

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE ASSEMBLY**

**FIFTY-SIXTH PARLIAMENT**

**FIRST SESSION**

**Wednesday, 14 February 2007**

**(Extract from book 2)**

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# CONTENTS

## WEDNESDAY, 14 FEBRUARY 2007

PARLIAMENTARY LEGISLATION AMENDMENT BILL	
<i>Introduction and first reading</i> .....	227
VICTIMS OF CRIME ASSISTANCE AMENDMENT BILL	
<i>Introduction and first reading</i> .....	227
PETITIONS	
<i>Gas: Phillip Island supply</i> .....	227
<i>Nepean Highway–Truemans Road, Tootgarook: safety</i> .....	227
<i>Boating: life jackets</i> .....	227
DOCUMENT .....	227
MEMBERS STATEMENTS	
<i>Ray Yates</i> .....	228
<i>Federation Square: rainwater tanks</i> .....	228
<i>Australia Day: Yan Yean electorate awards</i> .....	228
<i>Drought: Korong Vale general store</i> .....	228
<i>Tom Morrison</i> .....	229
<i>Manningham: bicycle strategy</i> .....	229
<i>Balibo Five</i> .....	229
<i>Mornington Peninsula: sewerage program</i> .....	230
<i>Human Values Festival</i> .....	230
<i>Chinese community: year of the pig</i> .....	230
<i>Country Fire Authority: Gippsland brigades</i> .....	230
<i>Friends of the Plenty River</i> .....	231
<i>Housing: Yarra Valley</i> .....	231
<i>Schools: Frankston electorate</i> .....	232
<i>Bayswater South Primary School: languages program</i> .....	232
<i>Wantirna Primary School: air conditioning</i> .....	232
<i>Lindsay King</i> .....	232
<i>Planning: Mornington and Mount Eliza land</i> .....	233
<i>St Francis Senior Citizens Club, Mill Park</i> .....	233
<i>Water: Gippsland</i> .....	233
<i>Schools: Burwood electorate</i> .....	233
<i>Australian Organ Donor Awareness Week</i> .....	234
GRIEVANCES	
<i>Public transport: management</i> .....	234
<i>Capital punishment: abolition</i> .....	237
<i>Bushfires: response</i> .....	239, 249
<i>Water: Keilor retarding basin</i> .....	242
<i>Bushfires: impacts</i> .....	244
<i>Climate change: Liberal Party policy</i> .....	247
<i>Police: government record</i> .....	249
<i>Education: federal policy</i> .....	251
STATEMENTS ON REPORTS	
<i>Environment and Natural Resources Committee: production and/or use of biofuels</i> .....	254, 255, 257
<i>Law Reform Committee: de novo appeals to the County Court</i> .....	255
<i>Public Accounts and Estimates Committee: report 2005–06</i> .....	256, 257
MURRAY-DARLING BASIN AMENDMENT BILL	
<i>Second reading</i> .....	258, 269, 304
<i>Remaining stages</i> .....	304
DISTINGUISHED VISITOR .....	261
QUESTIONS WITHOUT NOTICE	
<i>Crime: incidence</i> .....	261
<i>Bushfires: response</i> .....	261, 264
<i>Roads: rural and regional Victoria</i> .....	263
<i>Police Association: pre-election agreement</i> .....	265
<i>Bushfires: prevention</i> .....	265
<i>Police Association: WorkSafe assessment</i> .....	266
<i>Bushfires: tourism</i> .....	266
<i>Rail: freight network</i> .....	267
<i>Bushfires: local government</i> .....	268
CONTROL OF WEAPONS AMENDMENT (PENALTIES) BILL	
<i>Second reading</i> .....	292
GOVERNOR'S SPEECH	
<i>Address-in-reply</i> .....	304
ADJOURNMENT	
<i>Flinders: jetty upgrade</i> .....	325
<i>Racing: rule harmonisation</i> .....	325
<i>Bushfires: government assistance</i> .....	326, 328
<i>Cancer: Avastin</i> .....	326
<i>Buses: Bulleen service</i> .....	327
<i>Police: Operation Nightlife</i> .....	328
<i>Country Fire Authority: Christmas Hills brigade</i> .....	329
<i>Buses: Bass electorate</i> .....	329
<i>Youth: transition support workers</i> .....	330
<i>Responses</i> .....	330



**Wednesday, 14 February 2007**

**The SPEAKER (Hon. Jenny Lindell) took the chair at 9.34 a.m. and read the prayer.**

**PARLIAMENTARY LEGISLATION  
AMENDMENT BILL**

*Introduction and first reading*

**Mr BRACKS (Premier) introduced a bill for an act to amend the Parliamentary Committees Act 2003 and the Parliamentary Salaries and Superannuation Act 1968 and for other purposes.**

**Read first time.**

**VICTIMS OF CRIME ASSISTANCE  
AMENDMENT BILL**

*Introduction and first reading*

**Mr HULLS (Attorney-General) introduced a bill for an act to amend the Victims of Crime Assistance Act 1996 to increase the amounts of special financial assistance that may be awarded under that act and for other purposes.**

**Read first time.**

**PETITIONS**

**Following petitions presented to house:**

**Gas: Phillip Island supply**

To the honourable the Speaker and Members of the Legislative Assembly in Parliament assembled:

The humble petition of the undersigned citizens of the state of Victoria sheweth that the natural gas be made available to residents of Phillip Island.

Phillip Island is one of Victoria's and Australia's major tourist destinations and it is a community which is consistently growing. There is ample support for this service to be established in this thriving community.

Your petitioners therefore pray that the Bracks state government supports the establishment of natural gas on Phillip Island, Victoria, as a matter of utmost urgency.

And your petitioners, as in duty bound, will every pray.

**By Mr K. SMITH (Bass) (100 signatures)**

**Nepean Highway–Truemans Road,  
Tootgarook: safety**

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of the undersigned citizens of the state of Victoria sheweth that the intersection of Point Nepean Road and Truemans Road in the suburb of Tootgarook is unable to safely cope with the peak tourist season traffic volume between the months of September and May.

It is often difficult to see oncoming traffic when entering Point Nepean Road from Truemans Road and during the peak tourist season it is not uncommon for traffic to bank up Truemans Road for kilometres contributing directly to both increased driver stress and irrational risk-taking behaviour.

Your petitioners therefore pray that the minister for transport fund the installation of either a set of traffic lights or roundabout at the intersection of Point Nepean Road and Truemans Road in the suburb of Tootgarook as a matter of urgency.

And your petitioners, as in duty bound, will ever pray.

**By Mr DIXON (Nepean) (55 signatures)**

**Boating: life jackets**

To the Legislative Assembly of Victoria:

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

**By Mr INGRAM (Gippsland East) (243 signatures)**

**Tabled.**

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

**Ordered that petition presented by honourable member for Bass be considered next day on motion of Mr K SMITH (Bass).**

**Ordered that petition presented by honourable member for Nepean be considered next day on motion of Mr DIXON (Nepean).**

**DOCUMENT**

**Tabled by Clerk:**

*National Parks Act 1975* — Report on the Great Otway National Park under s. 17

## MEMBERS STATEMENTS

**Ray Yates**

**Mr MERLINO** (Minister for Sport, Recreation and Youth Affairs) — I want to take this opportunity to congratulate Ray Yates on being awarded the Shire of Yarra Ranges 2007 Citizen of the Year at the recent Australia Day awards function. The award could not have gone to a more deserving individual.

Ray's achievements and activities are too extensive to list in a 90-second statement, but here are just a few. He was a Shire of Lilydale councillor for more than 20 years, including two terms as shire president in 1977–78 and 1992–93. Ray was heavily involved in the construction of the Kilsyth sports centre, the visionary development of Lilydale Lake, the establishment of Japara Community House, heating and covering centenary pool, and the construction of the Montrose town centre. Over many decades Ray has served on a multitude of organisations, including being an inaugural member of the Upper Yarra Valley and Dandenong Ranges Authority, the Lilydale museum trust and the fire prevention committee.

In addition to this incredible community workload, Ray has been the principal of Monbulk Primary School for, I think, well over 30 years. After all these years Ray is still pursuing excellence and innovation in education. He also has an incredible memory and can recall the names of students he may have taught 20 years earlier.

Over the last two years I have worked closely with Ray as he pursued another vital community building project — that is, the development of a community health facility in Monbulk. Ray's passion, vision and tenacity have paid off. The project will go ahead with combined funding of over \$3 million from the school community, the shire and the Bracks government. Congratulations, Ray, on your well-deserved award.

**Federation Square: rainwater tanks**

**Ms ASHER** (Brighton) — I draw to the attention of the house the stupidity of the Bracks Labor government's approach to water recycling. Freedom of information documents show that rainwater tanks holding 300 000 litres were deleted from the Federation Square design so that the government could save \$350 000. If they had been installed the tanks would have collected 4.5 million litres in an average rainfall year, and 2.8 million litres last year. After having made this stupid decision the government, via Federation Square Pty Ltd — a government-owned company — conducted a feasibility study at an unknown cost on the

installation of tanks to collect water from the Federation Square roof. It will spend \$100 000 itself to install tanks now, and has received a federal government grant of more than \$109 000 to save 4.5 million litres a year of water to flush toilets. The original purpose for the tanks was far broader than that.

On top of this the government will pay for another 10 water tanks for diversion of stormwater for site cleaning at an unknown cost, so the taxpayer has paid for the tanks anyway. We have wasted four years of rainwater, which means that over 18 million litres of rainwater have been wasted, and Federation Square is now one of the top 200 water users in the state. The taxpayer has ended up paying for these tanks anyway.

**Australia Day: Yan Yean electorate awards**

**Ms GREEN** (Yan Yean) — Today I want to pay tribute to the many deserving members of my community who were honoured on Australia Day. Sam Ginsberg of Cottles Bridge was awarded the Medal of the Order of Australia for service to the community through the provision of humanitarian assistance and voluntary psychological services. Ian Munro of Nutfield, whom many members in this place would know through his senior role at the Department of Innovation, Industry and Regional Development, was awarded a Public Service Medal in the Australia Day honours.

My community has a great day on Australia Day, celebrating the work of the many volunteers. Award ceremonies are held by the Shire of Nillumbik, the City of Whittlesea and the City of Whittlesea Australia Day Committee, and also the federal member for Jagajaga, Jenny Macklin, has her own Jagajaga awards.

The various people that were honoured in those various ceremonies were Sue Cotchin of Wollert, Senior Sergeant John Horton, Alison Eden of Eden Park, Ruth Chapman of Doreen, Thelma Barkway of Eltham, Daniel Froebel, Carolyn Mellor, Ida Brown, Alison Buist, Lindsay Enderby, Peggy Enderby, Andrew Evans, Violet Forber, Fay Gravenall, Ellen Smiddy, David Snowden, Kaye Nailer, Yvonne Nobes, Adele Phillips, Glynn Pritchard, Sharon Naughton, Lee Webb, Diane Morgan and Pennie Puckey, and the Hurstbridge Community Bank received the community award. Well done to all those fantastic people for the work they do for our community throughout the year.

**Drought: Korong Vale general store**

**Mr WALSH** (Swan Hill) — I raise the plight of small businesses that grease the wheels in our smaller

country communities and provide vital services. The wellbeing of country people and their connection with each other depends on the friendly transactions that occur daily in and around the general store. Sadly, we are losing these one-stop businesses — a loss hastened by drought. They are the key to the survival and prosperity of a country town.

The Korong Vale general store is a good example. It is the only retail business in town besides the pub. It is the newsagent, V/Line bus ticket agent, post office, milk bar, grocery store, local takeaway food store and tourist information centre. It is the drop-off and pick-up point for freight. It handles prescriptions and medications that must be sent from the nearest pharmacy, which is 35 kilometres away in Boort. Its owners deliver newspapers to outlying farms, and groceries to elderly farm folk who no longer drive. It is the local meeting place — everybody wants a yarn when they come in to pick up their papers. Its windows are plastered with upcoming events, clearance sales, sporting lists, meeting notices and general goings-on.

The state government drought task force should establish criteria for assisting these vital businesses. They would need to be in an exceptional circumstances declared area, would need to be the only business in town supplying essential services and would need to be a designated distance from a larger town. Make no mistake: when these country businesses shut up shop, the fabric of a community quickly unravels.

### **Tom Morrison**

**Mr TREZISE** (Geelong) — I take this brief opportunity to mark the passing of a fine man who devoted much of his life to championing the cause of the needy and disadvantaged within the Geelong community. Tom Morrison passed away on Thursday, 14 December 2006, following a battle with cancer. Tom was born in Scotland in 1950 and emigrated to Australia — more specifically, to Geelong — with his family when he was a child.

Having grown up in Geelong, Tom Morrison was very much a part of our community. Testimony to this was the fact that hundreds of people attended his funeral. There were people from all walks of life who came to know Tom as a person who dedicated his working life and, may I say, much of his own time to pursuing justice and a fair go for those who were disadvantaged.

As a community worker Tom worked for a number of community agencies including the Barwon tenants advice service, the Barwon Region Housing Council, Jindara community services and, finally, Diversitat. As

I said, Tom also did hour upon hour of voluntary work, in particular helping people with drug and alcohol-related problems.

Tom Morrison was passionate about social justice and a fair go for everybody. He fought for the rights of disadvantaged people with untiring enthusiasm. Tom Morrison was a true gentleman who will be missed by many. This world, especially the community of Geelong, will be the poorer for his passing.

My condolences go to his devoted wife, Margaret, and his five loved daughters and their families.

### **Manningham: bicycle strategy**

**Mr KOTSIRAS** (Bulleen) — The Manningham City Council has a bicycle strategy in place that aims to develop a framework to facilitate the effective implementation of bicycle facilities throughout Manningham.

Keys to the strategy are the five-year capital works program, management frameworks and an educational, safety and promotional strategy. Some \$1.8 million will be provided by the council, but an extra \$5 million needs to be found from external funds. If this strategy is implemented, it will significantly improve the safety, health and wellbeing of the residents in Manningham and provide residents with an alternative mode of transport, thereby reducing car emissions, bicycle casualty crashes and, possibly, congestion. In order to achieve this the government must provide funding for the strategy through VicRoads and Parks Victoria. Unless this government is prepared to provide money instead of its hollow rhetoric, Victorians will not have the opportunity to participate in activities that will assist with their living healthy lifestyles.

The obesity epidemic in Victoria, especially among our young, continues to be a threat to our nation's health and future health budgets. Encouraging our children to ride bikes not only gets them active but also gives them a greater understanding of road laws, which will assist them when they learn to drive. I therefore call on this government to provide \$5 million to the Manningham City Council to assist in funding the Manningham bicycle strategy. I hope the minister takes this on board and provides the funding to the Manningham City Council.

### **Balibo Five**

**Mr HUDSON** (Bentleigh) — The current New South Wales coronial inquest into the death of Brian Peters at Balibo in East Timor on 16 October 1975 gives some hope that the Australian public will at last

learn the truth about what happened to the five Australian-based journalists on that fateful day.

The Balibo Five had travelled to East Timor to see whether they could gather evidence that the Indonesian military was engaged with and supporting pro-Indonesian integration forces to destabilise the country as a prelude to a full-scale Indonesian invasion in December 1975. The Indonesian military was well aware of the presence of the five Australian-based journalists in the Balibo area, because they had the capacity to intercept Fretilin radio communications.

Following the Indonesian forces attack at Balibo on 16 October 1975, the question in dispute has been about the circumstances which led to the deaths of Greg Shackleton, Tony Stewart, Gary Cunningham, Malcolm Rennie and Brian Peters. The Indonesian military has always claimed that the five were accidentally killed in crossfire, but there has always been a substantial body of evidence, including from the Defence Signals Directorate, that they were deliberately targeted for execution because the Indonesian military did not want their involvement in the initial stage of the invasion of East Timor to be transmitted to the world, as it would reveal its role in creating the conflict and instability in East Timor that would provide the pretext for the Indonesian invasion.

### **Mornington Peninsula: sewerage program**

**Mr DIXON** (Nepean) — Thousands of old, leaking septic tanks are ruining the groundwater on the Mornington Peninsula and leeching effluent into Port Phillip Bay, Western Port and Bass Strait. The backlog of sewerage projects for the Mornington Peninsula will take up to 40 years to complete at the current rate.

The vast majority of the Tootgarook, Rye, Blairgowrie, Sorrento, Portsea, Red Hill, Flinders, Shoreham, Port Leo, St Andrews and Cape Schanck areas are still not sewered. The waste of approximately 40 000 people — and up to 100 000 in summer — is seeping into our environment and doing major damage. Many of the current septic tanks are decades old and pose not only a contamination risk for the environment but also a potential health hazard to peninsula residents and visitors. New homeowners have to install sewage treatment plants that add substantially to the cost of a new home.

Some residents have complained to me that local bore water is now starting to smell of sewage, as the Nepean aquifer is under enormous stress. I call on the government to accelerate the backlog sewerage program on the peninsula for the sake of the

environment and the health of the people of the Mornington Peninsula. We not only have to put up with the Gunnamatta outfall polluting our beaches but we are also inflicted with virtually no sewerage infrastructure for our own waste. Forty years is too long to wait to have what the rest of Melbourne takes for granted — that is, basic sanitation and sewerage infrastructure.

### **Human Values Festival**

**Ms MORAND** (Mount Waverley) — I would like to acknowledge the hard work of Amity Australia in putting together the Human Values Festival. This event was held on Sunday at Federation Square and featured many different multicultural music and dance performances, including Greek dancing, Brazilian music and a great Bollywood performance. It was a great effort on the part of the organisers to put together this event, which they hope will become an annual event.

### **Chinese community: year of the pig**

**Ms MORAND** — I also wish all the Victorian Chinese community members well for the year of the pig. The year of 2007 starts on 18 February, this Sunday, and the evening of 17 February is a very important celebration for the Chinese community. According to the Chinese lunar calendar the year of the dog will finish at midnight on the 17th and the Chinese community will welcome the year of the gold pig. I am informed by my Chinese friends that it is not just a simple year of the pig. As the Chinese attempt to bring more luck and happiness whenever mentioning the year, it may be referred to as the 'gold pig' or 'fire pig'.

The year of the pig always symbolises a harvest year or a wealthy year. In the traditional New Year decorations, paper cuttings and window stickers, pigs normally appear with money symbols or gold ingots. In fact many Chinese believe that if their children are born in the year of the pig, they will somehow have a more wealthy life. The Chinese have found that a great number of Chinese couples got married last year in the hope of having a child this year, the year of the pig. So I send best wishes to the Chinese community for the year of the pig.

### **Country Fire Authority: Gippsland brigades**

**Mr NORTHE** (Morwell) — I rise firstly to congratulate the Country Fire Authority (CFA) volunteers in the Morwell electorate who have served their community tirelessly over the summer period. I thank them on behalf of the Latrobe Valley community.

But on a more sombre note I rise to express my concern on behalf of local CFA volunteers about the standard of equipment and condition of facilities at local brigades. I have inspected local facilities at the invitation of CFA volunteers, and I believe there is an urgent need to upgrade working conditions for volunteers. The facilities at Toongabbie, Cowwarr and Traralgon East — to name just a few — require immediate improvements. At a time when it is difficult to attract and retain volunteers, the basic facilities such as toilets and change rooms are non-existent.

Some of the smaller communities in Gippsland cannot be expected to raise funds to provide basic amenities at a time when much of the region has been affected by drought and fires. Many volunteers currently utilise personal vehicles and equipment to assist in their firefighting duties. The personal cost of purchasing two-way radios, for example, is a barrier to involvement in the service and a significant cost burden on these outstanding volunteers.

I urge the government to undertake an audit of facilities across CFA brigades in Gippsland with a view towards a major funding program for immediate upgrades. Finally, I urge the government to reassess its opposition to providing emergency service volunteers with incentives such as free personal vehicle registration in recognition of their vital service to the community. The Nationals support the system of free vehicle registration and third-party insurance for emergency service volunteers as a means of boosting volunteering numbers and recognising the service they provide.

### **Friends of the Plenty River**

**Mr BROOKS** (Bundoora) — I wish to commend the work of volunteers who form the Friends of the Plenty River and who, with the support of the Banyule council bush crew, work to revegetate the riparian and understorey vegetation along the Plenty River. The Plenty River is an important tributary of the Yarra River and while it has been affected by the drought conditions, it is an important environmental and recreational resource in the local area as well as forming the boundary of my electorate and that of the member for Eltham.

I have been aware of the work and efforts of many volunteers along the Plenty River over the years and have participated in a number of planting and clean-up days, so I have firsthand knowledge of the steep river banks and the extent of effort involved in weed control and replanting work.

In particular I would like to mention the determination and energy of the Friends' coordinators, Alice and Kevin Ley, who have been central to the effectiveness of these volunteer activities. The Friends of the Plenty River have been operating for around 11 years and hold monthly working bees, especially around the Yallambie and Lower Plenty areas. Their work has greatly improved the waterway environment and importantly provided a wildlife corridor habitat and erosion protection along this significant waterway. Alice and Kevin Ley have also participated in Waterwatch Victoria and various other community activities to promote the importance of waterway conservation and rehabilitation. It is certainly a pleasure to walk along the Plenty River Trail and see the effectiveness of the work of volunteers, and I thank all those who have contributed.

### **Housing: Yarra Valley**

**Mrs FYFFE** (Evelyn) — The mismanagement and lack of action by this government in providing housing for needy, low-income families in the Yarra Valley is appalling. A spokesperson for the Minister for Housing was quoted recently in a local paper as having said that the Yarra Valley was a priority area and the state government had boosted resources. I say to the minister, 'Come out with me on any night and tell that to the homeless families and young people with nowhere to go'. Many homeless people are forced to sleep wherever they can find a space, often in unregistered cars. We have people living and sleeping at the Lilydale Lake. At the nearby skate park a convoy of cars arrives most nights — they see safety in numbers.

In one case there were five young children, including a baby, in a car. The police have said a woman lived outside Lilydale police station, on and off, for two months. I had a woman of 55 in my office crying because she had nowhere to go. All she wanted was a roof over her head. She had spent months moving between friends' and relatives' homes. A property manager from a real estate agency came to see me in distress. Once again she had to evict a mother and children for non-payment of rent. The real estate agent hated doing it; she knew they had nowhere to go.

This government, through its planning and taxing policies, is making it impossible for young families to afford to buy a home and is driving away property investors. These people cannot find private rental, and it is too expensive when they do; it takes up all their income. The minister needs to look at the situation.

### Schools: Frankston electorate

**Dr HARKNESS** (Frankston) — Frankston's schools are lucky to have a friend in the Bracks government. Since my election as the local member in 2002, funding for schools in Frankston has dramatically increased. Key projects include the modernisation of Derinya Primary School, construction of the state-of-the-art MAX learning centre at Karingal Park Secondary College, the upgrade of Frankston High School's junior campus and many others too numerous to list individually.

The Bracks government committed at the recent election to modernising every Victorian government school within 10 years, with an investment of \$1.9 billion. This is the largest school rebuilding program in the post-World War II baby boom. Of course this program would only be funded by the Bracks government. Acknowledging that learning has changed dramatically in the last half-century, schools that were built in the 1950s will be replaced or upgraded, and new schools will be built for our growing outer suburbs.

I am pleased to announce that Karingal Park Secondary College will be amongst the first schools in Frankston to be modernised. It will receive a major upgrade by 2009. The Bracks government recognises that the children of today are the adults of tomorrow and that we need to ensure we have a well-skilled and educated future workforce. Constructing modern classrooms is a major step towards this goal.

Another excellent initiative announced during the recent election campaign is free-fruit Fridays, which will enable all primary school children from prep to grade 2 to be offered free fruit on Fridays as part of the Bracks government's continuing fight against obesity. I look forward to these exciting initiatives being implemented across Frankston, and as always I will continue to stand up for Frankston's schools.

### Bayswater South Primary School: languages program

**Mrs VICTORIA** (Bayswater) — For the last 25 years the students from Bayswater South Primary School have graduated from year 6 fully bilingual in English and German. Last year this government slashed the funding of this program but temporarily reinstated it in an election stunt after much local media attention. It is an absolute disgrace that this brilliant program will now end with this school year.

I urge the Minister for Education in the other place to visit this lighthouse school, learn about its unique, internationally renowned program and use common sense. The children of Bayswater deserve the chance to excel at a language. I ask the minister to provide ongoing funding so that these students can continue to gain skills which will see them able to compete in global markets in years to come.

### Wantirna Primary School: air conditioning

**Mrs VICTORIA** — Another school in my area, Wantirna Primary School, also needs the minister's attention. I visited the 130 young students there this week and was astounded that at least four of their senior classrooms were totally inadequately cooled. Larger schools in my electorate have modern air conditioning, but these poor students were trying to concentrate in most uncomfortable circumstances. I call on the minister to conduct an immediate audit of the cooling systems at Wantirna Primary School so that these children have the opportunity to learn in comfort — not next year but this year.

### Lindsay King

**Mr PERERA** (Cranbourne) — I rise today to pay tribute to a local community champion, Lindsay Ryan King, who passed away on 7 February 2007 at the age of 79. His passion was consolidated in music, tourism and the history of the pioneers. He combined those interests over the last 30 years or so and created a pioneer bush band. He recorded music and played at Australia Day fairs, the Royal Melbourne Show, hospitals, schools and festivals to promote the pioneers' way of life, their skills and music.

He was well known within the city of Casey as a tourist advocate, town crier and coordinator of the pioneers bush band and skills presentations. He was involved in one way or another with the organisation of Australia Day celebrations and the grand prix motorcycle wave-off in Cranbourne, as well as the Tooradin fishermen's cottage project and the Cranbourne Historical Society.

This fourth-generation Australian was born on 27 July 1927. In 1998 he moved to Cranbourne with his wife, Margaret Jean Webster, whom he married in 1946 at Beechworth. Lindsay was a man full of energy and enthusiasm and never shied away from advancing tourism in Cranbourne. He was King by name and a king by nature. Lindsay will be dearly missed not only by my staff and me but also by the residents of Cranbourne and the city of Casey.

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

**Mr MORRIS** (Mornington) — Last Sunday morning over 250 people attended a public meeting to protect the open space between Mount Eliza and Mornington and to oppose a boundary realignment that, if it proceeds, will fatally compromise the green belt. Two properties are affected: the historic Norman Lodge mansion, built in 1863; and Gunyong Valley, the former home of Sir Reginald Ansett. Both properties adjoin Port Phillip Bay and have titles that run to the high-water mark.

For three years the Bracks government has ignored the Victorian community and refused to consider purchasing the land. Now we face a de facto subdivision. In a zone that demands a minimum lot size of 40 hectares, three of the five new blocks will be less than one-thirtieth of that; but under the government's green wedge planning rules the council must consider the application. If the council refuses it, it will end up at the Victorian Civil and Administrative Tribunal, and we all know what will happen then. The meeting resolved almost unanimously to ask the council to reject the application and to start a process to acquire the land.

There is no doubt that the Bracks government's refusal to reclaim the foreshore for all Victorians, combined with its ineffectual planning laws, will make certain the destruction of the peninsula's green belt. Meanwhile the community and council are being left to pick up the pieces.

### **St Francis Senior Citizens Club, Mill Park**

**Ms D'AMBROSIO** (Mill Park) — I want to share with the house my visit last Sunday to the St Francis Senior Citizens Club in Mill Park. This club serves the local Philippine community in my electorate and is one of several regional associations that have sprung up since the Filipino Association of Victoria was officially established in the late 1950s. On Sunday the community celebrated Valentine's Day and 10 years of service for several committee members. The event also celebrated the 10th anniversary of the local association, with an abundance of traditional Philippine dishes provided after mass, which is the usual practice at the local church. There were representatives from the Footscray association, who were invited to share in the celebrations.

I was very honoured to be present on behalf of the club to present certificates of recognition to several members of the association who have served 10 years on the committee. The recipients were the immediate past

president, Federico Mungcal; treasurer Lucia Uy; coordinator Celia Mungcal; and adviser Connie San Jose.

Sunday's event also celebrated Valentine's Day. A guest speaker, Dr Rey Tiquia, gave a talk on traditional Chinese medicine and healthy living. I was pleased to present the club with a cheque for \$1100 from the Victorian Multicultural Commission to assist with the club's ongoing activities. This club expressed its great appreciation of the state government's recently announced funding increase, from \$3 million to \$4 million, to the VMC.

### **Water: Gippsland**

**Mr BLACKWOOD** (Narracan) — I stand to condemn the Minister for Water, Environment and Climate Change for the utter contempt he has shown toward Gippsland farmers experiencing the worst drought in their lifetime. The minister for water has allowed 2000 megalitres of unallocated water from the Blue Rock Dam to be auctioned on the internet by a private company called Watermove. He has allowed a reserve price of \$70 a megalitre to be applied when farmers are currently paying between \$15 and \$20 a megalitre. This is all at a time when Gippsland farmers have had their water entitlements slashed by at least 45 per cent. Most farmers are buying in extra feed at \$800 per head and stock water at \$250 a day just to keep their production going and their herds intact.

I call on the minister to stop this blatant profiteering at the expense of vulnerable farming families and to take this opportunity to show some genuine concern for and offer tangible relief to our desperate farmers by offering the spare capacity in Blue Rock Dam to irrigators at the normal price of \$15 to \$20 a megalitre.

### **Schools: Burwood electorate**

**Mr STENSHOLT** (Burwood) — I wish to put on record in the Victorian Parliament our appreciation for the great work that teachers do in educating our children. Students have gone back to school in the last few weeks, and I know that the teachers in our local schools are keen and committed. These schools include Hartwell Primary School, which the Premier and I visited last November to announce that the new junior school would be built as part of our commitment to modernise all schools in the state. Surrey Hills and Roberts McCubbin primary schools are two more very good schools which are also planning upgrades. I will be visiting both these schools later this week to hear about their plans.

New classrooms have been installed at Wattle Park Primary School, and I must admit that the new style of demountable classroom is very good. Solway Primary School, which has also been funded for a makeover of the toilet block, and Ashburton Primary School are also great local schools. Ashburton Primary School has its fete next month, and I urge all members to come along. The Solway Primary School community has been supportive on issues such as climate change. Other schools include Parkhill Primary School, with its great community garden, and Glen Iris Primary School, where stage 2 of its building program is under way.

There are also a number of Catholic schools in my electorate which all do great job. They are St Scholastica's in Bennettswood, St Michael's in Ashburton, St Dominic's in Camberwell, St Benedict's in Burwood and St Mary Magdalene's in Jordanville. At the secondary level there are Emmaus College in Burwood, Siena College in Camberwell and Salesian College in Chadstone. Finally, I will also mention Presbyterian Ladies College, Kingswood College, St Andrew's, Mount Scopus, Ashwood School and Ashwood College, where the state government is providing a grant of \$1 million towards a new arts centre. They are all great schools, and I thank the teachers, who do a magnificent job.

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

### **Australian Organ Donor Awareness Week**

**Ms CAMPBELL** (Pascoe Vale) — Next week is Australian Organ Donor Awareness Week. The stark reality of the fragility of human life hits home when a previously apparently healthy 40-year-old family member is hooked up to life-sustaining machines. Organ donation discussions are best held in the calmness of good health. I urge each and every member to get their electorate office resources behind this wonderful campaign to raise donation rates and to promote the registration of consent on the Australian organ donor register (AODR). Some 100 Australians may die this year waiting for organ transplants, and 1700 people are currently awaiting a transplant. Unfortunately most people who think they are registered in fact are not.

Every one of us, our family members and friends is a potential recipient of a donated organ. We all have a vital role to play in increasing the numbers on the AODR. Up to 10 people can receive donor organs and tissue from one donor. It is up to a donor to nominate the number of organs, and of course some can only become available after donors have died. Australia has

a well-developed ethical guideline system in place and is respectful of the living and the dying as well as grieving families. I urge members of Parliament to lead by example by putting signs on their electorate office doors and forms at the front of their offices and getting behind this campaign. It was most successful in Pascoe Vale.

**The DEPUTY SPEAKER** — Order! The member's time has expired. The time for making statements has concluded.

### **GRIEVANCES**

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

That grievances be noted.

### **Public transport: management**

**Mr MULDER** (Polwarth) — I rise to grieve for the state of our public transport system here in Victoria, for our metropolitan train services and for our V/Line services. I grieve for the people who rely on these vital public services on a day-to-day basis, including mothers who rely on the public transport system to get them home in time to collect children from child care. I grieve for both employers and employees and the constant conflict that occurs due to people turning up late for work because of the failure of the public transport system.

I grieve for motorists who are caught at level crossings, where boom gates are down for much longer than they have been in the past due to braking problems experienced with the Siemens trains. I grieve for people who get stuck on the public transport system on a day-to-day basis and who are late getting home to family members, and for people in country Victoria who rely on the public transport system to get them to vital doctors' and specialist appointments in the metropolitan area and who continually turn up late. Often they have to cancel appointments or make other further expensive arrangements to get to the city because they simply cannot rely on the public transport system in Victoria.

It is important in this debate that we understand that in Victoria today we operate our public transport system under Bracks Labor government contracts. These are contracts with the franchise operators that were signed in 2004 by the Bracks government.

It is important that we understand the history of these franchise agreements. They were put in place by the

former Liberal government, but under the previous government and under the franchise agreements that existed until the contracts were altered in 2004 we did not experience the problems that we face today, either with our country trains or with our metropolitan trains. When you look at some of the commentary and the statements that were made by the Bracks government and the minister about the contracts that were put in place with the franchise operators, you find they are an endorsement of what the former Liberal government did with the public transport system in Victoria. Prior to the renegotiation of the contracts an article appeared in the *Herald Sun* of 12 January 2003 that says:

Transport minister Peter Batchelor said overall punctuality and reliability had improved under private operators.

'Paradoxically, M>Train had improved its position during the year and then handed back the keys', he said.

He said that in 1998–99 about 94 per cent of M>Train services had run on time, but in the September quarter this had improved to 97.5 per cent. Throughout the year, the operator had consistently scored 96 to 97 per cent in punctuality.

This all took place under the former Liberal government's contracts with the private operators. The problem stems from the day in 2004 that the Premier, the Treasurer and the then Minister for Transport declared that they would sit down with the private operators and renegotiate the contracts. We all recall that at that particular point in time the government made an announcement that the private operators would receive \$1 billion in additional funding to run the public transport network in Victoria and that because of the size of those contracts the majority of that money would go to Connex. Up until that point in time Connex argued that it was bleeding and that it could not make a go of it in Victoria. But the system was running better, it was reliable and punctuality was right up.

Since the time when the additional money was handed over and the government got to administer and run its own contracts, the service levels of V/Line and Connex have absolutely plummeted to the point where, as we witnessed in January, a number of trains were removed from the metropolitan network, throwing it into absolute chaos. But if you look at the performance and management of that contract from 2004 onwards, you get a pretty good understanding of what has gone wrong. In actual fact the Liberal Party has said all along that the government will not manage and enforce the provisions of the contract, has reached a soft arrangement and a soft agreement with the franchise operators, is not game to make the hard decisions, is not game to deal out the punishment, is not game to make

the threats, does not audit the work and does not enforce the clauses of its contracts.

If you really want any further endorsement of the Liberal Party's position on this issue, you need look no further than an email that was provided to the opposition. Its author is James McGarvey of the Agenda Group. He is the former private secretary to the Treasurer, and he is well connected to most Labor Party members. It is a company that is steeped in Labor Party appointments to positions.

I will read what he said in the email. I note also that that company employs a former employee of the then Minister for Transport, and I think this email says a lot about what is wrong. It states:

Individual companies had mixed experience and mixed outcomes dealing with him —

referring to the former transport minister, now the Minister for Victorian Communities.

Pacific National, and its forerunner, had a longstanding dispute about access pricing and investment in country rail infrastructure. On the other hand it is suggested Connex have received favourable treatment despite contractual and performance failures.

This gets to the real crux of the matter: if you are going to enter into a contract with the private sector and sign off on a range of clauses within that contract, then you are going to have to have people in place who are prepared to enforce them and ministers who are prepared to ride those contracts right to the very last day of contract and ensure that the performance is delivered, particularly when the taxpayers have forked out \$1 billion of additional money via the Labor government to support those franchise operators through the term of that contract.

However, this email may also cast some light on the issues surrounding the failure of the contracts, as it goes on to say:

It is broadly held in government circles that Batchelor was 'captive' to his department, more than any other minister. His office has also been notoriously difficult to deal with (... secretive and non-communicative) within and external to government.

I would say we experienced that during our time in caretaker mode when we sat down with the department and tried to get a bit of an understanding of what was happening with the Connex contracts, what was happening regarding problems with the trains, what was happening with V/Line and why the performance levels had dropped — but it was like talking to a brick wall. If you have a minister who is captive to a department that

operates in a secretive manner, then you have no hope whatsoever of ensuring that that minister will perform his duties, enforce the contract conditions and indeed bring about a far better public transport system here in Victoria.

It is interesting to also look at some of the comments that were made when these new contracts were signed. I know we have had persons on the outside of government and outside of politics commenting on the success or otherwise of the contracts. As I said, the Liberal government agreed to go down that pathway and the position was supported by the Labor government. Labor claimed that the contracts were working, and those contracts and franchise agreements were audited by Professor Bill Russell, who gave them a glowing report and said they were a model for further private-public relationships, agreements and partnerships. The contracts had very wide support.

On the other hand, Paul Mees, an academic who comments regularly on the public transport network here in Victoria, claims that the franchise agreements have failed, that the whole thing should be pulled down, that there are too many government departments and government agencies involved and that the whole thing should be started once again and thrown back into government ownership.

The simple fact of the matter is that under such an arrangement the trains, with their existing problems, would roll back to the government, all the operational staff now with Connex would go onto the government payroll, the managerial staff would roll over, and none of the problems that exist at the moment would go away.

Dr Mees went on to say that the whole system needs to be pulled down and a whole new organisational infrastructure put in place. We know very well that Labor governments are incapable of doing that, and we know that they grow bureaucracies. To see that we have only to look at what the government did last year when it introduced legislation in this Parliament dealing with the establishment of a rail safety regulator and another new authority, the Office of the Chief Investigator, transport and marine safety investigations. When you throw on top of that VicTrack, MetTicket and the Transport Ticketing Authority, imagine the number of additional authorities and corporations the government would bring on board and the number of people it would have sitting around the table if it were to take on ownership. You would never ever get a decision made, and the system would collapse entirely.

We also have the position in Victoria of having a government with a newly appointed minister for transport who did not want the job. The former Minister for Education and Training was demoted to public transport minister and did not want the job. If you want reinforcement of what the Premier is on the record as saying in relation to the depth of his backbench and those able to come forward, you have only to look at what happened during the latest debacle with the public transport network when a minister who had been in this place no longer than eight weeks was given the role of taking control of the entire issue — that is, the Minister for Roads and Ports.

We have a very difficult situation in that we have a minister who does not want the job and the Minister for Roads and Ports will take on the role of spokesperson for the Minister for Public Transport when she is not available. As I said, he is new to the place and has been here around eight weeks.

The Premier, in signing off on the agreement between the state government and Yarra Trams, on 19 February 2004 claimed it would deliver stability and improved service to customers. The Premier also said that \$1 billion extra would be needed for Melbourne's trains and trams and, as we all know, the Premier used that excuse for tolling the proposed Scoresby freeway. Not only did we get a toll road that we were told we would never get, but we have got a lousy public transport system as a result of the \$1 billion in additional funding. At the time the Premier admitted that services, reliability and customer satisfaction had all improved since the introduction of the privatised public transport system. That is an endorsement of the work carried out by the former Liberal government.

From that point onwards all the assurances that the Premier put forward and that the then Minister for Transport put forward have not been delivered by this government. None of them have been delivered by the government. It has been secretive; it has been involved in cover-ups and the government will not accept any responsibility. It has become expert at deflecting attention away from itself, straight across to Connex regarding the problems that exist with the current trains. The fact is with the current system Connex operate an aged infrastructure on the rail network. The rails, the signalling system that was supposed to be updated in 2002–03, but which was cancelled by the then Minister for Transport claiming that the signalling system was adequate, and the trains were provided to them by the government of the day to operate.

Every time there is a problem with the signalling, every time we have a weather event in Melbourne and we

have trains cancelled, the government makes a phone call to Connex saying, 'You go out and face the public'. On *Stateline* on the weekend, as Bob Annells the chairman of Connex, even acknowledged, there were situations outside the control of Connex that caused a lot of the problems we have today. They are the lack of investment in infrastructure by this government. The government purchased the trains and handed them over to Connex. It refused to upgrade the signalling system. It refused to embark on an upgrade and extension of any of the rail networks. A couple of years ago the head of Connex said that the stations in Melbourne were crap. That is the infrastructure Connex was given and which it has had to work with on a day-to-day basis.

Once again I point out that the government of the day will not accept any of the responsibility for the failings of the system. You only have to look at what is going on in country Victoria with V/Line's performance. In January 2006 the Latrobe Valley's Sale-Bairnsdale line's punctuality was 66 per cent. It is supposed to be 92 per cent. The Albury-Seymour-Shepparton line's punctuality was 76 per cent, but it was supposed to be 92 per cent. Who in their right minds would put a specialist appointment or a job in the hands of an organisation that has a 66 per cent chance of getting there on time? No-one. It is an absolute disgrace. It lies at the feet of the Labor government, which has mishandled the public transport system of Victoria.

### Capital punishment: abolition

**Ms CAMPBELL** (Pascoe Vale) — I grieve today for Victorians who are still suffering the effects of capital punishment. I grieve for Victorian citizens and their families who are suffering the lifelong ramifications of the death penalty. I also grieve for others in the international community who also suffer the horrors of that penalty. In the short life of the 56th Parliament our community has been touched by three very prominent stories on capital punishment: 2 December 2006 was the first anniversary of the execution by hanging of Van Nguyen in Singapore; on 31 December there were chilling media photographs and footage of Saddam Hussein's hanging; and 3 February was the 40th anniversary of the hanging of Ronald Ryan at Pentridge Prison. Finally, there was a sign of hope when the 3rd World Congress Against the Death Penalty was held in Paris from 1 to 3 February and concluded with a very compelling declaration.

I particularly grieve today for the countries and their people who as yet are still not part of seeing the judicial system being essentially restorative and who in those countries have citizens who are legally executed. I grieve for countries that while having abolished the

death penalty have not seen other countries follow suit. They have not used their moral authority and many of the countries that have abolished the death penalty selectively decide when they will try to persuade other countries that the death penalty is so wrong. I applaud the Parliament and the members in this chamber and in the other place who in 1975 abolished the death penalty in Victoria. I applaud the Victorian government which, in November 2005, expressed its vehement opposition to the death penalty through a letter by the Premier delivered by the Attorney-General to the Singaporean government.

The opposition to the death penalty is not an endorsement of crime, no matter how repugnant those crimes may be. The opposition to the death penalty indicates that no matter how repugnant a crime the death penalty delivered by society through its elected or unelected representatives or authority is morally repugnant. How and why would one come to such a conclusion?

Like many others in this chamber who are in their late 40s and beyond, I vividly remember the morning of Ronald Ryan's hanging, as I vividly remember the horrors of the shooting and death of the prison warden, Mr Walker. Children and families living in the vicinity of Pentridge were acutely aware of the nightmares and fears we experienced following an escape and the dangers to other staff and prisoners faced during a breakout. What was different about the two deaths, the death of the prison warden and death of the prisoner, was that the first was at the hand of a gunman but the execution of Ronald Ryan was at the hand of the state, and thus we were all willingly or unwillingly partly complicit in the extinguishment of that life.

I remember that around our kitchen table and in our kitchen that morning the normal chatter and boisterous family life that surrounded our family was absent around 8.00 a.m. on Friday, 3 February 1967. The same occurred with conversation in the train and with schoolyard gossip. State-sanctioned killing involves all the members of society. My family knew it, those waiting for my train knew it, those travelling within the train knew it and the school students knew it. That morning was palpably different.

Victorians, particularly people living around Coburg, who doubted the wrongness of capital punishment, I suggest that morning were brought starkly into reality. The clear evidence of that morning emphasised the very nature of community results in all of us participating in such deaths. The Victorian and Australian states that still had capital punishment as a sentence acted to remove it from their statute books after that fateful

morning in 1967. Collectively and individually I believe members should continue to argue coherently at every opportunity and put the case why capital punishment is wrong. We must stop it through organised channels such as Amnesty International. I particularly applaud the Parliament's Amnesty International group. To me the death penalty is anathema in a true civil society. A civil society is one based on justice, and respect for human life is integral to that. A justice system that kills represents a failure of justice.

On the very day of the 40th anniversary of the death of Ronald Ryan an important communiqué was being formulated and issued in Paris. The final declaration of the 3rd World Congress Against the Death Penalty states:

We welcome the fact that the death penalty is receding in the world and that since the Montreal Congress, Kyrgyzstan, Liberia, Mexico, the Philippines and Senegal have all abolished capital punishment, while no country has reintroduced it. We regret that, during the same period, some countries have resumed executions after prolonged moratoria, such as Bahrain in 2006, and that the death penalty is still applied on a large scale in a number of countries including China, Iran, Saudi Arabia, the United States and Vietnam. We strongly condemn the initiatives in some abolitionist countries to reintroduce the death penalty and demand in particular that the Peruvian authorities renounce this effort.

We recognise that the process of abolition must be accompanied by better consideration of the needs of victims and by an in-depth reflection on penal policy and prison systems in the framework of an equitable and restorative justice.

On the second point, I will comment particularly on the words that I found poignant among the remarks of the daughter of the prison officer who was killed in the Pentridge Prison escape. I refer to the *Herald Sun* of 3 February, in which the daughter of the prison officer, Carol Hodson Price, is quoted as saying:

Ryan is gone but his family and myself, we're the ones serving the life sentence ...

The article continues:

Mrs Price opposes the death penalty because it penalises families, giving the guilty no chance for lengthy remorse, punishment and rehabilitation.

She reinforced exactly what is in the communiqué from Paris.

Ronald Ryan's case highlights the fact that the family of the murdered victim is wronged by capital punishment, as is the family of the person executed. Those involved in the Ronald Ryan case were also affected. Dr Philip Opas, QC, is quoted in the same

newspaper article as having said that 'a little of me died too'. The prison officials also talked about the impact on them. In particular the article in the *Age* of 2 February highlights the impact on the governor of Pentridge Prison, Ian Grindlay, who stood very close to Mr Ryan on that morning.

Last night, just when I thought I could not read any more in preparing for this address, I happened to come across a piece by Brian Morley, who was one of the 12 journalists at Pentridge Prison that morning. In an article he wrote at the time of Van Nguyen's execution he highlighted the impact on him of being one of those 12 journalists who saw the Ryan execution. In an article in the *Herald Sun* of 29 November 2005 he wrote:

I suddenly realised with great clarity that they were going to kill him.

Then, after describing the execution, he stated:

They had deliberately killed a man in the name of the law. It is the most awful and brutal act imaginable.

A little further on in the article he stated:

I walked into Pentridge with no clear views on capital punishment. I walked out resolved to do whatever I could to have it abolished.

There is no place for it in a civilised society.

The evidence of the lifelong ramifications for those left behind was starkly brought back to my mind in preparing for this contribution. I refer to the utter distress of one family. Members need only read the extracts of the comments by the Attorney-General after his meeting with Mrs Nguyen to realise the extent of that distress, which was well documented. The tragedy of capital punishment, as outlined by the Attorney-General, is about how inappropriate it is, just when a person has grown in spirit and changed their life, to end that life.

Returning to my original contention, the state should not sanction the termination of the life of a human. The results go far beyond the life terminated to the lifelong ramifications for all of us. The death penalty is not equitable and is not about restorative justice. The communiqué from the members of the 3rd World Congress Against the Death Penalty demands that we come up with a justice system that is not cruel or inhumane and does not provide degrading treatment. It also emphasises the futility of the death penalty in the fight against crime. It is interesting to note, on that very point, that in the five years before and after Ryan's death Victoria's murder and crime rates remained similar. So there is no correlation between countries that have the death penalty having less crime and those

that do not have it having more crime. All too often the death penalty is linked to political expediency or the avowed causes of zealots.

I go to the recommendations of the world congress which I referred to earlier. Firstly, the congress called on all of us to ensure that as many countries as possible abolish the death penalty. Secondly, it appealed to all states to stop all executions. Thirdly, it hailed the initiatives in countries such as Morocco, Lebanon and Jordan towards abolition. Fourthly, it welcomed the contribution of the Chinese abolitionists and called on the Chinese to immediately put a moratorium on executions.

The members of this Parliament need to read about the brutal reality of the death penalty and be aware that state-sanctioned death has an impact on each member of the human race. I again congratulate this Parliament, which in 1975 voted to abolish capital punishment.

### **Bushfires: response**

**Mr RYAN** (Leader of The Nationals) — Country Victoria is bleeding. The fires in the north-east and in Gippsland — and let us not forget those that occurred in the south-west of the state and other parts in the north — have all taken a terrible toll. Currently we are at the end of about 70 days of fire, the scale of which we have not seen before in the history of the state of Victoria.

Out of all of this, though, let us celebrate the heroes — the remarkable personnel of the Country Fire Authority — who have volunteered their services over this period of 70-odd days, many of them fighting protracted campaigns, including fighting fires on public land, particularly in the Alpine National Park, and doing so on the basis of meeting their own costs and outlays. That is an issue that we as a community will need to revisit, it seems to me, in time to come. But for the moment let us celebrate the extraordinary contribution they have made.

If this government wants to do something truly worthy to recognise these people, then, just as we speak of the option of tickertape parades for those who have served our communities well, there should be a parade for these magnificent men and women, the CFA volunteers, together with personnel from the Department of Sustainability and Environment, the other volunteer groups in their various forms, and the assorted agencies, including, of course, the police. They have all done a remarkable job and they should be recognised in a formal sense. I hope the government does that.

I hope also that the government takes up what The Nationals have proposed by way of an inquiry into preventive burning on public land. That is important when one considers that, arising from these fires and what we hear when talking to people in the respective communities that have been affected by them, it is probably the predominant issue to come out of all this. About 1.2 million hectares of land has been burnt, all of it about three years after a similar landmass was burnt. It is a figure of staggering proportions.

I have the honour to represent in this place the electorate of Gippsland South, which incorporates Wilsons Promontory. That piece of magnificence comprises 50 000 hectares. Now we have seen burnt an area about 20 times the size of Wilsons Promontory. It behoves us to have regard to an appropriate inquiry in relation to some of the causes behind all of this. That is not to say for one moment that the magnificence of the effort that was mounted to actually fight the fires is not something that in this present situation we should be prepared to celebrate with those who were directly involved.

Gippsland provides a stark example of what has happened. I live in Sale, which is within the Shire of Wellington. That shire is the third biggest local government area in the state. Forty-one per cent of Wellington shire has been burnt. In East Gippsland, the adjoining shire, the story is of similar proportions. Up in north-eastern Victoria similarly vast areas of the landscape have been burnt.

All of this has caused a toll of extraordinary proportions in a variety of ways. There has been a human cost. A bloke named Don Dossler, who lived at Longford in my electorate, lost his life. He went to help his mate at Toongabbie to contest a fire that had been deliberately lit, and tragically Don fell off the back of a bit of equipment and was killed. Miraculously, almost, his was the only life lost. It is a tribute to those who as a combination fought these fires that such was the case.

We lost a lot of private property in the sense of more than 40 houses. We also lost probably thousands of kilometres of fencing, and one of the issues we need to grapple with here, particularly from the perspective of the government, is how we handle that issue. Amazingly only one life was lost, although there were many injuries.

I was in the office of the member for Benalla the other night, talking with a bloke named Alan Ashworth. I have known this fellow for a long time, and he is a character in the true Australian tradition. He told me of the occasion during the course of the fires when he was

driving his dozer — a D7, I think. He had it positioned on rather a steep slope while he was trying to do some work, and the dozer started to slide from underneath him. He slid the machine down the side of this steep hill until he reached a point where at the very last he was able to steer it around so that it speared over an embankment and went headfirst into the ground. The only injury he suffered, fortunately, was a bang to the head. Knowing Alan Ashworth as well as I do, I can say in the spirit of all of this, that some would say that will not be a lasting problem for him.

He had a photograph of this extraordinary event — that is, of his dozer speared into the ground. He told me it was reefed out over the period of about the next hour, and he then proceeded to get back up and into it.

This is but one story of countless thousands of heroes who have stood the line for us in Victoria over the course of about the last 70 days. He suffered an injury of relatively minor proportions, thankfully, but others were injured, and let us not forget them. Let us not forget the mental anguish that has been suffered by these people.

Along with the member for Benalla I toured through the north-east just recently. We were up at the Tolmie pub, talking with about 20 people who had been through the agony of the fires. They were sharing the experience of what it is like to run on adrenaline for about 70 days, to be told one day that the fire is coming, to be told the next day that it is not, to be told the day after that, 'Yes, you are back on alert'.

The house should be aware of the havoc that it wreaks in the lives of these people. We heard firsthand about what it is like when the fire comes and to know the sheer noise of the fire, like an express train. We sat there amongst these people and heard them talk about the difficulties with communications, the blackness borne about by the smoke and the all-embracing darkness, albeit that they were fighting the fire in the middle of the day. All these sorts of things are real, and their mental anguish showed through.

After about an hour a lady who until then had been very erudite in her descriptions of what had happened just collapsed in tears. It was all too much for her. She is reflective of what we are seeing and have seen repeatedly with people across this state, who I think in many cases will take years, perhaps decades, to recover.

The member for Benalla and I travelled that day through Tolmie and Whitfield, to Myrtleford and then to Bright, where we heard similar sorts of stories to those we had heard in and around Benalla, the

member's home town. Similarly I have travelled through eastern Victoria with a member for Eastern Victoria Region in another place, Peter Hall. When one goes to places like Swifts Creek and Omeo, and up to the cattle sales at Benambra where one can talk to the people and share their experiences, it is clear that the bushfires have taken a terrible toll on communities.

It is not only the issue of human cost but also the question of the impact on the economy, and those impacts are fully to be told. We do not yet know the extent of the impact upon our agriculture and our horticulture but we do know that our tourism industry has been absolutely gutted because of the fires. We need people to come back to country Victoria. We need Parks Victoria, particularly, to be liaising with the tourism industry to get those parks open again where possible, and to ensure that people, particularly those who live in the suburbs of Melbourne, come back to country Victoria.

We need them to come back among country Victorians again because we are open for business and anxious to have them, and more particularly — and at the risk of being pointed — we want their money. We want them to stay with us, spend some time with us and support our tourism industry. There is the issue in the broader sense of the general impact upon the community at large, and again these sorts of influences are still playing out among our people.

Apart from the question of the bushfires there is the issue of the drought. The worst feature of the drought is its insidious nature. It does not have the spectacular aspect that the fires did. We do not have the media coming out to talk to our people now about the way the drought is impacting upon them and the way it has done so for literally years. Without a shadow of doubt, the drought is just as deadly as the fires — more so in many respects — and for many of the people who have suffered and continue to suffer the impact of the drought, they have also had to accommodate the effects of frost.

I was up in the Goulburn Valley not long ago with the member for Shepparton. We sat around with people as they told us about the impact of frost on their orchards and how the north-east has now been affected by fires. Again, there is a human cost that we cannot see in the form of mental anguish, and then there is the question of the economic havoc that has been wrought. We need to make sure we do things to address the needs of these people.

The question of not having water is something that is now reflected across communities in so many places.

The member for Lowan will tell you that over in his area of the Wimmera, they are actually carting water and have been doing so for weeks or months, to enable stock and domestic supplies to be provided.

In my area, the Macalister irrigation district, the Glenmaggie Weir is about to empty. We have 700 farming families who depend upon irrigation water out of that weir, yet it is about to become empty. Unless it rains they will have to start carting water soon, because they simply do not have enough for stock and domestic supplies. We have never been placed in such a situation before.

In the Goulburn system farmers are on about 23 per cent of their water allocation, and thousands of families are affected in this way. In South Gippsland in my electorate, Yarram people are carting water for stock and domestic purposes; they have never before encountered such a situation.

In all of this the government has a role to play. It has to lead the way on how we respond to this. It is not only a question of the response per se. It is about the government being in a position — and, I believe, having an obligation — to lead the way in how we deal with this situation. It is a fact that the way in which a government responds to those who are disadvantaged in our community is a measure of that government. It is how history will reflect the way a government has governed the state, and this is so serious that it is a question not only for those who are suffering now but for the next generation.

When you sit around a lot of family tables you come to understand that it is the young kids who are about to be given the task of taking over the running of whatever the venture might be — be it a farm, an agribusiness or otherwise — who tell the most poignant story. It is they who are so terribly worried about it. I have had countless numbers of them say to me, ‘Why would I want to do this? Look at my father; look at my mother. Why would I want to do this?’. Now the government has an opportunity to step up to the plate and help these people.

I know we have a drought task force and a fire recovery task force, and I know we have a series of programs in place. I listened with interest to the Minister for Agriculture and the Minister for Mental Health yesterday as they talked about some of those programs, but what this crisis really needs is cash flow: we have to get a cash flow back into our communities.

To the extent that the existing programs offer that cash flow, that is a good thing; and certainly to the extent

that those programs outlined by the Minister for Mental Health enable people to share the awful burden of what they face, that is also a good thing. But when push comes to shove we need money going through the communities, and if necessary the government has to be inventive and generous in the way it deals with this matter.

One needs to bear in mind also that this is not about the poor-boy-me argument, which I cannot stand, but about the fact that, if we are serious about having country communities able to exist and flourish and provide for the next generation, we have to get them over the hump, because through the combination of the impact of fires and the drought they are now engaged in accommodating issues they have never had to face to this degree.

Members of this place should not for a minute doubt the resilience of these people — they are extraordinarily resilient — and it is that very feature, of course, which has made them the foundation of the state’s fortunes over the years. For all those who live outside this great city of Melbourne, dealing with issues of drought and fire is a matter of course and it is what they have historically done. They are fiercely proud — sometimes to their own disadvantage — of being able to do it. But there comes a time, and the time is now, when the government has to be able to give them some assistance.

There are plenty of opportunities to do it. First and foremost the government should abandon the irrigator accounts that relate to water that has not been delivered and will never be delivered. For heaven’s sake, spare these people that amount of money! Does it make any difference to implore the government to do it? It would cost about \$30 million in the Goulburn irrigation system and about \$5 million in the Macalister irrigation district.

Forgive the accounts, for goodness sake; the money would have to be paid by the government to the respective water authorities. Take that load off these thousands of families. That immediately would offer a specific relief which would be a pointer to enabling these people to greet the day with some optimism.

Get a proper program in place for the tourism industry. The Nationals have proposed a series of initiatives in that regard, and we ask the government to embrace them. Get our parks opened again so that we can get people up there and have the tourism industry able to operate properly again. The most important thing is this: when we are trumpeting the economy of the state of Victoria, including the unemployment rate and the

housing situation, members must remember that people out there are in desperate need.

The sad fact is that for many of these souls, despair is now a constant companion. The government has a capacity to help, and through this chamber I urge everybody to urge the government, in turn, to do just that — that is, get these people some practical on-the-ground help.

### **Water: Keilor retarding basin**

**Mr SEITZ** (Keilor) — I rise today to grieve on behalf of the people of Keilor. My biggest concern is that the people of Keilor, during the state election campaign, were emotionally abused by the Liberal Party, by that organisation producing a statement concerning the installation of a retarding basin in Arundel Road.

The problem for the market gardeners of Keilor has always been a shortage of water because the Maribyrnong River never supplies a large enough flow to sustain it, even in times when there is not a drought. In the winter months they have always been restricted — they have only been able to use a quarter of their allocations — and at different times over the years they have come to see me. They have tried to sell their properties or subdivide into smaller allotments for housing, but because the area is under a flight path, that has not been possible. It is an irrigation area, and it is a flood plain in the circumstance of the one-in-100-year floods.

I certainly feel for those people. They are genuine market gardeners, and they have had their emotions played with rather than a solution being found. The opportunities were there for the Liberal Party when it was in office, particularly when we had the sewage treatment plant in Keilor. Greywater was flowing into the Maribyrnong River without any objections from anyone in the community.

It was the Cain government which initiated the appropriate tunnel and pipe work to connect it to the Werribee plant for sewage treatment for the whole Keilor area. Up until then the water was clean and purified enough for it to be able to go down the Maribyrnong River to meet the Environment Protection Authority's requirements. That plant was decommissioned once the Kennett government got into power because the tunnel was completed to take the sewage and water to Werribee. That is of great concern to me because I know those people. In my younger days I worked on those market garden farms to earn

some money while studying, particularly during school holidays.

When I saw the photos in the newspaper and recognised that the hopes of those gardeners were being built up, with people saying 'They will be drought proof in the future', I thought it was just playing with their emotions. Historically the studies have told government after government that putting in a dam or a retarding basin for flood mitigation would not provide sufficient water to ensure that the market gardeners would not suffer from loss of water. There will always be a shortage of water in that region. The market gardeners themselves realised that and came to grips with it many years ago.

When members of the older generation got off the land because they were too old to work it, the younger generation decided it did not really want to go into it. They tried other uses of the land, such as growing flowers or changing it to high yield by putting in olive trees or grapevines. Those alternatives still need water, but they need less water than is required for growing cauliflower and other vegetables to meet the demand of the big supermarkets. The gardeners are contracted to the supermarkets to provide the vegetables when the supermarkets need them and when they advertise their specials.

The people who work the land, particularly in Melbourne suburban areas, have over the years found it difficult to find farm workers. We have seen the experience in Shepparton, which has a shortage of people to pick the fruit, tomatoes and all the rest. There are not many people who want to work on the land these days and do the hard yakka on the ground because it is not an easy or pleasant job — it is not done in an air-conditioned office. For some time they have struggled through and survived. Some of them have leased parcels of their land to create a greater number of holdings to see whether market gardening is viable. They are small allotments; you cannot have broadacre farming of vegetables in the area, which needs big machinery, to make a profit. It is a labour-intensive industry. It takes a lot of manual work given the small holdings.

In the main they are family businesses that have been handed down from one generation to the next. Some people have farmed in other areas and have come to this area and leased the land for various reasons to try and make a go of it. I do not believe this proposal was a pleasant thing to have happened to these people. They know in their own hearts that it has not been able to be done historically. There is not the amount of water they need.

Secondly, I am aware that previous studies on the issue have been undertaken and submitted to the government, including by the former Melbourne Metropolitan Board of Works when it was in charge of rivers within the metropolitan area, and they have shown it cannot be done because of the airport. That goes way back to the Bolte era. He established the Melbourne Airport when it was shifted from Essendon to Tullamarine. This area was always going to be a flight path and open land. Safety from seagulls was always an issue of great concern. Even when we had the Keilor tip, or what you would call garbage disposal, using different words — but in the good old days it was the rubbish tip — and the seagulls came, the Keilor council had to cover it every night, not because of the smell or because of the rodents and other things but because it attracted seagulls, which endangered the flight path.

Everybody knew those issues were real, and they have affected earlier commitments and decisions, such as when people considered the Avondale Heights quarry proposal. The former Liberal government wanted to turn that into a rubbish disposal site, but it was not suitable because it would attract seagulls, which would endanger the aeroplanes on their way to the airport in the vicinity. All those issues are on the public record, so we did not have to play with the emotions of the community.

Thirdly, people in the community, including the environmentalists, have put their effort and time over the years into the revegetation of the Organ Pipes National Park and Brimbank Park. As I said, during my youth the Brimbank Park land consisted of orchard farms. The park has been totally replanted with native trees, bushes and shrubs and has attracted native animals to the area. We have re-established that part of the farmland. It was purchased under the guidance of the Honourable Alan Hunt, who was the minister in those days. The land was purchased through the then Melbourne Metropolitan Board of Works to develop the metropolitan park in Brimbank. That is how far back its history goes.

The market gardens did not have sufficient water in the area to be viable, and the government purchased a lot of the allotments at that time and established Brimbank Park. Brimbank Park was not established because the government of the day wanted to create a park in the western suburbs — far from it! It was a scheme involving the federal government providing money for tree pulls in the area, so the farmers were compensated for having their apricot, plum and cherry trees removed.

There was lobbying within the local community for the government to purchase the land because it was not

suitable for housing, once again because of the flight path in the area. It was a Liberal government that purchased that land. I was part of the planning committee for Brimbank Park, with the Liberal government, which established a community consultation committee. We had lengthy and extensive consultations to establish Brimbank Park. It is common knowledge among those who have looked at the history.

Anybody who cared to ask public servants would have been provided with that information. Public servants, including the librarians, would have the reports and documents at hand. I was deeply concerned when I read that statement, because if I had not known the people personally and their position, I would have had a bit more sympathy for it. To me it was just playing with their emotions, because in reality the building of a retarding basin in that area will never happen, even if a Liberal government comes to power. In the meantime the Flemington racecourse, which has a big lobby group, of course — it was really for its benefit — will put in retaining walls at the bottom along the embankments to stop flooding of the racecourse. But I think it is more important to consider the people, particularly given the work that has been done over the last 20-odd years or more in developing a beautiful park along the Maribymong River, the Organ Pipes National Park.

I am still a member of the Friends of the Organ Pipes, and we have once-a-month tree plantings and do other voluntary work in the region. To flood that area would be a criminal act by any government. I am sure that the environmental movement would not allow that to take place at any time. Why it was raised by the Liberal Party as an issue at election time is beyond me. The only thing I can put it down to is that it did not do any research, it did not look into it and it lost all the corporate memory within the party — and that can happen when you change leaders frequently! It is always beneficial to have someone in your party who has corporate memory and knows the history so they can bring to the attention of people what has gone on before in those areas.

Having said that, I hope we can put that issue to rest. I raise it today because we heard the Liberal shadow minister, the member for South-West Coast, only yesterday still defending that position instead of saying that it was the end of it when, after it was put to the people, they showed which policy they supported. They supported their local member for Keilor, who improved his vote and increased his margin in the electorate by 3 per cent! The people have spoken, and that should be

proof enough for the Liberal Party to realise what the people see as their priority.

That is not to say I do not support the market gardeners. I feel for them, and I have worked with them on many occasions, trying to see if we can somehow have their land purchased by future governments or organisations based on market value so as not to cheat them and rob them of their livelihoods and the investment in the land that many of them consider to be their superannuation. It is a unique area, but they need to be looked after. As late as last year they had to use town water for watering, which was expensive for them. We have always tried to lobby to make it easier for them, but in the present shortage we are using town water for irrigation or for watering systems in our vegetable-growing area, and we should not do that in future. We should put this matter completely out of the way and forget about it.

In the lead-up to the federal election I would urge the Liberal Party not to come out with some false promise and build up the hopes and emotions of those people. It will not happen and cannot happen in the area, because the issue has been put to rest once and for all — unless you are going to close down Melbourne Airport or shift it to a completely different location, because you will endanger aeroplanes and affect flight paths in that region.

We have introduced sugar gliders, kangaroos, and a lot of other native fauna and flora into that park, which in the past was a market garden which was overgrazed. We have redeveloped it with a huge number of volunteers, who have spent their time planting trees and looking after it, even changing the nesting boxes for the sugar gliders and other animals that we have in the region. We control the rabbits and foxes in the area, another problem that existed in the past. All the volunteers, who are environmentally conscious, are totally appalled by the proposal. There must be another way. The decommissioning of the sewage treatment plant was the time for the Liberal Party, when it was in government, to have acted and said, 'This water could be further refined and used for the market gardeners'.

As I said the plant was there in my early years in Parliament. I was on the Keilor council when it gave the permit to establish the treatment plant there. There were no objections from the Keilor community. The treated water kept going into the Maribyrnong River, but the government and the Environment Protection Authority decided that we should clean it up and not have treated sewage going down the river. We cleaned up the Maribyrnong River, so it is safe enough now to catch fish — and there are plenty of fish in that area.

But in my opinion the water could have been used for the market gardeners, because the shortage of water for market gardeners is not something new. It has been happening on a perennial basis.

### **Bushfires: impacts**

**Mr BAILLIEU** (Leader of the Opposition) — I wish to grieve for all the Victorians impacted by the recent bushfires, particularly those who are dealing with the aftermath of those bushfires. As I am sure many members know, we have endured six to eight weeks of hell because of the bushfires. Over 1 million hectares has been burnt, most of it public land, but we should not underestimate the damage to private property as well. We should also not underestimate the incredible dislocation of communities, the loss of natural resources, the damage to the environment, the wiping out of wildlife, the loss of business and tourism, and the loss of income.

The bushfires are a reminder of the tragedies at Wilsons Promontory in 2003 and in the Grampians in the last 18 months. The loss of one life was a tragedy in itself, and others have spoken about that in detail.

Regarding the causes of the bushfires, obviously lightning strikes in the high country are one, but we should not ignore the fires that were deliberately lit and some of the back-burning failures which led to the loss of structures like Cresta Lodge at Mount Buffalo. The areas impacted, as many members know, cover an enormous number of hectares in the north-east and Gippsland, including the Ovens, Wangaratta, Mansfield, Dargo, Kiewa, Macalister and Howqua regions. The coverage has been extraordinary.

The trauma involved is probably unprecedented and very difficult to even contemplate in an environment such as the one we work in. Some members have participated in the firefighting, and they will understand the fear, apprehension and anxiety that lasted over six to eight weeks and the darkness that fell when the bushfires came. I and no doubt other members have looked at the photographs that were taken. Those who were there were aware of the depth of the smoke — looking at the daytime photographs you cannot distinguish them from the night-time photographs — and the noise, the heat and the simple duration of the tension.

Not much good comes from experiences like those, but at least we can say from these bushfires that there has been an incredible rise in community togetherness and spirit in those areas. I believe there is also an incredible determination to make changes and to not simply

accept that this is something that happens and will happen again and that we cannot do anything about it.

I wish to pay simple tribute to all the residents in those areas who fought the fires, to the families and property owners who fought them and, in particular, to the Country Fire Authority volunteers. The CFA in particular remains one of the most incredible icons of the Victorian community. I also pay tribute to the Department of Sustainability and Environment staff, the police and emergency services personnel and the supporting agencies. I want to mention the media, particularly those who gave constant radio coverage. I believe the media got the message out very well at a difficult time when there would have been a lot of stress on some of the journalists. Both the TV and the newspapers did an incredible job.

I will also mention the leadership of the people involved in fighting the fires. Bruce Esplin made a particular effort to keep me and others on our side of the house informed about the detailed operations. We tried not to get in the way, but I appreciate the lengths he went to. There were an incredible number of individuals involved. I do not want to single out a lot, but I want to mention some whom I encountered before, during and after the fires. Firstly I mention Jane and Andrew Dwyer. Andrew is the CFA captain of Jamieson, who quite serendipitously ended up being the public face of the firefighters up there. I also mention people like Alan Dobson, who was one of the leaders in terms of the bushfire control, and CFA officer Siobhan Carson, who unstintingly got out the message about 'Prepare, stay and save'.

I think that message got through. Extraordinary characters like Gil and Sheila Lund, who would not be described as young, attracted some attention to themselves at Ten Mile, down the Jamieson Road. They sat on their porch and watched the bushfires around them, completely and utterly surrounded, and when we visited, the bushfires having been through the night before, the dry comment from Gil Lund was simply, 'It was better than Ivanhoe at Christmas'. They are not young, they have seen it all before and they understand what has gone on.

In the Macalister Valley are extraordinary people like Mark and Tania Coleman. I know, Acting Speaker, you have met with them and those who fought the fires up the Macalister Valley and the high country. Ray and Mary Winter at the Licola store have extraordinary tales to tell. Rob Gilder lost 120 kilometres of his own boundary fences. Having cut a lot of feed in advance of the fires, he found a lot of it was lost but then he was

good enough to distribute much of it at the same time. He lost his woolshed, and he lost stock.

Many members over the years have received correspondence from Ralph Barraclough. Ralph lives up in the Glencairn area on what I think we would describe as a small property. He manages to email the world from there and has done so for many years. He predicted all of this. He has been predicting it for years, and what he said came true. I met Kevin Higgins, Greg Oatley and Danny Richards at the top of the Great Divide. They are extraordinary people who have had extraordinary experiences, and I pay tribute to them all.

The challenge from these bushfires is to learn from them and to not let the awe that we might have for the experience get in the way of the hard questions — and there are hard questions to be answered, some of which are: could this disaster have been avoided? Was it inevitable? Could the impact have been reduced? Have management policies contributed to the extent of the fires? Are we doing enough to help the recovery?

Obviously there will be different opinions about answers to those questions, but when I stood on the top of the Divide on the Licola–Jamieson road with two bushmen who are very experienced in fighting fires and asked them the simple question, 'How much of that million hectares could we have avoided burning?', as one, simultaneously, without any consultation, they said, 'Probably up to 90 per cent'. There is a message there. It is too easy for those of us who live in the city to simply turn away and say, 'The fires are out, some rain has come and we will get on with it'. We see pictures of the forests regenerating in part, and it is too easy for us to simply say, 'It is over. We do not have to think about it again'. That is not the case.

There are phases of this experience that we need to examine: preparation and land management, the firefighting itself, the aftermath, the recovery period and an assessment of the cost. When it comes to preparation and land management, there are issues. One million hectares did burn, and there are very strong views that preparation and land management were not adequate, that we did not do enough controlled burns, that there were not sufficient cool burns in the off-season, that there was not sufficient fuel reduction, that fire access tracks were not open and accessible, that we have suffered a loss of expertise in the high country in terms of bushfire fighting and that we did not have sufficient fire breaks. There are real questions being asked in these areas, and they are being asked again, because they were asked after previous bushfires. These are policy decisions, and it is evident that some of those policy decisions have failed us.

In the firefighting arena — and I do not pretend to be an expert — from my observation and from talking to people before, during and after, there have been some advances since 2003. It seems that there are better communications, at least between the CFA and the DSE. There is excellent mobilisation of CFA numbers, and the community meeting arrangements — and I had the opportunity to attend some of those meetings — were excellent, as were the overseas support, the education of property owners, which I mentioned before, to ‘prepare, stay and save’, and the mapping availability.

Nevertheless there are still shortcomings evident, and questions need to be asked and addressed, such as whether we should have additional Erickson Airplane helicopter services like the Elvis helicopter available or whether we should have our own; the extent and accuracy of the mapping available; the loss of area line tracking, which was significant when the smoke intervened and we could not actually locate the fire front for many nights; the balance of burn and fallback techniques versus strike team deployment; and the necessity for early intervention. Standing there at the top of the Divide and surveying those areas one can understand that cool burning might have prevented some of this damage and that areas that were cool burnt are in much better shape than those that were not. It was disappointing to understand that early intervention might have prevented the fire spread.

There were constraints from above on experienced strike teams. Fine; I understand that routine, but those experienced teams are saying that they wanted more flexibility on the ground to make their own decisions. There were limits on the preparation of firebreaks, where bulldozer drivers were told not to knock over trees to ensure that trees were protected in the interest of the environment, but the net result of that was that the firebreak makes no difference and those who have spent their time have wasted their time. It is just not effective.

Other shortcomings include limits on controlled burns; on-ground communications were difficult — in many areas there were no communications, and people had no idea where the fire front was; the lack of decision making at the micro level; and mapping details. We need to have line markings on any maps that are published. The variability of the maps, the variable formats and the accuracy of the maps were issues.

In the aftermath there have been some immediate and good intentions implemented: community meetings, mutual support and the beginning of the clean-up. But to use an analogy which was put to me very poignantly

by one family, and perhaps to you as well, Acting Speaker, ‘Then the casseroles stopped coming’. When a young mother is enjoying her first baby, the family gathers around for a few weeks, but then the casseroles stop coming. In many areas the casseroles have now stopped coming.

There are plenty of issues to address. These communities and families have been left to deal with them on their own, whether it is fencing — and there are hundreds of kilometres of fencing to be dealt with and the associated insurance issues — stock; water; topsoil; phones; the simple workload involved; the trauma; the family tensions which occur and the fact that children, who were sidelined for a holiday period, have had to stand back and watch parents struggling with maintaining jobs and firefighting on their properties; and the loss of income, business, tourism and simple infrastructure. They are things that have to be addressed and are not being addressed. We have to get the casseroles back as well!

The long-term impact is there for those communities to appreciate. Sadly those in the city probably have no idea of the impact of the lost breeding stock and the loss of expertise. I heard the Leader of The Nationals talking about the loss of the timber resource, and I think it is a timely reminder. It is estimated that between \$2 billion and \$3 billion of timber in the high country was lost, which was part of the future resource. That is now being cut down as well as possible, because many of the alpine ash are dead and do not regenerate. It needs to be cut down quickly before it splits, which is putting a strain on the roads there. They are not the greatest roads and that is likely to lead to a long-term maintenance issue. There has been a loss of water, water quality and road infrastructure. Bridges have been lost, isolating some communities. There has been an incredible loss of topsoil in the Macalister Valley and there is a need to reseed all of that. Obviously signage and tourism brochures are okay, but it is not enough. We need to do more.

The cost of these bushfires will be enormous. The simple cost to the economy will run into the billions of dollars. I understand the government response in the areas it has dealt with, but at the moment the response has been to deal with hundreds of thousands of dollars here and there. We must make a reassessment in 3, 6 and 12 months time, and indeed in two years time. We have to increase the financial support — and I agree with the Leader of The Nationals in that respect. We have to have a public inquiry, not a private one, and preferably a parliamentary inquiry. I note the sorts of submissions already made by the Wellington shire. It is

an excellent submission to government, and it needs a greater response.

From the observations of many of the experienced people who fought these fires, we need to change the culture around land management and preparation, and some of the firefighting culture which has perhaps become more risk averse than it has been in the past. The important thing is that we do not forget these local communities. Whether it is contracting locally, offering financial support, providing the tourism opportunities, we must not forget these communities. We must be out there on a daily basis. It is incumbent on everybody in this chamber to do that for at least the next two years.

### **Climate change: Liberal Party policy**

**Ms D'AMBROSIO** (Mill Park) — I rise to grieve for the community of my electorate of Mill Park and all Victorians and Australians who are receiving extremely poor leadership from the federal government and the state opposition in Victoria on the issue of climate change. I refer the house to the leading work being undertaken by the Bracks Labor government on this very matter, from a far-reaching water policy to our commitment to the signing of the Kyoto protocol and the action to tackle carbon emissions. These all have consequences on our climate.

Climate change is real and has consequences on our water supplies and the temperature of our planet. There is no starker example of the effects that the actions that one country has on another than that which is caused by carbon emissions. The effects of industrial pollution in one country by way of carbon emissions have serious impacts on the globe. Excessive carbon emissions of the leading industrial nations have consequences which must be addressed, yet Prime Minister John Howard and the Leader of the Opposition's responses to the problems remind me of the famous Oscar Wilde quote, 'We are all in the gutter, but some of us are looking at the stars'.

Despite the widespread expert commentary over recent weeks and months on the link between carbon emissions and climate change and the effects on the world, John Howard's response to a question on ABC TV on 5 February considering what Australia would be like if average temperatures around the globe rose by 4 to 6 degrees by the end of the century was, 'Well, it would be less comfortable for some than it is now'. That is an extraordinary comment from someone who is ill prepared and less than comfortable and relaxed about the quandary that is before us.

The state opposition leader in September last year was very squarely a sceptic of climate change and the lasting problems for our community. Of course there was a lack of any credible climate change policy that was presented in the lead-up to the state election. The member for Keilor previously referred to a number of grab-bag policy announcements that were made on the run to deal with environmental matters, which is a clear indication of the lack of preparedness and lack of acceptance of the real problem confronting us in terms of the link between carbon emissions and climate change.

As I said, the Leader of the Opposition was unsure whether climate change was a temporary phenomenon. He said that it was a matter for experts, threw his hands up in the air and left it at that. That showed quite blatantly that he and his party were ill prepared for leadership. His federal counterparts are also ill prepared on this very question. On the question of leadership there was none. We got plenty of mixed messages from the state opposition in the lead-up to the election. In fact that is certainly a disease within federal government corridors.

Look at the state opposition's election commitment to scrap Labor's renewable energy targets scheme, with no binding targets to replace it, and contrast it with state Labor's plan, which is full of action, clear in direction and offers a real choice. Labor has plans to cut greenhouse gas emissions by 60 per cent by 2050 and to establish a biofuels industry to manufacture 400 million litres a year of ethanol or biodiesel fuel by 2010, with a target of 5 per cent of all vehicle fuels being biofuel by 2010. Further, it has plans to cut registration fees for hybrid cars by \$50.

It is becoming increasingly evident with the passing of time — 10 years at the federal level — that John Howard moves only on matters which he is comfortable with and relaxed about. Let us have a look at his record on that. He was relaxed and comfortable about going to war in Iraq on the shaky grounds of that country having weapons of mass destruction and the say-so of the United States of America. He is relaxed and comfortable about destroying a fair system of wages, workplace safety and conditions of employment for ordinary working people and their families — and the WorkChoices laws are the carrier of that philosophy. John Howard is relaxed and comfortable about blaming victims and refugees by locking them up for years, children and all, and about having unfair processes to deal with their claims.

There is also the trickiness and political posturing of his offer to the states for the rehabilitation of the

Murray–Darling Basin — only in an election year. It is full of holes, as has been revealed by our Premier and our Minister for Water, Environment and Climate Change in recent days. Climate change is real, and it is happening to all of us now. The Intergovernmental Panel on Climate Change has dealt once and for all with the sceptics of climate change. The evidence presented by the panel makes certain facts about climate change irrefutable.

When we consider that a 1 centimetre increase in sea levels will result in a metre of coastal erosion, it is no wonder that Labor is prepared to tackle square on the challenge of reducing carbon emissions in our country and their impact on climate change. Yet we hear John Howard accusing the Labor states and the federal opposition of scaremongering. That needs to be read as meaning, ‘As a federal government we are fudging the issue, because as elected national leaders we do not have a real response. We do not believe it, and we do not feel comfortable about it’. There are so many other things the federal government does not feel comfortable and relaxed about. It thinks they will all go away, but they will not. There is mounting evidence from experts right across the world that will require good government leaders to respond with clear actions for their communities.

The Victorian Labor government is providing the leadership which is so lacking in federal government ranks. The Premier led the states and territories last week in reaching an historic agreement to introduce an emissions trading scheme by the end of 2010. The gauntlet has been thrown down. Obviously it would be best to have a national scheme and a national government that understood the problems and was prepared to do something about it, but that may not happen. So we now have a situation in which states and territories right across the country are prepared to introduce a carbon emissions trading scheme by 2010. If the federal government fails to take up this point before then, the scheme will go ahead regardless.

Greenhouse gas emissions from electricity generators will be capped in 2010 so that we can achieve a 60 per cent reduction in emissions by 2050. That is another significant part of the agreement reached last week. Victorian Labor led the way on that by establishing clear benchmarks in our election commitments last year, and I am very pleased that as a government we can share that with the other territories and states so that all of Australia will be able to move forward with a unified plan that links actions to words and produces results for the lasting benefit of our community. We are taking responsibility for carbon emissions and their impact not only on our country but on the rest of the

world and building on state Labor’s election commitments on targets.

Labor members are very comfortable with our leadership and solutions. We know the community understands the issues and is seeking real action on and solutions to the problems of climate change and carbon emissions. I propose that as days go by members of the federal government and the state opposition will find it increasingly uncomfortable and difficult to relax on this issue. I challenge them to come on board and support what this state Labor government has done in leading the way and having that historic state and territories agreement signed last week. The federal government and the state opposition should do the right thing by the community and come on board.

This agreement also signals a future of greater certainty for industry, because it encourages investment in new technologies and new power stations nationally. Let us be very clear about this: the last thing industry needs is a constant state of flux in which there is no leadership and no agreement about what the future should hold in terms of tackling carbon emissions. That would be the worst thing. Yet we have a federal government and a state opposition that are very keen to sing the words that somehow Labor is scaremongering on this issue. That is what the federal government and state opposition members believe, and it is what they are resting on. Let us be very clear: the impact of their refusal to acknowledge this problem and offer real action and solutions is leading to industry uncertainty.

This Labor government is not doing that. Our plan is to provide that certainty so there can be great confidence across the private sector in investing resources in industries which are viable and which reduce carbon emissions and therefore reduce their impact on climate change into the future. This makes sound economic and is contrary to the views of those who are sceptical about climate change and its links with excessive carbon emissions. Labor governments are the good economic managers and thinkers, and we are showing that by example and by having a clear policy agenda. We offer clarity on this position, not empty posturing, which is what is being proposed by others.

The private sector has responded very favourably to Labor’s proposals, certainly in the provision of a carbon price signal and an emissions trading scheme. We only have to look at larger companies such as Shell, BP, Westpac and Visy to see that they understand clearly the plan proposed by Labor governments. What Labor offers will mean that such companies will be able to invest with confidence in industries and solutions which will reduce carbon emissions and improve the impact of

climate change. That has to be good for everybody — the people of Mill Park, the people of Victoria and the people of Australia — and certainly goes some way towards meeting our responsibilities globally.

Part of the agreement reached last week between the Labor states and territories was that we would come together at a later stage to draft legislation for a national emissions trading scheme for consideration in 2008. We are not going to waste time on this matter. We hope the federal government will wake up, show some leadership and come to the party. As much as last year's state election was about industrial relations and WorkChoices, it was also about the environment, water and climate change. Let us not be unclear about that.

The federal election this year will present us with the same problems, and I am confident that the federal Labor opposition will have very clear and articulate policies. I am not terribly confident that the federal government will present clear and articulate policies on carbon emissions and climate change. Time will tell, but there is one thing for sure: we need a federal government that thinks about and accepts, as the states and territories have, that climate change is here and is not going to go away and that there is a clear and irrefutable link with excessive carbon emissions.

We need responsible leadership. I trust that at the next federal election we will see people in the community choosing the federal Labor Party, because it will provide a clear policy agenda and action. I only hope that the state opposition wastes no time between now and then coming to some sense, understanding the economics of the issue and its social obligations, and showing good leadership on this issue. I only hope that that is the case, but in the end that is for the opposition to decide.

### **Bushfires: response**

**Mr McINTOSH (Kew)** — The issue I wish to grieve about today concerns Victorian policing. I am new to the role of shadow Minister for Police and Emergency Services: I have only been in it for a little over two months. I also recognise — and you, Acting Speaker, would personally understand this — that the most significant issue I have had to deal with in relation to my portfolio has been the recent bushfires. Not by way of an apology, but as an initiation by baptism of fire, I ended up spending some five days in bushfire-affected areas. I visited places such as Mansfield, Wodonga, Wangaratta, Jamieson and Tolmie. I also spent some three nights in the Howqua Hills.

I echo the remarks made by my Leader, the member for Hawthorn, who also spent some time in the bushfire areas. The length of time of these fires and the pressure they placed upon people was quite extraordinary. While I was there nine New Zealand firefighters were evacuated. While that was disappointing and tragic at the time, the outcome was positive, because they were injured only some 5 kilometres away from where I was staying.

### **Police: government record**

**Mr McINTOSH** — Having said that, I grieve on behalf of the people of Victoria for the state of policing in Victoria. While the Premier can blithely say that the current problems that Victoria Police is facing can be largely laid at the feet of an industrial dispute that exists between the Police Association and the police command, it seems to me that there is a far more fundamental issue, or a number of factors, that should be taken into account when considering the state of Victorian policing at the present time.

There is a far more systemic problem in Victoria Police. The root of the problem is not just one industrial dispute, but there are also the issues of manning levels, the role played by the Police Association and many other factors that I hope to expand on. In my view this has led to a real crisis of public confidence in the police force. An examination of the causes of these problems shows that the current industrial problem is just one aspect of a larger problem and its solution would certainly not affect the larger problem by any stretch of the imagination.

When you examine the leadership of the police — not just the Chief Commissioner of Police but also the Police Association — it seems we have a World War III going on between the Chief Commissioner of Police and the Police Association which transcends an industrial agreement. This issue came to the fore during the public examination of issues involving the armed offenders squad. Whether you think that that was an appropriate way of going about examining the armed offenders squad is irrelevant. The Chief Commissioner of Police acted within the ambit of her role responsibilities, and she adopted a course of action which was publicly criticised by the Police Association.

That led to an extraordinary step which followed the agreement of some weeks before between the chief commissioner and the Police Association, with its associated trauma, that neither would publicly criticise the other. That was part of an agreement which I thought was extraordinary. From then on the situation

seems to have got worse and has no doubt been exacerbated by an industrial dispute.

The situation has also been exacerbated by the actions of this government. We know the government entered into some form of a secret deal at the beginning of November 2006, once the election campaign had started. In relation to that particular agreement, the Premier said that it would be inappropriate for him as a leader of a party in the middle of an election campaign to make those things public, because they were not the actions of the government. Regrettably the government was re-elected and it is now back in the same job. We now have a different Minister for Police and Emergency Services, but the Premier is back in his job. He is a signatory to that agreement with the Police Association, which, to all intents and purposes, cut the chief commissioner out of the equation.

Notwithstanding the fact that the Premier, acting as a leader of a party, adopted this as government policy, what is extraordinary is that the Premier refuses to make that deal public. The people of Victoria have no capacity to gauge that particular matter. We do not know the extent to which the Premier has hamstrung the Chief Commissioner of Police in that particular pay deal. That is just one aspect of the dispute.

Also, World War III seems to be going on inside the Police Association itself. Recent media reports, particularly on the *Sunday* program and the ABC program *Four Corners*, demonstrate that there is a clearly divided culture. World War III could be happening — on one side it is represented by the secretary of the Police Association, Senior Sergeant Paul Mullett, and others who were the subject of an issue involving a policewoman, Janet Mitchell. As I have said, the war that is going on between the Chief Commissioner of Police and the Police Association, and within the Police Association itself, is just the tip of the iceberg.

In examining that you realise that the Police Association, being a police union, has a role to play in advocating on behalf of its members. One of the real problems that has been identified by people such as Bob Falconer, a former commissioner of police in Western Australia and a deputy commissioner of police in Victoria — certainly a public figure who comments on these issues — is that the legal defence fund operated by the Police Association is of significant concern and upsets that balance. It certainly says that the 98 per cent coverage by the police union is based upon that fund. Indeed, it is the use of that fund that causes the most angst. At first blush one can understand a union acting on behalf of its members but it causes

concern when people like Bob Falconer have said it has a downside, which is its inability to deal with corruption.

That has been reiterated by a number of other commentators recently. Even the Office of Police Integrity, while perhaps denying there is widespread corruption, whatever that means, says there is a problem with corruption inside Victoria Police and that the ability of the OPI — this is the government's own body set up to deal with the issue of corruption inside the Victoria Police — to deal with corruption is being hampered by the Police Association and more particularly by the use of its legal defence fund. The director of the OPI, George Brouwer, and its deputy director, Graham Ashton, have recently gone on record in the press and the electronic media in relation to this matter.

Acting Speaker, it is also a matter for some pause, because you were a member of this place when we had the police corruption debates some two and a half years ago, triggered, as we know, by a number of deaths of gangland figures. It was the death in my electorate of the two Hodsons that seemed to be the significant trigger because of the allegations that those deaths were linked directly back to serving police officers. That may or may not be the case, and we are still to find out the precise outcome of those crimes.

However, the most important thing is that the government went through this most absurd and turgid process of solving that particular problem by creating the Office of Police Ombudsman. It had already appointed George Brouwer as the Ombudsman but then put him in this absurd position where the Ombudsman became the police ombudsman. Gradually the police ombudsman was given increased powers. When it was no longer viable to have a police ombudsman, particularly when the telephone tapping powers became a point of tension between this government and the commonwealth government, the Office of Police Integrity was created. It was still not appropriate because the oversight body was the Ombudsman, who were one and the same person, and the special investigations monitor was created to oversee the Ombudsman in relation to telephone tapping powers.

Some eight or nine pieces of legislation had to be brought into this place for that process. Whatever else was the *raison d'être* of the OPI, the *raison d'être* of the OPI was its ability to properly investigate links between alleged corrupt cops and gangland figures, if not murders. Certainly it was the death of the two Hodsons that was a profound driving force in that regard.

I was taken aback at the beginning of January when I read a report in the media that the OPI would possibly get around to investigating that link between corrupt police officers and gangland killings perhaps towards the end of this year. I must admit I was taken aback because my expectation back in May 2004 was that this was being addressed by first the police ombudsman and then by the OPI.

This very issue was the *raison d'être*, the trigger to set up this entire process. It was the trigger that enabled telephone tapping powers and other control powers, all of which we supported. While we may have been concerned at the margins, we supported the government in its move to deal with the issues and allegations of corruption inside the police force. This failure to deal with the nub of the issue and with the inabilities of the OPI — whether because of the behaviour of the Police Association or the use of the legal defence fund, all of which may be appropriate — and we do not know precisely how that is operated — is a matter of profound concern.

Oversighting all this we have the government, which says, 'We do not get involved in the operational aspects of Victoria Police'. Fair enough. At the end of the day who is accountable for the operation of the Victoria Police? Who is accountable? The Premier and the Minister for Police and Emergency Services hide behind operational decisions — and I have been in this place long enough to see three successive police ministers hide behind operational matters. Who will be held accountable?

At the end of the day we have a Minister for Police and Emergency Services who is paid a big salary, has a large staff and a large car. Someone should be accountable. If something goes wrong, such as the manning levels at certain police stations, and if there are allegations of corruption and if there is the opportunity to fight them through a decision by the Chief Commissioner of Police, Victorians through this place are entitled to hold their government to account. They are paying the bills and making the political decisions; at the end of the day they are the commanders of the police force and make those decisions. At the end of the day the Victorian people expect the Minister for Police and Emergency Services and the Premier to answer and be truly accountable for those decisions, and they should explain to the people of Victoria why there is a crisis in confidence.

On top of those allegations of corruption and the difficulties between the personalities, out there in Victoria we have a significant problem with law and order. We know there is a real problem with crime,

particularly with violent crime. It seems to be on the rise, and all the police statistics demonstrate that that has happened over the last seven years.

On top of that, if you go to Geelong, Wodonga, Bairnsdale or Mildura, everybody will complain about the level of policing. Indeed the Police Association tells you that some 655 operational police officers have been removed from the front line, and everyone seems to be short on numbers. They may not be short every single day, but there is a real problem with manning our front-line services, and that is a matter of profound concern. Whether the rise of crime and the lack of manning are linked, I do not know.

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

### **Education: federal policy**

**Mr DONNELLAN** (Narre Warren North) — I grieve today specifically in relation to the Prime Minister's continued attack on the public education system and the teachers in schools. This appears to be an ongoing campaign. It never stops. It does not deal with the outcomes in our public schools but deals with the supposed left-wing bias and lack of morals that our teachers appear to have. It is as if the most immoral and most left-wing teachers all reside in the public education system, but the moment they move into the private system they suddenly become moral, their left-wing bias disappears and they are suddenly right-wingers.

The Prime Minister and the federal Treasurer think they are the purveyors of fine morals in this country. They above all else seem to know what correct morals are and that the left-wing teachers in our public schools do not have any morals. It is funny, because we have a Prime Minister who went to a public school but somehow he survived that indoctrination by left-wing teachers and came out all right after it.

What is the solution offered by the commonwealth? Let us not look at the statistics, the facts and so forth. It is all about getting all these so-called lefties out of the public education system so we are left with no teachers at all or we have to move all the lefties into the private system. Then, on the way through, they will become right-wingers and have good morals. They will be like the Keith Windschuttles of the world — Aboriginal death deniers that you need in the education system because it is supposedly in a crisis.

Many people in this Parliament, some of them in the Liberal Party, went to public schools. I do not know

how on earth they became Liberals when, as is alleged, teachers spent so many years indoctrinating them. As I said, and as everyone knows, the Prime Minister went to a public school in New South Wales — but somehow or other he survived the indoctrination. Using the Prime Minister as the supposed moral compass for our community, we have someone who has lied about *Tampa*, lied about Iraq and lied about interest rates. He is very loose with the truth. At the end of the day he is very happy also to divide the community over religion. I guess in many ways the Catholics of the early 20th century were a bit like the Muslims are today. We can demonise people because of their religion, but in doing so we do not deal with the real issue of how to address social dislocation and such things. The Prime Minister just keeps going back to public education, saying that it is allowing all these left-wing ideas to come out into the community — and God help us if that continues!

It is fine to divide the community over religion, morals and all that, but at the end of the day we all have to live in this society and someone has to actually bring it all back together. It does not seem that the Prime Minister really has any intention of doing that. It is the pursuit of winning at all costs: we will bag the teachers and kick them in the head — and who cares? What does that provide coverage of? Realistically it provides enormous coverage, because the universities can be defunded and money can be pulled out of the public education system and thrown into the private education system.

I accept that many low-fee private schools as well as schools in the public system need money. The high-fee private school that I went to realistically does not need money. The facilities at the school I went to were very good. There is no need to put money in there. We were told, I think at the final assembly, that we students at that high-fee private school should be voting for the Liberals because they would give more money to the school. At the time my mum and dad said, 'We can afford it. This is ridiculous. This money should be going to schools that need it in areas like the west of Melbourne, a lot of country towns and places like that'. In my electorate there are many public and low-fee private schools which could do with funding because they need the money. To be fair, some of the high-fee private schools in my electorate, like Haileybury, and other schools like Xavier College, which I went to, probably do not need it as much as many others.

Now more money is spent on the private school sector than is spent on the university sector. In many ways that is throwing away our future. Our higher education contribution scheme, which was introduced by a Labor government, broadened access to education. The current government seems to be narrowing it down and

making it a privilege to have an education — as Brendan Nelson, when he was the federal minister for education, said. Now in this society it is considered to be a privilege, not a right, to have an education. If you want to go to Melbourne University and so forth, make sure you have the money — and even if you do not get the marks, you will get in through the back door if you have the money. That is a bad attitude.

We on this side want to broaden education opportunities so that the whole society actually has access to education. The party of those opposite seems to want to narrow it down. During the last federal election campaign I was promised a technical education college in my electorate, and I am still waiting for it. We have been waiting for it for four or five or I do not know how many years. We have not heard a murmur since the election. At one stage it was going to be tendered out to one of the high-fee private schools in my area to run. A whole lot of public systems in the area that already have technical facilities were totally overlooked. That was really dumb, stupid thinking.

The culture that has built up in this society is that everybody deserves a handout. Not just those in the middle class but the wealthier people in our communities — —

*Honourable members interjecting.*

**The ACTING SPEAKER (Mr Ingram)** — Order! The Minister for Public Transport should cease interjecting with shadow ministers across the table.

**Mr DONNELLAN** — I refer to the culture that has now developed in our society that everybody — whether they are wealthy, poor or in between — deserves money from every federal budget. That is absolutely ridiculous. Money is being given out hand over fist. Recently Saul Eslake, the chief economist of the ANZ Bank, said that over four years \$256 billion had been wasted on ridiculous handouts by the federal government. It has done nothing with that money to look to the future of this country or to invest in infrastructure or education; it has just spent the money. The federal government has taken money from us in taxes and then handed it back. I have never heard anything so ridiculous in my life. Why did the government not just leave it with us in the first place? Now in every federal budget money has to be handed out to everybody because that is the culture that has developed. The federal budget has to hand everybody a morsel of gold.

What else do we now have in this society? Now the educated are considered elites. They are considered

stupid and are not to be listened to because they are morons. If you listen to the radio sometimes when the Prime Minister is on the air, you hear someone say, 'I want all Muslims to go home because they're all evil', and then Mr Howard says, 'I can understand your view. I understand that some Australians feel that way'. In other words, it is a special code that means the Prime Minister agrees with racist, silly comments. That is not the message we need to have going out to society. We need to deal with those things in a sophisticated way, not dumb ourselves down. That is the type of thing that that guy encourages. In many ways nowadays Alan Jones gets enormous say. He is the guy who many years ago was caught using Frederick Forsythe as his foreign affairs reference, but still at the end of the day we have to listen to that dill, who actually does not have much to say.

What role will the educated and the specialists have in the future? If you are an ADD, or Aboriginal death denier, like Keith Windschuttle, you will be listened to, but if you are not an ADD or something like that and you want to deal with facts and so forth, you will not fit in. We must remember that Keith Windschuttle started off as a communist — a bit like Lyndon LaRouche. He has run the full gamut, going from being a commo to being a mad right-winger, and on the way he has joined Lyndon LaRouche. That is not a great academic background. In fact it is ridiculous. We all know what Lyndon LaRouche wants to do. He believes in every conspiracy theory in the country — and every one of them is a Jewish conspiracy, according to him.

I refer to my experience of teachers in public schools. I have many good secondary schools in my electorate, but I spend a lot of time in one, because it needs a bit more help than the others. I will not name the gentleman who is the head of the Victoria certificate of applied learning vocational education and training unit. He is very wealthy. Formerly he was the chief executive officer of a public company, which he has sold. He was in the technical and further education sector and has gone back into it deliberately to give back something to society. The other day he got a call from Wesley College because the people there know how good he is, but he is staying in the public sector — because he believes in committing to the public sector and broadening educational opportunities for all, including those who do not have money. The principal of the school is very much the same. Those people are dedicated to ensuring that the masses actually have a quality education.

What are we going to do? Just take the money out of public education and put it all into the private sector? What are we going to do about the masses? Obviously

we are just going to ignore them. To date the Prime Minister has not come up with a solution. He says that only those in the private system are moral. Those in the public system are said to be immoral and left-wing loonies, yet when they go into the private system they suddenly turn into right-wingers. There seem to be many conversions on the road to Damascus. I do not know about those conversions, but they must happen some way or other.

What does the word 'choice' mean in the education debate? For Mr Howard it means the ability to take funding out of the public education system, including underfunding the universities and not talking about funding in real terms but in percentage terms, and to put the money into the private system. As I said, I am very comfortable with funding for low-fee private schools. What concerns me are the high-fee private schools, such as the one I went to, which do not need that funding as much as those that are less well off. For members on this side 'choice' means broadening opportunities for society, not just for the wealthy. Education is not a privilege, as Brendan Nelson has said he believes it is; it is a right in our society that everyone should have access to a quality education. We want a society where everyone has an equal chance.

I refer also to teachers generally. Funnily enough, at the high-fee private school that I went to there were many leftie teachers — God help us! We will have to go on a holy crusade to kill the left-wing teachers in private schools, because that is the only way we will get to where John Howard wants to lead us. If he wants to lead a holy crusade, we can do it! However, I do not think we will get public support for that type of activity.

**An honourable member** interjected.

**Mr DONNELLAN** — I will be a Hungarian aristocrat at the rear!

It is ridiculous. We are not going to remove leftie bias in teachers — and I do not even believe there is a bias. It is just an educated bias; it is just a consideration of society around you. What do the Jewish community say? 'When you're dumb and you've got no money and you're stupid, you vote conservative; when you've got money and you're educated, you vote Labor' — and that is generally what you see in that community. I think the problem for the Prime Minister is that teachers are generally going to be a little more left leaning than he is ever going to accept.

What else have we got? We have a Prime Minister who has bagged the teachers, bagged everyone else and so forth. We have a Prime Minister who is focused on

consumption. As I mentioned before, Saul Eastlake was being incredibly critical of the federal government over the last four years for the amount of money it has taken — a record tax take — and then just handed back, which is a ridiculous exercise because of the amount of money it cost just to do that. But we have had very little investment in the future, so we have got no growth dividend. Currently we are living off the growth dividend of the reforms of the Labor government, but there is no growth dividend for the future.

So when this party comes to an end and the economy slows down enormously because there has been no investment in the future and there has been no growth and the Prime Minister has to leave Kirribilli House — which he supposedly needed to move into because his children were still at school, but they have left school now and I think some of them are even married, God help us — so maybe the next occupant can move to Canberra, where the Prime Minister is meant to be —

**An honourable member** interjected.

**Mr DONNELLAN** — Thank God the states are actually investing in infrastructure, because if we left it up to the federal government we would not have any. No-one can work out what the federal government's \$10 billion water plan is, not even the Prime Minister! We will not have the growth that we are considering now. We have even had the Reserve Bank tell the federal Treasurer and the Prime Minister to stop consuming like a pack of drunken fools in case they put pressure on interest rates, and that has sort of worked itself out over the last 12 months and we have seen the interest rate rises. A lot of that was because of this manic focus on consumption, rather than investment. We have a Prime Minister who is badly focused, kicking teachers because there is nothing else to do and really not dealing with the substance of the issue of how much the federal government is investing in training, education and the future of this country.

**Question agreed to.**

## STATEMENTS ON REPORTS

### Environment and Natural Resources Committee: production and/or use of biofuels

**Ms DUNCAN** (Macedon) — I am very pleased to speak today on the Environment and Natural Resources Committee report which was tabled in Parliament in October on an inquiry into the production and/or use of biofuels in Victoria. It was a very interesting reference that the committee looked at. Unfortunately we were a

bit short on time so we probably did not get to look at it as broadly as we might have been able to. As a result, one of the key recommendations of the report is that there is a great deal of information that we still need to gather and that we need to improve the amount of information about the environmental and health effects of ethanol and biodiesel. We recommended that the state government initiate some research to determine the overall effect in particular of emissions associated with the use of ethanol and biodiesel.

The report made five recommendations to government. The committee believes they will assist industry and the government to explore the future role of biofuels in Victoria. One of the interesting aspects of the inquiry emerged when the committee looked at the barriers to introducing biodiesel. One of the greatest barriers was consumer confidence. We heard evidence from some witnesses about ethanol blends being sold in 2002 in the Sydney metropolitan area, some of which had concentrations as high as 30 per cent. There were suggestions at the time that this level would create problems in vehicles. Although there was no evidence identifying that damage, it was a serious blow to the attempts to sell ethanol in the Sydney metropolitan area.

The industry faces this problem generally and is still recovering from the negative sentiment that surrounded those sales. There is a general view that vehicles manufactured after 1986, specifically those with electronic fuel injection, can safely operate at about 10 per cent ethanol, but several manufacturers have stated that their vehicles should not use ethanol.

In 2003 the federal government imposed a maximum blend limit of 10 per cent ethanol in petrol in Australia. That should give people confidence that that level of ethanol blend is able to be put into vehicles very safely. Evidence was also presented that because ethanol has different properties its introduction into existing distribution outlets would require additional infrastructure and changes to handling procedures in its blending and storage, and that within existing distributions this would create some difficulties.

There are many issues surrounding biofuels in Australia, and certainly some parts of Australia are more accommodating than Victoria for growing the various crops required for those fuels. But it is a way of exploring the issue, and we need to explore all the options available to reduce emissions and move forward into the provision of sustainable fuels.

This is certainly an inquiry that deserves further investigation and input. It was a privilege to be on the

Environment and Natural Resources Committee as it inquired into and investigated this reference, and I look forward to examining this area more closely, as I am sure the committee will, in due course.

### **Law Reform Committee: de novo appeals to the County Court**

**Mr McINTOSH (Kew)** — I wish to comment on the Law Reform Committee's report on de novo appeals to the County Court. For the benefit of the house a de novo appeal, like all appeals, is a creature of statute. It provides that a matter be heard over again. It is Latin for 'anew', and it means the matter is heard all over again in its entirety, including the evidence, as well as the making of a new judgement.

It relates only to appeals from the Magistrates Court to the County Court, and it applies only to criminal matters, because civil matters have to be appealed by way of an order to review from the Magistrates Court on a question of law. De novo appeals enable a person to appeal to the County Court on either conviction or sentence, or usually both, and have the whole hearing heard over again.

The committee made only four recommendations. It is very rare that one would agree entirely with the recommendations of any committee, but I am very pleased to agree with each of those four.

I understand that the committee made a very good case for the retention of hearing de novo cases from the Magistrates Court to the Court of Appeal, notwithstanding a recognition that the Magistrates Court has changed over the last 25 years from what it was originally constituted as, and certainly the more professional nature of the Magistrates Court was reason for change in other jurisdictions. But I agree with the committee that the case was not made to change those matters.

A number of procedural matters were suggested. The most important was that a person who appeals to the County Court should be given a warning that if they do appeal, they may succeed on appeal but their sentence can be increased; certainly I have had that experience. My experience was not so much in the County Court because I did not practise extensively in the criminal jurisdiction, but as a young barrister I was involved in a number of de novo hearings. When working for a former Chief Justice of Victoria I found that that warning was almost inevitably given before the Full Court as a matter of practice, although that outcome did not necessarily eventuate.

One matter that has been raised with me by community leaders and members of the Victoria Police at Wodonga is a community perception that people convicted of offences in the Magistrates Court will automatically appeal to the County Court for a hearing de novo, which would then be dealt with by the County Court, but in Wangaratta. The perception is that that is a soft option.

The committee's report did not deal with that particular aspect but certainly on previous occasions I have called on the Attorney-General to at least address that particular perception and undertake some sort of review to discover whether it is true that it becomes a soft option, and I entreat the Attorney-General to continue that investigation.

### **Environment and Natural Resources Committee: production and/or use of biofuels**

**Mr SEITZ (Keilor)** — I rise to make a statement on the inquiry by the Environment and Natural Resources Committee into the production and/or use of biofuels. During our public hearings and consultation with the community a number of quite interesting concerns were expressed, and the committee made a number of observations. Biofuels are important. Last year when fuel prices were high, petrol was the topic. Now the topic is water, but nevertheless it is an important issue that needs to be addressed.

First of all, biofuels, and particularly ethanol, are not finite fossil fuels. It is important to realise that ethanol can be produced from cereal crops and that it can be replenished and replaced. Emissions going into the atmosphere as a result of pollution are an important topic. Reports particularly from Brazil, where biofuels and ethanol account for 30 per cent of motor fuel consumption, indicate that biofuels and ethanol do not create any further pollution or health risks than fossil fuels, so that is commendable. However, the committee is advising the government, through its vehicle fleet and infrastructure, to further monitor that situation.

Motorists are somewhat scared of how much ethanol is in vehicles. Currently the average is 5 per cent, and manufacturers tell us that that amount of ethanol will not harm new engines and vehicles if the labelling is clear, although sometimes the media portray it otherwise.

However, the committee said that mandating that it be up to 10 per cent was not necessary. The reports and other evidence presented to the committee by various people indicate that that would be a retrograde step. There is no need to mandate it, because drivers in the

community will select it for themselves as vehicles become better able to use biofuel and they gain confidence in it. It is something that has to be very much driven by the industry itself. We have also been told that there are a number of organisations which are trying to establish new plants and are moving further into the biofuel industry. Some people are also asking whether it will put up the price of stockfeed in Victoria and whether, with the competition that will generate from using the stockfeed for biofuels, we will be able to supply enough stockfeed. There are a number of questions that still need to be looked at, discussed and further investigated.

As I said, the committee's time to do that report was very short. However, it has presented a fair picture. I recommend members read the report because it gives a cross-sample of what is going on in the industry in Victoria and the rest of Australia and indicates how many outlets we have. That is the other thing: we do not have a great number of biofuel outlets in Australia. That is another handicap to its being widely used by the average driver these days. Most state governments encourage their government fleets to use biofuel whenever it is available, which is an encouraging step. But when you look at the number of outlets you see that South Australia has about 37 outlets, Western Australia has 22, New South Wales has 9, Queensland has 2, Victoria has 1 and the Northern Territory has 1. So the opportunity for the average public consumer to use it is not very great unless they go out and seek them. It has also come out that a number of people are experimenting by making their own biodiesel and using it for their heavy vehicles. They are using re-used fish and chip oil and other solid material. It is recommended that further research into this work be carried out, particularly when looking at biodiesel. Ethanol is just a matter of — —

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

### **Public Accounts and Estimates Committee: report 2005–06**

**Mr KOTSIRAS (Bulleen)** — I wish to briefly speak on the Public Accounts and Estimates Committee (PAEC) annual report for 2005–06. Before I get to the page that I wish to make some comments on I would like to look at chapter 2, which talks about the committee's mission. The committee's mission is to scrutinise and assess government accountability and performance and promote improvements where necessary.

You, Acting Speaker, would know that when you attend one of these meetings you find out when the government members ask questions that they are there just to fill in time. In most cases the questions are also written by the ministers themselves, so it is just a waste of time. When you ask the government why it does this it says, 'You did it when you were in government'. Instead of saying, 'Yes, it is wrong. We should change the way we do things to improve it and ensure that the government is scrutinised', government members just try to use the excuse that it was done under our government so therefore they will do it under their government. It is frustrating and unfortunately does not give us the opportunity to scrutinise the government, particularly the ministers. I hope this will change during this Parliament and opposition MPs will be given a greater say when asking questions and will have a greater role to play.

I now want to look at page 28 of the report, which has a key finding of the PAEC. It states:

... departmental estimates indicated that in the three years to 2009, the number of secondary teachers graduating from Victorian universities will not be sufficient to meet demand. The department expects to offset this shortfall by recruiting from other sources such as from interstate, through teachers returning to the workforce, and by implementing other initiatives ...

We have a government that has been in office for seven years, yet it has failed to ensure there are enough teachers to cover all the schools in Victoria. As the member for Eltham, who was the chair of the Education and Training Committee, would know — —

**Ms Kosky** interjected.

**Mr KOTSIRAS** — He was a very good chair. He found out that this government has failed to do anything to ensure that there are enough qualified teachers in Victoria, particularly in the area of maths and science, which was the subject of the inquiry. We made a number of recommendations, and the minister responded, but unfortunately nothing has happened. I say to members that after another four years the government will still not have resolved this issue.

When you put the blame on government members they say it is the federal government's fault. They say, 'The federal minister is at fault; there are not enough higher education contribution scheme places at universities', yet they refuse to do anything themselves. They have to realise that they make up the government and that the minister is responsible. You, Acting Speaker, will recall that in 1992 when there was a shortage of engineers the then state government offered some scholarships to ensure that there were enough engineering students

going through the universities. Unfortunately this government refuses to accept responsibility and continues to blame the federal government for the teacher shortage.

The government needs to ensure that over the next four years initiatives are put in place so that there are enough teachers to cover all the schools in Victoria. Currently there are a number of schools which have teachers teaching maths and science when they are not qualified to do so. That is unfair on our students. I hope this government takes these recommendations on board and does something over the next four years. I also hope government members stop blaming the federal government for their failure. They make up the government, they are the ministers, and I hope they can achieve something over the next four years.

### **Environment and Natural Resources Committee: production and/or use of biofuels**

**Mr WALSH** (Swan Hill) — I want to make a contribution on the Environment and Natural Resources Committee report on the inquiry into the production and/or use of biofuels in Victoria. I note the member for Macedon also spoke on this report. The first thing I would like to comment on is recommendation 1. Having spoken with Damian Drum, a member for Northern Victoria in another place who was a member of this committee in the last Parliament, I have learnt that the terms of reference were given to the committee with a very short time frame for reporting on such an important topic. The committee deserved the decency of being given a longer time frame so it could undertake a proper inquiry. The committee has recommended that this Parliament reallocates the terms of reference to the committee in the future so it can do justice to this particular topic.

I have a great interest in this topic because an ethanol plant is being built at Swan Hill. That plant is progressing and will create some exciting opportunities for employment, not only through direct employment but also through its changing the face of agriculture in the region. The proponents of the plant, particularly Stewart Rendell, are working to convert rice growers to corn growers to supply feedstock for that plant. Stewart's view is that corn will produce something like double the return per megalitre of rice. That is quite exciting for the area. There is also the opportunity for it to buy downgraded grain and store it for up to two years to supply the feedstock for the ethanol plant. So there is an opportunity to have another buyer in the market if we have frost-damaged or rain-damaged grain in the future. As the member for Keilor said in his contribution on this report, there is some concern in the

feedlot and dairy industries that this may push up the price. From my point of view, as a member representing an electorate that is one of the largest grain-growing electorates in Australia, let alone Victoria, if we can do anything that will increase the profitability of grain growers that would be a good thing. That covers the issue of ethanol.

The other issue that is quite topical in my electorate is the production of biodiesel. I note that the report talks about the fact that there is a reasonable capacity to produce ethanol in Australia, but there is not a lot of capacity to produce biodiesel in Australia. A biodiesel group is being started in Minyip in my electorate, which the Bendigo Community Bank is helping to set up. It is providing some expert advice to the group on how it should structure the ownership and distribution of the business. It is very focused on making it a community-owned business so the shareholders can not only take some ownership of the infrastructure but can also support it by buying biodiesel into the future. In some ways we are turning back the clock on agriculture.

When our forefathers had horses, they used to grow oats and grain in a paddock down the road to feed them. Whereas the horses were phased out and tractors came in and the tractor fuel was imported principally from overseas, we are now going to find that farmers have a paddock down the back where they grow the feed for the tractors, helping to produce biodiesel or supplying an ethanol plant for the fuel. There are interesting times ahead for the biofuels industry in Australia, and I hope the government resubmits these terms of reference to make sure the Environment and Natural Resources Committee can have time to do this issue justice in the future.

The one thing that I think should be included in the terms of reference is the ethical issue. If we are actually going to use food to produce fuel in Australia, there is going to be a real ethical dilemma in the future. There are a lot of starving people in the world, but here we are actually consuming food to fuel our cars and tractors. The ethical issue of what we do with food, whether it becomes fuel or is used to feed the starving, is an issue that the committee should look at in the future. I hope the government re-issues the terms of reference so the committee can have a substantive look at the biofuels industry in Australia.

### **Public Accounts and Estimates Committee: report 2005–06**

**Mr WAKELING** (Ferntree Gully) — It gives me great pleasure to rise to speak on the annual report of

the Public Accounts and Estimates Committee. As a new member I read this report with a deal of interest. As it was a government-dominated committee, I was interested to read the key findings on page 28. One of the findings deals with the issue of major projects. It is noted in the report that of the 14 major projects within the domain of the government, just over half will actually be completed on time. What a tragedy it is for this state knowing that nearly half of the major projects that fall within the domain of this government are going to either be over time or have an overrun in costs.

One only need look at the list of projects that this government is responsible for, the time they have taken and the massive cost overruns involved to be concerned by the way in which this government has managed those projects. The Southern Cross station redevelopment is massively over time and over budget, to the extent that the private operator of the construction had to be compensated to the tune of nearly \$100 million. Federation Square is another project massively over time. The State Library is over budget and nearly seven years late in terms of its eventual completion. The film studios are over time and over budget. The synchrotron project is at least \$50 million over budget and has still not been delivered. One need only to look at the Commonwealth Games projects to see that each project was over budget and over time.

This is certainly a sad state of affairs, particularly when you have a government-dominated committee that has identified as one of its five key findings a concern for the way in which this government is managing major projects. As the member for Ferntree Gully and a person who is proud to stand up for the people in Melbourne's east, I have grave concerns when I see projects such as the fast rail blow out to almost \$1 billion. One needs only to recall that the original project was estimated to cost \$80 million. It is a shameful waste of money when you see that this project is going to cost in the vicinity of \$1 billion.

What could the people of Melbourne's east have received from that \$1 billion overrun? Not only would we have seen the feasibility study for the Rowville rail completed, but we may have actually had the money to build the rail line, and the tram to Knox city would not have finished at Vermont South but have been delivered to Knox city, as this government promised almost eight years ago.

This report is a shameful example of how this government is managing major projects. I congratulate the government members on the committee for having the fortitude to report to this house on how badly this government is managing major projects.

## MURRAY-DARLING BASIN AMENDMENT BILL

### *Second reading*

#### **Debate resumed from 20 December 2006; motion of Mr THWAITES (Minister for Water, Environment and Climate Change).**

**Ms ASHER** (Brighton) — Let me say at the outset that the opposition supports this bill, which is very simple and very narrow. It will be interesting to see how the Chair and the Acting Chairs are tested during the course of this debate in terms of the latitude given to speakers. The Murray-Darling Basin Amendment Bill was submitted to the previous Parliament in the guise of the Murray-Darling Basin (Further Amendment) Bill, and it had to be withdrawn because there was an error. The government called it a typographical error in the second-reading speech, but I do not think it was a typographical error: it was an error the government overlooked. It has been through the process of going through all the different jurisdictions, and it has been resubmitted to the Parliament. On the occasion that the previous bill was submitted to the Parliament the Liberal Party indicated its support for the changes that had been agreed upon, and its position is unchanged.

However, we find ourselves debating this amending bill in the context of the Prime Minister's Murray-Darling Basin proposal and a transfer of power from the states to the commonwealth. The Prime Minister has also offered \$10 billion in funding and augmentation works, as well as a whole range of other measures such as the buyback of overallocated water rights and an upgrade of statistical information and the like. That proposal is on the table, and the deal for the states involved in this is that control needs to be handed over to the federal government in order for this package to proceed. Certainly that is the Prime Minister's position at this stage.

It was with interest that we all noted that the New South Wales government, under Premier Iemma, has indicated it will hand over powers in return for the money, and obviously New South Wales probably has an urgent need for some of the funding package. But we also note, perhaps rather cynically, that Premier Iemma is up for election on 24 March this year, which may have guided his immediate response to the Prime Minister's office.

I refer to the answer to a question without notice yesterday in this place to the Premier, when he indicated that he is still considering the offer and is awaiting further detail. I have been able to read a lot of

the detail. Obviously financially it is a very good deal. However, there are other matters at stake, and I think it is very important to state that nobody in Victoria should be worse off as a consequence of the change, were it to occur. Certainly we in the Liberal Party will wait with interest to see what the Victorian government does in terms of this offer. However, that is not what the debate today is about. The house has before it a very narrow bill in its scope, and I thank you, Acting Speaker, for your latitude in allowing me to make a couple of preliminary observations on that matter.

The bill, as I said, is incredibly specific. Its overall purpose is to amend the Murray-Darling Basin agreement, as has been approved by the commonwealth government and those state and territory governments which participate — that is, Victoria, New South Wales, Queensland, South Australia and the Australian Capital Territory. The documentation that is part of the Prime Minister's proposal indicates that strategy plans may well take a year to draw up, so obviously this legislation would be in place for the year while the plans are being drawn up, should any change happen in that period.

The provisions were as advised in the previous bill, and I have already detailed them to the house. The first deals with some changes in financial management, including the setting aside of funds for future works. The second is about a proposal from Queensland, which was accepted by the other jurisdictions, for indemnity to protect Queensland from liabilities in which it plays no role — for example, the Murray River. I understand that has been a matter of practice for some years, but the Queensland government sought a written assurance by way of the bill that this was the case, and that is an element of this bill as well.

Schedule C, appendix 2 on page 16 contains a list of joint salinity works, and they are described in detail. The purpose of clarifying the schemes is simply just to do that — that is, to make clear who is doing what. These salinity works include the Barr Creek drainage diversion scheme and the Buronga salt interception scheme, and others are listed. Members can read about these schemes over two pages of the bill. They are obviously all desirable works.

However, the change in this bill and in the previous bill relates to an omission. It is basically a correction of an error that existed in schedule 3. A specific clause, clause 78(3), relating to new audit arrangements, was left out of the first bill.

In particular I refer members to the rectification of that error. Clause 20(2) of this bill amends clause 78. The

first bill simply said, 'omit subclause (2)' but the addition of 'and (3)' was forgotten. This updated bill now before the Parliament simply adds the words 'and 3'. Also a couple of other consequential amendments refer to the fact that the bill had to be withdrawn in the previous Parliament, to be now resubmitted to this Parliament.

In essence, the first bill contained an error, and I particularly want to pay tribute to Royce Christie, the Liberal staffer who found this error, notwithstanding the bill's oversight in all these jurisdictions and by all the bureaucrats. He is an assiduous young man who used to work for the former member for Benambra and now works for the current Leader of the Opposition; I pay credit to him for picking up that error.

In effect, the proposed amendment was designed to establish new audit arrangements, and the omission meant that there could possibly be some requirements on the commonwealth auditor, whereas the purpose of the original amendments to the agreement were to change the auditing arrangements for the Murray-Darling Basin Commission to allow for the possible appointment of an auditor by the ministerial council; that may or may not have been the commonwealth auditor. But the failure to include the repeal of that provision meant that there existed the possibility of audit obligations being imposed on the commonwealth Auditor-General when that person may not have been responsible for auditing. That is the reason we are debating this bill.

The Murray-Darling Basin agreement, I must say, has probably received more community comment in recent times than ever before, and there is probably a much broader understanding of that agreement, conceptually at least, as a consequence of very intense political and media interest. In essence, the agreement aims to:

promote and coordinate effective planning and management for the equitable, efficient and sustainable use of the water, land and other environmental resources of the Murray-Darling Basin.

The agreement was signed in 1987 by the commonwealth, New South Wales, Victorian and South Australian governments. A new agreement, struck in 1992, completely replaced the River Murray Waters Agreement, whereas the previous agreement was an amendment to the River Murray Waters Agreement. In 1996 Queensland joined the agreement, and in 1998 the Australian Capital Territory also joined. Again I note the very high level of increasing community involvement with and understanding of water issues. The agreement covers over 1 million

square kilometres of Australia, while Victoria has more than 130 000 square kilometres in the basin.

Seventy per cent of all the water in the Murray–Darling Basin is used for agriculture, so it is no wonder that my country colleagues have been speaking about this agreement for a long time. I think it is fair to say that city people had not been as familiar previously with issues in the Murray–Darling Basin as they are now. Forty-one per cent of Australia’s agricultural production comes from this region. The storage capacity of the Murray–Darling Basin is 35 000 gigalitres. The Murray–Darling Basin Commission is responsible for about a third of that.

Anyone who reads a newspaper or watches TV will understand that the inflows into the Murray–Darling Basin are at an extremely low level. I refer to newspaper reports this week which show that inflows are at their lowest levels in 115 years of records. Specifically I refer to the fact that in the eight months from June to January inclusive, inflows have been just 660 gigalitres, 60 per cent below the previous minimum of 1170 gigalitres recorded in 1983. We clearly have a range of challenges, but the bill before the house simply attends to those three matters that all the signatories agreed to — financial issues, salinity works and changes to financial and auditing arrangements. As part of that, as I have already indicated to the house, there was an omission in relation to the repeal of one of the clauses affecting the changed auditing arrangements, which in a worst-case scenario would have had the commonwealth Auditor-General responsible for something that he may not have been responsible for should another auditor have been appointed. As I indicated earlier, the Liberal Party previously supported these amendments before the house. We do so again. We are happy to see the bill proceed speedily through this chamber.

**Mr WALSH** (Swan Hill) — As the previous speaker said, the Murray–Darling Basin Amendment Bill has been resubmitted to this Parliament. It was here in 2006, but there was what is called a drafting error in clause 20 of the amending agreement between the states on auditing arrangements. Some numerals were wrong and have been corrected, it was signed off by the ministerial council in September 2006, and it is now again before this place. The Nationals supported this bill last time it was in this house and will do so again.

The bill principally does three things. It enables improved business practices for River Murray Water, particularly around the issue of renewals annuity funds. I made some comments on this issue last time it was before this house, but for the benefit of the members in

the chamber, the capital renewals were previously done through a renewal fund, which was money in the bank effectively to replace any of the infrastructure to the standard to which it was built. We have learnt over time that this is not the best way to fund renewals in water infrastructure.

As time moves on we find that some infrastructure is no longer needed, or we find that we have technology that can build that infrastructure in a completely different way or with a completely different type of material. Whereas once we used to build things out of concrete and wood, we now find that we are potentially building them out of polyethylene and aluminium, for argument’s sake, which is substantially different. The move to debt funding of critical infrastructure rather than a renewals process is common sense. It was something that was started here in Victoria two or three years ago by our rural water authorities, which improved the pricing regime for farmers as far as how water was priced from a renewals point of view.

It also clarifies the fact that Queensland has no liability in the lower part of the basin, particularly the Lower Darling and the Murray. Although it may have no liability, I would like to think that Queensland would actually take more responsibility for some of its actions, because what happens in Queensland has an impact on the Lower Darling and on the Murray. What happens in Queensland can have an impact, for argument’s sake, on someone on the Goulburn system, because more water is required to be pushed through to South Australia to supply its needs if the Darling cannot meet its quota of water for South Australia. Although this legislation might enshrine the fact that Queensland has no liability for issues around the river and the infrastructure in the southern part of the basin, I would certainly hope Queensland does not think this lessens its responsibility to be a team player in the Murray–Darling Basin.

The third thing this legislation does is put in place details for authorised joint works, particularly from a salinity management point of view. This is an issue I raised last time this bill was in this house. The one I want to mention is the Tutchewop–Barr Creek drainage system. There are some substantial issues around this that have been ongoing now for 20 years. I asked the Minister for Water, Environment and Climate Change for action in the adjournment debate in February —

**Ms Asher** — You won’t get any action from him.

**Mr WALSH** — I have not had any action. I asked for action in February 2005. I asked for action at that time because as part of the Tutchewop–Barr Creek scheme there was a proposal at one stage to build a

mineral basin reserve near Tresco. That was stopped by a court action when John Cain was Premier because the local land-holders were extremely concerned about the off-site impacts of that particular project.

The government still owns that land, and it is leased out. It continues to cause concern in the community, because people never know whether one day this project may be started again. The action I requested of the minister for water in February 2005 was whether he would give a commitment to sell that land so we could put the whole sad issue in the past and so that community could more positively deal with the water authorities and with the issues of the area. There is a high level of mistrust of the water authorities in the area because the mineral basin reserve land is hanging over that community's head all the time.

The minister did not respond on that night. I had no response any time shortly after, so I wrote to him again in November 2005, asking if I could have a response to my adjournment matter of February 2005. Still no letter was forthcoming. I again wrote to the minister in June 2006 asking if I could have a response to my adjournment matter of February 2005, but to this day — and it is a very sad indictment of the minister or his office or his department — I still have had no response.

I notice that the Parliamentary Secretary for Environment is in the chamber. I wonder if he could take note of this and convey to the department that I would appreciate a response to the adjournment matter I raised in February 2005.

**Ms Pike** interjected.

**Mr WALSH** — I am being very fussy, but it is an issue that is of grave concern to that particular part of my electorate, and I think those people are owed the decency of a response.

No discussion about the Murray–Darling Basin or water in general could go by without my making a few other comments about water. I think all members in this house would understand that the management of water is a very complex issue, not only in Victoria but in Australia. The management of water has evolved over the last 100 years. No one, single solution has done anything outstanding — there has been evolution over time — and there are no simple solutions for the future. We have reservations about some of the options being bandied around at the moment.

Some people seem to think there is a silver bullet out there that will solve our problems tomorrow. Quite a few of the simple solutions that are being suggested

would mean there would be major winners and losers, because transferring water or taking it away would mean you would also be taking wealth away from those people.

**Sitting suspended 12.59 p.m. until 2.02 p.m.**

**Business interrupted pursuant to standing orders.**

## DISTINGUISHED VISITOR

**The SPEAKER** — Order! I would like to welcome and acknowledge the Honourable Eric Kent, a former member of the Legislative Council and Minister of Agriculture from 1982–85, who is in the gallery today.

## QUESTIONS WITHOUT NOTICE

### Crime: incidence

**Mr BAILLIEU** (Leader of the Opposition) — My question is to the Premier. I refer the Premier to official police statistics that show that since 1999 homicide is up 36 per cent, rape is up 18 per cent, sexual assault is up 5 per cent and common assault is up 45 per cent, and I ask: does the Premier agree with the head of the Police Association that law and order is quickly deteriorating?

**Mr BRACKS** (Premier) — I thank the Leader of the Opposition for his question. If you look at the overall statistics — and the opposition leader selectively quoted some of the statistics — and if you look at the totality of the statistics, you see that the crime rate is coming down in Victoria. Not only are we the second biggest state in Australia, we also have the lowest crime rate of any state in Australia. The reason for that is this: we have put in extra resources. Whilst the previous government cut 800 police, we have put on an extra 1400 police in Victoria. Not only that, we are committing to a further 350 police, which will bring down the crime rate as well.

Our policies have reduced the crime rate in Victoria significantly. We are one of the safest states in Australia, and that is a credit to the men and women of the police force in Victoria. Our commitment is to keep Victoria safe in the future as well.

### Bushfires: response

**Ms GREEN** (Yan Yean) — My question is to the Premier. I ask the Premier to update the house on the threat of bushfires to Victorian communities.

**Mr BRACKS** (Premier) — I thank the member for Yan Yean for her question. Alongside other members of this house I know that she, as a volunteer, was part of the fire fight in Victoria. I know many members of this house contributed in that capacity. The member for Yan Yean was a part of the fire fight in Tolmie, which was obviously one of our worst areas in the Great Divide complex more broadly. I want to thank all members of Parliament and the communities in which they serve for the work they have done in making sure that we can get through this very difficult fire season.

We said very early on, in November last year, along with other ministers, with the chief officer from the Country Fire Authority (CFA), Russell Rees, and with the chief fire officer of the Department of Sustainability and Environment (DSE), Ewan Waller, that we expected this would be one of the worst fire seasons that Victoria had faced — and it has been. We should also say that whilst the Great Divide complex fire has largely been controlled, we regrettably cannot say that the fire threat in Victoria is over.

I have to inform the house that as a result of lightning strikes last night some fires have occurred. There have been 18 new ignitions across the state, including fires which have been identified in the vicinity of Walwa, Orbost, Marysville, South Corryong, Bogong Village, Mount Beauty and Mitta Mitta. As a result of quick and urgent action by the CFA and the DSE, we see that most of those fires are now under control, but not extinguished. I think it is a credit to the fire services that they moved so quickly on those 18 new fire break-outs as a result of lightning strikes in the north-east of the state.

We need to be on high alert in coming days, because the conditions we are facing in the coming four to five days will be as bad as the conditions we have already experienced to date in the fire season in Victoria. We expect the fire conditions to worsen over the next few days. It is predicted that a high-pressure system over the Tasman Sea will create hot northerly winds and move across Victoria into the weekend. Extreme fire danger is possible on Friday, Saturday and Sunday. Predicted thunderstorms on those afternoons may bring the risk of more lightning to the north-east, and of course other parts of the state are on high alert as well. Temperatures in the high 30s and northerly winds are expected right across Victoria.

We said in response to questions about the finalisation of the Great Dividing Range complex fires that we expected February would be a difficult fire period, and that expectation will be realised over the next three days. I want to thank the many communities that have

worked so hard over what is probably the longest period they have ever worked in fighting fires. Unfortunately, it is anticipated that the next three or four days will also be difficult.

It is ominous to note that this Friday will be the anniversary of the Ash Wednesday fires, which were some of the worst fires ever experienced in Victoria. We are in that calendar period when, in 1983, the intense Ash Wednesday fires resulted in the loss of 47 lives, with about 210 000 hectares being burnt and more than 27 000 stock and 2000 houses lost. It is also the 30-year anniversary of the Streatham fire, so we know that this period in February is one of Victoria's high fire-alert periods.

I want to place on record the appreciation we have for Victoria's fire services. After the 2002–03 fires the recommendations made to us in the Esplin report included the need to increase our effort, increase our resources and increase our support. Since then we have nearly doubled the funding for the Country Fire Authority budget. It is now well over \$200 million a year, which is the highest level of funding it has ever received.

We have provided \$77 million for new firefighting trucks and tankers, and \$82 million for new and upgraded stations. Our air support for firefighters has increased as well. As members would be aware, the government committed to having and has a second air crane helicopter dedicated to Victoria's needs in this fire season, alongside the third shared one which is available for Victoria as well.

This effort so far has brought more than 20 000 volunteers and professionals together to form an enormous unified organisation which is one of the biggest we have seen. As I said earlier, I want to place on record our gratitude and support for the many volunteer and professional firefighters in Victoria, and the hundreds of firefighters from interstate and overseas — from Canada, the United States, New Zealand, New South Wales, South Australia, West Australia and the Australian Capital Territory — who have all supported us over this period.

I also want to express our gratitude to the other support groups which make up our firefighting teams around Victoria, including of course the Country Fire Authority; the State Emergency Service; Red Cross; St John Ambulance; the Country Women's Association; the Department of Sustainability and Environment; the Department of Human Services, which has a primary role in the recovery of communities; the Salvation Army; local government

and clubs; and ABC radio, which is now the state broadcaster of emergency services bulletins.

I express the government's gratitude to those people who have helped save an enormous number or amount of assets and resources in this state. Yes, we have lost a significant amount, but what is remarkable is how much has been saved in a bushfire that has razed over 1.2 million hectares across Victoria.

I can report to the house that whilst we have had significant success in firefighting to date through a combined community effort, we are headed for a critical period in February. I know those resources will be brought to bear to do the best we can over the next three to four days.

### **Roads: rural and regional Victoria**

**Mr RYAN** (Leader of The Nationals) — My question is to the minister for transport. I refer to the government's response to recommendation 6 in the 2005 report of the parliamentary committee following its inquiry into the country road toll, which states:

The government will request VicRoads to develop a strategy and action plan for country roads.

Further it states that the plan 'will be completed by the end of 2006'. Given that 57 per cent of road deaths in Victoria last year occurred on rural roads — and not the 30 per cent claimed by the minister in response to my question in December last year — why has the strategy to improve safety on country roads not been completed?

**The SPEAKER** — Order! I ask the Leader of The Nationals to clarify which minister his question was addressed to.

**Mr RYAN** — The Minister for Roads and Ports.

**Mr PALLAS** (Minister for Roads and Ports) — I thank the Leader of The Nationals for his question. Loss of life on our roads is tragic. As a government we have tried to tackle both behaviour and infrastructure to address this senseless loss. Every life we lose is one too many. The major crash type in country Victoria is the run-off-road crash, where the driver loses control of the vehicle and it runs off the road, usually hitting an object such as a tree or a pole.

The government, for its part, has taken the view that it will continue to act to improve and maintain Victoria's regional road network. Addressing the infrastructure around roads is a necessary component of tackling the issues associated with our road network and our road toll. The government has made substantial inroads into

addressing the road toll both in a substantial sense across the board and also in a specific sense.

To give the house an illustration of that, we as a government have been able to invest \$2 billion essentially on rural roads since 1999, and of course we could invest a substantially higher amount were The Nationals and those opposite to spend a bit more time actually focusing their attack where it should appropriately lie — that is, the federal government.

**Mr Ryan** — On a point of order, Speaker, the minister is debating the question. The question relates to the strategy and action plan that was promised for the end of last year. Where is it?

**The SPEAKER** — Order! The minister, to answer the question.

**Mr PALLAS** — To give this chamber an illustration of the nature of the problem involved in the misperception about the direction of difficulties in addressing the road toll, I direct members to no more dramatic demonstration than The Nationals recent failed attempt to call upon the community to identify the — —

*Honourable members interjecting.*

**The SPEAKER** — Order! The minister should address his answer to the question.

**Dr Napthine** interjected.

**The SPEAKER** — Order! The constant advice to the Chair from the member for South-West Coast is not appreciated.

**Mr PALLAS** — Since this government has put in place its Arrive Alive strategies we have seen an 18 per cent reduction in the road toll across the state. We continue to make efforts in this regard, and under the Meeting Our Transport Challenges initiative we have committed a further \$597 million over 10 years to further improve road and roadside safety.

*Honourable members interjecting.*

**Mr PALLAS** — Of course the opposition simply demands an answer to a question that requires a considerable amount of effort in government commitment, and that commitment is tangible.

**Mr Ryan** — On a point of order, Speaker, on the question of relevance, I have inquired about a strategy and action plan which the government undertook to have completed by the end of 2006. I ask that the minister respond to that question.

**The SPEAKER** — Order! I uphold the point of order. The minister will answer the question.

**Mr PALLAS** — Of course there is more to be done when it comes to addressing the tragedy of loss of life on our roads, and the government remains committed to doing that. We have been advised by parliamentary committee inquiries associated with the loss of life on country roads, and this government is committed in this year to producing Arrive Alive 2 strategies. We hope to put in place further and additional strategies, but we will not take our eye off the ball.

That ball requires us to make a continued commitment to road investment, including the substantial commitment we have made in that respect, and to recognise that it goes both to driver behaviour — and the ongoing commitment this government has made to driver behaviour — and to infrastructure.

This government has made a substantial commitment. We hope The Nationals use their best efforts to reinforce to the federal government its requirement to make a commitment.

### **Bushfires: response**

**Ms BEATTIE** (Yuroke) — My question is to the Minister for Regional and Rural Development. I ask the minister to detail to the house how the government's bushfire ministerial task force is helping bushfire-affected communities recover?

**Mr BRUMBY** (Minister for Regional and Rural Development) — I thank the member for her question. As the Premier indicated before, the fires across the state to date have burnt more than 1.1 million hectares and affected just over 500 farms, and we have seen a huge firefighting effort involving something like 20 000 volunteers.

The impacts of the fires have been significant in many parts of the state. We have seen impacts across industry, we have seen communities affected and of course we have seen significant impacts on the tourism industry. The government responded quickly in mid-January, when the Premier appointed a bushfire ministerial task force, which I chair. We had a similar task force after the 2003 bushfires, and we had a similar task force after the 2006 bushfires. The task force is about visiting those areas which have been affected by fires, meeting with communities, with local government, with businesses and with farmers, and taking those steps that are necessary to help those communities recover as rapidly as possible after the impacts of the fires.

Already the task force has made a number of visits across the state. Individual ministers, including the Premier, the Deputy Premier and other ministers, have been making many visits, but the task force itself has made a number of visits. Already we have met with communities, businesses and councils in Lakes Entrance, Mansfield, Benalla and Wangaratta. Last night and earlier today, with the Minister for Local Government, the Minister for Tourism and the Minister for Police and Emergency Services, the task force met in Bright. Last night we had a public meeting which was attended by around 70 people representing most of the key organisations. We met this morning with all the representatives of the alpine resorts. Last week we met with councils representing the region. It is fair to say that the initiatives we have taken to date have been very well received by bushfire-affected communities.

The most significant of those was the announcement that the Premier and the Minister for Tourism made at Craig's Hut just over a week ago not only of \$300 000 to rebuild the hut but of more than \$4 million to boost tourism and tourism recovery efforts over the next 12 months. This is an area which the Minister for Tourism is watching very closely. Already we are beginning to see improvements in accommodation levels in many of those areas which have been affected by bushfires.

In Bright this morning we also made a number of other announcements. I announced on behalf of the government a further \$500 000 for business continuity, business support and community events, and again that was exceptionally well received. I also announced \$50 000 to assist the north-east food cluster and wine and tourism. Of course the wine industry and tourism are so important to that part of Victoria. Most significantly I announced \$1 million of extra funding to bring forward the opening of walking tracks across the bushfire-affected areas, with the target dates being the March Labor Day weekend and Easter time, 6 April. Large parts of the Howqua track will be opened by the Labor Day weekend, and the remainder will be opened by 6 April.

What comes through in the public meetings in particular — we had a public meeting in Mansfield two weeks ago, and there were 140 people at that — is the extraordinary strength and resilience of those communities. They have been through a lot, but what is most significant is that, firstly, we are able to work with those communities and, secondly, that they are confident about their future in the medium term, and by working together we will get through what has been a very difficult time.

As the Premier said, it is not all over. We are only now entering what is traditionally the worst period on the bushfire calendar, so it could still be a difficult few weeks. The steps we have put in place have been well supported and well received. We are working with local government, we are working with business and we are working with communities, and we are determined to help these communities get back on their feet as quickly as possible.

**Police Association: pre-election agreement**

**Mr McINTOSH** (Kew) — My question is to the Minister for Police and Emergency Services. I refer the minister to his refusal yesterday to answer my question about the government’s secret pre-election deal with the police union, and I ask: has the minister now had the opportunity of discussing the deal with the Chief Commissioner of Police, and with which parts does the chief commissioner not agree?

**Mr CAMERON** (Minister for Police and Emergency Services) — I thank the member for his question. As I said yesterday, we have commitments and we will meet those commitments. The Chief Commissioner of Police will be there to put those in place, because what we have is a chief commissioner who is enthusiastic about addressing issues of law and order and who has worked closely with the government as we have provided additional resources, where we have seen a decline in crime.

We are committed to working towards reducing crime, and that is what we will do. We will totally ignore the policy of the Liberals and The Nationals to slash police.

**Bushfires: prevention**

**Mr EREN** (Lara) — My question is to the minister for the environment, John Thwaites — —

**The SPEAKER** — Order! The member has only just changed houses, but I will sit him down very briefly. It is inappropriate and out of order in this chamber to address members by their names. They may be addressed by either their seat or their ministerial position.

**Mr EREN** — I apologise, Speaker. Will the Minister for Water, Environment and Climate Change outline to the house the steps taken by the Department of Sustainability and Environment to protect Victorians during the recent bushfire?

**Mr THWAITES** (Minister for Water, Environment and Climate Change) — I thank the member for his question and congratulate him and welcome him to the

house. As the Premier indicated, we predicted at the start of the season that this would be one of our worst ever fire seasons. That is why this year we boosted funding for the fire effort and also boosted our fire preparations. To date my department has already expended more than \$150 million in tackling these fires. I also point out that this is part of a \$168 million boost to funding from the budget for the fire effort.

Some of the additional funding this year has gone into providing two additional water bomber air crane helicopters, providing additional fire support vehicles, employing an additional 266 firefighters and employing firefighters for a longer period so they are there early in the season and able to continue at the end of the season through the autumn, as well as recruiting additional firefighters from New Zealand, Canada and the United States of America.

As well as the additional resources, three things stand out from the fire effort this year. The first is the excellent cooperation between the Department of Sustainability and Environment and the Country Fire Authority. I think we all acknowledge the fantastic work that the volunteers of the CFA have done and continue to do. We acknowledge the work that the DSE firefighters have done also, but what has stood out this year is how well they have cooperated and their management of that.

The second thing that stands out this year is the use of local knowledge. That was a recommendation of the Esplin inquiry. This year we are seeing a much greater use of local knowledge in incident management and the fire effort.

The third outstanding factor this year has been the community meetings. Around 190 community meetings involving some 15 000 people have been held already. By bringing the communities together and providing information to people, not only are we able to give them much more information to explain what is going on and to help them but also those people are taking a very important role in the firefighting effort. That stands out as well.

As well as providing additional funds, the government is committed to additional fire prevention and preparedness. The key there is protecting assets — farms and towns. In 2004–05 there was a very significant boost in fuel reduction burning, which we are seeking to do every year. This year, because of the weather, we were not able to reach the targets that we had in the previous year. However, it is worth noting that fuel reduction burns have been very helpful this year in the fire effort.

A good example of that is around Woods Point, which the fuel reduction burns were an important part of protecting. The fuel reduction burning program for this autumn will be very important for the government, and we have already started planning for that. We will have available some of the seasonal firefighters to assist with that, thereby providing extra resources.

In addition the government has announced that it is establishing permanent fire breaks. I know that that initiative is certainly supported by the Leader of The Nationals. In that way we can provide access for future back-burning operations, and that will be an additional preparatory measure.

In conclusion, so far around 1.2 million hectares of land has been burnt. As the Premier has said, we still have many weeks of risk ahead. But we need to acknowledge how successful the firefighters have been in protecting property. Despite 1.2 million hectares of land having been burnt, the number of properties affected directly and the area of private land burnt — about 50 000 hectares — have been kept to a minimum. The government will continue to do everything it can to provide the resources to not only the fire agencies but also the communities to ensure they are protected from the fire risk.

#### **Police Association: WorkSafe assessment**

**Mr McINTOSH** (Kew) — My question is to the Minister for Finance, WorkCover and the Transport Accident Commission. I refer the minister to an email from police Superintendent Tim Cartwright that there is clear evidence of a continuing culture of bullying at the police union workplace and that there is no evidence that the safety of the workplace has improved since the commencement of the investigation. What precisely has WorkCover undertaken to rectify the unsafe working conditions at the police union?

**Mr HOLDING** (Minister for Finance, WorkCover and the Transport Accident Commission) — I thank the member for Kew for his question. WorkSafe has conducted an investigation into accusations of bullying that were made in relation to the Police Association. That investigation has been concluded, and it determined that the Police Association had in place appropriate standards and safeguards for the handling of those sorts of matters and the establishment of an appropriate culture and workplace set of arrangements at the association. The Ombudsman has since announced that he is conducting an inquiry into this matter, and it would not be appropriate for me to say any more than that.

#### **Bushfires: tourism**

**Ms D'AMBROSIO** (Mill Park) — My question is to the Minister for Tourism. I refer the minister to the government's commitment to supporting communities suffering from bushfires. I ask the minister what the government is doing to encourage tourism in bushfire-affected areas.

**Mr HOLDING** (Minister for Tourism) — I thank the member for Mill Park for her question. It is certainly true that the bushfires have had a devastating effect not only on the community more generally in the north-east part of Victoria and the Gippsland region but also particularly on tourism operators and all those who depend more broadly on the tourism industry to support and sustain their businesses.

At the outset I indicate that one of the things that has come through in all the meetings that the bushfire recovery task force has had throughout the region and in the individual meetings that ministers have had is the appreciation and acknowledgement of local communities for the work that volunteer and career firefighters have done in protecting those communities — in protecting both life and property. We acknowledge also that the danger of bushfires is not over and that in a sense the most dangerous and challenging part of the season is still ahead of us. At the same time we need to make sure that we put in place recovery activities as soon as possible to support communities in bouncing back from what has been a devastating set of events.

From a tourism perspective we have seen a very significant reduction in cash flow not only in those areas that were directly affected by the threat of fire itself but more generally through the region. People have been reluctant to take holidays there, and some have cancelled holidays or taken holidays in other parts of the state. It is very important that we recognise the cash-flow impact on those local businesses and that we put in place a sustainable set of strategies to help those communities to recover.

For that reason, I was very pleased to join with the Premier on 31 January for the announcement at Craig's Hut of the \$4 million tourism recovery strategy. The strategy consists of a broad range of mechanisms which will assist those communities to recover. It builds on the work that we have done in previous years, arising out of the 2002–03 fires and the Grampians fires last year, to make sure we have advertising and brand refreshment strategies in place to support tourism recovery in the region.

The \$4 million recovery package consists not only of immediate support for the rebuilding of Craig's Hut, which is an iconic tourism asset in that region. It is a hut that receives 80 000 visitors every year and appears on a lot of Tourism Victoria's national and international marketing material. It is therefore very important that that asset is rebuilt as soon as possible. Those funds are welcomed by those communities and the groups whose members use that facility.

At the same time we are also investing in advertising campaigns, the refreshment of brand campaigns, business continuity, and strategy and planning for tourism operators. We are supporting local community festivals — the Inspired by Gippsland Festival and the Taste of Falls Creek event — and those sorts of events through which we can help support local communities to market their product and let Victorians, and Melburnians in particular, know which tourism assets are open and where they can return to as soon as possible.

The \$1 million funding announced today by the Minister for Regional and Rural Development to support the reopening of tracks will be particularly welcomed. We need to get people back into the national parks as soon as possible. Already we have seen the reopening of the Mount Buffalo National Park, the Mount Feathertop area, the Licola–Jamieson road and other important tracks and tourism resources. This new funding is also a commitment to ensure that the Howqua track and the walking areas around the Walhalla historic area are rehabilitated and reopened as soon as possible. That too is important for tourism operators.

This set of initiatives, including the \$4 million package as well as the many other investments that the state government is making in replenishing and rebuilding infrastructure, is welcomed by tourism operators. The most practical thing that we can do to support tourism operators who have been adversely affected by these events is to encourage people to return to those areas as soon as possible. I know this goal is supported by all members of this house. The tourism operators in those areas can be confident that the government stands with them in rebuilding their affected tourism businesses as quickly as possible.

### **Rail: freight network**

**Mr RYAN** (Leader of The Nationals) — My question is to the Minister for Roads and Ports. On what date will the government honour its pre-election promise and reassume control of Victoria's freight rail network?

**Mr PALLAS** (Minister for Roads and Ports) — This does not fall within my ministerial responsibilities.

**The SPEAKER** — Order! I will allow the Leader of The Nationals to redirect his question.

**Mr Ryan** — On a point of order, Speaker, my office checked as to the portfolio allocations this morning, and we were told that the question ought to be directed to where I have directed it.

**The SPEAKER** — Order! It is not within my purview to have any knowledge of conversations that the Leader of The Nationals has had. I am giving the member the opportunity to redirect his question. I can do no more.

**Mr RYAN** (Leader of The Nationals) — I accept the ruling, Speaker, of course, with respect. My question is directed to the Minister for Regional and Rural Development. On what date will the government honour the pre-election promise which the minister made and reassume control of Victoria's freight rail network?

**Mr BRUMBY** (Minister for Regional and Rural Development) — The matter does not fall within the portfolio responsibilities of the Minister for Regional and Rural Development, but — —

*Honourable members interjecting.*

**The SPEAKER** — Order! I ask government members to assist with the smooth running of question time.

**Mr BRUMBY** — I am happy to answer the question.

**Mr Mulder** — On a point of order, Speaker, you will recall that when the Premier announced the portfolio responsibilities I inquired as to which ministerial office was going to take responsibility for the freight network. That question was not answered at the time, and quite obviously the government does not know today who is responsible.

*Honourable members interjecting.*

**The SPEAKER** — Order! Government members! The Minister for Regional and Rural Development has indicated that he is happy to answer the question, and I will allow him to do so.

**An honourable member** interjected.

**Mr BRUMBY** — You will need to sort this out when you stay in your tents on your camp!

**The SPEAKER** — Order! The Minister for Regional and Rural Development is aware of the correct behaviour in this chamber. He should not address members across the table but instead address the Chair. I ask him to assist the Chair and answer the question.

**Mr BRUMBY** — The short answer to the question is that the government made this commitment in the run-up to the election campaign last year and said that it would buy back the rail freight business. I just make the point that we inherited a privatised rail freight business. It had been sold off by the former Kennett government. There is no other state government in Australia which has flogged off its rail freight business. Whatever people's views about privatisation, this would have to be the worst privatisation conducted under the former Kennett government. So we said we would —

*Honourable members interjecting.*

**Mr Ryan** — On a point of order, Speaker, the minister is debating the issue. We just want to know the date.

**The SPEAKER** — Order! The minister, to answer the question.

**Mr BRUMBY** — I have just been reminded that the rail freight business was sold off under the former Kennett government when the Liberal Party and then National Party were valentining. They sold it off. We made the election commitment to buy it back. We put an in-principle offer on the table before the election. We have been negotiating with the company concerned since the election. We are close to an agreement. The government remains totally committed to purchasing this business back. We will do that, but we will do it within the appropriate time frame to drive the best value for money for the government.

### **Bushfires: local government**

**Mr PERERA** (Cranbourne) — My question is to the Minister for Local Government. I refer the minister to the government's commitment to supporting communities suffering from the bushfires, and I ask him to detail for the house what the government is doing to support municipalities in bushfire-affected areas.

**Mr WYNNE** (Minister for Local Government) — I thank the member for Cranbourne for his question. As the Minister for Local Government and as a member of the bushfire task force I am working with fire-affected communities across the state to help identify ways to assist in the recovery process. Since January we have

travelled to Lakes Entrance and Sale, where the Leader of The Nationals was engaged in discussions with local government and the cabinet. We have also travelled to Benalla and Mansfield, and last night I travelled with my colleagues to Bright, where discussions continued this morning.

One of the striking features of the bushfires for those of us who come from city electorates has been the scope, magnitude and ferocity of the fires. Indeed we share the sentiments that the Premier expressed today about the wonderful work that has been undertaken by the Country Fire Authority, the Department of Sustainability and Environment and the volunteers in fighting the major fires and, of course, the spot fires that have erupted again more recently.

In our visits what has been particularly striking to me has been the crucial role that local government has played and continues to play with its communities and the state in providing a consistent point of contact not only during the fire crisis but also over the recovery period.

It simply emphasises again an important truism — that local government is the level of government closest to the people. In times of crisis the community looks to local government for support, and indeed local government has responded. Over those visits we have been impressed with the thoughtfulness of the various presentations put to the task force. I am sure the Leader of The Nationals and the member for Benalla would agree that the presentations have been particularly thoughtful and that local government is seeking to work in partnership with the state government on short-term, medium-term and indeed long-term strategies to ensure that the recovery process is sustainable.

**Mr Baillieu** interjected.

**Mr WYNNE** — The priorities of local government have been informed by the community consultation process which has been undertaken.

**Mr Baillieu** interjected.

**The SPEAKER** — Order! I advise the Leader of the Opposition that constant and continual interjection is not helpful and is in fact disorderly.

**Mr WYNNE** — As the Treasurer indicated earlier, we have had two excellent public meetings — one at Mansfield, where 130 people attended and an opportunity was provided for members of the community to have their say, and the member for Benalla was involved at that meeting; and a similar meeting last night at Bright, which gave the task force

an opportunity to talk to members of the local community about the issues they were confronting and how the task force could respond to them in an appropriate way.

I was particularly struck last night by a discussion I had with the principal of the Bright P-12 College, John Pryor, who highlighted to us how schools often see the first signs of family stress resulting from the situations of crisis that families and communities are confronting. With these recent fires we are seeing not just the physical impacts but of course the social impacts of the fires. In that respect the government has done a tremendous amount of important work in supporting local communities through things like neighbourhood houses. We have provided small amounts of funding but funding that is directly targeted to neighbourhood houses, which are so importantly located in community settings to provide a level of support to the families that come to seek support from the neighbourhood house network. A further \$590 000 has been allocated to those areas to help with the recovery process, to support community engagement and health promotion and to provide vital assistance and access to community support networks.

I will also be talking to my cabinet colleagues and task force members about further support that can be provided through the Department of Human Services. I will also talk to my colleague the education services minister as well, because certainly schools are some of the first points of contact that people often seek when communities are in stress.

The Bracks government will continue to work closely with local government in its support of and advocacy for its communities. Local councils can stand proud, knowing that in a time of crisis and in the subsequent recovery period they were there, standing with their communities.

## MURRAY-DARLING BASIN AMENDMENT BILL

*Second reading*

### **Debate resumed.**

**Mr WALSH** (Swan Hill) — Before lunch I was talking about the fact that there are no simple solutions to the water issues facing the Murray–Darling Basin, that the issues are very complex and that if water is transferred there will be major winners and major losers.

There has been a lot of commentary since 25 January about the Prime Minister's 10-point plan and his putting \$10 billion on the table to solve some of the problems of the Murray–Darling Basin. I would like it put on the record that we would like to see the Premier of Victoria show some vision and real leadership by matching the Prime Minister's plan so that we can actually have a real partnership to manage the Murray–Darling Basin going forward.

We would like the Premier to stop being a commentator on this issue and start showing true leadership and lobby his other state colleagues. It is often said that the Premier of Victoria is now the elder statesman among the state premiers and that he is looked to for leadership. We would ask the Premier of Victoria to show that leadership by lobbying his state colleagues to ensure they also show some vision and commitment to the basin by matching the Prime Minister's proposal of \$10 billion with another \$10 billion so we can get some really good outcomes and have some ownership of those outcomes by everyone, rather than having one level of government blaming the other.

We all know that New South Wales has some challenges. The Labor government there has not managed its state well, and in particular it has not managed its water allocations well at all. But I would like the Premier of Victoria to lobby the Premier of New South Wales to ensure that he buys into this partnership as well so we can achieve a good outcome. I also ask him to lobby the Premier of Queensland — we know that what happens in Queensland has a major impact on the basin further south — to ensure that Queensland signs on to the suggestion we are putting forward as well.

We were heartened by some of the comments made by the Premier in question time yesterday about his commitment to the irrigation industry in northern Victoria, but I have some reservations about commitments from this government given that there are now active discussions about how water may be taken out of the Eildon system and sent back to Melbourne. People are talking about the Hume pipeline and the pipeline out of the Black River and the fact that there will be water going back to the Upper Yarra reserve.

From those discussions there is the potential for something like 230 gegalitres of water to be brought back to Melbourne. If you look at the allocation to the Goulburn Valley this year, you see that it would effectively take away a substantial amount of the water that was allocated to the farmers there this year. In the discussions the Premier is having around what may happen with the Murray–Darling Basin into the future

we would like him to reiterate the government's commitment not to take water away from the north of the Divide and into the south of the Divide.

I also noted with interest that in his answer yesterday he talked about reading the *Warracknabeal Herald*. That is one of the newspapers in my electorate. Obviously it is the paper of choice for the Premier to read every morning with his Weeties.

**An honourable member** interjected.

**Mr WALSH** — It is the paper of choice for the Treasurer as well? That is excellent. I will relay that on to David Ward, the editor, and make sure that we get subscriptions for the Premier and Treasurer and that the paper is delivered so they can read it with their Weeties!

Acting Speaker, you might ask where the money will come from for the state government to match the federal government's commitment to the Murray–Darling. If you look at the seven-year life of the Bracks government, you see it has collected in excess of \$1.8 billion in public sector dividend taxes from the water authorities. At the moment there is a substantial bucket of money that is just going into consolidated revenue when it could be used to match the Prime Minister's commitment to the Murray–Darling.

Not only has the government been collecting that \$1.8 billion in public sector dividend taxes from the water authorities over the past seven years, but we now also have \$60 million a year coming in from the secret environment tax which is on all our water bills. We do not know it is on our water bills because the government has by legislation forbidden the water authorities to actually put it on bills. More than \$1.8 billion has been collected in the form of public sector dividend taxes over the past seven years, and in addition there is \$60 million coming in every year from the secret environment tax. That gives the Premier and the Treasurer of Victoria a substantial bucket of money to go out and show some real vision and commitment to the Murray–Darling by matching the Prime Minister's plan and have a genuine partnership going forward to achieve the outcomes we would like to see.

We would like to see a genuine partnership in doing this. Every member of this house would now understand the importance of having a holistic management of catchments. It is not just about the water, it is not just about the environment and it is not just about land management; it is about how they are all managed together. Any take of the powers governing water by the federal government would still leave us with a

misunderstanding as to who is responsible for some of the other issues that may arise in a catchment. If the Premier would sign on, put the money on the table and create a real partnership, we could have a holistic approach to the management of the Murray–Darling Basin.

I read with interest about the visit that federal minister Malcolm Turnbull made to some parts of Victoria after the Prime Minister's speech. I cast my mind back to the Victorian Farmers Federation's involvement with a previous environment minister, Sherryl Garbutt, when we were doing the farm dams legislation. That was also very controversial in this house, as I understand it. We all look forward to Malcolm Turnbull making a visit to Tallangatta to explain to the people up there how he may change the management regime for farm dams. I would encourage Malcolm Turnbull to make a visit to Tallangatta to meet with and talk to the people there about how he is going to change farm dams management into the future.

I would like to dispel one of the myths that seems to have been created over time when talking about water — that because irrigators control something like 70 per cent of water in the basin the irrigation industry actually wastes water. I am very concerned that this sort of concept has been creeping into some of the commentary on water in recent times. I would like to remind members that the farmers who use that water actually create the food and fibre that we all enjoy in this state. They create the food and fibre that allows us to enjoy one of the highest standards of living of any country in the world.

There has also been a misconception built into the media commentary in recent times — which is fuelled by some people in the environmental movement — that by exporting produce from the Murray–Darling Basin we are somehow exporting water out of Australia, or that we should not produce anything that we export with the water in Australia. I remind the people who are making that commentary that the produce which we derive from irrigation in the basin and then export helps create the wealth of this nation and earns foreign currency. It allows us to have the standard of living that we have, and it allows us to have the foreign currency to buy the DVD players and the other luxury items that people in Australia enjoy.

When we talk about the management of the basin, one of the reservations The Nationals have concerns the fact that there are several proposals to transfer water out of the Murray–Darling Basin and into other areas of Victoria and the rest of Australia. We had discussion during the critical water infrastructure projects bill

about the goldfields super-pipe to Bendigo and Ballarat. If you look at that proposal, you see it would mean taking water out of the Murray–Darling Basin and transferring it to Ballarat, which is south of the Divide and not part of the Murray–Darling Basin. What is of greater concern is that the water that would have gone to Ballarat would be used to substitute Ballarat's share of the Lal Lal Reservoir, which would then be handed onto Geelong. In some ways this proposal would effectively take water from the Murray–Darling Basin to go to Geelong. That is not something that we would like to see taken any further, as there is the potential for the water to be taken on to Melbourne.

We know Melbourne is eyeing Eildon water greedily, and we do not want to see that happen into the future. I ask the Parliamentary Secretary for Environment to take on board the fact that we would like to see economic development created right across Victoria. Let us not focus on how we can pipe water to Melbourne; let us focus on how we can create economic development north of the Divide so that we get some of the water-using industries transferred to the north where there is some water available and subsequently create employment in those regions, which would help grow all of Victoria rather than just make Melbourne, Bendigo, Ballarat and Geelong bigger into the future.

In the change regime of water in the Murray–Darling in particular some issues have evolved for local government. We had legislation in this place that separated water from land title, which was part of the implementation of the national water initiative. That has had some significant unforeseen consequences for local government in that it has effectively taken 20 per cent of its rate base away. I have three councils in my electorate which will be particularly impacted on by this: the councils of Swan Hill, Gannawarra and Loddon. They are seeking urgent action by the government to get some transitional compensation so they do not have to transfer rate responsibility onto other ratepayers in their shires.

The other issue that arises with the separation of land and water into the future concerns who is going to own that water. As we see the buy-up of water by non-land-holders, we could find ourselves in the situation where we end up with the major banks, insurance companies or, worse still, equity funds owning a substantial amount of water. Although there has been a commitment given by the government in Victoria that it will not privatise water, in some ways we have the risk that water will be privatised by stealth. If we end up with major corporations owning the majority of water in any of our government

instrumentalities, we have effectively privatised it by stealth. Major corporations would be the main customers of water authorities, and at the end of the day he who pays the piper picks the tune. This government is running the risk of privatising water by stealth in allowing the separation of land and water, which has the potential for major corporations or equity funds to take the lion's share of water in this state.

In conclusion, The Nationals support the Murray-Darling Basin Amendment Bill. I thank the house for its indulgence of my wide-ranging contribution on what was a very narrow bill, as was pointed out by the Deputy Leader of the Opposition. Given the Prime Minister's 10-point plan and \$10 billion announcement on 25 January, the Murray–Darling Basin is something that will be talked about in this house for a quite some time. I look forward to the Premier signing on and making it a genuine partnership between Victoria and the federal government to achieve a good outcome for the basin rather than just abdicating the responsibility to the federal government both legislatively and financially.

**Mr HERBERT** (Eltham) — It is a pleasure to speak on this bill, and I am pleased to follow the contribution by the member for Swan Hill, the Deputy Leader of The Nationals, as I know he has a great interest in water and has supported a number of the proposals and programs that the government has put in place. Recently the member launched the St Arnaud Re-use (STAR) program at Lord Nelson Park in his electorate. That \$135 000 program has been funded out of the Victorian government's stormwater program to assist in the better treatment and recycling of sewage. I thank him for that and for his contribution to the debate.

As other members have said, this is a simple bill. Basically it is designed to simplify and improve the way in which southern basin states and the commonwealth work together on the Murray-Darling Basin Ministerial Council. It will also put the Murray-Darling Basin agreement in line with current Council of Australian Governments national water reform directions.

Technically the bill amends the Murray-Darling Basin Act 1993 to give effect to the 2006 Murray-Darling Basin amending agreement, which will enable improved business practices for the Murray-Darling Basin Commission's water business. It will also clarify the original agreement and the limiting of Queensland's liability for matters in which it takes no part. It attaches supplementary details and will make a minor typographical correction to the basin salinity management schedule, which is schedule C of the

agreement. Although they are important, such matters are fairly minor amendments in the scheme of things.

It may seem strange that the house is debating this bill at the same time as the commonwealth government, and in particular the Prime Minister, is proposing to take over the Murray–Darling system, and it may seem strange given the extensive discussions which are happening and which will have major implications right around Australia but particularly for Victoria. However, it is the view of the Victorian government that the Prime Minister’s proposal is pretty light on in its detail, as the member for Swan Hill said, and we have to act in the best interests of Victoria whilst those discussions are progressing.

I am told that the commonwealth process could take a year. We have an obligation to ensure that the operations of the Murray–Darling Basin Authority continue to be conducted in the most efficient manner, which is why the house is proceeding to debate this bill now. It should also be said that clearly we are not prepared to sit on our hands and wait for those discussions to happen, because we need to get more efficiency into the water system.

I know this has been a wide-ranging debate on a fairly specific bill, but it is worth noting that the federal Parliament introduced its bill in the first week of December, which was well before the Prime Minister’s plan was acted upon. Events have overtaken it in a fairly rapid manner, and that is why there is a lack of detail in the current discussions. Whilst those discussions are occurring the Victorian government will continue to act decisively in regard to water resources to ensure they are secured for farmers and the environment. We will get on with the job. While there is uncertainty around the federal plan and while the details in the federal plan are being ironed out, we want to make sure that we have the most efficient operation possible for the Murray–Darling system.

We urge the federal government, while it is negotiating with us around its plan, the details of which it is trying to work out, to take on the project and get on with the job of delivering water projects now — that is, when there is a huge or massive need for these things.

**Mr Walsh** — It’s your job!

**Mr HERBERT** — I say that in the context that whilst we are talking about major negotiations, it is very unclear what the commonwealth government is actually proposing. In fact, the Premier recently wrote to the Prime Minister, as many people in the

government know, and outlined 44 crucial questions that we need answered about this proposal.

**Mr Walsh** interjected.

**Mr HERBERT** — I have just heard that apparently the Prime Minister did not give a copy of the letter to The Nationals.

**The SPEAKER** — Order!

**Mr HERBERT** — Sorry, Speaker. Through the Chair, we need details on those 44 crucial issues, and on this we are as one with The Nationals. We want to make sure that Victoria is not disadvantaged by the proposals that are put forward. We are going to remain firm on that.

While we support greater cooperation across government boundaries to achieve the best outcome for the Murray–Darling Basin, we will not compromise the rights of Victorians. We will not allow our farmers, our communities or our environment in terms of river flows to be punished because of our good water practices. As the Leader of The Nationals said and as most people recognise, Victoria has the best water practices in Australia, and we want to ensure that any change that occurs in how the Murray–Darling system is administered and operates will be in the best interests of Victorians. We intend to make sure that efficiency is the benchmark of what will happen nationally.

To that end we have set out three well-publicised basic requirements on top of the 44 items of detail that we require. The first is that we will not allow Victorian irrigators or our environment — and I know The Nationals are very strong on this — to be disadvantaged or that water allocations will go from us to other states as a way of making up for their past poor performances. That is a crucial point.

Secondly, we came to government with the privatisation-of-water issue high on the agenda. We are absolutely firm that it has to be on the agenda and that there will not be any privatisation by stealth, as was alluded to recently by the member for Swan Hill.

Finally, we need to ensure that the federal government will still support and rapidly fund the water projects put forward by the states. Some of these projects were submitted to the federal government from Victoria — we were the first government to put in our list of submissions — nearly one and a half years ago; in other words, one and a half years later we are still waiting for a decision on crucial water projects. We have 22 projects that are awaiting approval for funding, including the Ballarat–Bendigo super-pipe. These projects are critical

to water supplies in many drought-stricken areas of Victoria, including many regional centres. In our negotiations with the federal government over the future of the Murray–Darling system we want to make sure that the extra funding promised by the commonwealth — very inadequate extra funding, I might say — does not detract from —

**The SPEAKER** — Order! For the second time today I inform the member for Lara that the standing orders in this house are quite different from those in the other place. Members should not pass between the Chair and the member on their feet. I suggest that the member should read the standing orders.

**Mr HERBERT** — We want to make sure that the extra funding promised by the commonwealth government does not detract from the critical projects that we are seeking funding for under the commonwealth's highly publicised \$2 billion national water fund. I put it to members of The Nationals, who I know have genuine concern about water issues, that they need to play their part in making sure that funds from that \$2 billion comes to the state government. The member for Swan Hill, who spoke so eloquently earlier, needs to keep a keen eye on funding and lobby strongly in terms of funding for extra capacity for the locks and weirs in the lower Murray system. The member for Shepparton, who is not in the house at present but who is a keen advocate for her community, needs to lobby in regard to the important Recovering Water for the Environment project in her electorate. The member for Benambra, who is in the house, needs to strongly advocate for extra money for the Wodonga recycling scheme for which we have applied for funding. They are important projects, and we want to make sure that those projects continue.

I have to say in regard to the national water fund that the commonwealth's delivery of funding for projects in a quick and timely manner has been absolutely bogged down in bureaucratic red tape. That is shameful. Communities are waiting for decisions on projects that we put in applications for a year and a half ago in some cases, and we are still going through the mire of commonwealth bureaucracy in regard to getting a decision out of them. It is no wonder there is a fair bit of doubt and worry about the details of the commonwealth government's proposed takeover of the Murray–Darling system and its capacity to deliver in a way that protects Victoria, Victorian farmers, communities and small regional towns.

The bill is fairly straightforward. It is smart and has been agreed to by the various commonwealth and state jurisdictions. It has been introduced into this Parliament

and the commonwealth Parliament, and whilst we are waiting for the substantive issues to be discussed at commonwealth and state levels, it is time that we got on with the job through this bill and through other projects and that the commonwealth got on with the job of delivering on water.

**Mr CRISP** (Mildura) — The Nationals support this bill. These are common-sense amendments to do with business practices, clarifying Queensland's liability position so that it can become more amenable to the southern states and the basin, and the salinity practices and works that are needed in the Murray Valley. Salinity has a very strong impact on my electorate. We are the last straw in the river, and in some respects we have been using the rest of Victoria's recycled water for some time. Salinity is a major issue as it affects our crops, and the monitoring of salt levels is very important to us. As we have had very dry conditions the salt levels in the river are extremely low at the moment. However, experience has told us that as soon as we get some rain there will certainly be a rise in salinity in the river as it catches up with the salt load in the groundwater, so those works are very important and need to be maintained.

Certainly there is a need for a sound business basis for water supply and particularly for replacement and refurbishment works. The users, the farmers, have identified and met the need for extensive investment in on-farm water infrastructure and have demonstrated world best practice in supplying the need. New developments and redevelopments are all state-of-the-art water infrastructure operations where farmers make every drop count as they produce our food and fibre. However, there is a weak link in the Mildura region — that is, outdated, state-owned, open-delivery structures with high seepage and evaporation and a risk to life due to accidental drowning. They are an unfortunate feature of our landscape. One thing everybody agrees on is that the infrastructure must be fixed.

An opportunity exists to accelerate the Sunraysia refurbishment with the federal government's 10-point plan, and Victoria could well show commitment and leadership amongst the states and demonstrate that it is fair dinkum about saving water by committing equal amounts to the commonwealth government for Victorian expenditure. That would be a gesture that would certainly give us the jump on the other states and ensure that we get our deserved share of the water resource money in the 10-point plan and even more, if we can.

I urge the government not to get bogged down in constitutional issues. Country communities cannot make money out of a constitutional debate. In order to take advantage of that 10-point plan we have to address a problem in the Mildura region that needs a solution. The current First Mildura Irrigation Trust (FMIT) feud with Lower Murray Water is hardly Murray–Darling Basin best practice. The Nationals do not support a merger for its own sake. There would need to be clear evidence of a benefit to the irrigators with both authorities before it could be considered worthwhile to embark on a full-scale discussion. I certainly encourage the FMIT and Lower Murray Water to engage in discussions so that it can be determined once and for all what is in the collective best interests of all parties. Otherwise we risk uninformed perception and damaging speculation about the future of each authority. Potentially that could hold back the region, especially in terms of funding for major infrastructure projects.

In supporting this bill I remind all members that there is much work to be done by the state government in the Mildura region as part of the Murray–Darling Basin to ensure that as a state and a region we are not disadvantaged in accessing the funding proposed by the federal government.

**Ms BEATTIE** (Yuroke) — It is with great pleasure that I join this debate. What we have seen is really just a cheap political stunt. The Prime Minister is coming out and offering money for the Murray–Darling Basin, but it is a disingenuous offer. We have projects ready to go, but constantly we see the Prime Minister dillydallying and not putting the money forward. Then all of a sudden we have this proposal to take over the Murray–Darling Basin at this late stage.

What can we say about the attitude of the parties opposite? They are all over the shop. They are like a mad dog's breakfast — just everywhere! Federal Nationals MP John Forrest has spoken out against the Prime Minister's plan to take control of the Murray–Darling Basin, and it is there in black and white. It is also the first breach of federal unity on this plan. Can you believe they are putting forward this scheme, yet it has not even been to federal cabinet? What an extraordinary thing to do! The Prime Minister is saying he is going to give \$10.5 billion to the states, but he has not even told the Treasurer. It seems the Prime Minister can just dip his hand in the federal pocket on a whim. What an extraordinary way to run a federal government! He says the Treasurer is his anointed one, yet he has not even told him he is doing this. We know the state Liberals and the federal Liberals cannot talk to each other, but they cannot

talk to The Nationals either — but I am digressing from the bill.

The Murray–Darling Basin Amendment Bill will amend the current act to give effect to the amending agreement. In doing that it will enable the improvement of practices in the Murray–Darling Basin Commission's water business. It will also clarify the original agreement on the matter of the timing of Queensland's liability for matters in which it takes part, and it will attach supplementary details to make minor typographical corrections to the basin salinity management schedule.

The Premier has been very firm in his support for Victorian farmers. That is what this Premier was elected for; it was not to be all over the shop and to dud our farmers and irrigators out of their water supply. He is going to ensure that Victorians are protected. I draw honourable members attention to the events of Saturday, 25 November 2006. The Premier and the Labor Party were elected to govern for all Victorians. That is what this Premier and this government will do: they will govern for all Victorians. The government will make sure that Victorians are not duded out of their water supply by some phoney \$10.5 billion scheme which, we find out, is for everywhere, everybody and everything. We are in the business of guaranteeing a water supply for our farmers and irrigators, not selling it off to people downstream like the Prime Minister would have us do. I do not doubt that on the other side of the house there is some shillyshallying and petty politics going on. Those opposite continue to play those games, but we are not going to indulge in them. We intend to get the best deal for Victorian farmers and irrigators, and that is what we will do. We will consult with the commonwealth government and the relevant states and territories, but we are not going to dud our own farmers.

The amending agreement provides for appropriate contractual arrangements between governments and for them to make annual contributions towards the future capital replacement and major cyclical maintenance costs of the River Murray water. We all know how important it is to do that cyclical maintenance. It will enable the annuity contributions to be accumulated and invested, and it will allow the Murray–Darling Basin Commission to borrow funds where accumulated contributions are insufficient to meet the costs in any one year. Borrowings would require the approval of the Murray–Darling Basin Ministerial Council.

There are other aspects of this bill, one of which is the financial impact. This will not have a negative financial impact for the Victorian government, as the intention of

the bill is to eliminate the surprises which currently occur from year to year. The proposed new arrangements will provide the Victorian government with certainty and foreknowledge of the yearly contributions.

As I say, this is a good bill. I hope we see some consistency from the other side of the house, because so far we have not seen any. Without telling the other side of the house how to suck eggs, I suggest to The Nationals that they talk to John Forrest. I also suggest to the Liberals that they talk to Prime Minister Howard, clear things up and do the job they should do in opposition. People want an opposition that will do the best for Victoria. They have elected the Bracks Labor government to do the best for Victoria, but they also want an opposition that will do that. Currently we just do not have that. We have an opposition that wants to sell Victoria down the drain, but we are not going to do that. It is a great bill, and I commend it to the house.

**Mr THOMPSON** (Sandringham) — In commenting on the Murray-Darling Basin (Amendment) Bill one need only look back to the World Economic Forums held at Davos in Switzerland during the 20th century. When the then Premier of Victoria, Jeff Kennett, returned from a Davos forum he nominated water as becoming one of the key issues for the 21st century. It is interesting to note the lag between the understanding of what the key issues will be and the development and implementation of appropriate infrastructure.

A key issue confronting the people of Victoria today also relates to water supplies for Melbourne in decades ahead as a consequence of the massive devastation of the areas surrounding the headwaters, rivers and catchment areas that serve Melbourne and supply water to Victorian country towns. To illustrate this point, a consequence of the massive loss of vegetation in old-growth and established forests is that water coming from those areas may be of diminished quality. This water will be used to serve metropolitan areas and country townships.

Apart from water quality, the other significant issue is water yield from water that will be flowing through those catchment areas. It has been suggested by Dr Mark Adams that a reduction in the water yield from those catchment areas by 10 per cent will have a massive impact on water infrastructure and supply to Melbourne not just for one or two years ahead but for decades ahead. This is a consequence of new-growth forests having a higher level of water consumption in order to become established as forest areas and regions. This is an area that the Victorian government has failed

to address properly. Government members can talk about channels, shower heads and agreements, but the people of Victoria need to understand the significance for decades ahead of the massive loss of vegetation and the impact that regrowth will have on the supply of water to Melbourne.

The opposition's position on the Murray-Darling Basin has been very well outlined by the shadow Minister for Water, Environment and Climate Change, the member for Brighton, and the Liberal Party's position is well stated for the public record.

**Mr ROBINSON** (Mitcham) — I am very pleased to have the opportunity to speak about the Murray-Darling Basin (Amendment) Bill. I start by recalling that familiar pejorative expression that a deal or a signature is sometimes not worth the paper on which it is printed. That is an appropriate introduction for my contribution to this debate, because as much as this house would warmly endorse progress on the Murray-Darling Basin agreement, contemporary events pose a very serious question — that is, is the agreement which underpins this bill actually still worth anything? The question is posed because of the Prime Minister's unilateral stance in the past few weeks, where cooperation — which is and has been the basis of the Murray-Darling agreement for many years and — has been replaced by coercion.

The bill is simple enough. It seeks to make amendments by 'agreement', which is the important word, to the landmark Murray-Darling Basin agreement, and cooperation has been the essence of that agreement for a number of years. The agreement, which is outlined in schedule 3 of the bill, was forged in 1992. The commonwealth, New South Wales, Victorian and South Australian governments entered into an agreement which is specified in that schedule. That was a significant moment, because the federal government was a Labor government, Victoria had a Labor government but a Liberal government was in office in New South Wales, so there was a bipartisan commitment to work in a cooperative manner at that point.

Water rights have been hotly contested in this country, even back into the colonial era. As much as the Murray-Darling Basin agreement has been a long time coming, most if not all commentators would agree that more progress has been made on reforming water policy in Australia during the past 14 years — that is, since the agreement was put into place — than in the previous 140 years.

Given the progress of the agreement over time, what should we make of the Prime Minister's resolve to go it alone and replace cooperation with coercion to challenge the validity of the agreement? I put it to the house that if this were simply a commercial contract or agreement, the actions of the Prime Minister in the last few weeks would give rise to a right to rescind the contract by the other parties. Such has been the determination to undo what has been in place as a cooperative agreement for so many years.

We need to understand whether the agreement has any validity by virtue of contemporary events. It cannot be that the Prime Minister and his federal government believe that Victoria has an appalling record on water allocation. That cannot be the motivation for the federal government's determination to start ditching this agreement, because as previous speakers have noted — not the least of whom have been members of The Nationals — Victoria has had a very efficient reform of water policy. For some time the northern part of this state — —

**Mr Mulder** — McNamara did a good job, didn't he?

**Mr ROBINSON** — Indeed. I will pay credit where credit is due. It is a matter of record that the Labor government under John Cain, Jr, was able to work very constructively with the National Party, as it was known at that stage, to seek some fairly fundamental reforms. I understand that Labor ministers of the time and shadow ministers thereafter had a fairly high regard for the predecessor of the Deputy Leader of The Nationals. Mr Steggall, a former member for Swan Hill, was considered to be quite expert in water policy. It simply cannot be that the federal government's decision to go it alone in reformatting the Murray-Darling Basin agreement is based on a belief that Victoria has dragged the chain. It would be quite the contrary. Of all the states involved, Victoria would be the leader in its reformation of water policy. It also simply cannot be a result of the Prime Minister's sudden belief or conversion overnight into a climate-change crusader.

He did say he was a climate change realist. I understand that to mean he blinked — the man who does not blink, did blink. He understands that a poll is coming up and that climate change is an issue, but his conversion is not born of a true desire or a true belief that the world has changed around him. It certainly cannot be that the Prime Minister is basing this departure from a long-established agreement on some genuine, well-researched policy, because we know the matter has not even been to the federal cabinet. This has been revealed in recent days.

We know that there are alarming gaps in the federal plan as it is being sold by the new federal Minister for the Environment and Water Resources, Malcolm Turnbull. Indeed we also know that this federal government's departure in policy cannot be the result of any cogent advice its members have received from the Murray-Darling Basin Commission, because in recent days it has been reported that the commission itself provided advice — and I will quote from an article which appeared in the *Australian Financial Review* of 8 February — in the form of a 'scathing assessment' of the Prime Minister's \$10 billion water plan:

... saying it neglected crucial questions of land title, resource management and environmental water flows and could be underfunded by hundreds of millions of dollars.

Indeed, the same article states that the Murray-Darling Basin Commission:

notes that among the plan's shortcomings was that it does not appear to include tributaries of the river such as the Ovens, Campaspe, Kiewa, Loddon and Wimmera rivers. It says the plan fails to state whether the \$500 million Living Murray scheme — which aims to return more water to the river —

will actually continue. We know that the Prime Minister's conversion cannot have been motivated by any of these things.

I am sure I speak for many people in and beyond the Mitcham electorate when I say that, much as I am prepared to support the amendment bill which is before the house, I am deeply disturbed by the actions of the federal government in recent days. It has unilaterally taken this departure, which has no basis in policy, logic or science and puts at risk valuable irrigation rights which have been won and secured over a period of time.

More than that, I am very wary — as I am sure are many people in the Mitcham electorate and across Victoria — that we somehow have reached a position where water policy is now in the hands of a corporate spiv from Sydney. That is what Malcolm Turnbull is; he is a corporate spiv from Sydney who has no understanding of irrigation rights. He is a corporate spiv who changes colour as it suits him.

*Honourable members interjecting.*

**Mr ROBINSON** — I know how ill at ease The Nationals are with the turn of events, and it is for that reason we note in the paper what I think are valid commentaries of the federal member for Mallee and indeed our own scribe in the chamber, the Deputy Leader of The Nationals and the prominent — —

**Mr Jasper** — He is very talented, too.

**Mr ROBINSON** — I would not go that far. He is not very talented.

I conclude by indicating my full support for the Murray-Darling Basin Amendment Bill, but I will qualify that by saying that I am deeply disturbed by the direction of the federal government's policy. Today we are attempting to amend an agreement which has served this state, including the state's irrigators, well over a number of years by dint of the cooperative approach that has been applied in this place and elsewhere to achieve those reforms. I am deeply disturbed about where federal policy is heading. I am also deeply disturbed that we are amending an agreement which the federal government has no regard for — as evidenced by its actions of recent days — as it goes forward. It is determined to replace the agreement by coercion in what is little more than a naked grab for power.

**Mr WELLER** (Rodney) — It is with pleasure that I rise to speak in support of this bill. Anything that provides the Murray-Darling Basin Commission with better principles regarding the management of its finances is supported by the constituents of Rodney and The Nationals. We support the clarification of Queensland's responsibility and liabilities. We should not have to clear up typos, but because they were made we are in support of cleaning them up.

I would like to clear up a statement that was made by the member for Yuroke. She said the people in the irrigation communities of Victoria supported the Labor government. In my electorate of Rodney, which is an irrigation seat, the Labor vote went from 25 to 18 per cent. I believe there were similar swings in the seats of Murray Valley, Benalla, Swan Hill and Shepparton. In Mildura, another major irrigation seat, there was a major swing to The Nationals. The people who live in irrigation electorates believe The Nationals are the appropriate party to best look after their interests when it comes to moving that issue forward and when it comes to the environment.

Previous speakers have said that the Victorian Nationals do not agree with the federal member for Mallee, John Forrest. The Victorian Nationals are well behind John Forrest, and yesterday the Premier made it quite clear that he was pleased that The Nationals were supporting John Forrest. The member for Yuroke should listen to her leader.

I wish to clarify some things regarding the health of the Murray-Darling Basin. The Murray-Darling Basin Commission, which has been responsible for the health of the basin, has had a number of achievements in the

last 20-odd years. In 1983 the electrical conductivity (EC) level at Morgan was 830. Prior to the May 2002 drought the EC level at Morgan had dropped to 550, a drop of one-third over a 20 year program. If we look at the EC level at Swan Hill, which Victoria is actually responsible for before the water comes in out of the Murrumbidgee River — and New South Wales has not been living up to its responsibility for that river — we see it has dropped from the 500s down to the 200s. Indeed during these drought times the EC level at Swan Hill is nearly down to 100, so it is nearly getting too low to count.

Another measure of the health of the Murray-Darling Basin has always been the number of native fish. If you talk to any fisherman, you will find that they report they have never caught so many cod for about 40 years. The same applies to yellow bellies, yabbies, perch and other fish species.

The work of the Murray-Darling Basin Commission has been quite important, but let us not forget the role that farmers have made. In the late 1970s a laser grading revolution came across the irrigation areas of northern Victoria. Because of that, we have seen the laser grading of 70 per cent of the irrigated land in northern Victoria — at great expense to the farmers. They get a great productivity gain while they do it — and we should encourage that — but they have also contributed to the dropping of the salinity levels at Morgan and Swan Hill, as I have previously mentioned.

Another initiative that the Murray-Darling Basin Commission has been very involved in is the Pyramid Hill salt interception scheme, just outside my electorate in the neighbouring electorate of Swan Hill. This has been a major win, and not only for the environment, because salt is harvested there. Salt water is pumped into evaporation basins, and after the water evaporates the salt is collected and sold. It is not only sold as bulk salt, it is also sold in gourmet shops around the world. This is value adding to what was a threat to our agriculture community. This is a positive in terms of generating export dollars for the whole of Australia, and it creates sustainable employment in the Pyramid Hill region.

**Mr Hudson** — There is a lot of salt out there.

**Mr WELLER** — There is. It is an ongoing job for a long time, and the gourmet shops of the world will appreciate it.

There is also another side industry to that. While the water is evaporating, it is possible to breed shrimp, which is creating another market. We are finding

positive ways to create productive and commercial outcomes. We are also creating employment from something that was a big dilemma and a threat to agriculture. It is proving to be quite a valuable asset to the whole of Australia. We must continue with these initiatives; we cannot be satisfied with what we have. That is why it is important that the Murray-Darling Basin Commission goes on and continues to be effective by becoming more productive. Water is always going to be a challenge. Financing will also be a challenge in the future, and this is a more appropriate way to finance it.

While we clarified Queensland's responsibilities when it comes to their liability, the Murray-Darling Basin Commission should not slacken off on Queensland's responsibility to be a good neighbour regarding their contribution to the environment. They, too, should start finding ways to provide more water to the environment. The Murray-Darling Basin Commission should put the pressure on Queensland to deliver, which I do not believe it has done for a long time.

In conclusion, this bill deserves support for the future of Victoria and the future of Australia as a whole.

**Mr HOWARD** (Ballarat East) — In commencing my contribution to debate on this bill I commend you, Acting Speaker, as you are in the Chair for the first time. I trust you enjoy the opportunity as I hope I will later this evening.

I am pleased to be speaking on the Murray-Darling Basin Amendment Bill, which, as we have heard, is an administrative bill to bring about changes to improve the operation of the Murray-Darling Basin Commission. That is to be commended. In my time in the house, as with others here, I have seen bills regularly brought forward to address various stages of improving and upgrading arrangements associated with the Murray-Darling Basin Commission.

We know, as other speakers have said, the issue of the Murray-Darling Basin and the Murray-Darling systems is in the forefront of the nation's attention, particularly in recent months. We know that on numerous occasions over the last 5 to 10 years issues associated with the health of the Murray-Darling river system have come before the public, especially as we have experienced these last 10 years of low rainfall in the eastern states, with cases of algal blooms on the Darling system in particular and many other issues which make us question the sustainability and health of the Murray-Darling river system.

We know the Murray-Darling river system is vitally important to the ongoing health of the eastern states and South Australia. We know it is important in providing water sources for urban populations along its route, right through to Adelaide, and therefore it is vitally important that the quality of water through the full length of the river system is maintained so those in South Australia can still appreciate good-quality water and a sound future regarding their requirements from the Murray-Darling system. We also know it is important as a source of tourism for the towns along its route. Many of us have appreciated holidays at some points along the route of the Murray-Darling river system.

One of the issues about which we are even more concerned is the use of the Murray-Darling river system for irrigation. In Victoria we know that agriculture is a very important source of produce not just in providing the needs of our urban populations across the state but also in providing significant export opportunities and significant export dollars for the state. Irrigation is an important component in ensuring that our agricultural produce and agricultural production continues to be maintained.

We know there are lots of reasons why we need to be vitally aware of issues associated with river health along the Murray-Darling river system. Since its coming to office the Bracks government has recognised this fact. From its early days the Bracks government has taken action to improve opportunities of environmental flows along the rivers. We acknowledge that when you take water out of the river system and if it is not done in a planned and sustainable way downstream, users will clearly be affected. It is important that flows continue, and we recognise the importance to the environment of people living downstream and of the ongoing ecological balances that we need to maintain.

The state government has committed many dollars over the years to improve those issues. We have spent \$115 million on Murray River environmental flows. We have spent \$200 million on sustaining Snowy River flows, and there have been a great many projects identifying efficiencies that can be made within irrigation areas in particular, such as piping open channels and so on to ensure we make better use of our irrigation waters. There are still many challenges ahead, as we are all aware.

Recently the federal government has thrown out this issue in the sense it has put \$10 billion forward over the next 10 years to help address some of the issues associated with the Murray-Darling Basin. It is of great

concern that the Prime Minister and his federal government have said that the only way they will provide the money is if they take total control and if state governments hand over the control of this system. That is not the way to achieve the best results for the system. It leaves numerous questions if the states are simply to hand over their powers.

If the Prime Minister were serious about addressing issues associated with the Murray–Darling Basin, then it would be clear that we need a national approach and an efficient way of managing a national approach to issues associated with the Murray–Darling system. But to simply say, ‘We will take this out of the hands of the state’ and expect states to hand over their authority to the federal government is not the way to go. We should have a consultative and efficient approach but one that says, ‘We want you all to have an input and promise to ensure that key interests are protected’. The body that eventually will administer the Murray–Darling Basin should be one that makes very clear the processes under which it would operate to ensure fair outcomes for those varied interests that we know exist along the path of the Murray–Darling river system.

There are so many issues that are of great concern and which will need to be addressed in the months ahead in the discussions between state governments and the federal government. I hope the Prime Minister and the federal government will realise they need to be open and consultative in this process. Rather than playing political games they should adopt an approach which will clearly be in the interests of all the bodies that rely on the Murray–Darling Basin.

I also note and am somewhat surprised and disappointed to see that the Liberal Party has already bowed out of this debate and made just a few brief contributions, which suggests that they do not believe they have a significant part to play regarding the Murray–Darling Basin. I note that my colleagues in The Nationals will continue to contribute, as I expect they would.

On this side of the house the Bracks government is vitally concerned to continue works. We as a state government have been at the forefront in addressing those important issues of sustainability of this vital river system as they affect the lives of people across this country. We want to continue to do that. As I said, this bill, which is administrative in nature, has to be progressed, given the existing management of the Murray–Darling Basin by the Murray–Darling Basin Commission. That should continue until an improved arrangement can be found, if it is to happen. I look forward to significant increased input from the federal

government to match some of the funds that the state government has put into managing the Murray River system.

I commend the bill to the house and will be watching with interest to see that the irrigators in this state who operate very efficiently continue to be supported so agriculture continues to benefit as a result of good management decisions regarding irrigation waters from the Murray River and the associated river systems. I will seek to have an input into ensuring that takes place. I commend the bill to the house and trust that it provides a path along the way to ensuring good, sound management for the Murray–Darling Basin in the years to come.

**Mr DELAHUNTY** (Lowan) — Acting Speaker, I congratulate you on being in the chair for the first time. I notice the imagined L-plates on the back of your jacket, but at this stage you are doing very well.

I am very pleased to speak on behalf of the Lowan electorate on the Murray–Darling Basin Amendment Bill. Before I do so I must comment on some of the things that the member for Ballarat East had to say. I agree with him in part, in that we have had little involvement by city members in this debate.

**An honourable member** interjected.

**Mr DELAHUNTY** — Yes, but I would have to say that most of the Labor city members have been asked to come in here and keep the debate going. The reality is that the reason we still have the debate going is that the government is trying to match The Nationals. We are very concerned about water because it is the lifeblood of country Victoria, not only for our social needs but also, importantly, for our economy and for the environment in which we all live.

I remind the member for Ballarat East that water, including the funding of water infrastructure, is a state responsibility under the constitution. In the north-west we have been fortunate, in that because the water is coming out of the Murray River we have the federal and state governments working together to fund the northern Mallee pipeline. Through a lot of good work by the federal member for Mallee, John Forrest, we have been able to get funding to continue that work.

**Mr Stensholt** — Dragged kicking and screaming!

**Mr DELAHUNTY** — No way known. Funding has been continued for what is a state responsibility for a state project. The reality is that you cannot have it both ways. The member for Ballarat East and the member for Burwood, who is jumping up and down, should be

reminded that water is a state responsibility. I am sure that the minister at the table, the Minister for Roads and Ports, would agree that water, including the funding of water infrastructure, is a state responsibility. The Nationals hope that the federal government continues to play a role in providing funds to make sure that we benefit from what is going on with water.

I was concerned that when the member for Ballarat East was talking about the Murray River he also talked about the needs of urban areas and tourism. They are vitally important, but he finally touched on the most important value of the Murray River, which is its productive value to the export bowl of Victoria. I understand that most of the exports that go out of the port of Melbourne are dairy produce or other agricultural production. Water is linked very closely to our exports, to jobs and, more importantly, to the sustainability of many of our country communities.

It is interesting to note that there is often not much involvement in such debates by our city cousins. That has been so with the farm dams debate and this water debate. They know they can turn on a tap and get water. However, many country communities are out of water. People are trucking in water for domestic use as well as industrial and agricultural use.

Coming back to the bill, as members know the bill contains an amendment to the bill that was presented to Parliament in August 2006, which had a minor drafting error that prevented it from proceeding, and members are addressing that today. The purpose of the original bill was to ratify an amendment to the Murray-Darling Basin agreement and to incorporate Council of Australian Governments water reforms approved in 1994. The Nationals supported the bill in August 2006. I was happy to do that, and I am also happy to support the bill before the house today, because it fixes up some of the Murray-Darling Basin Commission's water business.

The bill also includes details of the authorised joint works and measures approved for basin salinity management. One good way to fix up some of the salinity issues is to pipe the water. That is happening in my area of western Victoria, particularly with the Wimmera-Mallee pipeline. That project is now going ahead, and I am pleased to note that both the federal and state governments are getting on with it. There have been some problems with the implementation of the project, particularly around the compulsory acquisition of land. As members are aware, the Grampians Wimmera Mallee (GWM) Water Authority is the authority responsible for putting in the pipeline, and that authority comes under the jurisdiction of the

state. Again I ask the Minister for Water, Environment and Climate Change and GWM Water to be more open and transparent in some of their activities in relation to water, particularly the implementation of the Wimmera-Mallee pipeline.

Another aspect of the Wimmera-Mallee pipeline is that it offers not only a great opportunity for providing water security and better quality water but also a chance to fix up environmental damage and, more importantly, give security to our rural communities. The Wimmera-Mallee pipeline will be a great boost in that area.

One area of concern is in the Rainbow area in the northern part of my electorate, in particular the Pella farmers, west of Rainbow. I have been there many times and listened to the residents. On Friday, along with the member for Swan Hill, who is The Nationals spokesperson for water, I am meeting in Horsham with a group of those farmers. I have listened to many of the concerned residents in the Rainbow area, including the 30 or 40 Pella farmers who are desperate to have access to the Wimmera-Mallee pipeline. Unfortunately, given the drought conditions, the fees that have been imposed for various reasons are making it very difficult for those farmers to meet the financial requirements. It is imperative that the state government, which has responsibility for water in the state, put its hand in its pockets and do something to assist the Pella farmers to access the Wimmera-Mallee pipeline. It is a once-in-a-lifetime opportunity. If we do not do it now, it will be forever lost.

It is interesting to note that those farmers are trying to get access to the pipeline to further drought proof the region and to open up the community to more productive uses, so creating jobs and exports for our state. The state government should find ways to cover the capital cost of the contribution requested by GWM Water so that the head works charges can be overcome and, more importantly, the piping can proceed into the Pella area. At the end of the day we must ensure that that happens. Again I call on the Minister for Water, Environment and Climate Change and the state government to assist the Pella farmers to access the very important Wimmera-Mallee pipeline.

Another concern that has been talked about in here extensively is the federal government's Murray-Darling Basin water plan. I must admit that I have some concern about it. There needs to be greater cooperation between the states on this issue. To its credit, though, Victoria has good water law. It provides good security for the customers who access water. At the moment we are going through the severest drought and a lot of people are not getting their water entitlements, but my

understanding is that Victoria can provide water 97 per cent of the time, which is a great achievement. In the northern states it is around the 50 per cent mark. Unfortunately a lot of the problem is driven by New South Wales and Queensland, and to a lesser extent by South Australia.

Again, there is good reason to get better cooperation between the states. I am not 100 per cent sure about whether we should go to the extent of giving full control to the federal government. I am also concerned about a leaked memo from the chief executive officer of the Murray-Darling Basin Commission, Wendy Craik, to the Prime Minister in which she said she would like the commission to take over the control of the Ovens, Kiewa, Campaspe, Loddon and Wimmera rivers. Most people do not even know that the Wimmera River is in the Murray-Darling Basin. Many, many years ago it probably contributed water to the Murray River, but it does not do so now. It is now a small river in the Murray-Darling Basin area, but it is of vital importance to the area that I represent in western Victoria.

It is disappointing that the Wimmera Catchment Management Authority did not make any comment when representatives of the local media wanted to talk to it about its views on the issue. Like the water authorities, the Wimmera Catchment Management Authority has a fairly big input into the control and management of the Wimmera River. I am not overly happy with the way that is being managed. I am fearful that when it rains — and it will rain — we will have floods and that, because of the inaction on some of the sand dunes along the river and particularly on the cumbungi and cane grasses growing there, there will be real problems for people in places like Dimboola before the water gets to Lake Hindmarsh. It will also cause problems right along the Wimmera River, because in other years work to clear out the river has been done by land-holders and volunteers. Again, the Wimmera Catchment Management Authority must comment on what it thinks is the best way to go.

In the few seconds I have left I indicate that The Nationals support more money being spent in the Murray-Darling Basin. The federal government has put up \$10 billion. We would like to see the state match that, if the plan proceeds. Broadly speaking, we consider that Victoria has good water law and good security of supply. With a lot more money we can improve not only the water supply and water security but also the quality of the water and reduce salinity in those areas.

**Mr CARLI (Brunswick)** — I am really pleased to rise in support of the Murray-Darling Basin Amendment Bill. It is a very small bill that is in a sense an administrative bill. It essentially amends the 1992 Murray-Darling Basin agreement that was made between the states. It is part of an amended agreement that was made in 2006 by the states that are affected by the Murray-Darling Basin and also the federal government. But the debate today has really been much wider than the issue of this amendment. It has really been about the importance of the Murray-Darling Basin not only to Victorians but to all Australians.

I was very pleased to hear the member for Lowan's speech acknowledging the importance that Victoria places on the good management of its water resources and the role of leading light that Victoria has had in this respect at a national level. I was a bit disappointed though that he was saying that city members do not have an interest in this, or have not shown an interest. I must say that city members do have an interest in this issue.

The Murray-Darling Basin is of national importance. It is incredibly important to all Australians, including city Australians. As an inner city member I am very conscious of the importance of the Murray-Darling Basin for economic, environmental and social reasons. I am very conscious that it is a food bowl for Australians. It is an important area in terms of exports. In the previous Parliament I was very much involved in the port of Melbourne and there is no doubt that the biggest volumes of exports coming out of our port are coming from the Murray Goulburn area, particularly Victoria but also southern New South Wales and to some extent even South Australia. So it is immensely important to our exports, and I think all Victorians need to pay attention to this. It has clearly been a national debate, and it is good that it has been a national debate.

As the member for Lowan has expressed, the Prime Minister's 10-point plan that has been advanced has some positive elements, but there are also some genuine concerns about it. It does seem to have been rushed. The Leader of The Nationals has noted, as quoted in a newspaper article in the *Warracknabeal Herald* of 2 February, that:

Victoria has a pre-eminent position in water administration within Australia ...

He really does pose the question of whether it is any better for the federal government to take over responsibility, arguing that Victoria has managed its water supply and the Murray-Darling Basin very well, and that has been of national importance. If you look at the severe drought that we have at the moment, Victoria

has delivered more secure allocations to farmers this year, after 10 years of drought, than any other state. So Victoria does manage its water well, and maybe the problem with the Murray–Darling Basin is that other states have not been as effective in terms of their management.

As a government we are very proud of our achievements in terms of the Murray. There has been \$115 million spent on Murray River environmental flows, and we have identified water savings in Victoria to increase the flows as part of the Living Murray initiative. A major plank in our election campaign in 1999 was the restoration of Snowy River environmental flows, and more than \$200 million has been spent to improve environmental flows in the Snowy River. The first target for extra water was delivered on time, and that was 28 gegalitres of water, which was returned by 2005.

Obviously there are competing demands on water. There are the issues of environmental flows and demands for the security and the sustainability of those rivers, but also there are the demands of irrigators and communities that depend on the Murray–Darling Basin for their water supplies. It is really crucial to Australia that those resources are managed well.

The debate that has really occurred at a national level needs to be front and centre, and at the moment the federal plan remains really weak on detail. The state and territory leaders and water ministers have met once with the Prime Minister and the federal Minister for the Environment and Water Resources and have committed themselves to meet again after having time to consider the plan.

Certainly the concerns expressed by the Premier and the Victorian water minister are very much about the details of what has been put forward. There is concern that the plan has not necessarily been well thought through. We believe it was made in haste and without sufficient consultation. Indeed, two of the federal departments concerned — the former department of the environment and heritage, now the Department of the Environment and Water Resources — and the Department of Treasury and Finance were not consulted on the proposal.

An important debate occurring in Australia now involves the territory and state governments, and the federal government. It is about water security, quality of water and the management of water; the member for Lowan was quite right when he said that water management is a state concern. Various governments in Victoria have demonstrated the sound management of

Victoria's water system, so before we decide to hand it over to the federal government we need to seriously debate the merits and see what is most appropriate for our water system, particularly for the Murray–Darling Basin.

We are also concerned that the projects that the Bracks government has put forward to the federal government have taken a long time to be realised. Projects were submitted to the federal government more than 18 months ago, yet we still do not have answers, for example, on the goldfields super-pipe between Bendigo and Ballarat, and the Geelong recycling project.

We need to push those projects forward. We need a quicker response from the federal government. Victoria has led the way in identifying the necessary projects to preserve our water supply, to get rid of inefficiencies, to ensure security for farmers and irrigators, and to ensure quality for our rural communities. As the Leader of The Nationals stated:

We should not cede our control over water in circumstances where it is primarily the shortcomings of the other states that have brought about the problems in the Murray–Darling Basin.

That is very true. The state really has led the nation, and we have a lot to lose if we do not have strong agreement at a national level between the states and federal government about the performance and the benchmarks we need in water management.

We are in difficult times at the moment. As everyone knows, we are suffering from an incredibly severe drought. The honourable member for Lowan and other members said the drought will eventually break, and there is no doubt it will, but we will still have a water problem after the drought has broken — a problem with which we will have to deal in a very planned and efficient way.

There is no doubt that in the case of the Murray–Darling system we are dealing across state borders, and we need a strong agreement and responsible state action to ensure that the national interest, which is quality and support and sustainability of the Murray–Darling Basin, is maintained. That debate needs to continue.

I am very pleased to be part of a government in which the Premier and water minister are making water a key issue for the government and Victorians; I am proud of that. I am also pleased to hear from the honourable member for Lowan and The Nationals that they see leadership in Victoria as important; that leadership will be demonstrated as we continue to tackle the problems

associated with the quality and sustainability of the Murray–Darling Basin.

The amendments to the act are very technical and minor. Essentially they deal with the agreement made by members of the Murray-Darling Basin Ministerial Council, but the debate that underpins it is far more important and vast, and is front and centre of national concern.

**Mr STENSHOLT** (Burwood) — I am delighted to speak on this bill, following other speakers, including members of The Nationals. Are they present in the chamber? Only one or two Liberal Party members spoke on the bill, unfortunately. I know the Prime Minister is blathering about the Murray–Darling, but there seems to be a lack of interest in the issue on the part of the Liberal Party in Victoria.

The purpose of the bill is to amend the Murray-Darling Basin Act 1993 so as to approve an amendment to the agreement. That is set out in schedule 3 of the agreement, which was made on 14 July last year.

It was an intergovernmental agreement between the Commonwealth, New South Wales, Victoria, Queensland, South Australia and the Australian Capital Territory. The amending agreement as set out in schedule 3 deals with improving the business practices for the Murray-Darling Basin Commission's water business — that is, River Murray Water — and clarifying the original agreement in terms of how Queensland's liability is handled. In other words, the agreement limits its responsibilities with regard to the matters in which it takes no part, and people might remember the discussion in the papers last year in that regard. The bill also attaches supplementary details and makes a minor typographical correction to the basin salinity management schedule.

This is part of getting on with the job. Here in Victoria, following the election, we are getting on with the job. I must admit the Prime Minister has already been mentioned as taking a bit of an interest in the Murray–Darling, but it is somewhat belated. It is similar to his interest in climate change — he has suddenly discovered these things.

He has put forward this plan without even going to his cabinet, interestingly enough. I am sure this bill went to the Victorian cabinet, but the Prime Minister apparently did not take it to federal cabinet. He said, 'I want to take control', and he put up his hand, saying, 'Look at me!'. He wants the whole electorate to look at him because the polls are not looking too good at the moment; in fact he got absolutely flogged by the federal Leader of

the Opposition, Kevin Rudd, in question time on Monday.

The Prime Minister is saying, 'I have a proposal for the Murray–Darling Basin'. The Murray-Darling Basin Commission, with which this bill is dealing, has been in existence for many years, yet the Prime Minister says, 'Look at this proposal!'. It was so good that the state government had 44 questions for the Prime Minister through which it sought to clarify his proposal.

The honourable member for Lowan is not in the chamber at the moment, but as he said, the Victorian government takes the issue of water seriously. Water management is something Victoria has done consistently well, and this government has done it exceptionally well in the last seven years, with the passage of the Water Act recently; we have a proud record of achievement and of actually delivering in this regard.

I personally am familiar with the Murray-Darling Basin Commission, having had an involvement in it over a period of years, particularly before I was elected to Parliament. I used to be assistant director-general for Australia's overseas aid program, AusAID, and I worked with the Murray-Darling Basin Commission on a number of overseas aid programs. I was particularly involved in taking its advice about river basin management.

In particular I recall its role in working with the Mekong River Commission, which is a multijurisdictional body. That is a particular skill that the Murray-Darling Commission has, and schedule 3 of the act reinforces that the commission is multijurisdictional in nature — yet the Prime Minister does not want to be multijurisdictional, he wants to have sole jurisdiction.

My involvement with the Murray-Darling Basin Commission was continued later when I was at Monash University, where I established the Australian Mekong research unit, and my interest was in multijurisdictional arrangements, particularly the legal and developmental aspects of water management and river basin development. I remember attending a number of meetings with experts from the Murray-Darling Basin Commission in that regard. I still continue that interest, despite what the honourable member for Lowan said, as a member of the Victorian government.

The Murray–Darling Basin is a major and important basin in Australia, and Victoria contributes very significantly to the Murray–Darling Basin. There is an enormous amount of water. The average rainfall in the basin is 508 000 gegalitres, and the potential

evaporation across the basin is over 2 million gegalitres a year, with an average run-off of around 24 000 gegalitres. Victoria is a major contributor to that. There is a lot talk about New South Wales and Queensland, but in terms of the total water use New South Wales uses over 7000 gegalitres a year and Victoria uses just over 4000. That is quite a good comparison. The run-off from Victoria into the system is over 9000 gegalitres, and in New South Wales it is around 11 000. The comparison actually stands up very well. This is very important for Victoria, particularly in terms of the run-off, because the water coming from Victoria is about 40 per cent of the total run-off into the basin.

We have a great record in regard to the Murray–Darling Basin. As has already been mentioned by the member for Brunswick, we have provided \$115 million for the environmental flows, and we were the first state to identify water savings through the Living Murray initiative. We are getting on with the job, whereas Prime Minister John Howard is quite frankly bogged on this issue. I know it has not been raining lately, but he seems to be bogged in the marshes of the Murray–Darling in this regard.

In other areas we have provided more than \$200 million to return the Snowy River flows, and in terms of amounts we have delivered an extra 18 gegalitres for Murray River environmental flows and assisted with river red gum watering. We have also established interstate trading with South Australia and New South Wales as well as the unbundling of water rights and property, which is due to commence in the middle of this year with the passage of the significant legislation that is being put through.

There are a lot of question marks over the Prime Minister's proposals, which have been mentioned by almost all speakers. We are talking about river basin management and water flows. River basins are very complex. It is not just simply about water flows; it is a matter of water management. As the member for Lowan pointed out very clearly, there are lots of farms and irrigators involved in this, and there are many cities and towns along the rivers. Sometimes the issue of navigation is very important — not so much now but more so at the turn of the last century. There are also other issues such as salinity, which I have already mentioned. Members will find that in schedule 3, which fixes up the typographical issue. There are also issues to do with the pollution of our waterways, including what the level of that pollution might be, where it starts from and where it ends up. That is very important, particularly for South Australia. These are very important issues. As the member for Lowan clearly

asked, what is the geographical area? These are issues that need to be clarified, and they have not been clarified by John Howard.

He came in with a few pages and said, 'Here is my deal, just trust me'. Come on! Even the member for Lowan and the rest of The Nationals know it is not just a matter of trust, it is a matter of knowing what the complicated issues are, going through them and being careful and clear minded in that regard. It is not just a matter of making up for failures in other jurisdictions relating to the overallocation of water rights, which was mentioned by the member for Lowan. It is a matter of looking at the proper management of the most important river basin in Australia for the future.

The Premier is quite right to be asking these questions. I wonder why the Liberal Party is not asking them. I hope some of the members of the Liberal Party will get up and talk about this. They should ask some questions: they should stand up for Victoria first, not for the Liberals. They should be Victorians first and Liberals second. They should stand up to Canberra. We on this side want to make sure we are here for Victoria. We are getting on with the job for the future of the Murray–Darling Basin. I support this bill, and I ask the other parties to support it.

**Mr HUDSON** (Bentleigh) — Well, well! Here we are debating the Murray–Darling Basin Amendment Bill and we have run out of speakers from the Liberal Party! There is not one member of the Liberal Party who wants to get up and speak on this bill. Not one member of the Liberal Party has anything to say about one of the critical issues that confronts this nation, which is the future of the Murray–Darling Basin.

This is an important bill that gives effect to the Murray–Darling Basin amendment agreement. It will enable improved business practices in the Murray–Darling Basin Commission's water business, River Murray Water. There has been a lot of discussion about this in recent months, which apparently the Liberal Party does not want to contribute to; and it also does not want a debate about the future of the management of the Murray–Darling Basin.

We have had the Prime Minister outline a grand vision for the Murray–Darling Basin. He has proposed a \$10 billion, 10-year plan to address water issues in the basin, including in particular improving water efficiency and addressing the overallocation of water in rural Australia. I add that that overallocation is occurring mainly in New South Wales and Queensland, not in Victoria. We are not only complying with the cap but have one of the most efficient and effective water allocation systems of all the states in Australia.

The problem is that the Prime Minister has gone out and made this announcement without any consultation with any of the states. Last November we had the Victorian Premier being summoned to Canberra for a summit to talk about water and the Murray–Darling Basin. The premiers went away from that meeting with a range of things that they were expected to do. Then all of a sudden three months later, on 25 January, we had the Prime Minister jumping up and saying, ‘We are going to have a pre-emptive takeover of the Murray–Darling Basin’. There was no discussion, no consultation and not even any detail.

Not even his own federal colleagues knew this was going to happen. Senator Minchin admitted as much on ABC radio, when he said that the matter had not been before cabinet because it was too small an initiative. The amount of money was too small to go to cabinet! We are talking about \$10 billion over 10 years, yet we had Senator Minchin saying that it is very little money and that he did not even know about it.

Then we had rampant confusion among federal ministers as to what the Prime Minister said and what he meant. The Prime Minister said in his speech, as reported in the *Australian* of 26 January:

The government stands ready to provide structural assistance and, if necessary, to purchase water allocations in the market.

Indeed the Prime Minister said he was so serious about this that he would allocate \$3 billion — nearly one-third of the total money — to adjust water entitlements in the Murray–Darling Basin.

Then we had the incoming federal Minister for the Environment and Water Resources, Malcolm Turnbull, backing up the Prime Minister. He said he would not rule out the possibility that some licences might be compulsorily acquired. Then we had the backlash within the coalition. Queensland Nationals senator Barnaby Joyce and New South Wales MP Kay Hull hit out at the proposal, warning that such a move would devalue properties, create too much uncertainty in communities already crippled by the drought and kill some Murray–Darling Basin towns.

Then we had the federal Minister for Environment and Water Resources, Malcolm Turnbull, backing away from the very same statements he had made only a couple of days before. He said that taking entitlements off irrigators and purchasing water by forcing farmers to sell their water licences would be a last resort scenario. He also said, as reported in the *Age* of 30 January:

Not only is there no plan to compulsorily acquire water, there is no need to do so.

We have had ministers contradicting what the Prime Minister said in his statement. We have also had the federal Minister for Agriculture, Fisheries and Forestry, Peter McGauran, saying it was only a minor focus of the package put forward by the Prime Minister. On the \$3 billion in funding to address overallocations he said, as reported in the *Australian* of 26 January:

No irrigator is going to be forced to sell the land. The bulk of this part of the package will go to reconfigure irrigation systems and associated things like relocating irrigators from non-viable areas.

Here we have Peter McGauran saying that \$3 billion is only a minor part of the package. He said, ‘Don’t get too concerned. It is one-third of the package, but it is only a minor part’. It is the centrepiece of what the Prime Minister proposes, and Peter McGauran says it is only a minor part of the package. So we have commonwealth ministers agreeing with the Prime Minister and when there is a backlash over the detail, or the lack of detail, they disagree with the Prime Minister. We have the Prime Minister lauding aspects of his package and then ministers saying they are only minor aspects.

We have Malcolm Turnbull, new to the portfolio, touring the irrigation district, saying that the state had for too long ‘been sleeping in the same bed but having different dreams’. That is what he said. Malcolm Turnbull is clearly having different dreams from the Prime Minister! Or maybe he is having the same dream, which is that he would like to be the Prime Minister after the federal election. Perhaps that is what he is dreaming about!

The Prime Minister is running on this issue because he is spooked. He is spooked by the new Labor leader, Kevin Rudd. He is spooked by the polls which suggest he is going to lose the next election. And he is spooked by the drought and the clear evidence that has now emerged from scientists that the historically low flows we are experiencing at the moment into our catchments, dams and rivers are caused not only by drought but by long-term climate change. He is spooked about that because he knows, and everyone knows, that he has been a climate-change sceptic up until now.

He is someone who has refused to acknowledge the evidence and all the work and journal articles written by scientists saying that climate change is having a long-term impact on the Australian landscape and in particular on the temperature, the level of rainfall over our catchments and the run-off into our dams and rivers. He has been in power for 11 years. The Kyoto

protocol was drafted in 1997. He has been in power for all that time, and during that time Australia and the United States of America are the only countries in the developed Western world that have refused to ratify the Kyoto protocol.

For 10 years scientists and state governments have been urging the federal government to do something about tackling climate change and acting not only to conserve our water but also to improve the health of our rivers and catchments. During that period he has done practically nothing. For 10 years scientists have been saying that all the modelling shows that global warming will lead to higher temperatures, more evaporation, less rainfall and lower run-offs into our catchments. That is what scientists have been saying and yet here we have a Prime Minister who has not acted till now. It is an election year so he has a grand plan, a 10-point plan with \$10 billion over 10 years. He thinks that sounds good. He hopes the media will buy it. He hopes the voters will buy it and that they will see that he is doing something to address the issues in the Murray–Darling Basin. But the voters will not buy it, and this state government will not buy it until the Prime Minister answers some very fundamental and basic questions about what is being put forward — questions that should have been worked out with the state premiers before any such announcement was made. Our Premier alone has raised with the Prime Minister 44 major issues which he has not been able to answer. Until he does so this proposal is dead in the water.

**Mr RYAN** (Leader of The Nationals) — It is my pleasure to join the debate in relation to the Murray–Darling Basin Amendment Bill, which is important legislation. It is the resubmitted form of what was before the house in August last year, when the minor error, which has now been corrected, was discovered. From memory I had a part in the suggestion at the time that we withdraw it and redo it and do whatever we have done since.

**Mr Nardella** interjected.

**Mr RYAN** — You did listen, and it is a good thing you did. You ought to do more of it. You will have a chance to listen to a bit more of it in just a moment. I will get to that.

It is important legislation, so I am delighted to see it here, and we as a party are in support of it. The very nature of the legislation and the name of the bill itself offer the opportunity to talk about the many questions around the future of the Murray–Darling Basin as such. I commend the Prime Minister for the far-sighted initiatives which he has outlined in the course of his

\$10-billion plan. We think the essence of what he wants to do is in bringing some proper order to the future management of the basin, and doing it in a way which will ensure that we get some decent capital injected into the very necessary programs that have to be undertaken and sorting out the many aspects of how the basin functions. We think all those things are laudable in one form or another, but whatever is the best way to achieve them should be undertaken. We strongly support the general thrust of what the Prime Minister wants to do.

We do have an issue with the question of ceding Victoria's rights over water to the commonwealth. We have that concern because the reality of the political cycle is that at one stage or other we will have a Labor government in Canberra. That is just a fact of political life. That is just the way things are.

**Mrs Maddigan** interjected.

**Mr RYAN** — I heard an interjection from the former Speaker. I must be hearing things!

People need to look at this in the prism of the longevity of the basin and its management. You cannot just look at this issue in the context of having a decent, honourable, rational, far-sighted, forward-thinking coalition government in Canberra. You have to look at it on the basis that one day it might be Labor, which is the complete antithesis of all those sorts of aspects of government. I pose to the house the prospect of Australia's irrigation systems being under the control of Peter Garrett. Would that give cause for pause?

*Honourable members interjecting.*

**Mr RYAN** — I hear the calls of support from the Labor benches in Victoria. I would have thought that, of itself, is a reason why we need to be very careful about the prospect of handing over control of this vital national asset, this extraordinary icon, to one central point of control, into the hands of a federal government — the rationale being that it is just not a safe thing to do. On the contrary, the very nature of having the administration under a diverse group of interests such as the states and territories represent, in concert with the federal government, is the way to do it, if that structure can be made to operate properly. This is where the Prime Minister's proposals can carry the day, if we can have this issue addressed.

I pause to ask: is it any wonder that the Prime Minister has ongoing frustration about the way in which the states conduct themselves? The fact is that collectively they have made an absolute and utter hash of how they control water within their respective jurisdictions, and we do not need to look further than Victoria. Let us

look at a couple of examples, particularly in the context that we have got this government going cap in hand to Canberra and seeking funding for the Bendigo pipeline. We will leave aside for the moment the whole discussion about the merits of the pipeline, its structures and the mechanics of it, save for a point I will make in a moment. Rather, let us look at this from the perspective of the Prime Minister of the nation. He has presented to him a proposition which would see a pipeline constructed from the Goulburn Valley across to Bendigo that is going to cost multimillions of dollars and is going to have a further extension over to Ballarat.

What is it in fact? I will tell members what it is. It is nothing more than a dirty great big garden hose. That is what it is. We will not get one of these at Bunnings, because this costs hundreds of millions of dollars. Its function is to take water from place A and send it across to place B; that is what its function is. Are there any savings to be achieved? Is the government doing anything in the course of this extraordinary amount of money being spent to ensure that the systemic delivery of water is going to be better? Is Victoria the smart state in the year 2007? We have the Minister for Innovation who sits over there on the front bench and who has a particular interest in water. Indeed he wanted to have the water portfolio, if the rumour mill is correct, but the Premier would not take it from the current incumbent and give it to the Minister for Innovation, so it has stayed where it was. We have a Minister for Innovation in the state of Victoria, and the best that this government can come up with is this huge garden hose, with \$1.8 billion worth of dividends. Seven years the government has been taking it from the water authorities — seven years of it — and the best it can come up with is this dirty big garden hose.

Members of the government of the day in Canberra must be sitting there shaking their heads and thinking to themselves, 'What happened to the innovation which was driven by that great parliamentarian, John Forrest, and which ultimately saw the development of the Wimmera–Mallee pipeline? What happened? What has gone wrong? What occurred?'. On the other hand we have a project where \$510 million is to be spent, with the state contributing \$170 million eventually. Having been dragged to it kicking and screaming, eventually it put the money up. The federal government put money up, the other third was met by the authority and on-farm expenditure — \$510 million was expended as a collective, with 90 000 megalitres of water saved in perpetuity. When you work it out, that is roughly \$5500 a megalitre, but we have got it in perpetuity. It is big money, but we have got it in perpetuity. The member for Melton need not worry about the numbers; they are

about right. There is no need for him to look at the ceiling.

Here is a great project that the federal government shared with the state government, with the water authority and with the on-farm users. We have a situation now and in perpetuity of 90 000 megalitres being saved, the vast proportion of it for the good of the environment. What a great collective effort that has been!

Compare and contrast that with what this government is putting up to the federal government about the position at Bendigo. This is the same government whose members say, 'Water is one of our responsibilities' — although that is subject now to what they will say about whether they are going to jump out of the boat in relation to the project the Prime Minister is currently suggesting. However, on the one hand and in the first instance they say, 'Water is our responsibility. It is a state right. We ought to be able to administer it as we see fit'. Yet on the other hand they go up to Canberra with a proposition for what amounts to a dirty big garden hose, and then they wonder why the federal government wants a few queries answered about what that project will do precisely towards delivering savings into the Victorian water delivery system. Is it any wonder why?

Thus, when government members come in here and whinge and whine about their application not having been dealt with appropriately, they ought to have cause for pause, have a good look at what they are sending up there and comply with their responsibilities, which they should obey under the current constitutional arrangements.

**Mr Hudson** — What would you do?

**Mr RYAN** — What would we do? We would put it on the states to be part of this program. We say the states should put up another \$10 billion over 10 years. The federal government and the states would then have a pool of \$20 billion. They ought to then revamp the agreement under which the Murray–Darling Basin arrangements operate. Once they have done that they all ought to sign up to the revamped agreement.

If the states do not put the money up for particular initiatives that are agreed upon, then the federal government should not have to put up its money. If the states do not put up their money, they should be penalised by the withholding of national competition payments that would otherwise go to them under the operation of national competition policy. Then we can all get where we want to go. That is why the Prime

Minister is involved in this, that is why The Nationals in Victoria strongly support the thrust of what the Prime Minister wants to do, and that is why this government ought to clean up its act and honour its obligations.

**Mr NARDELLA** (Melton) — The contribution that the house has just heard was a really sad one. At the moment we are facing a critical situation. The Murray-Darling Basin Amendment Bill, which I support and which The Nationals support, is trying to deal with the effects of climate change on our continent.

If you took the speech made by the Leader of The Nationals out of context, without understanding or knowing any of the history you would say, 'Yes, that is right. The states should be putting in their share. The commonwealth government should not be putting any money in. The states should be funding all these works by themselves'. But there is a massive flaw in his argument.

The massive flaw is as follows. Through the National Water Trust the commonwealth government has put aside \$2 billion to work with the states on water infrastructure and projects that would benefit this continent. The federal government has actually said, 'We will put in a bucket of money — that is, \$2 billion. The states need to give us their projects so this nation building, which is so important and critical for all Australians, can be funded and implemented. Then we can assist in those nation-building projects, both to save water in the irrigation districts and to safeguard drinking water for major population centres in places like Ballarat, Bendigo and Geelong'.

Thus, the federal government has said it will help and assist. It has had this money for many years, but every time Victoria has submitted a project for funding, the federal government has not funded it. Every time we have put forward an argument about nation building and funding for the security of water supplies in those critical areas within the state, the federal government has not funded it.

The really sad part about the contribution of the Leader of The Nationals is that that is part of his mythology. That aspect of his contribution today is wrong. It is trying to play politics at the state level because he and his party, along with the Liberal Party in this state, cannot in reality justify what is happening at the federal government level with regard to water and climate change within Australia. That is the really sad part about it. If you look at these things rationally and logically, the Leader of The Nationals should not be saying that it should only be the responsibility of state taxpayers to put in place the infrastructure for these

projects, which are about nation building. This is part of the other flaw in the argument of the Leader of The Nationals: he has no solution.

He does not put to this house any solution with regard to the critical situation that the communities are facing in Bendigo, Ballarat and Geelong. He is saying that the super-pipe — the Bunnings version, according to his contribution — should not occur because it is taking water away from their Brisbane line. Yesterday in debate I talked about the Brisbane line, which is the Great Dividing Range for The Nationals, because its members do not hold any seats south of that. The Brisbane line is the reason for their argument as to why residents in Bendigo, Ballarat and Geelong should run out of water.

I was not going to be this critical of The Nationals and the Liberals today, but this is why its members are not fit to govern. They do not and will not govern for the whole of the state. These projects have to be looked upon as nation building infrastructure and nation building projects. The money that was offered by the Prime Minister in regard to the Murray-Darling Basin, without any consultation with his cabinet colleagues, the Treasurer or the departments, can be seen as flawed policy on the run. The Premier has said when you turn up to a meeting with the Prime Minister you get a briefing paper of five sheets and you are expected to sign up there and then, and hand over your powers and responsibilities for the Murray-Darling Basin. That is wrong. This is where The Nationals are again flawed.

We have a sincere responsibility to protect Victorian irrigators and to ensure that whatever system is put in place benefits and looks after those irrigators. The Prime Minister is attempting to go over the top of that, without any guarantees, foresight or clear thinking with regard to how irrigators should be looked after and how he will continue to work with the states in ensuring that they are looked after. It is a sad day when members of The Nationals and the Liberal Party are in here only to protect their colleagues at the federal level.

I was not going to be that critical, but I thought it was important to put that on the record and to make sure that it is clear to this house that we need to put in place these nation building projects and work together in partnership. If that does not occur, it demonstrates that the Liberal Party and The Nationals are not fit or ready to form government.

**Dr SYKES** (Benalla) — Congratulations on your appointment to your position, Acting Speaker.

The debate that has been raging for the last hour or two has given truth to the statement that whisky is for drinking and water is for fighting over. We have certainly had a lot of passion and a lot of fight, but I have been intrigued with much of the comment from the government side about the criticisms the government has continually levelled at the federal government in relation to the current proposal on the table and by which the federal government would take control of the Murray–Darling Basin. I am intrigued because I am not convinced that the Bracks government has its own house in order when it comes to management of projects — in particular, water projects.

The project I would like to touch on very briefly is the implementation of the farm dams legislation. The implementation is not consistent with the will of the Parliament. Legislation now being imposed and implemented makes it nigh on impossible to construct a farm dam in north-east Victoria south of the freeway mainly due to an all-embracing definition of what constitutes a waterway. Once it is nigh on impossible to build a dam south of the highway that is not on a waterway, and once it is determined that it be built on a waterway, very strict conditions need to be met. The net result is that very few new farm dams have been built in north-east Victoria since the implementation of that legislation.

There is a simple solution to this, if the government would just listen — that is, to delete reference to ‘a waterway’ and simply conduct a catchment yield assessment. Then, if the yield is sufficient to allow the dam to be constructed and meet downstream needs, let the dam be constructed; but if the yield is not sufficient, then no dam would be built.

Similarly another issue is the cost of the purchase of the water that falls on the land. It is currently based on high security water, and that is very expensive at this stage. Again, there is a solution: with the advent of medium security water which will come in at a lower cost, make that the water that the people need to buy in north-east Victoria, the water which falls on their place, and it will come in at a lower cost, and the medium security will more accurately reflect the actual security of that water.

I put to the government that rather than continuing to level criticism at the federal government, it should do something about getting its own house in order in relation to the management of projects and issues such as farm dams. In line with the statements by my colleagues from The Nationals, in working with the federal government to achieve a better management of the Murray–Darling Basin, the government should dig into the state’s coffers and put up the money to match

the federal government’s \$10 billion; and, given the role of the other Labor governments, the Bracks government should be working and encouraging the other Labor governments to likewise match the contribution, continue to accept responsibility for the water management, and the Bracks government should live up to its claim to govern for all Victorians, including land-holders and communities in north-east Victoria.

**Mrs MADDIGAN** (Essendon) — It is a pleasure to speak on this bill. I must say it seems to have taken on a somewhat farcical situation since the most surprising and sudden intervention of the Prime Minister. As long ago as 1994 the first cost-sharing arrangements in relation to the Murray–Darling Basin were established. It seems very odd that 12 years later, suddenly the Prime Minister brings forward a different proposal, in fact taking the rights from the states.

It seems even more surprising that he apparently did so without discussing it at all with the former federal Department of the Environment and Heritage or the federal Department of Treasury and Finance or, as we have just recently found out, without even discussing it with cabinet, which really takes executive government to a new level.

I know that the Prime Minister has held that office for some years now, but perhaps mixing with the President of the United States of America is a bit much for him! He seems to have taken on a presidential role. But one would expect, with such gigantic proposals as this, that he would go through his cabinet before he announces it happily to the press.

Having listened to the debate today and heard the sudden inclusion of the Leader of The Nationals into the debate, I find it even more surprising, because the Leader of The Nationals has come in here this afternoon and told us not once but several times in his contribution how strongly he supports the initiative of the federal government, which seems to be quite in contrast to comments he made only two weeks ago in that well-known news journal, the *Warracknabeal Herald*. I am more than happy to table this for the house if the Deputy Leader of The Nationals would like to read it, because he is probably just as confused as I am about this sudden change in the view of the Leader of The Nationals.

The article in the *Warracknabeal Herald* says:

Mr Ryan warned about the prospect of a federal Labor government gaining complete control of water resources —

and we heard from him again earlier today. But at the same time as he was saying how alarming it might be to have a federal Labor government managing water, he was quoted in the same article in the *Warracknabeal Herald* as saying:

Victoria has a pre-eminent position in water administration within Australia.

Two weeks ago he seemed more than happy with the way a Labor government administers water. Later in the article the Deputy Leader of The Nationals is quoted as saying:

Communities on the Victorian side of the Murray River have flourished through conservative management of water allocations ...

I am sure he is pleased to be sitting here and will have more to say about it at a later stage. So only two weeks ago The Nationals in Victoria thought the Labor government in Victoria was doing a particularly good job of looking after water resources in the Murray–Darling Basin. However, there has been some major — —

**Mr Jasper** — Compared to other states.

**Mrs MADDIGAN** — Thank you very much! The member for Murray Valley said, ‘Compared to other states’. I am not quite sure what that contributes to the argument, because that is not what the Leader of The Nationals said in the article. I encourage the member for Murray Valley to read the *Warracknabeal Herald*, because it is a paper from which you can get some very useful information. As I was saying before I was so rudely interrupted by the member for Murray Valley, who has been here long enough to know he should not interject when members are speaking — —

*Honourable members interjecting.*

**Mrs MADDIGAN** — I might have to seek the protection of the Acting Speaker from these persistent interjections from the member for Murray Valley, who seems to be out of control over there on the other side of the house.

As I was saying, it seems quite extraordinary that one week The Nationals are congratulating the Victorian government and saying, as the member for Murray Valley has just re-affirmed, that the Victorian Labor government is doing a terrific job of managing our water resources — —

**Mr Jasper** interjected.

**The ACTING SPEAKER (Mrs Powell)** — Order! The member for Murray Valley.

**Mrs MADDIGAN** — He says it is much better than the other states, so one wonders why the Leader of The Nationals suddenly changed his mind and came in here this afternoon and told us that he supports it.

**Dr Sykes** interjected.

**Mrs MADDIGAN** — I am glad the member for Benalla has interjected, saying, ‘That’s because of all the whining on your side of the house’. We now hear that The Nationals have become very nervous about the very good arguments put up by Labor members in this house and are therefore thinking they must change their minds. Obviously they have seen that the Labor Party members are right on top of these moves and realise how difficult it will be for the people of Victoria unless there are very strong safeguards, which our Premier is seeking to have introduced.

Obviously a great concern of many people in Victoria, including a number of those who use water from the Murray–Darling Basin — for example, many of the irrigators — is that this might be a movement towards privatisation by stealth. Many things have to be put in place before the state agrees. I would have thought the Leader of The Nationals would not be endorsing this plan unless, on behalf of his constituents and the constituents of The Nationals along the Murray, he had some very firm guarantees from the Prime Minister on how those people will be treated and how Victoria will get a fair share of any funding that is available. I would have thought that we would see that before we saw such a change of view.

**Mr JASPER** (Murray Valley) — I am pleased to join the debate on the Murray-Darling Basin Amendment Bill. I was interested to hear the comments made by the member for Essendon. She was somewhat short-changed in the previous Parliament, because as Speaker she was unable to contribute to many of the debates. She is now making up for the fact that she was not able to make contributions — and she was able to take up some of the interjections we rightly made in response to some of the comments she made. I refer particularly to her comments about the contributions from The Nationals. Members of the house must remember that we on this side of the house represent areas right along the northern part of the state of Victoria, the boundary being the Murray River, so we have a huge interest in this matter.

The debate has been interesting because of the increasing importance placed by the community and government on water and because water has become a significant item of debate in Parliament. I have been interested also to note the number of people who have

become involved in this debate. No doubt, the reasons for that are the dry years we have had in most recent times, the current drought and the consequent difficulties we are facing at present, particularly those of us living in the northern part of the state, although of course the problem of drought extends across the entire state.

In my contribution to debate on a bill yesterday I made particular reference to the difficulties facing us in north-eastern Victoria. I mentioned the low water levels in the Buffalo Dam and Lake William Hovell and the difficulties being experienced by people who are serviced by the Ovens and King rivers, particularly through the Rural City of Wangaratta, which has enormous problems with its stage 4 water restrictions.

I highlighted the difference between that and the situation facing people who are being supplied with water down the Murray system, particularly where the continuing supply of water has been underpinned by the Dartmouth Dam, which was the last dam built in Victoria, having been completed in 1981. It is an indictment on governments through the 1990s, particularly this Labor government, that they have talked about and looked at issues in water saving and in recycling — and I support the actions that have now been taken in that regard — but there was not one mention of extending dams.

In the second-reading speech on legislation debated in this Parliament last year the water minister said — and he reiterated it later in the house — that the government is not thinking of or looking at extending dams within Victoria.

We need to look at the reality of the situation. No new dams have been built since 1981, nor have any dams been extended. We should consider extending the capacity of dams so that they might be filled when we again get rain. As sure as night follows day, it will rain; and when that happens, we can fill the dams.

*Honourable members interjecting.*

**Mr JASPER** — I would suggest to the Minister for Mental Health, who was being supported by one of her colleagues, that they go and talk to the people in Wangaratta — then they would get a true understanding of the difficulties facing people in the area. The view being expressed to me by all and sundry, except for the Murray-Darling Basin Commission and the Goulburn-Murray Rural Water Authority, is they support extending the size of dams in north-eastern Victoria.

*Honourable members interjecting.*

**The ACTING SPEAKER (Mrs Powell)** — Order! I ask members to allow the member for Murray Valley to make his presentation.

**Mr JASPER** — I would be pleased to hear the members' contributions in response to the issues I am bringing before the house; I am simply highlighting that we need to consider that option particularly in view of the report from the Prime Minister. Like the Leader of The Nationals, I was concerned about the statement that was issued and the all-encompassing nature of the suggestion that \$10 billion will be spent bringing together all the states involved in the Murray-Darling Basin area, and getting recognition of the difficulties they are facing.

The Leader of The Nationals also said that in Victoria previous governments and this government have been looking at how we can go forward in managing water within the state. It is difficult and certainly not easy. The significance of it has been brought to our attention mainly because of the great difficulties we have had with the lack of rain and the continuing drought conditions.

The reality in Victoria is that there is a recognition that the capacity of dams needs to be extended or expanded. There is a softening in the views that have been expressed not only by me on many occasions but also by others, that we need to look at expanding that capacity. The whole of Victoria is looking at this issue. We need to take the Prime Minister's statement in context and decide how far it goes. There are differences of opinion between the states about how water is being managed. There is no doubt that water management in Victoria has been more efficient than in other states, but that management needs to go a long way.

I remember listening to a former Leader of the then National Party in this house, Pat McNamara, in the 1990s. He had visited Israel and had seen the efficient way it used water. He said, 'We need to be looking at more efficient ways of using water in Victoria'.

In the early years in Murray Valley we saw water being wasted by irrigators and others. But there has been a massive change. Irrigators are now much more efficient. They now use laser grading. They use water better and they recycle water. Water recycling is a big issue, but I do not see any mention or recognition of that. Irrigators have been taken to task to a large extent when it is really the government's responsibility to do something. The government should say, 'We need to be more efficient about how we handle water in the state

of Victoria'. The government needs to mention pipelining. That step needs to be taken forward.

Yesterday there was an indication of support for legislation that we do not need, because we can use pipelining and use water efficiently in other ways. This legislation before the house clarifies a lot of the issues regarding water management. We need to look at how we will manage water in the future to get the greatest and best efficiency of water usage, not only for irrigators — —

*Honourable members interjecting.*

**Mr JASPER** — Excuse me, you three! This is not only for irrigators, but is also for town suppliers and for environmental flows. Some members could learn something if they listen to some of my comments, because the issue has existed for a long period of time. I am not pointing a bone at any members in particular, but it is important to get the issues on record.

Right around my electorate of Murray Valley the availability of water is a massive problem. There has been a recognition not only of the importance of solving this problem but also of the great efficiencies that have been introduced, not particularly by the government's measures but by Goulburn-Murray Water, the Murray-Darling Basin Commission and the farming community. They have been saying that we need to be more efficient in our use of water. A lot can be done, and a lot needs to be done. The Prime Minister's statement has merit. He tried to get all the states together, saying, 'How do we manage water into the future? How do we get the best water efficiency?'. The former Leader of The Nationals talked about Israel. There is a small amount of water in Israel, but they recycle by using it over and over again. These are the sorts of issues that we need to address.

This legislation was to be debated last year. It is being debated now because of the minor changes to the legislation. It is being held over for royal assent until all the other states and the commonwealth approve similar legislation. This is a move in the right direction. I applaud the fact that there is more interest in water issues than I have ever seen before in this house. In the past we have had legislation in relation to water concerning the Murray-Darling Basin Commission and Goulburn-Murray Water. Those organisations would applaud the fact that there is now recognition by all members — whether they are country members of Parliament who see now more than ever the importance of water or whether they are members representing metropolitan Melbourne — of the importance of water. It needs to be put on the record that people within

metropolitan Melbourne are being more efficient in their use of water. The Minister for Water, Environment and Climate Change said there was a 22 per cent reduction of water consumption in Melbourne. I applaud that. People now recognise the importance of water.

In conclusion, we need to recognise the critical importance of water that is used in the food bowl of Australia to produce food and, as you, Acting Speaker, well know, for exports. It is important that we do not take that out of context and say, 'These people have to be penalised for some particular reason'. They are efficient, and we can help them to become even more efficient. We can make sure everyone is involved. There should be a coordinated effort right across Australia. When action is being taken in the state of Victoria that is better than action being taken in other states, Australia should take Victoria's action on board. Let us come together and make the situation better.

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

**Debate adjourned until later this day.**

## CONTROL OF WEAPONS AMENDMENT (PENALTIES) BILL

*Second reading*

**Debate resumed from 20 December 2006; motion of Mr CAMERON (Minister for Police and Emergency Services).**

**Mr McINTOSH (Kew)** — The opposition will support the Control of Weapons Amendment (Penalties) Bill. But the opposition is concerned that the government announced in the second-reading speech that this is the first tranche of amendments to the control of weapons regime. It is a matter of profound concern that, notwithstanding that this is based upon the decision of the Court of Appeal in the Nguyen case, the court made it perfectly clear that there were a number of problems with the Control of Weapons Act.

It is of some interest that it is exactly one year since the Court of Appeal handed down its decision in the Nguyen case, which was one of some notoriety. Two groups of youths gathered in the Fitzroy Gardens on a Saturday evening in February in broad daylight. There appeared to be over a hundred youths, meeting over some gang dispute. A number of weapons including samurai swords, axes and machetes were carried by some of the youths. Regrettably a young man had his hand severed in the ensuing fracas or affray, as a direct

consequence of which a number of serious charges were laid against a variety of youths. The court was at pains to point out that as it was 7 o'clock on a Saturday evening in the middle of the last month of summer, a large number of people — picnickers, walkers, and joggers — were in the vicinity of the Fitzroy Gardens when the affray erupted, which resulted in the highly publicised outcome of the severing of a hand. To see that number of youths with axes, machetes and swords going hammer and tongs must have been an absolutely frightening experience for the hundreds of people who witnessed the affray.

As are many of us, I am a regular user of the Fitzroy Gardens, and something occurring so close to this place is absolutely disgraceful. I can understand why any government would want to move to increase the penalties. While we certainly do not disagree with the increase in penalties, a far greater vice was identified in the Court of Appeal. The leading judgement was given by Justice Charles, who has since retired from the court. The court also included the Chief Justice of Victoria and Justice Chernov. From the leading judgement, with which the chief justice and Justice Chernov agreed, there is no doubt that the court was concerned that there were real anomalies in the Control of Weapons Act.

The principal one was that axes and machetes are not really covered by the act. There is an extensive list of prohibited weapons such as flick-knives, crossbows, star knives and knuckledusters. These sorts of things are prohibited. They do not have any lawful use and have no place in our society. Certainly their being in the hands of 100 youths in the Fitzroy Gardens in what amounted to broad daylight is a matter of profound concern.

It does not matter what we all say here — we can argue the toss about the coverage all we like — but the Court of Appeal, the highest appeal court in this jurisdiction, said, 'We are concerned that axes and machetes are not covered by the Control of Weapons Act'. Essentially prohibited weapons — star knives, flick-knives and a great long list of similar things — are not covered by the regulations. The regulations relating to controlled weapons rather than prohibited weapons are a little bit shorter and deal with things that would otherwise have a lawful use, such as spear guns and knives generally.

Of course we all use knives in the kitchen and at the dining room table, but most importantly those things can be used as a weapon without any further adaptation — for example, someone could strap a knife to their leg and take it into a nightclub or into the Fitzroy Gardens to involve themselves in a large brawl with youths. If a knife is used for some purpose other

than what it is expected to be used for, such as cutting up meat or cutting up food at the dining room table, and it is not being used with a lawful excuse, then it is prohibited as a controlled weapon. The problem is that that extended definition of 'controlled weapons' may not cover axes and machetes, and that was something that was directly raised by the Court of Appeal. They may not even come under the 'dangerous weapons' definition, because a dangerous weapon is an otherwise harmless object that has been modified.

For example, a normal tent peg that could be used on a camping excursion, something I have used myself, could be sharpened, have electrical tape wound around it and be used as a thrusting weapon. Clearly that would be caught by the 'dangerous weapons' definition. Likewise, an ordinary four-by-two piece of wood that would be used in a building project could be adapted by sharpening it and having a mechanism provided so that it could be held and then be used as a thrusting weapon. The issue is that such an object has to be modified, but an axe and a machete do not have to be modified.

There is a catch-all in the legislation that says that if an intention to use an object as a weapon can be proved, then an offender can actually be caught under the dangerous weapon provisions. The real problem is that there are many lawful uses for axes and machetes, and one would expect that the government will be picking up the Court of Appeal decision and making those amendments at some later stage.

What I am concerned about is that it is a relatively easy change that the bill is making. What it is doing is essentially doubling the penalties for prohibited weapons and for controlled weapons. The opposition does not disagree with those changes, but I am wondering whether or not we need to have this artificial notion of a distinction between prohibited weapons and dangerous weapons. I understand why the definition must stay, but perhaps there should be a much more expansive definition to include axes and machetes.

However, the Court of Appeal was quite clear in saying that it felt that the penalties that were attributable under the Control of Weapons Act were inadequate, and the government has finally moved to make these changes — exactly 12 months from the day of the decision of the Court of Appeal, which I would have thought was a fairly lacklustre and inadequate response. I would have thought the amendments could easily have been made in the first sitting of this Parliament last year. However, the opposition supports this bill because at least it is a step in the right direction; as I said, it will double the penalties. Perhaps we could contemplate increasing the penalties even further. There

are concerns about prohibited weapons not being incorporated into the definition of either controlled or dangerous weapons, particularly given that the current amendments preserve a differential between the penalties to be imposed.

I would have thought that if you were using something you had deliberately modified to use as a dangerous weapon, that should carry just as heavy a penalty as using a prohibited weapon. The difference is the intention to use. With a prohibited weapon you are using something from a range of things that have no place in our society. With controlled and dangerous weapons you are using either an ordinary household implement that has been modified or something that is not being used for a lawful purpose, such as a knife. I think we should have a serious look at all the penalties. Frankly I cannot see why we have an artificial distinction between the penalties that are imposed, particularly when axes and machetes like those used in the Fitzroy Gardens can be just as lethal, just as dangerous, in the hands of somebody who wants to commit that sort of mayhem and offend against public morality to that extent.

My view is that we desperately need to amend the definitions in the various sections to include axes and machetes. It is not just me speaking, this is the Court of Appeal. There should not be any argument suggesting that the Court of Appeal has not got it right. Likewise, in my view all the penalties should be brought into line rather than making this artificial distinction. Having said that, there is no doubt that the increase in penalties is a worthwhile step. The opposition supports it but suggests that we need to move far more quickly and much further in relation to this bill.

**Dr SYKES (Benalla)** — I rise to speak on the Control of Weapons Amendment (Penalties) Bill on behalf of The Nationals. The Nationals will not be opposing this bill, which sets out to increase the penalty for importing, causing to be imported, manufacturing, selling, purchasing, displaying for sale or advertising for sale, possessing, carrying or using a prohibited weapon without an exemption. The purpose of the bill is also to increase the penalty for possessing, carrying or using a controlled weapon without lawful excuse.

As the previous speaker outlined, the bill basically seeks to double the penalty for offences involving controlled weapons by increasing the term of imprisonment from 6 months to 12 months and the fine from 60 penalty units to 120 penalty units. In relation to prohibited weapons, the term of imprisonment is to be increased from 6 months to 2 years and the fine from 120 penalty units to 240 penalty units. Like the

previous speaker, I have been advised that these changes are part of a Labor election commitment to toughen up, following comments made by a judge in the Court of Appeal.

At this stage I would like to thank Marissa De Cicco from the Department of Justice for her willing and helpful assistance in giving me a quick background briefing on the bill.

I would like to comment briefly on the context of this bill in the sense of the legislation in place at the moment, the timing of the bill in relation to the call by The Nationals for minimum sentencing and the government's decision to withdraw the police in schools program, and some of the factual bases underpinning the tighter controls the government is seeking to impose on owners of firearms and other items which may be used as weapons to kill or harm a person.

In relation to the existing legislation and the process of developing this amending bill, in 2003 amendments were proposed to the control of weapons regulations. A regulatory impact statement was prepared and circulated. There were over 370 responses to that impact statement, including a very detailed one from The Nationals. A key concern raised by many of the respondents was the impact of the regulations making crossbows and swords prohibited weapons. This would have particularly impacted on rather unarmful things such as highland dancing. It would have imposed severe restrictions on the collection and display of swords, which are often family heirlooms.

The initial draconian proposals were modified as a result of the public outcry and in December legitimate sword owners were notified in writing that the government had abandoned its proposal to ban swords. In March 2004 the government did a backflip and again proceeded with the proposal to ban swords following the incident in Melbourne that was touched on by the previous speaker.

A further backflip occurred later in the year leaving people confused about the law-making process. It was summarised well in an editorial in the *Wangaratta Chronicle* of 12 May 2004. The editorial was headed 'Sword saga was so silly' and states:

It is said that the wheels of government turn slowly — and the saga of highland sword dancers is stark proof.

In the second half of last year the state government announced that it would be introducing new legislation aimed at taking dangerous weapons such as knives, machetes and swords off the street.

It was, and is, well-intentioned legislation meeting community concerns about the big rise in the number of violent attacks perpetrated by people with such weapons.

Unfortunately, one of the by-products was that swords used by highland dancers in their traditional and colourful performances would come into the 'prohibited' category.

Patently this was ridiculous, as the highland dancing fraternity has been pointing out ever since.

But the government has dragged its feet on putting common sense into play, causing a good deal of angst and concern among the dancers.

Finally this week, many, many months after the initial announcement, there came an assurance from a 'government spokesman' that the highland swords would not be prohibited.

Common sense prevailed — but why, oh why, did it take so long?

It is so often the case with the legislation we deal with.

The second comment I want to make in relation to this legislation is about the timing of the toughening up of these penalties as it relates to The Nationals call for tougher sentencing on serious crimes, in particular minimum sentencing. This was brought to a head with the tragic murder of the Irwin sisters from Toolamba, the key suspect of which was a hardened criminal who had only served two and a half years out of a four-year sentence for the serious crime of rape and the bashing of an invalid. On behalf of the family, the member for Shepparton has spearheaded a campaign seeking tougher penalties for such serious crimes. She has over 12 000 signatures to a petition seeking support for this. I say to the government that if it is proceeding down this track of having tougher penalties, as is proposed in this legislation, then what about taking a serious but large step and addressing the issues of inadequate penalties for serious crimes such as rape and murder?

If we look at the environment in which this legislation is presented to the Parliament, we see there is a growing concern about violence in schools. Only a week or so ago the *Herald Sun* reported concerns of bullying in schools and the associated violence inflicted upon students and sometimes teachers by students. At times that violence involves the use of knives and other weapons.

It is interesting to note in this climate where we are concerned about increasing violence and violence in our schools that the Labor government chose to terminate the highly successful police in schools program and replace it with an as yet unproven alternative. You wonder what is going on with the decision-making process in the government.

We then move on to the facts underpinning the decision to increase the control over firearms and other items which can be used as weapons. It is important to note that the homicide rate has remained unchanged over 90 years. While the use of firearms in homicides has decreased since the mid-1990s when tougher firearm legislation was introduced, the fact is that the homicide rate still remains at 1.6 homicides per 100 000 people.

All that has happened is that there has been method substitution, so in this case instead of firearms being used to commit homicides, knives, machetes, blunt instruments, and hands and feet have been used to commit homicides. However, the underlying fact is that in spite of the tougher penalties, the rate of homicides has not decreased over the past 90 years.

The other question that continues to be put to me in relation to the legislation that comes before this house is, 'How many murders have been committed using licensed firearms?'. People put to me that the legislation that comes before this house and becomes law results in tougher penalties on law-abiding people whilst the hardened criminals continue on their merry way, killing as they wish.

In conclusion, The Nationals do not oppose this straightforward piece of legislation, but I call upon the government as it contemplates further amendments to thoroughly think through the proposed changes and ensure that legal firearm owners, legal sword collectors and users of swords are not further inconvenienced as hardened criminals continue to use illegal weapons to carry out their callous deeds.

**Mr LUPTON (Pahran)** — I am pleased to be able to speak in support of the Control of Weapons Amendment (Penalties) Bill, which increases penalties applicable where people are found to be carrying either prohibited weapons or controlled weapons under the Control of Weapons Act 1990. The government, in the lead-up to the last election, made a commitment to the people of Victoria to continue with our community safety policies and in particular to increase the penalties under the Control of Weapons Act. This legislation fulfils that election commitment.

In Victoria weapons are categorised through being separated into firearms and non-firearms categories. This legislation deals with weapons in the non-firearms category. Non-firearms weapons are being divided into three subcategories or classifications: prohibited weapons, controlled weapons and dangerous articles. This legislation deals with prohibited and controlled weapons.

Prohibited weapons are a particularly dangerous form of weapons, and it is obvious that they should not be available in the community unless a person is able to display a specific need for such weapons. Weapons of this type include things like swords, daggers, extendable batons and crossbows.

Controlled weapons include things such as knives and machetes. They are potentially very dangerous but are more common in the community and are the sorts of articles that may have a legitimate purpose. If they are used for a lawful purpose, then the person in possession of them needs to be able to demonstrate a specific lawful excuse for so carrying them. Controlled weapons are not able to be carried for self-defence but where a person has a legitimate reason for carrying that type of weapon, as long as they can demonstrate that type of lawful excuse, then that article is legally able to be carried.

An example of that kind of lawful excuse would be a butcher carrying knives to and from work, or a farmer who had a machete for use in cutting down heavy undergrowth. But if somebody went to a nightclub with a machete, clearly that would not be a lawful excuse and the carrying of that controlled weapon would be illegal in those circumstances.

The third category of non-firearms weapons that is not dealt with in this legislation concerns dangerous articles, which, if they are adapted for use as a weapon or carried for use as a weapon, are illegal, although people can at this stage choose to carry such articles while claiming to be carrying them in self defence. Such articles would include cricket bats or baseball bats and things of that type.

Legislation that will come before the Parliament in the near future will deal with the issue of self-defence in relation to the carrying of dangerous articles. It was an election commitment of the government that we would remove the self-defence entitlement when it came to the carrying of dangerous articles.

As I said, this legislation deals with prohibited weapons and controlled weapons and has its genesis in a decision in a Victorian Court of Appeal case that was heard in 2006. The court, in particular Justice Charles, made comments in relation to limitations in the current control of weapons legislation to do with the extent of the penalties that were available to the courts when people were convicted of carrying prohibited weapons or controlled weapons. In that case the judge also made some comments on the definitions of controlled weapons and prohibited weapons and whether things

such as machetes and axes came within the current definitions.

This legislation deals with one part of that — that is, the level of penalty. Subsequent legislation that is being prepared by the government will deal with the other questions of definition, addressing how the legislation would most appropriately be altered to ensure that the definitions of prohibited weapons and controlled weapons clearly include all the categories of weapons such as axes and machetes that the Court of Appeal in Nguyen indicated need some clarification.

The bill before the house increases the penalty for carrying prohibited weapons from 120 penalty units or six months imprisonment to 240 penalty units or two years imprisonment. In relation to carrying controlled weapons, it increases the penalty from 60 penalty units or six months imprisonment to 120 penalty units or 12 months imprisonment. Significant increases are being made to the fines and levels of imprisonment that can be handed down by the courts in Victoria. They clearly reflect the fact that community expectation is such that somebody who is in possession of prohibited weapons or controlled weapons and is capable of using them to inflict very serious and long-term injuries on people needs to be the subject of significant and severe potential penalties. Here we are dealing with the sorts of weapons that can result in loss of life or very significant and serious long-term injuries, and obvious deterrents need to be built into the penalty regime. Where there is unfortunately not a deterrent and someone commits such a criminal act, then the courts need to be empowered to impose a significant penalty commensurate with the level of the offence and the community expectation of sentencing that follows.

As I indicated, in the near future the government will be introducing further legislation to deal with other aspects of the control of weapons regime that were referred to by the Court of Appeal in the case of Nguyen. That will complete the government's election commitments on the control of weapons regime. But it should be said that the government's commitment to continuing to address and improve community safety, for which the government has been renowned since coming to office in 1999, in no way stops at this legislation.

We have an ongoing and clear commitment to increase the number of police officers in Victoria, to continue to increase available police resources and to make sure that Victoria continues to be the safest mainland state in Australia. That is a record we are proud of, and we will continue to work very hard in close consultation with our communities, Victoria Police and the Chief

Commissioner of Police in carrying out that very important work.

I know that my constituents in Prahran have a keen interest in such issues. We have had great success in recent years in bringing down the crime rate in the area, both in the local government regions of Stonnington and Port Phillip and in part of the city of Melbourne that is within my electorate. The community is right behind the government in its continuing endeavours to drive the crime rate down further by the active and successful policing methods that have been employed in recent times.

I commend the government for introducing this legislation immediately the Parliament resumed this year following the recent election. I look forward to further elements of this legislation being introduced soon and to the government's continuing commitment to community safety in Victoria.

**Mr KOTSIRAS (Bulleen)** — It is a pleasure that I can speak on the Control of Weapons Amendment (Penalties) Bill. The bill merely amends the Control of Weapons Act 1990 to double penalties for weapons offences.

Currently in Victoria non-firearm weapons are divided into three groups. This bill looks after two of those groups, but unfortunately it does not touch on the third group. It would have been an important part of legislation to improve that third category.

The first group that is the subject of the bill is prohibited weapons, which category includes daggers, double-ended knives, flick-knives, slingshots, knuckle knives, gloves with studs on them, throwing knives, swords and pepper spray. The bill increases penalties from the current six months to two years and from \$12 000 to \$24 000. The second group is controlled weapons, which includes crossbows and imitation firearms. The bill increases the penalties from 6 months to 12 months imprisonment, and fines will be increased from \$6000 to \$12 000.

Unfortunately the bill does not deal with the category of dangerous weapons, which I would have thought is important. Dangerous weapons include tools such as screwdrivers or hammers, axes, cricket bats, baseball bats and so on. They are dangerous weapons in the wrong hands. My two sons have told me that on numerous occasions they have seen young men carrying such items with them when attending nightclubs. I would like this legislation to have dealt with the category of dangerous weapons. Although the

bill will be effective to some degree in taking non-firearms off the streets, more needs to be done.

It is interesting to note that when the legislation was first introduced in 1990 the reasons for doing so were the same as today. The second-reading speech in *Hansard* of 15 May 1990 states:

... knives are used in serious assaults four times as often as firearms, and that the use of knives and other weapons in armed robbery is increasing.

...

It must be remembered that each of these crimes has at least one victim, and that any steps that can be taken reasonably to reduce such crimes will benefit the community as a whole.

...

The purpose ... is to restrict the ownership of articles that are designated as weapons to those people who use them in legitimate pursuits.

That is relevant, and it is important to keep that in mind when legislation is being dealt with in this place. The community has been calling for the government to do something more than what it has done in the past.

In a *Herald Sun* poll about whether knives should be banned from over-the-counter sales, 74.1 per cent of those who replied said they should be banned. An article in the *Herald Sun* of 3 November reported:

Metal detectors and tough police search powers have failed to blunt knife attacks in Victoria, with more than 1800 in the past year.

More murders, rapes, sex attacks, assaults, abductions and kidnappings occur at knifepoint now than when the Bracks government took power in 1999 ...

So it is not surprising that after seven years this government has decided to actually do something to take knives and other items which can be used as weapons off the streets.

In the area of Manningham, in my electorate, you will find that robbery has increased by 42.9 per cent and rape has increased by 6.7 per cent. Offences in my area have increased, so more needs to be done. It was a bit concerning that a police officer at Doncaster police station, Inspector Pat O'Brien, made political comments during the election campaign. It was the first time that I have ever seen a local police officer take part in political discussions, and I urge Inspector Pat O'Brien, if he wishes to do so, to stand for Parliament. If not, he should just do his job and ensure that the offences that are committed in Manningham decrease.

He went on to say that a 117.7 per cent increase in drug trafficking offences was a 'fantastic result'. I would

have thought that an increase of any sort would be bad and that he would be doing everything he could to ensure that that number goes down over the next few years. I urge him to do more than just take part in political comments. Instead he should look after the residents, he should look after the constituents, he should look after Manningham and he should leave the policy work to the government and the politicians.

While I support this legislation, I think it does not go far enough. I had hoped it would include all three groups — prohibited weapons, controlled weapons and dangerous weapons. Unfortunately it does not include dangerous weapons, and I hope that over the next few years something is done about that, because as you know, Acting Speaker, young people carry these things around, and they are there to be used to hurt someone. We as politicians, whether as government members or opposition members, must ensure that all legislation is relevant and all legislation is there to protect all Victorians, without trying to score cheap political points. While I support the legislation, I do not think that it goes far enough. I support the increase of fines, I support the increased terms of imprisonment, but more needs to be done. One piece of legislation is not enough. More needs to be done by this government over the next four years.

**Ms GREEN (Yan Yean)** — Let me be the first to congratulate you on your first stint in the chair, Acting Speaker. I hope you find it very enjoyable.

I am very pleased to join the debate on the Control of Weapons Amendment (Penalties) Bill. As the member for Prahran said earlier, this is another very progressive piece of legislation that does take seriously the causes of crime in Victoria, and I think it does send a very strong message to people who contemplate carrying or who do carry these categories of prohibited weapons and controlled weapons, which cause a lot of fright and fear in the community, particularly for younger people. We have heard of some particularly horrific crimes that have been committed using these types of weapons. Unfortunately, the restaurateur of a much-loved Vietnamese restaurant in Greensborough, just up the road from my electorate, lost one of his sons a couple of years ago to someone using one of these types of weapons.

The Bracks government does take these types of crimes extremely seriously. Indeed it takes the issue of crime extremely seriously. We have always been tough on crime, and we have been tough on the causes of crime as well. So this is just another measure and demonstration to the community of what we have done. It is not meant to frustrate ordinary, law-abiding

citizens going about their duties. As the member for Prahran said, it is not meant to apply to people using weapons in the course of their work, such as butchers using knives or gardeners using machetes, but it is meant to apply to those who would use these items for other purposes.

It is also not directed at archers. I am privileged to have the Diamond Valley Archery Club in my electorate, whose members are a fantastic bunch of people. They have actually given me a bit of training in archery, and I had the pleasure of opening the trans-Tasman youth tournament last year. My then 16-year-old son went along with me, and I think he was pretty afraid of his mum having a bow and arrow. Much to his shock, the shock of the crowd and probably my own, I hit a bullseye. I have a photo of that if anyone would like to see it.

I take great pride in the good relationships I have, not only with the archery club but also with the other sporting shooters groups in my electorate, such as the local field and game association. I have made some enjoyable visits to the Melbourne Gun Club in Epping, and I have been a member of the Labor Party caucus's shooting team, which was successful two years out of three in the annual challenge run by Field and Game Australia. I hope to again be in this year's tournament and to take the trophy back from The Nationals. Last year they brought in a ring-in senator from the Northern Territory, so the trophy should be in the bar in Darwin, not here. We will take it back, and I throw down the challenge now.

As I said earlier, the Bracks government has a great record on community safety. In my electorate we have had some brilliant reductions in crime figures since 2001. In the city of Whittlesea there has been an 11.2 per cent reduction in crime, and in the shire of Nillumbik there has been a massive 39.9 per cent reduction. Yesterday I was with the officer in charge of the police station at Diamond Creek, where I live, and he commented that Diamond Creek was the safest suburb in metropolitan Melbourne. That shows that the strategies the Bracks government has put in place in this important area are working. The crime statistics are down, despite what the opposition might say. It might try to run a fear campaign, but Victoria is the safest mainland state. We have had a good record.

We have increased police numbers, so people are seeing more police on the beat, and there are now better quality police stations serving my electorate. There is a new police station at Eltham and a police station at Kinglake for the first time — there had never been a police presence there before, and the community has

welcomed the opening of that station — and in my own town of Diamond Creek there is a brilliant policing facility co-located with the Metropolitan Ambulance Service and the Country Fire Authority in the new emergency services complex. That works really well. During the Kinglake bushfires last year we saw wonderful cooperation between the three agencies out of that co-located facility. We have also just seen the completion of new police stations at Hurstbridge and Warrandyte, which are now operational. It is obvious to the community that we take the issues of policing and community safety seriously. I might add that they are really beautiful buildings as well. They add a lot to the quality of the built environment in the community, as well as making people feel safer.

Importantly the bill increases the penalties available under the legislation. These penalties have not been increased since 2000. The increase sends a strong message to people that we are taking this seriously. We will make further changes to fulfil our election commitment. This bill addresses the first part of that commitment, and the remaining elements of the government's community safety policy will be dealt with in autumn. The subsequent proposals will deal with aggregated offence and lawful excuse elements, together with a number of further amendments to the control of weapons regime.

In response to the member for Bulleen's statement that we need to do more, we have put it out that we will be doing more. We will continue to do more, as we have throughout the life of this government. Victoria is the safest mainland state, and measures like this and increased police numbers serve to do more. We will not rest on our laurels, and I was pleased to hear the police commissioner herself say that yesterday.

I had the privilege of attending the launch of a new ropes course which is being funded by the Heidelberg Children's Court and which will be another great diversion program for young people arrested for a first offence. The informant will assess them as being suitable for the program, and they will be sent to the ropes course rather than having a conviction recorded against their name. These programs have been operating in other areas, particularly in Sunshine, and there is another beginning in Dandenong and one in Bendigo. Not only is the government sending a message to young people that carrying these weapons is not good, but we are also caring about them when they have that first contact with the justice system. The success of the police ropes course and the commitment of Senior Constable Mick O'Meara and the other police involved in this program are truly outstanding.

It is not something that one would think of initiating — police and young people having a positive relationship after police have arrested the young people — but I know that in the case of the Sunshine ropes course there has been not one case of those young persons appearing before the courts again, and that is a really brilliant outcome for young people. In some other areas there has been a higher than 90 per cent success rate in terms of no return to offending; so I commend the police for their efforts in that area.

Another success story is the Koori courts, which have also lowered recidivism rates in the Koori community. This bill and the other matters I have talked about are just part of a suite of measures that are continuing to ensure that Victoria is the safest mainland state, and it means that Victoria is a great place to live, work and raise a family. I commend the bill to the house.

**Mr TILLEY** (Benambra) — I rise to speak on the Control of Weapons Amendment (Penalties) Bill. The amending bill regulates access to non-firearm-type weapons, but that is about as far as it goes. In particular it does not address dangerous articles. We have not seen an increase in that penalty, which remains at 60 penalty units or six months imprisonment. In the second-reading speech we heard that this is the first tranche in a rollout of government measures to address prohibited weapons — in other words, the government continues to just drip feed the Victorian community with community safety.

Earlier we heard the honourable member for Preston say — and he was exactly right — that this bill addresses only prohibited and controlled weapons. It is a missed opportunity; dangerous articles should also have been addressed. Effectively what we are seeing with the changes to the legislation is a three-tiered level of penalties. The community, the judiciary, solicitors and barristers will see prohibited weapons as the most serious category, with controlled weapons coming a little bit below that on the second tier, and dangerous articles being on the third tier, but there is no change to the penalties in that category.

Dangerous articles are the ones most prevalently used in incidents of this sort in the state of Victoria. People committing these sorts of offences are more likely to pick up something that might be lying on the ground, and I refer in particular to the definition of dangerous articles in the Control of Weapons Act 1990. A dangerous article is described as:

- (b) an article which has been adapted or modified so as to be capable of being used as a weapon; or

- (c) any other article which is carried with the intention of being used as a weapon;

In my 11 years experience serving as a Victoria Police officer I was called on numerous occasions to domestic violence incidents, street brawls or brawls between neighbours when dangerous articles were constantly carried and used. I knew that when charged and convicted these people were only going to receive a relatively light sentence or punishment. That is of great concern because it does not send the right message to those people in our community who commit these offences.

During the G20 protests we also saw protesters — and I use that word lightly because they were nothing short of thugs — attacking members of our police force with anything they could pick up from the ground. That was an event which was widely covered by the media and could have been used to send a very clear message that a person using any article as a weapon will be punished appropriately. The maximum penalty is 60 penalty units or six months in prison, but I very much doubt that a magistrate or any person dealing with those particular offences would sentence someone to the maximum penalty in those circumstances.

I draw attention to subsection (1) of section 5B of the Control of Weapons Act, which deals with people possessing, carrying or using prohibited weapons, dangerous articles and the like. This is another lost opportunity. Increasing the penalties for offences under this section would have sent a very clear message to any person selling or supplying prohibited weapons or other such controlled items or dangerous articles. That can be seen when we are dealing with thieves, in that if we get rid of receivers there is no longer a market. If we get rid of the sellers, or the people providing these items, we no longer have a market. That would create a safer community for all Victorians.

Time and time again this government has failed in its responsibility to the police officers who work tirelessly to protect our community. They are not provided with the right legislative tools to be able to properly carry out their jobs.

In closing I want to say that I will be continually observing the rollout of this tranche of legislation and the proposed further amendments to the Control of Weapons Act, because at this stage I am not convinced that this government will be able to provide the adequate tools so that our community can be protected.

**Ms BEATTIE** (Yuroke) — It gives me great pleasure to speak on the Control of Weapons Amendment (Penalties) Bill. This is another bill in a

suite of bills to be introduced that demonstrate the Bracks government's commitment to community safety.

The Control of Weapons Act refers to two categories of weapons: firearms and non-firearms; then there is more or less a subsection of non-firearm weapons referred to as prohibited weapons, controlled weapons and dangerous articles. The prohibited weapons are the most dangerous weapons of all and definitely should not be available to the community, except to persons able to demonstrate a specific need for such weapons, and those weapons include swords, imitation firearms, daggers, expandable batons and crossbows. The ordinary Joe Public really does not want to have those weapons.

Then there are controlled weapons such as knives and machetes, which are potentially very dangerous but are more common. Some people have a legitimate right to carry some weapons. We have talked about a butcher carrying them to and from his place of work, although I am told that most butchers keep their knives locked away in their workplace. Another example could be a farmer. There are many farmers who use machetes for clearing heavy undergrowth. There are all sorts of reasons for a farmer to be using a machete. But of course you would not take a machete to a nightclub or a restaurant to have a good time, unless there was a particularly tough cut of meat! Certainly you should not take a machete to a nightclub or restaurant; that would not be an example of a lawful carriage of that weapon. There are also dangerous articles that can be used as weapons, and they can only be carried, possessed or used for a lawful purpose, including self-defence.

The Bracks government is committed to reducing not only crime but also the causes of crime. To this end we have put more police on the streets, and that is well known. We have a chief commissioner in whose management of the police force I have every confidence. It is up to the commissioner and police command to say where police should be placed. It is not the job of politicians to be saying that we should have more police at this police station or that police station, as the opposition wants to do. The opposition wants to control the police and say where they should go. We do not agree with that, and certainly neither would the police commissioner.

There have been famous cases, such as the Nguyen case, which set the legal precedent for this. One of the suite of things that this bill will do is increase the penalty in relation to prohibited weapons from 120 penalty units or six months imprisonment to 240 penalty units or two years imprisonment. In

relation to controlled weapons it has been increased from 60 penalty units or six months imprisonment to 120 penalty units or 12 months imprisonment. So we can see that the Bracks Labor government is serious about controlling crime.

The remaining elements of the election commitment will be dealt with in a further amending bill, which is to come, we hope, in autumn. They are the aggravated offence and lawful excuse elements, together with a number of other elements for the control of weapons regime. As you can see, Acting Speaker, this is in line with the government's commitment to law and order. Further proposals include clarifying the status of machetes as controlled weapons and providing that a prohibited weapon may be carried when its carriage is part of a recognised religious requirement. We also need to clarify the power of the chief commissioner to issue authorisations under the act as well as making some other technical amendments to the act.

Certainly it is quite legal for the ordinary citizen going about their legitimate business, whether that legitimate business is highland dancing — I can certainly tell you from my experience of some of the country agricultural shows that highland dancing is still very much alive and well and has not stopped for any clarification of the legislation — or whether it is a butcher carrying his knives. However, the ordinary person does not need to carry a machete or a dagger into a nightclub, and we will certainly come down hard and heavy on anyone doing so, because we have more police on the streets to do that.

I am very proud to have been able to speak on this bill, which goes to the Bracks Labor government's commitment to keeping our streets safe and maintaining law and order. With those few remarks, I will conclude.

**Mr HODGETT** (Kilsyth) — I too congratulate you on your appointment, Acting Speaker.

I am pleased to speak on the Control of Weapons Amendment (Penalties) Bill. Like many others, I welcome the increased penalties in this legislation. However, they are cosmetic and should go a lot further. I think we all agree that we need measures to enhance community safety and protect the community, so why differentiate between weapons? Why not amend the Control of Weapons Act to increase all penalties and to make them all the same?

We are all concerned about weapons such as knives and swords being carried around; and given the Court of Appeal's decision in the Nguyen case, it is good to see

the government finally doing something about increasing penalties in order to reflect the views of the community. The public keeps telling us that the penalties are soft, as is the sentencing regime, so the Bracks government's taking action to increase penalties in line with community expectations is well overdue.

We all hate the fact that knives are being carried in the community. As the member for Kew said earlier, what is the difference between a flick-knife and a kitchen knife when a knife is being strapped to the leg of someone who then goes to a discotheque or a hotel? Why not have uniform penalties in all areas, not just for prohibited weapons and controlled weapons? Why do we not also include dangerous articles?

Once upon a time parents were concerned about their children going out and getting into a stoush, an argument or a fight, a bit of fisticuffs or a dust-up. These days parents are more worried about their kids going out and having a knife or other weapon pulled on them. As a parent it disturbs me to hear stories about the number of people carrying weapons these days. In August last year an incident was drawn to my attention by a constituent, Lyn McMahon, whose son Michael and his mate were set upon and attacked by seven thugs at the Ringwood railway station. It was an unprovoked attack. Those boys were going out to enjoy themselves; they were minding their own business.

They were innocent blokes who ended up with torn clothing. They were bruised and bloodied and lost wages due to time off the following day. In this case Michael and his mate, Andrew, were able to defend themselves, but the question remains, and was raised by his mother Lyn — and it is a question in the minds of many parents: what if one of the cowardly thugs had pulled out a weapon and inflicted serious harm on the boys? We can only thank God that no serious injury was inflicted. I can tell the house that Lyn and the two boys are very reluctant to catch public transport again because of that incident.

I think it would go some way to instilling confidence if people knew that the penalties were harsh, thereby deterring and preventing a person from possessing, carrying or using a prohibited or controlled weapon and/or a dangerous article. The government should get fair dinkum and set tough penalties that reflect the views of the public. There should be penalties across the board for all classes of weapons; those penalties would protect the community and restore confidence in community safety.

We are all aware of the work of Les Twentyman, and I commend him for his work. In particular I commend

his efforts in encouraging kids to hand in knives, thereby making the community safer. Such amnesties are important, but if they do not go the full way and solve the problem, then the community requires strong penalties for such offences.

We have to send a strong message saying, 'If you are going to carry a prohibited weapon, a controlled weapon or a dangerous article, these are the consequences and penalties you face'. The bill should go much further and set uniform penalties for all classifications of non-firearm weapons under the act. As has been said by a number of previous speakers, what is the difference between a sharpened tent peg carried in someone's pocket, a piece of timber with nails protruding from it and a flick-knife or a star knife? They are all dangerous articles. If we are going to increase the penalties and have 240 penalty units or two years imprisonment for some weapons, why not have 240 penalty units or two years imprisonment for all non-firearm weapons under the act?

Why create different classes and sets of penalties? It causes ambiguity and confusion. If you carry a weapon, this is the penalty. If you choose to carry a weapon, this is the penalty you are going to face. The penalties must send a very strong message that it is unacceptable to carry or use any weapon, whether it be a sword, a flick-knife or a sharpened tent peg. It is not acceptable, and this bill should go a lot further and set the same increased penalties for all weapons.

**Ms MUNT** (Mordialloc) — Congratulations on assuming the chair for the very first time, Acting Speaker.

I am very pleased to be speaking in this place on the Control of Weapons Amendment (Penalties) Bill. I will just go through the technical aspects of the bill and make a few other comments. The overall objective of this bill is to increase the existing penalties under the Control of Weapons Act 1990 to 12 months imprisonment for possession of a controlled weapon and 2 years imprisonment for possession of a prohibited weapon. It will introduce amendments to ensure that carrying a weapon on or around licensed premises will be treated as an aggravating circumstance and attract greater penalties, and it will remove self-defence as a lawful excuse for carrying a dangerous article such as a kitchen knife. The amendments also double the maximum penalty for the unlawful carriage, possession, use, import, manufacture, sale or purchase of a prohibited weapon from 120 penalty units to 240 penalty units. This is consistent with the doubling of penalties stated in our election policy and the penalty scale of the Sentencing Act 1991.

I would like to do something very unusual for me and for this side of the house in actually congratulating John Howard for one of his initiatives when he first became Prime Minister.

**An honourable member** interjected.

**Ms MUNT** — It certainly is unusual. One of his first acts was to increase the restrictions on the carrying of firearms. I think that had a great effect on cutting down the number of firearms in the community. It has also meant of course that other weapons have become the weapons of choice, such as knives and other dangerous weapons, so this bill goes some way to further controlling the use of dangerous weapons and the carriage of dangerous weapons and increasing our community safety.

I would also like to mention a personal experience that I had last week. Last week I was driving along to the gym, as I do.

**Dr Sykes** — You should jog to the gym!

**Ms MUNT** — I would jog to the gym, but once I get there I do my jogging. I was driving along to the gym, and right in front of me on Nepean Highway was a man in a balaclava. He was pointing a gun at oncoming traffic and then he saw me and he pointed the gun at me. At that point I quickly grabbed my phone and called our police. I knew that they would have a very fast response time because of the increase in their numbers and funding and that they would be out there very quickly. And they were — it was a very fast response time.

But as a political animal what flashed through my head was this: I was not too concerned, because I thought that thanks to John Howard the probability was that it was a plastic gun and not a real gun. I do not know if it was a plastic gun or a real gun, but the police came out very quickly, grabbed the offender and took him away. The point is that when people face danger in the street and in the community we have to have laws to control the dangerous items that others may carry. This bill goes some way towards giving that extra protection and adds another string to the bow of the police to enable them to do what they do.

I have risen in this house many times to speak on community safety, and over the past four years I have been very proud to be part of a government that has put in place many pieces of legislation to increase community safety. We have been tough on crime. There has been a raft of legislation from the Bracks government that not only has been tough on crime but has provided practical solutions to enable our police

force to go out and do what it does. I would also like to say, as I mentioned before, that as well as the legislation we have put through that is tough on crime we have increased funding to our police force. It now has record levels of funding. We have put 1600 new police in police stations so they can go out and keep our society safe, and that is in line with the expectations of our local communities. As a mum I would like to think that my teenage and older children can go about their business in relative safety. All children in our community have the right to go about their business in relative safety, and this bill will help with that objective.

I have listened to the arguments from the opposition that this bill does not go far enough, that there should be more and that it should be better and bigger. That seems to be the usual argument, but I would point out that there has been a lot of legislation, a lot of funding and a lot of commitment from this government to achieve these objectives. I commend this bill to the house.

**Mr WELLS** (Scoresby) — I rise to speak on the Control of Weapons Amendment (Penalties) Bill and follow the shadow minister for police in supporting this bill. The Control of Weapons Act deals with non-firearm weapons such as knives and swords, and this bill doubles the penalties for the possession, carrying, use, display, advertising, selling, purchasing, importing or manufacturing of a prohibited weapon. Prohibited weapons include flick-knives, daggers and crossbows.

I had to smile while I was listening in my room to some of Labor's backbenchers saying, and let me get this right, 'We are serious about controlling crime by doubling the penalties'. That is what they say: 'Let's not fix the problem, let's just double the penalty and that will control serious crime'. That is typical of the pathetic Labor Party. Rather than fixing the problem they prefer to put out a press release saying they are going to get tough on criminals. It is a pity we cannot catch them, and it is a pity we have not got enough police on the front line. This is typical of the Steve Bracks government: 'Rather than fixing the problem, let's make sure we put the spin and rhetoric in place'.

I would like to remind those on the Labor back benches that the figures that were released last year by, I believe, the Police Association were all about saying there were not enough police on the front line. In fact there are 700 fewer police on the front line than there were just three years ago. These are not Liberal Party figures, these are figures put out by the Police Association. It is ironic that we have 700 fewer police on the front line.

Today the Premier was talking about the reduction of crime in this state. We are grateful that we now have a reduction in the theft of bicycles — and we should all be very grateful about that — but it is in the area of crimes against the person where we have the greatest concern. In the last 12 months homicide has increased by 16 per cent, non-rape sex offences by 6 per cent, robbery offences by 15 per cent and assaults by 3 per cent. Overall crimes against the person are up 4 per cent. The government claims that crime overall is down. Yes, it is down 0.9 per cent when you include such offences as bicycle and shop theft. When you are talking total figures the government is correct, but we will focus on the fact that we have an increase in violence in this community.

When you look further at the effect of weapons in this community, you see that the number of victims of crime has increased significantly since the Bracks government came to power. In 2005–06 there were 34 275 victims of crime against the person — that is, assault victims, victims of criminals who used weapons, and sadly, in some cases, victims of domestic violence. When you look at homicide, you see that the victims are predominantly adults in the 18 to 59-year-old range. Robbery victims are predominantly aged 18 to 59. There are large numbers of assault victims in the lower age range of 18 to 25 years. Once again, this is violence on the streets.

Labor talks about getting tough on criminals, but how can we have that when we have less police on the beat? How can we have that when we are not giving the police metal detectors? When you have been walking on the street, how many times have you seen police with metal detectors? Two years ago this government created plenty of publicity, spin and rhetoric about how it was going to get tough on criminals and gangs carrying weapons and how it was going to provide metal detectors. I have not seen one police officer carrying a metal detector. The police should be out there on Friday and Saturday nights with metal detectors making sure that these gangs and these young people, especially around nightclubs, are being checked and double-checked. Not having this equipment available is absolutely disgraceful.

We will support this bill, but we make the point that we need to ensure that we have more police out on the beat, not spin and rhetoric, and that we give police the weapons to be able to ensure that our community is safe.

**Debate adjourned on motion of Ms RICHARDSON (Northcote).**

**Debate adjourned until later this day.**

**MURRAY-DARLING BASIN AMENDMENT  
BILL***Second reading*

**Debate resumed from earlier this day; motion of Mr THWAITES (Minister for Water, Environment and Climate Change).**

Mr THWAITES (Minister for Water, Environment and Climate Change) — In the remaining few moments before the suspension of the sitting I would like to briefly sum up on the Murray-Darling Basin Amendment Bill. I thank all members for their contributions to the debate and for the various views that were put forward. This is part of the cooperative approach of the states and the commonwealth that we have had, with mutual legislation around the country to improve management of the Murray–Darling Basin. We want to see that cooperation continue. We are prepared to cooperate with the commonwealth to improve outcomes in the basin.

Having said that, I note we are also very concerned that the current proposal which the commonwealth has could well see significant disadvantage to the Victorian community, to irrigators, to the environment and to regional towns. That is why our Premier has indicated that we need to sit down and go into much more specific detail about the proposals that have been put forward.

Our view is supported by The Nationals, who have pointed out that Victoria has a pre-eminent position in water administration in Australia. We agree with that, and we do not want to lose that pre-eminence. We also want to emphasise how important the work is that we have done in this state to protect the environment of the Murray and indeed the Snowy. To give one example of how a proposal could work, if Victoria were to hand over all its powers over the Murray area, that could have a seriously negative effect on our ability to protect the Snowy.

In conclusion I thank all members for their contributions. I look forward to continuing cooperation with other states and the commonwealth for the benefit of the Murray–Darling Basin.

**Motion agreed to.**

**Read second time.**

*Remaining stages*

**Passed remaining stages.**

**Sitting suspended 6.31 p.m. until 8.01 p.m.**

**GOVERNOR'S SPEECH****Address-in-reply**

**Debate resumed from 20 December 2006; motion of Mr PALLAS (Minister for Roads and Ports) for adoption of address-in-reply.**

Ms ASHER (Brighton) — I am delighted to participate in this debate. Firstly, I would like to thank the voters of Brighton for showing confidence in me and affording me an increased majority at the last election.

I want to raise a couple of specific issues of relevance to the electorate. First of all, I want to assure the Labor Party that I am strongly in favour of the retention of the police station at Brighton, and I call on the new Minister for Police and Emergency Services to honour promises made by his two predecessors to ensure that the community of Brighton has its 24-hour stand-alone police station.

Secondly, I am very concerned about train services on the Sandringham line. I have written to the new Minister for Public Transport, inviting her to attend with me on railway stations on the Sandringham line in my electorate to hear firsthand the anger that many of my constituents feel about the abysmal services subsidised by this government on that train line.

Thirdly, I am happy to advise the Minister for Planning in the other place that his Melbourne 2030 policy is wrong, and indeed it is absolutely ridiculous to say that Melbourne can have 1 million extra people without increased water storages and so on, and there are broader objections within the electorate of Brighton to higher density housing.

I move to a section of the Governor's speech at page 4 entitled 'Stronger democracy'. I particularly want to draw the attention of the house to some of the spin in this. The Governor claimed on behalf of the government that Parliament will sit for at least 10 months of the year. Of course, that is nonsense. The Parliament will sit for a limited number of days within those 10 months, and again the speech claims that the winter recess will be abolished. The fact is that the winter recess was abolished many years ago.

In terms of sitting days, we will sit for 16 weeks or 48 days, which is significantly at odds with the charter the Labor Party signed last time with the Independents, but even more at odds with a document called *Making*

*Parliament Work — Labor's Plan for a Harder Working and More Democratic Parliament*, which was issued when the Treasurer was Leader of the Labor Party, then in opposition. It was printed and authorised by 'J. Lenders of 23 Drummond Street, Carlton South', who is now the Leader of the Government in the upper house.

The document entitled *Making Parliament Work* shows the stark contrast between Labor's policies when in opposition and its policies in government, particularly after winning its third term. The document bemoaned the fact that in 1996 the Victorian Parliament sat for only 35 days. As I look at the number of sitting days in 2006 prior to the election, I see that this house sat for 38 days, yet previously the government had bemoaned sittings of 35 days. The now government was highly critical of the fact that the number of sitting days had gone down from 61 days in 1980 and 54 days in 1990. Quite frankly I invite the government to sit for 61 days or 54 days, given that that is what its members claimed was an adequate period of sitting when the government was in opposition. In reference to 35 days, the document says:

Such a low number of days allows the government to escape public scrutiny and is inadequate for full debate on legislation and important public issues.

Again the Labor Party in opposition made the following commitment:

Session dates will be fixed by sessional order for the same weeks in each year —

although it did allow for some variation under some circumstances. But most importantly, in a section called 'Question time to be made more effective', the Labor Party, then in opposition, said it would make ministers answer questions directly, factually and succinctly. Of course that is not and has not been the case on this government's watch.

The government also flagged some changes to freedom of information (FOI). Again I would invite the government to go further and comply with the law as it currently stands. While I am making comment on the section of the Governor's speech headed 'Stronger democracy', I note that the government said that 2008 will see a celebration of the centenary of women's suffrage. I think that is a good thing; however, I will sound a cautionary note. I hope it does not degenerate into a celebration of female Labor members of Parliament or a celebration of women who vote for the Australian Labor Party. I invite members of the government to look at the debacle of the Women Shaping the Nation celebration to mark the centenary of

Federation and at least ensure that the celebrations for the centenary of women's suffrage are bipartisan.

I now refer to the three challenges the Governor identified in his speech, one being bushfires. I will make a couple of comments in that area. There are some significant issues for this government in terms of land management, including locking up land, the non-clearance of fire access tracks and fuel reduction burns. I also refer to page 63 of the Department of Sustainability and Environment's annual report for 2006–07, on which the department itself says about fuel reduction:

Fuel reduction burning plays a vital role in reducing the impact of bushfire.

We need to look at the government's performance in fuel reduction burning. I refer to budgetary figures from the commencement of this government's period of office to the current day. In 1999–2000 the government's target for fuel reduction burning was 120 000 hectares. That year it achieved 105 688 hectares, so it underachieved. In 2000–01 again the target was 120 000 hectares. That year the government achieved only 65 800 hectares of fuel reduction burning — a failure in anyone's dictionary. In 2001–02 the government then dropped the target for fuel reduction burning to 100 000 hectares. In actuality it achieved 81 140 hectares. In 2002–03 the target was set at 100 000 hectares, but the government only achieved 49 200 hectares of fuel reduction burning. The house is probably getting the point. There has been a systematic failure by this government in fuel reduction burning, notwithstanding that its own department has said that fuel reduction burning plays a vital role in reducing the impact of bushfires.

In 2003–04 the target was set at 100 000 hectares and 95 000 was achieved. In 2004–05 the target was 130 000 hectares — at least the government upped the target — and it achieved 127 000 hectares. In 2005–06 the target was 130 000 hectares; according to the annual report, although the department issues a year-to-date proviso which should be the end of the year, only 49 000 hectares of fuel reduction burning was achieved.

I turn to the excuses the government has given for its failure to meet these targets. In the 2001 annual report the government's explanation is as follows:

Fuel reduction burning was severely restricted by rapid transition from very dry conditions where burning would be unsafe to very wet conditions associated with large rainfall events in autumn.

The explanation was both wet and dry; the government could not meet its target. In 2005 the minister appeared

before the Public Accounts and Estimates Committee and gave the following explanations:

In terms of fire, the bushfire recovery program has been implemented ... We announced ... new funding for fire initiatives —

and so on.

'We are boosting fuel reduction burning', he claimed, even though the figures provided in the government's budget documentation show exactly the reverse. On 4 July 2006 the minister again appeared before the Public Accounts and Estimates Committee when he gave the same explanation of not being able to meet the target because it was too wet and too dry. Let me quote the minister:

The problem that we faced this year was that it was a very poor weather year for fuel reduction burning. People will recall from the Commonwealth Games how hot it was. It was far too hot through March to do fuel reduction burning in most of the state. Then people will recall we had almost no autumn: we went almost directly into winter, with very low temperatures, and it was fairly damp and wet in April. That meant our main fuel reduction burn time, which is essentially March, April and early May, was severely constrained.

He then went on to make the false allegation that he met his target that year, which was not true.

My observation is that the government has systematically failed in fuel reduction burning according to its own documentation, and the excuses given border on the comic: it was too wet, it was too dry, it was not right. This is a very important component of reducing fire risk, and the government should have attempted a more assiduous effort to achieve those fuel reduction targets; it should not have reduced those fuel reduction targets in the first instance.

I again want to make reference to the Governor's speech, where there is ongoing reference to the importance of water. There is specific reference to the government's strategy, *Our Water Our Future*, in which the government sets out an explicit aim of securing water supplies. That, of course, is nonsense because the government has done nothing to secure water supplies. It has not built a dam, it has not built a desalination plant, it has done very little in terms of recycling, and it has little credibility in terms of fixing up infrastructure.

I also draw the house's attention, and indeed the attention of the members for Bendigo East and Bendigo West, to page 6, where the Governor said:

... the government will:

secure enough water for Melbourne, Geelong, Ballarat, Western Port and the Latrobe Valley to fully meet their

future needs taking account of population growth and the impacts of climate change ...

I draw to the house's attention that Bendigo has been deliberately omitted!

**An honourable member** interjected.

**Ms ASHER** — It deliberately makes sure Bendigo is not part of this sham commitment to secure enough water for all these other areas.

One of the most interesting things in terms of this nonsense about the so-called priority for water is that the *Age* of 5 December 2002 gave publicity to the fact that the Premier wanted to have a special ministry for water. An article written by Ewin Hannan states:

... it is believed that Premier Steve Bracks wanted Mr Thwaites in the new portfolio because Mr Bracks believed water would be Labor's key policy initiative for its second term.

It goes on to articulate that the Premier thought that water was the new no. 1 issue, and it makes reference to the fact that the ALP had featured water in its campaign advertising. However, the truth as to why the minister wanted this portfolio was revealed by some of his loyal Labor colleagues. The article says:

Several Labor MPs said Mr Thwaites, who held the health portfolio for six years in opposition and the three years of the Bracks government, had wanted to be moved to what the MPs described as a 'good news' portfolio.

The minister had a desire to get out of the health portfolio and into the water portfolio because he mistakenly believed that it was going to be a good news portfolio.

I want to touch briefly on climate change, which is canvassed extensively in the Governor's speech. Obviously there will be significant debate on this issue, particularly in relation to the Prime Minister's task force on this issue. I caution people about the motivation of this government. I refer to an article in the *Weekend Australian* of 10 and 11 February:

State governments are preparing to reap millions of dollars in duty from any carbon trading system as they work towards a national scheme designed to cut greenhouse emissions.

The *Weekend Australian* let the cat out of the bag last weekend. We have heard from the Labor states about this commitment to a carbon trading scheme, but it is very clear from this report of the state and territory leaders conference that:

... the states are planning not just to cut greenhouse emissions through carbon trading but also to raise revenue for state coffers.

If the government wants to proceed with an emissions trading scheme — as it has said it wants to — that is fine, but it at least should be transparent. This is a tax grab by the state, which has been confirmed as a result of the premiers meeting the other day. I have great pleasure in supporting the Governor's speech. I again thank the community of Brighton.

**Mr EREN (Lara)** — This, of course, is not my first speech in this Parliament and so I do not suppose it can really be regarded as my inaugural speech. I made that speech almost four years ago to the month in the other place. I shall never forget it. It was an awesome feeling. However, this is my first speech in green surroundings and I am very pleased to be here. Four years ago I spoke of issues which motivated me to become a representative of my community in this Parliament.

I spoke of what it means to be a Turkish Australian and my desire to one day make not only Victoria but also the whole nation a more understanding and more tolerant society. I spoke of my passionate belief in the role of manufacturing in the Victorian economy and in turn my belief in the role of trade unions in making our economy and our society fairer. I spoke about my own home town of Geelong and its challenges. I spoke about mental health and the need for us, as a civilised society, to do much better when dealing with it as an issue.

In four years the issues that drive me have not changed, but in that time the landscape surrounding these issues has changed dramatically. The last four years have seen some significant developments in the area of mental health. I am particularly pleased that this government has made a decision to establish for the first time in Australia a ministry dedicated to mental health. I am particularly proud of the fact that Victoria's first Minister for Mental Health is a fellow Geelong MP and a very close friend. She is the member for Bellarine.

In my inaugural address in 2003 I said that, like all parents of teenage children, as a parent I was concerned with the rate of youth suicide. In my own electorate of Lara, the township of Lara had grappled with an unusually high rate of suicide. This situation has changed in recent years, and it is acknowledged by community leaders that one major factor was this government's establishment of Lara Secondary College, which provides a community for the teenagers of Lara. Rather than being dispersed and disconnected, the young of Lara now spend their days together. They work together on many collective endeavours undertaken at the school. In this way they have become a support for and a source of comfort to each other. They now embody the meaning of community. It is an instructive story about the power of schools in our

society, and the importance of having a government which opens rather than closes schools.

Geelong is also on the move. Since the election of the Bracks Labor government the population of Geelong has increased and the unemployment rate has reduced. Some have said that over the last four years Geelong has experienced its biggest period of economic prosperity since the gold rush.

In my inaugural speech I mentioned the hopes that many of us had for Avalon Airport and its potential. Since 2003 Avalon has gone ahead in leaps and bounds. I was pleased to convene a meeting in my office with the chief executive officer of Qantas, Geoff Dixon; the chief executive officer of Jetstar, Alan Joyce; the chief executive officer of Avalon Airport, Tim Anderson; and relevant unions involved in the setting up of Avalon. I hope that four years from now more airlines will be using Avalon as one of their ports.

My electorate of Lara largely covers the northern suburbs of Geelong. These suburbs are among the very poorest in our state. Consequently they have more than their share of social problems — generational poverty, drug use and malnutrition. But the people of northern Geelong are great people, and they are tough. Given the right conditions it is a place where opportunity thrives. It is a community which is proud and which looks after its own.

Providing the right conditions has been a priority of this government in its nomination of these suburbs as part of the neighbourhood renewal program. Under this program services are being brought to the people, the housing stock is being revitalised and basic infrastructure is being improved. But the greatest need in Corio and Norlane is jobs. This is why the development of Avalon is so exciting and why other developments planned for northern Geelong come with such promise. Over the years northern Geelong has been starved of private amenities. In government we need to do all we can to facilitate the development of private amenities in this area and ensure that the economic opportunities they bring are shared by those who live in northern Geelong.

There are many more wonderful projects emerging in Geelong, such as the medical school at Deakin University, the planned expansion of Barwon Health in Geelong's north and the planned water treatment facility at Shell. But in describing Geelong's development over the last four years it would be remiss not to mention the Geelong ring-road. Construction of this fantastic project is under way in my electorate as we speak. In the last four years it has been by far the

biggest single driver of economic development in Geelong, and I am proud to say that it is a project that has been driven by this government. All in all it leaves me with a real sense of excitement about the community in which I live and the community I represent in this place.

About half of Geelong's employment remains in manufacturing. Four years ago I talked of my passion for manufacturing born of my history as a production worker at the Ford Motor Company's Broadmeadows plant. It was my principal job before entering political life. But manufacturing in Australia is facing the most challenging time in its history. The rise of China and India is making international markets for manufactured goods more competitive than they have ever been.

By rights the federal government should be taking the lead in implementing a plan which will see the survival of manufacturing in this country — because manufacturing can be the source of good, well-paid jobs; it can be a source of skilled jobs; it can be a source of wage justice; and, as a result, it can be a source of social cohesion. Instead our national government is allowing manufacturing to be thrown to the wolves. It has no clear, articulated industry policy aimed at improving the productivity and competitiveness of our manufacturing sector. The inactivity effectively plays Russian roulette with hundreds of thousands of Australian jobs.

But the federal government has been active in attacking working people and enacting a set of industrial laws which are the most unfair in the Organisation for Economic Cooperation and Development countries. In its undermining of collective bargaining through its legislated scheme of Australian workplace agreements it has placed our country's laws in breach of International Labour Organisation conventions, to which Australia is a signatory, and in the process it has made us the industrial pariah of the developed world.

As a former union delegate and current union friend, these developments disturb me greatly. They are a recipe for exploitation and the transformation of Australia into a low-wage, unskilled country with a much greater disparity of wealth. In the face of this I am proud to say that the Bracks government has a long list of manufacturing achievements, many of them in regional Victoria, including a national manufacturing summit, a \$50 million biofuels plant in Geelong, the Victorian Manufacturing Hall of Fame and the co-generation power plant in Port Melbourne, which will cut 22 000 tonnes of greenhouse emissions each year. Since 1999 there has been an increase of 2500 jobs in the motor industry. I am also proud to say

that with the assistance of this government, from 2008 Holden will be shipping 30 000 Commodores to the United States, securing Victoria's driving future, and that Ford has invested \$1.8 billion in its operations.

This government has been firm in its opposition to the federal government's laws, particularly in the creation of the Office of the Workplace Rights Advocate. Despite the federal government's attacks on working Victorians, we have achieved great things in this state — but there is more to be done.

The most disappointing development in the last four years has been our country's growing cultural intolerance. John Howard's government is in grave danger of giving racism and religious intolerance a legitimised place in Australian politics. By definition that makes it difficult for a mainstream politician to say what I am about to say, but it has to be said, and it has to be echoed by every person who believes as I do that intolerance is an evil which must be eradicated.

There is no graver example of the current intolerance directed towards Australian Muslims than the frenzied hysteria which has been displayed by the national media, fuelled by our national government, over the Mufti Sheikh Taj al-Din al-Hilaly. Undoubtedly Sheikh al-Hilaly has said some stupid things and in the process has done untold damage to the cause of mainstream Islam in Australia, but the sheikh is not my mufti. He is a mufti of a certain section of the Muslim community in Lakemba, Sydney, and that is all. Yet the media have elevated him to some mythical status of being the grand mufti of all of Australia, as if he is somehow the spiritual leader of every Muslim in the country. In the process all Muslims are asked to take direct responsibility for his comments. This is absurd. It is as absurd as suggesting that Fred Nile is the leader of all Christians in Australia — Catholic, Protestant and lapsed — and that everyone with a Christian heritage is especially responsible for Fred Nile's intolerance towards Australia's gay community.

No-one is asking all those in this chamber who have attended a church at some point in their lives to take special responsibility for the atrocities committed in the name of Christianity, such as South Africa's apartheid system or the burning of crosses in Mississippi, yet John Howard asked exactly that from the Muslim community. If a Muslim woman wishes to wear the hijab, that is her decision, and it is nobody's business; it is simply the way she chooses to show her beliefs. If a Muslim man wears a traditional beard, it is not a political statement against Western values, it is simply the way he chooses to pursue his faith.

It is time we saw such people for who they are — just ordinary people and ordinary Australians doing the most ordinary of things and showing respect for their maker. The future greatness of Australia is not to be found in the oppression of Islam, or for that matter in any other religion. The strength of our country lies in our diversity.

What makes Australia great is Henry Lawson's ideal of mateship. It is an ideal which sees compassion, friendship and camaraderie extended between people from different walks of life and stations in life. It was this sense of mateship which made the Australian troops so formidable as they stormed the beaches of Gallipoli and as they so stoutly defended the track at Kokoda. It was also a sense of mateship which allowed a massive wave of postwar immigrants to be welcomed into Australia — the most important social phenomenon in this country since European settlement. It is here that the future greatness of Australia lies. It is to be found in tolerance, and tolerance in Australia has never been more in need of friends and defenders than right now.

I want to say some thank-yous. Firstly, obviously, I want to thank the voters of Lara for having the confidence in me to elect me to represent them here. As I stated four years ago, the journey which has brought me here has not been a lonely one. I am here because of the love and hard work of many people. I would like to mention a number of parliamentary colleagues from Geelong who have given me support: Lisa Neville; Michael Crutchfield; Gayle Tierney, a member for Western Victoria Region in the other place and a former state secretary of my old union, the Vehicle Builders Union; and Jaala Pulford, also a member for Western Victoria Region.

There are others I wish to thank: Richard Marles, David Saunderson, Alex Di Natale, Cameron Granger, Lou Brazier, Peter McMullin, Claire McClelland and Roger Lowrey; my extended family, Kathleen, Bettina, Patrick, Jim and Kelly; and of course my mum, Mueyesser, and dad, Ali. There are many more whom I want to mention, but time is against me. Thank you all for being there for me. I would like to make a special mention of my father-in-law and mother-in-law, Gerald and Alison Brown, who, sadly, have died since my first election. I hope I have made them as proud through this election win as I did with my first election win. I will never forget them. I will love them always.

My children deserve my thanks — my boys Kadir, Ekrem, Enes and Adem, and my daughter, Sumeyra. I am having the great pleasure of watching them grow from being my children into my closest of friends. They

know that, of all my ambitions in life, being the best father they can have is the most important.

Finally, my wife, Geraldine, is my partner in this great adventure. She is the closest to my heart, she is my soul mate and best friend, and there is no-one in this life that I love more than her. I said this four years ago and I will say it again:

... it is my family and friends who will always be in the forefront of my mind. You are the ones who care most about what I do here. It is your hopes and love that I feel with me when I stand here. And in all that I do I want you to know that it is my only wish to make you proud here.

**Mrs FYFFE** (Evelyn) — It gives me great pleasure, as the recently re-elected member for Evelyn, to speak in the debate on the address-in-reply to the Governor's speech to the 56th Parliament. I am pleased to follow the member for Lara. I listened carefully to what he had to say. I, too, came here as a migrant and my family is also proud of my being here.

I am a practising Christian, and I understand the difficulties many in the Muslim world and religion are now facing. They must often feel that there are people who class them as all the same. I assure the member that I do not. I do not know anyone in my party who does, and I do not believe anyone in this house does. I welcome the member to this house.

Now I will stop being nice — —

**Mr Cameron** — For four years?

**Mrs FYFFE** — For four years!

The Governor's address is in reality the government's plan for the next four years. It suggested that initiatives will be taken to ensure Victoria's public transport is more accessible. How exactly does this government plan to improve a quickly deteriorating public transport system? Does the plan include making the public transport system safe and reliable? It certainly needs to do that, given the current situation.

The government and Connex Melbourne continually fail to provide the public transport commuters of Evelyn with reliable services. The recent indefinite cancellations of six trains on the Lilydale line, as a result of the Siemens trains debacle, came immediately after commuters on the Belgrave and Lilydale lines were told they would no longer be delayed and inconvenienced by construction works on the line. Not counting the essential works which took place in January, the Lilydale line continually wins the wooden spoon for the number of cancellations. There were 42 cancellations in December, and in November there

were 66 cancellations. Many people were late for work, and many people were late picking up their children from child care.

Evelyn is located at the end of the Lilydale line. Numerous commuters in possession of yearly or six-monthly tickets are still unaware of how to claim their proportionate refunds when zone 3 is abolished on 4 March. The government is failing to deliver adequate public transport to the larger, more developed suburbs in the electorate of Evelyn, let alone deliver services to the rural areas of the electorate. Many commuters have expressed concern to me about the lack of safety and security. Many are too fearful to travel at night due to the high number of assaults on the Lilydale line.

In the Governor's speech the government claimed it will govern for every region, every suburb and every town. I can assure the house that numerous constituents in Evelyn would find this claim laughable if it were not so serious. Four women who are residents of a community services house in Manchester Road, Mooroolbark and their advocates would strongly disagree. Those four ladies have lived together harmoniously for a number of years. They attend Monkami together, and they have stable staff looking after them. However, they are facing the very real prospect of enforced separation by the Department of Human Services.

This is a denial of their human rights. We in this Parliament choose whom we live with and where. These women should not be denied that right because they have disabilities. It is all being done for cost cutting and departmental savings. There are 4500 people on waiting lists for shared accommodation, in-home and community support in the rich state of Victoria. These people are among the most vulnerable in our community, and they should be given priority.

The Governor's speech claims there has been a major investment to make the state road network safer. Will that claim extend to include the addressing of road safety concerns in the electorate of Evelyn? The shire of Yarra Ranges, which encompasses the majority of the electorate of Evelyn, had a horrific road toll in the five-year period from 2001 to 2005. In that five-year period we had 15 fatalities on council and local roads, more than twice the state average of 6.18 fatalities. Tragically, on state government declared roads in the Yarra Ranges there were 42 fatalities, almost three times the state average of 14.5. While some of these fatal accidents can be attributed to driver error, alcohol and the use of other substances, the condition of the roads played a major part in many accidents.

During the election campaign the Labor Party was found playing catch-up on Liberal Party policy in Evelyn over the issue of traffic lights in Coldstream. The then Minister for Transport, now the Minister for Victorian Communities, made the trip to Evelyn to belatedly announce Labor's \$1.5 million commitment to installing traffic lights at the intersection of the Melba and Maroondah highways. The constituents of Evelyn need to know when this Labor government will follow through on its election promise and, most importantly, why lights will not be placed at the intersection of Killara Road and Maroondah Highway, as requested by Coldstream residents.

The government talks about the health system being based on need rather than the ability to pay. Tell that to the 3500 people on the dental waiting list in my electorate. The super-clinic in Lilydale, despite the promise made by the Premier in 2002, will not be completed until mid-2008. Despite a commitment made in 2002 there will be no dialysis machines in the Lilydale super-clinic. Referring back to the 3500 people on the dental waiting list in my electorate, rotten teeth and ill-fitting dentures affect what you can and cannot eat, consequently affecting your general health. In Yarra Ranges we have a waiting list of over two and a half years just to have ill-fitting dentures replaced. The waiting list for dental treatment in Yarra Ranges is too long, and this government should hang its head in shame. The largest ever amount of money is pouring into government coffers, yet the battlers, who grew up in the Depression, survived a world war, raised their families and are now living on age pensions, are being denied dental care. The waiting list for dental treatment was culled last year. What we do not get told is how many went to their graves still waiting for new dentures.

**Ms Beattie** — Ask John Howard!

**Mrs FYFFE** — Dental care is a state responsibility. The federal government at one stage made a one-off, multimillion dollar grant to help the states catch up, but it is a state responsibility. The Governor's address claims that the Labor government considers access to affordable housing as crucial to Victorian families. Despite this claim a report titled the *Boulevard of Broken Dreams*, produced by the residential development group of the Property Council of Australia, indicates that the Labor government's poor policies under its Melbourne 2030 plan are responsible for pushing housing affordability beyond the reach of many Australians.

As I said, the Governor's address states that access to affordable housing is crucial to Victorian families. The

Labor government is failing miserably in its attempts to meet demands on public housing. According to the Office of Housing, over the last three years the public housing waiting list for the eastern region has increased by 25 per cent to 4268 families.

The Governor's address states that the government is committed to making Victoria a fairer place to live. Try telling some of the constituents of Evelyn that this government is committed to making Victoria a fairer place to live. In Lilydale we have a mother and her seven children being crammed into a single hotel room for five weeks while the Office of Housing looks for suitable housing accommodation. We have homeless people living at the Lilydale Lake. We have a woman who has lived in her car outside Lilydale police station on and off for two months. We have people living in unregistered cars. All this is happening within an area that Claire Miller, spokeswoman for the Minister for Housing, claims is a priority and where the Labor government is boosting resources. If there is a boost in resources, then why are we faced with desperate situations like this and a spiralling wait-turn list for public housing?

The Governor's address says the government has returned democracy to the community. This government is constantly laying claim to being open and accountable, yet time and again it blocks freedom of information requests. In July 2006 the Victorian Civil and Administrative Tribunal overturned a decision to deny access under FOI to quarterly performance reports for six major projects. In April 2006 an FOI request about compensation paid to Vodafone over advertising naming rights during the Commonwealth Games was refused. In fact, instead of its being open and accountable, the Ombudsman has said that FOI under this government has been characterised by delays and at least the appearance of political manipulation.

An article in today's *Age* headed 'EastLink costs stay secret' says:

The state government has won the latest round in a three-year legal battle to keep secret the public-private cost comparisons used for the EastLink freeway.

It is hardly a return to democracy when we are the most overgoverned state in Australia.

The Governor's address claims the Labor government's economic goals include cutting the administrative burden of regulation by 15 per cent over the next three years. The fact of the matter is that the Labor government has made Victoria the red tape capital of Australia, as the white paper *Fighting Australia's*

*Over-regulation* demonstrates. Victoria has 2200 acts and regulations — only five fewer than the commonwealth government. The state nearest to this number is New South Wales, with almost 500 fewer acts and regulations. When compared with the Australian Capital Territory's 495, which is 1705 fewer acts and regulations than Victoria, it is easy to see that red tape is choking Victorian businesses, Victorian productivity and the Victorian community.

In the Governor's address the government lays claim to reducing Victoria's business taxes from the second highest of the states to the second lowest. If the Labor government has done such a good job in reducing business taxes, why then during the last term did several longstanding community businesses close citing land tax as the reason for closure? Melbourne's oldest hardware and timber business, D & J Evans in Camberwell, closed in November 2004 and the Whitehorse Inn, Hawthorn, closed in February 2005 when its owners' land tax rose from \$1440 to \$40 000 in seven years. What has Labor done for the individuals and businesses in Victoria? It has taxed and taxed, and just when you think it has taken enough, Labor will tax you again. The pre-election budget update in November 2006 showed that Victorians were paying \$230.8 million more in tax than they were six months prior.

The Governor's address claims that the Premier has a 10-year plan to rebuild or modernise every public primary and secondary school in the state. There are no details of how the priority of upgrades and rebuilding will be decided. Will there be a list placing the projects in priority order? Will this list be released to the public? Will there be a timetable correlating to the relevant projects and will it be released to the public?

The government claims it is committed to improving education and committed to rural Victoria, yet in one fatal policy change it has shown neglect for both. Rurality funding for schools in interface council areas is being decreased by 20 per cent per year for the next five years until it is eradicated. Many rural schools in interface council areas are dependent on this stream of funding for their day-to-day running costs. Just how are these smaller, underfunded rural schools meant to continue to pay for physical education and arts teachers and other vital components of their education programs, for which, because of the size of their classes, they do not qualify, except under the rurality funding.

In Evelyn, schools like Bimbadeen Heights Primary School and Manchester Primary School have been asking for two years for their long-term school enrolment figures. They want to plan ahead. They need

to know what their long-term enrolments are going to be, yet despite asking repeatedly they still do not have access to them.

The installation of variable electronic speed lights has not yet even gone to contract. Just how much longer will the Labor government place schoolchildren at risk before fulfilling this election promise? The Wandin North Primary School is on a steep hill on a major road. Strangers to the area approach it at 80 kilometres an hour, and as they go over the crest of the hill they suddenly approach a school. If they do not see that first sign indicating 40 kilometres an hour and the usual school sign, they pass the school at 80 kilometres an hour.

The Labor government is continuing its failure to match the Australian average public funds spent per student. In fact Victoria is bottom of the class. Funding in Victoria is reportedly \$1000 per child behind the national average. With local school needs, maintenance funding is not keeping pace with repairs and upkeep. In the Evelyn electorate schools struggle to keep going. This is very much a re-run of the Cain and Kirner years, when schools fell into disrepair.

**Ms BEATTIE** (Yuroke) — I would like to extend my good wishes and congratulations to the Speaker, the Deputy Speaker and the Acting Speakers on their elevation to high office. I know they will carry out their office without fear or favour, and it is my hope that the 56th Parliament will be remembered for the professional conduct of its members.

This is my third term in Parliament, once as the member for Tullamarine and twice as the member for Yuroke following an electoral redistribution. On the three occasions I have faced election I have beaten four Liberal opponents. One never even made it to the starting line, and I have beaten a Finn twice. I thank the electors of Yuroke for that, and I express my gratitude to them.

As a parliamentarian I have a sombre responsibility to represent all and not only the 70 per cent of those who voted for the Labor Party in Yuroke. One must ask why 7 out of every 10 people who went to the ballot box voted Labor and reaffirmed the Bracks Labor government. The reason is quite simple and can be found in every area and every corner of Yuroke. The answer is that Labor has delivered for Yuroke.

You can go along the rail tracks and see the Craigieburn rail project being delivered with new stations at Roxburgh Park and Craigieburn — and without wishing to steal the Treasurer's thunder a new

station at Coolaroo will be delivered in the seat of Broadmeadows.

You can drive along Mickleham Road and see the duplication works on Barrymore Road, which has just been opened in the past couple of days. The next stage will be started in 2007, which will take the duplication all the way to Somerton Road.

If you go along Craigieburn Road, you will see that the Craigieburn health facility is almost complete and ready to open in the near future. You may also have to stop at the lights at Bridgewater Road, which were delivered by our Labor government. While you are doing the whistlestop tour of Yuroke, take the Tullamarine Freeway to the Calder interchange. Labor is fixing the mess left by the Kennett government and City Link, and motorists not only from my electorate but many others are already reaping the benefit.

Come and look at the schools in my electorate, such as the brand spanking new Roxburgh Rise Primary School, upgrades to Gladstone Park Secondary College, a new gymnasium soon to be started at Gladstone Views Primary School, almost \$3 million of works at West Meadows Primary School, a new relocated Craigieburn Primary School, upgrades to Willmott Park Primary School, Craigieburn South Primary School and Craigieburn Secondary College, and more facilities for Mickleham Primary School.

Of course the icing on the education cake is a new prep to year 12 school which is to be built in the north of Craigieburn. These facilities count for nothing if they are not backed up by great leaders and teaching staff. I pay tribute to the principals and teachers in my electorate for their commitment to our future generations. Labor and I respect their profession.

I must add that if people do not wish to take a tour of the area by car they can take a bus, because Labor has already provided new and more frequent services to the area. In partnership with the Hume City Council many sporting and community facilities have been upgraded. I pledge to work with the Hume council to continue to provide facilities.

I am of course proud to have Melbourne Airport in my electorate. I urge the federal government and Qantas to ensure that there are more seats into Melbourne Airport and, with its 24-hour, curfew-free status and planning controls, to make it the premier international airport in Australia. The federal government must guarantee that any sale of Qantas will not mean a loss of jobs, especially in maintenance, at Qantas. Those jobs must

remain in Victoria. We have the safest aviation record in the world, and we want it to remain so.

However, nothing can be taken for granted, and we must remain vigilant that our way of life and multicultural society are respected and treasured. As has been pointed out by previous speakers, we are a nation of migrants: unless you are an indigenous person, your forebears came from somewhere else in the world. When I am at citizenship ceremonies and events and I ask members of families why they left their homeland and came to Australia, the answer is almost always, 'For a better life for my children'. When I hear that the new Liberal member for Western Metropolitan Region promises to work to undermine the Racial and Religious Tolerance Act and the charter of human rights, I am absolutely appalled — and so are my electors. That member was hand-picked by the Leader of the Opposition, and I call on the Leader of the Opposition to censure him. If he does not do so, we will all know that he is the Liberal leader's Pauline Hanson.

**Ms Asher** — On a point of order, Acting Speaker, the member has been here long enough to know that if she wishes to condemn another member she should do so by way of substantive motion. She should not be using her speech to make an attack on a member in another place.

**The ACTING SPEAKER (Mr Howard)** — Order! I was not aware that the member for Yuroke was attacking another member — no member was named — but I will listen carefully to what the member says, and I advise her that she should not be criticising members in the other place.

**Ms BEATTIE** — I also reaffirm to my electorate that I will work to ensure that the Cleanaway facility at Tullamarine stops taking proscribed waste and that it is closed at the earliest possible date. That is my great unfinished business.

Of course no election is entirely without humour. During the election campaign I learned some new vocabulary, about which I consulted an expert on contemporary language, my 14-year-old niece. I had to ask her what the expression 'budgie smugglers' or 'budgie snugglers' — I was not sure which it was — meant. Her definition of 'budgie smugglers' was thus: something worn by middle-aged men to embarrass their teenage daughters.

In closing, I must publicly thank my campaign team. I thank my campaign director, Clare Malcolm, whose advice, friendship, ideas and energy I am always

grateful for. She is an absolute dynamo. I say to her, 'Clare, get ready for 27 November 2010'. To Jo Campbell, Josh Bull, Siona Campbell and the many booth captains: you were all instrumental in Labor winning every booth in Yuroke. Special thanks to Ray Gorman, and I say, 'Ray, mark 27 November 2010 in your diary'. To those who stood on the prepolls, those who handed out and those who contributed in so many ways I say a big thank you.

To the state secretary, Stephen Newnham, and especially to our marginal seats director and assistant state secretary, Kosmos Samaras, I say, 'Well done'. I thank Kosmos for his valued friendship and advice. He was one of my team who helped deliver the former seat of Tullamarine to Labor in 1999 and I am forever indebted to him. The core of my 1999 team is still with me. They are as enthusiastic as ever and understand that Labor has improved life for everybody in Yuroke.

Finally, I thank the people who were there with me before I came into this place and who will still be with me after politics: my family and friends. I thank my adopted family, Kevin and Marina Beattie. To my beloved life partner, Chris: what an amazing journey we started from our kitchen table in Sunbury all those years ago, when we decided that Tullamarine deserved better than what it had! We delivered! We delivered Tullamarine to Labor, then we went on and delivered Yuroke, and we will keep delivering.

**Mrs POWELL (Shepparton)** — I am delighted to be able to speak on the address by the Governor of Victoria and to put on record my congratulations to the Governor for his first speech in Parliament. We all listened intently to what he had to say, and I am sure we agree with much of it. I would also like to congratulate you, Acting Speaker, on becoming an Acting Speaker. I would like to congratulate the Speaker of the house, who is the second woman in this place to be Speaker. The former Speaker, the member for Essendon, was the first female Speaker in Victoria, which was a great initiative of this government. It is great to have the election of another female Speaker.

I would also like to congratulate all the new members of this place who have come in from all sides of politics. Being a member of Parliament is a unique experience, and I hope they enjoy it. Some new members of this place have been here before. It is a unique job in which we have the great honour of coming into this place and representing our communities at this level. I am delighted to have been re-elected — and later on I will thank those people who helped me.

I hope the new members of this place have a great time here. It is wonderful to be a member of this place, and I know they will do the best they can, making sure they represent their constituents and giving credibility to the fact that their constituents have elected them. I think being here is a great honour for all of us: those who have been re-elected and those who have been elected for the first time.

I also congratulate the new members of The Nationals — namely, the members for Rodney, Morwell and Mildura. I know they will do a fantastic job in this place. They have shown they are very committed, and I know they will give due reference to the areas they are representing.

I also place on record my thanks to the former members who contributed over many years. I speak firstly of the recently retired member for Rodney. Most of us who have been here for a great deal of time know of the contribution Noel Maughan made not just to his electorate but also to the Victorian people. I know that all sides of politics have a great affection and a great respect for the former member for Rodney, and I know that he will continue to be involved with us in some way or another.

I would also like to acknowledge the contribution of members of The Nationals in the other house: the former member for what was then known as North Eastern Province, Bill Baxter, who I have a great affection for because I used to be a member for North Eastern Province 10 years ago, until I moved into this place. Bill Baxter was not only a great advocate for the Victorian people but he was also a former minister of the Crown. I know he looked after his portfolio very well, and I know he will be sadly missed in Parliament. I also put on record my respect for the contribution of former North Western Province member Barry Bishop, who I know will also continue to have an interest in Parliament and in his electorate.

A number of members have talked about issues that the Governor of Victoria raised, and some of the terrible things that are happening in our communities at the moment — for example, the bushfires. While there are no bushfires in Shepparton, there have been recent fires in north-east Victoria. Many firefighters from my electorate, both volunteer and paid firefighters, have been doing a fantastic job under huge duress for many weeks or, in some cases, months. I know they are at the fire front. I congratulate them and pay respect to them on behalf of everybody in this place. What a great job they have been doing!

*Honourable members interjecting.*

**The ACTING SPEAKER (Mr Jasper)** — Order! I do not wish to interrupt the member, but if ministers wish to have discussions I would like to think they would remove themselves from the chamber. Alternatively they can listen to the honourable member for Shepparton.

**Mrs POWELL** — The enormity of the problem is revealed when we learn that over 1 million hectares of land has been burnt out. On a regular basis people put in many hours mainly to protect the land but also to protect property. We must remember that while stories about bushfires are not in the news as much as they were last month, the firefighters are still out there working hard and putting their lives on the line to protect the land and properties of this great state.

I would also like to talk about the drought. In his address the Governor spoke quite sympathetically about the drought. The area I represent in particular, and many other parts of Victoria, have had 10 years of very low rainfall. A number of our farmers, irrigators and businesspeople are suffering greatly because of a lack of rainfall and all the things that happen to people in drought-affected areas.

It is not just the farmers who are affected. If farmers in the Shepparton district are not doing well, the towns are not doing well. I am hearing from businesses that they are also greatly affected — a lot of businesses are 30 to 40 per cent down in their profits. It affects the whole community. It affects families, schools and businesses. We need to take time to realise how tough they are doing it in country Victoria.

Farmers are facing an uncertain future. A number of farmers who come into my office or ring up daily are very uncertain about their future. They include dairy farmers who have sold their cows or who have parked their cows somewhere else, so they do not have any income that year, and orchardists who have to decide whether to put their trees to sleep because they cannot water them that year, which means that they will not have any income not only in that year but also the following year. Farmers are now receiving 24 per cent of their irrigation entitlement but are paying for 100 per cent. Farmers in my region are not only facing drought. They have also faced the worst frost and hail on record. This also impacts on them and the way in which they live their lives.

My electorate is fairly unique. I guess everybody says that about their electorates, but mine is fairly unique. We have a very strong multicultural base. Quite a large number of refugees have come into the electorate, which brings about great benefits but also great

challenges. Recently Iraqi refugees from some of the detention centres have arrived in the electorate, which brings about its own challenges.

Shepparton also has a number of Sudanese. Some of these families, I am told, have many children, which again brings about huge benefits to a community but also huge challenges in terms of providing the services, accommodation and way of life these people are not used to and trying to positively integrate them into the community.

My electorate also has the largest population of Aborigines outside Melbourne. I was pleased to see a reference in the Governor's speech to a government initiative to revitalise indigenous communities. That is a great thing for communities that have Aboriginal people. I am talking about improving school retention rates and making sure school leavers can get jobs. We all talk about reconciliation: it happens when our Aboriginal friends can have some self-esteem — and that happens by their getting jobs and becoming respected members of the community. That helps them recover their self-esteem.

The Governor also said that every Victorian is entitled to the benefit of a quality school education as well as the option to go to university or undertake technical education. In my area there is very much a skills shortage. I hear that all the time from businesses and the larger community. My area needs, for example, mechanics, welders, engineers, machinery operators, panel beaters, spray painters and electricians. I am pleased that the government is looking at putting in new technical wings in every public secondary college. That would be a vital initiative.

It is important that people now understand that as well as the young people who want to go to university and study for a degree, many young people want to take up a trade. They would have a very good working life, being involved in their community, staying in their local town and being of benefit to the businesses in that town. It is really important that we ensure that our young people and older people who want to work in a trade have the opportunity of doing so and of gaining employment in rural towns, where they are badly needed.

After a regional review La Trobe University has committed to a stand-alone campus in Shepparton, and that is brilliant news for those of us who have been lobbying for that outcome for quite some time. I welcome the state government's money — it said it was going to put forward \$2 million — as well as the provision of the land that the campus will be using. The

university is now saying that it will be bigger and better than was initially planned, so we will be coming back to the state government and asking for further funding to allow that to happen. La Trobe University, through its research, has found that there are many ways in which it can actually expand the courses it provides, not only in terms of administration but also in terms of research. We need research not only into areas such as water but also into social and human issues. We need to ensure that some of our people from overseas can integrate into our communities.

Shepparton has shown the way forward in ensuring that communities from across all nations are working together, whether they are migrants or refugees. One could almost say it is a pilot program. Shepparton is showing the way to ensure that we do not see some of the problems that are occurring in other parts of Australia such as Sydney. We must keep on top of it, because the minute we do not and those communities feel they are not part of the wider society or are not being respected, that is when the problems start, particularly with young people. They have to feel part of society and to feel valued, and we have to ensure that continues to happen. We also need more federal funding for the university, and we will be ensuring that we receive that from the federal government.

The government talked at length about its water strategy. The Governor said we needed to secure enough water for Melbourne, Geelong, Ballarat, Bendigo, Western Port and the Latrobe Valley to meet their future needs for population growth and deal with the impact of climate change. I urge the government not to lose sight of the fact that there are other areas right across Victoria that need water, such as the Shepparton district. Shepparton is the food bowl of Australia.

In some cases irrigators are seen as lepers. People talk about irrigators using so much water, and I have to stress that irrigators do use a lot of the water, but in doing so they are providing food and fibre for this country and also for export. So instead of making irrigators feel as though they are not needed or that they are pariahs, let us see how we can work with them and ensure that they have enough water to grow their fruit and their crops, feed their cows and provide the meat and the wool. They have developed a bad name, but I have to stress that irrigators are not drinking the water themselves but are in fact using it to help the economy.

Earlier on the member for Rodney was talking about farmers being more efficient in the use of water. They are better environmental managers — they deal with the environment at a grassroots level to ensure that it

works for them and is sustainable — and they are very much strong supporters of our environment.

The government, we are told, is focusing on mental health, and I am pleased to see it has created the new portfolio of Minister for Mental Health. It is important that we focus on people's mental health. Funding is being provided to identify people at risk of having a mental problem — whether it is depression or anxiety — to ensure they are helped before it becomes too late.

We hear that one in five farmers is suiciding, and we need to look at that. But as well as having the money to identify people at risk, we need to have the money to ensure that professionals are on hand.

In country Victoria we have a lack of GPs, we have a lack of psychologists and we have a lack of psychiatrists. We need to make sure that when we identify those at risk they have somewhere to go, and we need to be able to fix them. It is not just a matter of prescribing medication to put off the inevitable; they have to be actually dealt with. Making sure we identify those at risk means that we increase the demand, and in country areas we need to ensure that we provide the services to help those people.

When we talk about affordable housing, we also need to improve services for homeless Victorians. In my electorate in the Hume region we have more homeless people per capita than any other region in Victoria, and I ask the government to make sure it looks at regions where people need to have affordable housing so that people are able to be housed. We need to make sure that the government looks after those who are vulnerable and who deserve housing.

In the short time I have left I would like to say that there are some positives. I know that Unilever has made a decision to move its dry-food factory from Knoxfield to Tatura. This is great, because it will create 130 jobs. I look forward to making sure the government looks after country Victoria.

**Ms LOBATO** (Gembrook) — It is with much pleasure that I contribute to the debate on the address-in-reply to the Governor's speech, and as I stand here today I feel as honoured as I did four years ago when I was first elected to the seat of Gembrook and as a member of the Bracks government.

In 2003 I was privileged to have been the mover of the address-in-reply motion. It was truly the most humbling experience of my life. At the time I was inspired by the appointment of the first female Speaker of the Legislative Assembly, and today I congratulate Jenny

Lindell on her appointment. I am excited at the prospect of the Speaker applying her commitment and passion for environmental sustainability in this Parliament.

So much has happened in the last four years, and many achievements both small and large have been made throughout an electorate that was once forgotten. People are now listened to and cared about; issues are taken seriously and actioned. Partnerships between the community and government are formed in the interests of bettering the community, and projects are worked on until the desired outcome has been achieved.

In 2002 I made a commitment to the people of the Gembrook electorate, an electorate that covers 2053 square kilometres, that I would be an accessible member. With an office located at the most southern end, I demonstrated my commitment by holding regular mobile offices over four years. These mobiles were held in information centres, cafes, tennis clubrooms, pubs, schools, town halls, more cafes and more pubs. They were held from Reefton to Launching Place and from Woori Yallock to Cockatoo. They spanned the electorate and enabled me to meet with people who had never met their local member before and never thought they could. Being accessible to my constituents is my top priority.

When I sat down to write this speech and contemplated the events of the past four years, I was overwhelmed. How does one reflect on events such as a mother shedding tears of gratitude for receiving assistance for her child, a community's heartfelt thanks for an upgraded school — or merely new toilets for their students — or a passionate environmentalist staggered at the salvation of a precious piece of land for public ownership and protection? Although the achievements can be counted, the effect that each one has on people's lives cannot. It is those immeasurable effects and how our roles may impact upon lives, upon the health and wellbeing of individuals, families and communities, which is the lasting legacy of our time in this house.

My time in this place began with my inaugural speech, an emotional time when the weight of the expectations of many communities rested on my shoulders. Yet the real work of being the member for Gembrook began outside this place with the enormous responsibility to undertake that role to the very best of my ability. From the outset my priorities consisted of contributing to a Bracks government that showed dedication to restoring social and environmental justice to the proud state of Victoria, which had suffered denigration in these areas. I spoke about my commitment to retaining and enhancing the public education and health systems for our communities and respecting, understanding and

protecting our environment for the continuance of humanity. I also spoke about my commitment and that of the government to ensuring that all workers return home safely after their shift ends.

I am proud that in the south-east corner of my electorate, which contains much of Melbourne's urban growth corridor, there have been major achievements in the upgrading of our schools. These include Beaconsfield Primary School and Beaconsfield Upper Primary School, with stage 2 soon to commence. New schools have been announced in Pakenham, and land has been purchased for a new school in Officer. Emerald Secondary College has had a major upgrade, and the Gembrook primary school is on its way to a complete rebuild. I will continue to work for the new Officer primary school, another secondary college for that region and a trades school for Pakenham and the Upper Yarra.

I am delighted that the Emerald Secondary College will offer a select entry accelerated learning program, and I would like to congratulate every school throughout the region on its dedication to educational excellence. I look forward to working with other schools throughout the region, particularly Hoddles Creek Primary School and Millwarra Primary School, to ensure that they too have the best facilities.

I have had enormous pleasure in assisting communities to rediscover their identities and purpose, none more so than Millgrove, which is situated in the Upper Yarra along the Warburton Highway. Since our initial days of mapping their strengths and weaknesses and then the inception of the Millgrove Residents Action Group, the town has become a model of community development. My partnership with church organisations such as the River Valley Church and the Millgrove Baptist Church was rewarding for the local community and stands as testament to what can be achieved when partnerships are created with the common goal of benefiting communities.

The friendships I have made with people from all walks of life and backgrounds and with differing political views have been an unexpected bonus of my role and have assisted me at those times when unlikely partnerships are necessary to achieve the best results for the community. The level of volunteerism throughout our communities has amazed yet inspired me. There are selfless volunteers within a multitude of organisations. There are too many to mention, but I will make an exception at this time to thank Country Fire Authority members and their families along with all State Emergency Service volunteers — you have endured much to protect us, yet again!

In my inaugural speech I spoke a lot about the health crisis that exists in the Upper Yarra where no after-hours medical services are provided, and the severe lack of GPs exacerbates the problem. No matter how drastic the situation is, the federal government, including the federal local member, ignores the area. Perhaps health needs are not considered to be as topical as the drought, but in my electorate farmers and people on the land are in need of an immediate injection of federal assistance into health. The federal member's solution to the problem was an after-hours GP clinic in Healesville. The community was disgruntled that its representative in Canberra could not distinguish between Healesville and the Upper Yarra.

Establishing health clinics in neighbouring areas is not a solution to the lack of health services in the Upper Yarra. It was only an opportunity to place money anywhere in the electorate to try to fool her constituents and say that steps were being taken. The constituents of the Upper Yarra are far wiser and more discerning than that. That is why I will continue to work on this pressing issue to fix this situation. With the commitment of the Warburton Bendigo Community Bank and a bunch of committed individuals, who are ready to give their time and effort to work with me, I have every confidence that this term of government will see the major changes in health delivery to this area that are so sorely needed.

This term will also be one in which further steps will be made by the Bracks government to protect our state's endangered species, to secure water supply and to ensure that the potential effects on our environment have been considered in relation to the activities of all Victorians. I have enjoyed a close working association with the Friends of the Helmeted Honeyeater, a dedicated group of conservationists who work tirelessly to ensure the survival of endangered species such as the helmeted honeyeater and Leadbeater's possum. The habitat in which these Victorian faunal emblems live is shared with another state emblem, the pink heath. Their home is known as the Yellingbo Nature Conservation Reserve, and I feel very fortunate that this special place is located within the electorate of Gembrook. I am delighted that the Bracks government has recognised the importance of these species and their home and has committed funding to assist in the friends' efforts to ensure the survival of these species.

I was very proud of our government's proactive and responsible stance in bringing about a moratorium on genetically modified crops. The commercialisation of genetically modified crops is not only an issue for residents, including farmers, within the electorate of Gembrook but is also a very serious issue for the nature

of agriculture in this state. If this genetic time bomb is let loose in this state, traditional farming methods and the backyard veggie garden, the retention of which is now more important than ever before, will be lost forever. The patented seed will ensure that the farming community will be forever divided as it spends more time in courtrooms than on the land. The technology known as the 'terminator seed' will ensure the sterility of the seed, eradicating the age-old method of seed saving.

This government's dedication to environmental sustainability is why I also have faith that the existing ban on genetically modified crops will be continued. As technological advances continue to be made at an extraordinary rate, wisdom lies in discerning good science from bad science, distinguishing between what we can do from what we should do and ensuring that the science we foster is the science that will benefit humanity.

I have been privileged also to represent women, and assist them on issues that are important to the wellbeing of women. This government has recognised, accepted and acted against the evil that is domestic violence. No longer does the government, police force or the community bury its head and ignore one of the most debilitating forms of abuse. Domestic violence is a crime mostly perpetrated against women, and the effects upon the woman are made worse because of an inability to talk about the abuse suffered. They are generally forced into remaining in the violent situation, whether psychological, verbal, financial or physical, because of their ongoing commitment to their family. This government has taken the lead through its implementation of various policies that facilitate the protection of women and appropriately punish the perpetrator. I commend the Victoria Police for its willingness to overwhelmingly adopt and carry out these policies.

I will continue to campaign against the medicalisation of women's bodies under the guise of finding treatments for their illnesses. I will continue to advocate for preventive health instead of the reactive approach adopted by many in the interests of increasing the profit of pharmaceutical companies — not surprisingly their advocates are mostly men. The latest unnecessary medicalisation is the creation of the cervical cancer vaccine that I have spoken about in this house previously. If women do not smoke but eat healthily, exercise, generally live well and use a condom when having sex if they or their partners have other partners, they are highly unlikely to develop cervical cancer. This vaccine is perhaps better directed to the 80 per cent of women from developing nations who develop

cervical cancer, not forced upon a developed, hygienic society.

When I made my inaugural speech in 2003 my daughter was 11 months old, and as I spoke in this house, noticing that my shoulder had been the recipient of traces of her breakfast, Ashleigh made encouraging noises. Her familiar restless cry made me feel very comfortable in what I then considered to be the most intimidating and overwhelming environment that I had ever been in. Ashleigh is now almost five years old and has just commenced prep, joining Archie, her supportive and protective big brother, at school, and together we are all loving our new home in Gembrook.

I wish to thank my children along with the rest of my family, particularly my mum, dad and Christine. I would also like to thank my staff, Pauline, Robyn and Pam, who consistently put in 110 per cent to ensure that the needs of the Gembrook residents are met. I also say a very big thank you to John Conlon, my campaign manager, for his dedication and support. Many thanks to all the members who supported me throughout the campaign.

Again, I would like to thank the residents throughout the electorate. I look forward to achieving meaningful results for the benefit of our communities and our future.

**Mr MULDER** (Polwarth) — I rise to join the address-in-reply debate, and in doing so I open by welcoming the new members of Parliament to this place, particularly those who have joined the opposition benches with me. I would also like to thank my family — my wife, Sue, and Jessica, Leah, Erin, Jack, Henry and Tom — my committee back in Colac and all those people in the Polwarth electorate who decided to install me as the member for Polwarth for another term. Although we may be in opposition, nevertheless we are back here for another term.

I face a couple of new opponents because I note that the old transport portfolio has been cut in two. I wish the former Minister for Transport well in his semiretirement because he has been moved on. I look forward to tailing the new Minister for Roads and Ports and also the Minister for Public Transport and ensuring they get the same level of scrutiny that the former Minister for Transport endured over the last four years.

In listening to the Governor's speech to the Victorian Parliament, what stuck in my mind was the Governor's outline of a number of the so-called achievements of the Bracks Labor government and the plan the government has put forward for the next four years. As

I was listening to the Governor I could not help but think about the projects that were being outlined and wonder which of them was going to be dumped, because it was revealed in the lead-up to the election that we had found a massive black hole of about \$800 million. The government had overcommitted and over-announced different initiatives but there was no funding available to meet those initiatives.

I am concerned not just within my broader portfolio area but also for the electorate of Polwarth, because there are a number of projects I am looking to get funding for. I am concerned that, because of the reckless manner in which the government rolled out announcements leading up to the last election, a number of those projects will suffer as a result of that money not being available.

There were a number of projects announced by the government. Particularly in the portfolio of transport we felt that the government had badly let down the Victorian public in the last four years. Indeed the *Meeting Our Transport Challenges* document talks about a number of commitments that the government is prepared to make, but a number of those commitments are on the never-never. The commitments it has outlined will possibly be delivered by governments in the future, but they do not do anything to address the vital needs that the Victorian public expects and needs to have met in relation to major infrastructure projects.

I talked about issues such as grade separation for 177 level crossings across the metropolitan area alone. I know, Acting Speaker, that you would also appreciate that being done in rural Victoria, where there are of the order of 1500 passive level crossings that do not even have signals like flashing lights and have claimed a number of lives in the last two to three years.

The Liberal Party has made several announcements in relation to funding commitments for grade separation. We looked at real black spots at crossings in Springfield Road, Nunawading; Blackburn Road, Blackburn; Scoresby Road, Bayswater; North Road, Ormond; and Moorooduc Highway, Frankston — a number of major grade separation projects that would have made an enormous amount of difference. That was a commitment to something of the order of \$200 million. We were prepared to start that process rolling.

When you listen to talkback radio or follow the media, time and again the issue of grade separation comes up and the fact that nothing has been done to alleviate events such as vehicles being stranded at level crossings — just sitting there waiting, guzzling fuel and

blowing out greenhouse gases. We have a government that talks the talk but will not walk the walk when it comes to investing in those very vital areas of grade separations at level crossings and the crossing upgrades that are absolutely essential for country Victoria.

I would have to say that for me one of the most disappointing parts of the election campaign — apart from our losing, of course — was knowing that I could not implement a policy I had worked on for three or four years, and that was free public transport for students. This initially was interpreted by the government and some commentators as being something for education. But I am sure, Acting Speaker, that you would understand the issue for younger people who make their first trip to Melbourne. A lot of them sign up for university and then get homesick. A lot of them abandon their education because of separation from family, friends and loved ones.

This policy was about connectivity. It was about ensuring that at any time of the day or year young people could climb onto public transport and remain in contact with family and friends. I thought that policy would have delivered an enormous benefit for people in country Victoria in particular and for young students who make that first trip to Melbourne. Look at the difficulties of families that are separated and young people who are trying to keep in contact with both parents. The policy would have provided enormous social benefits. I hope the government will do something about it and be prepared to pick up that policy and examine it. I hope the government will, in having a look at the policy, understand the great social benefits it would have delivered to country Victoria.

It is great that I have two ministers here at the table — the Minister for Gaming and the Minister for Skills, Education Services and Employment — with responsibilities in two areas where issues are affecting my electorate. One issue is the redistribution of poker machines. I point out to the Minister for Gaming that the shires of Moyne, Corangamite, Colac Otway, Golden Plains and Surf Coast do not want them. We do not want them, and we do not need them.

The ministers are probably sitting down and doing their little division sums to decide where they think they can dump those poker machines. I have made it quite clear in the local media that neither I nor my constituents want them in Polwarth. The government should not talk about independent processes if it has regard to what is happening with gaming licences at the moment.

The statement made by the government about the gaming licences is probably the first statement it has been prepared to make, because we know the minister has been very elusive when dealing with the issue of gaming licences and talking about poker machines in general.

The other minister at the table, the Minister for Skills, Education Services and Employment — —

**Ms Allan** interjected.

**Mr MULDER** — No, Hampden Specialist School. I have sent the minister a letter about the problems that school is facing at the moment in relation to the bussing of students with disabilities. I would like the minister to have a look at that letter because the issue is very important for families in those areas.

Today the house has heard a number of announcements about what the government is doing in rural areas to combat bushfires and drought. Those people are affected, but particularly anybody who has a child with special needs in the home needs assistance. I look forward to getting a positive response to the letter I sent to the minister, because I have sat down with the students and parents at that school; I know what they go through on a day-to-day basis, and they need help.

I will go on to another issue in relation to local government and local roads. I will not go to the Governor's speech, but in relation to road projects I understand there were about 10 projects announced for the outer metropolitan area of Melbourne, but only one project was announced for regional and rural Victoria — that being that crazy, loopy crossover of the Waurn Ponds intersection, a \$62.5 million project announced by the government. The Governor covers that \$62.5 million in his address, but the project cost will actually be \$125 million. There is no additional money for it. The government claims that money is coming from the federal government, which has said, 'No, not from us'. I repeat: 10 major road projects were announced by the government for the metropolitan area of Melbourne but only one for regional Victoria.

If you compare that with the Liberal Party's policies in the provision of funding to local government, it would have allocated \$127 million for rural councils alone, because my party knows how vital that money is for rural councils particularly because of what they are facing now with the effects of the drought and the fact that those councils could face reductions in rate revenue. It is important that they get that level of support, but the government of the day has given

absolutely no indication that any support of that nature will be provided to rural councils.

At the same time as the Liberal Party announced that policy, it announced a policy to upgrade the Princes Highway and start a duplication process west from Geelong to Winchelsea. We announced that we would fund those safety upgrades to the remainder of the Princes Highway, through to the South Australian border, to the tune of \$10 million; we also announced that when in government, we would allocate \$10 million towards the upgrade of the Midland Highway. Also included in the announced funding was a proposal to seal the Omeo Highway — but those Liberal Party projects for country Victoria were nowhere near matched by the government of the day.

The other issue I refer to in the Governor's speech is the buyback of the freight network. What a debacle the house witnessed today! The Leader of The Nationals wanted to ask a question of the responsible minister, but no minister in this place — not the Premier, not the Treasurer, who is also the Minister for Regional and Rural Development, nor the Minister for Roads and Ports — knew who was going to take responsibility for the rail freight network. Nobody knew then, and they still do not know who is going to accept responsibility for a \$134 million business. They are not even ready to take it on board. What a shocking disgrace! How bad can it get?

When the new Parliament commenced the Premier got to his feet and said he would outline the new ministerial responsibilities in this house. I took a point of order and asked which minister was responsible for the rail freight network, but the Speaker ruled it out of order. Yet today it all unravelled in front of the government. No-one knows who is going to run it. An announcement was made that it was going to be VicTrack; it was said that VicTrack was going to take on the responsibility of running the rail freight network here in Victoria.

However, suddenly the government discovers that VicTrack is not an accredited rail operator and therefore cannot do it. Now the poor Minister for Public Transport, who did not want the job anyway and was demoted from the education portfolio, has had to take on the role of running the rail freight network, but she would not have a clue about where to start. She does not even realise that that is where the level of responsibility lies. Obviously the Minister for Regional and Rural Development did not know and the Premier did not know. What an absolute debacle we have had in these first three to four weeks of this Parliament, an absolute — —

**Ms Allan** — It has been two, actually.

**Mr MULDER** — Two; I tell you what; it feels like four.

I will just touch on a couple of issues within my electorate that I have some concerns about. Firstly, I raise the issue of the government's school-funding announcement in which it indicated that a number of schools would be upgraded. I want to see the list, and I want to see where on that list is the integration on the one campus of Colac College and Colac High School. It has the blessing and support of the regional office. I have got the letters — —

**Ms Allan** — Is it a good project?

**Mr MULDER** — A good project? My word it is! I have the letters in my office. It is a project worth about \$15 million. I would like to see when it is going to start and when the money is going to be made available. I would also like to see what is going to happen with the school at Bannockburn. Are we going to see a list of these schools? Are we going to see start and completion dates? Are we going to see dollars allocated? Or is it going to be the way it was when this government came to power and all of that decision making was taken away from the regional offices and pushed into a little office in Melbourne where people sat around a desk and decided where the money would go based on where the marginal seats were? That is not on, and we will certainly be fighting tooth and nail to make sure that schools in my electorate get the funding they require.

I will just touch also on the issue of water and the government's plan to hook Geelong up to Melbourne's water supply. We said all along that that should be ruled out. I live in an electorate that has an abundant water supply. It is not often that you see members prepared to give things away. The Otways and the Polwarth electorate have an abundant water supply. We have the Newlingbrook aquifer, which has the capacity to supply Geelong in its own right. The Liberal Party's policy was that that water should go to Geelong — out of the Polwarth electorate and over to Geelong. The government could not possibly grasp the concept at that time. The project has been identified for a number of years now. There is even a property that Barwon Water holds on the outskirts of Barwon Downs which was obtained 15 years ago as the potential site of a new dam; it could be used as a storage point for water coming from the Newlingbrook aquifer.

But with the water issue, you have to actually get your act together and work out what you are doing. It is no

good simply bouncing around from one idea or project to another without being ready to commit. As I said, we have water in the Otways capable of supplying some of those major regional cities. As the member responsible for the area, I say that that water should go; it should go to Geelong. We have plenty of water — —

**Ms Allan** interjected.

**Mr MULDER** — Have a look at our plan for Geelong, for Ballarat and for Bendigo. The whole thing was laid out in front of the government of the day.

**Ms Allan** — You copied our plan.

**Mr MULDER** — You adopted a fair bit of our plan at the end. You stole a lot of our water ideas at the end, shamelessly, but there was a lot more you should have taken! If you had adopted our plan for Geelong and Ballarat, you would not have had to go taking water from the other end of the state, because we have the water here and we have the capacity to deliver.

**Ms ALLAN** (Minister for Skills, Education Services and Employment) — It is a great pleasure to stand here to make a contribution to an address-in-reply debate, particularly as this is the third opportunity I have had to do so as the member for Bendigo East. If you look back to where we were in 1999, you see that Victoria, and particularly Bendigo, was a very different place. Pre-1999 we had a government that actively discriminated against central Victoria. We saw jobs leave central Victoria, we saw building projects for central Victoria ignored and we had a government that did not care about the future for central Victoria.

Today when you look around Bendigo you see it is a modern, vibrant, prosperous city. It is a city that has seen a significant increase in jobs. It is a city that has seen the relocation to it of the Rural Finance Corporation, which has brought along 40 very critical finance sector jobs. It is a city that has seen a massive injection of public infrastructure funds, whether for the construction of new schools, for our health services, for the employment of 100 extra teachers and staff in our schools or for the employment of an extra 229 nurses at the Bendigo hospital — nurses who get to operate the new radiotherapy and magnetic resonance imaging centres and who work with the air ambulance helicopter based in Bendigo.

Bendigo today is a very different city to what it was over seven and a half years ago. It is a city I am very proud to continue to represent as the member for Bendigo East. The reason I have the great privilege of standing in the house tonight to talk about representing the city of Bendigo is that it was only the Labor Party

which took a comprehensive plan to the last election, which was endorsed by the people of the city of Greater Bendigo.

That is not surprising when you consider the comprehensive nature of the plan that was before the people of Bendigo, which covered those critical service delivery areas of education, health, transport and community services. It was a plan that, sadly, was not endorsed by the opposition, particularly the Liberal Party. The two plans were put to the people of Bendigo. There was the Labor plan, which had infrastructure funding and critical projects for Bendigo, and then there was the scrooge-o-meter — the dead hand of the Liberal Party — which said no to these critical projects.

I want to take a moment to go through the range of projects that the Bracks Labor government will be delivering to the people of Bendigo over the coming four years. The first — and this is a project that I am particularly proud to say the Bracks government will be delivering — is the construction of four new secondary schools for years 7 to 10 for Bendigo. By 2010 every government secondary student in Bendigo in years 7 to 10 will be in a brand new school. This is a once in a lifetime opportunity to upgrade our secondary schools in Bendigo. This is an incredibly exciting opportunity because it means not just new buildings and facilities for those students but new opportunities for teachers. It means new opportunities for the community to get more involved with their schools. I am very proud to say that it was the Labor Party — and only the Labor Party — which committed \$72 million to this project.

Who were the only people around town who opposed this plan? It was the Liberal Party that opposed and wanted to scuttle the Bendigo education plan, a plan that had been endorsed by all the schools and school communities. It was the Bracks government that put up \$72 million. How much money do you think the Liberal Party put up? It put up nothing. It was the Liberal Party — —

*Honourable members interjecting.*

**The ACTING SPEAKER (Mr Jasper)** — Order! The member for Bass! The member for South-West Coast will have his opportunity when he stands in his place.

**Ms ALLAN** — The Liberal Party was putting itself up to the people of Bendigo as the alternative government and did not commit one single dollar to the Bendigo education plan. Its policy was to scuttle the Bendigo education plan, and that is an absolute disgrace. Over the next four years we will see students

in Bendigo in brand new buildings; we will see teachers in brand new classrooms. This is going to signify a very exciting opportunity for young people in the city of Greater Bendigo. As ongoing minister for education services, it is one I am very much looking forward to delivering.

**Mr K. Smith** interjected.

**The ACTING SPEAKER (Mr Jasper)** — Order! The member for Bass will cease interjecting or he will be put out of the house.

**Ms ALLAN** — Another important area of policy that the people of Bendigo care very much about is their health services. As I mentioned before, it has been a proud record of the Bracks government to have delivered considerably in the area of extra health services, whether it has been the extra 229 nurses in the Bendigo hospital, the magnetic resonance imaging services, the radiotherapy services or the air ambulance services. It is great to stand here tonight and say there is more coming over the next four years. That is why we saw the Bracks government make a commitment to the upgrade and redevelopment of the Bendigo hospital, with \$2 million for the planning of the redevelopment of the Bendigo hospital and \$1 million towards the expansion of the emergency department.

The Bendigo hospital provides an important service not only to the city of Bendigo but to the region as a whole. The board and management of the Bendigo hospital do a terrific job, and the Bracks government has backed them in doing that job. That is why we made that commitment at the November election.

We also know the importance of dental services. We know what the commonwealth government did in 1996 in completely slashing dental services for the whole country. Importantly it is the Bracks government that is going to spend \$14.5 million to build a dental school at La Trobe University, Bendigo, that will service the region. It is going to service part of your area, Acting Speaker, in the north-east. It will see around 13 000 patients being treated in a critical area of health. La Trobe University is, I am sure, going to do a terrific job in delivering dental services.

We also have not forgotten our ageing population. That is why we have committed \$12 million to the rebuilding of the Stella Anderson residential aged-care facility on a new site. In the last term we constructed and opened the 60-bed Joan Pinder Nursing Home — a nursing home which we had to save from the privatisation agenda of the former government and instead build as a public institution.

Acting Speaker, you might want to know what the Liberals had to say about those three critical areas of health policy for Bendigo. They had nothing to say. They did not make one commitment in those critical areas of service delivery for central Victoria. They were the absolute scrooges of the campaign in Bendigo during November. They once again did not make one single commitment to vital projects in central Victoria.

As I said, we also made important commitments to funding other community services, such as \$1.5 million for the redevelopment of the important Tom Flood Sports Centre, which makes sure that things like the Bendigo madison can go from strength to strength. We know how much people love cycling as a recreation sport, and it is also a great tourism attraction for Bendigo.

We also committed \$100 000 towards the construction of a skate park in Eaglehawk. That is an absolutely great project that the Eaglehawk Rotary Club has got behind in a big way. I think there is a reason why Labor was returned in a seat that not all that long ago was recognised as a heartland of the Liberal Party. Bendigo endorsed Labor's plan for our city because we had put the runs on the board over the last seven years. We will continue — —

*Honourable members interjecting.*

**The ACTING SPEAKER (Mr Jasper)** — Order! The members for Bass and Polwarth will cease interjecting. I will not have that going on any longer.

**Ms ALLAN** — I want to touch on a critical area of policy that marks the difference between Labor and the opposition parties and shows why it was important that central Victoria supported Labor at the last election. It was only Labor that had a 100 per cent commitment to the construction of the goldfields super-pipe. It was only Labor that had the money and that put the support up to make sure Bendigo's water supply was going to be secure for the summer of 2007–08. It was an absolute disgrace to see the Liberal Party put up a policy that was a complete copycat of Coliban Water's plan.

The now federal Minister for the Environment and Water Resources, Malcolm Turnbull, stood in Bendigo in the middle of 2006 and said that he would have an answer for Bendigo by the end of the year on federal government funding for this absolutely critical project. Here we are on Valentine's Day, and I can think of no better sweetheart gift for the federal Liberal Party to give to Bendigo than to provide that funding. But it is disappointing that here we are, well past the deadline of

31 December, and we still do not have an answer on federal government funding for the most critical infrastructure project Bendigo has seen.

It is the Bracks government that is pushing on with the job. Just last week we saw the Premier, the Minister for Water, Environment and Climate Change, the Minister for Police and Emergency Services and member for Bendigo West, and a member for Northern Victoria in another place, Candy Broad, stand there and see this project get off the ground.

Why did it get off the ground? Because the Bracks government, Coliban Water and Goulburn-Murray Water have worked very hard over the past nine months to get it off the ground. We did not want to sit around and wait for the federal Liberal Party. We did not want to sit around and wait for the Liberal opposition here in Victoria to copycat our policies. We got on with the job. That is why this project is up and running and why Bendigo can look forward to the future and know that it was not Labor that abandoned it, but the Liberal Party at federal and state levels that abandoned it, particularly when you consider that we are going through the worst drought in history.

Just last week some of my Labor colleagues had the opportunity to travel to Bendigo. They could see the impact of the drought on our city and how difficult it has been. They could see that only Labor had the plan for the future of the city of Bendigo, and that plan also complements the construction of the 14-kilometre recycled pipeline between Epsom and Spring Gully. It is a unique project that will recycle all of Bendigo's wastewater. Water from that project will replace the precious drinking water that is going on our parks and gardens and replace the precious drinking water that goes into irrigation and agricultural use. Importantly it will see more water secured for Bendigo. This project will be up and running by April. Once again, it is part of Labor's water plan and part of the water plan that the then Minister for Water released in September 2005. It is only the Bracks government that is delivering on this plan for Bendigo and for central Victoria.

I want to finish on another important project for Bendigo — that is, the securing last week of the call centre jobs in Bendigo. During the state election campaign it was incredibly disappointing to learn at very short notice that AAPT had decided to up stumps from Bendigo. It caused great concern among the workforce and in the community, but it was the Labor Premier of Victoria who stood up and said that he and his government would work to secure those jobs for Bendigo. Last Thursday it was the Labor government that delivered on that commitment to Bendigo with the

announcement that Excelior would take over AAPT's operation, secure those jobs until the end of 2007 and provide an opportunity for people to look to the future.

This is significant when you consider that over the last seven years we have seen over 113 000 jobs created in country Victoria. We should compare that with the 41 000 jobs created over the same period of time under the previous government. It is only Labor that believes in bringing jobs to country Victoria. Whether it has been the relocation of the State Revenue Office to Ballarat, the Rural Finance Corporation to Bendigo or encouraging private investment to Bendigo, only Labor has had a plan for Bendigo and central Victoria, and that is why I am very proud to say that the Minister for Police and Emergency Services and I will represent the city of Bendigo for the next four years and deliver on Labor's plan for the future of Bendigo.

**Dr NAPTHINE** (South-West Coast) — I rise to respond to the address by the Governor of Victoria, and in my response I wish to highlight the hypocrisy of the Bracks Labor government. The address by the Governor is crafted and presented by the spin doctors of the Bracks Labor government and represents the Labor government's view of where it has been and where it is going. I think it is important that we analyse this speech and analyse whether the government's rhetoric is matched by reality. I would suggest that there is a significant gap between the rhetoric and the spin in the speech and the reality. Let us deal with some of the issues. Page 12 of the speech says:

There will also be a freight upgrade of the Mildura line ...

We are talking about rail services. On behalf of the state government the Governor has announced that it will upgrade the Mildura rail line. I have a sense of *deja vu* about the upgrading of the Mildura rail line, because I remember the May budget of 2001. The then Treasurer announced that the government would provide \$96 million to upgrade and standardise the Mildura rail line. If you look at *Hansard* of 30 May 2001 — —

**Mr Nardella** — You closed it! What are you talking about?

**Dr NAPTHINE** — The member for Melton interjects and shows how ignorant and stupid he is, because that line was never closed. The member for Melton does not know what he is talking about — like the government.

In May 2001 the Minister for State and Regional Development was reported as saying:

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

This outstanding investment, dragging the rail system into the 21st century, will secure the development of the emerging mineral sands industry in Victoria's north-west. It is estimated that up to 1 million tonnes of mineral sands will be shipped from the north of the state down through the port of Portland over the next five years.

Further:

It took just two budgets under the Bracks government.

Two budgets to get an announcement! In the Governor's speech of 2006 — and we are now in 2007 — the government reannounced that it is going to undertake a freight upgrade of the Mildura line. That is because not 1 metre, not 1 centimetre, not 1 millimetre of that track has been upgraded in those six long, dark years of the Bracks Labor government, those long, dark years of the Bracks city-centric government which has ignored country Victoria. It makes promises, but fails to deliver, and this Governor's speech is all about promises, spin and rhetoric, but when you analyse it you see that this government simply fails to deliver on that rhetoric.

A press release of 18 June 2002 from the then Minister for Transport states:

More than 300 tonnes of steel rail have already been delivered ... and a further 2000 tonnes are on the way ...

In addition to the \$3 million order of steel rail ... 12 contracts —

have been awarded. It further states:

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

and that was in June 2002. The government made the announcement in 2001, bought the steel, released the contracts and took all this action, but there has been no action and no conversion of that rail freight gauge. It is absolutely disgraceful.

**An honourable member** — Where are the sleepers?

**Dr NAPTHINE** — We know where the sleepers are; they are all in the cabinet and on the backbench of the Labor Party — all talk and no action. Unfortunately this Governor's speech is similar; it is full of talk and no action.

We have had plenty of talk in this debate about climate change, environment and water. Yet one of the most

significant new sources of energy which we should be exploring in Victoria is geothermal energy. We had a geothermal energy situation at Portland in Victoria. We had a geothermal bore providing heat to buildings in the area, but guess who closed it down? It was the Bracks Labor government. In the middle of last year the city-centric Bracks Labor government closed down the geothermal bore in Victoria.

**Business interrupted pursuant to standing orders.**

## ADJOURNMENT

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

That the house do now adjourn.

### Flinders: jetty upgrade

**Mr DIXON** (Nepean) — I wish to raise a matter with the Minister for Water, Environment and Climate Change regarding Flinders jetty. I ask the minister to announce what the time line will be for the reconstruction of the jetty at Flinders, as was promised at the election last year.

I received a letter from Geoff Sutherland of the Flinders Mooring Association, which is the association that represents all the users of Flinders jetty. He said:

Recent surveys of the jetty by engineering consultants and Parks Victoria indicate it is unsafe and certainly cannot be used by heavy vehicles needed to economically service the aquaculture industry. Truck use is now limited to 8 tonnes for only the western section of the jetty, which is unsatisfactory for all parties.

...

For several years all interested parties who use the jetty facility have indicated that the facility is unsafe and requires reconstruction and as one of the spokespersons for the interested parties, we are anxious to protect all users from the unsafe conditions.

The Flinders jetty is used by a number of users. The Flinders Mooring Association represents those users. Professional fishermen who keep their boats in the vicinity unload and load them from the jetty. Many amateur fishermen not only fish from Flinders jetty but also load and unload their boats from it. Operators in the important aquaculture industry, which is located north of the jetty, also use it for their catches — for the loading and unloading of barges and service vehicles. The pilot for all ship movements in and out of Western Port moors his boats at Flinders jetty and uses it to access the pilot vessel. Many recreational yachts and motor boats use that facility as well.

There is a particular issue affecting the aquaculture industry. The industry is being held back by the condition of this jetty. It has been encouraged to expand, but unfortunately that cannot happen because of the amount of loading and unloading of racks of mussels that is required. The fuelling of the boats also cannot happen in a timely fashion because of the weight restrictions on the jetty. Those weight limits have been reduced significantly in the last couple of years. Some replanking of the pier has taken place, but the piles and bearers are deteriorating terribly. Most of them need replacement and some of them are nearly hollow.

The aquaculture and fishing industries need some sort of certainty regarding the time line. When is this money going to be spent? How long will it take? We need to know so that those important industries can invest in their futures. As Mr Sutherland said, we kindly ask the minister to investigate the situation and the availability of funds, as was promised by the Premier.

### Racing: rule harmonisation

**Mr ROBINSON** (Mitcham) — I raise an issue for the Minister for Racing pertaining to a push for the harmonisation of the rules of racing. I am seeking the minister's undertaking to put this issue forward at the next racing ministers conference.

**Mr Trezise** interjected.

**Mr ROBINSON** — Yes, it is an excellent conference that is not paid the respect it deserves. I am sure the member for Geelong agrees.

The issue was canvassed recently at the 31st Asian Racing Conference held in Dubai. I am grateful to well-known race broadcaster Bryan Martin, who is a very excellent race caller. He is a constituent of the Mitcham electorate and offers me the benefit of his knowledge from time to time. He has drawn my attention to a number of the papers presented at the conference. One of those papers emanated from a panel discussion involving stewards that was chaired by the chief steward in Victoria, Des Gleeson. I am sure that all members of the house will want to join with me in acknowledging the excellent work that Des Gleeson does in overseeing the integrity of racing in Victoria.

The highlight of the panel discussion was an exercise that was presented to stewards from nine countries requiring them to interpret different scenarios involving a protest in a race. The panel found that the scenarios were played out entirely differently by the nine stewards because the rules of racing vary from jurisdiction to jurisdiction. In India, for example,

different outcomes were reached, because under the Indian rules of racing, horses that suffer interference but finish within the first four horses cannot be promoted and have no right of appeal.

This is also an issue closer to home. When I was in New Zealand last year there was some commentary in the *New Zealand Herald* about a prominent race there. I think it was a group 1 race at Te Aroha. The way the protest was interpreted there was quite different from the way it would have been interpreted in Victoria. This is important because we are increasingly moving towards the mingling of pools, where punters in New Zealand, Australia and elsewhere will be able to share the one pool in racing. If we are going to go down that path, it is important that punters know that the same rules for arguing protests will be applied in each jurisdiction.

It is not an easy challenge. I know a lot of good work has been done, and it is an area where we will not anticipate quick results, but I believe it is an issue that is important enough for the racing minister to put this forward at the next meeting of racing ministers.

### **Bushfires: government assistance**

**Mr NORTHE** (Morwell) — The action I seek is for the Treasurer to change the emergency relief grants criteria in his capacity as the head of the bushfire task force. The issue relates to residents in the Morwell electorate whose homes were destroyed in the December 2006 bushfires. I ask the Treasurer to change the criteria for the disaster assistance funding program as it relates to people who have suffered significant personal losses.

Whilst I acknowledge the good work from all forms of government in assisting tourism and business recovery, some in my electorate feel strongly that the families who lost homes have missed out due to the stringent eligibility criteria for funding. I refer to a media release from the Office of the Premier dated 15 December 2006, which carries the headline ‘Grants for bushfire-affected householders’. The program was intended to provide personal hardship grants for residents who lost their homes and deserves to be commended. For those not familiar with the program, it provides \$900 for emergency grants, up to \$7300 for temporary living expenses and up to \$14 600 for structural repairs and household items for those without insurance.

My concern is not with the \$900 emergency grants, which I believe have been received by those households unfortunate enough to have had their homes burnt. My

concern is with the other grants — totalling up to \$21 900 in value — for temporary living expenses, structural repairs and household items. While these grants sound good on paper, qualifying to receive any assistance is both onerous and highly restrictive — for example, eligibility is means tested, and anyone holding personal insurance is effectively excluded from receiving such grants. In essence, the current arrangements reward people for not having insurance. In other words, if you do the right thing and insure your property, you are not likely to receive any government assistance. Keep in mind that the people who take out insurance are also paying the fire levy which funds the Country Fire Authority operations in the first place.

We have the ridiculous situation where one person who loses their home and has no insurance — and therefore makes no contribution to the fire levy — could receive up to \$21 900 under this system, while the next door neighbour, who is in exactly the same situation and has lost his home in the same bushfire but has purchased insurance and consequently helps to fund firefighting services, is ineligible for this assistance. Of course we should support the persons who are underinsured or who have low incomes, but conversely we should also provide assistance of more than \$900 to those families who are insured but have lost everything.

The Gippsland Emergency Relief Fund has already distributed more than \$135 000 in much-needed assistance for more than 90 families throughout this crisis. Local businesses, local government and the Gippsland community are all leading the way in making donations and administering this important fund.

I ask the Treasurer to consider the fairness of a system that discriminates against people who have taken out insurance as their own personal risk mitigation plan. As I said at the outset, the action I seek is for the Treasurer to change the emergency relief grants criteria in his capacity as the head of the bushfire task force.

### **Cancer: Avastin**

**Mrs MADDIGAN** (Essendon) — I raise a matter for the Minister of Health. I ask her to do a number of things in relation to making cancer-fighting drugs such as Avastin available to people suffering from cancer, and particularly to work with Roche Pharmaceuticals and her federal and state ministerial colleagues.

Avastin is one of a series of cancer-fighting drugs that have been approved by the Therapeutic Goods Administration but not listed on the pharmaceutical benefits scheme (PBS). It is currently being trialled at a

number of Victorian hospitals, including the Royal Melbourne Hospital. The manufacturer, Roche, has not applied for PBS listing. It believes it will be knocked back, so it has not proceeded with trying to get acceptance for the drug on the pharmaceutical benefits scheme. This is the same argument that was used in relation to the drugs Glyvec and Herceptin. Glyvec is now approved and Herceptin will be considered for acceptance on the PBS in July.

It is reported that the chairman of the Pharmaceutical Benefits Advisory Committee, Professor Sansom, is frustrated with Roche and thinks it should submit Avastin for cost-benefit analysis. I would have thought that that coming from the chair of the Pharmaceutical Benefits Advisory Council is a fairly strong indication that it should be considered. The clinical director of the Peter MacCallum Cancer Institute, Professor Zalberg, also supports the inclusion of the drug for a number of cancers. It is used for cancers such as colon cancer, breast cancer and bowel cancer, and is currently being investigated for use in other cancers as well. Currently it costs people who need to use the drug something like \$4500 per month, and in some cases the cost of the treatment has been up to \$60 000.

Obviously, therefore, this is a drug that can currently be used only by wealthy patients. Given that the pharmaceutical benefits scheme was put into place to allow all members of the community to have access to drugs, it seems unfortunate that they are being excluded from access to some because of the costs. I know Roche says it has spent a great deal of money on research to produce this drug, which is quite true, but the fact that it has not taken the matter any further really causes some concern.

I would like the minister to have her staff work with Roche to assist it in making an application to the pharmaceutical benefits scheme, because it is a drug that does in fact prolong the lives of many cancer sufferers — but obviously at the moment at such a cost that restricts its use very much. It is often claimed that our country cannot afford to have these sorts of expensive drugs on the pharmaceutical benefits scheme, but Australia is not a poor country, and it certainly should be in a position to support all residents to ensure that they get the best medical treatment and drugs they can.

### **Buses: Bulleen service**

**Mr KOTSIRAS** (Bulleen) — I wish to raise a matter for the attention of the Minister for Public Transport. The action I seek from the minister is to investigate the proposal to stop the bus service on

route 283 that currently services residents in the Bulleen area and to replace it with a new service travelling along Templestowe Road to Heidelberg station. I want the minister to investigate the possibility of providing both services — that is, to retain route 283 and to provide a new service to Heidelberg station. Both these services are needed to cater for the residents in my electorate, especially children with disabilities who attend Bulleen Special School.

I have had many residents write to me concerned about the proposal to do away with route 283, while at the same time I have had residents who live along Templestowe Road tell me they are pleased that finally they will have access to a bus service that connects to a train station. As you know, Deputy Speaker, my constituents are not privileged enough to have a train station in my electorate, which is very unfortunate.

I will quote from a letter sent to me recently by a resident:

*I was disappointed to learn that there is a proposal to change the 283 bus route. This proposal was advertised in this week's Manningham Leader ...*

*The current route caters for a variety of people ranging from parents with young children, school students and the elderly. The proposed new route will isolate many people who rely on this valuable service.*

*The new route includes only a small section of the current 283 route and will follow existing bus routes ... It clearly affects Bulleen residents.*

*The current route travels along many Bulleen residential streets that enable commuters to hail the bus at more convenient locations that are some distance from main arterial routes and subsequent existing bus routes.*

*If the proposed change to the 283 route takes place, many residents in the Bulleen area will be disadvantaged. I am hoping that you can use your position in the community to discourage this proposed change to this bus route.*

*My family and I have been residents in this area for 40 years. I am hoping that one day my young boys will use this service to gain access to the wonderful facilities that our community offers.*

That is just one example of many letters I have received from residents asking for both bus services to be provided. I urge the government to investigate this and to perhaps provide enough money to ensure that both services are available to the residents of Bulleen — that is, the bus service that takes residents to Bulleen Special School and Bulleen shopping centre, and also the bus service that will go along Templestowe Road to Heidelberg station, because residents need a way to get to the station to get into the city. At present they have no such service. The government must investigate the

situation and provide additional funds to ensure that both services are available to residents in Bulleen.

### **Police: Operation Nightlife**

**Mr TREZISE** (Geelong) — I raise an issue tonight for action by the Minister for Police and Emergency Services. The adjournment issue I raise for the minister relates to the policing operations on Geelong streets after dark, especially on Thursday, Friday and Saturday nights.

**An honourable member** interjected.

**Mr TREZISE** — I will tell you about this, because it is an important issue in Geelong. It would be fair and accurate to say that prior to January this year violence and other criminal behaviours were relatively regular occurrences in the Geelong central activity area, especially late at night and especially on weekends. But since early January Geelong police have adopted a zero tolerance policy for illegal behaviour on Geelong streets, and I must say it has met with outstanding success. Therefore the action I seek is for the minister to work with Geelong police to ensure the ongoing success of this late-night, weekend operation.

The program was implemented in January of this year under the banner Operation Nightlife. Statistics show that police have been proactive and visible in stamping out violent, criminal and antisocial behaviour on Geelong's central activity district streets on Thursday, Friday and Saturday nights. Since Operation Nightlife commenced 201 people have been charged with 226 offences. Public drunkenness is the main cause of arrests, with 137 people being charged for this offence. Only last weekend 43 charges of public drunkenness were laid.

However, Operation Nightlife is about more than statistics. It is about minimising the risk of violence on Geelong streets by taking drunks off our streets. There has been a significant decrease in the number of assaults in the past four weeks as a result. Sergeant David Cooper was quoted in last Monday's *Geelong Advertiser* as saying:

The positives are that the windows aren't getting broken, the offensive behaviour has all but disappeared and assaults have decreased ...

...

Criminal damage is down approximately 70 per cent and the people who used to think it was okay to come in, get drunk and start fights have also realised that they no longer run this town and that their behaviour is completely unacceptable ...

I have spoken to a number of young people who enjoy Geelong's nightlife and clubs. I have been out with the police late on a Saturday night to examine their work. I can assure the house that Operation Nightlife has been a complete success. I look forward to the minister's ongoing support and action to ensure Operation Nightlife continues.

### **Bushfires: government assistance**

**Mr INGRAM** (Gippsland East) — I raise a matter for the attention of the Minister for Regional and Rural Development in his role as chair of the government's bushfire task force. The action I seek is for the government to take appropriate action to assist the businesses and communities affected by the recent bushfires across Gippsland.

A number of issues have come out of the fires. One is the impact on tourism businesses, food businesses and other businesses affected by the fires. They have lost significant income due to the fires. People are not going to towns like Bruthen and places in the Tambo Valley. Licola, Dargo, Buchan and other places have been seriously impacted by the bushfires because people have not been able to get to them. A number of businesses which have made representations to me have lost large portions of their annual incomes because people were not able to get to those communities. It is my view that the government needs to make appropriate grants available to those who can prove they have lost significant income and will be seriously impacted by that.

There are a number of other issues relating to farmers who have lost significant amounts of fencing. A number of properties in Licola have lost significant lengths of fencing along the rivers and some of the roads. The cost of replacing those fences will impose significant financial penalties on those farmers. All that some of those farmers want is reasonable access to the state forest to get suitable timber for fence posts. That would assist them in recovering from the bushfires.

I would like to put on the record my thanks to the firefighters, the Department of Sustainability and Environment and the Country Fire Authority for the excellent work they did in saving a lot of private property during the fires, particularly along the southern flank of the fires. They did an excellent job of stopping the fire coming onto private property in that area and causing significant loss to land-holders.

A number of proposals have come forward from the East Gippsland and Wellington shires in response to the fires. I think the government should address the issues

coming out of those submissions. One of the proposals, which I think is a very good one, is similar to the proposed concert at Traralgon. It seeks to hold a similar event in Bairnsdale to recognise the people who contributed to the fire effort. I have a letter from community members wishing to organise such a celebratory concert. I would like the government to fund that concert to ensure we recognise the volunteers and the support of the community — —

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

### **Country Fire Authority: Christmas Hills brigade**

**Ms GREEN** (Yan Yean) — I raise a matter for the attention of the Minister for Police and Emergency Services. The action I seek is for the minister to support the building of a new Country Fire Authority shed at Christmas Hills North.

Christmas Hills brigade is a fantastic local brigade, ably led by Captain Neil Kamminga. It performs a great role in a very fire-prone area around Sugarloaf Dam and along the Yarra River. It has a large response area to cover, and currently it has two sheds. The main shed is in the Bend of Isles, in the environmental living zone. It is highly vegetative, and the residents like it that way. It is quite a task to manage fires in that area, and the brigade does a fantastic job in educating the community. I had the privilege of attending one of those education sessions a few months ago and saw how well prepared and caring the brigade is of the whole community.

The southern shed is in the heart of the community, and once a month a fundraiser is held for the brigade called Café Benders. It is where we catch up on gossip and on what is happening in the Bend of Isles. Lovely muffins and home-made cakes are for sale. I look forward to visiting on Saturday, because it is a very good CFA shed. However, the northern shed is in a state of disrepair. It is too small for the modern vehicles of today and also has some white ant infestation. Importantly, it is on a dangerous bend on the very busy Eltham-Yarra Glen Road, which presents a problem when the members have to turn out to an event. They have to drive across and down the road verge to get out onto the road safely.

The brigade has a new tanker, which I look forward to handing over soon. The tanker was deployed in the north-east, with 'Christmas Hills' on the side, to fight the recent bushfires up there — but it was deployed before the members from Christmas Hills saw it. I want

to put on record my thanks to the Christmas Hills members, many of whom have fought fires out of their area during recent events. They are very generous. They have done that in previous years, and I know they will commit to do that again. I think the brigade would benefit from a new station, and it is something the government committed to during the election campaign.

I urge the minister to give that consideration in his future deliberations on projects that need to be brought forward, and I look forward to seeing a new shed at Christmas Hills North in the near future.

### **Buses: Bass electorate**

**Mr K. SMITH** (Bass) — I have a simple request for the Minister for Public Transport. I ask for a frequent public bus service to run between Lang Lang, Koo Wee Rup and Pakenham, like the one they have in Bendigo. After listening to the Minister for Skills, Education Services and Employment tonight, I understand that they have a magnificent service.

**Ms Allan** — On a point of order, Deputy Speaker, I want the member for Bass to correct the record. Unfortunately there is no bus that runs from Bendigo to Koo Wee Rup and Pakenham. I want the member to stick to the facts!

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

**Mr K. SMITH** — I stress to the minister that there is a desperate need for public transport in the form of a regular and frequent bus service for this badly neglected area. There is currently a V/Line bus service that connects Lang Lang and Koo Wee Rup to Cranbourne and Dandenong, but there is no community of interest between Cranbourne and Dandenong.

There is strong interest in having a regular hourly service between the towns I have mentioned and Pakenham. Koo Wee Rup and Lang Lang are developing towns that are now virtually on the outskirts of Pakenham, and they take the overflow from the rapid development of that area. Koo Wee Rup is a thriving town, with new estates springing up everywhere. It has a fantastic state secondary college and primary school, although they are neglected by the government, and a great Catholic primary school. There is a large swimming pool, a community hall and a bustling shopping centre. I say to the minister as a matter of interest that the residents are very keen to get natural gas connected to the town and bring industry, jobs and a reduction in gas prices.

Lang Lang is also a great town with a reputation as a town that supports its own community, with development occurring at both ends of the town and new businesses opening there all the time. It was promised gas by this government, and I say to the minister: do not let these people down, because the government will suffer.

The issue I raise today is in regard to a regular and frequent bus service to connect these two towns to Pakenham, which is a city that is developing at a rate of about 50 families a week, has shops the people from Koo Wee Rup and Lang Lang want and need, and has an electric train service that people can take to travel to Melbourne if they wish, on zone 2 rates, which was a commitment made by the Liberal government and followed by this government at the time. This socialist government once again followed the Liberals lead. I ask the minister to accept the will of the people in this instance and provide a frequent — like an hourly — bus service to connect these two towns to Pakenham.

### **Youth: transition support workers**

**Mr PERERA** (Cranbourne) — I raise a matter for the Minister for Skills, Education Services and Employment. I call on the minister to take action to ensure that the youth transition support workers are operating as soon as possible so that assistance can be provided to the youth in Cranbourne and surrounding areas.

I am pleased that my constituents will benefit from the Bracks government's transport support initiative, which was announced last year. Young people who have not completed year 12 or its equivalent, or who do not have work, will be able to access appropriate services to help them obtain employment or study. This initiative will be of great benefit to young people in Cranbourne who have been disengaged from education. I am proud to be part of a youth network consortium which is delivering for our youth of Cranbourne. I am also part of a community group in Carrum Downs which has come up with initiatives to work with our young people in Carrum Downs.

I am proud to note that the Bracks Labor government recently announced \$600 000 over three years to assist all our residents in Frankston North, including the young people, to deliver a Frankston North community renewal program. The youth network consortium of Cranbourne was formed by me with several impressive community leaders, including a local councillor, a local minister from the Cranbourne Uniting Church and a coordinator from a local TAFE.

I say to the minister that our young people are our future. Last year the minister announced that the local learning and employment network area of Frankston would benefit from this program. This area is to receive two workers. That was fantastic news for the local community. However, I ask the minister to ensure that young people benefit from this initiative immediately.

### **Responses**

**Ms ALLAN** (Minister for Skills, Education Services and Employment) — I am pleased to rise tonight to respond to the matter raised by the member for Cranbourne. I would like to acknowledge the member for Cranbourne's support of young people in his electorate. I have had the great pleasure of meeting on a couple of occasions with young people from his electorate. The member has organised opportunities for me in my former role as youth affairs minister and my ongoing role in education services to meet not just with young people but also with the organisations that have come together in the Cranbourne area to support young people.

The member for Cranbourne is seeking action regarding the Bracks government's \$10 million youth transition support worker initiative that is seeing the rollout from the start of 2007 of youth workers to help young people who are not engaged with education, training or employment, to help them to reconnect in those critical areas so that they can go on to further education, further employment and, as we know, to further connect with their community.

I am very pleased to inform the member for Cranbourne tonight that the support workers in the Frankston Mornington Peninsula Local Learning and Employment Network, which includes his part of the world in Cranbourne, have commenced. They have just started in his area, and they have started accepting referrals since January to see that those young people are connected with a range of services across education, training and employment.

I look forward over the course of 2007 and beyond to seeing the results of this initiative. I thank the member for Cranbourne for his support of this new program and his support of young people and the youth organisations in his part of the world.

The member for Nepean raised a matter for the Minister Water, Environment and Climate Change.

The member for Mitcham raised a matter for the Minister for Racing.

The members for Morwell and Gippsland East raised matters for the Minister for Regional and Rural Development in his capacity as chair of the bushfire task force. As the house heard in question time today, that task force is ensuring important initiatives are being delivered to those parts of the state that have suffered badly, including the area of Gippsland East which we had the opportunity to see firsthand as part of our community cabinet visit only last month.

The member for Essendon raised a matter for the Minister for Health regarding cancer services and the pharmaceutical benefits scheme.

The members for Bulleen and Bass raised matters for the Minister for Public Transport.

The members for Geelong and Yan Yean raised matters for the Minister for Police and Emergency Services.

Those nine matters will be referred to those ministers for their action and attention.

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

**House adjourned 10.31 p.m.**

