this Assembly was in 1969 on a labour and industry bill, when he spoke about the hazards to workers of dangerous machinery in the workplace. He went on to be opposition spokesman for labour and industry for the next 12 years and served two stints as consumer affairs spokesman. He served as the local government minister at a time when there were 211 councils to deal with, and of course he took on a reform process which ultimately was left to subsequent governments to complete.

Jim spoke constantly and passionately about the importance of technical education. As he said:

Young people need to be encouraged to develop themselves ...

Workers compensation, retraining and employment matters — these are the things that affect people in their everyday life.

What Jim Simmonds was talking about was the Chifley ideal — that is, the need to give people opportunities to reach their full potential. And he was right, because providing someone with the education and training they need is not just good for the individual, it is good for the community and it is good for the economy. Jim Simmonds started out as an individual needing a new

skill, but he became a nation builder of sorts. He became a minister bent on improving technical skills, on increasing productivity and on coordination between education and training.

In other words Jim Simmonds never forgot about Chifley's light on the hill. He kept working for the betterment of his community through a wide range of community groups, including the Preston Community Health Centre, the Festival of Labour, the local Migrant Resource Centre, the northern new settlers association, the Italian Federation of Migrant Workers and their Families, and the Australian-Yugoslav workers centre.

Many members of this place would remember Jim in recent times as the convenor of the Friends of Fred, which is the Victorian foundation group for the Fred Hollows Foundation. He raised an enormous amount of money to support the legacy of Fred Hollows, and the foundation continues his work around the globe. It is no wonder that after Jim Simmonds passed away on 3 March at the age of 80, one of his family's bereavement notices described Jim simply as 'our light on the hill'.

On behalf of the government I extend my sincere condolences to all the family of Jim Simmonds, including his wife, Shirley, who is in the public gallery today, his daughters, Linda and Julie, and his grandchildren Tim, Dasha, Richard and Lachlan.

**Mr BAILLIEU** (Leader of the Opposition) — I rise to acknowledge the passing of Jim Simmonds. Jim Simmonds was born in 1926 in Melbourne and died some 10 days ago at the age of 80. He was married, as the Premier said, to Shirley, with whom he had two daughters. He was raised in the northern suburbs, where he went to West Preston State School, the Preston Institute of Technology and Collingwood Technical School. In the great Labor tradition he accepted a trade and became a toolmaker. I note he was also a Collingwood supporter, which I am sure would have sustained him through many difficult times.

Jim Simmonds's political leanings obviously developed on the factory floor, where he was a shop steward for the then Amalgamated Metal Workers Union. He later became a Trades Hall Council delegate. He was very much involved with various other community groups, which the Premier has mentioned. In politics proper he became a member of this house for the seat of Reservoir in 1969 and retired in 1992. He served as Minister of Employment and Training from 1982 to 1985 and as Minister for Local Government from 1985 to 1988. He also served on the former parliamentary

State Development Committee from 1970 to 1982 and on the House Committee.

Many people pass through this chamber; many serve the Parliament in different ways. Jim Simmonds had 23 years in Parliament — 13 in opposition and 10 in government. Six of those years were spent as a minister, which no doubt was an enviable record. As I said earlier, Jim spent 12 years on the State Development Committee, but he got wise and spent just 3 of his 23 years here on the House Committee. There is a lesson to be learnt there!

I personally never met Jim Simmonds but I was certainly aware of him, and I was certainly aware of his profile at the time. By his own admission he was 'solidly built and quietly spoken'. He claimed to be the leader of the Socialist Left and indeed described himself as a committed left-winger. The photograph of him in his first cabinet post in 1982 shows a somewhat sheepish Jim Simmonds standing behind Governor Murray and beside a former member of the other place, David White, and other ministers. One can imagine the various tensions that existed in those early years of the Cain government!

I think former Premier John Cain would concede that he and Jim Simmonds, although they worked together, had their differences from time to time. Newspapers of the time recounted those differences in good humour, I believe. We can also recall the efforts of those in the government of the time who wished to get rid of Jim Simmonds. He was not going; he stuck firm. As the Premier remarked, Jim went to the trouble of getting a health check to ensure that he could stay. So those efforts failed. Jim Simmonds was one of 6 of the 18 members of the cabinet who were Socialist Left ministers at the time.

In terms of his contribution to the making of policy, as the Premier has mentioned, Jim Simmonds's commitment to occupational health and safety was with him from the start. The tale in *Hansard* of him finding a young employee with his head between the spinning rollers of a machine with 62 drill heads would make any member of this house blanch.

As the local government minister he embarked on, as I think the Premier said, a reform process. Jim Simmonds actually described it in the then *Sun* in this way:

Our approach is that restructuring an amalgamation will lift local government performance. If we do not do that, it is certain the other course will develop.

Jim Simmonds was an early convert to the benefits of amalgamation. He had 211 councils to deal with. They

did not all agree with him — surprise, surprise! — and as the Premier said, it was left to another government to proceed with those amalgamations.

Jim Simmonds had an active family involvement. He described the role of his family in a profile in the *Spring Street Digest* of 1982, in which he said of his wife and daughters:

We have been a team ever since my wife used to take union dues at the front door when I was the union secretary of the AMWU.

That is a classic reminder of some of the Labor tradition, and I am sure it runs through his family.

Jim Simmonds was a traditional Labor man, and what he would make of today's Labor Party is for others to determine. He was a man committed to the growth of manufacturing, and no doubt he would have been disappointed with the current state of manufacturing.

I join with the Premier on behalf of the Liberal Party to honour his service and to offer our condolences to his wife, Shirley, his daughters, Julie and Linda, and their families and loved ones. I think them for the sacrifices they, and their husband and father, have made and for the contribution to community life that Jim Simmonds made.

**Mr RYAN** (Leader of The Nationals) — I join with the Premier and the Leader of the Opposition in support of all of us in this chamber for the motion of condolence upon the passing of Jim Simmonds, who died on 3 March.

Jim Simmonds was elected to Parliament and came first to this chamber in 1969. He served for 23 years, concluding in 1992 — coincidentally the year that I arrived here. During the course of his time in the Parliament he served in various ministerial roles on behalf of the Labor government of the day. He came to the Parliament with a very strong union background — not surprisingly, having regard to the work in which he had been engaged prior to his being elected.

Amongst his various qualifications was that of a fitter and turner. He was a member of the Australian Manufacturing Workers Union and was a shop steward for that union. He was a member of the Australian Education Union and was part of its political committee for 10 years. He was also a Trades Hall delegate and was involved in a multitude of community service organisations, which the Premier and Leader of the Opposition have referred to.

He first spoke in this chamber on 2 December 1969. The essential theme of his speech was to do with

occupational health and safety — again not surprisingly having regard to his background. He talked about a machine designed and built in Victoria which had been sold to Western Australia, and he referred particularly to its inherent dangers and deficiencies in design because of the risk of an accidental activation of a microswitch which could in turn lead to anybody cleaning the machine being seriously hurt or, indeed, killed.

He also spoke about taking 26 union delegates down to the Trades Hall building to witness a presentation by the department of the day on issues of concern in the workplace. He subsequently remarked how one of the sad things that came from that was not the presentation itself but the fact that not enough was being done to advertise the dangers that arise in the workplace, even to this day. In that sense he was perhaps an early advocate of what we now see through the work of WorkCover, WorkSafe and the like.

One of the most interesting features of his time of service is that in many ways he crossed a political divide. So many members come here from mixed backgrounds. There are butchers, bakers and candlestick-makers, and people we would not meet if it were not for the fact that we are here as elected members of Parliament. So much of what brings us here coincidentally and ironically is a common end, a common aim and a desire to bring about change in a constructive way, yet we come to it from different political perspectives.

Such was the case with Jim Simmonds. He came to it with the background to which I have already referred and eventually became Minister of Employment and Training, where he had the opportunity to be able to put into reality a lot of his aspirations for the training of young people and safety in the workplace.

I think of my time before coming to this Parliament. For six years I represented the Australian Timber Workers Union — I think I have been through every hardwood mill in Gippsland. I emphasise that I would not have been a big hit down at the Trades Hall Council. By the same token, it is interesting to reflect that for someone from this side of the chamber and someone from the other side of the chamber a mutual interest, amongst others, that brought us here was an issue in relation to the representation, perhaps in different forms, of people in the workplace.

Jim was a great man for the reality of practical training. One of his themes was to make sure that we trained young people in a way which gave them a job, and that we did not train them just for the sake of training them.

He was a man who appreciated very strongly the trade skills which people developed in the course of their training and employment, and he was a fitter and turner himself. He saw education as a tool of change — something which we in this chamber ought to keep uppermost in our minds. How important is it to be able to train young people, or train people of any generation for that matter, if they are able to then use that to their betterment and to the betterment of their respective communities?

There is an interesting quote that appears in a publication called the *Spring Street Digest*, which I came across in my researching of material for today. It relates to an interview that Jim Simmonds gave to this esteemed magazine back in 1982, in which he remarked about having met one of his constituents, who said:

It's hard to think of you as an MP, Jim. You've always been such a worker.

I must say that there is a message there which perhaps we all ought to take into account. Be that as it may, the number and nature of the condolence messages that were published in their many forms upon the passing of Jim Simmonds on 3 March are testimony to the fact that this was a parliamentarian who was renowned as a worker, who never forgot the basic roots from which he came, and who always saw it as appropriate to do his best to represent them in this place.

On behalf of The Nationals I join with the Premier and the Leader of the Opposition in supporting this condolence motion. I convey to Jim's wife, Shirley, to his daughters, Linda and Julie, and to his grandchildren, Tim, Dasha, Richard and Lachlan, the sincere commiserations of The Nationals.

**Mr BRUMBY** (Treasurer) — I join with the Premier, the Leader of the Opposition and the Leader of The Nationals by paying my respects to the late Jim Simmonds and extending my condolences and sympathy to Jim's wife, Shirley, and to his children, Linda and Julie, and their broader, extended family.

Last week I spoke at the state funeral for Jim Simmonds. I was one of three speakers there — Gabi Hollows and Giovanni Sgro spoke as well. Gabi Hollows, of course, spoke about Jim Simmonds's work for the Fred Hollows Foundation, and I will comment on that in a moment. Giovanni Sgro, a fellow former member of Parliament for that region of the state in the other place, spoke about his wonderful commitment to the local community, particularly the multicultural community around him. I did not serve in this Parliament with Jim Simmonds, but as it happened in a

number of areas of our lives our life paths intersected. I want to talk about them today.

As the Premier and other speakers have remarked, Jim Simmonds had a 23-year parliamentary history — from 1969 through to 1992 — including six years as a minister in the Cain government. Of particular interest to me is that he had a lifelong commitment to the Collingwood Football Club. In fact he was a 50-year-plus contributor to the Collingwood Football Club, having been a social club member since 1955.

He made an enormous contribution to the establishment of Friends of Fred and, through that, to the Fred Hollows Foundation. As we have heard already today, he made a huge contribution to a number of community groups, including as founding chairman of the Preston Community Health Centre and founding member of the Migrant Resource Centre. In every sense — in terms of his community involvement, of sport, of support for Fred Hollows, of Parliament — he made a very big and very positive contribution to public life.

I was the federal member for Bendigo from 1983 to 1990, and I used to see quite a lot of Jim Simmonds as he visited the state seat of Bendigo. As a courtesy he used to always let me know when he was visiting the area. He was a regular visitor there, and you could fairly say he was a good friend of the Bendigo community.

He also introduced, by the way, an employment and training program which I consider to have been very effective. It led to the employment of one Rosemary McKenzie at the Castlemaine education centre in 1982, where I was able to meet her and later betroth her. And 25 years later I can vouch for the value of that program. I must make sure I have got the year right!

**Mr Bracks** interjected.

**Mr BRUMBY** — I'll check *Hansard* later, Speaker; I am sure you would allow me a minor change!

As we have heard, before entering Parliament Jim was a tradesman for most of his early adult life. He was a shop steward and secretary of the local Reservoir branch of the then Amalgamated Metal Workers Union. In what is today a very rare event he went straight from the shop floor into Parliament; that does not happen much now. He was elected in the by-election of October 1969, and I use the word 'elected' rather loosely because the records show that he was elected unopposed in that by-election.

In the Parliament he spoke strongly on behalf of the interests of working people. The records show that he

was very passionate about workers entitlements. He was particularly passionate workers being injured in the workplace, and he spoke in a particularly forthright way after the collapse of the West Gate Bridge in the 1970s.

He fought hard for legislative reforms for injured workers when Victoria, I think it is fair to say, had one of the worst schemes in Australia. I spoke to former Deputy Premier Robert Fordham before the state funeral; Robert remembers how one night when in opposition Jim spoke literally right through the night, making what I am told was one of the longest speeches in Westminster history, filibustering through to the early hours of the morning and eventually forcing the government of the day to make some amendments to the legislation then before the house.

He was 13 years in opposition, and when the Cain government was elected in 1982 he was sworn in as the Minister of Employment and Training. On his appointment he said:

Any person who is out of a job more than six weeks gets the idea that they are worthless. The first thing they need is the opportunity to develop themselves personally.

Jim Simmonds was also very passionate, as we have heard, about occupational health and safety. Many people I have spoken to remember his contribution in this place; many in fact referred to him as Mr Occupational Health and Safety. The occupational health and safety reforms that he made were very significant. He was instrumental in a major rewriting of the act after he convinced cabinet and his parliamentary colleagues of the need for major reform. I think it is fair to say that the bases of the reforms made in 1985 have continued for more than 20 years, to the present day.

In 1985 he was appointed Minister for Local Government. The *Sun* reports at the time of his appointment to that role:

Jim Simmonds is the type of local government minister councils fear — he is far too much like your average ratepayer.

He pursued change in local government. I think the Leader of the Opposition referred to 211 councils across the state — it is ironic that some years later virtually the same Legislative Council that voted against local government reform voted for reform, and today Victoria has a reformed local government system.

A number of speakers have mentioned his involvement in the local community. I will not repeat that except to say that during the eulogy at Jim's funeral a former member of the other house, Giovanni Sgro, spoke with great eloquence about the energy and passion of Jim in

his local community, particularly as he came to work with local groups in what was an extraordinarily diverse electorate of Reservoir.

I want to conclude by mentioning two things that were very close to Jim's heart and to mine as our lives intersected in recent years. Jim's great passion was Collingwood, and he was a member of the club for more than 50 years. I am sad to inform the house that during that time Collingwood won just 2 premierships and played in 13 losing grand finals, including one draw. I guess that is why we Collingwood supporters say that barracking for the club teaches you perseverance. One of Jim's last actions as a member of Parliament was to introduce a private member's bill which resulted in the Collingwood Football Club formally owning its social club. I have a document which was presented to the Honourable Jim Simmonds by the Collingwood Football Club:

Dear Jim

We would like to thank you most sincerely for the fantastic assistance you have given to our club in having the Victoria Park Land Act legislated by Parliament ...

The service you have given to the club in achieving this fantastic milestone I am sure will be recorded as part of Collingwood history and will be seen as one of the greatest things to happen to the club in its 100-year history.

It was signed by the likes of Bob Rose, Allan McAlister, Wayne Richardson and Errol Hutchesson.

Finally, I want to mention the Fred Hollows Foundation. In 1992 Jim Simmonds established the Friends of Fred — and the background to that is interesting. Fred Hollows was planning to visit Melbourne and was keen to go along to a Victorian Football League match. Someone from the foundation contacted Jim and asked if he would take Fred along as his guest, and it was at that game that Jim learnt so much about Fred's work. He was fascinated by the stories Fred Hollows told him about his work overseas and about the health disadvantages and eyesight problems which Aboriginal communities faced. After that football match Jim believed it was his duty to help Fred and the Fred Hollows Foundation, as it later became known, through fundraising events. And that resulted in Jim's forming the Friends of Fred group.

Jim organised the Fred Hollows Foundation dinners, of which there have now been 15. I have been to 9 of the last 10, and other members in this place, particularly the member for Melton, are also closely involved with Friends of Fred. Gabi Hollows remarked in her eulogy on Friday that through the work of the Friends of Fred something like \$400 000 has been raised for the Fred

Hollows Foundation over that period. The foundation does magnificent work across Australia and internationally. It is active in 34 countries and has helped restore the sight of more than 1 million people around the world. It does that by focusing on the removal of cataracts and the insertion of intra-ocular lenses. It restores the eyesight of people who would otherwise be blind.

I said in my eulogy on Friday that Jim was involved in the Fred Hollows Foundation because he was passionate about it and wanted to make a difference. So many of us look for the opportunity to make a difference, the opportunity to do good and the opportunity to make a contribution. Jim did so through the Friends of Fred, a great cause which, as I said, has raised more than \$400 000 and helped restore the sight of people right around the globe.

As has been remarked today, every member of Parliament who makes a big contribution to their community needs a strong and supportive family, because it is a great partnership. I extend my condolences to Shirley and to their children, Linda and Julie, and thank them for their great work in partnership with Jim and for helping him make his contribution to Parliament, to community life, to Collingwood and to the Fred Hollows Foundation.

**Mr BATCHELOR** (Minister for Victorian Communities) — I join with the leaders of this Parliament and other members to pay my respects to Jim Simmonds and to offer my condolences to his wife, Shirley, his daughters, Linda and Julie, and the broader family. It is a great honour to speak on this condolence motion for Jim Simmonds.

Jim was elected in 1969 as the member for Reservoir. He represented that area for 23 years until he retired from Parliament in 1992. Jim was important to me not only because he was a former Labor member and minister in this Parliament but because he lived in my electorate of Thomastown. Jim Simmonds was a man of enormous social conscience with an enthusiasm to make things happen. He was a man who cared about people, especially the downtrodden members of our community and other communities. He maintained his commitment to and membership of the Australian Labor Party right until the end.

Jim started his career as a toolmaker and as a union official for what is now the Australian Manufacturing Workers Union. Jim Simmonds was always a very proud union man — that was something he never turned away from. In addition to his union work, over the years Jim Simmonds was involved in a number of

committees and clubs, including the Collingwood Football Club, which he loyally supported his whole life. Later he involved that club in a number of his philanthropic pursuits.

Jim's contribution to his community and to the state of Victoria was quite substantial. In his capacity as the Minister of Employment and Training he oversaw the development of one of the most important pieces of legislation to be passed in Victoria over the last 30 years — that is, the Victorian Occupational Health and Safety Act. This act was developed and drafted under Jim's direction. As we all know and remember, it was originally defeated by an obstructive and conservative Legislative Council. But it did finally pass, thankfully, in 1985 following that year's general election.

I do not need to tell the house that this legislation was really groundbreaking, not just here in Victoria but for Australia as a whole. It was the first time that union health and safety representatives were given a say in decisions affecting workplace health and safety, including what was then regarded as a radical notion that workers could stop work that was posing an immediate risk to people in the workplace. This act also gave workers the right to paid time off for health and safety training and the right to be consulted about processes, changes and potential dangers in the workplace. It also emphasised health issues as well as traditional safety concerns.

This act resulted in a major shake-up and expansion of the administration of occupational health and safety. It established an Occupational Health and Safety Commission, which gave unions and employers a say in the development of regulations and new codes of practice about health and safety issues. The commission has also placed a new emphasis on occupational health and safety inspectors, who were trained and given the powers to prevent injury and disease in the workplace. The Occupational Health and Safety Act has since been recognised as one of the major achievements of the Cain Labor government and was recently updated by the Bracks government in 2005.

I mention this act in particular because I know it was an achievement that Jim took great pride in. When he was speaking at the 21st anniversary of the passing of the act, Jim articulated how proud he was that more than 20 years later the issue of occupational health and safety was considered respectable and mainstream. It was taken for granted as making good business sense by the vast majority of employers. He expressed his delight in the fact that health and safety representatives are now the norm, not the exception.

I think it is fair to say that the fruits of Jim's labour — that is, the rights conferred on workers across the state as a result of that legislation — are held near and dear by many Victorians, especially those in the workforce.

Jim's concern for the underdog was evident in many other initiatives he drove during his time in government. He was determined to provide opportunities for those who struggled and to help those who he felt were most in need. During the 1980s Jim developed and oversaw the employment initiatives program, which was designed to find employment for the long-term unemployed in Victoria. I am sure many members of this house would have seen at least some of the plaques attesting to the enduring benefits of that program displayed proudly right around Victoria; that program was aimed both at job seekers and the communities from which they came. Jim used the job initiatives program to strengthen local communities.

It is also important to note that Jim's altruism extended far beyond his parliamentary career. The best example of that was his enthusiastic support for the Fred Hollows Foundation. Jim first met Fred Hollows when Fred was Australian of the Year. Jim thought it would be fitting to take Fred, who had never seen a game of Australian Rules Football, to a football match — a Collingwood match. That day kick-started the formation in Melbourne of Friends of Fred, which is a group of dedicated supporters of Fred Hollows's work that has raised more than \$400 000 towards programs aimed at curing cataract blindness amongst people in indigenous communities in Australia and indeed, around the world. It is a program that has given people the gift of sight. What a fantastic objective for a project to have!

Jim Simmonds was also a regular visitor to my electorate office in Thomastown, particularly when he was organising the Fred Hollows dinners, which were originally staged at the Collingwood Football Club social club, but more recently held in a local Thomastown reception centre. He was always looking for volunteers, items to auction and people to fill the tables for those dinners, year after year. He was particularly proud of the generosity of women at the Olive Tree Community House in Thomastown who each year make a patchwork quilt which is auctioned on the night of the dinner. He felt that the quilts epitomised the truly great community spirit of giving, and he genuinely valued the contribution made by the local women.

Jim will also be remembered for his sharp wit, which he regularly used when working on the Ruthven Primary School polling booth on election day, where he would

keep everybody entertained. He is also remembered locally for helping to establish the Festival of Labor. This was a great Labor Day celebration and was held at Edwardes Park Lake in Reservoir. Here the community celebrated together with unions and Labor members of Parliament, and the highlight of one of those festivals was the use of a larger-than-life-size papier-mâché model of Gough Whitlam.

**Dr Napthine** — That would put you off!

**Mr BATCHELOR** — It would put you off. Jim gave a lot of himself to the people of Victoria and committed much of his time and energy to the most vulnerable amongst us. I offer my condolences to Shirley and the family. I know Jim will be sorely missed by the family, but he will also be missed by Victorians, especially those who have benefited from his work. They may well not know his name, but lots of Victorians will be aware of Jim Simmonds's contribution, and they will be grateful for the help they have received and for the rights they were given by someone who genuinely cared. Those of us who knew Jim Simmonds, particularly those of us who knew him well, will miss a man whose enthusiasm for helping the underdog was infectious and truly inspiring.

**Mr WYNNE** (Minister for Local Government) — I rise to join my colleagues in paying my respects to Jim Simmonds, member for Reservoir from 1969 to 1992, Minister of Employment and Training from 1982 to 1985 and Minister for Local Government from 1985 to 1988.

As honourable members have already heard, Jim was a founding member of many key organisations in his own electorate. He was the founding chairperson of the Preston Community Health Centre. He was also a founding member of the Migrant Resource Centre, and a convenor of the Friends of Fred. He was involved in innumerable community groups, including the Federation of Italian Migrant Workers and Their Families, the Congress for International Cooperation and Disarmament, the Justice for Cyprus Coordinating Committee, the Australian-Yugoslav Workers Centre and the Australian-USSR Friendship Society — and of course the Collingwood Football Club.

Today I would like to speak to some of the very significant achievements Jim made as Minister for Local Government from 1985 to 1988. Indeed he was my minister during my time at the City of Melbourne. An article in the former *Herald* had some commentary on his attitude towards the City of Melbourne:

Mr Simmonds will face some of the toughest local government questions in his term as minister.

The council mergers question has the potential to make or break a minister.

Melbourne City Council has been a thorn in the side of every government since its inception.

Again, the new minister is cautious. There had been significant changes at the council which, he said, was now more reflective of the general community and progressive.

I hope he was talking about me and my colleagues at the time!

But what of its relevance? Was the government really running the city? There was a role, he said, for council to work with government. 'Certainly I don't think the government can be seen to be taking over the function of local government'.

And I say 'Hear, hear!' to that.

Jim Simmonds was a significant person in the local government arena. Honourable members will recall that at that time momentum was building for the reform of local government boundaries. The minister correctly identified that the internal boundaries of many councils had fallen significantly out of kilter with the changes in population. In October 1986 Minister Simmonds announced a review of all councils to ensure that voters in municipal elections were equally represented.

There were significant variations among ridings in rural shires that had significant urban centres. The Local Government Commission undertook some research that found that nearly three-quarters of the councils — 155 of the then 210 — had wards or ridings that:

... demonstrated an electoral imbalance of greater than 10 per cent of voters above or beneath the mean number of electors per subdivision.

Some rural councils expressed reservations about some parts of the review, and as part of the consultation process rural councils were allowed a 20 per cent variation in rural areas. In the end, during 1987–88, 115 councils were resubdivided.

As we know, implementing boundary changes in local government is not necessarily a popular thing to do. At one point Jim Simmonds was described as the Minister against Local Government, and a young Stuart Morris, then chairman of the Local Government Commission, needed a police escort to enter some of the commission hearings in rural areas. However, despite the difficulty of the task, Minister Simmonds took on these challenges, and I pay tribute to his vision and foresight in doing so. His vision, of course, was implemented by a subsequent government.

Minister Simmonds was instrumental in the preparation of the Local Government Act of 1989, a

groundbreaking piece of legislation which set new standards and directions for local government, bringing its operations into the modern era. With its emphasis on corporate and financial planning and accountability, the new act became a benchmark for local governments across Australia.

One of the notable changes ushered in through this legislation was that all elected officials of a given council would face election simultaneously. The earlier practice for many councils was to hold annual elections, with the retirement of one third every year. This in my view was obviously a far more democratic arrangement and brought municipal elections into the 20th century. I am sure many members will remember the old system under which councils were voted in — a third, then a third, then a third at a time.

Another key change implemented by the act was updating the naming conventions for councils, and the act abolished the archaic distinction between rural and urban wards. The act also abolished minimum rates, set clear requirements for councils to conduct analyses of their rating structures and introduced specific equal opportunity principles to apply to staff selection. I think all in this house would agree that it is very strong testimony to the foresight of Jim Simmonds that, even with the passage of 18 years and three premiers, the substance of the framework he put in place for local government is still very much in place today.

On a more personal level, I can say that anyone who knew Jim Simmonds would remember him as a great communicator who worked to bring together all people from councils and the communities they served. He was equally at home with road crews, parks and gardens staff, councillors and senior management, and he did much to enhance the spirit of cooperation across all levels of local government.

At the state funeral last week Giovanni Sgro made a really beautiful speech. He commented that we should remember Jim and not forget that at the end of the day he was always there for the workers and families of his electorate — high praise for a life of public service and activism. Jim Simmonds is survived by his wife, Shirley, his daughters, Linda and Julie, and his grandchildren, Tim, Dasha, Richard and Lachlan. Today we remember the period of service of a really great public official.

**Ms ALLAN** (Minister for Skills, Education Services and Employment) — Like many other members of the house, I am honoured to join today's condolence motion recognising the contribution of the late Jim Simmonds, MP and minister. Today we have heard

much about his contributions in his portfolio of local government, so I will confine my comments to his achievements in the employment and training portfolio.

He was Minister of Employment and Training between 1982 and 1985 — and employment and training is a portfolio area in which I have the great pleasure of serving in this Parliament. Jim served during the Cain Labor government's first term, which was a very exciting time for the Labor movement across the state, as a range of reforms were being put in place across a range of different areas. We have heard today how Jim focused his efforts in the employment and training portfolio on areas that were his passions, which included employment, training and workplace safety.

In the area of employment Jim introduced the employment initiatives program, which we have heard was also taken up by his federal Labor colleagues at the time because it was a very successful program. It was taken up nationally because it had ingredients very essential to the success of employment programs — that is, it gave people real training opportunities and real work experience. Those are ingredients critical to the success of a program assisting long-term disadvantaged job seekers to have real employment opportunities — and this was a time of higher unemployment than we would have liked to have seen.

Owing to his efforts in helping a lot of those long-term job seekers through what at the time would have been a very innovative program, and more broadly owing to Jim Simmonds's efforts as employment minister, a program was put in place that has stood the test of time. As the Leader of the House has mentioned, you can travel around the state and see plaques representing projects which were not only about helping long-term unemployed people but about putting back into the community — putting workplace experience training into community infrastructure. Today that is still present across the state.

Of course this model was the forerunner to the types of programs that the Bracks government introduced when it first came to office — the community jobs program and, more recently, the workforce participation partnerships program. I think it was very much because of Jim's experience as a fitter and turner — the experiences he had for much of his working life before he became a member of Parliament — that he recognised that you needed to have that training ingredient to give people every opportunity to gain the skills and qualifications they needed to develop very successful and rewarding careers.

As we have heard, the second area of Jim's particular passion was occupational health and safety. I think all of us have much to be thankful for as a result of his contribution in this area as well, particularly when you consider the enormous effort he undertook as a shadow minister with responsibility for this area in the unfortunately lengthy period in opposition before the election of the Cain government in 1982. Jim oversaw the policy development and put in place the elements that subsequently became legislation passed by this Parliament and formed the very effective foundations of a workplace safety system that again is still holding firm today.

In this area the ingredients were giving workers a say on safety issues in their own workplaces, enshrining the rights of workplace safety representatives and working in partnership — recognising that it was important to have a partnership between business and industry and the union movement. Those areas continue to be seen as fundamental to the occupational health and safety system we have today.

Jim went on to serve as Minister for Local Government, but, as emphasised in an article in the *Sun* of 14 August 1985, his passion was in the employment and training area. The article states:

He loved the shop-floor quality of his former employment and training portfolio and talking to men who, like him, were used to not speaking until they had something useful to say.

In a recent conversation I had with Joan Kirner the former Premier recalled the important achievements of Jim Simmonds in the employment and occupational health and safety areas — and she also had a lovely personal recollection. She said that Jim will always be remembered for encouraging and mentoring young lefties. She said that he was always willing to share and to listen to ideas, and that people in Parliament like him are very special.

Jim's achievements in his portfolios are emblematic of what Labor governments stand for — that is, providing real assistance and opportunities to disadvantaged long-term unemployed job seekers through training and on-the-job experience, enshrining in law the rights of employees to safe workplaces, and giving them a say in their workplace safety. These are principles that have stood the test of time, and I trust that Jim would have been proud to see the areas in which he worked so hard and about which he was so passionate continue to underpin this government's approach to supporting working families.

The labour movement has much to thank Jim Simmonds for — his contribution, his passion and his

dedication to making a difference. My deepest sympathy goes to Jim's wife, Shirley, and his family at the passing of their much loved husband, father and grandfather.

**Mrs MADDIGAN** (Essendon) — I join my colleagues in fondly remembering our former colleague Jim Simmonds. As we have heard, Jim was an old-style Labor Party member. He was someone with a passion for social justice, which he showed not only through his parliamentary service but also through his work in the community.

I first got to know Jim when I was a councillor with the City of Essendon and he was Minister for Local Government. I very clearly remember the day he paid his first official visit to Essendon. There were then 211 councils in Victoria, and Jim was very good at making sure he visited them all. There were 12 councillors on the Essendon council at that time, and about half of them were either Liberals or anti-Labor, which Jim knew very well, of course.

For reasons best known to him — perhaps he was feeling a bit annoyed with the Liberal Party at the time — Jim decided to pretend we were all Labor councillors. He came in, sat down to dinner with us and gave an impassioned half-hour speech in which he pointed out all the faults of the Liberal Party and all the great advantages of the Labor Party, interspersing his speech with comments like, 'As you, a Labor council, would know' or 'As you excellent Labor councillors would know'. This vastly entertained about half of us but left the other half stony faced by the end of the speech.

I saw Jim quite a bit after that, because someone in the Labor Party — I am not quite sure who it was — thought it would be a wonderful idea if the City of Essendon amalgamated with the City of Keilor to show what wonderful things amalgamations could be and how beneficial they would be for the community. I can say that this caused a huge rift in the ALP in the area that lasted for a number of years. During our discussions with Jim we pointed out that some of us on the Essendon council were Collingwood supporters and that while we would be quite happy to consider amalgamating with Collingwood, we would not touch Keilor in a thousand years. Jim was not actually unhappy with that proposal, but it never went any further!

Considering that Jim worked as a member of Parliament for 23 years, continuing to have a passion to change the world after leaving Parliament was something for him to be very proud of. His work for the

Fred Hollows Foundation has already been referred to, and it is something in which he managed to engage all Labor Party members and a number of members of opposing parties as well. He was certainly very good at getting money out of Labor Party members to support the Friends of Fred, and he was often seen around here encouraging not only members of Parliament but also staff members to support his favourite foundation.

In fact during the last Parliament, parliamentary staff joined a Friends of Fred program, the participants in which were asked to raise a certain amount of money; and if they reached their set target, they were given an overseas trip to raffle. Our parliamentary staff reached that target, I am glad to say — in fact they exceeded it by quite a lot — and one of the Legislative Assembly staff won the overseas trip in the raffle we held here at Parliament. I think the staff also appreciated the strong commitment that Jim Simmonds had to the community.

I think those of us who met Jim Simmonds fondly remember him. He had a great sense of humour, but he also had a great passion for the Labor Party and for social justice. I join with my colleagues in extending my condolences to Shirley and his family.

**Ms GREEN** (Yan Yean) — It is indeed a great honour to join the debate on this condolence motion on the passing of Jim Simmonds, the former member for Reservoir. When I moved from country Victoria to the northern suburbs, one of the things that really impressed me was that on Labour Day you could take part in a festival of labour organised by Jim Simmonds. Having grown up in the conservative federal seats of Wannon and Mallee, I wondered who this amazing person was who was behind having a celebration that allowed you to be out and proud that your political views were of the left.

Other members have talked about Jim's contribution to reforming local government, but the notices in the paper about Jim, particularly from the trade union movement — and I was a young trade unionist in the 1980s — referred to the legacy he left in the Occupational Health and Safety Act, which was absolutely groundbreaking. It was a tribute to Jim. Having started out as a working-class person, in his inaugural speech he talked about workplace safety — and carried it through.

Jim was someone who stuck with what he believed in. He was a man of great humility and loyalty. It is worth looking at what he did after his parliamentary life in terms of assisting the Fred Hollows Foundation. At the state funeral Gabi Hollows spoke about the \$400 000 raised by Jim Simmonds and the Friends of Fred. For a

lifelong Essendon supporter like me it is a big deal to cross the threshold and go to the Collingwood Football Club, but I attended quite a few Friends of Fred fundraising nights — and they were very good.

It is interesting to note that Jim was involved in the founding of some of the institutions that we people living in the northern suburbs take for granted, such as the Northern Migrant Resource Centre, the Preston Community Health Centre and its successor, the Darebin Community Health Service. Giovanni Sgro talked about his time as a member of Jim's staff and then as a colleague, albeit in the other place. Giovanni talked eloquently about Jim's striving to know the community that he represented. He was very interested in all the cultures that he represented. He was a true Labor man of the northern suburbs.

For a short time in the 1990s I worked at the Broadmeadows Employment Project, and Jim was a board member of that project in his retirement. It showed that he was still very concerned about those who had lost their jobs through changes in the manufacturing industry and about young people who needed extra support and training to get them into employment. It was really good to see Jim continuing his work with that project.

I am glad to support the motion and offer my condolences to his wife, Shirley, and daughters, Linda and Julie, and his grandchildren.

**Mr NARDELLA** (Melton) — I offer my condolences to Jim's family, Shirley, Linda and Julie. I met Jim in the mid-1980s, when in my role as a state organiser for the Labor Party I looked after the local government policy committee. Jim attended the meetings of that committee, and he listened to what the party had to say about the development of that policy and involved party members in his ministry.

My wife and I met Shirley and Jim after the 1988 state election, and we welcomed their candour in our discussions with them at that time.

An interesting part of the history of the ALP is that in the early 1990s the Pledge faction was established. Although Jim was a Socialist Left member, the Pledge faction met at his office a number of times. That is an interesting bit of history to impart to people who understand these things.

Later I had dealings with Jim through the Fred Hollows Foundation annual dinner. Jim really did set the tone and did the hard work, together with others, for the foundation. As has been said, that foundation has raised over \$400 000 since its inception. With other organisers

he rallied the unions to attend and to help out and continue to help out with the annual dinner. There were people such as Kathy Feather and her husband Ed, Pat Power, Jenny Mikakos, Christine Shepherd, Ian Baker, Doug Walpole and Ron Edwards, as well as the Eltham High School band. They raised funds throughout those dinners that have assisted thousands of people to have their sight restored.

One must not forget the great work that the Treasurer does every year as an auctioneer. He raises funds not only for the state but also for the Fred Hollows Foundation. So a lot of money has been raised to help people. I have little understanding of what people who are blind go through, but it is wonderful that the Fred Hollows Foundation helps those people out.

From about 1992 Jim started to assist the foundation, and he rallied people like Al Grassby and Frank Hardy to the cause. I will miss Jim putting together the tables for the dinner. As some members would know, I am usually at the door, assisting. But Jim would get the map out and draw the tables with a 20-cent coin and then put the table numbers on it. Eventually he would scrub them out and change them, so you would have to be on your toes. That is one of the things I will miss Jim not being there to do.

Jim organised prizes and was critical in getting the Treasurer to act as auctioneer and other people like Rod Quantock, who would come along to assist as well as be master of ceremonies. I always go to the Premier to get a bottle of port signed, which is then auctioned off. Jim was always on my back to make sure that we all pulled our weight. He was active and committed to the Fred Hollows Foundation. He will be missed on the floor of the dinner organising, rallying the troops and providing leadership for the team.

His stature was reinforced by Gabi Hollows, who gave a eulogy at Jim's funeral. Jim was a strong unionist and a strong supporter of working people, which has been confirmed today. Members of the Amalgamated Metal Workers Union, especially people like Allan Ritter and Frank Cherry, who was the state secretary of the AMWU, attended his funeral.

At a local level the Festival of Labour was an institution for many years, which showed his commitment to working people and the community he served. My predecessor in the former Melbourne North Province, the Honourable Giovanni Sgro, talked about that at Jim's funeral. Giovanni was sincere, because Jim really put in for his community. He cared about all the residents of his community, and for that they will certainly miss him. Many people leave this place and

are never heard of again; they never contribute to their communities to the same level as they did when they were members of Parliament.

However, I can sincerely say that Jim did. He was sincere in his love for his people, for working people and for the disadvantaged within the wider world, including the community of the Fred Hollows Foundation. I will certainly miss Jim, and I offer my condolences to his family.

**Mr SEITZ** (Keilor) — I rise to join honourable members in passing on our condolences to the Simmonds family.

I first met Jim in my early days on the work floors of factories and through the union movement at Trades Hall. He was certainly an inspiration, because he always had a gentle voice and took the time to talk to people, including young people, and to explain to them what the labour movement and the trade union movement were about. That was a commitment he held dear, and he had a camaraderie with everyone he befriended and who befriended him. When I was elected to this house Jim was another member who, like me, had come from the shop floor and had a short stint as a union organiser. We both had a trade background and a common interest in discussing needs and issues and the changes we could make.

At that particular time there was reasonably high unemployment. In Strangers Corridor we talked many times about his employment initiative project and how to convince cabinet to make money available to start the project on the basis that we would sell it to the federal government to continue. A lot of members in this chamber would know that it is very difficult to convince cabinet and then Treasury to provide the funds for new projects. Jim was good at that because he was persistent. He enlisted the help of a number of people who supported him, and because he attended policy committee meetings and met with the party membership and members of the union movement, he got the project off the ground.

It was an excellent project at that time, and it is still the sort of project that should be considered favourably today, because it gets people into a trade, gets people used to going to work and develops people's self-esteem. They are all important parts of such a project. He also came to see the groups of people who were taking part in the project, and he personally instilled confidence in them.

In the late 1970s we were at the forefront in the amalgamation of trade unions. It was the time when the

Australian Manufacturing Workers Union was established from an amalgamation of various unions. Again, we were able to work closely with the trade union movement on that project. It was important to have a strong, viable manufacturing union, and as it turned out it was the first union to move out of Trades Hall and build its own premises in Victoria Street. It caused a lot of people a lot of concern, but the trade union movement benefited from Jim's vision and the work he put in to support it.

It was important for the union to have its own buildings and assets so it could move on and develop educational programs within its own premises. The premises were used to develop training for shop stewards and for health and safety representatives once the occupational health and safety project was put in place. Jim employed Ian Baker, a former minister and member for Sunshine, who researched and helped prepare the occupational health and safety legislation before he became a member of this house. They were groundbreaking steps, and as fortune would have it the Labor Party was able to get a majority of members in the upper house for a certain period of time to get that legislation through. It required good timing to achieve that result.

Jim was also a friend to people in the western suburbs. He had a dear friend in Jack Ginifer, my predecessor, and that friendship cemented my relationship with Jim. They always went on country trips together, campaigning for all those years when the Labor Party was in opposition. They lifted the spirits of Labor Party activists in the west when they were campaigning for government. In those days the federal seat in the western suburbs, Lalor, was held by the Liberals. Jim supported Jack Ginifer in motivating ALP activists to win the seat from the Liberals. We achieved that, and Jim Cairns, a former federal Treasurer, was elected as the federal Labor member for Lalor. Jim Simmonds put a lot of time and effort into that.

Being in opposition, as members know, means that you do not have the resources government members have and people make a lot of calls on your time, yet Jim always made the time to assist the Labor Party's campaign. He got the party moving and motivated it to take the federal seat of Lalor from the Liberals. The whole of the western suburbs is now a safe Labor region.

With those few words, I pass on my condolences to Jim's wife, Shirley, and his daughters. They can be proud of a man who was a former member of this house and who contributed so much to the state of Victoria.

**Mr LANGUILLER** (Derrimut) — I rise today to support this condolence motion, and in doing so I join the Premier, the Leader of the Opposition, the Leader of The Nationals and my other colleagues. I knew Jim Simmonds from the metal workers union, which was colloquially known as the Metals. He associated with great Australians like the late Jimmy Roulston, John Halfpenny, Allan Ritter, Percy Johnson and others in the trade union movement, and he was a mentor for the union movement in ensuring that young migrant workers like me became engaged in the trade union movement, in the labour movement and in civil movements in this country.

I had the privilege of meeting Jim Simmonds on many occasions when I was associated with the trade union migrant workers centre. I have many recollections of Jim Simmonds speaking to migrant workers about the need to become engaged and get involved in Australian politics and the trade union movement and about how important it was for trade unions and migrant workers to understand the significance, for example, of the Occupational Health and Safety Act, a visionary act that set the foundation for achieving the best reforms in the land.

Among other issues that I remember Jim Simmonds speaking eloquently about was the need for workers to understand that it was their business to engage and work with employers on occupational health and safety. Jim talked about the importance of all that, and I remember people pinning up provisional improvement notices. At the end of the day, as Jim and many of the old-timers in the metal workers union would have put it, there is nothing more important for the labour movement, for the trade unions and for political parties than ensuring that working men and women return to their homes safely.

Jim Simmonds made a lot of provisions for migrant workers. In those times it was not as easy as it is today. It was difficult, and we had to overcome a number of hurdles. Many of us would say that we owe it to, among others, the Jim Simmonds kind of people for our becoming involved in Victorian politics; we are certainly proud of that and appreciate it.

Jim was also cognisant of the need for the Labor movement and trade unions to be involved in the peace movement. He was an active member of CICD — the Campaign for International Cooperation and Disarmament. He understood the significance at the time of having to stop the arms race and to work actively to ensure that there was détente and disarmament. He understood, like not many others did — indeed, he was one of the visionaries at the

time — that peace was a matter for workers and it was the workers business. He ensured like many others of his calibre that working men and women actively engaged in the peace movement in difficult times of confrontation between the East and the West.

I wish to conclude by saying that Jim was an internationalist. I recall many discussions in difficult times when, as many members would know, there were dictatorships in Latin America — Uruguay, Argentina and Chile — and a war was going on in El Salvador and Nicaragua, and Jim Simmonds made the time to work and engage with people who came from those countries as refugees. He ensured that they felt welcome and understood that in Australia there were many friends from all walks of life who would support political prisoners of conscience and support the end of wars and conflict, whether they happened to be in Uruguay or El Salvador. I am eternally grateful to people like Jim Simmonds.

I had the privilege and honour of attending a range of functions and events in support of those refugees. I feel that in some measure our multicultural society today was influenced by people like Jim Simmonds. I support this motion and extend my condolences to Shirley and their children, Julie and Linda.

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

## ADJOURNMENT

**Mr BRACKS** (Premier) — I move:

That, as a further mark of respect to the memory of the late Honourable James Lionel Simmonds, the house now adjourns until 8.00 p.m. today.

**Motion agreed to.**

**House adjourned 3.20 p.m.**

**The SPEAKER took the chair at 8.02 p.m.**

## QUESTIONS WITHOUT NOTICE

### **Police Association: pre-election agreement**

**Mr BAILLIEU** (Leader of the Opposition) — My question is to the Premier. I refer to the Premier's answer to my previous question to him in the house, where he confirmed receipt of a letter from the police union that culminated in the secret pre-election deal with the union, and I ask: will the Premier release the letter, and if not, why not?

**Mr BRACKS** (Premier) — I thank the Leader of the Opposition for his question, and again I refute the imputation in the question about a secret pre-election deal. The reality is — and that was the import of the question raised with me by the Leader of the Opposition — as I have said before, and I reiterate it here today, we gave a letter of commitment which reflected our policy and reflected also — —

**Mr Baillieu** — On a point of order, Speaker, if, as the Premier says, the deal is not secret, he should release the letter.

**The SPEAKER** — Order! There is no point of order.

**Mr BRACKS** — The commitments we gave were consistent with the commitments we made as policy commitments during the last election and on which we were elected. Those matters, which are ongoing policy, were also reflected in the commitments which we gave. We are very proud of the things we have achieved, and we will be very proud to achieve those things in the future to which we committed.

*Honourable members interjecting.*

**The SPEAKER** — Order! The government benches!

**Mr Stensholt** interjected.

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

**Dr Napthine** — On a point of order, Speaker, on the question of relevance — —

*Honourable members interjecting.*

**Dr Napthine** — I understand that the Premier may have finished speaking, but he certainly has not answered the question. I ask you to bring him back to actually answering the question: will he release the letter, and if not, why not?

**The SPEAKER** — Order! There is no point of order. The Premier has completed his answer.

### **Alfred Centre: opening**

**Ms MORAND** (Mount Waverley) — My question is to the Premier. I refer the Premier to the government's commitment to investing in Victoria's health system, and I ask him to update the house on the most recent example of the government delivering on that commitment.

**Mr BRACKS** (Premier) — I thank the member for Mount Waverley for her question and for her commitment to improving health services around Victoria. We are very proud of what we have achieved over the last seven years. We have employed something like 7200 extra nurses in our health system across Victoria. We have introduced, very successfully, Nurse on Call, which provides immediate phone access for those families wanting to get access to the best possible information to decide what health care is required.

We have rebuilt some 48 public hospitals around the state, and we have more to go. We have also cut hospital waiting lists to the lowest levels they have been since 1998. I underscore that by saying that we have cut waiting lists to the lowest level they have been since 1998, yet in that time we have treated some 300 000 extra patients as well.

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for Polwarth, the member for Evelyn and the member for Bass!

**Mr BRACKS** — To improve the health system even further, I was very pleased last week, with the Minister for Health, the member for Prahran and other members of Parliament, to launch Victoria's first-ever dedicated elective surgery centre. The new dedicated elective surgery centre at the Alfred hospital will be a boon for Victoria. It will treat more patients: we expect some 40 000 patients to be treated in the first full year of operation of the Alfred Centre. It will also separate elective surgery from the rest of the Alfred, which means that obviously there will be less delay and less cancellations, and we will be able to turn around patients in a timely way.

This new centre will feature a full range of diagnostic services, four operating theatres and 125 beds and recovery chairs as part of the new operation. The Alfred Centre also importantly paves the way for two other dedicated elective surgery centres that we are committed to as a government at St Vincent's Hospital and also at the Austin Hospital. This is a first for Victoria and one of the first in Australia. It is a state-of-the-art facility that will deliver first-class elective services to Victorians.

I commend the work of all those who have contributed to the development of the Alfred Centre, particularly those people who took part in the community participation panel chaired by the member for Prahran. I indicate to the member for Prahran that the work he did in chairing the community consultation panel was

second to none. Obviously we took into account the needs of families and the needs of patients. The elective surgery centre has hotel-type suites so that families can be together at that critical time. It is a first-class centre for Victoria, and it will make a difference to treating elective surgery patients around our state.

### **Gippsland Lakes: entrance**

**Mr RYAN** (Leader of The Nationals) — My question is to the Minister for Water, Environment and Climate Change. I refer to the minister's media release of 14 November 2005 relating to the port of Gippsland Lakes, and I quote:

If the entrance is not kept open and maintained, important fishing activities will be jeopardised.

Given that the entrance is about to close due to a build-up of sand, what immediate action is the government proposing to avert this impending crisis for the Lakes Entrance fishing fleet?

**Mr THWAITES** (Minister for Water, Environment and Climate Change) — I thank the Leader of The Nationals for his question. The government has invested very substantially in upgrading the facilities for the port and to ensure that we can clear the port and that there is a full plan going forward, which includes a new dredging facility and temporary works, which are being undertaken now. Certainly we have had challenges over the last few months, and I am advised that the department, working with the port authority, will attend to that.

### **Children: service regulation review**

**Ms D'AMBROSIO** (Mill Park) — My question is to the Minister for Children. I ask the minister to detail for the house the latest government initiatives that are about investing in early childhood development for Victorian children.

**Ms NEVILLE** (Minister for Children) — I thank the honourable member for Mill Park for her question and for her ongoing interest in this very important area of government policy. The Bracks government believes that early childhood development programs are absolutely crucial in giving every Victorian child the best start in life.

It is recognised the world over by early childhood experts that these years are the most important for a child's learning and development. Children are learning from the day they are born — they are learning in kindergartens, they are learning in child care, they are learning in playgrounds and they are learning at home.

That is why we have increased funding to kindergartens by 109 per cent since coming to office, that is why we have invested in 55 new children's centres right across the state, that is why we have doubled funding to maternal and child health services and that is why we have increased the kindergarten fee subsidy.

We have made those investments because we know the positive impact it will have on the development of our children. But we have also seen what happens when you rip \$11 million out of kindergartens, which of course was the action of the Liberal Party. What happens is that children miss out on kindergartens. In contrast, our investment has lifted the average kindergarten participation rate from a low of 87 per cent under the previous government to 95 per cent under the Bracks government.

Our investments are paying dividends for our children, but we know we need to continue this process of reform and investment. That is why I was pleased to announce last week the commencement of the review of children's services regulations. This review will give us the opportunity to frame new regulations.

*Honourable members interjecting.*

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

**Ms NEVILLE** — This review will give us a very important opportunity to frame new regulations and standards to ensure the better care of Victoria's children. As part of this process we will regulate family day care and out-of-school-hours care for the first time in Victoria. This opportunity is a unique one, because the decisions we make now will shape the quality of care and learning outcomes for our children for the next decade. This review will consider some very important topics, such as staff-child ratios, staff qualifications, health and safety requirements, program delivery, information for parents, play environments, and quality and healthy food requirements for children. The outcome of this review will set the framework for improving early childhood services here in Victoria.

Earlier this year I also launched the new kindergarten certificate to assist parents in making more informed decisions. This certificate is now helping parents to identify kindergarten programs for their children that are delivered by qualified teachers. Over the last seven years the Bracks government has invested strongly to improve the quality of Victoria's kindergarten services. We have upgraded 891 community kindergarten services, we have installed computer and internet connections in every community-based kindergarten

across the state, we are continuing to assist early childhood workers and kindergarten teachers to upgrade their skills, and we have also outlined a program for further investments and reforms to ensure that we continue to be a national leader in providing high-quality, affordable and accessible early-year services.

That program will see investment in a further 40 children's centres across the state, extending kindergarten programs into child-care centres and increasing the subsidy on kindergarten fees available to low-income families. We know that investing in these early years services will have a lasting and positive impact on the lives and opportunities of Victoria's children and will help to give them the best start in life.

**Federal member for Wills: character reference**

**Mr BAILLIEU** (Leader of the Opposition) — My question is to the Premier. I refer to the reference provided to fugitive drug trafficker Tony Mokbel by the recently resigned federal Labor shadow Attorney-General, the member for Wills, for a Victorian liquor licence application, and I ask: when was the Premier first made aware of this reference, and what action did he take at that time?

**The SPEAKER** — Order! I ask the Leader of the Opposition to clarify how this question relates to Victorian state government business.

*Honourable members interjecting.*

**The SPEAKER** — Order! I am sure the Leader of the Opposition can answer my question without assistance.

**Mr BAILLIEU** — This was a Victorian liquor licence application — the whole of Victoria knows that — and it is also a matter the Premier has personally addressed in the media. He has seen fit, as a consequence, to order an audit of all government members references. This is clearly a matter of Victorian government business.

**The SPEAKER** — Order! The Premier, to answer the question in relation to the Victorian licence application.

**Mr BRACKS** (Premier) — I thank the Leader of the Opposition for his question. The liquor licence application system is operated independently on advice that is given to the government on what is appropriate. My understanding is that the advice given to the minister on this matter was that this application would not proceed. As I have mentioned, I was asked about

this in the media, and I learnt about it when it was in the media.

**Tertiary education and training: technical skills training**

**Ms GRALEY** (Narre Warren South) — My question is to the Minister for Skills, Education Services and Employment. I refer the minister to the government's commitment to investing in technical schools, and I ask the minister to update the house on how the government is delivering on that commitment.

**Ms ALLAN** (Minister for Skills, Education Services and Employment) — I thank the member for Narre Warren South for her question. As the house knows, education and skills are the no. 1 priority of the Bracks government, and it is certainly delivering on this priority for young Victorians. Last year as part of the Bracks government's \$241 million skills statement we committed \$32 million to establish four new Victorian technical education centres (TECs). I am very pleased to inform the house today that the Bracks government has already delivered on this commitment and has commenced the operation of the first two TECs in Wangaratta and Berwick.

The Wangaratta and Berwick TECs are providing young Victorians with specialist training in priority industry areas, which is great news for the Wangaratta and Berwick communities. I know the members for Murray Valley and Narre Warren South are particularly supportive of these TECs, particularly in Wangaratta, where unfortunately not everyone was as supportive. Indeed it was the Liberal Party that wanted to take away the funding committed by the Bracks government to the TEC in Wangaratta. Not only did the Liberal Party want to take it away from Wangaratta, but it wanted to redirect the TEC to a metropolitan location.

The Bracks government has rejected that approach and is pushing on with the establishment of these TECs, which will offer a range of courses to school-based and TAFE-enrolled students, including those enrolled in the Victorian certificate of applied learning and the Victorian certificate of education, apprenticeships and pre-apprenticeships. They will give students access to high-tech modern facilities, trade teachers with current industry knowledge and equipment aligned to industry standards. I am sure other members of the house will also be pleased to know that the other two TECs that the Bracks government will be establishing will be located in Heidelberg and Ballarat.

These TECs will not only make a significant contribution to increasing the skills of young people in

those areas but also provide a good skills boost to local communities and local industries. Importantly these TECs will be linked to our TAFEs, which will enable young people to receive an education that will give them skills that are valued by industry, producing young people who are well equipped to enter employment or further study.

**Dr Napthine** interjected.

**Ms ALLAN** — It is instructive that the member for South-West Coast raises the Australian technical colleges (ATCs) as an alternative model, because the early runs on the board by Victoria's TECs stand in stark contrast to the federal Liberal-National government's Australian technical colleges, which have suffered from delays and cost blow-outs and have very low enrolments.

**Dr Napthine** interjected.

**The SPEAKER** — Order! The member for South-West Coast can consider himself warned — and there will be one warning this evening.

**Ms ALLAN** — I do not think a definition of 'well' includes suffering from delays, cost blow-outs or low enrolments. Certainly the federal government now has an opportunity to learn from the excellent performance of Victoria's TECs and to work with us instead of in isolation — which it has chosen to do with the ATC model — in order to lift the performance of its ATCs for the benefit of the young Victorians who are enrolled in those centres.

Not only are we delivering on TECs, we are also delivering on skills in schools. Over the next four years we will spend \$50 million to renew trade wings across 30 government secondary schools and provide other secondary schools with equipment grants of up to \$100 000. Certainly Victoria's technical education centres and our trade wings in schools are an important part of the Bracks government's focus on investing in skills, increasing the skills of young Victorians and, through the critical linkages that are formed between training and industry, helping to grow Victoria's economy in order to deliver the employment and economic opportunities that continue to make Victoria the best place to live, work, learn and raise a family.

#### **Federal member for Wills: character reference**

**Mr BAILLIEU** (Leader of the Opposition) — I refer to the Tony Mokbel reference scandal and the Premier's discussions with the former Minister for Consumer Affairs and present Parliamentary Secretary to the Premier and Parliamentary Secretary for the Arts,

and the member for Lara and I ask: when did these discussions take place, and what was the outcome?

*Honourable members interjecting.*

**Mr BRACKS** (Premier) — I thank the Leader of the Opposition for his question. I am not sure what he is referring to with regard to the member for Lara and other details. Can I ask for clarification on what he is actually referring to?

**Mr Baillieu** interjected.

**Mr BRACKS** — No, but I do not know who you are referring to. The former member for Lara was Peter Loney. I am not sure who the Leader of the Opposition is talking about. The current member is John Eren.

*Honourable members interjecting.*

**The SPEAKER** — Order! Government members!

*Honourable members interjecting.*

**The SPEAKER** — Order! The next member I name will be sent from the chamber. I advise the Leader of the Opposition that, with all the noise that went on, it was hard to hear and to follow the question. I ask him to ask the question again — and if there is an opportunity for him to expand on the original question, that would be terrific as well!

**Mr BAILLIEU** (Leader of the Opposition) — That is very generous of you, Speaker. The question was very clear. When did these discussions — —

*Honourable members interjecting.*

**Mr BAILLIEU** — I will repeat the question. I refer to the Tony Mokbel reference scandal and the Premier's discussions with the former Minister for Consumer Affairs and present Parliamentary Secretary to the Premier and Parliamentary Secretary for the Arts, and the member for Lara on this issue, and I ask: when did these discussions take place, and what was the outcome?

**Mr BRACKS** (Premier) — I understand what the member is referring to. He is totally wrong. There were no discussions.

#### **HRL Ltd: clean coal project**

**Mr PANDAZOPOULOS** (Dandenong) — My question is to the Minister for Energy and Resources. I refer the minister to the government's commitment to tackling climate change, and I ask the minister to advise

the house of how the HRL clean coal project is a demonstration of that commitment.

*Honourable members interjecting.*

**Mr BATCHELOR** (Minister for Energy and Resources) — I would like to thank the member for Dandenong for his question. He knows, as members on this side of the house know — —

**An honourable member** — Where Lara is.

**Mr BATCHELOR** — And who the member is! The Bracks government recognises the importance of developing world-class clean coal technology. We need to develop this to ensure that the energy needs of this state can continue to be met in a sustainable and cost-efficient way as Victoria heads towards and leads in a low-carbon-emissions future.

As part of its energy technology innovation strategy, the Bracks government committed \$50 million in funding to the development of a large-scale, brown coal power generation demonstration project in the Latrobe Valley. This project will use groundbreaking technology called integrated drying and gasification combined cycle, or IDGCC, technology.

The early commitment by this government to the HRL project has been rewarded with an extra \$100 million being contributed by the commonwealth government. This HRL technology is capable of lowering by 30 per cent greenhouse gas emissions from the current best practice brown coal generation in the Latrobe Valley. That should be an annual saving of 1.3 million tonnes of carbon dioxide emissions into the atmosphere. This technology has already been proved up on the 10 megawatt scale. Interestingly the new technology will also reduce water use by some 50 per cent. In addition to this advantage, the government has required this project to be carbon capture ready so that any carbon dioxide emissions can be stored underground following the commercialisation and development of carbon capture and storage technology, also known as geosequestration.

The capability of geosequestration to lead to virtual zero emissions from power generation is really a credit to the innovative minds that gather in Victoria and to this world-leading technology. The construction of a cleaner, 400-megawatt power station is expected to begin later this year, and it will be tested at an equivalent level of 80 per cent of an existing Loy Yang Power unit. We can see it will be a substantial contribution to the electricity grid, notwithstanding the fact that it is a demonstration project. In its construction phase the project will generate some 300 new jobs and

there will be some 36 jobs during its ongoing operation. These are jobs for the workers of the Latrobe Valley.

The partners in this project also include Harbin, a Chinese company. It is China's largest power plant developer and power generation equipment manufacturer. This leading Victorian technology could be essential not only for Victoria but also for China in reducing greenhouse gas emissions. This project is a great project, and it is a further illustration of the Bracks government's commitment to innovative energy technologies which bring both economic and environmental benefits to the state.

### **Drugs: amphetamine treatment strategies**

**Ms WOOLDRIDGE** (Doncaster) — My question is to the Minister for Mental Health in her capacity as the minister responsible for the amphetamines task force. I refer to the 2004 Drugs and Crime Prevention Committee's recommendation that a pilot service be established to trial the use of separate facilities and treatment strategies for amphetamine users, and I ask: given the scope of Victoria's ice problem, will the minister admit that the government's rejection of this proposal three years ago was a mistake?

**Ms NEVILLE** (Minister for Mental Health) — I thank the member for her question. The Bracks government has launched a pre-emptive strike on the highly addictive drug, ice, to prevent it gaining a foothold in Victoria. Victoria's amphetamine use is below the national average, but we are taking these steps because we do not want to see ice take hold here in Victoria. It is a highly addictive drug and one we must act on now to stop it having a devastating effect in our community.

Some of the actions we are taking include refocusing drug prevention on ice and amphetamines; new police powers and new laws to crack down on dealers and manufacturers; a new ice and amphetamines task force, which I am chairing, to develop a long-term strategy to tackle ice and amphetamine use in Victoria; an extra four years funding to help drug users get the treatment and health care they need in drug hotspots across Melbourne; and confronting new advertisements dealing with the horror of ice. We are acting; we are taking significant steps. We are not reducing other treatment programs. We are investing in this important issue in order to reduce the opportunities for the problem to get a foothold in our community.

**Biotechnology industry: government initiatives**

**Mrs MADDIGAN** (Essendon) — I ask the Minister for Innovation to outline to the house how research being undertaken by major research institutes into new products will be of worldwide significance and how that will support increased investment in the Victorian economy.

**Mr BRUMBY** (Minister for Innovation) — I thank the member for Essendon for her question and for her very strong support of biotechnology. As we know, the Bracks government has a target of being in the top five biotechnology locations in the world by 2010, and we are on track to meeting that target.

We have had two biotechnology strategic plans. We exceeded the first one in three years, ahead of our five-year schedule, and we are well on the way again to surpassing the second five-year plan, two years ahead of schedule. Last financial year was one of the best that Victoria's biotechnology industry has ever recorded. We saw a 30 per cent increase in corporate research and development worth more than \$413 million. We saw a 50 per cent increase in the number of biotech clinical trials under way. We can say now, as I have pointed out to the house before, that if you look at biotechnology across Australia, you find that one in every two people who work in this industry in Australia is employed in Victoria.

The great thing about biotechnology is that it is an exciting industry in its own right, and it is biotechnology which is driving so many of the products, the medical research and the technologies which are saving and improving people's lives. Recently the Walter and Eliza Hall Institute signed a collaboration agreement with the Californian-based biotech company, Genentech, to undertake research into new cancer drugs. I should say that Genentech is the world's biggest biotech company. The market capitalisation is US\$87.6 billion.

One of the Burnet Institute's spin-offs, Select Vaccines, has also announced a collaboration with the American-based firm, Avant Immunotherapies, focusing on the development of new and more potent vaccines for viruses like influenza. We can claim to be one of the top five in the world in the fight against influenza. We can also look at a product like Gardacil. As I have pointed out in this house before, it is a great Australian story, developed by Australian of the Year Professor Ian Frazer. Developed here in Melbourne by CSL and now marketed worldwide by Merck, it is a product which will save the lives of tens of thousands of women across the world.

Last week CSL advertised in the local media for four medical professionals, and it is interesting that the company contacted my office today to say it has been overwhelmed by applications, including some from the best and brightest applicants from all around the world. People talk about the brain drain, but in Victoria's case we are actually attracting people to our state because of the investment we have made in biotechnology, in things like the synchrotron and Bio21, and with the federal government in the National Stem Cell Centre. All of these things are attracting the best and brightest to our state.

Victoria is now home to more than 140 biotech companies. The capitalisation of our top 20 listed companies is now over \$16 billion, and last year our life science companies generated sales worth \$4 billion. In many ways biotechnology is an emerging industry, but some people say it will be the largest of all. We have been through the agricultural revolution and the industrial revolution, we are moving through the IT revolution, and many say the biotechnology revolution will be the largest of them all.

In May this year the Premier and I will again be heading the biotechnology conference delegation to Boston. The Premier will be leading the largest Australia-wide contingent from Victoria. This is an opportunity for us again to promote Victoria as an outstanding place for investment and activity in biotechnology. In past years this has always proven very successful in attracting new investment, new opportunities and new people to our state.

**Mr McIntosh** — On a point of order, Speaker, I refer to the accuracy of the *Hansard* record of the parliamentary debates. Specifically I refer you to the *Hansard* of Thursday, 1 March this year, and to the answer given by the Minister for Roads and Ports to the question from the member for South Barwon. You may also recall, Speaker, that on that occasion the minister tabled a document from which he was quoting.

The matter that I am concerned about is that the record in *Hansard* seems to be inconsistent with a number of the quotes that were being made by the minister. Indeed, none of those quotes themselves seem to be identified in the *Hansard* record, and the pagination that appears in *Hansard* does not accord with those quotes either.

I am very concerned that this matter has now gone for over a week. Speaker, I ask you to check the record of *Hansard*, together with the document that the minister tabled, to determine the accuracy of the *Hansard*

record. Secondly, Speaker, I ask you to counsel the minister about quoting large slabs of a document —

*Honourable members interjecting.*

**The SPEAKER** — Order! Government members!

**Mr McIntosh** — without identifying that which he is quoting from. On only one occasion did he identify that quote. Thirdly, Speaker, I ask you to counsel the minister, once you peruse the document, about telling the truth in response to a direct question from yourself.

**Mr Batchelor** — On the point of order, Speaker, this matter was resolved on 1 March. The minister was asked to table a document he was referring to. He tabled that document, and that was accepted. What we are seeing tonight is an example of the most pompous point of order. It has no substance, and it comes from someone who has lost the opportunity to carry on like this at the bar.

*Honourable members interjecting.*

**The SPEAKER** — Order! As the member for Kew has asked me to, I will look at the *Hansard* record and at the document tabled by the minister and will take appropriate action once I have reviewed those documents.

The time for questions without notice has expired.

## GAMBLING AND RACING LEGISLATION AMENDMENT (SPORTS BETTING) BILL

*Introduction and first reading*

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

That I have leave to bring in a bill for an act to amend the Gambling Regulation Act 2003 and the Racing Act 1958 and for other purposes.

**Mr O'BRIEN** (Malvern) — I ask the minister to give a brief explanation of the bill.

**Mr ANDREWS** (Minister for Gaming) — The bill will strengthen the regulatory regime for sports betting in Victoria and aims to strengthen confidence in the integrity of sports betting. It will also enable sporting bodies to receive a proportion of the revenue raised from betting that takes place on their respective sports.

**Motion agreed to.**

**Read first time.**

## ROAD LEGISLATION AMENDMENT BILL

*Introduction and first reading*

**Mr PALLAS** (Minister for Roads and Ports) — I move:

That I have leave to bring in a bill for an act to amend the Road Safety Act 1986, the Melbourne City Link Act 1995, the EastLink Project Act 2004 and the Road Legislation (Projects and Road Safety) Act 2006 and for other purposes.

**Mr MULDER** (Polwarth) — I seek a brief explanation from the minister as to the contents of the bill.

**Mr PALLAS** (Minister for Roads and Ports) — The bill makes amendments to facilitate the delivery of the EastLink project, including interoperability arrangements between EastLink and City Link. It also provides a legal mechanism for the operator onus and the owner onus rules for vehicle offences to function within one administrative system.

**Motion agreed to.**

**Read first time.**

## INFERTILITY TREATMENT AMENDMENT BILL

*Introduction and first reading*

**Ms PIKE** (Minister for Health) introduced a bill for an act to amend the Infertility Treatment Act 1995 to allow human cloning under licence for research purposes while retaining the existing prohibition on human cloning for reproduction and for other purposes.

**Read first time.**

## HOWARD FLOREY INSTITUTE OF EXPERIMENTAL PHYSIOLOGY AND MEDICINE (REPEAL) BILL

*Introduction and first reading*

**Mr BRUMBY** (Minister for Innovation) introduced a bill for an act to repeal the Howard Florey Institute of Experimental Physiology and Medicine Act 1971 and for other purposes.

**Read first time.**

**PETITION**

**Following petition presented to house:**

**Upper Plenty Primary School: speed zone**

To the Legislative Assembly of Victoria:

The petition of the Upper Plenty Primary School community draws to the attention of the house the unsuitability of a 100 km/h speed limit on the Wallan-Whittlesea Road in the vicinity of our school, together with insufficient and unsafe car parking facilities that do not cater for the current student population. The petitioners therefore request that the Legislative Assembly of Victoria provide a restricted speed zone adjacent to the Upper Plenty Primary School on the Wallan-Whittlesea Road and provide car parking facilities to cater for the existing school population, with consideration given for future student growth as sanctioned by the Department of Education and Training.

**By Mr HARDMAN (Seymour) (194 signatures)**

**Tabled.**

**SCRUTINY OF ACTS AND REGULATIONS  
COMMITTEE**

***Alert Digest No. 3***

**Mr CARLI (Brunswick) presented *Alert Digest No. 3 of 2007* on:**

- Drugs, Poisons and Controlled Substances Amendment (Repeal of Part X) Bill**
- Gambling Regulation Amendment (Review Panel) Bill**
- Legal Profession Amendment Bill**
- Livestock Disease Control Amendment Bill**
- Major Events (Aerial Advertising) Bill**
- Nuclear Activities (Prohibitions) Amendment (Plebiscite) Bill**
- Public Prosecutions Amendment Bill**

**together with appendices.**

**Tabled.**

**Ordered to be printed.**

**DOCUMENTS**

**Tabled by Clerk:**

Border Groundwaters Agreement Review Committee — Report 2005–06

*Conservation, Forests and Lands Act 1987* — Variation to the Code of Practice for Timber Production

Emergency Services Superannuation Scheme — Actuarial investigation as at 30 June 2006 (two documents)

*Essential Services Commission Act 2001* — Review of the Act and Government response to the review (two documents)

*Parliamentary Committees Act 2003* — Government response to the Law Reform Committee's Review of the *Coroners Act 1985*

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

- Brimbank — C88
- Cardinia — C80
- Greater Bendigo — C95
- Greater Geelong — C110
- Greater Shepparton — C69
- Hepburn — C36
- Manningham — C50
- Mansfield — C7
- Moreland — C77
- Swan Hill — C24
- West Wimmera — C9
- Whitehorse — C57 Part 1
- Wyndham — C82

Statutory Rules under the following Acts:

- Associations Incorporation Act 1981* — SR 8
- Co-operatives Act 1996* — SR 9
- Estate Agents Act 1980* — SR 7
- Fundraising Appeals Act 1998* — SR 10
- Residential Tenancies Act 1997* — SR 11
- Serious Sex Offenders Monitoring Act 2005* — SR 6
- Supreme Court Act 1986* — SRs 5, 6

Subordinate Legislation Act 1994:

- Ministers' exception certificates in relation to Statutory Rules 5, 6
- Ministers' exemption certificates in relation to Statutory Rules 7, 8, 9, 10, 11.

**ROYAL ASSENT**

**Message read advising royal assent on 6 March 2007 to:**

- Control of Weapons Amendment (Penalties) Bill**
- Interpretation of Legislation Amendment Bill**
- Murray-Darling Basin Amendment Bill.**

**APPROPRIATION MESSAGES**

**Messages read recommending appropriations for:**

- Gambling Regulation Amendment (Review Panel) Bill**
- Major Events (Aerial Advertising) Bill**
- Nuclear Activities (Prohibitions) Amendment (Plebiscite) Bill.**

**BUSINESS OF THE HOUSE**

**Program**

**Mr BATCHELOR** (Minister for Victorian Communities) — I move:

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 4.00 p.m. on Thursday, 15 March 2007:

- Gambling Regulation Amendment (Review Panel) Bill
- Livestock Disease Control Amendment Bill
- Nuclear Activities (Prohibitions) Amendment (Plebiscite) Bill
- Prahran Mechanics' Institute Amendment Bill
- Victims of Crime Assistance Amendment Bill.

In moving this motion I indicate the government's desire to have these five pieces of legislation dealt with during the remainder of this parliamentary week. As all members know, given that it is now 8.50 p.m. on Tuesday, this will be a truncated parliamentary week as a result of the condolence motion for Jim Simmonds, and rightfully so.

The condolence motion and the motion to adjourn as a mark of respect, which were agreed to by the house earlier today, have consequently shortened the amount of time available for second-reading debates during the course of this parliamentary week. Accordingly we are putting forward a shortened list of bills to accommodate the balance of time available. However, I advise members that if these bills are completed, it will be the government's intention to try to progress some additional contributions to the address-in-reply debate.

We set aside time in the last parliamentary week for those members who had not made a contribution to the address-in-reply debate, but as that was consumed by procedural debates on committees we unfortunately were unable to get through the number of contributions to the address-in-reply we had anticipated.

The legislative program for the weeks ahead is quite full, so if members want to make a contribution to the

address-in-reply debate it would be in their interests to expedite the passage of these five bills so we can devote some additional time to that debate, given that it is unlikely in the parliamentary weeks ahead that we will have time to return to it. It is quite possible to complete these five pieces of legislation, notwithstanding that there are in effect only two parliamentary days remaining this week because of the condolences. Accordingly I commend the motion to the house.

**Mr McINTOSH** (Kew) — The opposition does not oppose the government business program. As I have said on previous occasions, as we have gone through the parliamentary sitting weeks — this is the fourth parliamentary sitting week since the resumption of this Parliament — we could not say we have been overwhelmed by the government business program. I would hate to think that, even if they are not controversial, the government will attempt to push through a number of bills as we get to the end of the parliamentary sitting or the parliamentary year, as has occurred in the past. Adequate time should be provided to have a proper debate on all of these bills. It is not an extensive program, taking into account the condolence motion earlier today and the truncated sitting week, and the opposition does not oppose it.

**Mr DELAHUNTY** (Lowan) — The Nationals also do not oppose the government business program for this week. Looking at the legislation before us I note that the debate on the Gambling Regulation Amendment (Review Panel) Bill will be an interesting one, considering what is going on out there in the community. It will be interesting to see how the government's position stacks up against the parliamentary inquiry, which will go on at a similar pace to the debate in this house.

It will also be interesting to see how many city members get up and speak on the Livestock Disease Control Amendment Bill. I will be curious to see how much interest there is in that one, because it will have a big impact on the livelihoods of our country Victorians and on a lot of our exports. As we know, agriculture plays a very important role in the economic activity of and employment in country Victoria. I will be interested to see whether our city cousins will have any input into this very important bill, which will be debated this week.

The other interesting one is the Nuclear Activities (Prohibitions) Amendment (Plebiscite) Bill. I am not sure that the government knows what legislation governs this matter in Victoria. But as we know, we are coming up to a federal election at the end of the year, and I am sure we will get many more of these types of

bills, which will be all about spin as we lead into the election.

The member for Kew mentioned the parliamentary sitting. As we know from the way we are placed this year, we will be sitting every month. Sometimes we will only be sitting one week per month, but we will not have a long break during the year, so the reality is that we will have one big sitting going for 10 months, despite the government's propaganda. I do not think there will be a lot of debate on most of the bills listed for this week. We do not see any problem with the government business program as it sits at this stage, and we will not be opposing it.

**Motion agreed to.**

## MEMBERS STATEMENTS

### Racing: industry review

**Dr NAPHTHINE** (South-West Coast) — In comments on radio 927 and in a report in the *Herald Sun* of 8 March the Minister for Racing has blatantly pre-empted and undermined the current review of Victorian racing being undertaken by Ernst and Young, assisted by David Crawford. In outlining his agenda for the future structure of racing the minister has pulled the rug from under this so-called independent review process. He has clearly thumbed his nose at the many hours of work being put into submissions to the review by racing clubs, owners, trainers and other key stakeholders.

Minister Hulls should ask himself which state is the best racing state in Australia, which state has the best balance between country and city racing, and which state is the best state in which to own, race or bet on a horse. The answer is clearly Victoria. Therefore the minister should listen to the decades of wisdom within the racing industry and not pre-empt this report. He should look at current racing crowds, such as those at Super Saturday last weekend or the Melbourne Cup carnival, before he makes any more stupid, ill-informed comments about racing needing to attract a younger audience and more women, because they were there in droves on Saturday and they were there in droves at the Melbourne Cup carnival. The only balance Minister Hulls brings to the racing industry in Victoria comes from the big chips he has on both his shoulders!

### Leonie Van Raay

**Mr BATCHELOR** (Minister for Victorian Communities) — I would like to offer a heartfelt thankyou to a very valuable member of our community,

Leonie Van Raay, who is a remarkably generous woman with a genuine and inspiring concern for the disadvantaged members of this community. Leonie and her late husband, John, were very successful businesspeople from humble origins.

As a young couple working hard to make ends meet they pledged that, if they were ever successful, they would give back to the community and do what they could to help those who were less fortunate than themselves. Leonie and John went on to be very successful, and in 1994 they established the Precision Foundation, which enabled them to make good their pledge. After the unexpected passing of John Van Raay, Leonie decided to find a project she could invest in as a legacy to John's work. She found CERES, the Centre for Education and Research and Environmental Strategies. CERES aims to foster awareness and action on environmental and social issues affecting urban areas with an emphasis on cultural richness and community participation. It is an extremely valuable community resource and a wonderful choice on Leonie's part.

People like Leonie hold our community together, and all too often they go without the recognition they deserve. I want to thank Leonie Van Raay for her multimillion-dollar contribution to CERES.

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

### Bendigo Bank: Toora branch

**Mr RYAN** (Leader of The Nationals) — I pay tribute to the Toora Community Bank and the Bendigo Bank's Community Enterprise Foundation. I also pay tribute to Llew Vale, an outstanding citizen of the Corner Inlet region — in this instance in his role as the chair of the Promontory District Finance Group. I do so in circumstances where about three weeks ago Mr Vale presented a cheque for \$44 908 to the mayor of South Gippsland Shire Council, Cr Jennie Deane. It was to reflect the amount of money being distributed through this fund, operated essentially by the Toora Community Bank to benefit local community groups.

Some of those to benefit were the Rural Ambulance Service at Foster — to the extent of \$10 000; the Toora Primary School, \$3000; Foster and District Agricultural Society, \$1500; and another 13 groups; making a total of 16 successful applicants for the fund. It is a wonderful tribute to the work which is undertaken by the committee. I might say that this branch of the Bendigo Bank, which is located in Toora, was one of the first established by the bank in country Victoria. It

has been a booming success, primarily due to the work of the committee which, as I say, is chaired by the ever able Mr Llew Vale.

### **Brunswick City Baths: upgrade**

**Mr CARLI** (Brunswick) — The Brunswick City Baths are a very old swimming pool facility in my electorate. The baths are also a very major community resource: they are probably the most important resource in the Brunswick area, with hundreds of thousands of people using the facility every year. As an old facility it is coming towards the end of its use-by date. Basically it needs a major rebuild.

Recently I was at the Sydney Road street party where the Brunswick branch of the ALP organised a petition calling on the council to make a major reinvestment in the Brunswick swimming pool. Over a thousand people signed that petition. Tomorrow night the Moreland City Council is meeting to discuss the swimming pool. There is a proposal to look at both the works that need to be done on the six local swimming pools and in particular the work that needs to be done on the Brunswick baths. It is time we had some real action on the Brunswick baths. We need a big reinvestment. As such I wish to support any application the council makes to the state government to assist in the capital upgrade of this very important local institution.

Tomorrow night we need the council to push ahead to agree to a major reinvestment and a capital upgrade and to seek some funds from the state government to make it possible for the Brunswick baths to continue to be the major resource and community centre that it is.

### **Federal member for Wills: character reference**

**Mr WELLS** (Scoresby) — To provide a reference to a member of the community who has a long history of criminal activity is almost totally incomprehensible. The *Herald Sun* of 12 March 2007 reported that in a 1998 drugs trial, some two years prior to the time of the federal member for Wills providing a glowing character reference, Tony Mokbel admitted to 19 prior convictions from 12 court appearances between 1983 and 1992, including for receiving stolen goods, possessing an unlicensed pistol and hindering police.

It was also reported that in 1990 Mokbel tried to bribe a County Court judge to get a non-custodial sentence for a friend charged with drug trafficking. Mokbel was convicted of attempting to pervert the course of justice and jailed for 12 months. At the time of the 1998 drugs trial it is alleged that Mokbel was a leading player in Melbourne's illegal drug scene with ambitions to

dominate. The federal member for Wills's reckless and irresponsible actions bring disrepute to all parliamentarians who from time to time are called upon to provide references for upstanding members of the community they know well and, equally, who they know are of good character.

There is now a real smell about this matter of grave concern. It is alleged that a copy of the reference letter supplied by the member for Wills to Mokbel was leaked out of Tattersall's and provided to the member for Wills's factional enemies. We want to know what the Minister for Gaming is doing to ensure that every line of investigation is being followed.

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

### **Alison Sudrajat**

**Mr STENSHOLT** (Burwood) — I rise to mourn the untimely death of Alison Sudrajat, a former colleague of mine, in the Air Garuda tragedy in Yogyakarta last week. As Minister-Counsellor in the Australian Embassy in Jakarta, Alison Sudrajat was the leader of the AusAID team in Indonesia, with a staff of over 100 running development projects, post-tsunami relief programs and education and training activities throughout the whole of Indonesia.

She joined AusAID in 1988 after completing a bachelor of arts in Asian studies at the Australian National University, and then spending a year at the Padjadjaran University in Bandung. She married Ris, an Indonesian, and they were blessed with four children — Jamila, Imran, Zaini and Yasmin. I recall her as an energetic, very dedicated, articulate and very competent person. It was always a pleasure to discuss projects and programs with her. She showed that she was passionate in her wish to make a difference. She was posted to Indonesia in 1992, and I recall her good work there in that posting. Subsequently she worked in Papua New Guinea, and recently again in Indonesia. She was regarded with great admiration and respect, both in Australia and Indonesia.

I extend the condolences of the Victorian Parliament to her husband, children and family. I know that she will be sadly missed. She was one of those great Australian unsung heroes who dedicated her life to building strong relationships between Indonesia and Australia, to supporting people and to actually doing great work for Australia.

### Schools: Malvern electorate

**Mr O'BRIEN** (Malvern) — I rise to thank the federal member for Higgins, federal Treasurer Peter Costello, and the Australian government for their injection of desperately needed funds into a number of state schools in my electorate of Malvern. Thanks to the generous contribution of the Australian government's Investing in our Schools program, two schools in my electorate will receive funds to upgrade or build new facilities to benefit Malvern students.

This program will see Malvern Central School receive over \$102 000, while Malvern Valley Primary will receive over \$137 000 to fund essential capital works, such as playground equipment and fitness facilities — facilities which are vital to the health and physical development of our children. It is a very sad state of affairs when Victorian state schools are forced to go cap in hand to Canberra seeking funding for basic facilities that are the responsibility of the state government to provide.

As a local member who is proud of the excellent state schools in the Malvern electorate, I find it particularly unfortunate that the Bracks government has failed to provide adequate funding for these schools, which are already at capacity. On behalf of the students, parents, and school communities of Malvern, I congratulate and thank the Honourable Peter Costello and the Australian government for their generous support of state schools in Malvern — which stands in stark contrast to the neglect of schools by the state government.

### Women: WorkChoices

**Mrs MADDIGAN** (Essendon) — Many of us had the opportunity to attend an International Women's Day function last Thursday. But if we think of the effect of the federal government's WorkChoices legislation on women, we really do not have a great deal to celebrate, as has been amply illustrated by some research that has been recently released.

It is interesting that the Australian Bureau of Statistics has found that women and casual and part-time workers on Australian workplace agreements (AWAs) get, on average, up to \$4 an hour less than those on collective agreements.

*Honourable members interjecting.*

**Mrs MADDIGAN** — Obviously it is a sensitive issue in some areas opposite! It also found that, overall, men were paid 13 per cent more an hour than women and that the biggest gap was amongst workers on

AWAs, where men were paid 23 per cent more than women. I think that is quite disgraceful.

Last month further research was undertaken by the Griffith Business School. Professor Peetz found that the impact was particularly harsh for women, whose real ordinary-time earnings fell by 2 per cent in the private sector in the first six months of the WorkChoices legislation. Professor Peetz said that retailing and hospitality, areas in which women comprise about 60 per cent of the workers, were the hardest hit, with hourly earnings growth rates cut in half.

This is a really significant and increasing problem for women in the workforce, many of whom are single and supporting families. I think it is incumbent on us all to try to support women in these areas.

### Water: Wangaratta supply

**Mr JASPER** (Murray Valley) — Again I bring to the attention of the house the critical situation facing people living in the Ovens and King valleys with the dwindling supply of water from Little Buffalo Dam and Lake William Hovell, and also the potential crisis situation being faced by residents of the Rural City of Wangaratta. It is now on stage 4 water restrictions, and Lake Buffalo will be out of water by late April if there is no substantial rain prior to that date.

I have had meetings with the Rural City of Wangaratta senior representatives and am fully informed and briefed of the situation. Last week I made extensive representations to the Premier, the water minister and the Treasurer to ensure that they are aware of the desperate situation in Wangaratta. To their credit, positive action has been taken by the government, together with the water authorities, with the immediate sinking of bores at strategic locations within the city in an effort to underpin the supply of water to that city.

As Wangaratta is a major regional centre, it is important that the water supply is maintained for essential industry usage and the general community. For the longer term, despite the continued negative responses from the water authorities, the state government, together with the federal government, must agree to the building of the Big Buffalo dam and the extension of Lake William Hovell to underpin the supply of water for town supplies, existing irrigators, and even environmental flows, and also to the supplementing of water in the Murray system — importantly, as required for usage.

Together with Business Wangaratta I am currently distributing petitions for signature in support of the

extension of Lake William Hovell and the construction of Big Buffalo dam in north-eastern Victoria.

### **Casey: students study tour**

**Ms GRALEY** (Narre Warren South) — The City of Casey Australia Day study tour award gives participating year 11 students the opportunity to observe federal, state and local government in Australia. It is a commendable investment in civic leadership by the City of Casey and the youth services team, and the council deserves praise for the way the program is carried out. It is led very ably by Kerry Loveless and Phil Start. The tour is conducted over five days and features a three-day visit to Canberra and a visit to state Parliament as well as a tour of the local government area and meetings with councillors and council officers.

The 2007 recipients of this award are Jeff Douglas from Hillcrest Secondary College, Lucia Santangelo and Rhys Ford from Berwick Secondary College, Alison Van Beers from St Margaret's School, Jayde Robertson and Eliza Kelly from Narre Warren South P-12 College, Christie Dowell from Lyndhurst Secondary College, Timothy Gill from St Peter's College, Jess Betteridge from Kambrya College and Emily Wilhelms from Doveton Secondary College.

All these young leaders met me for lunch at Parliament House on Wednesday, 28 February, whilst on a tour of this great Victorian institution. We had a terrific discussion about their ambitions for the future, and some even declared their interest in a political career. I am sure the subsequent question time they attended either excited them or set them on a different course. A nicer, more enthusiastic group of young people you would not meet anywhere. They are terrific ambassadors for the city of Casey, and their families should be very proud of them. I wish them the very best of luck for their very bright futures.

### **Bergins Road, Rowville: traffic congestion**

**Mr WAKELING** (Ferntree Gully) — I wish to raise a matter of grave concern for the attention of the Minister for Roads and Ports. Immediate steps need to be taken to rectify the bottleneck experienced by Rowville residents using Bergins Road in the morning. Bergins Road services Rowville residents who live in the Heany Park estate. During the last Parliament the government installed traffic lights at the corner of Bergins Road and Stud Road in an effort to allow residents safer access to Stud Road.

I am advised by local residents that as a consequence this situation has worsened, as the number of vehicles using Bergins Road has dramatically increased. Apparently a number of vehicles from Narre Warren and Endeavour Hills in the city of Casey are utilising this road in an effort to avoid congestion on Heatherston and Stud roads plus the Monash Freeway. As a consequence Rowville residents are forced to wait for a significant period of time while using this road. Worse still, a number of drivers are forced to drive through turning lanes in an effort to form a second lane of traffic in the hope of reducing the travel time on this section of road.

Recently I met with representatives from the Rowville police, VicRoads, Knox City Council and the local community on site. All parties recognised that the situation was unacceptable and that urgent action was required. My community is understandably frustrated by the situation and requests that VicRoads move swiftly to rectify the current situation.

### **Flora Barker**

**Mr LANGDON** (Ivanhoe) — Today I pay tribute to Florentina Barker, known as Flora, who passed away on Saturday, 10 February, after approximately four years of fighting illness. Flora was born on 6 September 1922. She grew up during the Depression years and saw family and friends go to war. Most came back; some did not. In her early 20s Flora married Max Woodhouse, with whom she had two children, Lynnette and Graeme. After a battle with cancer Max passed away on 21 April 1956, aged 35. Through all the ups and downs she kept going because she had to. She had a young family to look after, and there was no time to be miserable. Flora sewed to make money for her children, who never went without.

On 5 December 1959 Flora married David Barker, with whom she had a son, Robert. David passed away on 21 May 1990.

Flora was a volunteer with many organisations, including the Ivanhoe branch of the Royal Victorian Institute for the Blind. She kept the Heidelberg arthritis group going for many a year. Flora was also a member of the women's auxiliary of the Heidelberg RSL and a member of the northern district TPI group for many years as well. She was an active member of the West Heidelberg Uniting Church, which she helped out on many occasions through fetes and what have you, and she was well known at various churches and other activities in the local area.

Her daughter, Lynnette, followed in her mother's footsteps, volunteering with many organisations. Graeme is a TV technician, and Robert is a computer consultant with the Ford Motor Company. Flora was a terrific mum, friend and companion, and she will be missed by all who knew her.

### **Federal member for Wills: character reference**

**Mr R. SMITH** (Warrandyte) — I rise to speak on the somewhat chequered history of one Tony Mokbel. Mokbel's early convictions started in the 1980s and continued through to the early 1990s and related to assaults, the receipt of stolen goods and possessing an unlicensed weapon. He was charged and convicted of attempting to pervert the course of justice by trying to bribe a County Court judge to go easy on a friend charged with drug trafficking. In 1998 Mokbel was sentenced to three years jail for conspiring to traffic methylamphetamine, a sentence that was overturned in 1999 on appeal.

Over subsequent years it has been alleged that Mokbel has presided over a \$2 billion network involving the importing and trafficking of cocaine, amphetamines and other illicit drugs in this state. In 2001 the courts heard that Mokbel was the main stakeholder behind the importation of almost 2 kilograms of cocaine from Mexico. This trial led to a conviction for drug smuggling. Mokbel was convicted last year of serious drug-trafficking charges and has been further charged in absentia in connection with the murder of a fellow underworld figure. It is clear that Mokbel appears to be the linchpin in other gangland murders.

It beggars belief that Kelvin Thomson, the federal member for Wills, could possibly have supplied a reference for this man, and it begs the question as to what reliance the then Minister for Consumer Affairs placed on this reference from Kelvin Thomson.

### **Cycling: Macleod pathway**

**Mr BROOKS** (Bundoora) — I wish to advise members of this house about a great project currently under way in my electorate. The project is an extension of the bicycle path through Macleod as part of the principal bicycle network. This new section involves the construction of 1.75 kilometres of path along Greensborough Road from Lower Plenty Road in the south to Yallambie Road in the north. This new section will link to an existing pathway in the Rivergum Reserve and the Creek Bend Reserve, which in turn provides access to the main Yarra trail. The works include the relocation and upgrade of a bus shelter on

Greensborough Road as well as drainage works and landscaping.

It is estimated that around 37 per cent of Melburnians own a bicycle; however, only around 2 per cent ride on any given day. Therefore it makes sense to provide as many cycling paths around Melbourne as we possibly can to encourage greater levels of cycling for the obvious health and environmental outcomes that result. This new path will be great for families in the area, particularly people from the Greensborough, Watsonia, Macleod and Yallambie areas, who will be able to more easily access the Yarra trail and other major cycle routes. I note the project is supported by Bicycle Victoria, the Banyule bicycle users group and the Banyule City Council. This is another example of the Bracks government getting on with the job.

### **Minister for Sport, Recreation and Youth Affairs: correspondence**

**Mrs FYFFE** (Evelyn) — As members of Parliament we receive many and varied items through the mail. I recently received a large envelope in the mail from the Minister for Sport, Recreation and Youth Affairs. I thought, 'Terrific, he is going to tell me I have funding for a project such as the solution to the overcrowded and dangerous netball courts in Mooroolbark'. I picked up the envelope, opened it and read quite a nice letter telling me about grants for positive body image projects. I then looked to see what else the envelope contained. This good-quality, large white envelope that cost the taxpayer \$1 to post to me contained just one sheet of paper.

I would like to let the minister into a secret: he could fold the paper, put it into a smaller envelope and post it for 50 cents. And to let the minister into another secret, as members of Parliament we have at our disposal a wonderful modern tool called email. He could have emailed this letter to me at minimal cost to the taxpayer. Reading further down the letter, I saw that he actually knows about email, because he told me he is going to email a press release to me. I know all Assembly members received this letter in an envelope costing \$1. I just want to know how many other people received this at a cost to the taxpayer of \$1 per envelope for one sheet of paper. It is a disgusting waste of taxpayers money.

### **Victorian school sports awards: Mordialloc electorate**

**Ms MUNT** (Mordialloc) — This evening I wish to congratulate Spring Valley Primary School teacher Matthew Ware on his award at the 13th annual

Victorian school sports awards in recognition of his outstanding teaching contribution. Mr Ware coached the senior football team, which was undefeated for the entire season. This was a great achievement for Mr Ware and for all the students who participated in the team. This award was a great recognition of the dedicated and skilled teaching of Mr Ware and the sportsmanship and determination of the entire team. Spring Valley Primary School in Springvale South in my electorate is dedicated to providing the best possible environment and education for all the children who attend.

I would also like to congratulate one of our young local sporting champions in the making, Brett Denton of Kingswood Primary School, on his award at the 13th annual Victorian school sports awards for his exceptional sporting achievement in basketball. Kingswood Primary School in Dingley is also a wonderful state school dedicated to providing the very best in education and opportunities for the students who go there.

Well done to Brett and Matthew! I wish them the very best for the future. I hope they were very excited to receive their awards from the sports stars who attended the Victorian school sports awards.

### **Scope Specialist Services: International Power Hazelwood award**

**Mr NORTHE** (Morwell) — I rise today to congratulate Scope Specialist Services in Gippsland on receiving \$200 000 as part of International Power Hazelwood's 2006–07 company flagship awards. Scope provides a range of valuable services and support for children with special needs and their families right across Gippsland and the Latrobe Valley, and it is a deserving recipient of the award. This vital service provider was selected ahead of other national and international nominees, which clearly demonstrates the high regard with which International Power viewed this funding application.

Scope Specialist Services in Gippsland provides a valuable learning environment for children with special needs; therefore the flagship funding will assist in improving its current facilities and services. A new child-friendly reception area will be constructed at the Grace Berglund Centre in Warragul. As well as that, there will be improvements to landscaping and playground equipment and a new 12-seater bus for students and staff.

At the risk of singling out individuals, I congratulate Paul Bur, whose assistance in securing funding for this

important project should not be underestimated. Paul and his wife, Jennifer, have a daughter, Natalie, who attends the Grace Berglund Centre, and they have a great commitment to improving facilities and services for staff and children alike.

While International Power Hazelwood has recognised the importance of such valuable disability services in the Gippsland region, there is a need for the state government to take disability services more seriously. Insufficient funding from the state government has caused many of our disability service providers to struggle with the cost of facility maintenance and with program and training expenses. It is my hope that if an international company can recognise the merit of assisting those with special needs in our community, then the state government will finally acknowledge the need for increased funding.

### **WorkChoices: Spotlight Pty Ltd**

**Mr DONNELLAN** (Narre Warren North) — I rise today to highlight another constituent suffering at the hands of Prime Minister John Howard's WorkChoices legislation and the Spotlight stores group. On the weekend Mrs X spoke to me at one of my mobile offices about an offer she had recently been given by Spotlight Pty Ltd to work for the casual rate of \$14 per hour, any day of the week. This lady had been working at the same Spotlight store for 19 years and had been working the same days for many years. The rate she was eligible for under the enterprise bargaining agreement was \$19 an hour during the week, with a higher rate on weekends. Slowly but surely this company has tried to coerce her into signing an Australian workplace agreement (AWA), as her hours have been reduced to 4 and the days she usually worked are no longer available.

None of this offer has ever been put in writing. Worst of all, this is the same company which ended up in a messy tax scheme which the Australian Tax Office used part IVA of the income tax law to deal with. This is a disgrace. Spotlight is a company that will not pay a fair day's wage and will not pay its taxes. At the end of the day it is trying to coerce people into signing AWAs. I do not know what this will do for productivity, but it has dropped below 2 per cent ever since the Howard government has come in. If you pay people less, you get less. You are not going to get more out of people by paying them less.

### **Water: stage 4 restrictions**

**Mr HODGETT** (Kilsyth) — I rise to inform the house of the impact that stage 4 water restrictions will

have on the Victorian car wash industry. Under stage 4 the water supply for the washing of all vehicles will be totally withdrawn, except for windows, mirrors and lights. No vehicles of any type will be able to be washed.

It may be stating the obvious to the Bracks government, but this will have serious ramifications for the car wash industry and associated industries, and many jobs will be at risk. It raises the question: why has the car wash industry been singled out and unfairly targeted as wasting water when in fact the industry has gone to great lengths to save water? Over the past few years the industry has focused on water-saving measures and has worked with Victorian water authorities to develop a water saver rating for commercial car washes that minimises water use. The car wash water saver rating scheme measures as well as advertises the amount of potable water used by a participating commercial car wash. Water-efficient car washes display a star rating from 1 to 5 to help consumers identify the amount of potable water used in each wash.

The current stage 4 regulations would withdraw the water supply from all commercial car washes but allow uncontrolled backyard bucket washing of vehicle windows, mirrors and lights. The government should review the regulations to allow for controlled washing in commercial car washes. It should show some innovation for a change and explore options such as restricted operating times and restricted days of operation, or allowing 4 and 5-star-rated vehicle washing facilities to continue to operate. Without a review, under stage 4 water restrictions the industry will cease to exist in Victoria.

### Children: literacy

**Dr HARKNESS** (Frankston) — What a pity it is that the ‘Spy’ column in the *Age* of Friday, 2 March, ridiculed the Frankston Teddy Bears Picnic, which I highlighted in this place recently. This is a particular shame, given the participation in and sponsorship by the *Age* of this important local event. As I outlined last time I spoke here, many local community groups, including the Frankston Toy Library, work actively with the Bracks government to address literacy issues in Frankston.

Literacy and reading are crucial to the education of our children. A strong connection has been drawn between levels of literacy and a child’s reading. We want to nurture our children — the future of our nation — to ensure that they are well educated and literate to allow Victoria and Australia to remain internationally competitive. The Bracks government has shown its

commitment to the development of children’s literacy in a number of ways.

Each year the Premier holds his annual reading challenge, which encourages students from prep to year 9 to read more books. To further entice students to read I donate books to each school in the Frankston electorate to coincide with the Premier’s reading challenge. Being a new father, I too understand the importance of reading and in particular of reading aloud to children. If each parent spent at least 10 minutes a day reading to their children, their children’s love of reading would flourish. Many well-known community figures, including children’s author Mem Fox, have joined the campaign to encourage parents to read aloud to their children.

I also welcome the Premier’s announcement of an \$892 million program to improve the literacy and mathematics skills of Victorian students. It is expected that as a result of this innovative program the number of students who will reach the national benchmark for literacy will increase by 25 per cent.

**The ACTING SPEAKER (Mr Ingram)** — Order! The time set down for making members statements has expired.

## VICTIMS OF CRIME ASSISTANCE AMENDMENT BILL

### *Second reading*

**Debate resumed from 15 February; motion of Mr HULLS (Attorney-General).**

**Mr CLARK** (Box Hill) — This bill makes a limited specific change to the Victims of Crime Assistance Act 1996, namely to implement a series of increases in the amounts of payments that can be made under the act in the form of what is referred to as special financial assistance. The bill does this by replacing the existing table in subsection 8A(5) of the Victims of Crime Assistance Act 1996 with a new table that provides for a higher scale of payments.

The scheme of the 1996 act, as amended by the Labor government in 2000, provides for this category of special financial assistance payments to be made in addition to the far broader and larger amounts of payment that were and are available under the act in respect of matters such as expenses incurred or likely to be incurred for counselling services, for medical expenses, for loss of earnings, loss of or damage to clothing and possible other areas of expenses that have actually been incurred.

The legislation categorises acts of violence into four categories, which are lettered from A through to D, and the crimes that are assigned to each of these categories are as specified in the Victims of Crime Assistance (Special Financial Assistance) Regulations 2000.

The increases that are made by the bill are 33 per cent in respect of the minimum and maximum amounts of payment that are available in respect of category A acts of violence, and 30 per cent increases in respect of categories B, C and D. In numerical terms that means that the new maximum for category A becomes \$10 000 compared with \$7500 at present, and the scale is reduced progressively so that, for example, with category D acts of violence there is a minimum payment of \$130 or the higher prescribed amount applicable in prescribed circumstances, and a maximum amount of \$650 or the higher prescribed amount applicable in prescribed circumstances.

As is referred to by the wording of the categories, even though different criminal acts are assigned by the regulations to specific categories of acts of violence, there are provisions whereby a higher category payment level can apply to lower category acts of violence in some circumstances — for example, if the victim is aged under 18 years, is elderly or is impaired as defined in the regulations.

The bill does not alter the other specifications of the regime for special financial assistance as contained in the 1996 act as amended in 2000. So, for example, while the special financial assistance is available to primary victims, it is only available to primary victims of an act of violence if the primary victim experiences or suffers any significant adverse effect as a direct result of an act of violence committed against him or her.

It has been pointed out to me that this means, for example, that a person who is a primary victim in other contexts — because under section 7(2) they are defined as a primary victim because they were trying to arrest someone who they believed on reasonable grounds had committed an act of violence, because they were trying to prevent the commission of an act of violence or because they were trying to aid or rescue someone who they believed on reasonable grounds to be a victim of an act of violence — is unlikely to qualify for this special financial assistance because they may well not fit within the definition of experiencing a significant adverse effect as a direct result of an act of violence committed against that person.

In other words, and to sum it all up, someone who is injured trying to arrest someone, trying to prevent the

commission of an offence or trying to rescue someone who they believe has been the victim of an act of violence may miss out on this special financial assistance, and that is an anomaly in the drafting of the existing act which, it has been pointed out to me, is not being addressed by the bill before the house.

In terms of the change that is being made and the context in which it is being made, the provisions being amended by the bill have an extensive history. They have their genesis in the attempt by the Labor Party on coming to office to do something to give effect to the very flamboyant criticisms its members made of the Kennett government when Labor was in opposition. They extensively criticised the regime of compensation and assistance to victims of crime that the Kennett government had put in place based on the allegation that it had failed to provide compensation for pain and suffering, which Labor pledged to restore. However, that promise was a bit akin to their promise to restore common-law rights under WorkCover. When it came to the actuality they fell far short of their election promises. What they did was introduce this very limited regime of what are called special financial assistance payments.

The history leading up to the amendments in 2000 was covered very extensively in the second-reading debate at that time, and I particularly commend to honourable members and interested members of the public the speeches that were made by the then member for Berwick and by the Leader of The Nationals, both of whom covered the issue very comprehensively and, I also say with respect to them, very well.

If I may paraphrase the comments of the Leader of The Nationals, at that time he said that on the one hand it can be said that the special financial assistance amounts being provided for by this regime were symbolic or nominal, but on the other hand he felt — and I think with good cause — that by many victims they would be simply considered to be insulting, because particularly at the lower levels of the scale you can have someone who is a victim of a wide range of acts of violence in category D receiving a compensation payment ranging between \$130 and \$650, as it will be after this bill; or someone in category C, which could include death threats, robbery or inflicting serious injuries. Someone in that category will receive a payment ranging between \$650 and \$1300.

The amendments made by this bill provide for increases which in dollar terms are quite modest. Those modest increases are made by substituting a provision in the principal act, which in turn is a very modest addition to the far broader and more substantial awards to victims

which are provided for in other parts of the legislation. These can include, for example, up to \$60 000 to a primary victim in respect of the various expenses that I mentioned earlier.

Given that this is what the bill does, it is a bill that the opposition supports on the basis that it provides some small improvement for victims, albeit a small improvement indeed. However, what is striking about this bill is not so much what it does as what it leaves undone in terms of the most important and pressing issues for the victims that the Labor Party has failed to tackle. As usual, it is big on the rhetoric, big on the grand statement and big on spin, but when it comes to the reality it is starkly different. The services that are available to victims have deteriorated badly under the Bracks government.

Page 65 of the government's justice statement of May 2004 contains many fine phrases. It talks about the commitment of the Bracks government to give victims access to justice and fair treatment, to restitution, to compensation and to assistance. But when you go on to look at the specific actions that were referred to in the 2004 justice statement, you discover that they were very limited indeed. The first was to establish a new victims support agency that would:

... be responsible for integrating services to victims of crime.

The statement went on to promise that services would be better as a result of this agency. I will come later in my remarks to some of the reality about that.

The second promise that was made in the 2004 statement was that the government would:

... consider developing a victims charter that will clearly state the right of victims of crime ...

Last year we had a so-called victims charter enacted in this Parliament, but that document is again like the justice statement itself: it is full of grand phrases but not all that many specific reforms. A number of the reforms that are contained in the victims charter picked up on policy positions that the Liberal Party had been advocating for some time.

If we look at the respective positions of the various parties in relation to support for victims of crime, as I have alluded to, we find that it has been the Liberal Party that has been making the running on this issue and the Labor Party that has been reacting tardily and in a very limited fashion. Very early on the Liberal Party issued a policy document entitled *Putting Victims First*, which provided, amongst other things, that courts would be under a duty to consider compensation

whether or not an application for compensation had been made by a victim and, where compensation was not ordered, a judge would be required to give reasons. We did that on the basis that the community wanted to see some form of direct compensation going from offenders to victims as a feature of the majority of sentences.

We also committed to set up a victims fund that would provide increased levels of funding to voluntary bodies that supported victims of crime. In addition we pledged to fund new victim liaison officers within the Office of Public Prosecutions, to provide 25 of those positions that would support victims through the court processes and to keep them informed of legal proceedings. We also established as policy principles that there would be new rights provided for victims, including the right to be informed by the Office of Public Prosecutions when charges are dropped or substantially altered, with the OPP to meet victims to explain the reasons for this in serious cases, and also the right for victims of serious offences such as rape or serious assault to be notified and consulted about release arrangements for offenders.

I should say that the right of victims to have a say about the release arrangements for offenders is something that is now referred to in the victims charter, as is the right that we advocated for victims to be informed by the Office of Public Prosecutions when charges have been dropped or substantially altered.

However, there is an issue that needs attention in relation to victims being consulted on release arrangements for offenders. I know of at least one case concerning a constituent in my electorate where there is a real fear that the victim could be subject to reprisals from the offender if the victim were to make a submission to the parole authorities opposing release and if the offender, seeking to exercise what they claim is a right to know who is making the case against them, were to gain access to the statement or were to find out that the victim had made a submission opposing release. This is a real dilemma, particularly if the offender is released.

In this particular case the victim was in real fear of what would happen and was caught on the horns of the dilemma. On the one hand the victim could have said nothing, in which case they increased the risk of this person being released, or they could have put in a submission opposing it, which hopefully would have been accepted by the parole authorities. On the other hand, if the submission had not been accepted, it would have created in them a real fear that they would suffer from the released offender.

The Liberal Party has been setting the pace in terms of the need to provide real services and support for victims. It has been doing that in opposition, and it has built on the record that it established when it was in government, when the reforms of 1996 put an emphasis on speed of response and access to services and support, on knowing what was available and on having it available quickly right from the time when a crime occurred.

That is a clear distinction from what is now being experienced, with growing delays and a lack of information in the system. As I said, the Labor Party has been very slow in picking up on changes to improve the situation for victims. Indeed in Labor's election policy last year it made two commitments. The first was to make the increases that are now reflected in this bill. The second is:

Labor will also ensure that a judge sentencing an offender must consider compensating the victim of the crime as part of the sentencing process, removing the need for victims or the DPP to apply for compensation.

You can see that that is almost a complete lift from the Liberal Party policy that was released far earlier than the Labor Party's — indeed months before the 2006 election — and of course we are still waiting to see exactly what the re-elected Labor government is going to do to implement the second of its two promises to victims.

I turn now to the reality of what is going on in terms of crime and victims and the assistance they receive. It hardly needs me to make the point that levels of violent crime and the number of violent crime offences in Victoria have been rising steadily under the Bracks government. If you look at the police statistics on actual and provisional crime figures from 1999–2000 through to 2005–06, you will see that in 1999–2000 the total number of crimes against the person — being homicide, rape, non-rape sexual offences, robbery, assault, and abduction or kidnap — was 31 372. That figure has risen steadily during the term of the Bracks government, and in 2005–06 it stood at 40 421 offences. Of course these are not just statistics, they are individual cases — 40 421 individual cases — where a Victorian or a visitor to this state has been subjected to a violent crime against their person.

In my electorate of Box Hill, in 2005–06 the city of Whitehorse had an increase of 25.8 per cent in the number of assaults, a 23.6 per cent increase in the number of robberies, and total violent crime was up by 28.2 per cent; the city of Boroondara had a 16.7 per cent increase in the number of robberies and a 16.5 per cent increase in the number of assaults. This is a

problem right across the state and affects all sorts of municipalities. Of course rising crime levels mean an increasing number of victims and an increasing need to respond to and provide assistance to those victims.

We are also seeing increasing delays in our court system, which is putting further pressure on victims in terms of the likelihood that they may need to appear as witnesses, the suspense, uncertainty and anxiety that that creates, and the delay in seeing a resolution of legal proceedings relating to the offence committed against them. I have previously raised in this house the instance of a workplace death that has been drawn to my attention in which the prosecution took almost three and a half years to reach the point where the trial was to commence; but as there are insufficient judges available, the case has been adjourned for a further year. That has meant the family of the deceased worker and indeed the accused co-workers who are contesting the prosecution have all been left with dreadful uncertainty and a lack of resolution of the issue.

In the context of rising crime and delays in prosecution we are seeing increasing pressure on the support services that are available to victims, which is affecting the extent to which the system is able to respond to their needs. I refer to page 88 of the 2005–06 annual report of the Department of Justice, which sets out the targets and actual levels of victim support services provided. There were something like 45 000 calls received for assistance; however, there were 4600 instances of counselling provided and a further 5200 instances where the victims assistance program provided what is referred to as casework or practical assistance.

Just looking at those bare numbers we see that the number of counselling services and the assistance provided by the victims assistance program have fallen far short of the total number of victims of crimes against the person in Victoria, which, as I mentioned earlier, stood at 40 421 in 2005–06. That indicates a very large number of people are not receiving help from this service. The number of calls for assistance received by the service approximates and indeed exceeds the number of reported crimes, but the amount of counselling and other assistance actually provided falls very far short of that number indeed.

One of the reasons for that may well be the delays in providing assistance. It has been said to me that it can take many weeks or even months for someone to be able to see a counsellor, even in the case of a very serious crime. One instance that was pointed out to me was where the family member of a murder victim had to wait three months to see what was described as an

impact worker in order to receive some counselling service. If you are a family member of someone who has been murdered, having to wait three months to receive counselling is of minimal assistance, and indeed it may well be counterproductive.

On top of that, very serious concerns are being raised with me about the adequacy of the service provided by the victims assistance and counselling program. That is not to say that there is not goodwill on the part of the people operating that program, but it has been put to me that in many instances they are lacking either the qualifications or the experience needed in order to properly provide assistance to victims who are referred to them.

It is worth making the point that the victims assistance and counselling program is, as I understand it, virtually the sole program to which victims are referred when they contact the Victims Support Agency, which is operated by the Department of Justice. It has also been put to me that the victims assistance and counselling program is not properly geared up to provide effective and accurate legal advice to the victims who are referred to it, with the result that claims are not being properly prepared and presented. It has also been suggested that the program is providing poor counselling service and that it is failing to refer victims for appropriate psychological counselling or psychiatric assistance when it is needed, with the result that people are not being referred to a qualified practitioner until a long time has passed, with the result that their problems have become far worse and it is far more difficult to assist them when they are eventually referred.

I am aware of at least one instance where a victim has been undergoing two simultaneous courses of assistance — that is, counselling through the victims assistance and counselling program and separate counselling that has been financed by the tribunal, the service being provided by a qualified psychologist or psychiatrist. This duplication of assistance is a waste of taxpayers money and a failure in the delivery of services to provide victims with the speedy response they need.

That is the reality of what is going on at the moment as far as help for victims is concerned. The Labor Party has been full of fine phrases, grand rhetoric and big promises, but the reality, as in so many other areas, has been a failure to deliver. It has been the Liberal Party that has been setting the pace, identifying the real needs of victims, implementing substantial reforms when in government and identifying and putting forward policy proposals for substantial reforms when in opposition.

Even the government has recognised and taken up a small number of those reforms.

As I said at the outset, this bill makes modest increases in monetary terms to a component of the legislation, which is itself a very modest component of the regime that was primarily introduced under the previous Liberal government. The opposition supports the bill as far as it goes to provide at least a small improvement for victims, but the real issues lie elsewhere. Victims have many other crying needs that the Bracks government has failed to act on.

**Mr RYAN** (Leader of The Nationals) — The Victims of Crime Assistance Act, which for the purposes of this discussion I will refer to as the primary act, was established by the Kennett government in 1996, and its fundamental purpose — not surprisingly, having regard to its title — is to provide assistance to victims of crime. The eligibility for assistance is set out in part 2 of the primary act, and insofar as the bill before us is concerned, part 2 of the primary act has several divisions.

The first of those is division 1, which relates to primary victims; division 2 relates to secondary victims; division 3 is concerned with related victims; division 4 deals with assistance for funeral expenses; and division 5 sets out various imposed limits to assistance. What we are seeing tonight is an amendment to a relatively small component of the overall legislation. The bill under consideration needs to be viewed in that context.

If members go back in time to the period in office of the previous government, they will see that moves were made to enable assistance to be provided to victims of crime on a broader scope than had otherwise then been the case. There was a recognition that in dealing with a victim of crime the state would stand in the stead of the person who committed that crime with a view to providing assistance of different sorts to the victim. In the first instance there is no obligation at all upon the state to undertake this role. The responsibility lies with the perpetrator of the crime, but there has long been a recognition that there are many instances when more often than not the perpetrator of the crime is not the one to whom a victim can look when considering civil damages — for example, to be able to obtain any semblance of assistance.

It is not surprising that that occurs, because the persons who commit crimes are often impecunious. By definition they are trying to better themselves financially through undertaking some sort of violent act to get money for themselves. It is therefore a fruitless

task on the part of the victim of any crime which is perpetrated by such a person to try and recover money from that person, because the money is non-existent. It is in these circumstances that the state has chosen to stand in the stead of the person who would otherwise have the responsibility in the first place of accommodating the needs of victims.

The former government tried to take a holistic look at the needs of persons who were affected by crime. We tried to look at the various forms of help that any such individual might have needed. We took those forms of assistance beyond the notion of some form of payment with regard to what under common law or statute law would be referred to as general damages for pain and suffering. Rather we concentrated on trying to get help for people in the form of different kinds of services by accommodating their needs with regard to medical and like expenses and by generally extending the breadth of benefits available to victims, whilst not necessarily concentrating upon payments for pain and suffering per se.

When in opposition the Labor Party made a lot of noise about this approach. It swore blind that it would make a major change to this system when it became the government. In the total scheme of things, and for all the reasons which have been set out by the member for Box Hill, the government has failed miserably to deliver on the promises made pre-government, let alone those which it has trumpeted during the course of its period of governance, most particularly in the justice statement to which reference has also been made.

The bill before the house tonight is an example of a tweaking of the existing arrangements without necessarily going to the real core of dealing with people who have problems which are sought to be accommodated by the terms of this legislation. I pause to say that people who suffer injury or, worse, are killed as a result of being incidentally involved in a criminal act are those to whom we, as a due society, should pay due regard. We must do what we can, where we can, to accommodate the needs of those people and to make sure that from the perspective of the state we are best able to look after the needs of those individuals, whoever they may be.

#### **Business interrupted pursuant to standing orders.**

## ADJOURNMENT

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

That the house do now adjourn.

### **Schools: vocational education and training program**

**Dr NAPHTHINE** (South-West Coast) — The issue I wish to raise is for the Minister for Education in the other place. The issue is about vocational education and training (VET) in secondary schools across the state. The action I seek from the minister is to provide an allocation of special funding to schools to ensure that neither students and their parents nor the schools are out of pocket as a result of VET programs.

VET programs are very popular and successful in helping senior secondary students gain vocational skills and training which increase their employment prospects as they study engineering, metalwork, building or community services and assist in making school programs much more relevant to their real lives. VET programs also provide pathways to apprenticeships and help tertiary students gain part-time jobs because of the VET accreditation and training they receive. However, I am concerned about the increase in the cost of VET in schools that parents and students have to pay.

I have received a letter from parents in Portland. They represent a number of other parents in the region. The letter says:

Our daughter is in year 11 and doing a VET course at South West TAFE.

Our daughter decided she'd like to do certificate II in community services work ... When she enrolled we believed that the course would cost \$500 (plus normal school fees), we thought expensive, but it's something she'd like to do and we like to give every opportunity to our children.

We paid the \$500 which the school has charged for the TAFE VET course (and for which the school has subsidised the cost). We now have been charged more than \$206 for books (which were discounted), \$100 for a first-aid course and \$28 for a T-shirt and hat that must be worn whilst on work placements. This course has very quickly blown out to over \$800.

Now this is one subject amongst her year 11 subjects. Her school fees of \$1249, plus her book list of over \$507, a total of \$1756.

This is a government secondary school in western Victoria. The letter continues:

... the school heavily subsidised VET courses and the school paid out approximately \$90 000 to cover the cost.

This year school council has not supported the high level of subsidy —

and the costs are being borne by the parents.

This school and these parents are not Robinson Crusoe. There are hundreds of students across south-west Victoria doing a variety of VET courses in both government and non-government schools, and the parents are paying and the students are subsidising, particularly in rural areas, where VET courses are particularly popular.

The Bracks Labor government should put its money where its mouth is. Government members talk about skills training and vocational education and training, but when it comes to VET in schools this government is missing in action. This government is putting the cost back onto parents and students. It is about time this government spoke up, put its money where its mouth is, subsidised VET in schools and provided adequate funding for VET in schools across Victoria.

### **Hampton Park: community renewal**

**Ms GRALEY** (Narre Warren South) — I wish to raise a matter for the Minister for Victorian Communities. I call upon the minister to take action to address problems of disadvantage in Hampton Park, which falls within my electorate of Narre Warren South. Hampton Park is well loved by the locals, but it faces many challenges. Many of the residents of Hampton Park are newly arrived migrants. Not only may they be battling to overcome language difficulties and adjustments to the Australian culture, but they are also cut off from their extended families and other traditional support mechanisms.

The area is characterised by a workforce of people with low unemployment and a determination to work and improve their situations for themselves and their families, but often through no fault of their own they have a limited skill base and are less well paid than residents of other communities. As a consequence many families have both parents out working full time, day and night, which results in a huge dependence upon formal child-care arrangements and parents not spending as much time as they would like with their children.

Hampton Park is within the city of Casey, which is the fastest growing municipality in Victoria. Sixty-five new families move into Casey every week, and many of them make straight for Hampton Park due to its affordable housing. The Hampton Park shopping centre is full of families busy picking up the groceries and battling it out in the very congested car park. It badly

needs an upgrade and local businesses need to work with community members to make sure the facility is more accessible and attractive. At Christmas time the facility hosts Carols by Candlelight — it is a terrific community celebration enjoyed by young and old. More such activities would be beneficial.

The existing local facilities are also stretched to the maximum, with sporting clubs, the community hall and the Hampton Park neighbourhood house experiencing phenomenally high usage. Since the Hampton Park library opened three years ago it has had exceptional support, with massive book-borrowing rates and almost 100 per cent booking rates of its internet facilities.

Last year I attended the 50th anniversary dinner dance of the Hampton Park Progress Association. Community members and their families have dedicated countless hours to improving the quality of life of others and keeping a watchful eye on issues that may impact on Hampton Park. They have a can-do attitude and can boast of a proud record of activism. This is clearly a community in need of new services to meet growing demand and one that is eager to make the most of any new services that are on offer. With this in mind, my request to the minister is that he take action to increase the opportunities for people in Hampton Park, using the enthusiasm of individual community members to revitalise the community as a whole.

### **Water: bores and farm dams**

**Mr DELAHUNTY** (Lowan) — I wish to raise a matter for the attention of the Minister for Water, Environment and Climate Change. The action I request on behalf of the farmers in country Victoria, and particularly those in the Lowan electorate, is that he review the fees for water bore and farm dam applications charged by water authorities and lower them to bring them more in line with those of other states. The issue of fees for water bores was brought to my attention by Auriel John Smith and Patricia O'Connell of Casterton. They were very upset that farmers in western Victoria are placed at a decided disadvantage when compared to farmers in other states. They have contacted other states and have sent me an email, from which I quote:

The Southern Rural Water Authority requires an initial fee of \$510 for each and every bore application made, with an annual renewal fee of \$165, neither WA nor NSW require any fee for bore licences, whilst SA only requires a modest fee of \$62.50.

As members can see, there are many concerns there. They also say in the email:

... farmers are also subject to the high costs of the bore construction itself and ... rely on dam/tank/bore water to sustain their stock and for household use —

as many of them are not able to access the town water supply.

With the help of Jenelle from the parliamentary library I was also able to check out some figures from interstate. The information shows that in Western Australia there are no charges for water bore applications. In South Australia there is one flat fee of \$62. In New South Wales application fees for licences or approvals apply in some cases for stock and domestic bores; the fee is \$48 for an artesian bore licence. In those areas where water-sharing plans have commenced the fee is \$105.69 for an approval for a bore under that state's Water Management Act 2000.

In looking at further information from the library I also found out the fees charged by various water authorities. The Lower Murray Urban and Rural Water Authority charges \$280. The Grampians Wimmera Mallee Water Authority charges \$810 for a commercial licence and \$342 for a stock-domestic water bore licence. The Southern Rural Water Authority charges \$510, as I quoted earlier. The Goulburn Murray Water Authority charges \$420. How can the state government, through its water authorities, substantiate the high cost for each application for water bores?

The other issue is fees for farm dam construction licences. This matter was brought to my attention by Jeanette Goodwin of Edenhope, who sent me a list of fees for farm dam licences which apply at Southern Rural Water. The information shows that an application to construct a new dam or alter an existing dam goes as high as almost \$3000. The cost of an application for alteration to an existing dam where there is no increase in capacity is \$1595, plus various other fees. Again, these fees make it very difficult for farmers to operate in Victoria. With employment activity relying heavily on the agricultural sector, the government must review these figures and lower them to give farmers a chance during this drought.

### **Country Fire Authority: Geelong West brigade**

**Mr TREZISE** (Geelong) — I raise an issue for action by the Minister for Police and Emergency Services that relates to the Geelong West fire brigade, which is currently located in the heart of historic Geelong. The Geelong West fire brigade has been located 100 metres from the Pakington and Autumn street corner for more than 100 years. In its day and historically the brigade would have been ideally located to service the needs of the residents of Geelong West

and surrounds. However, in 2007 it would be fair to say that the Geelong West fire brigade is not now in the most effective location. The action I therefore seek from the minister is that he consult and liaise with the Country Fire Authority (CFA), and specifically the Geelong West fire brigade, to ensure the brigade is relocated in an effective and efficient manner.

As I understand the situation, a new site has been earmarked for the Geelong West fire brigade on McCurdy Road, approximately 3 kilometres from the current site, with the brigade looking to make the shift as soon as is practicable. I can assure the house that the Geelong West fire brigade is a great organisation. As all members would agree, not only the Geelong West fire brigade but all fire brigades — especially the volunteer organisations throughout Victoria — do a magnificent job.

As I said, the Geelong West fire brigade has serviced the area for more than 100 years. Tragically, it was the Geelong West fire brigade that lost five of its volunteer firefighters in the 1998 Linton bushfire. As I have stated in this house on a number of occasions, those five firefighters — Mathew Armstrong, Stuart Davidson, Chris Evans, Jason Thomas and Gary Vredeveltd — will be eternally remembered by their CFA colleagues and the community of Geelong. I can well remember that night in 1998 when the fires at Linton took place. I know that one of my close friends, firefighter Bill Robertson, was in the same convoy as the Geelong West brigade. It was indeed a tragic night.

It is important that the Geelong West fire brigade is relocated. The requirements of a 21st century fire brigade cannot be adequately met on the current site. The current building is essentially in a residential area, as I have said, and 100 metres from the corner of Pakington and Autumn streets, where the traffic is ever increasing. This is an important issue, and therefore I look forward to the minister's earliest action.

### **Middleborough Road, Box Hill: pedestrian footbridge**

**Mr CLARK** (Box Hill) — I raise with the Minister for Roads and Ports the Middleborough Road grade separation project. I ask the minister to take action to restore pedestrian access in the area by constructing a pedestrian footbridge across the railway line to Box Hill Cemetery and restoring a path along the north side of the railway line between Sagoe Lane and Middleborough Road. This is an issue that has been left with the new minister by the previous transport minister. It is due to the last-minute rush by the Bracks government to try to get moving on a promise it made

in the 2002 election campaign to construct this grade separation project, but it failed to take any action until mid-2006; and because of the rush there was no public consultation and no opportunity for public input on the design, leaving a number of serious and ongoing problems.

There has long been pedestrian access across the railway line via a footpath that runs from Sagoe Lane on the north of the railway line to Box Hill cemetery on the south. This pedestrian access is important because there is a lack of car parking near the cemetery. Many people, particularly elderly people, who want to visit loved ones at the cemetery park their cars in Sagoe Lane or alongside Whitehorse Reserve, from where they used to walk across the railway line to the cemetery. Now the line has been lowered about 5 metres by a cutting that has cut off that access. A petition with many signatures was taken up on behalf of cemetery visitors, and copies were provided to the minister, to the Whitehorse council and to me.

I first raised this issue with the previous minister in July last year. The minister's chief of staff replied in September, saying that the railway line would be lowered by 5 metres, that therefore an overpass could not be provided, that instead there would be a new access point at the north-east corner of the cemetery, that parking would be unaffected and that pedestrians could walk to the new access point. Now we see that you could virtually lay a plank across the cutting as it exists and that the reasons previously given for not being able to construct this overpass are unsubstantiated.

The government's tune has now changed, with the new minister's chief of staff replying in January by saying that there is now an 8-metre clearance required from the top of the walkway to the top of the railway lines and raising various other objections relating to land acquisition, design, tree loss and cost. Most of these objections seem to be spurious. You can just look at the site to see that it is perfectly feasible to create a footbridge across it.

To add insult to injury, when the government promised the alternative access point, it needed a path along the north side of the railway line, which VicRoads is now refusing to commit to restoring, meaning that the people who parked there previously will have to walk the long way around via Whitehorse Road and the Box Hill High School to reach the promised access point. In both respects the community has been badly let down. These are problems caused by the previous minister. I ask the new minister not to rely just on departmental or VicRoads advice but to look at the issue for himself.

### **Country Fire Authority: Mernda brigade**

**Ms GREEN** (Yan Yean) — I wish to raise a matter for the Minister for Police and Emergency Services. The action I seek is that he examine the need for a new Country Fire Authority station at Mernda to service the fantastic Mernda CFA brigade. Mernda is a wonderful little town about 30 kilometres from the centre of Melbourne. It has been a great little country town, but it finds itself in a growth corridor. The city of Whittlesea currently has a population of 127 000. That is expected to double by 2030, and the township of Mernda is in the middle of it.

The members of the Mernda CFA brigade are not sitting back and waiting for this development to occur. They are planning for it, and they understand that they need to work with the new communities that are moving in. It is a brigade that is captained by Geoff Weedon, who invited me and the region 14 CFA manager, Jill Metz, to meet with brigade members recently to discuss their future needs in terms of planning to manage the growth and provide better firefighting services in the area.

The Mernda CFA brigade is a brigade in the Whittlesea-Diamond Valley group that punches above its weight. It has provided a number of members every time there has been a strike team throughout the fire season this year, which has been very busy across the state. In recent years I have been on strike teams with lieutenants Brandon Delaney and Adam Kelly on a couple of occasions, and also firefighter Dave Peterson.

This brigade is planning for future growth — the brigade members are improving their training, and they are part of a very young and active brigade — but they have quite poor facilities at the moment. We have a good record in providing new firefighting services in the area. I think Doreen is a model for the provision of new services to growing suburbs. We have seen existing firefighter members who have been in rural brigades being joined by more urban-type firefighters who are now dealing with growing suburbs such as Laurimar in the Delfin subdivision.

With Stockland, Australand and other major developers building in Mernda — and they have shown a lot of support for the local brigade, which is great — I ask the minister to examine the need for a new station there, and I support the Country Fire Authority in its efforts.

### **Planning: Mornington and Mount Eliza land**

**Mr MORRIS** (Mornington) — The matter I raise this evening is for the Minister for Planning in another

place. It relates to the so-called redivision — it is in fact a subdivision — of the green belt between Mornington and Mount Eliza. The action I seek from the minister is twofold. Firstly, I ask him to meet urgently with a delegation comprising representatives from the following groups: the Mount Eliza Association for Environmental Care, Mount Eliza Coast Care, the Mount Eliza Action Group, the Port Phillip Protection Council, the Mornington Environment Group, the Green Wedges Coalition and the Blue Wedges Coalition.

The second action I seek, following that briefing —

**The DEPUTY SPEAKER** — Order! The second part of the action, I think the member means.

**Mr MORRIS** — The second part of the action — I will try not to read my notes; I am getting confused on the way through, to be perfectly frank — is that he protect the green belt between Mornington and Mount Eliza. This is effectively a test case. The green belt, which is all zoned as green wedge, has over 50 years of history and has had bipartisan support. It was first controlled under the Mornington planning scheme, which was established in 1957. The locals had control of that process virtually all the way through up until about 2002, whether through the Western Port Regional Planning Authority, the Western Port Regional Planning Committee or the Mornington Peninsula shire. At all times it was not part of the metropolitan area. Since 2002 it has become part of the metropolitan area.

The old system worked; sadly the new system is not working. I would prefer a much different system, but I am a realist and recognise that we have a system in place and we need to deal with it. The difficulty with this issue is that there are five titles, and they are all large titles. It appears that there is a loophole that allows three small lots of one-thirtieth the minimum lot size to be created. If those lots were created, in effect the entire area would be compromised.

It is not an isolated situation. Because many of the subdivisions along the Mornington Peninsula were done in the late 19th century, there are a lot of titles there, and there is the potential to have several properties right along the peninsula amalgamated, for titles to be collected together and realigned, and for small titles to be created. It is a serious problem. It puts the whole concept at risk, and I ask the minister to act to resolve the issue.

### Markham Reserve: shared pathway

**Mr STENSCHOLT** (Burwood) — I ask the Minister for Roads and Ports to take into consideration the needs of local residents when establishing the Markham Reserve bike trail and walking path, which is intended to connect, under or over Warrigal Road, with the Monash trail along Gardiners Creek.

Firstly, I commend the minister's predecessor for announcing during the last election that a re-elected Bracks government would fund the Markham Reserve bike trail and walking path, which goes along Gardiners Creek. It is in my electorate, and naturally I was there with the previous minister to announce it during the election campaign. It is a magnificent, long-awaited initiative that will be well received.

This very important link is supported by the local community as well as the Monash, Boroondara and Stonnington councils, Bicycle Victoria, the Boroondara bicycle users group chaired by Cr Dick Menting, and the neighbourhood renewal program groups for Ashburton, Ashwood and Chadstone. Planning has been completed for this new trail to go along Gardiners Creek, past the oval, into Markham Avenue and Ashburn Grove, connect with the Anniversary trail and then onto the Gardiners Creek trail, which goes right through to the city. It will be excellent.

However, planning work on the connection between the Monash trail and the Markham Reserve trail is continuing. There is a missing link. There has been much debate about how the Warrigal Road crossing will be effected. Should the trail and walking path go under? Or should it go over? I ask the minister to ensure that the needs of residents, including pedestrians such as elderly walkers, are taken into account when designing the Warrigal Road connect.

Recently I attended a meeting concerning a proposed community garden for the Markham Reserve. A survey showed that many local residents, especially those in public housing, do not have cars. They have to walk across Warrigal Road and up the hill in Ashwood to shop at Safeway. In addition many elderly residents of the Victory Boulevard flats catch the bus down Warrigal Road to Chadstone. Having a safe connection, under or over the road, is very important.

I ask the minister to ensure that any passage under the bridge is safe for pedestrians. This would mean that it should be wide enough for both bike riders and pedestrians, otherwise there is the danger that bike riders travelling at high speeds will knock into pedestrians with limited vision and injure them. It also

needs to be wide enough to allow the two-way passing of cyclists. We also need to ensure that the connecting walkways are properly graded so elderly residents can easily access them and also that there is adequate lighting under the bridge.

Should the passage under the bridge prove not to be feasible, I ask that the minister ensure that any road crossing allows for maximum safety. This could be achieved by reducing the speed limit along Warrigal Road at this spot from 70 to 60 kilometres per hour and ensuring that any lights put there allow maximum visibility for drivers. I ask the minister to make this a top priority.

### **Northern Highway–Warrowtue Road, Heathcote: safety**

**Mr WELLER** (Rodney) — I wish to raise a matter for the attention of the Minister for Roads and Ports concerning one of Heathcote district's most dangerous stretches of road, the Northern Highway–Warrowtue Road intersection.

**An honourable member** — Spell it!

**Mr WELLER** — Deputy Speaker, it is spelt W-a-r-r-o-w-i-t-u-e.

**The DEPUTY SPEAKER** — Order! I did not ask the member to spell it. He should ignore interjections.

**Mr WELLER** — But I thought I would put it in. Last week The Nationals member for Northern Victoria Region in the other place, Damian Drum, and I attended a meeting. Some 20 residents were there, and they explained that they had been campaigning for this intersection to be upgraded for quite a number of years. It needs to be declared a black spot and to get the right amount of funding.

The Heathcote rural ambulance paramedic station officer, Danny Lumby, has suggested that, as a first measure, solar-powered, 80-kilometre-per-hour signage be installed along the roadway prior to the intersection along both approaches so as to warn motorists when traffic is entering ahead. I am committed to working with the Heathcote community to have this intersection declared an official black spot. I understand black spot roads are independently assessed on the basis of collisions, but I hate to think that we must wait for an avoidable tragedy to occur at this site before it is considered to be eligible for funding.

Following the horrific road tragedy that occurred at Donald in September 2006, which claimed the lives of seven people, Victoria Police assistant commissioner

(traffic and transport), Noel Ashby, pledged to review and improve the surrounds of the state's worst roads to avoid a repeat of the tragedy. I hope the government's crash-before-cash policy has been overhauled as a result of this review to ensure that when sites are assessed in the future a greater emphasis is placed on the potential for accidents at roads — —

**The DEPUTY SPEAKER** — Order! Is the member asking the minister to take action to make the road a black spot?

**Mr WELLER** — Yes, I made that clear earlier. A disproportionate number of people are killed each year on country roads, and it is time the situation was addressed. Since 2000, 182 people have died on country roads. The average road toll in regional areas has increased to 189. During the same period the urban road toll has dropped considerably. It is a major concern that all of the improvements to the road toll in recent times have been in the city, and we need to ask ourselves why the country road toll is increasing.

I urge the Minister for Roads and Ports to immediately declare the Northern Highway–Warrowtue Road intersection a black spot and to commit urgently needed funds to upgrade the road and address safety issues at the site.

### **Roads: signage vandalism**

**Mr NARDELLA** (Melton) — My adjournment matter is for the Minister for Roads and Ports. The action I seek is for VicRoads to set up a process for people to report graffiti vandalism on signs and have them cleaned expeditiously. Graffiti vandalism is a blight on society, and some of the worst examples can be dangerous. VicRoads signs that have been vandalised are in this category. The graffiti sometimes completely covers signs, and some signs are covered in broken egg.

People can see the signs that have been painted, but both the speed and advisory signs are obstructed by people having thrown eggs at them. The eggs coagulate and at night the reflective signs become non-reflective, which makes them very dangerous.

**Mr Robinson** interjected.

**Mr NARDELLA** — No, I will come to the road in a moment. You cannot see the eggs on the signs during the day, but at night they can make them difficult to read. Some of the signs — for example, those on the Western Highway between Melton and Bacchus Marsh — have been graffitied on the back. These should be identified and then cleaned by VicRoads.

Society despises graffiti vandalism. When the member for Bass was chairing the Crime Prevention Committee, it did a report on graffiti vandalism.

**Mr Robinson** — On eggs?

**Mr NARDELLA** — Not on eggs, no, but on graffiti vandalism, which affects the ambience and the amenity of the local communities where the signs are located.

We must be quick to attack graffiti. That not only discourages further vandalism but also stops vandals from getting their rocks off through seeing the product of their illegal activities. It is the only way to tackle the problem.

*Honourable members interjecting.*

**Mr NARDELLA** — No, they do not get their rocks off with eggs, but they do get their rocks off by seeing the product of their work.

Many councils have been encouraged to implement anti-graffiti programs. VicRoads should do the same. It has workers and officials constantly using these roads; as a minimum they could report graffiti vandalism. People should be encouraged to report vandalism to VicRoads. VicRoads does a great job with its program, and that would top it off. On the Western Highway it has a sign telling people to report to VicRoads debris on the road. That reporting should be extended to include graffiti. I urge the minister to take appropriate action.

### Responses

**Mr BATCHELOR** (Minister for Victorian Communities) — The member for Narre Warren South raised with me the issue of disadvantage. I agree about the issue of disadvantage in Hampton Park in her electorate. I agree with her analysis of the issues faced by the Hampton Park community, and I am proud to report that the Bracks government has selected Hampton Park as a suitable location for the operation of its community renewal program.

This program was committed to in *A Fairer Victoria*, and it aims to address place-based disadvantage in targeted urban communities. It does this by bringing together residents, businesses, community organisations, and local and state government to help them — together — transform a suburb into a place of opportunity and activity. In short, it really empowers the locals with the authority to come up with solutions to local issues and decide the future direction of their community.

The way the community renewal model works is that, in the case of Hampton Park, the Casey City Council will be allocated more than \$600 000 over three years. It will be asked to use this to employ a community renewal manager and support staff, who will bring local residents, the different levels of government and community organisations together so they can cooperatively develop an action plan for their community. The council can then apply for further grant funds for tangible projects that the community has identified — through that process earlier identified — as something it would like to see happen.

Community renewal aims to do a number of things, including: ongoing community involvement in local decision making; new jobs and learning opportunities; increased neighbourhood volunteering and support; better community facilities and open spaces; greater involvement in cultural, recreational and sporting events; and improved feelings of safety and personal wellbeing. It will achieve these goals by allowing residents to attend regular meetings to set directions for the program and choose the most important and useful local actions and by creating new local services which will in turn create jobs and training opportunities. It will also achieve these goals by allowing residents to get involved in new community programs and volunteer their services and by providing the opportunity to upgrade public spaces so more people can use them.

Things such as family fun days, fairs, festivals, community performances and public art displays will help brighten the community spaces and encourage residents to spend more time with their families and friends in their local community. With new sporting facilities and community events, more people are out and about in the streets and in the parks and stronger bonds are therefore built between community members. This helps make the neighbourhoods they live in safer places in which to live.

These outcomes are what the residents of Hampton Park can look forward to. Most importantly, they will be made possible through their own participation and from their own ideas. It is important to recognise that it is their own participation and involvement that will stimulate these ideas and lead to the greater success of these community-building initiatives. The program will ensure that Hampton Park continues to be a place where people really want to live and raise a family, and I look forward to officially launching the Hampton Park project in the months ahead. I hope to see the member for Narre Warren South there with me on that day.

**Ms ALLAN** (Minister for Skills, Education Services and Employment) — The member for South-West

Coast raised for the attention of the Minister for Education in the other place the matter of vocational education and training in schools, which is an area I am also very interested in, as the Minister for Education and I share portfolio responsibilities in this area. However, it is about vocational education and training in schools, and it is raised with the Minister for Education. I am sure he will respond to the member's matter in due course.

The member for Lowan raised a matter for the Minister for Water, Environment and Climate Change regarding fees for water bores and farm dams, which will be referred to the minister for his response.

The member for Geelong and the member for Yan Yean raised matters for the Minister for Police and Emergency Services regarding fire stations at Geelong West and Mernda respectively. They will be referred to the Minister for Police and Emergency Services.

The member for Mornington raised a matter for the Minister for Planning in another place regarding a meeting with a delegation of people in his electorate about a redivision. That matter will be referred to him for his response.

The Minister for Roads and Ports was very popular this evening and had matters raised by the members for Box Hill, Burwood, Rodney and Melton. Those matters will be referred to the minister for his response.

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

**House adjourned 10.35 p.m.**

