

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT

FIRST SESSION

Wednesday, 2 May 2007

(Extract from book 6)

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By authority of the Victorian Government Printer

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The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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Standing Orders Committee — The Speaker, Ms Barker, Mr Kotsiras, Mr Langdon, Mr McIntosh, Mr Nardella and Mrs Powell.

Joint committees

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Drugs and Crime Prevention Committee — (*Assembly*): Ms Barker, Mr Morris, Mr Delahunty, Mrs Maddigan and Mr McIntosh. (*Council*): Mr Leane and Ms Mikakos.

Economic Development and Infrastructure Committee — (*Assembly*): Ms Campbell, Mr Crisp and Ms Thomson. (*Council*): Mr Atkinson, Mr D. Davis, Mr Tee and Mr Thornley.

Education and Training Committee — (*Assembly*): Dr Harkness, Mr Herbert, Mr Howard and Mr Kotsiras. (*Council*): Mr Elasmarr, Mr Finn and Mr Hall.

Electoral Matters Committee — (*Assembly*): Ms Campbell, Mr O'Brien, Mr Scott and Mr Thompson. (*Council*): Ms Broad, Mr Hall and Mr Somyurek.

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Law Reform Committee — (*Assembly*): Mr Brooks, Mr Clark, Mr Donnellan and Mr Lupton. (*Council*): Mrs Kronberg, Mr O'Donohue and Mr Tee.

Outer Suburban/Interface Services and Development Committee — (*Assembly*): Ms Green, Mr Hodgett, Mr Nardella, Mr Seitz and Mr K. Smith. (*Council*): Mr Elasmarr, Mr Guy and Ms Hartland.

Public Accounts and Estimates Committee — (*Assembly*): Ms Graley, Ms Munt, Mr Scott, Mr Stensholt, Dr Sykes and Mr Wells. (*Council*): Mr Barber, Mr Dalla-Riva, Mr Pakula and Mr Rich-Phillips.

Road Safety Committee — (*Assembly*): Mr Eren, Mr Langdon, Mr Mulder, Mr Trezise and Mr Weller. (*Council*): Mr Koch and Mr Leane.

Rural and Regional Committee — (*Assembly*): Mr Eren and Mr Northe. (*Council*): Ms Darveniza, Mr Drum, Ms Lovell, Ms Tierney and Mr Vogels.

Scrutiny of Acts and Regulations Committee — (*Assembly*): Mr Brooks, Mr Carli, Mr Jasper, Mr Languiller and Mr R. Smith. (*Council*): Mr Eideh, Mr O'Donohue, Mrs Peulich and Ms Pulford.

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Council — Clerk of the Legislative Council: Mr W. R. Tunnecliffe

Parliamentary Services — Secretary: Dr S. O'Kane

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FIFTY-SIXTH PARLIAMENT — FIRST SESSION

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Deputy Leader of the Parliamentary Labor Party and Deputy Premier:

The Hon. J. W. THWAITES

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Mr E. N. BAILLIEU

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

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Leader of The Nationals:

Mr P. J. RYAN

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Wednesday, 2 May 2007

The SPEAKER (Hon. Jenny Lindell) took the chair at 9.33 a.m. and read the prayer.

NOTICES OF MOTION

Notices of motion given.

Ms GRALEY gave notice of motion:

Honourable members interjecting.

The SPEAKER — Order! Members are to show some respect to the member who has been given the call. If members wish to have conversations, they should do so somewhere other than in the chamber.

PETITIONS

Following petitions presented to house:

Planning: Lara structure plan

To the Legislative Assembly of Victoria:

The petition of the residents of Lara draws to the attention of the Legislative Assembly that there are applications to amend the Lara structure plan.

We the petitioners therefore request that the Legislative Assembly of Victoria do not allow the parcels of land adjacent to Serendip Sanctuary in Windermere Road to be rezoned from rural living to residential 1. The land is bounded by Forest Road North in the west and Flinders Avenue in the east. (This includes the proposed Caddys Road development).

By Mr EREN (Lara) (879 signatures)

Rosebud Hospital: obstetric services

To the Legislative Assembly of Victoria:

The petition of concerned community members across the Peninsula and greater Victoria draws to the attention of the house the closure of birthing services at Rosebud Hospital.

The petitioners therefore request that the Legislative Assembly of Victoria act to honour the Victorian maternity services policy, *Future Directions*, and re-open Rosebud maternity unit to births, as a primary midwifery unit, similar to Ryde and Belmont in New South Wales.

By Mr DIXON (Nepean) (1003 signatures)

Tabled.

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

DOCUMENTS

Tabled by Clerk:

Auditor-General — Giving Victorian children the best start in life — Ordered to be printed

Major Events (Crowd Management) Act 2003 — Order declaring a managed access area under s. 7

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

Cardinia — C79

Casey — C92

Maroondah — C59

Melton — C58

Stonnington — C69

Yarra — C59

Statutory Rules under the following Acts —

Children, Youth and Families Act 2005 — SR 24

Domestic Building Contracts Act 1995 — SR 25

Health Services Act 1988 — SR 26.

MEMBERS STATEMENTS

National Youth Affairs Conference

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — Yesterday I had the honour of opening the National Youth Affairs Conference, the first of its kind to be held in Australia since 1998. With over 600 attendees from Victoria, interstate and overseas, the conference has been convened for both young people and those who work with them. Over the three-day conference delegates will network, share ideas, discuss new research on youth issues, formulate new policy and best practice for the youth sector and, importantly, support and celebrate the participation of young people from across Australia.

The Bracks government is proud to have provided funding of \$50 000 for the conference. With additional funding to key peak and youth advisory bodies like the Youth Affairs Council of Victoria (YACVic) and the Centre for Multicultural Youth Issues, the Bracks government is ensuring that young people are at the centre of policy discussion. This is in stark contrast to the way the Howard federal government treats young people. There is no minister for youth affairs in the federal government who is responsible for and accountable to young people. There is no national youth affairs council whereby young people can directly advocate on national youth issues. Not only does the

Howard government ignore young people, it goes out of its way to attack young people, whether with the unfair WorkChoices legislation, which strips away employee rights, or with the recent changes to the Electoral Act, which disenfranchises thousands of young people who have reached voting age but who are not yet enrolled to vote at the time of the election. I am sure these will be issues discussed at the conference.

I would like to extend my congratulations to YACVic for organising the conference, and I look forward to hearing from it about the outcomes of the discussions.

St Aloysius Primary School, Caulfield: speed zone

Mrs SHARDEY (Caulfield) — On 14 March in this place I raised the issue of the parents of the St Aloysius Primary School in my electorate signing a petition calling for a 40-kilometre speed zone on Balaclava Road outside their school. The request by the school for a speed zone came after a child was hit by a car near what is a very busy intersection. The matter has been raised by parents publicly, and they were delighted when I agreed to raise it in Parliament on their behalf.

I was therefore shocked to receive a letter from the Minister for Roads and Ports some five weeks after my request saying that because student gates are not located directly onto Balaclava Road, even though the majority of students cross this busy road, the school does not qualify for a speed zone. Clearly this minister and this government lack the sort of flexibility required to put the safety of children before their bureaucratic little rules and sensible decision making.

Israel: independence celebrations

Mrs SHARDEY — On a further issue I would like to offer my congratulations to the Jewish community on the celebration of the 59th year of Israel's independence. I hope members enjoy the celebration tonight at the Windsor Hotel.

Sustainable Living® Fabrics, Oakleigh

Ms BARKER (Oakleigh) — Sustainable Living® Fabrics is an Oakleigh-based business that has been supplying superior quality commercial furnishing fabrics for contract application in Australia over the past 35 years, and I wish to record my congratulations to this company for its outstanding leadership and contribution to a more sustainable future. Sustainable Living® Fabrics is the only company to offer its entire Green Living Collection® as certified environmentally

preferable and is also now 100 per cent carbon neutral, offsetting CO₂-equivalent emissions.

For over 35 years Living Fabrics has been an Australian name synonymous with superior quality commercial furnishing fabrics supported by excellent service. On 20 May 2005 'Sustainable' was added to 'Living Fabrics' when the entire range of fabrics was licensed to carry the Good Environmental Choice ecolabel. This was the first commercial furnishing fabric company to offer fabrics with this label to the Australian market and the only company to offer its entire range of fabrics as certified environmentally preferable.

In July 2006 the company was a finalist in the eco-innovation category of the 2006 Banksia Awards, and this year the company has again been recognised for its outstanding commitment to the environment by winning the small business category of the Premier's sustainability awards, an award program which recognises the contribution of Victorian businesses, communities and individuals working towards a more sustainable future. Managing director Bill Jones and marketing director Kay Jones are to be congratulated for their hard work in achieving these high environmental standards; for their outstanding knowledge of the industry; for what is needed to achieve these high standards; and for their very credible management.

Water: irrigators

Mrs POWELL (Shepparton) — I have received a number of complaints at my office from irrigators angry at the inequitable application of the \$5000 rebate on fixed water supply charges. I have also received a letter, dated 12 April 2007, from Mr John Wilson, the general manager of Fruit Growers Victoria, who has been approached by many of the organisation's members.

Their concerns are that the method for the application of the rebate is inequitable, because irrigators who have consolidated their water accounts into a single account have received only one \$5000 payment, while irrigators who have multiple service points with separate accounts have received multiple payments of \$5000. These irrigators believe they have been penalised for their efficiency. Many consolidated their water accounts after encouragement from Goulburn-Murray Water and now feel they are being treated unfairly.

Fruit Growers Victoria considered this matter at its March 2007 meeting and unanimously endorsed a recommendation that the rebates on fixed water supply charges be allocated equitably by service point rather

than by account. It also wrote to Goulburn-Murray Water on 26 March requesting that it revisit the allocation of the \$5000 rebates on fixed water supply charges and consider a revised application of the rebate by service point. Fruit Growers Victoria received a reply stating that GMW was unable to do so. I ask the Minister for Water, Environment and Climate Change to urgently review the rebate allocation process and determine a more equitable and fair distribution of the \$5000 rebates so that those who have consolidated their accounts are not penalised for taking advice from Goulburn-Murray Water.

Wingate Avenue Community Centre: 21st anniversary

Mrs MADDIGAN (Essendon) — Today I would like to congratulate the Wingate Avenue Community Centre on 21 years of excellent service to the residents of the Ascot Vale estate and surrounding areas. Jan Thorpe and her staff provide excellent services which are very much appreciated by not only that community but also the broader community. The community centre houses the Essendon Community Legal Centre and a child-care centre, it runs adult migrant English classes and a second-hand shop and it provides a very wide range of activities and learning experiences for people on the estate.

Often people on public housing estates are new migrants to our country and therefore need a great deal of support to enable them to get used to our strange Australian cultural ways. The support of the staff at Wingate and the charm with which they deal with all the residents of a very wide range of ethnicities, religions and cultures is something to be admired. Over the years the centre has received funding from both the state government and local government — perhaps not as much funding as centre staff would like from the local council, but they are working on that at the moment. However, the centre was certainly a recipient of the increased grants the current government gave to neighbourhood houses last year, and centre staff were very pleased to receive that extra funding to enable them to increase their service to the community. The centre does a great job, and I congratulate it on its first 21 years.

Rail: Malvern electorate

Mr O'BRIEN (Malvern) — My constituents are frustrated with the unacceptable performance of trains on lines servicing the Malvern electorate. An analysis of Malvern's four lines — the Cranbourne, Frankston, Pakenham and Glen Waverley lines — shows that between December 2006 and March this year the

proportion of late train services increased on every line. This March, on average, more than 16 per cent of train services were late — and this is using the government's generous definition of 'late'. The only thing worse than a late train is one that never arrives. Sadly, this is a common experience for my constituents, as the number of cancellations on Malvern's train lines climbed from 154 in December 2006 to 257 in March this year.

What might explain this serious deterioration in train services since last December? Could it be that in December we saw the appointment of a new Minister for Public Transport who did not particularly want the job? What about a Minister for Public Transport who berated Melburnians for being preoccupied with punctuality from the back seat of her chauffeur-driven, air-conditioned, leather-seated luxury car? What about a Minister for Public Transport who, when it comes to complaints, does not want to hear from the public? This government has stopped listening, because it has stopped caring, and a government that has stopped caring is on its way out.

Schools: Spirit of Anzac tour

Mr ROBINSON (Mitcham) — I want to acknowledge the participation in the recent 2007 Victorian Spirit of Anzac prize tour of a number of outstanding students in Victorian schools. I had the privilege of leading the 2007 tour. Participants included Jarrod Cahir of Viewbank College, Rosanna; Brendan Champness of Kaniva College; Kayla Corradi of Clonard College, Geelong; Annie Ferguson from Lavalla College in Traralgon; Caelli Greenbank of Mount Clear College, Ballarat; Sarah Hudspeth Stevenson of Braemar College, Woodend; Jonathan Mackojc of Hawthorn Secondary College; Kelly McConnell of Overnewton Anglican College, Keilor; Finley Roberts from Goulburn Valley Grammar in Shepparton; and Enya Widdicombe from the Star of the Sea College, Gardenvale.

The group was involved in visits to battlefield sites in Turkey, France and Belgium and finished with a number of events in London. The group was very ably assisted by James MacIsaac from the veterans unit of the Department for Victorian Communities and Major-General Jim Barry, Rob Webster of the RSL, and two outstanding teacher chaperones, Pam Cupper from Horsham Secondary College and Mr Frank Vetere from Lalor Secondary College. At all stages the students demonstrated exemplary maturity and great conduct. They are a credit to their parents, their schools and to all Victorians.

Budget: Sandringham electorate

Mr THOMPSON (Sandringham) — The Bracks-Brumby budget has failed the Sandringham electorate in a number of key areas. The first one is in relation to local roads. There is no commitment for the Dingley bypass to be further extended, despite strong indications a number of years ago. There is no funding to improve intersection management on a number of key roads. With traffic having increased in the local area and with Melbourne's population moving towards the targets of Melbourne 2030, there is insufficient provision for planning.

Local hydrotherapy pool users have again been left high and dry. Despite the closure of the Hampton rehabilitation hospital some four years or so ago, the government has failed to provide alternative services, apart from Dandenong, where it recommended bayside users could go, involving travelling from bayside to Dandenong.

But there is some good news. After having been called to account for almost 20 years for its failure to fulfil a 1988 election promise, Labor has now decided that the Sandringham police station will be built. Unfortunately it comes after this government has been called to account in this chamber on multiple occasions. Members would be aware that I pointed out that if they visited the site, where on the eve of the 1988 election Labor promised a new police station would be built, they would see it was vacant — and it is a vacant site today. But for the fact that we committed first to a new police station for Sandringham — —

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

Agea Rezk

Ms BEATTIE (Yuroke) — In a culture that often seems to thrive on tragedy and scandal, occasionally reading the newspaper brings a smile to your face and restores your faith in human decency. On Monday I was delighted to read the story of Agea Rezk, one of my constituents from Roxburgh Park, who whilst out shopping with her three daughters on Saturday came across a small bag containing a substantial amount of money — some \$3600 — in the Broadmeadows Shopping Centre. Further investigation revealed the owner to be an 80-year-old woman, who no doubt could ill afford the loss of such a large amount of cash. Mrs Rezk, a battler herself, and her three daughters immediately interrupted their shopping to take their discovery to the Broadmeadows police station to ensure it was soon returned to its rightful owner.

Upon reading Tuesday's newspaper I was delighted to discover that the Rezk family's honesty and kindness had been acknowledged with a \$1000 reward from the Winsome Constance Kindness Trust, which awards grants to worthy causes such as children, aspiring youth, animals and the environment.

I am sure all members will join me in expressing thanks and gratitude to Agea and her daughters, Monica, aged 10, Yostina, aged 9, and Ereny, aged 8, for their gesture of honesty and kindness to a total stranger that has brought a smile to many a face and reminded us all that decency and honour are alive and well amongst us. I would just like to say, by the way, that that family did not have \$100 to spend on their own shopping.

Industrial relations: Bruck Textiles

Mr JASPER (Murray Valley) — I must indicate to the house my extreme concern about the attitude of and response I received from the Minister for Industrial Relations in the Parliament during the adjournment debate on Thursday, 19 April. At that time I detailed for the house information provided to me by Wangaratta's Bruck Textiles about what was described as inappropriate interference from the Office of the Workplace Rights Advocate, the state government and the unions during negotiations for a new workplace agreement under the federal government's WorkChoices legislation.

In his response the minister proceeded to take me to task for having the audacity to raise this issue in the Parliament, detailing his support for the state government's organisations and expressing his long-held opposition to the federal government's WorkChoices legislation, but at no stage commenting on the situation at Bruck Textiles, where he could have been of assistance.

I am concerned about a major employer in Wangaratta in the highly competitive textile industry and about the lack of assistance from the state government in failing to recognise the increasing competition from imports from Asia, given the company's importance to the local economy. A further issue during this debacle was the pressure applied to Bruck Textile's management during negotiations by the suggestion that Bruck's ability to tender for state government contracts may be in jeopardy as well.

I call on the minister to review his stance, which appears to be in opposition to Bruck Textiles, and to assist in achieving a satisfactory outcome for all concerned, recognising the comments of the CEO (chief executive officer) that if the government cannot

help, it should get out of the way and let the workers join with management to save the industry.

Allan Browning

Mr TREZISE (Geelong) — On 26 March the Wathaurong Aboriginal community and the wider Geelong community lost one of its true and esteemed leaders in Allan Browning. Allan Browning — or AB, as he was widely known — was a true leader in every sense of the word. As the One Fire Reconciliation Group in Geelong said in its obituary:

Allan was a very special person to many people in many ways. AB was a wise and brave leader, a strong man of culture, an elder statesman, a guide and a teacher of integrity, a peacemaker and healer, ally and brother, a highly civilised human being and a good bloke.

I first met Allan Browning when I joined this Parliament in 1999. From there our paths crossed on many occasions. I dealt with Allan in his role as a Wathaurong cultural heritage officer, and in that role he not only passionately represented the best interests of that community but he also took on the role of educator for other people.

I also on numerous occasions attended official functions where AB performed the Welcome to Country ceremony with great poise and respect. This ceremony was usually followed up by his dance group performing cultural dances, with Allan doubling on the didgeridoo. The level of respect that the wider Geelong community paid to AB was evident in Allan's obituaries.

Allan worked with Corrections Victoria, working with Koori inmates. His colleagues and executive management spoke very highly of Allan at his wake. Allan Browning was very much dedicated to his people, their heritage and their culture. The untimely loss of Allan was a tragedy, and this world will be poorer for his passing.

Multicultural affairs: government performance

Mr KOTSIRAS (Bulleen) — Multicultural affairs has come to a complete stop in Victoria. This is just another example of this government's incompetence, arrogance and taking of Victorians for granted. VOMA (Victorian Office of Multicultural Affairs) and VMC (Victorian Multicultural Commission) were to be amalgamated under this inept government.

This was a Labor Party policy announcement at the last election. This was its solution to the minister's inability to manage the two units within the Department for Victorian Communities, and this was its answer to the

infighting and friction that occurred between VOMA and VMC. The minister and the secretary failed to unite the two. Five months later this has still not yet occurred. Everything is still in limbo — but what else can be expected from an incompetent government, a minister who is too busy, preferring to use his office to raise money for David Feeney, and a secretary who has no interest in multicultural affairs?

It is now obvious that meeting the needs of all Victorians is not a priority for this government. What are the 18 public servants doing in VOMA? What special projects is the VMC involved with? Under this government our cultural diversity has been ignored. This government believes that simply providing a few cents to multicultural groups means that it does not have to come up with a vision for multicultural affairs in this state.

This is a government out of its depth, a government that continues to use our diverse communities as a political football and a government that simply has no vision for the future. Unfortunately the VMC has become a mouthpiece of this government. In the eight years of this Labor government the VMC has not criticised it once, but it has been happy to criticise the federal government.

Our Lady of the Assumption School, Cheltenham: literacy program

Ms MUNT (Mordialloc) — Last Tuesday I had the pleasure of visiting Our Lady of the Assumption primary school in Cheltenham to help with its official launch of Where's Ola?, an innovative new visual literacy program. This is an IT program that has been matched with real characters and items that can be cuddled and interacted with by the children.

Anna Danson conceived the original idea, and she has worked brilliantly to make this program real. At the launch I had the pleasure of cutting the ribbon to Ola's kennel, and I must confess that it was the first time I had had the pleasure as an MP of officially opening a cute little kennel. It was a lot of fun. I also gave Ola a bit of a cuddle, a pat and a squeeze, and we got to know each other well — and the children just love Ola.

Ola is a little baby blue puppy with a baby blue kennel, and he is as cute as a button. He is the star of a Kahootz program that the class teachers will use, and his many adventures will be used as a learning tool for the children. Congratulations to Our Lady of the Assumption, to Anna Danson, to the principal and teaching staff, and also to Bunnings Mentone and the

Commonwealth Bank at Cheltenham for their financial support in the putting together of this program.

Roads: Mornington Peninsula

Mr DIXON (Nepean) — The Mornington Peninsula is being bypassed by this government when it comes to road funding. Not since the Kennett government built a major extension to the Mornington Peninsula Freeway has any real road funding been spent in the area. Since then the permanent population of the peninsula has soared and visitor numbers have increased, not just in numbers but over a wider period of time. With the population and tourism expansion has come the need for increased numbers of businesses and goods to service the area.

The Mornington Peninsula Freeway finishes at Jetty Road, Rosebud, spilling tens of thousands of vehicles per day for many days of the year onto the predominantly two-lane Point Nepean Road. The congestion this causes often turns Point Nepean Road to gridlock and back streets into rat runs. On many occasions emergency vehicles cannot move at all, and ambulance drivers have told me that they cannot even exit their station on Point Nepean Road at Rosebud due to the gridlock. This government will not even commit to a feasibility study on the options available to extend the freeway, and at the same time it will not even provide us with a half-decent bus service, locking the peninsula out of the Met area and forcing us to pay higher fares.

Adding further to our road woes is the government's lack of action on the Frankston bypass. VicRoads has just finished constructing road barriers at the end of the Mornington Peninsula Freeway at Frankston, thereby ensuring it will remain only two lanes each way, even though EastLink will be spilling thousands of extra vehicles onto what is already a congested gridlock.

Anzac Day: South Barwon electorate

Mr CRUTCHFIELD (South Barwon) — Last week, like most members in this place, I attended a number of memorable Anzac Day services. On Sunday, 22 April, I attended St John's Anglican Church in Highton for a veterans appreciation service. What made this service special was that the vicar, the Reverend Ross Green, allowed Reverend Captain Andrew Grills to conduct the service. It was one of the most moving services I have been to and one which the congregation appreciated immensely.

As usual on Anzac Day I started my morning at the dawn service at Torquay's Point Danger. The first

service was held there in 1949, and it continues to go from strength to strength. This year over 7000 people were in attendance and a record number of wreaths were laid. Congratulations to Torquay RSL president, John McCarthy, and his helpers, to Fr Greg Trythall for conducting the service, to guest speaker Brigadier John Deighton, AM, MC, to Oliver Dougherty and Amy Sheridan from Torquay Primary School, and to Georgia Nicholls for a beautiful version of *Advance Australia Fair*. After the service there was a well-attended sausage sizzle back at the new RSL club and an even better attended breakfast inside.

Finally I attended the 10 o'clock service at Barwon Heads, where the president of the RSL club, Ken Allen, and his helpers conducted a wonderful march and service. This ceremony gets bigger each year, and this year there again were large numbers marching, watching the march and attending the service. Once again a record number of wreaths were laid. Well done to Reverend Minotti, Major Matt Patching — the guest speaker — and Barwon Heads students Emma Hurley and Tom Jackson for their contribution to the service, and once again well done to the ladies for an outstanding morning tea.

Federal member for Lalor: performance

Mr K. SMITH (Bass) — What do you reckon, Speaker? Has the new hairstyle, a bit of a rinse and a set of pearls helped the red-headed Labor industrial relations motormouth understand what it is all about? Obviously she does not understand that unions do not control the workforce. Maybe they control the Labor Party, but they do not pay the wages and they do not invest their own personal wealth in paying wages. Only 15 per cent of the workforce are members of unions, and most of them are forced to join by the thugs on building sites and industrial sites. And here we have Julia Gillard, the federal member for Lalor, trying to undermine the Howard government's WorkChoices system, which gives workers and employers choices in how they work together.

WorkChoices has been enthusiastically embraced across Australia, except by the union thugs, who have taught Julie Gillard the bullyboy tactics she has tried to use. Gillard is now back-peddalling as fast as she can, because she threatened employers by telling them to keep out of the political fight. What a bully! What a mistake! Gillard will not answer questions, because she does not have the intellectual capacity to do so, so she motormouths. She needs more than a new hairstyle and pearls. She needs to get out in the real world and talk to employers and workers who love WorkChoices and not just to her union mates.

Brimbank: community activities

Mr SEITZ (Keilor) — I rise to congratulate Cr Costas Socratous and the mayor of the City of Brimbank, Cr Margaret Giudice, for publicly raising an issue regarding pensioner groups in my electorate and the area of Brimbank and their regular bus trips to the casino for gambling.

This is a concern to those two people and to me, because numerous constituents tell me that the council staff and aged-care coordinators really should be organising more activities for aged pensioner groups from my electorate and the region of Brimbank rather than just the simple bus trips to the casino where people spend their money. They are spending the welfare payment they receive from the government, which is a pittance, making life difficult and sometimes even resulting in family breakdowns in the twilight time of their lives.

Therefore I congratulate those two councillors, in particular Cr Costas Socratous who has gone in to bat. He is looking at a policy change with the Brimbank council staff, so that they involve the community and the elderly in other activities which are progressive and thoughtful, which will keep them fit and well rather than going to the casino and spending their money in that fashion, which is not a healthy way of spending their lives.

Public transport: Ferntree Gully electorate

Mr WAKELING (Ferntree Gully) — I wish to raise a matter of grave concern with the Minister for Public Transport. I call upon the government to develop a suitable bus service for the residents of Waterford Valley Retirement Village, which is located on Kelleys Road, Rowville, to service the transport hub sites of Stud Park shopping centre, Rowville, and the Ferntree Gully railway station. I was recently contacted by a resident of Waterford Valley who utilised the SmartBus service from the Stud Park shopping centre to Caulfield. Whilst my constituent was able to organise a local TeleBus service to deviate from its normal route to transport her to Stud Park, she was unable to access the same service on the return journey, given that the last TeleBus service available to her departed at 4.30 p.m. Consequently my constituent was faced with a long walk home with her shopping.

Public transport services in my community would be utilised if they were available, but this government has demonstrated a total lack of commitment to public transport in Melbourne's outer east. This government has failed my community with its lack of commitment

to the Rowville rail feasibility study, the tram to Knox city, its refusal to upgrade Ferntree Gully railway station, the poor condition of bus shelters, the inaccessibility for the disabled of trams that operate from Vermont South, substantial delays along the Belgrave rail line, and the sheer length of time it takes my constituents to travel to the Melbourne central business district — all of which I have already raised in this house.

Whilst I know that the Minister for Public Transport has declared she is not interested in the concerns of Melbourne's commuters, I urge the minister to demonstrate some compassion for the residents of Waterford Valley and provide them with accessible public transport.

Wanda Harkness

Dr HARKNESS (Frankston) — On 22 March many gathered to mourn the death and celebrate the life of Wanda Lorraine Harkness. Wanda started her working life as an apprentice milliner, spent time at Myer, created designs for Norma Tullo and ended up running her own bridal shop. In 1948 she married Vern Harkness — who was farewelled on 2 July 2004 — and they had two children, Ivan and Cynthia. Wanda would have been 84 in June.

My father, Stewart, delivered a moving eulogy for Wanda, noting particularly her courage as she faced up to and handled poor health from the age of two, the many groups and community organisations with which she was associated on a voluntary basis, her unshakable religious faith, her respect for every person as an individual and her capacity for unconditional friendship and loyalty.

While Wanda's strong commitment to various community and church activities was evident and formally recognised, many of her other achievements went unheralded. Stewart provided the congregation with two examples of many: during World War II Wanda was engaged in writing letters to soldiers, sailors and airmen who would not otherwise have received letters from home. In more recent times she set up Open House Charity to raise funds to assist members of the community in need of support. Wanda had an extensive collection of dolls and handiwork prizes she won at the Royal Melbourne Show.

I remember making regular visits as a boy to Wanda and Vern's house in Ivanhoe for Christmases, special occasions or just to visit and marvelling at the floor-to-ceiling display cases of her work all around her home. As Stewart highlighted, Wanda's kitchen table

was the venue for a wide range of craft-related groups and activities. Even though her memory slipped in recent months Wanda continued to crochet blankets and baby clothes which she gave to friends or donated to charities.

Cranbourne Italian Senior Citizens Club: 10th anniversary

Mr PERERA (Cranbourne) — Recently I had the pleasure of being invited to the 10th anniversary celebrations of the Cranbourne Italian Senior Citizens Club. The club boasts around 200 members who meet every Monday at the Cranbourne public hall. I take my hat off to Mrs Val Motta, the committee and all the members from the club who put in their voluntary time and effort to make each Monday afternoon the place to be for all the senior Italians from Cranbourne and its surrounds.

Since 1999 the Bracks government has increased its funding to the Victorian Multicultural Commission's grant program from \$750 000 to well over \$4 million. In February of this year, the Minister assisting the Premier on Multicultural Affairs and I had the pleasure of presenting the Cranbourne Italian senior citizens with a VMC grant of \$1800. The multicultural senior citizens organisational support funding provides financial assistance towards the general activities and needs of multicultural senior citizens groups. The Cranbourne Italian Senior Citizens Club duly appreciated the grant.

On Saturday the Minister for Victorian Communities and I had the pleasure of officially opening the Balla Balla Centre in Cranbourne East. The Bracks government contributed \$1 million towards the construction of the centre. It is my understanding that the Cranbourne Italian senior citizens will use this facility on a regular basis.

Anzac Day: Berwick

Ms GRALEY (Narre Warren South) — I would like to congratulate the Berwick RSL for the fantastic Anzac Day ceremonies that they held. The dawn service at the city of Casey was attended by many people, and the one on the street later was also well attended.

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

MATTER OF PUBLIC IMPORTANCE

Nuclear energy: government policy

The DEPUTY SPEAKER — Order! The Speaker has accepted a statement from the member for Seymour proposing the following matter of public importance for discussion:

That this House congratulates the Victorian government for its commitment to retaining a nuclear-free Victoria and its continuing efforts towards development of renewable sources of energy and low emissions technologies including clean coal technology.

Mr HARDMAN (Seymour) — I rise proudly to speak on today's matter of public importance. Obviously at the moment Victoria is very concerned about having nuclear power imposed on it by the Howard federal government. The Bracks government has been doing a fantastic job in developing renewable sources of energy and low emission technologies including clean coal technology, which is bearing out in the facts. I think the Liberal Party on the other side needs to take some interest in renewable energies, and they need to take some interest in also preventing nuclear power being imposed on Victoria rather than bowing to their Liberal masters in Canberra.

Why is this matter so important? We have seen that the Prime Minister, John Howard, is very keen to impose nuclear power on Australia. He wants to build 25 nuclear power stations around Australia, and several of those power stations could be placed in Victoria; there are going to be 25 of them across Australia, so every state is going to have to get one in the end, and the Howard government has nominated several sites in Victoria. I will come to that aspect later.

The plebiscite bill that the Bracks government passed in the lower house recently has been defeated in the upper house. In the end it was defeated by support from the Greens. All Labor members of the house found that very disappointing. The decision by the Greens is hard to believe. I know that had we done as the Greens did, I would have got a lot of phone calls from people who care about stopping nuclear power in this state and who would have been absolutely dumbfounded that we did not support that bill.

However, we supported the bill, but the Greens did not. I think they are listening to their Liberal Party friends in the upper house, which is very disappointing, and not listening to their own voters and their own members, who would have supported that bill. Certainly from the emails I have received on this particular topic, that would appear to be true.

Why do we have renewable energies? It is because we are concerned about climate change. We know the Howard government is sceptical about climate change. You wonder whether or not the nuclear power argument is a bit of a furphy, maybe to distract people's attention away from the development of wind power, solar power and clean coal. It is hard to know. Certainly if it went ahead, it would be distracting and would take away a lot of funds from the development of those particular industries. Victoria is leading the way. We have had a number of new projects around the electorates, which is fantastic. That is why this house should congratulate the Bracks government on what it is doing.

Victoria has the potential to be the site of nuclear power stations. The federal government's own study shows that South Gippsland, Western Port, Port Phillip and Portland are all good candidates, but why are they considered to be good candidates? Because they are close to water, and nuclear power stations need a lot of water for cooling purposes. Those towns or areas are also close to major power lines, so the power can be fed into the grid easily, and they are close to major demand centres and transport infrastructure. Those are the reasons why those particular geographic areas were chosen. I am sure the local members who would be impacted by possible nuclear power stations would be very concerned. They would know they would not continue to be local members for very long if a Liberal government in the future decided to impose nuclear power facilities on Victoria.

One of the arguments that is really important goes to the economics of nuclear power. As it stacks up at the moment, it would be financially irresponsible to go down the path of the nuclear power option. In Victoria we produce quite cheap electricity through brown coal; we know that is not the best for carbon emissions, but we are doing something about it and making an investment. It would cost between 20 per cent and 50 per cent more to produce nuclear power than it costs now to produce power from other new coal-fired plants. Another major argument concerns the ongoing costs to be borne by government for the production of nuclear power.

I know the Bracks government is totally opposed to it, so it would certainly not be putting in the money for this sort of thing. Maybe a future Liberal state government and certainly a future Liberal federal government would, but nuclear power stations cannot attract private insurance, so the government therefore wears all the risk and bears the cost of nuclear power. In that situation the federal Liberal and National parties

would have to do that, and they seem very keen to go down that financially irresponsible path.

The Bracks government has developed a great budget and has again looked at the issue of renewable energies and climate change. One thing that will be happening out of this budget is the government's increase of its own renewable power usage to 25 per cent, which is about governments leading the way in how we do our business.

As members would be very well aware, we are also working with, educating and informing the community about how it can reduce its greenhouse gas emissions. Under the VRET (Victorian renewable energy target) scheme at this stage the Bracks government is aiming at 10 per cent renewable energy used right across Victoria by 2016.

One of the budget initiatives is the allocation of \$10 million to be utilised through VECCI (Victorian Employers Chamber of Commerce and Industry) for a 'carbon down' scheme. Basically, VECCI will be working with business and showing them how they can reduce their greenhouse gas emissions, which also means they can reduce their costs of doing business because the cost of power is a major impost on the bottom line for many industries.

One of the other things which comes out in the budget and which will have a positive impact on greenhouse gas emissions is the motor vehicle stamp duty cut, which means that it will be cheaper to buy a new car. It also means that our old car fleet, which is on average about 10 years old, will gradually become newer, and newer cars are better and more fuel efficient.

We are doing those things. The Bracks government's position is that nuclear power is not an option for Victoria. We are developing a whole range of alternatives in that regard. One of the highlights would be our energy technology innovation strategy, which is happening across Victoria at the moment. What that has done is provide \$50 million for the establishment in Victoria of the world's largest and most efficient solar-concentrated demonstration project. That is happening and we on this side of the house are very proud of that. We have also provided \$50 million for a new 400-megawatt clean coal power plant to demonstrate HRL's coal drying and gasification technology, and \$30 million to refit one of the power generation emitters at Hazelwood power station. That is going to reduce greenhouse gas emissions there by 30 per cent, which will have a major impact.

John Howard's proposal for 25 nuclear power stations across Australia would mean a 30 per cent cut in greenhouse emissions — because it would provide 30 per cent of the power, therefore it would, I suppose, mean a cut of similar magnitude in emissions. But what the proposal ignores is the other 70 per cent of power generation. Again the Howard government's proposal is fairly interesting policy.

In Victoria we have also enabled the establishment of a number of wind farms right across the state, and those wind farms are happening because of the Victorian renewable energy target. VRET is a scheme which is aiming to, and in the end will, create 2200 jobs and attract \$2 billion worth of extra investment, mostly in provincial Victoria. Again it is one of the hallmarks of the Bracks government in governing for the whole of the state that it makes sure there is investment happening in provincial Victoria. That is why we have high job growth rates and why we have provincial economies that are going very well right across Victoria. In many cases we are looking the worst drought we can remember in the eye yet we are still seeing economies that are powering along, which is fairly fantastic.

We obviously need to continue to do more, and that is what is happening. When we look at our climate change sceptics, who exist on the opposition benches, what we see is their failure to understand that they are impacting, in the end, on some of their core constituencies. The agricultural industry in Australia is very well aware of climate change and where that is going. The steps we are taking are assisting agriculture in Victoria. We know that we need to use water better, and we know that climate change is affecting the amount of water that we are getting in our catchments, so I think it is about time that those on the other side of politics opened their eyes to what is actually going on and got on board with the Bracks government in developing renewable energy sources and putting to bed this silly notion of nuclear power stations.

Nuclear power in itself might be okay, but — taking the economics out of it and taking climate change out of it — my personally held view is that until the waste can be dealt with effectively it is not an option. Our own health and our own environment into the future will be impacted by the inability to store nuclear waste, which lasts for thousands and thousands and thousands of years, poisoning the environment.

That is the first thing that has to be addressed before nuclear power is ever considered in Australia. I congratulate the Bracks government for what it has been doing. I condemn the Howard government for its

appalling record on renewable energy and nuclear power. I am not at all impressed with the Greens. The Greens in the other place have let down their voters by voting with the Liberal Party and The Nationals and knocking down the bill that ensured a plebiscite if nuclear power was proposed for Victoria. This was done purely on the basis of scoring some points and about their importance in the Parliament. I think they need to reflect on that, and so does the opposition.

The debate on this matter of public importance will be interesting. I commend the Bracks government for the work it is doing.

Mr CLARK (Box Hill) — It is deplorable that the Bracks government is seeking to play political games with one of the most serious issues confronting humanity today, which is greenhouse gases and the threat of global warming. In some senses I have sympathy for the member for Seymour, because he gives every impression that he drew the short straw and was put forward to lead the government in the debate on this matter. He is a decent and well-meaning chap. It seemed to me that his heart was not in playing the political games that he was pushed to attempt to play.

It has to be asked: where are all the so-called big hitters of the government? Where is the Minister for Energy and Resources? Where is the Minister for Water, Environment and Climate Change? Why are they not in the chamber pushing this debate? I think it is because of the inherent contradictions in the government's position on nuclear issues, which has credibility only if the government were to admit that its own research program is going to fail. I am sure the government does not admit this and that causes its entire line of argument to fall into a heap.

There are three aspects to our response to global warming and greenhouse gases: the first is what we do about research; the second is the approach we take in regard to emission constraints; and the third is the extent to which governments try to impose particular technological solutions. Of those three aspects we, on this side of the house, are in agreement with the government on the broad thrust of trying to promote research into alternative ways of using brown coal, which we have in Victoria particularly, as well as research into other prospective forms of clean or much cleaner energy. However, we believe the government and the federal Labor Party have failed to do the hard work in relation to emissions policy and emissions constraints. We also think they have gone down the wrong path when trying to impose particular technological solutions on Victoria, like the ones we

saw in the VRET (Victorian renewable energy target) scheme.

There has been a lot of scaremongering coming from the government, including the comments from the member for Seymour just a few minutes ago. This needs to be made clear. As far as we are aware, no-one is talking about imposing nuclear power plants on Victoria. Some government members have been absolutely hysterical about that point. They have been running around taking up petitions against nuclear power plants in electorates such as Forest Hill. The member for Seymour conceded in his remarks that that was a total impossibility given that nuclear plants need abundant water supplies — —

Mr Stensholt interjected.

Mr CLARK — Now the member for Burwood is getting passionate. I look forward to seeing whether he will tell members how fearful he is about a nuclear power plant being built in Burwood — an area which is also well inland.

Let us look at the issue of research and let us try to take this subject seriously, because if we are not going to come up with serious solutions to greenhouse issues and we are not going to debate the issue constructively, then we are not doing any service to the people of Victoria, the nation or the world.

Part of the government's strategy — and this is both a federal and state government strategy — is to put support and funding into programs that try to create clean coal. This point needs to be made for all those people who are trying to engage in scaremongering. The Prime Minister and the federal government have made it absolutely clear that they support clean coal research. It is obviously going to be the best solution for Victoria if it can be achieved. The federal and state governments are putting their efforts into this, and the state opposition supports it. It is by far and away the best solution. If geosequestration, carbon capture and carbon storage can be shown to work, then we can harness the clean — what will become clean — abundant and cheap brown coal that we have in Victoria.

As I said earlier, I am surprised that government members are running with the line of argument that the member for Seymour has put forward, because if the research direction that the government is funding comes to pass in Victoria, then we will be able to go forward with the use of abundant and cheap brown coal. That is going to be the best available solution and one we should all be working towards.

You only need look at the literature that has been issued by a whole range of parties to see the extent of the commitment, both state and federal, towards this goal and how all these different efforts are seeking to intermesh with one another. I refer in particular to a media release of 30 October last year put out by the Cooperative Research Centre for Greenhouse Gas Technologies, otherwise known as CO2CRC, in which it speaks about the research and development advice it has given to assist three companies in developing carbon capture and geological storage projects that are to receive federal low-emission technology development funds and state government grants totalling \$205 million.

It then goes on to talk about the projects around Australia, including CS Energy's oxyfuels, the Fairview coal-bed methane power generation project and the Hazelwood 2030 project of International Power. It is a dispassionate and independent body, and it makes it clear that its work is being supported both by the commonwealth government and by state governments in various parts of Australia.

Next you can look at the executive summary of the discussion paper put out by the National Emissions Trading Taskforce in August last year. This is the task force that was set up by all the various state and territory governments. I may have a bit more to say about another aspect of its report later on, but in relation to clean coal technologies it says:

An effective research, development and demonstration (RD&D) program is necessary to support the early stages of innovation and help develop and demonstrate clean coal technologies. Queensland has now committed over \$300 million and Victoria around \$80 million to technology-related RD&D. Both these programs dovetail with the commonwealth government's \$500 million low emissions technology demonstration fund (LETDF).

Even this state body is saying the commonwealth government and state governments are working together on research into clean coal.

Then we had the media release of April this year from the Minister for Energy and Resources, in which he talked about the potential for Victoria to make deep cuts in greenhouse gas emissions. He said geosequestration could enable Victoria to substantially reduce CO₂ emissions into the atmosphere for more than 100 years and that it is estimated that in the Gippsland basin there is the capacity to store the emissions from the Latrobe Valley power stations for 120 years.

We also have the Energy Technology Innovation Strategy of the current government. That has committed

funds alongside those from the commonwealth government into various clean coal technologies. There is general agreement on that approach. The Liberal Party in its policy of last year made clear its support for a range of measures to tackle greenhouse gas problems, including a research fund to build on the existing commonwealth and state government funding, additional specific funding for an energy efficiency program, funding for demand management programs, support for geothermal energy, support for solar energy, and a sensible policy on wind farms that would allow them to go ahead in appropriate places where they had community support while avoiding imposing them in inappropriate locations against the wishes of the local community and creating as much angst as the current government has created.

We should be in agreement on proceeding down a path of seeking to promote sensible research and the development of a whole range of clean technology for the production of energy. As I said, that has the support of both sides of Parliament. However, there are other aspects about what the current government is doing and what the federal Labor Party is doing with which we would take great issue.

While there has been a lot of talk about emissions trading — a lot of hot air on the subject and a lot of big numbers put up as targets — the Labor side of politics has failed to do the hard work on how an emissions trading scheme would actually work and what its implications would be not only for the national economy but also for the standard of living of Australians and how carbon constraints should be best implemented in a way that minimises the adverse economic impact.

It is a case of the Labor Party giving you a lot of talk, but if you want a job done properly and practicably, you need the Liberal side of politics to do it. That is the lead that the Prime Minister has been setting, instead of just rushing in without having done his homework in the same way the federal opposition leader, Mr Rudd, has done. Instead of huffing and puffing and looking for media grabs the way the state Labor governments have done, the Prime Minister has very sensibly said that we need to look at what is involved before we commit to a carbon trading scheme, and we need to look at the best way of doing it.

His approach is to be contrasted with the National Emissions Trading Taskforce, which is the body that was set up by the various state governments. It ended up last year with a discussion paper that in effect had a conceptual model for a carbon trading scheme, and it did a little bit of work on some of the implementation

aspects, but it either ducked or did not address the crucial questions of where the burden would fall if a carbon trading scheme were implemented and assessing what the overall carbon emission reductions should be. That has been the trouble all along. The burden of pollution control, including emissions control, in our federal system falls primarily on the states, but they have ducked that responsibility, and yet again the burden has fallen on the commonwealth to take the lead and get the job done.

What the Labor Party has failed to explain to the populace is the potentially very dramatic effect of emissions reductions on standards of living, if they are not handled appropriately. The possible range of impacts will vary drastically, depending on exactly what system of carbon constraints are imposed. I note that one of the aspects of the communiqué issued by the premiers and territory leaders back in February this year was to call for the auction of permits for carbon trading, with revenues to be divided amongst the states and territories in a way that produces equitable outcomes. So we can see that behind all the grand appeals, the states are very much focused on how they are going to get a flow of revenue into state coffers as a result of the carbon trading schemes they want to see introduced.

Let me just say that all the expert evidence makes it clear that the best way of efficiently achieving emissions reductions is not to try to impose particular technological solutions, particularly at a state level, as the Victorian renewable energy target scheme has done, but for the government to set the policy parameters and then let the market find the best technological solutions within the policy parameters that the government has set. That has been borne out by studies undertaken by the National Generators Forum and others. Again that is a point which shows our side of politics is in sharp contrast with the other side. Overall we should be focusing on the reality of this debate and how to achieve the best solutions rather than scoring — —

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

Mr HERBERT (Eltham) — It is an absolute pleasure to rise to speak on this matter of public importance about nuclear power in Victoria. Before I address the issue at hand I would like to comment on the speech made previously by the member for Box Hill. It was quite an amazing example of doublespeak in the extreme. The Liberals are kind of 'half-here, half-there' — sometimes they support a bit of nuclear power, sometimes they might want some greenhouse gas reductions, but they do not want them right now — they want them sometime in the future!

Every member of this house and all Victorians know that at the end of the day the Liberals will do what they always do — that is, they will kowtow to their federal Liberal masters and go along with whatever foolish scheme the commonwealth government has. That is their nature, their lot in life, and despite their words and their doublespeak, that is exactly what will happen.

The nuclear debate is an issue the Prime Minister has launched at the Australian public. It is an issue few people have an appetite for, an issue born of desperation on the part of a Prime Minister frantic to recapture the lost political ground on climate change. It is an issue which seeks to sidetrack the Australian public from the real solutions to greenhouse gas emissions — reductions, carbon trading and targets, the urgency of which the Prime Minister simply fails to understand. That is what the nuclear debate is about.

All Victorians know that there is simply no effective safe solution to the disposal of radioactive waste. That is what this debate is about. It is not about some future vision; it is about how we can store nuclear waste — and there is no solution. We all know there is no solution to the danger associated with nuclear weapons — and certainly we and the Victorian public know that nuclear power is not a solution to climate change.

Victorians have said this, and said it loud and clear on any number of occasions. In fact a recent poll, conducted by the *Age* in February, showed that 66 per cent of Victorians were totally opposed to the construction of any nuclear power plants in Victoria. Those 66 per cent, of course, live in many of the electorates of members opposite, members who I am sure would not be prepared to go out to their constituents and say, 'We will have a nuclear power plant in our backyard'. We know that, they know that and that is what the Victorian public also knows.

Unfortunately, despite the clearly overwhelming opposition of the Victorian public and the Australian public, the federal Liberal Party continues to push nuclear power. This push — this disregard of the Victorian public's view — is echoed by the Victorian Liberals. It was only in the last sitting week that we saw the arrogance of their views exhibited in this Parliament: the Victorian government, with overwhelming support from the Victorian public, brought in the nuclear plebiscite bill, but it was simply rejected by the opposition.

An honourable member interjected.

Mr HERBERT — Absolutely it was rejected! The Liberals rejected a proposal to consult with the Victorian public on any future commonwealth nuclear power plant in Victoria or on any changes in that regard. They did not want to even speak to the Victorian public, because they know they are out of step with its views.

In many ways the rejection of that bill is a further indictment of the opposition parties, because it was rejected in the upper house by the Greens and The Nationals too. Despite the weasel words we hear, what we see in this Parliament right now is only one political party that is opposed to the establishment of nuclear power facilities in Victoria — and that is the Labor Party. The Labor Party and the Bracks Victorian Labor government will continue that opposition, because it is good policy that is in line with the Victorian people's thinking.

Recently — on the weekend, I think it was, but those opposite could confirm that — the Victorian Liberal Party held its conference. We have heard today a lot of talk about the Labor Party conference, and I must say it was excellent; I enjoyed participating in it immensely. It developed some fantastic policy across a gamut of policy issues and produced a real, decent, alternative vision for the Victorian people to vote on at the next election. By contrast I understand that at the Liberal Party conference the Liberals decided on a policy in favour of repealing the commonwealth legislation prohibiting nuclear activities in Australia. That was its decision: for the actual repeal of legislation prohibiting nuclear activities so that the Liberals can set the forward agenda for their nuclear Australia.

This is the Prime Minister's plan. According to a report of the Australia Institute in January, 19 locations for nuclear power plants have already been identified across Australia. Four of those are in Victoria: in South Gippsland, Western Port, Port Phillip and Portland. I daresay the people of those electorates and those areas are pretty horrified at the thought of a nuclear power plant in their backyards. And why stop at 19? The Prime Minister's great plan for this country, the Switkowski report, produced by the Prime Minister's task force raised the possibility of up to 25 nuclear power plants in Australia by 2050. How ridiculous! How obscene! What an absolutely irresponsible economic proposition to put for a country that currently has abundant energy resources.

It is as if the Prime Minister has thought, 'This is an easy solution to climate change'. It is like going back to the cartoons of the 1960s — which I must say I used to watch, and I am sure the Prime Minister watched them

an awful lot too — such as *The Jetsons* and *Jet Jackson*, in which people lived in this brave nuclear world where everything was solved simply by nuclear technology. We long for that simple time, that simple future, do we not?

Unfortunately, the situation this world is in right now, with the impact of climate change, is not that simple. We cannot simply get cartoon characters such as the Jetsons to bring their nuclear future here and solve the world's problems. We have serious, complex problems in Australia — and on this planet — which require serious, complex solutions, not a fob-off to nuclear power or a little excursion down the nuclear path. And that will certainly be the case until we have technology that solves the unresolved issues of nuclear waste and that can pretty much guarantee storage for the 100 million-year life span of this incredibly dangerous material.

Labor clearly understands that the arguments around climate change and the solutions to climate change are complex. We understand the arguments and are committed to reducing greenhouse gas emissions. We have outlined a target which we think should be a national target. We have outlined strategies in terms of the development of clean coal technology. I hear a lot of people saying, 'That is hard to do', but it is not hard to do. Members should have a look at the technological innovations and advancements we have made in this country. Of course we can develop clean coal technology on a usable scale!

It is about the development of solar energy and wind power — something which we have been absolutely unanimous in supporting in this state but which of course we have seen those opposite oppose on many occasions. They are our solutions. We are investing large amounts of money in those solutions and in Latrobe Valley clean coal. I have some figures here that show that in Victoria we currently have 104 megawatts of wind capacity; that an additional 765 megawatts of wind energy development has received planning approval; and that an additional 1000 megawatts of wind energy development is at different stages of investigation. This has the capacity to provide for about 40 per cent of Melbourne's total electricity needs.

I will just sum up with a very simple proposition. The Prime Minister has brought the nuclear debate to the table as part of his political agenda simply because he is absolutely running scared as a result of his inactivity on climate change. He does the same thing in the lead-up to every federal election. It is a furphy. He knows it and the Victorian and Australian public knows it. It is the Labor government in Victoria that is developing

alternative policies, and it is the federal Labor opposition — soon to be the federal government — which is developing realistic policies to tackle climate change, which will make a real difference to the lives and futures of all Victorians and Australians.

Mr NORTHE (Morwell) — I appreciate the chance to contribute to the debate on the matter of public importance (MPI) submitted by the member for Seymour. I have listened intently to the contributions of the members for Seymour, Box Hill and Eltham on this matter.

The first point we have to look at is the demand by Victorians for electricity and other energy. The demand for baseload electricity is increasing at a rate of approximately 2 per cent a year, and peak load is increasing at around 3 per cent a year. This increase in demand certainly reflects Victoria's expected economic growth of around 3 per cent to 4 per cent a year. To maintain living standards and sustain this economic growth it is critical that we retain access to secure supplies of reasonably priced electricity, and of course in my neck of the woods, down in the Latrobe Valley, brown coal is certainly part of that.

It is not simplistic to state that as demand grows we need further energy generation. Certainly one of the things advocated by The Nationals — it may be surprising to some — is that we need to look at the ways and means whereby we can reduce our demand for electricity. Much in the same way that water has been nominated for demand reduction in recent times, we certainly need to have a look at the ways and means whereby we can reduce our demand for electricity. The onus really falls back on businesses and individuals, and more needs to be done in this regard. I note in the budget released yesterday some government initiatives in this regard, which I will get back to shortly.

Certainly the government has claimed to have reduced water needs, I guess, by a combination of education incentives, product availability, pricing structure and so forth, and similar outcomes could certainly be achieved with electricity demand from both a commercial and a domestic perspective. Yet I believe little has been done to address this aspect. As I have said, The Nationals have been saying for a considerable time that, as our energy needs and demand for energy increase, we have to consider and plan for the possibility of an additional, baseload, coal-fired electricity generator sometime in the future.

We know now that Victoria is running perilously close to not having sufficient generation reserves to match the demand. Whilst there are other technologies around,

such as gas-fired electricity generators that can meet periods of peak demand, an additional, baseload, coal-fired electricity generator will also be required. Renewable energy cannot sustain the need and growth in demand for electricity in Victoria. As there is such a long lead-up time in the planning and building of such facilities, The Nationals believe this planning process should really start immediately.

As I alluded to earlier in my address, it is vitally important that this government and all Victorians are acutely aware of our energy needs and consumption patterns and really look at ways of reducing demand. As the matter of public importance indicates, this government is committed to a nuclear-free Victoria. Whilst this is fair enough, I think the debate last month on the Nuclear Activities (Prohibitions) Amendment (Plebiscite) Bill was no more than a stunt, and that view was proved to be justified in the other place, and rightly so. I made some comments about that bill. Basically the research shows that the Nuclear Activities (Prohibitions) Act 1983 prohibits exploration for uranium, the mining of uranium and the construction of nuclear reactor facilities for the enrichment or disposal of nuclear fuels. I am not really sure why we needed to make the amendment, particularly in light of that research.

As there is legislation that prohibits the construction of nuclear reactor facilities, it just goes to show that the introduction of the Nuclear Activities (Prohibitions) Amendment (Plebiscite) Bill was a political stunt. Maybe this MPI is another method of Labor members in this place assisting their federal colleagues in the lead-up to the federal election.

But having said that, I am a strong proponent of brown coal electricity generation, obviously in my electorate of Morwell, because we benefit greatly from some of the initiatives relating to its use. The Nationals believe Victoria is reliant on the use of brown coal. The current estimation is that around 80 to 85 per cent of Victorians' electricity needs are met through brown coal use. Seeing that we have an abundance of supply — approximately 500 years worth — it obviously makes sense to look at ways of investigating cleaner coal technologies. There is significant confidence in our region at the moment, with both state and commonwealth governments recognising not only the important uses of brown coal but also the need to, I guess, clean up and reduce greenhouse gas emissions at the same time.

As the Minister for Energy and Resources could attest, I have certainly supported initiatives by the state government on clean coal technology projects. I believe

that will enhance Victoria's and Australia's position as a leader in low-emission technologies. Recent initiatives include a \$750 million HRL project down in the Latrobe Valley, which is a fantastic initiative that relates to a 400-megawatt power station. The state government has committed \$50 million to the project, and the commonwealth, \$100 million. It is great to see these joint ventures being undertaken. This will enable carbon to be captured and stored underground, thus achieving virtually zero emissions when the storage technology becomes available. It is a very exciting project.

The minister also recently announced some further funding in the Latrobe Valley — approximately \$9 million — for a number of projects that are again aimed at reducing and catching greenhouse gas emissions. That includes \$2 million for the Cooperative Research Centre for Greenhouse Gas Technologies (CO2CRC) and \$2.5 million for Loy Yang and CO2CRC to research technology options in the post-combustion capture of CO₂ from both Loy Yang A and Hazelwood.

Further to that, another piece of interesting technology has the potential to extract water from coal. Those of us who know the brown coal situation understand that it is made up of 62 per cent water. We believe that the tests being undertaken to extract the water from the coal and reuse it in the electricity generation process are very exciting. From my perspective, if we were able to reuse some of the water from the extraction process to meet our huge demand, the eastern treatment plant water recycling proposal would have a question mark over it. For me it is a very exciting process.

As mentioned yesterday in the Treasurer's speech, some interesting things will come out of the budget. Certainly a clean coal technology authority in the Latrobe Valley would be welcomed by me and, I am sure, by others in the region. An interesting side issue to that is something The Nationals certainly support — that is, the need to look at the ways and means of using solar power. I note from the budget that the intention is to install solar panels throughout school and community buildings, which is an initiative which we should be looking at and which The Nationals are advocating.

Overall, as has been said many times, clean coal technology is really the way to go. Whilst renewable energy sources have their place to some extent, clean coal technology and, as I just mentioned, extracting water from coal are developments that members on all sides of the house are keen to pursue. The Nationals

welcome further investment in this area. I thank the house for the opportunity to contribute to this debate.

Mr STENSHOLT (Burwood) — Let me be very clear about this: the Bracks government continues to be committed to a nuclear-free Victoria. In fact, the Labor Party is the only party in Victoria that is committed to a nuclear-free Victoria. It is not the Liberal Party, not the Greens party, not The Nationals and not the Democratic Labor Party — and I must admit it is very hard to mention that name in this house. Only the Labor Party is committed to a nuclear-free Victoria, because all the other parties opposed the plebiscite bill in the upper house just recently. The government has made a clear statement and has a clear commitment on this issue. I point out to the member for Box Hill that this is not a political game but a deadly serious business. The government's commitment is a serious and continuing one that it will endeavour to maintain into the future here in Victoria.

Prime Minister John Howard claims he is serious about climate change.

Ms Duncan interjected.

Mr STENSHOLT — The words he used about climate change were 'if it is serious'. He is a clever little desiccated coconut. He always has something on the side and is never quite direct about this matter — a bit like the Victorian Leader of the Opposition. John Howard has brought a bit of a distracter into the debate on nuclear energy. He has the report of the Switkowski prime ministerial task force as his attempt to emphasise nuclear power.

I welcome this renewed focus on energy availability as engendered, in particular, by an awareness of climate change. I admit that it has long been a personal interest of mine. I was involved in negotiating the Montreal protocol, which, for those who can remember it, preceded the Kyoto protocol. I was also involved in many OECD (Organisation for Economic Cooperation and Development) meetings and helped to develop guidelines on sustainability, including carbon sinks. Some 15 to 20 years ago I organised some of the first studies of the impact of climate change on the Asia-Pacific area. I can tell members that it has not changed: the impact is still going to be pretty much the same. There will be an impact: climate change is not a matter of 'if it is serious'.

The Bracks government is serious about climate change. As the most recent report of the IPCC (Intergovernmental Panel on Climate Change) says, there is about a 90 per cent certainty that there will be a

temperature increase of up to 3.5 degrees by the end of the century. It shows that we have to pay serious attention to this. We need very clear goals on this, other than some particular spin as has been provided by the Prime Minister, in statements such as 'if it is actually serious'.

The report commissioned by the Prime Minister refers to up to 25 nuclear power plants being built by 2050. We must look at the issue of where they will be located. It is not just a matter of the market delivering. We need to be a little bit more concerned about this. As the member for Morwell said, in Victoria we have an act about this matter that was passed in the 1980s. Where are we going to put them? Will we put one at Puckapunyal, in the electorate of the member for Seymour? I am sure he would have grave concerns about this. Will it be put in South Gippsland? Will it be put in Western Port, Port Phillip or perhaps in Portland? Will it be put in the electorate of the member for Hastings, for example?

An honourable member — It could be.

Mr STENSHOLT — It could be. There could be a couple down there, because they need to be near an abundant water supply. As members know, nuclear power stations need to be cooled down. Indeed recently there was a problem in France, where, because the ambient temperatures around the nuclear power stations approached 50 degrees, they had to close them down. If they overheat, there is a bit of a problem with these plants!

There are also certain issues regarding the economics of nuclear power. Members might have read the article by Kenneth Davidson that was published last year in *Dissent*. It contains a graph with figures indicating that power produced by nuclear power stations will cost between \$100 and \$150 per megawatt hour, which is quite a lot more than the cost of power produced by clean coal, including geosequestration, or natural gas or geothermal or wind energy. As is already acknowledged by virtually everybody, the power produced from coal in Victoria using current technology is much cheaper than that. But of course it creates enormous greenhouse gas emissions, which we have to face.

The cost of nuclear power is likely to be between 20 and 50 per cent more than the cost of power produced in a new coal-fired power station. Indeed when the electricity industry in the United Kingdom was privatised, the government had to provide a fossil fuel levy — this is the market working — to subsidise nuclear electricity. So Thatcher's privatisation had the

market working with an enormous subsidy, or levy. By 1998 the annual subsidy had reached £1.2 billion, which is equal to a subsidy of about 6 cents per kilowatt hour for each unit of nuclear energy generated.

In his online opinion Mark Diesendorf states that the only new commercial nuclear power plant is the one in Finland, where the government has taken up a 40 per cent interest and will actually buy most of the power. I guess that is one way to subsidise it. Once again it is the market speaking, which the member for Box Hill referred to. The harsh reality is that when you get market interest rates approximating 10 per cent, nuclear energy is uneconomic almost everywhere in the world. It is at least double the cost of coal power in the United States and the United Kingdom, and it would be nearly three times the cost of east coast coal power in Australia.

People have raised the issue of emissions trading. The only ones taking this seriously are the states, and Victoria has been leading the way there. Higher energy prices can be achieved through emissions trading arrangements. Carbon taxes of \$50 a tonne, which would more than double the wholesale price of electricity, would help to make other forms of electricity generation available. Interesting enough, nuclear power still would not be competitive even if we doubled the price of electricity. We need to look at the economic argument in this regard, particularly when it comes to emissions trading.

I mentioned before that the Bracks government has made it very clear that nuclear power is not an option for Victoria. I am aware — and on this I disagree with the member for Morwell — that the federal government has shown a great proclivity to use the Corporations Act in dealing with constitutional matters, and the High Court has backed this up. It can also, of course, use its own land. That is why I mentioned Puckapunyal. I apologise to the member for Seymour for mentioning that particular spot, but it is a large tract of land owned by the federal government. There are genuine concerns, and we must look at them.

There are alternatives. I am conscious of a statement made by Graham Sinden from the environmental change unit at Oxford University. He has said that if you plan the right mix, renewable and intermittent technologies can even be made to match real-time electricity demand patterns. This reduces the need for backup and makes renewables a serious alternative to conventional power sources. We are actually doing quite a lot of this in Victoria under our VRET (Victorian renewable energy target) scheme. We now have in train, either established or to be built, wind

farms approaching around about 1000 megawatts, which of course is considerable. A 1000-megawatt station is quite a large station. Yes, this is still a small amount of energy, but we are continuing to look at ways of increasing it.

I am very much heartened by the fact that there is some further work — and quite good work — happening in the area of solar power. It was a real shame that Johnny Howard, the Prime Minister, cut out the alternative energy research efforts in the 1990s. He abolished the federally funded authority responsible for researching and developing renewable energy technologies. I did a bit of work in that area in the past, and it was very good. We lost four of our best solar energy scientists to overseas.

We are doing good work on this issue, both in terms of opposing nuclear power and also in terms of promoting alternative sources of energy and low-emissions technology, including clean coal technology, here in Victoria. We will continue to do this. This is a congratulatory matter of public importance, but it is also an incentive to the future. We want to make sure that energy is available and cheap for Victoria.

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

Ms ASHER (Brighton) — I am pleased to participate in debate on this matter of public importance (MPI) put forward by the member for Seymour. I can only reiterate the comments of the member for Box Hill that the member for Seymour must have drawn the short straw, because I find it amazing, first of all, that this is the MPI for this week, and that a member of the Labor Party would want to discuss an issue such as nuclear power just after its national conference, which of course was dominated by the issue of uranium mining.

I will make the very brief point that most of the matters of public importance that we see the Labor Party putting forward congratulate the government on documents it has issued the previous week. I would have thought the government might have wanted to use this MPI to congratulate itself on a major document it put forward this week. Not so, and I can understand why, given the gross deficiencies of the budget, particularly in the area of water — the no. 1 issue for Victorians. I can understand why the government has decided to debate another issue for the MPI.

I am actually pleased the government is raising the issue of climate change. I would urge the government to take note of Malcolm Turnbull's speech at the

National Press Club today and the work he is doing. Climate change, of course, is one of the great pressing issues of our time, and we all need to focus on the issue of reduction of greenhouse gas emissions.

Let me now turn to the ALP convention that was held over the weekend, which seems to have triggered this particular matter of public importance. This convention supplied a couple of glorious moments for those of us on this side of the house. The first glorious moment occurred when the Premier of this state voted for a policy position that represented an increase in uranium mining from the previous ALP position. We saw him putting up his voting ticket — I am fascinated by the ALP's need for voting tickets — and voting for more uranium mining. But the question for the Premier is: where does he think this uranium is going to go? Does he think it is going to be put in a display case? It is going to be used for nuclear power in China, in India, in France — you name it. Where does the Premier think this uranium is going to be used?

The Premier was photographed putting his hand up, voting for more uranium mining than was the ALP's previous policy position. This of course is gross hypocrisy, which is why I suspect the parliamentary secretary has been asked to move this MPI rather than, for example, the Minister for Energy and Resources. We can speculate on the tension generated by that vote — a 15-vote difference, was it not? We can speculate on who is in favour of Garrett and who is in favour of Albanese — which members of the left federally and which members of the left here.

Mr Holding interjected.

Ms ASHER — They were both on the same side. I read the press, and I note who votes which way at ALP conventions. However, it will be interesting to know which members of the left here in Victoria are actually irritated by the Premier's vote for increased uranium mining.

The second glorious moment of this convention occurred when the federal Leader of the Opposition, Mr Rudd, announced who would head his Stern-style report on climate change. Mr Rudd has announced he would have a report on climate change similar to the report issued by Nicholas Stern. The problem is he cannot control these people. He announced that Ross Garnaut would be the person in charge of this report, and out comes the press conference which was reported in the *Australian Financial Review* of Tuesday, 1 May, which I will quote. Unfortunately Ross Garnaut is not controllable in a factional sense. He indicated at the

press conference that he had an 'open mind' about all technologies, including nuclear. The report goes on:

'I don't go in with any preconceived ideas about which technologies will be the winners', he said after being appointed yesterday.

'It's important that governments don't try to pick winners'.

He then went on to say that he will be looking at all the options, including nuclear power. The report continues:

Garnaut says nuclear power and sequestration of carbon dioxide in thermal power as well as renewable technologies such as wind power potentially have a place in reducing greenhouse emissions.

This was another glorious moment in the conference when the person heading the Labor Party's review into climate change actually indicated he would do exactly what the Prime Minister has announced that he will do — that is, look at an option to reduce greenhouse gas emissions.

But the following question is even more glorious, and I think people should be aware of it: who is funding this so-called Stern-style review? The answer is: the states are funding this review. It is the Premier! Not only has he voted for increased uranium mining from the previous policy position, he is funding the Garnaut review in conjunction with the other Labor states.

Dr Napthine — Why shouldn't he be funding the Labor Party's position?

Ms ASHER — Indeed, and that is another issue. He is funding this review which will consider nuclear power. I do not see that position as too much different from the Prime Minister's position.

I want to make a couple of comments in relation to low-emissions technology. I draw the attention of Labor Party members to a policy released by the Liberal Party — one of many excellent policies — during the previous state election. It is a Liberal government plan for Victorian energy entitled *Powering Our Future*. As part of the election campaign we proposed establishing a \$670 million greenhouse gas reduction fund. They are the sorts of things that should also be on the table. They are not the exclusive province of the Labor Party, as this MPI would seem to suggest.

I also want to draw the Labor Party's attention to federal Liberal policy in which there is a \$2 billion fund for greenhouse gas emissions and climate change, and a \$500 million fund for low-emissions technology demonstration. So far \$400 million of that money has

been allocated, including \$100 million to Victoria for a clean coal fund.

The government at a federal level has also announced a \$200 million global initiative on forests and climate. The Australian Greenhouse Office is doing excellent work, as indeed is Malcolm Turnbull's department. Again I would refer members to some of that work being done particularly in the agricultural sector to reduce greenhouse gas emissions. Of course the Prime Minister's emissions task force will report at the end of this month, and I suspect — as I imagine will most members of this chamber — there will be considerable work done to further reduce emissions. However, I just want to briefly compare the ALP's performance with the Liberal policy at a state level and the Liberal policy at a federal level.

The problem with the ALP at the state level is that it wishes to mandate the method of reducing greenhouse gas emissions. Labor has said that a certain proportion of power purchased by the generators must be renewable, and that is part of the problem. It wants to mandate the method of reducing emissions rather than simply looking at all options for reducing emissions.

Again I note a number of initiatives in yesterday's budget, including the creation of a new clean coal authority. I note that at page 322 of budget paper 3 there is a \$3.9 million allocation for the clean coal authority and carbon storage, and yet in its policy for the last election the ALP promised \$7.1 million to establish that new clean coal authority. Whether or not an authority is the solution, I make the point that Labor's promises in this area have not been delivered, and yesterday's budget has very few promises relating to this. Again I make the point that all options need to be looked at.

I want to conclude with a reference to Julia Gillard, who seems to know that coal is the way to go. I refer to an article by Terry McCrann which appeared in the *Herald Sun* of 1 May. Julia Gillard is quoted as having been asked by John Laws what sources of energy we have. She is reported as saying:

We have got abundant other energy sources.

When Laws asked, 'Like?', she answered:

Huge deposits of coal.

In the article Terry McCrann goes on to say:

But she was honest or slow witted enough to blurt out that coal was our vast energy resource. And will remain so in her lifetime ...

The Victorian economy is of course highly dependent upon coal, and these low-emissions technologies and developments in that area are of extreme importance.

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

Ms RICHARDSON (Northcote) — I am very pleased to speak on this matter of public importance and take the opportunity to highlight the Victorian Labor government's commitment to retaining a nuclear-free state and its efforts to find alternative renewable energy sources.

In contrast to every other party in this state, Labor is the only party that remains firm in its resolve to stop the establishment of nuclear power stations in Victoria. I must stress that that resolve was supported by the Liberal Party, The Nationals and the Greens, but sadly all of those political parties have ignored the view of the vast majority of Victorians and sought by varying degrees to undermine the Bracks government's commitment to keep Victoria nuclear free.

I must point out to the member for Brighton that I was a delegate at the national conference, and a proud one at that. I voted against the expansion of nuclear mining in Australia. My cards, and the cards of every other delegate to the national conference, were there for all to see quite clearly — open and democratic, unlike the Liberal Party.

John Howard has clearly put his cards on the table with respect to nuclear power. Speaking at the recent Liberal state council, Mr Howard called for a national debate on nuclear power while openly declaring his support for nuclear power over renewable energy. He stated:

If we're fair dinkum on this climate change debate then we have to look at nuclear power.

During a recent media interview Mr Howard also said:

There are only two ways that you can run power stations, generate baseload power in this country. You can do it on fossil fuel or ... with nuclear power.

Again, in federal Parliament in February John Howard said:

I think this nation, if it is serious about climate change, has to look at the nuclear option ... I am not ruling out power stations anywhere in this country.

It was left to Ian Macfarlane, the federal Minister for Industry, Tourism and Resources, to flesh out the gory details. On *Lateline* this week he said that the federal government would move to remove the legislative impediments to nuclear power even prior to the

conclusion of the nuclear debate. There are no prizes for guessing where all of this is going. Indeed the roadmap for a nuclear Australia, courtesy of the federal Liberal Party, has already been laid out with the release of the Ziggy Switkowski report that recommended that 25 nuclear reactors be located in Australia by 2050. A report by the Australia Institute in January 2007 even identified 19 potential sites for nuclear reactors, many in Victoria — in south Gippsland, Western Port, Port Phillip Bay and in Portland. As John Howard has said, he is refusing to rule out any of these sites for the development of a nuclear power station.

In stark contrast to the Liberals the Bracks government has remained committed to keeping Victoria nuclear free. A critical part of this commitment was an important initiative put before voters prior to the November election. The Labor Party sought and won support for a plebiscite of Victorian voters to take place if the federal government sought to build nuclear reactors in Victoria against the wishes of the people. Of course the location of nuclear facilities on Victorian land is prohibited under the Nuclear Activities (Prohibitions) Act 1983, but we all know the federal government can override state law under section 109 of the constitution, in particular if it proceeds to develop nuclear reactors on commonwealth land.

Following the overwhelming endorsement of Victorian voters at the last election, the bill was debated in this house in March. Here in the Legislative Assembly Liberal Party members sitting opposite and members of The Nationals refused to support the bill. In their view under no circumstances are Victorians to be given the chance to oppose John Howard's nuclear power plans. That is why I was not convinced when I heard the Leader of the Opposition's recent and feeble claims that he would oppose nuclear power in Victoria. Surely if he did have that view and did not support John Howard's plans he would have supported the Bracks government's initiative to give Victorians a say in the future of nuclear power in this state.

But the prize for disingenuous behaviour surely must go to the Greens party. As part of the debate in the house I urged Greens party members — —

Honourable members interjecting.

The ACTING SPEAKER (Mr Ingram) — Order! Honourable members should assist the member for Northcote by not interjecting.

Ms RICHARDSON — As part of the debate in the house I urged Greens party members in the other place to support the bill to protect Victorians from the federal

Liberal government's nuclear plans. At the time I remembered Greens party supporters scoffing at the suggestion that the Greens party would even consider not supporting a bill that seeks to protect Victorians from nuclear power, but my plea to the Greens party members in the other place was deliberate and genuine. I made the plea knowing that, at the time, Greens party members in the other place had so far refused to support Labor once on any vote in the upper house. They had instead consistently voted with Liberal Party members.

Today the record of the Greens in the Legislative Council still stands very much in favour of the Liberal Party, with the Greens maintaining their support of the Liberal Party. I made this plea knowing that the Greens party had done a preference deal with the Liberal Party at the last election to deliver preferences in more than 20 seats across Victoria in exchange for Liberal Party preferences. At no time has it appeared to me — or to anyone else watching their behaviour in the upper house — that this cosy arrangement between the Greens party and the Liberal Party had been broken. On the contrary! It appeared strengthened.

Honourable members interjecting.

The ACTING SPEAKER (Mr Ingram) — Order! Honourable members will cease interjecting and allow the member for Northcote to continue.

Ms RICHARDSON — I made the plea knowing that while the Greens party members pontificate about their environmental credentials, their environmental principles are readily sacrificed whenever the need for power or a demonstration of their power is necessary, no matter what the consequences are for our natural environment or for future generations.

In short, I made the plea in the context of consistent and prolonged Greens party support for the Liberal Party — a party that is consistently bad news for the environment. As the latest recruits to the bearers-of-bad-news brigade, the Greens have indeed flushed themselves out as little more than Liberals wearing green berets. Their decision to defeat a bill designed to protect Victorians from nuclear power has finally flushed out the fact that the Greens claim to be the clearest and strongest voice for the environment is simply not true.

There is one key difference between the Liberals and the Greens. Unlike the Liberals, the Greens — as I said earlier — like to portray themselves as the environmental standard-bearers, but they do not stop there. If you look at their websites or regular

publications, you see that they paint themselves as somehow different to every other political party. They claim they do not do deals on the environment, and they claim they do not do deals at the expense of the environment. That is why they deny that any deal was done with the Liberals at the last state election. Only when you place a Greens how-to-vote card for the last election in front of their noses do they wobble, splutter and secretly smirk about the deal done with the Liberals.

The Greens claim that they put environmental principles first, before any other consideration — that was until they became responsible for the defeat of the bill designed to stall Howard's plan to develop nuclear power stations in this state. In preparation for what was coming, the Greens party members in the upper house spoke of how Liberals did not really believe in the future of nuclear power. You could have fooled me! In support of this assertion the Greens even quoted Senator Nick Minchin as saying that the economic and political costs of nuclear power would be too great. It is true to say that nuclear power is likely to be 20 per cent to 50 per cent more costly than power generated from new coal-fired plants. Moreover, the cost of insuring a nuclear power plant will need to be borne by government, according to AGL (Australian Gas Light) chief executive Paul Anthony.

What the Greens refuse to acknowledge is that, like renewable energy, nuclear power could become more economically competitive with the introduction of an emissions trading scheme — a scheme that is inevitable for Australia. Instead the Greens tried to convince us that the Liberals were not all that interested in pursuing nuclear power, that the whole debate between the two major parties was phoney. The Greens have sunk to an all-time low.

Victorians need to be very concerned about the Liberal government agenda, which has been aided and abetted by the Greens party decision to vote against the nuclear prohibitions amendment bill. At the heart of my concern about the Greens' involvement in this debate or any debate of substance is their propensity to mislead and to distort the truth. They are unable to defend the decision to defeat the bill — a bill that had the mandate of the Victorian community — and instead offered false hope for a solution moving forward.

Their call for a constitutional amendment to protect Victorians from nuclear power is misleading. They know that even with the support of the Labor Party, the Greens initiative would fail because the Liberals would not support the move. Such a measure would require Liberal votes in the Legislative Council, and the Labor

Party members and Greens voting together is simply not enough.

False hope and no real solution — that is where the Greens are at now. Does it sound familiar? Their willingness to mislead was also demonstrated in their strident denials that a deal was done at the last state election between the Liberal Party and the Greens. Even Senator Bob Brown conceded that this deal was done. He did this before he was muzzled by his Greens counterparts in Victoria, and his story changed. Why? Because his political strategists at Greens headquarters realised that unless they started to deceive their supporters about the deal, it was not only — —

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

Dr NAPTHINE (South-West Coast) — It is disappointing that the government continues to play simplistic politics with the important issues that are facing us and future generations — not only climate change and greenhouse gas emissions but also future energy supplies for Victoria, because we need additional baseload supplies in the very near future — and the impact of these important issues on our economy, our quality of life and the future of our great state.

It is equally disappointing that the Bracks Labor government continues to adopt an ill-informed, simplistic view of the role of nuclear material in Victoria, Australia and the world. Let me give members a simple example. The matter of public importance (MPI) before us suggests that the Victorian government has a commitment to retaining a nuclear-free Victoria. That is an absolute nonsense. I heard members of the government talking about their commitment to a nuclear-free Victoria, but they do not have any understanding or consideration of the daily use and benefits to our citizens and this great state of, for example, nuclear medicine. At St. Vincent's Hospital, just up the road, nuclear medicine is being used on a daily basis in a nuclear-free Victoria. This issue of Victoria being a nuclear-free state is absolute cant and hypocrisy.

'Nuclear medicine' is defined as a branch of medicine and medical imaging that uses nuclear properties of matter for diagnosis and therapy. Nuclear medicine imaging is used to help in analysing kidney function, blood flow and heart function and gall bladder blockages; analysing bones for arthritis, infections and fractures; determining the presence and spread of cancer and bleeding of the bowel; detecting infections; and measuring thyroid function. Also increasingly in

this nuclear-free state that the Bracks government proclaims, nuclear material is being used to treat hundreds of people for major diseases, particularly cancer.

Nuclear medicine clearly plays an important role in modern health services, and I ask the government to say how that fits in its concept of a nuclear-free Victoria because you need nuclear uranium mining and nuclear reactors to create the materials for nuclear medicine. It is absolutely hypocritical of the Bracks Labor government to go out proclaiming Victoria as a nuclear-free state when it knows full well that nuclear medicine is a growing branch of medicine that provides excellent support services in diagnosing and treating Victorians.

It was also absolutely hypocritical when Victorians saw the photos of Premier Bracks putting up his hand on the weekend to vote for more uranium mining. I emphasise that Premier Bracks, representing the Victorian government, voted for more uranium mining. He was standing shoulder-to-shoulder with Little Kev from Queensland, who said, 'I am Kevin from Queensland, and I'm here to help'. We have been warned about Kevin from Queensland because we remember the last Kevin from Queensland. Big Kev from Queensland was excited, but unfortunately Big Kev went down like a lead balloon when his company collapsed, and he took millions of dollars of investors money with him. I am sure that Little Kev will be no different from Big Kev when it comes to his promises and failure to deliver for the people of Australia and Victoria.

On the weekend, the Victorian Premier voted for more uranium mining. Where in the world does he think the uranium is going to be used, and what does he think it is going to be used for? Does he think they are going to dig it up to produce yellow cake so that people can eat it alongside their mud cake? No, he knows full well that uranium mining, which he supports and voted for, supports the nuclear power industry across the world. In other words, the Premier was voting for the increased use of nuclear power — and he is hypocritical if he says anything different.

On this whole issue, the Premier and the Labor Party in Victoria remind me of an old Chinese veterinary proverb which says, 'A man who seeks to straddle a barbed wire fence usually ends up gelded'.

Honourable members interjecting.

Dr NAPHTHINE — Like Big Kev! I also note the MPI refers to the need to develop renewable sources of energy. In that context I draw the attention of the house

to the hypocrisy of the Bracks Labor government, which unfortunately is directly responsible for the closure of Victoria's only geothermal energy system.

Started in 1983, the Portland geothermal energy system uses water from deep bores in the Dilwyn aquifer. This water comes from 1.4 kilometres underground. It comes out under pressure at 90 litres per second at a temperature of 57 to 60 degrees centigrade. The system has been used in the past to cool the water, which is subsequently used for drinking. At the same time it is used in a geothermal sense to heat the Portland hospital; the aquatic centre, including the swimming pools; the civic hall and shire offices; the police station; the SES (state emergency service) headquarters; the CEMA arts centre; and the Richmond Henty hotel-motel complex. However, in mid last year the only effective, working geothermal energy system in the state, which is totally sustainable and has a CO₂ emission of zero, was shut down by the Bracks Labor government. So much for its commitment to renewable energy. Now the community of Portland has been forced to spend up to \$300 000 to install gas tanks to heat water up that has been cooled in other places and put through these heating systems.

I will cite some work done on this very system. In a study called *The Portland Water Supply — Henty Park Bore* from November 2005, Sinclair Knight Merz estimated that a new bore with a 50-year lifespan would cost \$1.4 million. In February 2005 Sinclair Knight Merz estimated that the geothermal energy from the Henty bore would produce annual savings of \$300 000 for the Portland community. A high-level financial analysis in that report strongly supports reinvestment in the new geothermal bore. The annualised cost of a new bore would be \$28 000, compared to annual savings of \$300 000.

In February 2006 in another study of the Portland geothermal scheme by Sinclair Knight Merz, in collaboration with Monash University on behalf of the Sustainable Energy Authority Victoria, the report entitled *Geothermal Resources Victoria* stated that the scheme is a flagship for alternative energy use in Victoria and it had a huge potential for expanding and further using the geothermal resources in Portland.

In light of all that, the Bracks Labor government, which supposedly is committed to alternative energies and looking at these issues, allowed the bore to shut down. It has made no steps to reopen the geothermal system. It is an absolute disgrace. It is the height of hypocrisy for a government that purports to be concerned about greenhouse gas emissions and purports to be concerned about developing alternative energy to allow the only

effective working geothermal energy system in the state to shut down.

Portland is very proud of its involvement in the wind energy industry, with Keppel Prince and Vestas taking on employment and creating wind towers and blades. We are very proud of our involvement in the solar industry. We also have opportunities in wave energy, and research has been done in the Portland area. There is enormous potential for wave energy. It is another alternative energy that is clean and green, but lacks commitment and support from the Bracks Labor government.

Portland has every claim to be the alternative energy capital of Victoria, or indeed Australia or even the world. But we have had a lack of commitment from the Bracks Labor government to the geothermal system, which it has allowed to wither and die, a lack of commitment to wave energy and a lack of commitment to promoting solar energy in the southern parts of Victoria.

When we are looking at this matter of public importance, we see the hypocrisy of the Premier on the nuclear issue, and we see that proclamations of a nuclear-free Victoria are inconsistent with the emergence of nuclear medicine. We see the hypocrisy of the Bracks Labor government with regard to alternative energy. We really need the government to make a commitment to reopen the geothermal bore and a commitment to wave energy.

Ms DUNCAN (Macedon) — I am very pleased to rise this morning to speak on this matter of public importance. I might just go to the comments made by the member for South-West Coast and others about what they see as an inconsistency in the Labor Party policy in allowing the expansion of uranium mining in this country. I would have said a similar thing 10, 15 or 20 years ago, when I was very opposed to nuclear energy anywhere in the country. When you look at the risks involved — the costs, the problems with waste, the chances of anything going wrong; and when something does go wrong, it goes dramatically wrong — you ask, why would you want it? I now understand, 20 years on, that we have an even more serious problem than energy production through nuclear power, and that is the risks of climate change and the risks of doing nothing to address climate change.

I now understand that different countries already have different sources of energy. Some countries already have nuclear power and have done for some 30 years. But it is worth noting that there have not been any

nuclear reactors built in the US or the UK for 20 years. I suspect it is because that while nuclear energy does provide energy without gas emissions once it is up and running, no-one actually ever really wants it. But countries which already have nuclear power and are committed to it, and for which it provides baseload power, really do not have a lot of choice but to proceed with that source of energy. In Victoria we have an abundant source of brown coal, which we now know creates enormous gas emissions, and we know now that we must do something about how we reduce those emissions in light of the fact that we have massive resources of brown coal.

With regard to the export of uranium and the reason I support the Bracks government's stand of Victoria remaining a nuclear-free state, I note we are in quite a luxurious position in the sense that we have many other energy alternatives in this state, and indeed in this country. We have not gone down the nuclear power route to date, and we do not need to go down that route at this point in time, especially now that we have much better technology and we know much more about alternative sources of power providing our energy needs.

I quote from the *Good Weekend* of 5 August 2006:

The export of uranium — with its dangers of proliferation — is fraught with hard moral choices, yet it offers a potentially powerful tool in the fight against climate change. That's because Australian uranium offers countries such as China and India — which have so few options — an alternative to burning more coal.

That is the reason why, as a country that has something like 40 per cent of the world's uranium supplies, we have, whether we like it or not, a moral obligation to enable those countries that are building nuclear power stations — as I understand it, predominantly in developing countries — to develop in the way they wish to, while recognising what we did not know when we were developing our own power sources many years ago. We now know the dangers of climate change. We know that what were solutions for us 30, 40, 50 or 60 years ago are not solutions for developing countries that provide their energy sources.

I am also interested in listening to the party that seems to support market forces above all else suggesting that somehow market forces will resolve our problems. I do not share, and never have shared, their confidence in pure market forces. I think markets will do what markets do — that is, they will pursue their profits, which is absolutely what they need to do, but it is why I support mandating certain actions on behalf of business

and on behalf of markets generally, because, left to their own devices, it will not happen fast enough.

It is quite frightening to see how problematic climate change actually is. It is one of the reasons I do not support the Howard government's so-called solution. While the Prime Minister says he supports our looking at a range of energy options, it is very clear from the task force that he set up and from all of his statements that he believes nuclear power is the way to go. So he has proposed, and certainly the Switkowski report has stated, that we should have a functional nuclear power industry in Australia by 2020, and he suggested that 25 plants be built by 2050; they would meet about 30 per cent of our energy needs.

The question I ask is: what do we do in the meantime, and what do we do about addressing the other 70 per cent of our energy needs? In effect, what we have is a Prime Minister who has said his solution will address 30 per cent of the problem in another 40 years time. We do not have the time to wait, and if you read Tim Flannery's works, he suggests we will be lucky to have one or maybe two decades in order for us to reduce our emissions, because currently CO₂ is accumulating at the rate of 2.5 parts per million per year. We have about a decade or two to make the reductions we need.

I go back to what the state governments, and particularly the Bracks government, are doing because of this lack of leadership by the federal government. To name a number of initiatives, there is the VRET (Victorian renewable energy target) scheme, which is a market-based measure that will mandate 10 per cent of electricity consumption from renewable sources by 2016. I know the Liberal Party rejected this policy at the last state election. I was horrified to see that they would do that. We have seen what the federal government has done with these sorts of targets over the years — that is, to reduce them to the point where they have no impact at all.

Within a few months of the state government announcing an extension of the VRET scheme, new solar, wind and hydro projects in Victoria were announced. They will total \$2 billion in investment and will provide 2000 jobs. We also had the energy technology innovation strategy which ensures investment in pre-commercial energy and retail technologies in a coordinated way. The initiatives that have been funded include \$50 million in a new 400 megawatt clean coal power plant to demonstrate coal drying and gasification technology and \$30 million to retrofit one of the generation units at Hazelwood power station so as to reduce emissions by 30 per cent.

We have also seen \$50 million allocated for the establishment of the world's largest and most efficient solar concentration demonstration project. That project got up very soon after we announced the VRET scheme. I have to say that with regard to the state Liberals and the state Greens having voted against allowing a plebiscite had the federal government sought to override state laws and establish a nuclear power plant in Victoria, one of the previous speakers suggested that the recent legislation was simply a stunt. I can assure that member that if the federal government chooses to use certain powers, it can override any legislation that applies currently in Victoria.

In summary, the climate change debate is real. Climate change is a serious and extremely dangerous problem that we all face. All forms of energy must be considered. Some countries have more options than others. Australia has many more options to consider rather than just going down a nuclear energy path, with its extraordinarily high costs. In 1980 it was suggested it would cost \$3 billion to build a nuclear power plant and \$56 million a year to run it. My overarching concern with the way in which the Howard government is proceeding is if it meets those energy targets for nuclear power by 2050, there will be no money to spend on any other alternative sources of power. It will be put on the backburner. There will be perhaps some token money put aside, but the overriding push will be for nuclear energy. It is not the way we need to go in Australia. We have so many other alternative sources of energy, and of course the no. 1 and best environmental step we can take is to reduce our demand.

Mr MORRIS (Mornington) — I am pleased to make what is my first contribution to an MPI (matter of public importance) debate. As a newcomer to this place, I have been quite interested in the way we operate. Perhaps naively, I really thought that when something appeared on the notice paper, that was what the house did. I thought we would have an opportunity to adequately address issues of real concern to the community. Of course, I knew that in the adjournment debate we did not actually talk about what time we rose, but I did think that question time was an opportunity to ask questions of ministers.

I learnt very soon after 5.00 p.m. on 19 December that that was not the case. So I was not at all surprised to hear the subject of this morning's discussion and to recognise it for what it is — yet another piece of self-congratulatory fluff from a government totally out of touch with what is important to the Victorian community. We could be debating the water crisis, we could be debating the public health crisis or we could be debating the problems we are having with the public

transport system — but no, we are congratulating the Bracks government for its commitment to a nuclear-free Victoria.

What has the government done to deserve these congratulations? As someone not closely familiar with its alleged achievements, I thought I should have a look through *Hansard* and see exactly what the contribution had been over the past few years. Working back from as most recently as yesterday, we had an ‘enormous’ petition, bearing 29 signatures, tabled by the member for Frankston. That followed another offering from the same member, of 32 signatures, presented on 18 April. On the day before, the member for Burwood lodged another ‘huge’ petition with 32 signatures on it.

Then, as a number of members have said in this debate, the house debated the Nuclear Activities (Prohibitions) Amendment (Plebiscite) Bill, and I will come back to that subject in a moment. We have also had a couple of questions to the Premier — one in February and one in June last year during the last Parliament — and a couple of adjournment matters, none of which really amounted to much at all.

To suggest that the Nuclear Activities (Prohibitions) Amendment (Plebiscite) Bill was evidence of a serious commitment to anything but the usual politics is total nonsense. It was not a proposal for proper participative democracy. If it were, I think it would have been well worth having a look at any proposal. It was just plain bad legislation and a self-serving attempt to hoodwink the public. Members may recall that the structure that would have been established by the bill would have enabled the minister to decide whether we had a vote, when we would vote, how we would vote and whether the government would take any notice of the result of a vote.

It is nothing short of a cynical abuse of the government’s duty of care to the community. It is certainly not a significant contribution to a nuclear-free Victoria. What other evidence is there on the parliamentary record of this so-called commitment? There were a couple of answers to questions without notice — I think I have made my views about those fairly plain already — and a couple of adjournment debate contributions.

Once again, in terms of adjournment debates it was about politics as usual and not letting the facts get in the way of a good story. One in particular was reasonably close to home in geographic terms. There was a contribution during the adjournment debate on 8 August last year from the then member for Hastings suggesting that the federal government was considering

Hastings as a site for a nuclear facility. This adjournment matter was part of a concentrated scare campaign to identify possible sites and scare the pants off people in various groups, regions or towns around the state of Victoria. We have had that nonsense repeated in the debate today.

The sites that were identified in each of those contributions were of course identified not by the federal government but by the Australia Institute. The institute is not exactly an independent body — I believe the president of the Australian Council of Trade Unions is a member of the board — and is not a body that is an authority on the siting of nuclear power stations. The federal member for Flinders, Mr Hunt, had already made the point that a nuclear power station in Hastings, or indeed anywhere else in the country, could only proceed with community support and on a geologically stable foundation. Hastings, or Western Port, is adjacent to three faults, not one — the Selwyn fault, the Tyabb fault, and the Lang Lang fault. Clearly Western Port is not and never has been an option. The federal member for the adjacent electorate of Dunkley, Mr Billson, made similar comments.

What Mr Billson and Mr Hunt understand is the real issue that faces Victorians and Australians, which is that as a nation we have to explore every possible opportunity to deal with our future energy requirements. That is an issue that has been expressed very clearly by the Leader of the Opposition, most recently last weekend. Without energy, society as we know it stops. Clearly we have to look at all the options if we are going to maintain our 21st century way of life and keep our economy growing.

However, and very fortunately, that is not something that is of immediate concern to Victoria. As a number of members have noted, we have enormous reserves of coal — by some estimates, 500 years worth. Certainly we need to clean up the coal. That point has been made on a number of occasions, and I think it is very valid. That is why there are at least four different programs going on in Victoria at the moment in an effort to clean up the coal. Amongst them are post-combustion carbon capture, or geosequestration; the integrated gasification combined cycle; the brown coal de-watering and drying proposal; and the oxyfuel combustion method. Those are the sorts of options that we should be pursuing. Those are the sorts of things we need to be discussing, not being diverted from by a debate about a non-existent nuclear proposal.

But by courtesy of the proposition from the member for Seymour we are discussing matters nuclear and the Bracks government’s attitude to those matters. It has

been interesting — I think a number of members have also reflected on this — that the ALP was discussing the uranium mining issue last weekend, in particular in the debate on the three-mines policy. Of course the vote was to abandon that policy. According to all reports, it was an impassioned debate. Had I not been occupied elsewhere, I might have been interested in following it more closely. The reported figures show it was a close vote: it was 205 to 190 votes. This raises a question for the Victorian Parliament: which government members in this place support Peter Garrett and Anthony Albanese's view of the world? Should we have no new mines? I think some members would probably go further than that and ask, 'Should we close the mines down?'

I thank the member for Northcote because she advised the house on how she voted. That added to the understanding of members on this side of the house. That leaves more than 50 members who could also contribute. We do not know how many Labor members supported the narrow majority view that the industry should be expanded. The Premier supported the expansion of uranium mining. It is not just an expansion of the Australian mining industry; it is a de facto expansion of the world's nuclear industry. The Premier says, 'This industry is far too dangerous for Australia to even consider as an alternative but it is okay for China, India, or anywhere else in the world to consider it'.

Clearly the state ALP and the state government think they can have it both ways: they can talk up a nuclear-free Victoria because it will probably be 500 years before we need to face that issue while, at the same time, they are encouraging countries around the world to take up the nuclear option. This motion is a joke, and the house should deal with it accordingly.

Ms BEATTIE (Yuroke) — I thank my colleague the member for Seymour for bringing this important matter before the house. The previous speaker tried to deny where nuclear power stations might be built, but I remind him of the words of his federal leader, Prime Minister John Howard. On 27 February this year — not 10 years ago — John Howard said in federal *Hansard*:

I think this nation, if it is serious about climate change, has to look at the nuclear option ... I am not ruling out power stations anywhere in this country.

The previous speaker said that a nuclear power station is not going to be 'here or there', but where would those proposed nuclear power stations be built? The Switkowski report produced by the prime ministerial task force raised the possibility of a functional nuclear power industry in Australia by 2020, which included

the possibility of up to 25 nuclear power plants by 2050. The simple mathematics is that every two years somewhere in Australia a nuclear power station will be built. Are we to believe the naysayers on the other side of the house who say that the Prime Minister is not going to attempt to put nuclear power stations anywhere in Victoria? That is naivety in the extreme. We have seen this federal government override states.

In the news we have seen the unsupported Corporations Law and the extreme industrial laws of the WorkChoices legislation being foisted upon us. We have seen the Prime Minister ride roughshod over the wishes of people. I say to members: the Prime Minister's move to bring forward the debate on nuclear power is about his failure to address climate change and wanting to get off the uncomfortable ground of WorkChoices. That is why he is now out in the community banging the nuclear drum.

I will now address climate change and the economies of nuclear energy. Insurance for nuclear power stations cannot be obtained in the private market. The chief executive of AGL, Paul Anthony, said in the *Australian Financial Review* that because nuclear power stations are uninsurable, they will only be built if governments wear the risk. The risk will be an additional cost that has to be borne by the government. Paul Anthony does not anticipate seeing a nuclear power plant in Australia during his lifetime.

We all know about the insurance industry. We all know that if there is a quid in something, the industry will insure it. The industry will not insure a nuclear power plant, and this speaks volumes as far as I am concerned. Is the Howard government going to expose the Australian people, every one of us as taxpayers, to this level of financial risk? I ask members: is this an example of responsible economic management that John Howard talks about?

John Howard tells us that our economy is in such great shape because of him and Peter Costello, the federal Treasurer. If you look at the financial charts of the economies all over the world, you will see that the world economy is going very well. The success of our economy has nothing to do with John Howard and Peter Costello; it is more to do with world circumstances. We are all reaping these benefits.

I will now talk about the plebiscite bill that was shamefully recently defeated in the upper house. The Liberals were true to form and at least they stuck to their guns. The debate on the bill proved that Labor and the Independent in this house are going to protect Victoria from a nuclear power plant being built here.

The bill was sent to the upper house. The actions of the Liberals and The Nationals in the upper house were consistent with the actions of the members in this house.

But the Greens are members of a political party that is supposed to be the great saviour of climate change. What did we see from them in the upper house? We saw boo-hoing. It was like a rerun of *The Muppet Show*. The Greens were like Kermit the Frog, and they said, 'It ain't easy being green'. The Greens voted against the bill. I can believe the Greens did that, but it is impossible to fathom how they can go to their constituencies and say that they voted against that bill. A plebiscite will only happen if a nuclear power plant is proposed for Victoria. How the Greens can look their constituents in the eye and say they are the great protectors of the climate I do not understand. They will have to account for their actions on that bill at every turn.

As I said, there could be 25 nuclear power plants built to produce only up to 30 per cent of Australia's electricity. Sites were identified in the report, despite people saying, 'It is not going to occur here'. The four geographic areas in Victoria that were identified are South Gippsland, Western Port, Port Phillip and Portland. In general terms we all know nuclear power facilities should be located near existing energy infrastructure, or major demand centres, where there is also transport infrastructure as well as water resources. I see the Minister for Public Transport in the house, and I want to congratulate her on the work she has done, which is shown in the budget, on the great transport initiatives that are occurring. I am sure the Victorian people will not want their transport dollars spent on infrastructure for nuclear power plants.

The Bracks government will continue to be on the frontline arguing against nuclear power in Victoria. A trading scheme that involves private investment in the first nuclear reactors to be built will require some form of government support or directive. I can tell you, Acting Speaker, that this support will not be forthcoming from the Bracks government. We have a longstanding commitment to a nuclear-free Victoria. It is not an option for Victoria. We want the long-term security, environmental and health and safety problems sorted out, and there would be only marginal savings in fossil fuel use. We all know climate change is happening — everybody except the great denier, Prime Minister John Howard. We should be out there addressing those concerns about climate change rather than looking at nuclear energy.

In conclusion, I support this matter of public importance. Much has been made of the Premier putting up his hand at the ALP conference. If I were a Liberal, I would be more interested in focusing on what Tony Staley had to say at the Liberal conference — that is, that the Liberals are not ready to govern. In the six months since the election I have not seen Tony Staley saying the Liberals are now ready to govern. They are not ready to govern. They come into this house and do one thing, and then John Howard phones from Canberra and says, 'Hey boys and girls, that is not right', and then they fall into line. We have seen this with the Murray-Darling bill, when The Nationals agreed with the Bracks government until they got the call from John Howard, and then they too fell into line. Then the Victorian Farmers Federation got the call, and it fell into line. Labor will protect Victorians.

The ACTING SPEAKER (Mrs Powell) — Order! The member's time has expired.

Mr KOTSIRAS (Bulleen) — This matter of public importance is nothing more than a gimmick. It is nothing more than the use of political issues to try to score cheap political points. I could not believe it when I saw the Premier of this state raise his hand in support of more uranium mining. I could not understand how he could lift his hand to support that and still agree to put up an MPI like this. What does he think uranium is used for — tea and coffee?

The ACTING SPEAKER (Mrs Powell) — Order! The member's time has expired, and the time for discussing the matter of public importance has expired.

STATEMENT ON REPORT

Scrutiny of Acts and Regulations Committee: Statute Law Revision Bill

Mr JASPER (Murray Valley) — I wish to comment on the report on the Statute Law Revision Bill by the Scrutiny of Acts and Regulations Committee, which was tabled in Parliament yesterday. I want to make it clear that over the years that I have been in Parliament bills that refer to statute law revision have been regularly brought before the Parliament. There has been extensive work undertaken by the Scrutiny of Acts and Regulations Committee in relation to this matter in order to seek clarification on legislation and to reduce the need for these sorts of bills to be brought before the Parliament.

The Scrutiny of Acts and Regulations Committee undertook an investigation into this matter, and over

12 months ago the house passed a bill which made it clear that an amending bill should be revoked within 12 months of its coming before Parliament. The bills coming before the Parliament now include a reference to this provision to indicate that an amending bill will be revoked at the end of 12 months and included in the principal legislation. This is an important move undertaken by the Parliament to make legislation work more efficiently and effectively.

One of the issues that is raised in this report is the continuing problem involved in looking at corrective action. Often there is just a small matter that needs clarification: a word or comma may need amending or some other small change may need to be made. The issue which I have had concern about and which is the subject of this report relates to retrospective amendments, and we had parliamentary counsel visit the committee to explain some of the details.

I have been totally opposed over the years I have been in the Parliament to retrospective legislation and retrospective regulations. Over the years we have also seen the regulation review subcommittee and the Scrutiny of Acts and Regulations Committee opposing any regulations or bills coming before the Parliament that contain retrospective amendments. Three examples were brought to our attention, and we were able to get explanations from parliamentary counsel on those particular retrospective amendments to legislation going back to 2006 and, in one case, 2004. After the explanation was provided to the committee we agreed and accepted that they should be included in the bill to be brought before the Parliament — it has now been passed — after seeking clarification on those areas where the retrospectivity was required.

The question we put to the parliamentary counsel was: with respect to the retrospective parts, would there be any adverse effect on people as a result of the retrospective actions taken by the Parliament? Counsel indicated that there would be no adverse effects from those three retrospective actions. The committee reviewed the retrospective amendments and agreed that they were justified and that it was appropriate for them to be included in the Statute Law Revision Bill. The 77 items in the schedule involve small changes to a range of acts — and we approved those items as well.

Unproclaimed acts were another issue raised in discussions. We noted that there were two unproclaimed acts listed in the appendix, and we are seeking further advice from the Minister for Planning on the need to retain these unproclaimed acts. We suggest that the minister respond by indicating that those unproclaimed acts should be revoked. From my

point of view, having had a long-term involvement in reviewing regulations, I support the actions that have been taken to make legislation work more efficiently and effectively.

GAMBLING REGULATION AMENDMENT (REVIEW PANEL) BILL

Council's amendments

Message from Council relating to following amendments considered:

1. Clause 3, page 7, line 8, omit “Nothing” and insert “Subject to subsection (5), nothing”.
2. Clause 3, page 7, after line 15 insert —
 - “(5) Subsection (4) does not prevent the Review Panel performing its functions under section 10.2A.3(1)(b) to the extent that those functions include considering and reporting on the process that led to the decision to extend the current public lottery licence until 30 June 2008 (**the extension process**), if the Review Panel considers that considering and reporting on the extension process is relevant to considering and reporting on the authorisation and licensing process.”.
3. Clause 3, page 7, line 20, omit “2 or”.
4. Clause 3, page 8, line 21, omit “2 or”.
5. Clause 3, page 11, lines 27 to 29, omit all words and expressions on these lines and insert —
 - “(1) Subject to subsection (3), the Minister must —
 - (a) give a copy of each report of the Review Panel to the Secretary as soon as practicable after receiving it; and
 - (b) cause a copy of each report to be presented to each House of Parliament —
 - (i) in the case of a report with respect to the regulatory review, within 7 sitting days of the House after the Minister publicly announces the government’s decision on the regulatory review;
 - (ii) in the case of a report with respect to the authorisation and licensing process, within 7 sitting days of the House after the Minister publicly announces the grant or issue of an authorisation or licence that is the subject of a report;
 - (iii) in any other case, at the time determined by the Minister.”.
6. Clause 3, page 11, lines 30 to 32 and page 12, lines 1 to 13, omit all words and expressions on these lines and insert —

“(2) The Secretary must cause a copy of each report received under subsection (1)(a) to be published on an appropriate Internet site as soon as practicable after a copy of the report has been presented to each House of Parliament under subsection (1)(b).”

7. Clause 3, page 12, lines 14 to 20, omit all words and expressions on these lines and insert —

“(3) Before complying with subsection (1), the Minister may exclude information from the report if the Minister has received advice from the Victorian Government Solicitor that the information is —

- (a) protected information; or
- (b) information that is or could be the subject of legal professional privilege.”

Mr ANDREWS (Minister for Gaming) — I move:

That the amendments be agreed to.

Some time ago this chamber passed the Gambling Regulation Amendment (Review Panel) Bill which proposed amendments to the Gambling Regulation Act to establish a four-member panel to be headed by Ron Merkel, QC, a former judge of the Federal Court. The panel was to provide a governance and process oversight to add an additional layer of scrutiny to the current gambling licence review process as it relates to both the public lotteries licensing process, which is ongoing, and also other phases of the review of arrangements that expire in 2012, that being principally of licences for electronic gaming machines, wagering, Club Keno and the funding of the Victorian racing industry.

The bill delivered in full on a commitment made by the Premier in November last year to add an additional layer of scrutiny into this important process. These are important processes, and it is important that the community has confidence as to the probity and integrity of the processes followed.

The bill has been amended by the Legislative Council — that is, government amendments that do not alter the policy intent or the integrity of the bill have been agreed to by the other place, and we are considering those today.

I will run through those in some detail in a moment, but they are government amendments, and we are obviously pleased to support them in this place on the basis that they put beyond doubt a number of matters which I think were canvassed in my summation and in the debate generally. As I said, they put those matters beyond doubt, and that is an improvement. We are

pleased that we have been able to secure support in the other place to do that.

I will detail, in order, what the amendments essentially relate to. Firstly, there was some discussion when the bill left this place as to whether my decision to extend the public lotteries licence until next year — a 12 month extension on identical terms, as provided for under the Gambling Regulation Act — would be a matter that Mr Merkel and his four-member panel would be able to consider in making recommendations as to the integrity of the processes followed in the awarding of any licence or in industry structure decisions. This principally related to the ongoing public lotteries licence.

I made it clear in my summation that to the extent that that was relevant to the licence-awarding process, Mr Merkel and his panel would be able to do that. Amendments 1 and 2 give effect to that, putting beyond doubt the power of the panel to inquire or look at the decision that was made to extend the public lotteries licence to 30 June 2008. This was a decision that resulted from the fact that more time was required to complete that licensing process. In order to provide for that time and also to ensure that the full range of lotteries products could remain available to the Victorian public, an extension was granted. The amendments put beyond doubt the fact that Mr Merkel and his panel will be able to make inquiries, to the extent relevant, into that matter.

Amendments 3 and 4 proposed by the government in the other place put beyond doubt the fact that this will be a four-member panel. The bill’s wording referred to a chairperson and ‘2 or 3 other members’; it has always been the government’s intention to appoint three additional members. The policy announcement made in November and my comments since then, and indeed my summing up on the bill when it left this place, indicated that we intended to and will appoint three members in addition to Ron Merkel as the chair. That puts that beyond doubt: there will now be the chair and three other members, so it will be a four member panel in accordance with the commitments we had given.

Amendment 5 deals with the tabling of review panel reports to this Parliament and provides that I, as minister, would make those available to the house within seven sitting days of the public release of those panel reports. In order to maintain the integrity of the process, those reports will be made public after decisions have been made. In order for this panel to run in parallel with ongoing licensing processes, it would not be appropriate to report publicly prior to decisions being made. This is so given the commercial and legal

frameworks that have been established under these particular processes both now and going forward in relation to industry structure, the matter of licences that will expire and the question of what will therefore take their place beyond 2012.

The amendments provide for an additional layer of scrutiny, if you like, formalising the requirement to table panel reports within the Parliament within seven sitting days after I have publicly announced a decision on a regulatory review of those licences that expire in 2012 and likewise within seven sitting days of the public announcement of a decision as to who shall hold a public lotteries licence in Victoria.

Amendment 6 provides for the Secretary of the Department of Justice to publish those panel reports on a departmental website, and that is consequential to the amendment I just spoke about in relation to the tabling of panel reports.

In relation to matters that will be omitted from the panel's reports, there was some discussion and debate when the bill was last considered by this house as to what the processes would be to determine information that was either protected under the terms of the Gambling Regulation Act or the subject of legal professional privilege. There was some discussion as to whether I might be donning a wig and getting a black texta out and making those judgements myself. Obviously the intention always was that advice would be sought from relevant people within the Department of Justice or within the Victorian government more broadly. They are not matters for me to make a determination on, and effectively we have formalised that.

The member for Malvern had proposed amendments whereby the Solicitor-General would play that role. We did not believe that was appropriate, and amendment 7 gives effect to the fact that the Victorian Government Solicitor will need to provide advice on that information before it is taken out of the final report. The amendment simply clarifies what was the original intention, given that these are matters that would be the subject of detailed advice provided to me. It is important to note that whilst these amendments clarify a number of issues and in effect put beyond doubt a number of matters on which we had already provided a commentary or public commitments, they do not fundamentally alter the purposes of this panel. This panel will conduct a governance review, or a process review.

It is a mechanism that is there so that, when recommendations are made to me by an

interdepartmental steering committee on who should hold a public lotteries licence or what industry structure should be in place or about the final results of a competitive process for the renewal of those licences or the making of new licences beyond 2012, the government and I can have confidence — and in turn the Victorian community can have confidence — that the processes that have been followed within government to provide that advice have been of the highest possible standard.

The bill details a whole range of questions that the panel will need to ask. It will need to satisfy itself that it has been a robust and thorough process that has been free of bias. Then there is a range of other questions that will need to be asked. Again, it is all about ensuring that when advice is provided to me and decisions have to be made by the government, both the government and the broader community can have confidence about the processes that have led to the provision of that important advice.

The amendments do not, however, turn what is in effect a governance and process review into anything more than that. The policy intention in the bill is clear, and we were keen to ensure that the integrity of this particular panel was maintained. In order to give that advice, provide a sign-off and have a detailed consideration of internal processes as they unfolded, it was not thought appropriate to have a situation where public hearings would be held. We did not believe it was necessary to be conferring on this body powers under the Evidence Act and other powers that were the subject of the amendments moved by the member for Malvern in this place and the Liberal Party in the other place.

On that basis we are pleased to have proposed these amendments in the other place and to support them here. This is about, if you like, finetuning or putting beyond doubt a number of matters that were already canvassed in the policy intentions, but again it also provides some clarity in those matters. It is on that basis that we can proceed, hopefully with the passage of these amendments, to formalise Mr Merkel's appointment, to appoint three other eminent Victorians and get this panel established and under way and to provide a proper oversight of the processes that have been followed in relation to, as I said, the ongoing public lotteries process, the industry structure, any industry design decisions in relation to the licences that expire in 2012, and ultimately the competitive process that will provide us with advice on what should take place and what licences ought to be granted beyond 2012.

These are important matters. I simply make the point that we have a probity plan. We have detailed processes to be followed, either by public announcement or via the terms and conditions set out in the Gambling Regulation Act. We take our responsibilities seriously, and I certainly do as minister. Further evidence of the integrity of the processes that have been followed in relation to lotteries is that Pitcher Partners, the probity auditors, have signed off on the integrity and probity of the work of the interdepartmental steering committee that has carriage of these matters at four separate points. That is the latest advice I have. It is important that the community can be confident that the frameworks that have been established to deal with these issues are of the highest standard.

This panel will add an extra layer of scrutiny to the integrity of processes that have been followed. It is a worthy bill and a worthy set of amendments, and I commend them to the house.

Mr O'BRIEN (Malvern) — The opposition does not oppose these amendments. They make an extremely modest improvement to the bill, but they will still not turn a sow's ear into a silk purse.

What is instructive is not so much the amendments that the government is moving as the amendments that the government failed to support both in this chamber and the other place. Without revisiting that debate I will briefly refer to those amendments, because they were referred to by the minister. The key aspect of these amendments and the bill which will be passed is that the review panel cannot examine the activities of any minister, any ministerial adviser, any applicant for a licence or any consultant for an applicant for a licence. That is a fundamental failing in this bill.

While this bill, given the very limited way in which it will operate, may have the capacity to do some good, there is certainly no way it can give the Victorian public any confidence as to the integrity of the processes that have been undertaken to date. That is quite apparent from the fact that this bill specifically states that no decision that has been publicly announced by a minister can be the subject of investigation by this review panel.

The minister and other members of the government have been very quick to point to Mr Ron Merkel's expertise as a lawyer and a judge. That is certainly not being called into question by me or by any member of the opposition, but as a very good judge and a very good lawyer Mr Merkel knows that he is strictly bound by the terms of the legislation. He cannot simply investigate matters because he thinks they may be relevant to general questions about the integrity or

probity of the licensing process. He is only able to investigate those matters which the legislation permits him to investigate, and he is specifically excluded from investigating any matters that relate to a decision publicly announced by the minister before the commencement of this bill, should it become an act.

The very fact that the government is not prepared to allow Mr Merkel to have the power to investigate matters that have gone on before the passage of this legislation is of significant concern to the opposition and is a demonstration that this government is very worried about thorough investigations of that manner taking place.

The opposition is also concerned that the government has refused to give the review panel the coercive powers necessary to obtain access to people or documents that may be relevant to the scope of its investigations. The minister and departmental officers have told us that if the review panel requires access to people or documents as part of its investigations, the minister will facilitate that. However, it may well be that if a review panel is to be independent of government to the extent that it is not subject to the decisions of the minister — and it is supposed to provide some sort of independent assurance about the integrity of these processes — the panel must have its own ability to call for documents and call for people. It should not be subject to a decision of the minister about whether or not he is prepared to facilitate the review panel having access to those matters.

For a review process that is supposed to be about transparency, the fact that the government is not prepared to allow this review panel to meet in public is quite ironic, to say the least. The opposition moved amendments to enable this panel to meet in public, with the power also to hear evidence in camera should circumstances demand it, but it is a matter of regret that those amendments were opposed by the government.

I now turn to the specific nature of the amendments made by the Council, with which the minister asks us to agree. Amendments 1 and 2 essentially operate to amend what I have termed the quarantine provision in proposed section 10.2A.3(4) of the bill. The provision states that no decision publicly announced by the minister can effectively be the subject of any investigation by the review panel. It now says that that is to be subject to new subparagraph (5), as proposed in the Council's amendment 2.

The minister has stated that the intention of this amendment is to clear up any confusion about whether or not the minister's decision to extend Tattersall's

lotteries licence by 12 months on the last business day before Christmas 2006 can be the subject of review by the review panel. The minister says that the intention is that that decision can be subject to review by the review panel. But when you actually look at the wording of the amendment, you see that it says it is really only if the extension of the lotteries licence is relevant to the authorisation of and licensing process for the new lotteries licence that the panel has the power to investigate it.

A question that I have raised in the past in this house and in other forums is whether Victorian taxpayers should have received a premium payment from Tattersall's for the 12-month extension of its lotteries licence. The minister suggested that he had previously dealt with this. Certainly he attempted to state in this house, when the matter was last before us, that there simply was no power to extract a premium payment on the extension of a lotteries licence. Perhaps the minister might be interested in speaking to the Leader of the Government in another place, because when he was acting Minister for Gaming he stated on 23 July 2002 that the Public Lotteries Act that was passed in 2000 extended Tattersall's licence from 1 July 2004 to 30 June 2007, subject to the negotiation of a premium payment. So for the minister to state that you cannot extract a premium payment where a licence is extended is completely at odds with what the Leader of the Government in the other place said in the past.

The minister might be in a position to explain whether he got it right or whether Minister Lenders got it right. It may be that the current minister has used loose wording or the previous acting minister has used loose wording, but the simple claim that an extension of a lotteries licence cannot be subject to the receipt of a premium payment is contradicted by the current minister's own colleague.

For that reason we are concerned that amendments 1 and 2 moved by the government do not go far enough. We think they should make it quite clear that any aspect of the extension of the lotteries licence, including the non-receipt of a premium payment, should be able to be reviewed by Mr Merkel's panel. It is at least questionable under the current wording of these amendments whether the non-receipt of a payment can be reviewed, and for that reason we would argue that the amendments should be clarified by the government to make absolutely clear that Mr Merkel can examine the non-receipt of a premium payment.

Amendments 3 and 4 seek to clarify that the review panel will constitute four members. These are amendments that were moved by me in this house, and

they are amendments that were rejected by the government in this house. I suppose one might say, 'Better late than never', given that the government has acknowledged that they were sensible amendments and perhaps should have been supported at the time. Once again it seems the Liberal Party is making good policy in this place and the Labor Party is following it up and adopting it as its own at the first given opportunity, but we will not be churlish about that.

Amendment 5 seeks to replace an existing subsection in the bill which deals with publication of reports by the review panel. The amendment provides for the presentation of a report to Parliament only after a minister has publicly announced the decision to which the report pertains. Where a decision has been publicly announced, the report must be presented to the Parliament within seven sitting days.

There are a couple of points I would like to make about this amendment. The first is that where a report by the panel does not relate to a regulatory review or the grant of an authorisation or a licence, the minister is under no compulsion to publish the report. The wording used in the amendment is 'at the time determined by the minister', which presumably could be never. One wonders why the minister would wish to have a discretion to just not publish a report which is given to him by the review panel if that report does not specifically relate to the regulatory review or the grant of an authorisation or a licence. If the minister is keen to be seen to be open and transparent about these matters, it is certainly important to remove that ability to not ever publish a report.

The other aspect of this amendment I would like to comment on is that the amendment will still mean that a report which could identify a serious problem in the processes of this government's tendering will not be made public until after the government has already made its decision. Victorians can be locked in for a decade or more by a decision of this government, and we will see the report which gives a view as to whether the proper processes have been followed only after the decisions have been made and presumably after the contracts have been entered into. I do not think that can give the Victorian public much confidence.

If the government believes that its processes are clean and not flawed and that they are subject to the integrity and probity that one would expect and that the Victorian community would expect, why is the government keen to make sure that this report cannot be released until after the decisions on the licences have already been made? The opposition's amendments proposed that these reports should be released as soon

as they are received by the minister. The idea that the minister should hold on to them and effectively only release them after the horse has bolted is very much a substandard option. Amendment 6 is effectively consequential on amendment 5.

Amendment 7 provides that the exclusion by the minister of protected information and material, which is or could be the subject of legal professional privilege, from the published report must be done on the basis of advice from the Victorian government solicitor. I am very pleased the minister has adopted my vision of him sitting there with his wig and gown in one hand and his big black texta in the other hand, and I am glad the minister has acknowledged that that would not be a very edifying sight for anyone. On that basis I am very pleased the minister has adopted the opposition's suggestion that any decision as to the exclusion of information from the report should be made on the basis of legal advice. I am not going to quibble with the minister as to whether or not the appropriate person to provide that advice is the solicitor-general or the Victorian government solicitor. The opposition certainly has confidence in both bodies and both offices, and it is prepared to support the amendment on that basis.

While these amendments go a very small way towards improving this bill — partly because they are adopting amendments proposed by the opposition — it is more to the point that the proposed amendments that have not been adopted by the government are the ones that would give this bill some teeth and the ones that would give this bill the power to actually investigate substantive issues. This bill is all about examining the processes of public servants and not about examining what has happened in terms of relationships and interrelationships between ministers, between ministerial officers, between consultants to government, between consultants to licence applicants and between licence applicants themselves.

On that basis, while the opposition is not prepared to oppose any of these amendments, it again makes the point that this bill is still a toothless tiger and that the Victorian public, who thought they were getting a real review when it was announced by Premier Bracks during the election campaign, will know they have been duded. They will know that they are not getting a proper review and that they are getting something that has no teeth and no power. Once again the question is: what does the government have to hide?

Debate interrupted.

DISTINGUISHED VISITOR

The ACTING SPEAKER (Mrs Powell) — Order! Before I call the next speaker, I acknowledge the presence in the gallery of a former Speaker of this house, Mr John Delzoppo.

Debate resumed.

Mr RYAN (Leader of The Nationals) — It is my pleasure also — completely against standing orders — to recognise the presence of a former Speaker of this house.

The Nationals do not oppose the amendments, and I endorse the commentary from the member for Malvern with regard to them. I am very pleased to see he is not being churlish. I make the observation that as a matter of general course I do not think the public in Victoria has faith in the panel process, because it was adopted on the run during the course of the election campaign after a long period of commentary which was driven by articles published in the *Herald Sun* under the name of Michael Warner, who was receiving documentation from wherever. Ultimately, with a couple of weeks to go, the Premier came out and made the announcement which is now reflected, to a degree at least, in the legislation before the house.

The real key to this will be found in the old adage about the proof of the pudding being in the eating, if the Victorian public is to have confidence in the ultimate outcome. While it is true that you cannot style legislation of any order around the particular availability of an individual who might be involved in its fundamental enforcement, I suspect the government will have a very good opportunity to convince Victorians about the efficacy of this legislation as it is actually given effect to under the control and direction of Ron Merkel. By any standards Ron Merkel, QC, is an eminently competent member of counsel who always discharged his role, with great respect to him, admirably when he was on the bench. I am sure he will bring those attributes to the role he now occupies in the course of his appointment.

Where we may have the potential for a nexus between, on the one hand, the legislation which has essentially arisen out of a policy position adopted on the run and, on the other hand, the way in which that legislation is given effect to under the hand of Ron Merkel, QC, is if the government is prepared to take advice from him as the legislation is given effect to, because Ron Merkel is not one who will be bothered with wanting to take this process on a particular course if he does not think it is merited. If Mr Merkel believes the task he is being

asked to undertake by this legislation is better able to be done through particular amendments to the legislation as it now is, I have absolutely no doubt he will make those recommendations, and the government might not be comfortable with them.

I made the observation during the second-reading debate that I do not think Ron Merkel, QC, will want to see himself fettered in any way in being able to properly do the job. He will be straining at the leash if he wants to go in a particular direction yet he is restrained from doing so by the terms of this legislation. If that eventuates — and I suspect it will in any one of a variety of ways — the challenge for the government and for the minister in particular will be whether this legislation will need to be returned to the chamber on the back of the advice from Mr Merkel so that we can have amendments made to what will then be the act to better enable the role he is fulfilling to be discharged, and in turn to therefore better enable the Victorian public to have the confidence in this legislation which the minister so confidently asserts will be the case. The proof of the pudding will be in the eating.

Mr ANDREWS (Minister for Gaming) — I thank the member for Malvern and the Leader of The Nationals for their contributions to the debate on these amendments. Obviously there are reasonably significant differences between the positions advocated by the member for Malvern and the Leader of The Nationals, and those put forward by the government — and indeed I would have to note they were supported by the Legislative Council. These amendments were moved by the government in the other place but were supported by a clear majority of members in the other place — well beyond the representation accorded to the Labor Party there.

As I said, these amendments put beyond doubt a number of different issues. It was our view that we had effectively canvassed many of those in terms of the commentary that I had run on the bill and other public statements that had been made, but it is important to put those matters beyond doubt in relation to tabling, how many people will be on the panel and so on. They are important amendments to clarify some of those outstanding matters, and they are also important insofar as they do not undermine the integrity of the bill and the integrity of this as a governance or a process review.

The review panel will be given appropriate power to review the processes that have been followed in providing advice to me and advice to government on a whole range of important matters — and they are important matters. That is why it is important that this panel be given appropriate powers and not be given a

whole range of other functions and tasks that ultimately, in their discharging those duties efficiently, could have the potential to undermine the integrity of the very process they are charged with overseeing. This is an important point. It is important to balance giving this panel appropriate powers with being duly mindful of the role that it will play and the fact that it will effectively be part of the process in that it will follow each of the important steps in line.

There is a key point of difference between the way this government regards licensing and other tender processes and the view of those opposite. To publicly inquire into licensing processes while they are ongoing is not, in my view and in the view of the government, an appropriate thing to do. Those opposite, particularly by their representation in the other place, have a very different view. We are not being churlish today, and in that spirit I will not provide a more fulsome description of that witch-hunt in the other place.

These are important amendments, and on that basis the government was pleased to move them in the other place and is pleased to support them here. But they do not undermine the fundamental purpose of this panel — that is, to provide advice to me and to the government on the integrity and probity of the processes followed when we come to make very important decisions, decisions which the community needs to have complete confidence in, knowing that the processes have been followed.

I am sure that Mr Merkel, whose appointment will be confirmed once these amendments are hopefully agreed to and the act's operative date comes into effect, and the other members who will be appointed by the Governor in Council to sit on this panel will give the community confidence as to those processes — and indeed that they will give the community additional confidence.

As I have noted on many occasions, we have a probity plan, established processes, steering committees and a whole range of different mechanisms to ensure that these serious matters are dealt with in an appropriate and proper way. This panel is an additional layer of scrutiny and an additional tool in order to boost or provide further confidence in the Victorian community as to the integrity and probity of the processes that the government has instituted and followed, and will form the basis of advice to our making important decisions — not just for now but, as the member for Malvern noted, over a substantial period of time in relation to those licensing agreements.

The member for Malvern raised a question in relation to the ability under the Gambling Regulation Act to seek

or to charge a premium payment. He sought to highlight what he saw was an inconsistency between decisions announced by Minister Lenders in another place in an acting capacity some years ago. The advice I have is that the current licence was the subject of a deferred premium payment that was payable midway through the licence term. When the premium was paid by Tattersall's, the right to provide lotteries exclusively was extended for the remainder of the licence term. This arrangement had been agreed when that licence was first granted. The term of the licence was agreed to run until 30 June 2007, provided the premium was paid at the mid-term date as previously agreed.

I remain very firm in my view — and I am not expecting the member for Malvern to concede the point — that the terms of the Gambling Regulation Act and the advice provided to me in December last year was that as it was an extension of the licence, that needed to be done on identical terms for a maximum of 12 months. There was no facility, as there would be under an amendment to the licence, to seek a premium payment, and it was on the basis of that advice that no premium payment was sought.

The member for Malvern can make hay with that as he sees fit. Again, he will ultimately have to make decisions, but I do not move away from my contention and the advice that I have been provided with — that is, that there was no facility to charge and secure a premium payment in relation to the extension of the public lotteries licence as made by me in December last year.

To sum up, these amendments are sensible changes to refine points of the bill and to put beyond doubt some matters that had been raised in debate in this place. It is my view and the view of the government that these arrangements will add a further layer of scrutiny to what are complex and important processes. They will ensure not only for the panel itself but certainly with Ron Merkel having agreed to chair this particular body, we can all be confident that when advice is provided to me with sign-off from Mr Merkel and his panel that I will and can have confidence in the quality of that advice and the quality of the processes that have led to that. In turn, the decision making that will be based on that advice, I would anticipate, would secure substantial support amongst the Victorian public. That is important as we go forward.

As I have pointed out on many different occasions, these are important matters and the government takes them seriously. That is why we have well-established processes, probity plans and why we amend the Gambling Regulation Act. At the end of the day the

government is absolutely and fundamentally committed to outcomes in relation to the public lotteries licence review process, industry structure decisions in relation to those licences which expire in 2012, and ultimate decisions as to the review of arrangements in relation to electronic gaming machines, Club Keno, wagering and the funding of the Victorian racing industry that have probity, integrity and represent best value for all Victorians.

That is our commitment, and that is what I will deliver, as minister. The arrangements we are dealing with today to refine the panel will only improve the likelihood of those outcomes. They will help us to get to that point. We have faith that this is a genuine and important step forward. The amendments refine those arrangements we proposed via the original bill. I am grateful that they have passed through the other place. They improve a good and sound set of arrangements introduced to the house earlier on, and it is on that basis that I commend them to all honourable members and wish them a speedy passage.

Motion agreed to.

Ordered to be returned to Council with message intimating decision of house.

Sitting suspended 12.54 p.m. until 2.03 p.m.

Business interrupted pursuant to standing orders.

QUESTIONS WITHOUT NOTICE

Water: infrastructure

Ms ASHER (Brighton) — My question is to the Minister for Water, Environment and Climate Change. I refer to the minister's comments of four years ago in a ministerial statement to this Parliament:

The water challenge runs deep, but we have the expertise, the leadership and the dedication to make real change and avoid a water crisis.

I ask: if the government was aware four years ago of the water crisis, why has it still not provided any significant funding for a major infrastructure project to secure water for Melbourne?

Mr THWAITES (Minister for Water, Environment and Climate Change) — I thank the member for Brighton for her question. Four years ago, of course, when I made that statement the opposition did not even have a spokesperson on water in the shadow cabinet. Really, that sums it up. For the last four years, indeed for the whole time of the Bracks government, we have

been delivering a massive program of reform and delivery of investment in water — more than \$1.7 billion.

Honourable members interjecting.

Mr THWAITES — They say, ‘What about Melbourne?’. What about the whole of Victoria? That is what we have been concerned about. We are concerned about Melbourne; that is why we have boosted recycling from 4 per cent to 14 per cent. That is why, with our water conservation program, we are the most successful city in the country on water conservation, with a 22 per cent per head saving in water.

Go beyond Melbourne, though, and go right around the state to the west of the state and you see the Wimmera–Mallee pipeline, the biggest rural project in the country, funded by and delivered by the Bracks government. If you go along the Murray, you see the Normanville pipeline, the Woorinen pipeline and the Tungamah, which the member for Murray Valley — who is not even here — has been seeking for years. Who delivered it? The Bracks government. If you go over to Gippsland, you see the Gippsland water factory, once again providing not only water but jobs and investment. Who delivered it? The Bracks government. So we have a record that we are proud of.

Mr Baillieu — On a point of order, Speaker, this question was about water infrastructure for Melbourne. The minister has had no answers for four years; he has got no answer now.

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

Honourable members interjecting.

The SPEAKER — Order! The member for Kororoit is warned. The minister, to continue.

Mr THWAITES — Let us go into some more water infrastructure for Melbourne. What about the \$160 million that is invested in the western treatment plant, which is now enabling us to recycle water in Werribee —

Mr K. Smith interjected.

The SPEAKER — Order! The member for Bass!

Mr THWAITES — and keep the Werribee farmers afloat during very challenging conditions.

Mrs Fyffe interjected.

The SPEAKER — Order! The member for Evelyn!

Mr THWAITES — Then there is the major investment in upgrading the Melbourne water authority’s pipes, which is leading to Melbourne having one of the best systems in the world, with the lowest level of leaks. They have saved some 12 billion litres of water in Melbourne’s supply. Without our program, which has been described by experts like Professor Peter Cullen as a ‘model’, all up we would be using 100 billion litres more in Melbourne than we are, which is 16 times more than the water in the Arundel dam.

Mr Hodgett interjected.

The SPEAKER — Order! The member for Kilsyth!

Mr THWAITES — The question asked by the opposition water spokesperson was about investment. I took the opportunity to look at hers and the alternative government’s view on what investment there should be in their election commitments. The total investment — —

Mr McIntosh — On a point of order, Speaker, the minister is clearly debating the question. Could you ask him to come back to answering the question about his project — which is zip, nought, nothing!

The SPEAKER — Order! There is no need for the member for Kew to enter into debate on a point of order. I uphold the point of order.

Mr THWAITES — We are investing \$1.7 billion in water projects.

Honourable members interjecting.

The SPEAKER — Order! The level of interjections has been too high. This is the first question of the day, and I would like the minister to be able to conclude his answer in silence.

Mr THWAITES — We are investing \$1.7 billion in water projects. The total amount the Liberal Party intended to spend on all water and environmental projects, including climate change — all of those issues — over the next four years was \$137 million. That is less than we have committed in just one budget on water.

Budget: schools

Ms RICHARDSON (Northcote) — My question is to the Premier. I refer to the government’s commitment to making education its no. 1 priority, and I ask the Premier to detail for the house how the 2007–08 budget delivers on that commitment and makes Victoria a great place to work, live and raise a family.

Mr BRACKS (Premier) — I thank the member for Northcote for her question and her commitment to improving the educational attainment of students around Victoria.

This is a great budget for Victoria. This is also a magnificent budget for the education system in this state. This is the biggest education budget we have ever seen in Victoria's history. Never before have we seen expenditure of almost \$1 billion in one budget going on the education system in this state — that is, \$1 billion extra will go through a one-off contribution into education in 2007–08, as delivered in the budget yesterday by the Treasurer.

This is in addition to the \$7.3 billion in extra funding we have committed over the last seven years. This is a record level of investment in improving educational attainment, and it is working. If you look at literacy and numeracy levels, which were below the national average, you see they are now at or above the national average here in Victoria. Retention rates, which were dropping under the previous government, have been going up and improving under our government. Class sizes, which were going up under the last government, have been going down to the lowest levels since records were first kept back in 1973 — in fact, they are the lowest on record.

The education budget that was delivered yesterday will add to that performance in the future. The bulk of the \$1 billion will go significantly on spending on school education in this state: 256 primary welfare officers will continue to receive funding as part of the budget proposals; 200 new teachers will be employed in the future as well, and 300 new teacher assistants will also be employed in the future.

The first tranche, the first 25 per cent, of our program to modernise and improve schools around this state was funded in this budget itself — that is, the \$555 million contribution, which will go to seven new schools in growth areas around the state and which will be committed to as part of this budget. It will go to 43 school modernisations, including 24 science rooms and four tech wings. Schools from Echuca to Torquay and from Doncaster to Coburg will benefit as a result of this commitment to modernising schools.

The new Better Schools Today program provides \$20 million for up to 40 smaller modernisation projects. Four replacement schools will be included. They include Albert Park Secondary College and Skene Street special school in Stawell. Amongst others, they will be replaced as part of that proposal. Six small rural schools will have their relocatables replaced with

permanent facilities — a promise we made during the election and which has been committed to now in the budget — including Mooroopna North Primary School, Drouin West Primary School and Toora Primary School.

Eight regeneration programs, one of which we visited recently at Broadmeadows before the budget was handed down, will also be included as part of this project. That is about education precincts consolidating and bringing together schools at primary and secondary levels and having a focus on education in communities such as Altona, Bendigo, Broadmeadows, Dandenong, Laverton, Wangaratta, Colac and Western Heights in Geelong. There will also be 30 new tech wings, as we also promised, as part of this budget. The Kangan Batman TAFE automotive centre at the Docklands, which is a great building and a great precinct, will go even further with the stage 2 development.

As I have mentioned, this is the best budget ever for education in this state. It builds on record investment in education over the last seven years under this government. It builds on it in a significant way by a \$1 billion additional investment in education, with the largest school modernisation and rebuilding program in Victoria's history. I think this is not only a great budget for Victoria but also a great budget for the families and children who will benefit from it for many years to come.

Budget: drought relief

Mr RYAN (Leader of The Nationals) — My question is to the Minister for Agriculture. Given that recovery in the rural sector is regarded by the government as a fundamental aspect of Victoria's economic performance over the next 12 months, why are there no new initiatives in the budget to provide direct financial assistance to country families who are struggling with the drought?

Mr HELPER (Minister for Agriculture) — I thank the Leader of The Nationals for his question, because it lets me highlight the relevance of this budget and the importance of this budget to agriculture and the agricultural sector in Victoria.

The Nationals seemed to be under the misapprehension that there would be a single line item or a budget line in the state budget which says, 'Drought, X number of dollars'. That is not the way governments work currently, and it is not how governments have worked in the past. Contingencies such as drought are met out of contingency funds by the government, and the

government will continue to monitor the impact of the drought — —

Honourable members interjecting.

The SPEAKER — Order! The Deputy Leader of the Opposition and the member for South-West Coast should cease their constant interjections.

Mr HELPER — We will continue to monitor the impact of the drought — —

Dr Sykes interjected.

The SPEAKER — Order! The member for Benalla!

Mr HELPER — We will tailor the response that the government makes to the needs of rural communities, to farmers and to farming families as we see the impact and the needs arise. Already the Victorian government has assisted farming communities, farmers and their families with \$158 million of drought response, which has included initiatives such as stock containment areas; 22 counsellors; interest rate subsidies, together with the commonwealth government; the welfare provisions provided through exceptional circumstances initiatives, funded between the commonwealth and the state; and intensive one-on-one discussions with farmers in terms of their opportunities to recover, and that has already reached 550 farming families in the community and, through meetings and discussions, has reached 10 000 farmers and farming families in our community.

All of these things contribute to a very significant response to the drought so far and, as I indicated earlier, the government will, together with rural communities, with farmers and with organisations such as the Victorian Farmers Federation, continue to monitor how the drought unfolds, how the break in the drought unfolds and where we can best address the needs so that agriculture can prosper into the future.

Budget: public transport

Mr HUDSON (Bentleigh) — My question is to the Minister for Public Transport. I refer the minister to the government's commitment to investing in the public transport system, and I ask the minister to outline to the house how the 2007–08 budget delivers on that commitment and makes Victoria a great place to work, live and raise a family.

Dr Napthine interjected.

The SPEAKER — Order! I warn the member for South-West Coast.

Ms KOSKY (Minister for Public Transport) — The budget that was brought down by the Treasurer in this house yesterday provides more than \$870 million for public transport, which is an extraordinary investment in public transport in a single budget. It brings to book our commitments at the election and rolls out further initiatives from Meeting Our Transport Challenges. In addition to that, there is also funding in this budget for the purchase of 10 new trains at a cost of \$362 million — that is for 10 new trains and also for 22 drivers.

Those of us who are committed to public transport know that there has been extreme patronage growth over the last two years and that it has outstripped everyone's expectations. It has grown by almost 20 per cent in the last two years. This is extraordinary growth, and it is unprecedented. It is due to a lot of the work that the government has been doing in relation to promoting population growth and jobs growth. All of this has contributed to that increase in patronage growth on public transport.

These 10 new trains will carry around 8000 people in the peak period — so it is very much focused on the peak period. That is the equivalent of 6700 cars, or to put it another way, it is the equivalent of two freeway lanes during peak hours. It will make a huge difference. We are making this commitment to purchase the 10 new trains. There is a period when the trains have to be developed.

Mr Baillieu interjected.

Ms KOSKY — You cannot buy trains straight off the shelf, which, if the Leader of the Opposition paid attention to public transport, he would well understand. Last night I met with many of the stakeholders in the public transport sector. They were absolutely delighted with this announcement, because they understand that this government is making a major commitment to public transport.

In addition to the 10 new trains, we have provided \$48 million to alleviate the bottlenecks at Clifton Hill and \$37 million for the stabling of trains and extra works at Cranbourne, which is the first part of the Dandenong triplication works. These investments will significantly improve our train system. We are also improving stations. An amount of \$62.3 million is provided for the new station at Coolaroo, as well as the upgrade of seven stations at Burnley, Watsonia, Mentone and other places. The three stations I have

mentioned will become premium stations, with staff from the first to the last train.

We have also made commitments in the budget for bus passengers. They will reap the benefits of a major commitment of \$30 million in funding to boost regional bus services in areas such as Portland, Colac, Lakes Entrance, Bendigo, Ballarat and Geelong. After speaking with the bus operators I know they are absolutely delighted with the commitment this government is making to improving bus services.

This budget is a great one for Victorian public transport users. It makes the commitment that is needed so that we can deal with the increase in patronage growth but also improve services so that everyone can continue to enjoy public transport.

Questions interrupted.

DISTINGUISHED VISITOR

The SPEAKER — Order! Before calling the Leader of the Opposition, I too welcome and acknowledge the presence in the gallery of former Speaker Delzoppo.

Questions resumed.

Budget: commitments

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. I refer the Premier to budget paper 3, appendix A, which lists over \$1.8 billion of total asset investments yet to be funded, including the Sunbury hospital, with only \$20 million of its \$184 million project funded, and science rooms redevelopment, with only \$3.3 million of a \$50 million project funded.

Honourable members interjecting.

The SPEAKER — Order! The Treasurer and the member for Narre Warren North!

Mr BAILLIEU — And I ask: where will the government find these funds, and can the Premier guarantee that public sector debt will not be increased to pay for these shortfalls?

Mr BRACKS (Premier) — I will address a couple of things. Could I indicate on the second matter that if you look at debt, you see we have a good record in this state. Let me go to a very simple fact. Net debt as a percentage of GSP (gross state product) is less now than it was in 1999. Debt servicing when we came to

government was 10 per cent of the revenue base of this state. As of today it is 6.5 per cent. We have cut \$11 billion off the net financial liability, and we have grown the state and the economy as a result of that.

In relation to unallocated capital, that is always a feature of every budget, and it always has been. We have a four-year program. What we have committed to is a program of commitments for the first year of a four-year term.

Budget: water infrastructure

Mr HERBERT (Eltham) — My question is to the Minister for Water, Environment and Climate Change. I refer the minister to the government's commitment to securing Victoria's water supply, and I ask the minister to detail for the house how the 2007–08 budget delivers on that commitment and of course makes Victoria a great place to live, work and raise a family.

Mr THWAITES (Minister for Water, Environment and Climate Change) — I thank the member for Eltham for his question. Today I was at the Altona treatment plant with the Premier and the Treasurer to detail one of our budget commitments, which is to boost the use of recycled water by industry. Just as an example of what this can achieve, one company, Qenos, will be saving around 2 billion litres of water a year through one recycling project. If you look at Qenos, which was one of the top 200 users, in fact one of the biggest users in Melbourne, using about 400 gigitalitres — 4 billion litres of water — you will see that as a result of the programs we are introducing it is reducing its water use down to almost nothing. That is a reduction of around 4 billion litres by one company through recycling and water conservation. That is a good demonstration of what our government is doing — working with industry rather than abusing industry, and with the community, to save water.

Over the past seven years our government has committed some \$1.7 billion, and of course that is on top of the water authority's \$3 billion of expenditure. In Melbourne we have boosted recycling substantially, and the projects that we announced today will further boost recycling. As well as that Altona project there is the upgrade of the Somers treatment plant, and we will be piping recycled water to BlueScope Steel.

Ms Asher interjected.

Mr THWAITES — The shadow spokesperson asks: is that in Melbourne? It is quite a long way from Brighton, but it is part of the Melbourne system.

Honourable members interjecting.

Mr THWAITES — The on-site recycling by Australian Vinyl is another major and important project which will be supported, as will the Frankston project, working with the council using recycled water on parks and gardens and sporting fields.

All up just these projects are going to generate around 3.5 billion litres of water savings. But we are also working with households and industry on conservation programs. For example, in the budget there is funding for the continuation of our successful rebates program. There have been well over 150 000 of them already. There will be more in the future for things like water tanks and other water saving devices — with up to a \$1000 rebate on that. Industry will save water also through the measures we are introducing and supporting in the budget, like the compulsory water saving plans, smart water meters and more efficient cooling towers.

But the whole of Victoria is facing a major challenge on water, and that is why in this budget we are continuing our work with farmers and regional communities — communities like Ballarat, which is still waiting for funding for the super-pipe. We are certainly pleased that finally the federal Liberal candidate is now supporting funding for that, despite the fact that she opposed it when she was a candidate for The Nationals. Having said that, we are supporting regional communities.

In this budget we are providing a significant boost to irrigation efficiency in the Shepparton region. I emphasise that this is in addition to our Living Murray commitments. This will provide additional savings; it will be of benefit to farmers in the district. It will pipe and line open channels and save some 50 billion litres of water. It will be achieved through piping around 135 kilometres of open channels, lining another 44 kilometres, automating another 1000 regulators and upgrading 2200 metres to save 50 000 megalitres.

The opposition says this is small, but it is 50 billion litres of water. This is a major project. What we are seeking is some cooperation from the federal government rather than its simply trying to overtake the system. By working together we will benefit farmers and the community in the Shepparton area. All up the budget will produce annual water savings of 80 billion litres. That is the equivalent of building another major reservoir. It is about a dozen times the amount of water that would have been in the Liberal's proposal for an Arundel dam. This is not small. It is significant, and it is important. It demonstrates the work we are doing with the Shepparton community. As the *Shepparton News* recently said, the Victorian government — a Labor

government — is now the prime guardian of irrigator rights and interests.

Budget: water infrastructure

Mr WELLS (Scoresby) — My question is to the Premier. I refer him to the comments made by the Treasurer on the Neil Mitchell radio program this morning, where he advised that proposed water projects would cost up to \$6 billion — including the Latrobe Valley recycling proposal, \$2 billion to \$3 billion; the eastern recycling plant and/or stormwater for the Yarra River, \$1 billion to \$2 billion; the desalination plant, \$1 billion; and the north–south pipeline, \$1.5 billion — and I ask: where will the government find these funds, and can the government guarantee that public sector debt will not be increased to pay for these shortfalls?

Mr BRACKS (Premier) — The great benefit of our budget, our stewardship over the last seven years and the successive budgets we have had is that we have arranged for funds and support for capital projects throughout this state — and we are doing that again. Not only do we have the capacity through the water trust, the water levy and unallocated capital, we also have water authorities that have responsibility for important and new infrastructure in this state. We have the capacity to deliver because we have managed the economy and managed finances well.

I am not surprised that the shadow Treasurer is struggling to find a point of criticism in the budget. I know that he secretly would love to have this budget, because I know his views and I know what he likes. I know he thinks it is responsible — and why would he not? Everyone in the financial community has said this is the best budget they have seen for a long time.

Budget: housing

Mr SCOTT (Preston) — My question is to the Minister for Housing. I refer the minister to the government's commitment to public housing, and I ask him to detail for the house how the 2007–08 budget delivers on that commitment and makes Victoria a great place to live, work and raise a family.

Mr WYNNE (Minister for Housing) — I thank the honourable member for Preston for his question and his longstanding interest in public and social housing. What a sensational outcome from this budget — an historic investment by the Bracks Labor government in public and social housing. This is the largest one-off investment by a state government — —

Honourable members interjecting.

The SPEAKER — Order! The member for Bass is warned, and the member for Evelyn should cease her constant interjections.

Mr WYNNE — This is the largest investment ever by a state government in public and social housing. An investment of \$200 million in public housing will deliver 800 public housing units; and \$300 million will be invested in housing associations, which will deliver 1550 units of social housing. Over four years \$1.4 billion will be invested in public and social housing, delivering 4000 housing units.

I am proud to be part of a government which has delivered a budget that is again anchored in the principles of fairness. It is a budget that will renew our public schools. It will essentially make kindergartens free for 17 000 low-income families and address housing poverty through this record investment. In the face of historically low vacancy rates in the private rental market, currently 1.2 per cent, this investment is going to make a real difference to low-income families across the state.

Over the next four years we will be constructing 4000 units of housing — equivalent to a town the size of Castlemaine. We will continue to undertake redevelopments of old stock, broadacre redevelopments in areas such as those the member for Preston represents, and partnerships with the private sector. We will also be acquiring new stock.

I can indicate today that we will be targeting \$40 million to house low-income singles who are currently on the waiting list. This includes people with physical disabilities, complex needs and mental health problems. I will be working particularly closely with my colleagues the Minister for Mental Health and the Minister for Community Services in the other house to ensure that appropriate supports are put in place for these people.

Our housing initiatives have been widely acknowledged and supported across industry and the welfare sector more broadly. I want to draw attention to a couple of comments that have been made in the press today. I refer particularly to an article in the *Bendigo Advertiser*, which says:

St Luke's Anglican chief executive David Pugh said it was hard not to be positive about 2007–08 housing budget.

'It's a massive investment in public housing, which is fantastic', he said.

'It really goes a long way in starting to address things that have not been done ...

'I think Loddon Mallee housing will be able to use the investment well'.

You can go through quote after quote, whether it is from the Real Estate Institute of Victoria, the Master Builders Association or indeed the welfare sector generally. This budget has been incredibly well received.

We are well positioned to enter a serious dialogue with the commonwealth government at the upcoming housing ministers conference, which will be held in early July. Victoria has more than met the challenge. It is now up to the commonwealth to respond in a way that ensures we maintain a strong and robust public and social housing sector and that the commonwealth really starts to turn its attention to addressing the issues of concern for low-income people, who are really battling in the private rental market under severe housing stress.

Victoria has delivered in full; it is now up to the commonwealth government in its budget and certainly at the housing ministers conference in July to respond to this fantastic budget.

Roads: rural and regional Victoria

Mr RYAN (Leader of The Nationals) — My question is to the Minister Road and Ports. I refer to the minister's comments yesterday when he took credit on behalf of the government for the overall reduction in the road toll since 2002, and I ask: does the minister also accept the blame on behalf of the government for the fact that the country road toll has actually increased since 2003?

Mr PALLAS (Minister for Roads and Ports) — There is one certainty in respect of the road toll: any life lost on our roads is a life too many. It plays a substantial and tragic role in the lives of communities. It also has a dramatic economic effect on the wellbeing of the state and on the communities from which valuable members are lost.

I can say that the government has made a contribution in respect of addressing the road toll. We have now had four of the lowest road tolls ever recorded in this state's history. In respect of the country road toll, since the introduction of Arrive Alive — the government's strategy to address the road toll, which has worked profoundly well; indeed it is a strategy which has seen an 18 per cent reduction statewide — if you projected the loss of life in country Victoria at the start of that program to the amount of life lost now, and it remained static, there would be 46 further lives lost. So there is a substantial benefit to country Victoria.

We know that when it comes to the country road toll, investment is one very substantial thing that the government can do, and we have invested \$2 billion out of \$4 billion expenditure on roads. There have been almost 900 specific projects aimed at road safety and improving road structure on country roads since this government came to power. There is no more profound demonstration of this government's commitment to country roads and to country people than the tangible demonstration of investment that we have made. Some 280 per cent is the increase which this government has put into road safety.

Mr Ryan — On a point of order, Speaker, the question is being debated by the minister.

An honourable member interjected.

Mr Ryan — Yes, I will do that too. The minister took the credit for the overall state reduction; does he take the blame for the increase in the country?

The SPEAKER — Order! There is no point of order. The Leader of The Nationals is debating the question in the guise of taking a point of order. Has the minister concluded his answer?

The minister has concluded his answer.

Budget: government initiatives

Ms THOMSON (Footscray) — My question is to the Treasurer. I refer the Treasurer to the government's 2007–08 budget, which delivers on the government's commitment to making Victoria a great place to work, live and raise a family. I ask the Treasurer to detail for the house how the budget is being received by the Victorian community.

Mr BRUMBY (Treasurer) — I thank the member for Footscray for her question. One of the announcements in the budget yesterday was significant funding for the transit city project at Footscray. There are a number of transit city projects which have been funded in the budget as part of our Melbourne 2030 plan and of accommodating the increased population growth that Melbourne is now enjoying as the fastest growing capital city in Australia.

The budget I released yesterday has been very well received across the community. I refer to some of the commentary on the budget. An editorial article that appears in the *Australian Financial Review* today is headed 'Robust finances well managed'. Another article in that publication says:

The last time Victoria boasted such healthy finances the world was gripped by the Cuban missile crisis, John Kennedy was in the White House and the Australian economy was riding high on the sheep's back.

The budget I delivered yesterday had the best set of budget financials of any state budget delivered in this place in the last 50 years.

Other commentary on the budget includes today's *Age* headline 'Tax cuts, capital works and surpluses: Brumby's budget delivers', the *Australian* headline 'Business backs Brumby cuts', and the *Age* headline 'Infrastructure that can really help Victorians' — and it goes on.

Mr R. Smith interjected.

The SPEAKER — Order! The member for Warrandyte has been heard to interject on a number of occasions, and I have chosen to ignore it, but I will not ignore it in the future.

Mr BRUMBY — Yesterday, Standard and Poor's reaffirmed that Victoria's AAA credit rating was again comfortably within the AAA band and made the point that only 15 per cent of governments around the world are awarded the AAA credit rating category.

I will refer to some other responses. In its summary of the budget the Australian Industry Group welcomed the Victorian budget as the 'prudent use of government borrowings to fund effective economic infrastructure investment'. The Property Council of Australia welcomed the significant cut in land tax and said:

This is a significant drop and one that should allow Victoria to compete fairly for our share of jobs and investment.

Infrastructure Partnerships Australia said:

The budget lays down a clear plan to sustain investment in infrastructure that will deliver on critical projects and essential services.

The RACV (Royal Automobile Club of Victoria) said the stamp duty saving is a bonus for safety. The VACC (Victorian Automobile Chamber of Commerce) congratulated the government on cuts to vehicle stamp duty and said this saving was 'of far greater benefit to motorists than' other measures and went on to applaud it. VECCI (Victorian Employers Chamber of Commerce and Industry) said yesterday's budget provided affordable and practical business cost relief and said:

The budget builds on the good work of previous budgets and will help make Victoria an even more attractive place to live, work and invest.

If you look to all of these groups, you see we have had strong endorsements not only from business groups but also from welfare groups, housing groups, the Victorian Council of Social Service and other groups right across the state. The thing about this budget is that it will touch just about every family in Victoria and every corner of our state. It is a good budget in terms of delivering growth and opportunities.

I refer to one of the reaction pieces in today's *Age*. The headline reads 'Business happy, but not Liberals'. One of the comments that was made about this budget was, 'If you are having a \$100 million surplus that is being financed by an increase in debt, that simply does not stack up'. With respect, that statement does not stack up. I know the honourable member for Box Hill would be pleased to provide the honourable member for Scoresby with some basic accounting advice. To mix up recurrent funding with capital funding is a serious error for a shadow Treasurer.

I want to conclude with this: the level of net debt as a share of the economy today under the Bracks government is 2 per cent. What was the level in 1996 under the Kennett government? Twenty per cent!

Honourable members interjecting.

The SPEAKER — Order! The Leader of the Opposition!

Mr BRUMBY — Nineteen eighty-one: Thompson government, 26 per cent; 1974: Hamer government, 38 per cent; and 1964: Bolte government, 58 per cent. Do you know where we are at? Two per cent.

Honourable members interjecting.

The SPEAKER — Order! I ask for members cooperation so that the Treasurer can finish his answer, whereupon question time will be concluded.

Mr BRUMBY — This budget does what is right for Victoria. What the Liberal Party says about this budget is that we should not be investing in schools, we should not be investing in hospitals, we should not be investing in public transport and we should not be putting more than \$1 billion into regional Victoria. These are the best budget fundamentals for 50 years, and we are investing — —

Mr Baillieu — On a point of order, Speaker, what the Treasurer has to do is tell us how he is going to pay for it.

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

Mr BRUMBY — The *Bendigo Advertiser* headline says 'Promises kept', and that is the other point about this budget.

The SPEAKER — Order! The time set aside for questions has expired.

Mr Thompson — On a point of order, Speaker, when it came into office the Bracks government promised that it would be open — —

Honourable members interjecting.

The SPEAKER — Order! What is the point of order?

Mr Thompson — It promised it would be open and accountable. In the last question time in the last — —

The SPEAKER — Order! Does the member have a point of order?

Mr Thompson — I have not had time to state it yet, Speaker.

The SPEAKER — Order! Then the member should state the point of order initially and not enter into a long-winded debate before he gets to the point of order.

Mr Thompson — The Bracks government when it came into office promised it would be open and accountable. In the last question time of the last sitting week, the Minister for Skills, Education Services and Employment misled the house in relation to the position of the federal Minister for Vocational and Further Education, when she suggested that Victoria was an outstanding performer as a consequence of the Bracks government's investment in education.

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

Mr Thompson — This is clearly not the case — —

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

STATE TAXATION AND GAMBLING LEGISLATION AMENDMENT (BUDGET MEASURES) BILL

Statement of compatibility

Mr BRUMBY (Treasurer) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act:

In accordance with section 28 of the Charter of Human Rights and Responsibilities, I make this statement of compatibility with respect to the State Taxation and Gambling Legislation Amendment (Budget Measures) Bill 2007.

In my opinion, the State Taxation and Gambling Legislation Amendment (Budget Measures) Bill 2007, as introduced to the Legislative Assembly is compatible with the human rights protected by the charter. I base my opinion on the reasons outlined in this statement.

Overview of bill

The purpose of the State Taxation and Gambling Legislation Amendment (Budget Measures) Bill 2007 is to introduce a number of measures announced in the 2007–08 budget, including maintaining the congestion levy at 2006 rates for certain areas, an increase in the threshold for land tax and a reduction in some of the land tax rates, the abolition of special land tax in certain circumstances and a change in the rate of duty for new passenger cars valued between \$35 000 and \$57 009.

The bill will also reform wagering commissions by removing the 16 per cent annual cap on commissions that can be deducted from a totalisator by the wagering operator, freezing commissions for existing bet types at their current level and requiring the wagering operator to make a betting rule setting the maximum amount of commission for any new bet type at not more than 25 per cent of the amount invested.

The bill will increase the amount that the gaming operators and the casino operator must pay by way of the health benefit levy by \$1300 per gaming machine to \$4333.33 per gaming machine.

Human rights issues

1. *Human rights protected by the charter that are relevant to the bill*

The bill does not raise any human rights issues.

2. *Consideration of reasonable limitations — section 7(2)*

As the bill does not raise any human rights issues, it does not limit any human right, and therefore it is not necessary to consider section 7(2) of the charter.

Conclusion

I consider that the bill is compatible with the Charter of Human Rights and Responsibilities because it does not raise a human rights issue.

JOHN BRUMBY, MP
Treasurer

Second reading

Mr BRUMBY (Treasurer) — I move:

That this bill be now read a second time.

This government handed down its 2007–08 budget on 1 May 2007 and continues our focus of removing business costs.

The government will amend the Duties Act 2000 by reducing duty on new passenger cars valued between \$35 000 and \$57 009 to 2.5 per cent — the same rate as for new passenger cars valued at less than \$35 000. This means, for example, that the purchaser of a new passenger car with a value of \$40 000 will now pay \$600 less in duty, and for a car valued at \$50 000 the saving will be \$1250. The reduced rate will also apply to ‘near new’ passenger cars initially registered as demonstrators by licensed motor car traders but then onsold within 60 days.

The Land Tax Act 2005 will be amended to give effect to the tax cuts and land tax reform that I announced in the budget.

These changes will apply for the 2008 land tax year and include:

increasing the tax-free threshold by 12.5 per cent from \$200 000 to \$225 000;

cutting the 1.2 per cent rate (starting at \$1.19 million) to 0.8 per cent (thereby allowing the amalgamation of this threshold with the \$900 000 to \$1.19 million threshold);

cutting the 1.8 per cent rate (starting at \$1.62 million) to 1.3 per cent; and

cutting the top rate of 3 per cent (starting at \$2.7 million) to 2.5 per cent; this is down from 5 per cent when the government was elected.

The government has also reduced the rates for the trusts land tax rate scales, though keeping in place the unique aspects of this scale — that is, the \$20 000 tax-free threshold, the surcharge of 0.375 per cent, and the tapering off of the surcharge between \$1.62 million and \$2.7 million.

These changes most benefit those taxpayers who have faced the largest increases in land tax in recent years due to significant valuation jumps. The government is also mindful that the temporary measure of capping land tax assessments will cease in 2008 and so further rate reductions will be especially beneficial in that year.

The increase in the threshold will mean around 28 000 taxpayers, including many small business owners and self-funded retirees, will no longer have to pay land tax at all.

Around 44 000 taxpayers will benefit from these reforms. The government is committed to providing a level of stability in relation to land tax liabilities.

In the budget I also announced significant reform of the special tax provisions in the Land Tax Act 2005. These provisions were introduced more than 30 years ago, primarily to address land speculation on the urban fringe. Although a great number of assessments are not issued there is an increased likelihood of inequitable outcomes inconsistent with the original policy intent.

Primary amongst these is that special tax acts as a disincentive for farmers to exit their land or use their land more efficiently — these changes remove that impediment. Special land tax will no longer be possible on primary production land in the metropolitan area.

The amendments also clarify that an owner of land will not face special tax where the land has been compulsorily acquired.

The government has decided to keep the congestion levy at \$400 per space for owners of non-exempt car parking spaces in certain areas of Southbank and Port Melbourne for 2007 and 2008 — this temporary area is to the west of Montague Street and is bounded by Montague Street, the West Gate Freeway, CityLink and the Yarra River. In these areas due to council planning controls there is a requirement to provide more private off-street parking.

This is a temporary concession and will be considered again in 2009 when the impact of the congestion levy is due to be reviewed.

The government will also amend the Gambling Regulation Act 2003 and the Casino Control Act 1991 in order to increase the health benefit levy by \$1300 per gaming machine to \$4333.33 per gaming machine.

The increase in the health benefit levy will raise an extra \$39 million per year, taking the total amount to \$130 million per year. In making the decision to increase the amount of the levy, the government considered the profits made by the gaming operators, who operate in a tightly controlled market with restricted competition. In this context, Victorians expect that some of the profits from gaming machines are returned to the community. To this end, the increase in the levy will be used to fund vital improvements to Victoria's public health system.

The government will also amend the Gambling Regulation Act 2003 to reform the regulation of wagering commissions. The new provisions will require the wagering operator to specify its commissions in the betting rules made under the act. To ensure that commissions are fair and that an appropriate share of wagering revenue is returned to government, the wagering operator will be required to obtain the

written consent of the Treasurer prior to making a betting rule that sets a commission.

These betting rules will continue to be approved by the Victorian Commission for Gambling Regulation. The existing 16 per cent annual cap will be removed, but commissions on existing bet types will be frozen at their current level and the 25 per cent cap on the amount of commission retained for any new bet type.

These budget reforms are measured and sensible. They build on past reform and will benefit business and ordinary Victorians.

I commend the bill to the house.

Debate adjourned on motion of Mr WELLS (Scoresby).

Debate adjourned until Wednesday, 16 May.

WATER ACTS AMENDMENT (ENFORCEMENT AND OTHER MATTERS) BILL

Statement of compatibility

Mr THWAITES (Minister for Water, Environment and Climate Change) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act:

In accordance with section 28 of the Charter of Human Rights and Responsibilities, I make this statement of compatibility with respect to the Water Acts Amendment (Enforcement and Other Matters) Bill 2007.

In my opinion, the Water Acts Amendment (Enforcement and Other Matters) Bill 2007, as introduced in the Legislative Assembly, is compatible with the human rights protected by the charter. I base my opinion on the reasons outlined in this statement.

Overview of bill

The purpose of the bill is —

- (a) to amend the Water Act 1989 and the Water Industry Act 1994 to make further provision for enforcement in relation to drought response plans, emergency management plans, permanent water saving plans and water restrictions set out in by-laws; and
- (b) to amend the Infringements Act 2006 to extend the operation of that act with respect to infringement notices under by-laws; and
- (c) to amend the Water Act 1989 to enable the minister to make further provision for licences to take water.

The bill is necessary —

- (a) to improve compliance with, and enforcement of, drought response plans, emergency management plans, permanent water saving plans and water restrictions set out in by-laws; and
- (b) to prevent non-consumptive licences from being converted to water shares; and
- (c) to enable new licences to be issued to take water for non-consumptive purposes.

Human rights issues

1. *Human rights protected by the charter that are relevant to the bill*

The following human rights protected by the charter are relevant to the bill.

Section 13(a): privacy

Clauses 12 (new section 185D) and 19 (new section 291D) of the bill will prima facie intrude upon an individual's right to privacy regarding information about them by requiring the compulsory disclosure of a person's name and address. Specifically, these clauses will allow an authorised water officer to require a person to state his or her name and address if that officer has reasonable grounds for believing that that person has contravened, or is contravening, a restriction or prohibition on the use of water contained in a drought response plan, an emergency management plan, a permanent water saving plan or water restrictions set out in a by-law.

Section 25(2)(a): minimum guarantees in criminal proceedings

Clauses 7, 10 and 22 of the bill substitute and augment existing provisions in the Water Industry Act 1994 and the Water Act 1989 that provide for the issuing of infringement notices for contraventions of the restrictions and prohibitions on the use of water contained in a drought response plan, an emergency management plan or a permanent water saving plan. Clause 25 of the bill extends the operation of the Infringements Act 2006 to infringement notices served for contraventions of the restrictions or prohibitions on the use of water contained in a by-law.

While the issuing of infringement notices is not captured by the charter, it is desirable that infringement notices satisfy the requirements of subsection 25(2)(a) of the charter. That is, an infringement notice should always be sufficiently clear and detailed so as to inform the person of the nature and reasons for it being issued, and persons issued with such notices should always be informed of their option to defend proceedings in court. Infringement notices issued under the Water Act 1989 and the Water Industry Act 1994 will be issued in accordance with the Infringements Act 2006, which requires an infringement notice to include prescribed details and state that the person is entitled to elect to have the matter heard and determined in the Magistrates Court, consistent with the requirements of the charter. There is therefore no limitation on the right in section 25(2)(a) and no need to proceed to consider whether limitations are reasonable in relation to clauses 7, 10, 22 and 25 of the bill.

2. *Consideration of reasonable limitations — section 7(2)*

Section 13(a): privacy

(a) What is that nature of the right being limited?

The right to privacy encompasses the idea that individuals should have an area of autonomous development, interaction and liberty — a 'private sphere' free from government intervention and from excessive unsolicited intervention by other individuals.

The right to privacy under the charter is not absolute. It may be subject to reasonable limitations under s. 7 of the charter.

(b) What is the importance of the purpose of the limitation?

The purpose of the limitation is to improve compliance with, and the effective enforcement of, water restrictions and prohibitions on the use of water by improving the ability of authorised water officers to compel persons to provide information in the course of investigating non-compliance with water restrictions. The purpose of the limitation is essential to achieving the objectives of these acts, which includes the promotion of the orderly, equitable and efficient use of water resources. Without the power to require a person to state his or her name and address, additional time and expense will be required to obtain this information, with the risk that where the information cannot be discovered an infringement notice will not be able to be issued or criminal proceedings brought.

(c) What is the nature and extent of the limitation?

Clauses 12 (new section 185D) and 19 (new section 291D) of the bill will allow an authorised water officer to require a person to state his or her name and address if that officer has reasonable grounds for believing that that person has contravened, or is contravening, a restriction or prohibition on the use of water contained in a drought response plan, an emergency management plan, a permanent water saving plan or water restrictions set out in a by-law. These clauses of the bill will prima facie intrude upon an individual's right to privacy regarding information about themselves by requiring the compulsory disclosure of a person's name and address. The intrusion on an individual's right to privacy will only allow an authorised water officer to require a person to state his or her name and address and no further personal information. The power will be exercised on a case-by-case basis and only in circumstances where the authorised water officer has reasonable grounds for believing that the person has contravened, or is contravening, a restriction or prohibition on the use of water.

(d) What is the relationship between the limitation and its purpose?

These clauses establish a reasonable and proportionate means of achieving the objectives of the Water Act 1989 and the Water Industry Act 1994. The clauses authorise an interference with privacy in precise and circumscribed circumstances, where an authorised water officer has reasonable grounds for believing that a person has contravened, or is contravening, a restriction or prohibition on the use of water. A decision to interfere with an individual's privacy will be made on a case-by-case basis in accordance with the law and the merits of each case. The power is not arbitrary as each interference with privacy will take place in

accordance with the provisions, aims and objectives of the charter. The limitation is designed to achieve the purpose of improving the ability of authorised water officers to investigate non-compliance with water restrictions, and there is a proportionality between the purpose of the limitation and the means employed to achieve that purpose.

(e) *Are there any less restrictive means reasonably available to achieve its purpose?*

No other means are considered reasonably available to achieve the purpose of the restrictions placed on a person's right to privacy.

(f) *Are there any other relevant factors?*

No other factors are considered relevant.

Conclusion

I consider that the bill is compatible with the Charter of Human Rights and Responsibilities because it does limit, restrict or interfere with a human right, but that limitation is reasonable and proportionate.

JOHN THWAITES, MP

Minister for Water, Environment and Climate Change

Second reading

Mr THWAITES (Minister for Water, Environment and Climate Change) — I move:

That this bill be now read a second time.

The main purpose of this bill is to improve compliance with drought response plans, water restriction by-laws, permanent water-saving plans and emergency management plans.

The continuing low rainfall and inflows into Victoria's reservoirs over the past decade are threatening the security of the state's water supply. The government has introduced a number of measures, including permanent water saving plans, to reduce the consumption of drinking water in this state.

This led to Melbourne and regional cities and towns saving great volumes of drinking water. In Melbourne alone, there has been an average per capita reduction in drinking water of 22 per cent compared to 1990s levels.

Water restrictions are important instruments for further reducing water consumption across Victoria in times of severe water shortage, such as the current drought. As at 10 April 2007, 93 towns were on stage 1 restrictions, 35 towns were on stage 2, 17 towns plus Melbourne were on stage 3a, and 254 towns were on stage 4.

From here on, I will collectively refer to drought response plans, water restriction by-laws, permanent water-saving plans and emergency management plans as water restrictions.

Most Victorians are doing the right thing and are complying with water restrictions. There are, however, some people who are letting down the vast majority by not complying with these measures. The community rightly expects there should be in place an enforcement framework that effectively deters people from doing the wrong thing.

Last year the government introduced legislation to enable the water businesses to authorise persons to serve infringement notices as an alternative to bringing court proceedings. In addition, the water businesses have the power to restrict the supply of water to a property. These measures, together with the ability to issue warning notices, have given the water businesses a suite of tools to deal with people who do not comply with water restrictions.

Based upon the experience of last summer, further legislative measures are contained in this bill to finetune the enforcement process.

This bill makes four key changes to the enforcement framework. First, this bill enables a person to be issued with an on-the-spot fine or charged with an offence for breaching water restrictions without first having to receive a warning notice. It is important that the water businesses are able to choose whether to give a warning notice or take immediate action. Currently a person must be given a warning notice before enforcement action can be taken. This has been an important mechanism for ensuring that people are aware of their obligations. The water businesses are doing an excellent job in extremely difficult circumstances to ensure that people are familiar with water restrictions. Education will continue to be the primary tool for ensuring compliance.

Secondly, this bill provides for the appointment of authorised water officers by a water business and the issue of identity cards to those officers. At present, water business employees who exercise enforcement powers are not required to produce identity cards. This bill will also make it an offence for a person to impersonate an authorised water officer.

Thirdly, the water businesses in Melbourne will have the power to require a person suspected of contravening water restrictions to state his or her name and address. The water businesses that supply water to regional towns already have this power. A person will only be required to state his or her name and address if the authorised water officer produces an identity card. Obviously, this power is required to ensure that on-the-spot fines are issued to, and court proceedings brought against, the right person.

Fourthly, this bill extends the definition of 'infringement offence' so that it includes a by-law made under section 171 of the Water Act 1989 or a by-law made under a prescribed act. This will ensure that the rights and protections contained in the Infringements Act 2006 are accorded to persons served with infringement notices for not complying with water restrictions.

This bill also makes changes that affect licences that allow persons to take water from waterways for purposes known as non-consumptive uses, such as fish farming and hydro-electricity generation. These uses are referred to as non-consumptive because each of these licences is subject to a condition requiring the licence-holder to return water to the waterway from which the water was taken. In some cases, these licences allow large volumes of water to be taken.

The Water Act 1989 was amended in 2005 to provide for the unbundling of certain water entitlements (including licences for non-consumptive uses) into water shares, delivery entitlements and water-use licences. In the unbundled world, there is no ability to impose conditions on water shares and for this reason it was never intended that non-consumptive licences be converted to water shares. This bill will amend the Water Act 1989 to prevent non-consumptive licences from being converted. This bill will also make an amendment to enable non-consumptive licences to be issued in areas that have been unbundled.

I commend this bill to the house.

Debate adjourned on motion of Ms ASHER (Brighton).

Debate adjourned until Wednesday, 16 May.

HEALTH PROFESSIONS REGISTRATION AMENDMENT BILL

Statement of compatibility

Ms PIKE (Minister for Health) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act:

In accordance with section 28 of the Charter of Human Rights and Responsibilities, I make this statement of compatibility with respect to the Health Professions Registration Amendment Bill 2007.

In my opinion, the Health Professions Registration Amendment Bill 2007, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter. I base my opinion on the reasons outlined in this statement.

Overview of bill

The Health Professions Registration Amendment Bill 2007

amends the Health Professions Registration Act 2005 in light of COAG decisions to establish a national registration and accreditation scheme for 9 of the 12 health professions regulated in Victoria, in order to defer a number of minor regulatory initiatives contained in the act and reduce the administrative burden on registration boards during the period of transition to the national scheme;

improves the functionality of the Health Professions Registration Act 2005 and addresses a number of minor omissions in the act.

Human rights issues

The bill engages the right to privacy. However, the proposed amendment does not limit the right to privacy.

Section 13 of the charter states that a person has the right —

- (a) not to have his or her privacy, family, home or correspondence unlawfully or arbitrarily interfered with; and
- (b) not to have his or her reputation unlawfully attacked.

Clause 14 of the bill amends section 30 of the Health Professions Registration Act 2005, which establishes a register of health practitioners to be kept and maintained by a responsible board. That register must be available for public scrutiny and may be published by a responsible board on the internet.

Establishment or amendment of a public register engages the right to privacy, as information privacy (privacy of information about ourselves) is a recognised subset of the concept of privacy.

Clause 14 amends the Health Professions Registration Act 2005 by giving responsible boards the discretion to publish a health practitioner's qualifications and training, and the address at which a health practitioner provides regulated health services, rather than requiring that publication of this information on the register be mandatory.

Whilst clause 14 does engage the right to privacy, it does not limit the right as there is no unlawful or arbitrary interference with a person's right to information privacy captured in the amendment.

The engagement with the right arising out of this amendment is not unlawful as it occurs in precise and circumscribed circumstances. It is also in accordance with the provisions, aims and objectives of the charter and reasonable in the circumstances.

Indeed, the amendment serves to protect and enhance a health practitioner's right to privacy by reducing the amount of personal information that must be made publicly available on the register. The amendment balances the right of a health practitioner to privacy with the need for the public to be able to access relevant information about those who provide regulated health services.

Conclusion

Proposed clause 14 of the bill engages the right to privacy by amending a public register. However, the proposed amendment does not limit the right to privacy, as it serves to reduce the amount of personal information that a responsible board must publish on a register.

Accordingly, the bill is compatible with the human rights protected by the charter.

HON. BRONWYN PIKE, MP
Minister for Health

Second reading

Ms PIKE (Minister for Health) — I move:

That this bill be now read a second time.

This bill contains a number of amendments to the Health Professions Registration Act 2005. The main purpose of the Health Professions Registration Act is to protect the public by providing for the registration of health practitioners and a common system of investigations into the professional conduct, performance and ability to practise of registered practitioners. The act will commence on 1 July 2007 and will repeal 11 separate health profession registration acts and parts of the Health Act and regulations, provide a consolidated regulatory framework for the 12 regulated health professions in Victoria and transfers the conduct of disciplinary hearings into serious professional matters from registration boards to the Victorian Civil and Administrative Tribunal.

Since the act was passed in 2005, there have been some important developments in regulation of the health professions nationally. In July 2006, the Council of Australian Governments (COAG) agreed to establish a national registration and accreditation scheme for the nine health professions regulated in all states and territories. The scheme is to cover regulation of medical practitioners, nurses, pharmacists, dental care providers, chiropractors, osteopaths, optometrists, psychologists and physiotherapists. Other professions are to be assessed for inclusion in the scheme following its commencement, against criteria agreed by health ministers.

These decisions follow the recommendations of the report by the Productivity Commission titled *Australia's Health Workforce* published in December 2005. The Productivity Commission formed the view that the current system presents significant structural impediments to promoting and maintaining a flexible and sustainable health workforce.

A less fragmented and better coordinated registration system is expected to provide the levers required to improve workforce deployment, generate efficiencies and promote consumer protection in consistent manner across Australia.

COAG has announced a start date for the national scheme of July 2008. This is an ambitious time frame given it will require legislation in every state and territory, and consolidation of the operations of up to 70 separate state-based regulatory authorities.

Some professional bodies have asked why the government is proceeding to commence the operation of the Health Professions Registration Act 2005 in light of the COAG decisions to establish a national scheme. They have raised concerns that this will impose an unnecessary regulatory burden on registration boards and the professions at this time.

The government has given careful consideration to these concerns. The challenge for the government is to balance two important objectives. First, to ensure that Victorian registration boards continue to have the most up-to-date powers necessary to provide the best possible protection to the public for as long as their efforts are required. Second, to ensure that Victoria is well placed to make a smooth transition to the new national arrangements when these are established and ready to proceed.

There are also professions that are regulated in Victoria and are not included in the first phase of implementation of the national scheme — that is, medical radiation practitioners, podiatrists and Chinese medicine practitioners. There must be up-to-date regulatory arrangements within Victoria for these professions.

In order to deal with these challenges, the government has decided to proceed with the Health Professions Registration Act as enacted in 2005 but defer, via amendments contained in this bill and through administrative means, a number of less significant reforms. On balance, this is considered the best approach during this period of transition. The significant reforms contained in the Health Professions Registration Act will still proceed because many are essential in the short term, but they also position Victoria well to make the transition to the national scheme.

The amendments contained in this bill are designed to achieve three objectives. First, to ensure that the reforms implemented under the Health Professions Registration Act are consistent, as far as possible, with

the shape of the national scheme and allow a smooth transition to the national arrangements. Second, to minimise the regulatory burden on registration boards of implementing the act during this period of transition; and third to ensure Victoria continues to have an up-to-date and responsive regulatory framework governing health professions for as long as is required, and for those professions not captured in the initial implementation of the national arrangements.

The bill amends the Health Professions Registration Act to defer a number of reforms until the shape of the national scheme is clear. First, the bill will make it discretionary rather than mandatory for registration boards to commence registering students who are in clinical training. Second, the bill will make it discretionary rather than mandatory to enter certain information on the public registers of practitioners, information such as qualifications and contact addresses.

Deferral of a number of other regulatory initiatives, such as standardisation of the registration period and collection of extensive workforce data, will be handled administratively and do not require amendment to the act.

The bill also contains a number of amendments that are designed to improve the functionality of the act. I will describe the most significant of these.

First, the bill provides a general power for boards to endorse the registration of practitioners in particular areas of practice approved by the minister, in addition to the existing specific endorsement powers in part 2 division 2 of the act. This allows a more flexible means for boards to respond over time to the needs of the public and the health system for accessible and accurate information about which practitioners or groups of practitioners have additional skills or qualifications that are considered necessary to provide certain types of services. Such powers can be used in future — for example, to publicly identify those nurses who are properly trained and authorised to administer immunisations or provide HIV testing and counselling.

Second, the bill provides for discretion for registration boards to grant general registration to practitioners who have let their registration lapse. This discretion can be exercised by boards where such practitioners have older qualifications that are no longer approved qualifications for first-time registration, and where the practitioners reapply for registration within two years of lapsed registration and can demonstrate they are of good character, competent to practise and have sufficient recent practice.

Third, the bill provides a number of exemptions to the offence of practising optometry in addition to those already in the act. This will allow medical practitioners and assistants to optometrists and ophthalmologists who are working under supervision to practise in areas that could be considered to fall within the definition of optometry in the act, but without threat of prosecution.

Fourth, the bill provides powers for the Podiatrists Registration Board (alongside the existing powers of eight other registration boards) to authorise suitably qualified podiatrists to use the title 'acupuncturist' and provide acupuncture services as part of their practice of podiatry. It is expected that the Podiatrists Registration Board will work with the Chinese Medicine Registration Board to apply a common standard for training and practise of acupuncture by practitioners granted such an endorsement.

The Victorian government is committed to implementing the COAG decisions to establish a national registration and accreditation scheme for the health professions. The Health Professions Registration Act is designed to protect both consumers and practitioners and provide the best possible regulatory environment to support the delivery of high-quality health services, for as long as it is required.

This bill is framed to provide the best response to the challenges of this period of transition to the national scheme. I look forward to working closely with all registration boards and professional bodies to make a smooth transition to the new arrangements.

I commend the bill to the house.

Debate adjourned on motion of Mr O'BRIEN (Malvern).

Debate adjourned until Wednesday, 16 May.

CRIMES AMENDMENT (DNA DATABASE) BILL

Statement of compatibility

Mr HULLS (Attorney-General) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act:

In accordance with section 28 of the Charter of Human Rights and Responsibilities, I make this statement of compatibility with respect to the Crimes Amendment (DNA Database) Bill 2007.

In my opinion, the Crimes Amendment (DNA Database) Bill 2007, as introduced to the Legislative Assembly, is

compatible with the human rights protected by the charter. I base my opinion on the reasons outlined in this statement.

Overview of bill

The bill makes a range of largely technical amendments to the DNA provisions of the Crimes Act 1958 to enable Victoria to participate effectively in automatic national DNA data matching through the National Criminal Investigation DNA Database (NCIDD).

NCIDD has been in place since 2003. It was designed to enable jurisdictions to use a single national system to match DNA data across jurisdictions. While it was intended that the existing legislative framework would allow for the full use of NCIDD, various procedural and legislative difficulties have arisen in relation to the sharing of DNA information between Australian jurisdictions. These difficulties have led to delays in the full operation of the NCIDD system.

Currently, Victoria is able to engage in DNA matching with other jurisdictions on a bilateral basis. For example, Victoria can approach another jurisdiction requesting that a check be made to determine if there is a match between, say, a Victorian crime scene sample and another jurisdiction's offender samples. If such a match is made, Victoria can then ask for identifying information to be provided, if available, in relation to the other jurisdiction's sample.

What NCIDD offers is a streamlined and automated system that allows checks to be made across all participating jurisdictions simultaneously. The NCIDD system offers significant efficiencies that will assist in the early identification not only of suspects in criminal matters, but also missing persons and disaster victims.

While NCIDD contains DNA information, it does not contain any other identifying information, such as a person's name. Once a match has been made through NCIDD, it is incumbent on the jurisdictions involved to provide identifying information in relation to that match to each other in accordance with each jurisdiction's legislative framework.

In summary, the bill:

provides for the legal recognition of NCIDD as a separate legal entity and to distinguish it from the Victorian (and other states') databases;

changes the matching table which governs which types of sample may be compared to other samples, to remove anomalies and broaden the range of permissible matches;

broadens the Attorney-General's powers to enter into agreements with other jurisdictions in relation to the sharing of DNA information, ensuring such agreements are broad enough to allow NCIDD to operate to its full capacity and to match samples automatically;

updates the oversight and enforcement powers;

makes a range of consequential amendments to ensure that the balance of the legislation is consistent with the new arrangements.

Human rights issues

1. Human rights protected by the charter that are relevant to the bill

Section 13(a) of the charter provides that a person has the right not to have his or her privacy, family, home or correspondence unlawfully or arbitrarily interfered with.

While these amendments do not directly interfere with the privacy of individuals, they will allow for more efficient automatic DNA data matching with participating Australian jurisdictions. As such, these amendments are expected to result in more DNA matches being made than are made at present. Arguably, therefore, the bill engages the 'privacy' aspect of this section of the charter.

To comply with section 13(a), the charter requires that a person's privacy must not be unlawfully or arbitrarily interfered with.

Unlawful interference

This aspect of the section provides that no interference with privacy can take place except if the law permits it.

The bill will allow for more matches to be made with samples in other jurisdictions than can currently be made. The precise details of the types of samples that can be matched (e.g., suspect versus a crime scene, or missing person versus a disaster victim) are set out in the legislation.

As indicated above, while NCIDD contains DNA information, it does not contain any other identifying information, such as a person's name. Accordingly, while the bill will facilitate a greater degree of matching between jurisdictions, it does not alter arrangements for what occurs once a match has taken place. Jurisdictions will still be required to exchange any identifying information in accordance with the existing legislative regime.

All of the existing safeguards in relation to the taking, storage, use and disposal of DNA samples remain unaffected by this bill.

The offence provisions in the legislation have been broadened by this bill so that they can apply to any misuse of information obtained from Victorian samples in other jurisdictions, as well as in Victoria.

Any 'interference' with privacy under this bill is therefore permitted by the law.

Arbitrary interference

This aspect of the section provides an additional requirement that no interference with privacy can take place if it is arbitrary.

This bill will assist in more efficient interjurisdictional use of DNA technology. As such, it may assist in resolving crime, in exculpating (as well as inculpating) suspects, and in identifying missing persons and disaster victims.

In providing clear parameters around the matches that can be made with other jurisdictions, with suitable safeguards in the form of offences for any breaches of what is permissible, the bill ensures that any interference with privacy will be reasonable in the particular circumstances.

Any 'interference' with privacy under this bill is therefore not arbitrary.

Conclusion

The Crimes Amendment (DNA Database) Bill 2007 is compatible with the Charter of Human Rights and Responsibilities on the basis that it does not provide for unlawful or arbitrary interference with a person's privacy, which is the only right in the charter that is potentially engaged by the bill.

ROB HULLS, MP
Attorney-General

Second reading

Mr HULLS (Attorney-General) — I move:

That this bill be now read a second time.

This bill will enable Victoria to participate in national DNA data matching through the National Criminal Investigation DNA Database (NCIDD).

The NCIDD system, which enables DNA samples from participating jurisdictions to be automatically matched through a single database, has been partially operational since 2003. While it was intended that the existing legislative framework would allow for the full use of NCIDD, various procedural and legislative difficulties have arisen in relation to the sharing of DNA information between Australian jurisdictions. This bill will assist in addressing these difficulties.

In May 2006 a Standing Committee of Attorneys-General (SCAG) working group met and agreed on the amendments that needed to be made to commonwealth legislation to facilitate full interjurisdictional sharing of DNA information. The commonwealth has now passed the necessary amending legislation, the Crimes Act Amendment (Forensic Procedures) Act (No. 1) 2006. Other jurisdictions, such as New South Wales and South Australia, have also passed legislation to enable them to engage in matching through the NCIDD system.

Currently Victoria is able to engage in DNA matching with other jurisdictions on a bilateral basis. For example, Victoria can approach another jurisdiction requesting that a check be made to determine if there is a match between, say, a Victorian crime scene sample and another jurisdiction's offender samples. If such a match is made, Victoria can then ask for identifying information to be provided, if available, in relation to the other jurisdiction's sample.

What NCIDD offers is a streamlined and automated system that allows checks to be made across all participating jurisdictions simultaneously. The NCIDD

system offers significant efficiencies that will assist in the early identification not only of suspects in criminal matters, but also missing persons and disaster victims.

While NCIDD contains DNA information, it does not contain any other identifying information, such as a person's name. Once a match has been made through NCIDD, it is incumbent on the jurisdictions involved to provide identifying information in relation to that match to each other in accordance with each jurisdiction's legislative framework.

In summary, the bill:

provides for the legal recognition of NCIDD as a separate legal entity and distinguishes it from the Victorian (and other states) DNA databases;

changes the matching table which governs which types of sample may be compared to other samples, to remove anomalies and broaden the range of permissible matches;

broadens the Attorney-General's powers to enter into agreements with other jurisdictions in relation to the sharing of DNA information, ensuring such agreements are broad enough to allow NCIDD to operate to its full capacity and to match samples automatically;

updates the oversight and enforcement powers;

makes a range of consequential amendments to ensure that the balance of the legislation is consistent with the new arrangements.

In enabling Victoria to commence using NCIDD, this bill provides an important practical step forward in pursuing DNA matches across Australia. As such, it will assist in solving crimes more efficiently, as well as offering better opportunities to identify missing persons and disaster victims.

I commend the bill to the house.

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

Debate adjourned until Wednesday, 16 May.

GAMBLING AND RACING LEGISLATION AMENDMENT (SPORTS BETTING) BILL

Second reading

Debate resumed from 15 March; motion of Mr ANDREWS (Minister for Gaming).

Mr O'BRIEN (Malvern) — I welcome the opportunity to address the Gambling and Racing Legislation Amendment (Sports Betting) Bill on behalf of the opposition. The sports betting market is rapidly expanding in Victoria and throughout Australia. While turnover on sports betting is still small relative to gaming and racing, it is the fastest growing segment of that particular market. Australian gambling statistics for 2004 indicated that between 1999 and 2004 turnover on sports betting increased by 28 per cent compared with single-digit increases for gaming and for racing.

Given the importance that Victorians place on their sports and on their betting, it is imperative that individuals, sporting organisations, betting operators and others in Victoria have a high level of confidence in the probity, the integrity and the transparency of sports and sports betting in our state.

The bill before the house seeks to amend the Gambling Regulation Act 2003 as well as the Racing Act 1958, with the aim of increasing integrity in sports and sports betting, allowing sporting bodies to receive a fair share of revenue from sports betting and acknowledging the integrity-related costs to sports as a consequence of betting on them. These are all laudable objectives; but whether the government will achieve them with this bill is something that I will return to during the course of this debate.

By way of background, the Department of Justice released a discussion paper entitled *Sports Betting — A New Regulatory Framework?* in March 2006. This was a fairly belated response to the Labor Party's 2002 platform, which promised to revamp regulation of sports betting in Victoria. It is a matter of concern that it took four years before any draft legislation could be produced. I understand the current minister does not bear responsibility for that, but it is something that is of concern — that is, that a party takes a position to an election and leaves it until the last minute before the next election before any draft legislation is produced.

In his second-reading speech the Minister for Gaming claims that this bill contains measures that will make important and groundbreaking improvements to the way sports betting is regulated in this state. You would hope, four years after the policy proposals were set out by the government, that the legislation which seeks to implement these policies would be absolutely best practice and free from flaws, and you would expect, in the interests of integrity and the potential for tangible returns to sport, that this government would have sought best practice in regulating the sports betting environment. It is disappointing to find then that the

system that is set up by this legislation appears to be far from best practice.

This bill places a significant administrative burden on both sporting bodies and bookmakers, and it contains provisions that are, in the view of elements of the industry, both confused and confusing. Because of the manner in which this government has gone about introducing this legislation and its insistence on going it alone rather than working towards a national approach, there is a real risk that Victoria may see a flight of some sports betting operations interstate or overseas, which could mean a loss of jobs and investment to Victoria. However, notwithstanding our concerns about the detail of the bill, members of the opposition agree with the principle of increasing probity in sport and the sports betting industry and will not be opposing the bill.

The opposition is also hopeful, but not confident, that this bill may ultimately provide some degree of support to grassroots sport in Victoria, which is one of the most important building blocks of community and personal development across our state and one which the opposition fully supports.

I now turn to the content of the bill. One of the central aspects of the bill is to set up a mechanism which requires bookmakers wishing to offer betting on any sporting event held either wholly or partly in Victoria to have an agreement with the relevant sport's controlling body or, in the absence of an agreement with such a body, to reach an agreement with the Victorian Commission for Gambling Regulation (VCGR). These agreements are to cover matters such as the payment of fees to the sport's controlling body and the sharing of information between the parties to promote the maintenance of integrity in both the sport and sports betting operations.

It is also hoped that revenue may flow through to support grassroots sport. I note, though, that there is nothing in the bill which requires any sort of hypothecation or anything else which would require any of these sports controlling bodies to spend moneys obtained through this process on grassroots sport, but I suppose we would share the same confidence that the government presumably has — that is, that sporting bodies will do the right thing and make sure that grassroots sport does get a fair share out of the benefits of any revenue flowing from this bill. If there is no sports controlling body, then the sports betting provider must have the approval of the VCGR in order to be able to offer any betting on the sporting event.

Clause 1 of the bill sets out the purpose, while clause 2 proclaims the commencement of the bill on 1 July

2008, or on a day to be proclaimed. This proposed commencement date is more than 12 months in advance, and this delayed commencement date was queried by the Scrutiny of Acts and Regulations Committee, which noted in *Alert Digest* No. 4 of 2007 that it is not standard practice for a bill to commence more than 12 months out from its date.

In his response to *Alert Digest* No. 5 of 2007, the minister explains that, in part, the reason for this is:

Given the unique nature of the regime, it is vital to ensure that the bill provides sufficient time to enable any unforeseen difficulties in the implementation phase to be effectively dealt with.

The minister also says:

This is an innovative regime that places Victoria at the forefront of the regulation of sports betting internationally.

This ties in with one of the opposition's concerns about this bill, that by being so quick to be out of the blocks and by being the first ones to move on this, not only is it a regime which could have some flaws in it, but it is a regime which is going to wind up potentially costing Victorians if it leads to the flight of capital from Victoria to other states or overseas.

I turn to part 2 of the bill. Clause 3 sets out the main provision of the bill, which is to substitute a new part 5 of chapter 4 of the Gambling Regulation Act 2003. This contains most of the substantive operating provisions of the bill. New section 4.5.1 provides definitions for 'approved betting event', 'sports betting event', 'sports betting provider' and 'sports controlling body'.

One difficulty that immediately arises is with the definition of 'sports betting provider', in that it includes persons both in Victoria or elsewhere, which is one of the fundamental concerns that the opposition has with this bill — that is, jurisdiction; I will return to that issue later in this debate. The definition of exactly what constitutes a sports betting event is vague, and it is left to the commission to determine. I think this is an important point that requires clarification — for example, would betting on the Brownlow Medal be regarded as a sports betting event? Is betting on a contest which is ancillary to the conduct of a sporting event a sports betting event or not? None of that is quite clear from this legislation, and I think it is something that should be in the legislation rather than simply left to the VCGR to decide. I raise that point in the spirit of cooperation rather than being —

An honourable member — Churlish?

Mr O'BRIEN — Rather than being churlish!

Division 2 of the bill deals with the approval of betting competitions on horse, harness and greyhound races, keeping the variation and revocation of approval within the purview of the Minister for Racing. It also raises the question: why would the government not take this opportunity to move to a model of VCGR approval for these matters as well? I suspect the shadow Minister for Racing may have something to say on that point, but it would seem that if it is a good enough regime for the approval of sports betting arrangements, then it should be a good enough regime for the approval of horse, harness and greyhound racing arrangements as well.

Division 3 transfers responsibility for approving sporting and other non-racing events for betting purposes to the VCGR. The opposition does not object to this transferral of power, provided the procedures used for evaluating these applications are open, transparent and consistent. The fact that there is some level of scrutiny by the Victorian Civil and Administrative Tribunal may assist this.

Further explanation on how each of the criteria which the VCGR is to take into account when deciding whether a sporting event is to be approved for betting purposes should be made public. I think this is probably something that will develop over time, but it would be useful to have more guidance in the legislation rather than it simply being left up to the VCGR, given that this is — as the minister himself has said in his response to the SARC report — a 'unique regime'. Sports betting is a very serious business and a serious industry, and given the significant sums of money that are involved, it would be unhelpful if the industry were to be left in a confused situation because legislation did not give adequate guidance as to the sorts of matters which may be approved by the VCGR.

The events or classes of events that can be approved for betting are those that happen in Victoria or elsewhere. This seems to be one of the flaws in this bill. While the VCGR has the power to approve a betting event conducted entirely outside Victoria, there is no offence that can arise in relation to any event that is conducted wholly outside Victoria. The prohibition on offering a betting service on a sports betting event — described in new section 4.5.22 — does not apply to a sports betting event held wholly outside Victoria, and the prohibition on offering bets on prohibited contingencies that is described in new section 4.5.29 again does not apply to an event held wholly outside Victoria. This seems to be an example of confusion or of an error in the bill which may indicate a lack of attention to detail. Certainly the industry is perplexed as to why these provisions are there. It might be a matter that the minister can consider before this bill progresses further.

New section 4.5.8 sets out the criteria for the VCGR to have regard to in deciding whether to approve an event for betting purposes. One of the criteria in new section 4.5.8(1)(d) says that in determining whether to approve an event or class of event for betting purposes, the commission must have regard to:

except in the case of a sporting event ... whether the approval would represent an unreasonable extension of the scope of gambling in Victoria.

I understand that the intent is obviously to make sure that the VCGR has the power to say it is not going to approve a particular type of betting event if this could lead to some sort of unreasonable extension of gambling in Victoria. From the opposition's perspective, we certainly welcome some acknowledgement by the government that problem gambling is indeed a serious problem in this state. We would not want to add to the very serious problem gambling issue we have in Victoria already. My question to the minister is: why would he be exempting sporting events from that power of the VCGR to say no? That is not something which was adequately explained in any of the material we have seen to date, and if there is a good reason for giving sporting events an exclusion which other types of betting events do not have, the opposition will certainly be interested to hear what that reason is.

Division 4 outlines how parties can apply to the VCGR for approval to be designated as a sports controlling body, how other sports bodies may object to that, and the matters that the commission must have regard to in determining the application. This appears to be an incredibly bureaucratic procedure, a real red-tape special. It is not something which on the face of it appears to be a particularly simple process. While obviously, given the seriousness of the matters, you cannot always have something written on the back of a postage stamp, the amount of detail in this bill seems to suggest it goes for detail at the expense of perhaps simplicity and effectiveness.

It is very important that all the participants in the industry understand how this bill and this regime are supposed to operate. The more complicating factors we have in the legislation, the harder it is going to be to get that level of understanding across to all industry participants.

There is no guidance given in the legislation as to what weight the VCGR should give to the various factors that are identified in new section 4.5.14. The bill may have been improved had there been some sort of indication that various factors are more important than others. I draw the minister's attention to new

section 4.5.14(1)(c) which states that one of the relevant factors the commission has to have regard to in deciding whether a sports body can be designated a sports controlling body is :

whether the applicant supports compliance with relevant international codes and conventions applicable to the event that relate to integrity in sport ...

One wonders where the Australian Football League would have been a number of years ago when the AFL and its chief executive officer were dragging their heels on compliance with the World Anti-Doping Agency's code of conduct on drugs in sport. I would have thought that failure to comply with the world agency's code of conduct would have been fairly and squarely within the remit of that proposed paragraph I have just identified. It might have been a quite embarrassing situation, had this regime been in place a number of years ago, to have had the AFL knocked back as the sports controlling body for Australian Rules football in this country on the basis of its failure to comply with the World Anti-Doping Agency's code of conduct. I draw that to the minister's attention.

From the opposition's point of view, if an Australian sporting body wishes to thumb its nose at world convention and practice on things like drugs in sport, then maybe it is quite right that it should be subject to various forms of sanction. I was planning to use the word 'injury' instead of 'sanction', but that has received very bad press in the last 24 hours, so I will not — —

Mr Andrews interjected.

Mr O'BRIEN — I thank the minister for his assistance.

Division 5 sets out the requirements on betting providers when offering a market on sports events held in Victoria. This includes penalty provisions for any provider who in Victoria or elsewhere offers a market on a sport in the absence of an agreement with the sporting body or a determination of the VCGR. While this is a fairly noble intent, it does raise the question: how is this going to be enforced against sports betting providers in other states or territories? How on earth is it going to be enforced against sports betting providers overseas? How does the minister expect this provision to be policed? Is this going to be a symbolic provision or is it intended to be an effective provision?

Mr Andrews interjected.

Mr O'BRIEN — The minister says this is a global market. I hope the minister would therefore have a level of confidence that at least in our own backyard — at

least in jurisdictions as close to Victoria as the Northern Territory — operators would be complying with this law. We run the risk of holding ourselves up to some sort of ridicule by passing legislation seeking to have jurisdiction right across the globe if it is ineffective. If it is ineffective because sports betting providers in other states, territories or overseas simply refuse to comply with it, then obviously the legislation will not benefit either the sports or the other sports betting providers that comply with the laws.

Division 6 gives the commission the power to prohibit betting on certain contingencies, and it creates a new offence for offering such bets. This provision is generally sensible, because there are certain contingencies which could be a very serious risk to the integrity of sports. One example that has been discussed in the press was who was going to bowl the first wide in the cricket World Cup. Without casting any aspersion on anyone or agreeing with the suggestion that there was a wide delivery there that was right out of the box, anything which could in the minds of the sporting fans or sports betting consumers even give rise to an indication that participants in sport may have been under pressure to act in a particular way other than in accordance with the laws of the game is something that is just an added temptation that we do not want to see put in place. I think that provision is quite right.

Also there would be some contingencies that would be just simply offensive to public taste. The suggestion that there should be a market on the first person to die on a football field, or something like that, probably falls into that category. I notice there are markets being framed on which AFL coach will be the first to be sacked this season. My team's coach, Denis Pagan, has now slipped down the ladder a bit, having got a couple of wins under his belt. I am pleased about that, although it is something that is not particularly tasteful. But it is probably a matter for the VCGR to determine whether it crosses the line to such an extent that it should actually be a prohibited contingency.

I have touched briefly on the offences that are created by the bill. It is an offence for a sports betting provider in Victoria or elsewhere to offer a betting service on the sports betting event, unless there is an agreement with the sports controlling body or the Victorian Commission for Gambling Regulation. That offence does not apply if the sports betting event is held wholly outside Victoria. Again this raises the question of why in new section 4.5.7 the commission has the power to approve events held wholly outside Victoria. Will the commission be seeking to approve Premier League events in the British soccer competition when there is actually no sanction possible in terms of the offence

that this bill creates? It may be something that the minister is able to explain at some point; but if it is an oversight, then I think it is one that should be remedied as soon as possible. Otherwise it does look like a significant level of Victorian parliamentary overreach for no good purpose.

The remaining provisions contain consequential amendments and transitional provisions. The opposition has no particular issue with those.

There has been some criticism of this bill. The opposition has consulted widely with various participants in the industry. The Association of Australian Bookmaking Companies said they support the objectives of the bill, but they have criticised the bill. The association said:

The bill offers an extraordinary level of costs and bureaucracy to the sports, the betting providers and the government, to what should be a simple process.

Their view is that information and revenue sharing is already progressing between bookmakers and major Australian sporting bodies, and therefore this bill is an unnecessary bureaucratic imposition on a process that is happening of its own accord. The association is also concerned that the regulatory cost that will be involved in complying with this regime will overwhelm any benefits that might flow to sporting bodies.

In considering the lengthy process for a sporting body to be approved by the Victorian Commission for Gambling Regulation as a sports controlling body, the Association of Australian Bookmaking Companies said:

It will quickly be apparent that this is regulatory overkill — many of the affected sporting bodies are too small to, for example, have the expertise, resources and authority necessary to administer and monitor and enforce the integrity systems. This is a costly exercise for sports and, at the end of the day, is totally unnecessary. The administrative cost could well exceed the returns for smaller sports.

The opposition acknowledges the legitimate concerns of the bookmakers association in this regard. We think this bill appears to be overly bureaucratic. It is not something that at this stage has led us to oppose the bill, but we will keep a very close eye on how this regime operates. We would urge the minister and the government to do so as well. If this regime is going to work, it has to be effective. If it is getting choked by red tape and unnecessary bureaucracy, then it will just not work.

My major concern with this bill, apart from those outlined, is that this is an area of regulation that is crying out for a national approach. Sports are not really

conducted within the boundaries of any one state anymore. The days of six Victorian Football League games being played on a Saturday and then people watching the replay at home are finished. Sporting events are national, if not international, events in Australia. To say that we should stand up and be the first to try to run a sports betting regime which could well be at variance with what is going to happen in other states and territories is an indication that sometimes the Victorian government's desire to be the first to regulate may be something which actually winds up harming the Victorian community.

In an area of Labor mates in every state and every territory, this government should have attempted to deliver what would be best practice, which is a nationally consistent approach to the regulation of sports betting. The biggest wagering drawcards — namely, the Australian Football League, the NRL (National Rugby League) and soccer — are all conducted on a national level, and it defies logic that betting on these should be administered other than on a national level.

Australia has already seen a significant imbalance in the location and turnover of sports betting providers. This has arisen due to difficulties or differences in regulation across state and territory boundaries. The fact that so many sports betting providers are domiciled in the Northern Territory underlines that point.

This is a short-sighted attempt at a policy by a government whose primary motivation appears to be the need to be first. On that point I refer to comments of the minister in his response to the concerns of the Scrutiny of Acts and Regulations Committee, when he said:

This is an innovative regime that places Victoria at the forefront of the regulation of sports betting internationally.

Sometimes it is not best to be the first one out of the blocks. If everyone behind you is going to go in a different direction, it is not going to benefit the people of Victoria. Despite the fact that we have six Labor state governments and two Labor territory governments, it is a crying shame that we do not have a consistent national approach to a matter that is regulated at the state and territory level. I am very concerned at the fact that we are going out on our own without the other states and territories behind us, which is something that could wind up damaging Victoria's interests.

This government's inability to coordinate nationally consistent legislation could well drive business out of Victoria. Already anecdotally the opposition has been

informed of various bookmakers who are based in Victoria but who are intending to move to other states and territories because of taxation systems and regulatory regimes such as this.

The opposition's position is that a national approach is needed to give all in the industry, whether sporting bodies or bookmakers, stability and consistency. This go-it-alone bill is therefore an admission of a failure of sorts. It is a failure to deliver a national approach to sports betting legislation that is so obviously needed.

There is a danger that this bill could possibly hinder the longer term prospects of a national approach. If too many different regulatory systems get entrenched in the states and territories, then the prospects of harmonisation down the track will be that much slimmer. That is something we have seen with corporations acts in the past. We know the mess that that has caused and the difficulty involved in trying to get a harmonised system. We also know the benefit of a harmonised system when it comes to the Corporations Law. There is no suggestion that the benefits would be any less when it comes to a matter as nationally important as sports betting.

In summing up, while members of the opposition agree with the aims of this bill and will not oppose it, we have a number of concerns with its detail and bureaucratic nature. We place on record our concern that the failure of this government to work cooperatively with the other states and territories, and its insistence on going it alone and being the first to regulate, runs the risk of damaging Victoria's economic interests, for which the Bracks government will be held accountable if that comes to pass.

Mr RYAN (Leader of The Nationals) — The Nationals are not opposed to this legislation — and I thank the minister and the departmental personnel for the briefing with which I was provided. However, there are some elements of the legislation to which I wish to address some comments.

The essence of this legislation has regard to five fundamental amendments to the existing law. The first of the amendments will transfer responsibility for approving sporting and other non-racing events for betting purposes from the ministers for gaming and racing respectively to the Victorian Commission for Gambling Regulation, otherwise known as the commission.

We in The Nationals think that is a sensible thing to do, because it places into the hands of the commission a role which is an extension of the important functions

that organisation already has to discharge. It also removes from the ministers for gaming and racing a role which really does not sit comfortably within their respective portfolios. We accept the common-sense nature of the transmission of those responsibilities to the commission.

The second amendment will create a new offence to prohibit betting on specific contingencies that are prohibited by the commission. Again, this is being done to address an issue which has arisen in sports betting, particularly from a global perspective. There are many instances of people having had grave misgivings about certain events which have occurred in sporting arenas across the world and which have drawn criticism about the extent to which contingencies can be the subject of the betting process. I remember, for example, the commentary when, with the greatest of respect to him, England's opening bowler, Harmison, had a very unfortunate first over in the first test of the recent Ashes series here in Australia. I have never met the man — I have never had any association with him — and not for one moment do I suggest that he was guilty of any intentional act. But I simply make the point that it is that style of activity which has drawn some comment.

I heard the observations by the member for Malvern about a field being constructed, most unfortunately, for the first of the Australian Football League coaches likely to be sacked. I want to put on the record that Neale Daniher is as safe as a church. He is a great coach of a wonderful team which is having only a temporary setback. In the same context I must say that the full-forward for the Shepparton United under-17 side of some years back remains ready to help — in fact, I am waiting by the phone. Suffice it to say that, given the role which the commission discharges, it is important that it is able to make distinctions which are very pertinent to the issue of accommodating the contingencies which ought properly be the subject of betting. It was once said that if it can talk, you should not bet on it. In a sense it is one of those driving concerns that have been behind a lot of the problems that have developed over the years. I think the commission has a very significant role to play in this particular respect.

The third amendment will create a mechanism that enables the commission to approve a sporting body as a sports controlling body for betting purposes. This is a necessary element of the process, because invariably different organisations are going to lay claim to being the appropriate entity to carry the crown as the sports controlling body.

In the course of the briefing I referred to the sport of boxing, where you have three or four different organisations that would lay claim to being the sports controlling body. You have colourful identities, shall we say, such as Don King and others who I am certain would lay claim to being players in this sort of a discussion, so it will be up to the commission to approve the sports controlling body for betting purposes.

It was also confirmed to me in the course of the briefing that a particular body which might be approved by the commission for a particular event might not be the same body which is approved for another event, albeit within a similar sporting regime. That is something that will need to be examined on a case-by-case basis, but if it is going to operate within this structure, a necessary part of all this will be to determine which is the sports controlling body for betting purposes.

The fourth amendment is probably the one in the legislation which is most troublesome. This is the creation of a new offence prohibiting a sports betting provider, either from Australia or overseas, from offering bets on Victorian events without the written agreement of the sports controlling body or a determination of the commission. It raises the all-important question of enforcement. One of the basic aspects of passing any law is that you should not enact legislation unless it can be enforced. Going by the manner in which the legislation has been created and the tenor of the minister's intent, the simple fact is that this cannot be enforced. I hear what the government is saying, that this is not so much an issue of enforcement — but in the course of the briefing that I received it was highlighted that the government is relying on deterrence as its main method of enforcement.

I must say that about 18 months ago, when I took up this issue in the United Kingdom regarding internet betting — a lot of which is being done offshore from the UK — the commentary there was similar and the government was grappling with how it could overcome the problem. From that experience we found that with the passage of time organisations that had sought credibility in the industry increasingly came onshore and exposed themselves to the operation of the jurisdiction. That is because they saw it as a means of growing their industry in an environment where there was an enormous amount of competition for business. I suspect that, in relation to the operation of this legislation, the government will be hoping that that will materialise out of the mist.

The government also puts the point of view that even if the provisions cannot be given effect to in the purest sense of a prosecution being initiated and some sort of punitive measure being recorded and adopted, nevertheless it is a mark against the commercial credibility of the entity involved. The government therefore hopes that in the scheme of things that will act as a deterrent to any such conduct being undertaken.

I heard a bookmaker during the course of the cricket World Cup making the observation that on any day when a one-day match is being played anywhere in the world, bookmakers in India are laying bets of up to \$1 billion on the outcome of the event, no matter who is playing. When India is playing, the scale of involvement is even greater. In Madras I think there were something like 300 illegal bookmakers involved in taking bets, so the extent of the field out there is absolutely staggeringly huge. Yet here we have in Victoria a piece of legislation which would purport to have some measure of influence in relation to a market which is beyond our jurisdiction. This will be not without its challenge in seeing how it works.

The fifth and final amendment will create the dispute resolution mechanism, which might be necessary when a betting provider and a sports controlling body are unable to reach agreement. This is around the issue of what fee is to be charged by the sports controlling body in allowing the betting provider to field on that particular event — and if they cannot reach agreement, there is provision for dispute resolution in the manner which the legislation prescribes.

I also inquired about the issue of fees. I was advised in the course of the briefing that there is a fee that attaches to making an application to the commission and that there is also a fee which attaches to the use of the mediation provisions — but I am assured that they are otherwise intended to be set on a cost recovery basis. Therefore, on the face of it at least, this legislation does not amount to additional taxation on the parties, but again we will need to see what experience tells us in that regard.

I have also received correspondence from the Association of Australian Bookmaking Companies. The matters that organisation has raised have been dealt with by the member for Malvern in his contribution. Suffice to say that we all share a modicum of concern about how, from a practical point of view, this is going to operate, and as to whether it will fulfil the aims for which it is intended. Time will tell.

As has already been commented upon, when you have in play — pardon the pun — such a huge field of

potential participants and such substantial amounts of money, it really would have been better to do this from the perspective of all the jurisdictions in Australia being involved simultaneously. There is plenty of scope to be able to do that. We have a Standing Committee of Attorneys-General and presumably there is a standing committee of gambling ministers.

Mr Andrews interjected.

Mr RYAN — There is, the minister confirms. I would have thought that the way to do this — —

Dr Napthine interjected.

Mr RYAN — No, the way to do this is not to meet at Jupiters, as suggested by the member for South-West Coast.

The way to do this is to bring these illustrious personnel together and see if they can nut out some sort of arrangement which is appropriate. Mind you, having regard to the current experience in relation to water, Victoria probably would not be able to agree with them anyway. Nevertheless, I think the attempt should be made; it would be best to do it, if you have got the best of reasons to do it — —

An honourable member interjected.

Mr RYAN — Yes, I agree with that course entirely. Agreeing on a set of principles — —

Mr Andrews interjected.

Mr RYAN — Is the minister against agreeing a set of principles? That is a sad state of affairs. That is a very bad precedent to set.

Agreeing on a set of principles and then working on a legislative process to deliver them are always eminently sensible things to do. Yes, if you came to a meeting such as the one I am proposing and there were elements of what was being proposed by the other jurisdictions with which you were concerned, then you would properly stand aside from that until you could have those concerns remedied and could get a solution which suited you. If I were the minister, I would make sure I got it in writing so that you knew exactly what the set of general of principles was. Then you could move to a position of getting the legislative package which would deliver on them, because you would have your set of principles as a benchmark, which would guarantee you would know how the legislation could work to deliver them.

I advise the minister that we agree with having the capacity to enable those sorts of things to be done. The pity is that a process such as that, sensible as it is, has not been adopted here. I say that most particularly from the perspective of those who are involved in the industry and who will be affected by the passage of this legislation. Is this just another layer of red tape they are going to have to go through? One would hope not. The industry itself was working to a cooperative scheme which it thought would be able to do what is contemplated by the legislation, so presumably the format of that would have entailed something in the nature of that which we now have here, but with the fullness of time we will see. The Nationals are not opposed to this legislation.

Mr LUPTON (Pahran) — I am pleased to make a contribution this afternoon in support of the Gambling and Racing Legislation Amendment (Sports Betting) Bill. This legislation amends both the Gambling Regulation Act 2003 and the Racing Act 1958. The provisions contained in the bill will improve the way in which sports betting is regulated in the state of Victoria.

The measures have a number of purposes and effects. One, of course, of importance is that it will strengthen public confidence in the integrity of sporting events and the betting that takes place on those events here in Victoria. In addition, importantly the measures contained in the bill will enable sporting bodies to receive their fair share of the revenues from betting that takes place on their respective sports.

The sporting bodies in this state will benefit significantly as a result of this legislation. People who enjoy having a bet on particular sporting events will also welcome the provisions of this bill, because they go towards improving integrity and transparency, as well as returning revenue to sporting bodies, which ultimately are supported by so many people in our community.

The bill, importantly, makes one change to the responsibility of approving certain sporting and other non-racing betting events. The responsibility for approving those events will be transferred from the Minister for Racing and the Minister for Gaming to the Victorian Commission for Gambling Regulation. This does not affect horse and harness racing but it affects sports betting and other betting events. This measure will ensure that the process for approving events is entirely independent and transparent. I think that is something to be applauded.

An offence that is created by this legislation will prohibit a betting provider from offering bets on

particular contingencies that have been prohibited by the commission. This is an important provision. This new offence will mean that certain types of contingencies which are more prone to manipulation in certain sporting events will be prohibited. Examples of this have already been given. Certain types of activities exist in cricket games or sporting games that involve matters which do not go to the outcome of those events. They are well known to the community. Those activities are obviously more susceptible to interference than the outcome of events and are capable of being manipulated in a different fashion. This new offence will be a positive influence when dealing with those unfortunate issues.

The approval of sporting bodies is an important consideration in this bill. Under the measures contained in the bill, a sporting body will be able to apply to the commission to be approved as a sports controlling body of an approved sporting event. That will mean that organisations that control particular sports — obvious examples that come to my mind are the AFL (Australian Football League) and Cricket Australia — will be able to apply to the commission to become a sports controlling body. Becoming a controlling body will mean that an organisation will have the legal right to negotiate fees and information-sharing arrangements with betting providers. It will provide a strong incentive for sporting bodies to invest their time and resources into developing an appropriate integrity system.

Where a sports controlling body has been approved, the bill creates a new offence that prohibits a betting provider from offering bets without either the written agreement of the sports controlling body or a binding determination from the commission. This offence applies to sporting events held in Victoria. The details of the betting agreement, including the type and level of the fee, are to be determined by the parties to the agreement. This is because these parties are in the best commercial position to negotiate those arrangements. The bill also provides for a dispute resolution process whereby the commission will be able to make a binding determination on outstanding issues having regard to the criteria that guide the commission as to the appropriate terms and conditions of fees and arrangements.

That is an overview of the legislation. It will significantly improve and provide greater transparency and public confidence in the sports betting events that are held in Victoria. I note that while the opposition and The Nationals are not opposing this bill they have raised some issues. The Liberal Party has in particular raised issues which show that there is some measure of confusion about the way the bill is drafted and will

operate. The opposition on the one hand accused the government of being too slow to act in relation to the regulation of sport betting in this state, but on the other hand it said later that the government has acted too fast. Opposition members really cannot make up their minds about how to regulate these sorts of issues. As a state government we have a responsibility for sporting events and to the betting public in Victoria. We have the jurisdiction to operate a regime to regulate sports betting in this state — that is what this government is doing, which is proper, appropriate and right.

The opposition says, on the one hand, that the legislation is too vague and not prescriptive enough, but on the other hand it says it is red-tape overkill. One opposition member said just that in a speech which flipped and flopped around and went from one side of the argument to another. That member was trying to please everybody but in the end pleased no-one.

A couple of matters that the government takes issue with revolve around the way the opposition is obviously confused about the nature of this legislation that establishes a particular regime for the regulation of sports betting. Because of the way this legislation is structured, a number of changes are being made. The bill makes a number of amendments to the Gambling Regulation Act; it makes some changes to the location where horse and harness racing is regulated; and it changes the location of sections in the Gambling Regulation Act that deal with non-sporting betting events. The bill sets up a regime for sports betting events conducted in Victoria.

Opposition members have shown by their contributions to this debate so far that they do not understand the way in which this legislation establishes a regime for sports betting events. The bill makes administrative and structural changes to the act in regard to other types of betting events.

The bill deliberately does not define 'sport' or 'sporting event'. The reason is that if we attempted to prescriptively define a sport or a sporting event in this sort of legislation, we would run the risk of a particular sport or sporting event evolving over time and not being able to be captured by that definition. Therefore it would not be able to be brought within the appropriate controlling regime. It is a far better approach to allow the commission to make that definition on the basis of the appropriate guidelines.

It is intended that the Victorian Commission for Gambling Regulation will consider each activity on its merits and will make a decision about whether it is a sport or a sporting event. If it is, it is covered by this

regime; if it is not, it is covered by the Gambling Regulation Act. There are examples, like the Academy Awards and things of that sort, that are covered by that regime but which are not affected by this legislation. The opposition does not understand the distinction.

So far as the jurisdiction is concerned, it is intended that sports betting events held in Victoria will be covered by this legislation. The opposition referred to a number of other matters to do with events outside Victoria, but those events are betting events, not sports betting events. That is a different category or a different situation, and it shows that the opposition does not understand this legislation properly.

In summary, the legislation that the house is considering today is good legislation. It is appropriate legislation, which the government is bringing forward to improve transparency in sports betting events held in Victoria, to continue to improve public confidence in the integrity of sports betting events in Victoria, and to return a fair share of the revenue from sports betting to the organisations that control sporting events in this state. I commend the bill to the house.

Dr NAPTHINE (South-West Coast) — I rise to speak on the Gambling and Racing Legislation Amendment (Sports Betting) Bill. I congratulate the member for Malvern on his excellent exposé of this legislation. He raised genuine concerns on behalf of the gaming industry, sports associations and the general public. The purpose of this legislation is to make provisions for betting — —

Mr Pandazopoulos interjected.

Dr NAPTHINE — I take up the interjection. The former Minister for Gaming, who has been sacked from his job for his incompetence, is now bagging the bookmakers; he is attacking the bookmaking industry. I will have something to say later about the excellent range of bookmakers who operate in Victoria as I have concerns about the future of their industry. Is it any wonder that the former Minister for Racing, who bags Victorian bookmakers, is no longer in that position?

Mr Pandazopoulos — On a point of order, Acting Speaker, the member for South-West Coast is now just making words up. He knows he is misleading the house, and he should just speak to the bill.

Dr NAPTHINE — On the point of order, Acting Speaker, there is no point of order, and the member knows there is no point of order.

The ACTING SPEAKER (Mr Howard) — Order! There is no point of order.

Dr NAPHTHINE — The member for Dandenong, or whatever he is these days, is simply trying to get himself out of the hole he has dug. The government argues in the second-reading speech that the bill will improve the integrity of sports betting and enable sporting organisations to get a dollar return on betting on their sports. These are laudable objectives, but while they are supported by the opposition, we have serious concerns about the provisions in this bill, especially as it is limited in scope to Victorian sporting events and Victorian betting operations, being able to fulfil those laudable aims.

We also have concerns about the bureaucratic approach which will be costly to both sporting organisations and betting providers, which may disadvantage local sports and local betting providers in the increasing number of world — and, shall we say, extraterrestrial! — internet betting competitions. While we are talking about worldwide betting, we are actually talking about significant betting over the internet, which sometimes has no real base other than on the internet, and that is becoming an increasing part of the betting scene across Victoria, the rest of Australia and the world.

I support the comment by the Leader of The Nationals and in particular the member for Malvern, who argued that a national approach would certainly be much more effective, and it is an indictment of Labor that even when there are Labor governments in every state and territory, they cannot get together to have a national approach on what is needed for sports betting.

I want to go through the bill and raise a few concerns, and I would appreciate the minister's addressing some of those concerns in his response. The definition section of the bill makes it clear that a 'sports betting provider' means a person who in Victoria or elsewhere provides a service that allows a person to place a bet on sports betting. I would like the minister to explain to the house and to the industry how this is going to be policed with respect to sports betting providers who are operating outside Victoria. How can Victorian legislation operate in that sense? It is certainly an important issue to raise.

I would like the minister to make some comments on division 2, which means that the Minister for Racing is still responsible for approving betting competitions relating to horseracing, harness racing and greyhound racing, whereas the government has made a policy decision with regard to sports betting that the Victorian Commission for Gambling Regulation will be responsible for that sort of activity. Why does the policy seem to be different for racing? There may be very sound reasons for it. In the briefing given to us it

was said it was a policy decision rather than any logical decision. I ask that that be explained.

With respect to division 2, the Minister for Racing is able to approve betting on contingencies in racing. As the shadow Minister for Racing, I am concerned about the contingencies which may be allowed. Our racing industry in Victoria is recognised as having the highest integrity in terms of racing anywhere in the world, and we need to protect that. If we allow betting on certain contingencies — for example, on horses running last, horses running fourth or horses simply beating another horse, or a dog beating another in a race — then we potentially undermine the integrity of our great sport, which would undermine the support for that sport.

On the issue of who is responsible for certain betting competitions in relation to racing, if there is betting on the Scobie Breasley Medal, which is the award for the best and fairest jockey of the year, would that be under the control of the Minister for Racing as it relates to horseracing or under the control of the commission as a sports bet? Similarly, every week there is betting on the leading jockey on race day. Is that considered to fall within betting on 'a horse, harness or greyhound race', or is that considered a sports bet? I would appreciate the minister advising on that issue.

On page 6 new section 4.5.7(2) states that:

... the Commission cannot approve an event, class of event or betting competition that is, or is related to, a horse race, harness race or greyhound race.

I seek clarification with regard to quarter horses — whether they would remain under the Minister for Racing in terms of approval of quarter horses and quarter horse betting or whether they would come under the commission. If there were betting on showjumping, would that be under the commission or the minister? For example, a bet might be on the Garryowen award at the Royal Melbourne Show, which involves horses but is a different type of competition. We need to have some clarity on that.

Mr Trezise — What about show ponies?

Dr NAPHTHINE — I think the Treasurer would win hands down on that! The Treasurer would absolutely be an odds-on, stone-bonker certainty to win the show pony of the year each and every year for the past few years. In fact he would be able to read out the quotes from the newspapers about it time and time again.

New section 4.5.8(1)(d) states that when the commission is considering whether to approve events it must have regard to:

except in the case of a sporting event or class of sporting event, whether the approval would represent an unreasonable extension of the scope of gambling ...

I know the member for Malvern has raised this issue, and I seek an explanation of it. There is an issue about the extent to which gaming is creeping across Victoria and whether the new sporting events will add to more problem gaming. It seems that the commission has the responsibility for not allowing an unreasonable extension of the scope of gambling, but it does not seem able to do that with sporting events. I seek clarification on that important issue.

The other issue I would like clarification on is with regard to sporting events involving cross-sport betting. If somebody is having a bet that involves National Rugby League, Australian Football League events or Premier League events in England, which is the approved sporting body?

In the couple of minutes I have left I want to raise concerns about the future of bookmakers in Victoria. I refer to a newspaper article by Adrian Dunn, dated 24 January, when he said:

Victorian bookmakers, struggling to compete with interstate corporate betting shops and Betfair, are urgently seeking reforms.

The Victorian Bookmakers Association is seeking approval from Racing Victoria Ltd on two fronts.

Firstly, the VBA wants its members to be able to operate their internet services from a central office, and not have to travel to faraway meetings, as is currently required.

How can Victorian bookies compete if they can't operate a 24/7 service that is offered by corporate bookies and Betfair?

Secondly, the VBA wants to be able to access Betfair, in order to lay horses, while operating on course.

The situation is that Victorian bookmakers are limited by Victorian law such that they can operate only if they are at a stand at the racetrack — so they might have to be at the Wangaratta racetrack while a race meeting is on in order to take bets — whereas their competitors can operate on the internet 24/7. This disadvantages Victorian bookmakers, and I would urge the Minister for Racing to have a look at that.

I am also concerned about the future of country racing. Under the current government, seven harness racing tracks across Victoria have been closed. We have seen the decimation of harness racing in country Victoria, and now we find that under this government a reduction in country race meetings is occurring. There has been a reduction in Wimmera race meetings. Horsham, Murtoa, Donald, St Arnaud, Stony Creek, Hanging

Rock and Ballan have all lost one meeting each while Tatura has lost three. The Bracks Labor government has closed harness racing tracks, and now it is removing country race meetings. I want an assurance from the minister that this is not a forerunner to it closing country racetracks just as the previous minister closed harness racetracks across Victoria. Country racing deserves better treatment than this government provides it.

Mr PANDAZOPOULOS (Dandenong) — It is a pleasure to speak on this bill, and I commend the Minister for Gaming and the government for proceeding down this road. I will take up the last comments of the member for South-West Coast. In a 10-minute contribution he could not say so much as anything about why it is so important to give money back to sport and why it is so important to stop people freeloading on the intellectual property rights and great reputation Melbourne has as a major events city.

Why did he not make his whole 10-minute speech about how this bill is going to benefit the regulation and integrity of the games of sport played here in Victoria? He chose to spend a number of minutes talking about what this bill is not about, namely racing.

Dr Napthine — It is about racing.

Mr PANDAZOPOULOS — It is not about racing; it is about sports betting.

Dr Napthine interjected.

Mr PANDAZOPOULOS — Let me give a history, for the benefit of the member for South-West Coast. This bill is here because it is part of the evolution of gambling regulation. When wagering licences were issued in the past — and Tabcorp has those at the moment — sports betting was a very minor product. In the old days of government, when the TAB was a statutory government body, sports betting was one of the TAB's domains, but it was a very small area. Internet betting and the globalised economy have obviously changed that environment dramatically, and the whole area of internet gambling is an area that government gambling regulators have been trying to tackle.

The member for Malvern comes in here crying crocodile tears, saying, 'We should have national cooperation and national regulation'. He should bother to have a look at some of the previous debates in this house and some of the comments that have been made about Victorian bookies, who have been struggling. We have been trying to deal with this issue for a number of years.

The Attorney-General was the Minister for Racing from 1999 to 2002. During that time Victorian bookies, bookies from across Australia, and racing bodies all got together to review corporate bookmakers. How could we get them into the fold? How could we get them to stop freeloading on horseracing's product? We have dealt with that, because the feds did not want to deal with it.

That review recommended the amendment of the Interactive Gambling Act, a federal government act that bans pokie games and casino-type games on the internet. All that would be required is an amendment to allow and recognise that states, via legislation concurrent with the commonwealth's, can set up an international and national regime to regulate what predominantly is an unregulated product area.

Here we have an opposition that is trying to be two things. It is saying it is not going to oppose the bill, but it wants to be critical about it as well. Yet the opposition, when in government, never did anything about it. In fact the other side issued the licence that is creating the sort of problems we are trying to fix up. The member for South-West Coast was complaining about what the bookies are going through at the moment, but there has been no bigger friend of Victorian bookmakers than the Bracks Labor government. We have got rid of turnover taxes, allowed betting on the internet for them — and there are obviously ongoing issues to resolve.

A few years ago the racing industry and racing ministers said the best way to deal with this issue was to amend the Interactive Gambling Act, but the federal government has consistently denied that it has an obligation to assist, so we have had to go and regulate it on our own. We have regulated in two ways. One of the ways we have regulated the area, at least as regards horseracing, has been to put forward legislation that has passed through both houses of Parliament and that is now is seen as being world-leading legislation. We have dealt with interstate and overseas corporate bookies with that legislation. We have been commended by the Asian Racing Federation and the International Federation of Horseracing Authorities.

I refer to the evolution of sports betting. This bill is very similar to legislation that the house has already passed relating to corporate bookies and horseracing. We can take the principles applicable to horseracing and apply them here. Sports betting, which is probably the fastest growing betting product around the world at the moment, is certainly growing very quickly here. However, the sports do not have any control over the betting. They have all the risks attached to the betting

and all the responsibility if things go wrong, but they are not earning any revenue and not having any say about the betting. As I said, we can use the fundamental principles of the way our racing industry has been run here — and, yes, I agree with the member for South-West Coast: we have got a great and well-regulated racing industry. In fact we are a world leader in gambling regulation overall.

We might be criticised every now and then, but the reality is that this and other Australian jurisdictions are way ahead of other jurisdictions in the world. If we apply the same principle that horseracing has — being the owner of the product, having the obligation and the right to earn revenue from it, and being able to determine who offers bets on behalf of the sport and what the terms and conditions of those bets are — we see that it is exactly the same regime we want to have in relation to sports betting.

The member for Malvern claims we should have done this four years ago, but four years ago we were trying to get his mates in Canberra to allow us to set up a national regime. We could not do that, because they would not let us. This is part of the way to developing a national regime. You will find in the future — it does not matter who is in government federally — that a federal government will start regulating gambling on the internet concurrently with the states in order to protect the interests of all governments around Australia. That is the future of international gambling regulation.

With respect to sports betting, for the first time the peak Australian sports bodies are all getting together and saying, 'Collectively, our getting together and having a strong voice means we are going to get good outcomes for the first time ever for our sports so that we can earn revenue from the products we own. We are going to be able to manage the reputation risk around this, because we will decide who offers bets on us and what types of bets are available'. It is totally reasonable that that is what they would want.

All the Victorian government is doing is facilitating that. That is why the Victorian government has been part of this discussion and debate over the last few years. That is why it issued a discussion paper late last year. That is why the discussion paper was circulated amongst all other relevant jurisdictions and all known providers of sports betting products in Australia and overseas.

What we have in this bill before the house is basically the discussion paper with a few amendments based on that feedback. I know it will not satisfy everyone, but if

it satisfies all those great national sports bodies, that is good. As a sports city in a sports nation, and particularly as the leading sports city in Australia and one of the leading sports cities in the world, we are the ones who should be leading with this type of regulation and debate. People around the world should be looking at us and saying, 'They have been tackling it in Australia and particularly in Melbourne', and it is right that we do. You cannot be the major events city and let all this stuff sit on the side; and we cannot take the risk of things going wrong with inappropriate betting when those activities occur in our state.

Implementing this bill is absolutely the right thing to do. The sports clubs support it. The main gaming licence providers support it. There are a few corporate bookies who would much rather that they did not have to be part of a regime, but the same guys said exactly the same thing when we fixed up the regime in relation to horseracing with corporate bookies — the freeloading they had been doing for years — a regime that has been rolled out in other jurisdictions around Australia. The other jurisdictions around Australia have been consulted about this. They know Victoria normally takes the lead on these things. They will follow suit on this.

The reality is that the vast majority of those accepting sports bets are major supporters of this legislation. It is not about us being first just for the sake of being first. It is about us being leaders in regulation, protecting the reputation that we have with our great sports, recognising it is a fair go to give money back to the sports providers who take all the risks and who have all the intellectual property rights.

This is about having a proper regime, giving powers to the Victorian Gaming Commission, putting it at arm's length of sports bodies themselves and allowing it to assist in areas of dispute — because with new regulation you will get dispute. This is the regime that has worked well in the past here in Victoria. This is best practice, and I commend the bill to the house. I commend the minister and the government for proceeding down this road. We will look back in years to come and thank this government for doing something else that not only gave revenue back to sport but actually protected the great reputation we have as a sports-mad city.

Mr R. SMITH (Warrandyte) — I rise to speak on the Gambling and Racing Legislation Amendment (Sports Betting) Bill. I must say there were two things that jumped out at me when I first read this bill. The first thing was the premise that this bill was being

presented to the house in order to strengthen public confidence in sports betting.

I am not sure this is really an issue in the community. I have done some extensive consultation with the community I represent, and the feeling out there is that there is not a big concern. People are not worried that there is rampant criminal activity out there in the betting arena. They are not worried that matches are being fixed and games are being thrown. It is a nice piece of political spin to say that that is why this bill is being presented to the house, but the reality is that it is not a huge issue in Victoria.

The principal reason for the bill is mentioned in the second-reading speech and has been highlighted and emphasised by the member for Dandenong. The main reason for this bill, as the second-reading speech says, is that:

... the measures will enable sporting bodies to receive their fair share of the revenues from betting that takes place on their sports.

As an aside, I am sure the minister's arbitrary definition of 'fair share' would probably differ markedly from that of the bookies.

Sports betting providers make a lot of money. Victorians and Australians love their sport; they love betting on sport. It is easy to imagine that major sporting bodies such as the AFL (Australian Football League) would put a little bit of pressure on the government, saying, 'These bookies are making a lot of money on our sport. We want a piece of that action'. A little bit of pressure is applied, and suddenly there is major concern about sports betting in this state.

This side of the house will not be opposing the bill, but let us be a bit open and honest about why the government is really presenting this bill to the house. If the minister were really serious about integrity in sport, this legislation would require an amount or percentage to be invested to improve integrity and to develop sports. But like everything else this government does, this bill only goes some of the way. Sporting bodies are only required to consider integrity issues. It is hoped that revenue will be spent on sports development and promotion. There is absolutely no requirement in this legislation that any of the revenues received go to these areas. This is where the government shows the true shallowness of its commitment to its stated premise.

The next thing that struck me about this bill is how unworkable it is. It has been acknowledged by several members on this side of the house, including the member for Malvern and the Leader of The Nationals,

that this bill would operate better if it was enacted in conjunction with other states and territories. It was also highlighted to us at our briefing that the minister probably would have preferred it if it had been introduced that way.

Ministerial councils are for exactly this sort of legislation. It is an opportunity to discuss these sorts of reforms and an opportunity to get together and bring it in all at once. I really think the minister must agree that this legislation would be more efficient, more able to be policed and ultimately more effective if it were enacted across the whole country. In this stand-alone form it will work towards pushing bookies from our state to set up their businesses in much less regulated environments. I fail to see how this can help Victoria at all.

Thirdly, in keeping with the government's usual standards, as has been mentioned before, this bill brings in more red tape. There is the requirement for applicants to publish a notice of application to the commission within 14 days. That is contained in part 2 of the bill in new section 4.5.12. New section 4.5.19 contains the requirement for the sports controlling body to notify the commission of a change in the situation of that sports controlling body within 14 days. They are just two examples of the increased regulatory environment being thrust upon the stakeholders, and there are clearly several more examples throughout the bill.

Just to wrap up, in part 2, new section 4.5.26 of the bill discusses the determination of the commission in relation to allowing a sports betting provider to offer a betting service. New subsection (2)(b)(i) and (ii) discusses the issue of fees, but there are no guidelines at all as to the way the value of these fees will be determined, other than the relatively arbitrary points made in subsection (3).

It is beyond me how a sports betting provider can have any real confidence at all that the fees imposed on him can possibly be justified. The Association of Australian Bookmaking Companies has described this bill as costly, cumbersome and bureaucratic — and that is almost a perfect twin to the government.

Mr TREZISE (Geelong) — I am also very pleased to be speaking in support of the legislation before the house this afternoon. I am pleased to support it because once again it highlights the clear commitment of the Bracks government to sport in Victoria. As you are well aware, Acting Speaker, the Bracks government clearly recognises that sport in Victoria is very much a part of

our way of life; it is very much part of the fabric within our Victorian communities.

As we all know in this house, Victoria is the sporting state of this nation, and Melbourne is very much the sporting capital. When one talks about Victoria being the sporting state of this station, we all instantly think of major sporting events such as the Melbourne Cup, the AFL Grand Final, the grand prix, the Australian Open Tennis, the Boxing Day test, and of course international events such as the world swimming championships and the Commonwealth Games — and the list goes on and on.

But just as important to the fabric of our community is the grassroots sport played by Victorians every day right across the metropolitan, regional and country areas of Victoria. We all recognise the importance of grassroots sport to our communities. One only needs to see the negative impact the drought has had on local footy leagues as they move into their 2007 season and the cancellation of cricket competitions right across Victoria to see the effect those cancellations had on communities, especially those in regional and rural areas.

As a sport-loving nation we all love a wager on a sporting event. Traditionally that bet has been on the gallops, the trots, the dogs et cetera, but in recent years, especially with the development of information technology, we have seen an explosion in wagering on nearly all sports. As you are well aware, Acting Speaker, if you can name a sport, you can bet on it. But being able to do that means that the integrity of the sport, the matches and the results come into question, as we are also well aware. As my late father said to me, 'Never bet on anything that can talk'. I must say I also heard the Leader of The Nationals say that today, so it must be good advice!

We are a football-loving community, and I think we have been very lucky that the sport has been essentially free from any revelations of match fixing, but other sports that most of us have traditionally grown up with have not been so lucky. One only has to turn to the cricket World Cup and the untimely death of Bob Woolmer in recent months to get a glimpse of the concerns attached to the allegations of match fixing in cricket. There was also the example of Hansie Cronje's conduct in recent years; and of course allegations of illegal activity have touched a couple of Australian cricketers, so we are not so clean either.

There is also boxing — a great sport — which of course has been renowned since time immemorial for competitors taking a dive and for the organised

corruption within its ranks, especially internationally. Hence the absolute importance from a state government perspective of ensuring that the ever-increasing gambling industry is governed by ever-effective and stringent laws. Without such laws to prevent, at the very least, the integrity of a sport coming into question, that sport will slowly but surely diminish.

The measures in this bill are designed to strengthen public confidence in sporting events themselves and of course in any betting that takes place. Therefore I fully support the initiatives which transfer responsibility for approving a sporting event for gambling — barring racing, of course — to the Victorian Commission for Gambling Regulation and which in turn allow the commission to approve a sporting body as a sports controlling body for gambling purposes.

When this structure is put in place it will have some major benefits not only for a sporting body itself but also for the integrity of the designated sport and the followers of that sport, including those who are having a wager on a particular match or event. The designated sporting bodies will now be able to negotiate with the gambling providers on the fees that would allow the providers to accept bets on the sport controlled by the designated body. In turn, those fees will no doubt be used by that body to further the development of the sport across Victoria, which again, going back to my first point, will promote grassroots participation and activity and have very beneficial flow-ons for all involved.

The real strength of the bill is the regime of control that it will put in place when it comes to wagering on a designated event. For example, the bill will create a new offence that prohibits a bookmaker from offering particular types of bets on a sport. That issue has been addressed by a number of members this afternoon. There are numerous examples where the integrity of a sport has been called into question by particular types of bets.

The bill also will establish a new offence that prohibits a bookmaker from offering bets without the agreement of a controlling sporting body. In supporting the bill I understand that the consultation with the many sporting bodies and organisations affected has been extensive and wide — which is typical of the Bracks government — and that the many concerns that were raised have now been addressed. This is good legislation that will enhance gambling regulation in Victoria. I therefore support the legislation and wish it a speedy passage through this house.

Mr BLACKWOOD (Narracan) — It is with pleasure that I rise to speak on the Gambling and Racing Legislation Amendment (Sports Betting) Bill. This bill will result in sports betting providers paying fees to sports controlling bodies. On the one hand I want to support integrity in sport, especially grassroots sport that involves people playing a major role in strengthening their communities, but on the other hand I struggle a bit with the fact that by not supporting the bill we could possibly be perceived as defending the financial interests of sports betting operators at the expense of grassroots community-building sporting associations. So I do not oppose this bill, but I have to wonder why, when sport is a national interest, there is not a national approach to all sports betting regulation.

I am concerned that history may be about to repeat itself. There was a time when it was not easy to find a location to have a flutter with a little bit of cash. Increasingly this state government is making it easier for the community to have a punt, play the pokies or have a bet on nearly everything imaginable. It has now reached the point where sporting clubs, especially those in country areas or in lower socioeconomic areas, are looking to apply for gaming machines or electronic betting machines as an avenue for income to keep their clubs financially viable. When electronic gaming machines became more accessible, the Community Support Fund was introduced. This has now turned into the government's saying, 'It's okay, spend your money on pokies, spend your money on the punt and waste the family's wages, because the more you spend the more we'll give back to your community'. The idea behind establishing the Community Support Fund was to make a proportion of the revenue received by the government from electronic gaming machines available for worthwhile projects to benefit Victorian communities.

Under section 10.3.3 of the Gambling Regulation Act 2003 the minister may apply money in the Community Support Fund to preventing excessive gambling and providing treatment or rehabilitation to people with gambling problems; to drug education treatment and rehabilitation programs and facilities; to financial counselling services and programs assisting families in crisis; to youth, sport or recreation programs and facilities; to community advancement; and to arts and tourism programs and facilities. However, the government's own gamblers helpline is so desperately underfunded that I am not sure of the availability of assistance at the other end of the phone. I know that in country areas by the time assistance makes itself available it is often too late.

Communities are not seeing any of the assistance they were promised. Money that flows into the Community

Support Fund is not flowing back to the communities where it is collected, which was the intention. I will give an example. Organisations like Lifeline Gippsland are in urgent need of government assistance so they can continue to provide crisis counselling services in Gippsland. The availability of these services is critical in assisting regional Victorians to cope with bushfire and drought. I would have thought the Community Support Fund would be the logical source of funds to ensure that Lifeline Gippsland can continue to support rural Victorians through times of personal crisis. However, under the Bracks Labor government it just does not happen. Lifeline Gippsland has applied to both the federal and the state governments for funds to upgrade its call centre in Gippsland. The federal government has responded with a \$500 000 grant. There is nothing that I can find in the state government budget papers handed down yesterday which indicates that Lifeline Gippsland is going to get any assistance in this financial year.

I must emphasise that I am not opposed to responsible gambling; however, I have major concerns about the impact of gambling addiction on individuals and families. I support the regulation of the gambling and racing industry, and this bill provides a mechanism for the control of where and when a betting provider can or cannot offer betting services at a sporting event. The bill also says that a betting provider may not offer betting services on a sporting event in the absence of an agreement with the relevant sports controlling body. Sports betting providers are required to share information with the sports controlling body to assist with the maintenance of integrity in the sport or sports betting.

The bill also enables the Victorian Commission for Gambling Regulation to approve sporting and non-sporting events — other than horse, harness or greyhound races — for betting purposes, whether held partly or wholly within or outside Victoria. The Victorian Commission for Gambling Regulation must have regard to an event's administration, whether the event is exposed to unmanageable integrity risks and whether betting would be offensive or would unreasonably expand gambling in Victoria.

The bill empowers the Victorian Commission for Gambling Regulation to prohibit betting on particular contingencies in otherwise approved betting events, and it contains transitional provisions.

Two new offences are created by the bill: a new offence prohibiting betting on specific contingencies that have been prohibited by the Victorian Commission for Gambling Regulation; and a new offence that prohibits

a sports betting provider, based either in Australia or overseas, from offering bets on Victorian events without either the written agreement of the sport's controlling body or a binding determination of the VCGR. I am reasonably comfortable with the intention of this bill and therefore will not be opposing it.

Ms GRALEY (Narre Warren South) — I am very pleased to be able to speak in support of the Gambling and Racing Legislation Amendment (Sports Betting) Bill. I am also pleased to hear that the Liberal Party and The Nationals will be supporting this forward-thinking bill — albeit on the basis of a dammed-if-you-don't and dammed-if-you-do address. I am pleased that this bill is the result of consultation with a wide sector of sporting groups and the betting industry, because that is the hallmark of very good legislation.

Australians, in particular Victorians, love their sport, and I expect many of them, like me, got up and watched the victorious Australian cricket team convincingly win the World Cup for the third time on the trot, and then, after a hearty breakfast, many of them made their way to see the fabulous Western Bulldogs beat the Hawks at the MCG.

Victorians love their sport and they also enjoy having a bet. In fact when I was at the football on Sunday afternoon I was amazed at the number of young people sitting around me discussing how much the team was going to win by, who was going to kick this and how many players were going to get so many possessions — and they were all having a bet on the game. It amazed me to think that sports betting has become quite an industry out there. I was pleased to see that most of them lost their bets, too, because they were Hawthorn supporters, and, as we know, they went down.

This bill brings a new and innovative approach to the challenges posed by the growing sports betting industry. The Bracks government's reforms are designed to improve public confidence in the integrity of sporting events, and I must admit that I was one of those people who was thinking, 'What is going on here?'. I must say that given recent events in sport this is a very proactive approach.

The member for Geelong, who is in the chamber, has already mentioned the Bob Woolmer incident, but you only have to read the newspapers from around that time to realise that the press and the public were very quick to start talking about match fixing being associated with that death. Unlike the member for Warrandyte, who was suggesting that most people are not interested in this, these issues are pretty close to the surface and are very prominent in the sporting industry.

There have been other examples in Europe where, in the soccer — or the football industry as they call it over there — major betting splurges have resulted in teams and corporations associated with those teams coming under intense scrutiny. But we do not have to look only at Europe. A relatively low-key betting scandal was associated with the Australian Football League in recent times.

One of the reasons this bill is opportune is because when such incidents happen people start to think about how deep this problem is and how widespread it may be, so we need to make sure that our sporting administrators and regulators are vigilant, given these circumstances. Nothing can sour the delight of watching a game of sport more quickly than the idea you may not be watching real competition. It would be a very sad day in Australia if our wonderful commitment to and experience of sport were to be undermined by any sense of irregularity.

Through this bill the Victorian Commission for Gambling Regulation (VCGR) will have a significantly enhanced role in the regulation of sports betting in Victoria. This is a very good thing. It provides arm's-length administration and promotes public confidence in sport. However, at the same time it does not discourage growth in the sports betting industry but keeps a vigilant eye on it.

Another central aim of the bill is to ensure that sporting bodies receive a portion of the revenues from betting that takes place on their sporting product. The bill provides a mechanism by which sporting bodies, such as the Australian Football League (AFL) and Cricket Australia, will be able to apply to the VCGR to become designated controlling bodies of their sports for betting purposes. It seems to me that that is a forward-looking approach and an appropriate approach.

As an avid footy fan I am pleased that this bill will assist the AFL in keeping the game clean as far as betting is concerned. Under the new betting scheme all betting providers will be required to have information-sharing agreements with the AFL. This will help the AFL identify players or officials who are betting on AFL games, and that can only help the sport and the industry.

This bill will also give power to the commission to prohibit betting on particular contingencies that are most vulnerable to corruption. The Leader of The Nationals raised the issue of the Harmison bowling incident. I am inclined to think it was more to do with fitness than lack of finesse, but it did raise questions about just how broad these contingencies could be if

they are not controlled. I am sure that the AFL will take up this opportunity and invest in its integrity systems, including its own code of conduct on betting. Everyone involved with footy can only benefit from the AFL taking up this opportunity.

Despite the title of the bill, I draw the attention of the member for South-West Coast to the fact that the commission will not become the primary regulator of horse, harness and greyhound racing. Authorised controlling bodies, such as Racing Victoria, will continue to undertake the day-to-day operation and oversight of the racing industry. In this environment it is appropriate that the approval of racing events remains with the minister — and what a great job our Minister for Racing is doing!

The Bracks government is leading the nation with these reforms. I believe the reforms have broad support across the sporting sector. Most importantly, this bill does not stymie the development of the sports betting industry. The greatest threat to the growth of the industry in sports-crazy Victoria is corruption, and this bill tackles that issue head on. Moreover, the results of this package of reforms will allow sporting bodies to share in betting revenues, and hopefully some of this money will not only be used to keep betting clean but will flow through to grassroots sport so our sport can continue to grow.

Only this week in my own electorate of Narre Warren South — one of the fastest growing areas of Victoria — the Berwick Springs Junior Sporting Club was established. We are looking forward to seeing what we can do to make sure that sport continues to thrive in the south-eastern suburbs. I know I will be giving the club my full support and pointing out to it the many grants that are available to get this sporting club up and going. I hope the AFL will also chip in if it possibly can.

I support this bill and I hope other jurisdictions will follow suit, so that for the sake of all good sports of all kinds across Australia we can have a national approach to sports betting. It is great that this bill does have support from both sides of the house. I wish the bill a speedy passage.

Mr WALSH (Swan Hill) — I rise to speak on the Gambling and Racing Legislation Amendment (Sports Betting) Bill. The second-reading speech says that this bill is:

... designed to strengthen public confidence in the integrity of sporting events and the betting that takes place on these events.

I suppose the challenge for the minister and the government is in strengthening public confidence in the gaming licence issue we have seen come into play over the last few months, how the process for the letting of those future licences has been played out in Victoria, and about the upper house inquiry into that particular process.

We have seen a lot of interesting things happening in Australian politics in the last few months, including the influence of members of previous governments on the workings and machinations of current governments. I have noticed an interesting statistic: the sale of white hats in Victoria has actually declined substantially since the unfolding of some of those issues in Western Australia and some of the issues around the letting of gaming licences in Victoria and what may or may not have taken place between David White and the Premier in the process of doing that sort of stuff. But I must admit that, to David White's credit, I have not seen a photo of him wearing a white hat, which is a pleasant change from all the photos we have seen coming out of Western Australia.

In the second-reading speech the minister talks about the important contribution that sport makes to the social and cultural fabric of the community in Victoria. That is definitely a truism about what happens particularly in country Victorian communities. Sport makes a great contribution to those communities; it actually holds the communities together.

The tough conditions in country Victoria in recent times resulting from the drought and issues that are associated with the drought have seen the actual community coming together for sporting events that has been one of the true social hubs of the community. That is not only linked with the traditional sports like football and netball in the winter, and cricket and tennis in the summer, but some of the other lesser known sports. In my electorate, for argument's sake, at Sea Lake we have a very active petanque club, which is a sport I never knew anything about until a few years ago when I was invited out to Sea Lake to open the annual petanque — —

Mr Donnellan — Are you the Swan Hill champion, then?

Mr WALSH — No, I am not the Swan Hill champion. But there are lots of sports that help to draw the community — —

An honourable member interjected.

Mr WALSH — I will come to backing winners in a minute! They help draw the community together and reinforce that connectedness we need in times of crisis.

I question at times just how much betting we need on some sporting events, but obviously some people in our society and in our community feel the need to bet. The odd time when I have been tempted to bet, and had a bet at the races, is the time I always seem to pick the slow horses. I cannot seem to get the right advice from my constituents whenever I go to the races; I must admit I am very frugal in how often I bet.

I had the pleasure of going to the Kerang races on Easter Saturday, and there were some very great horses there. There was one particular horse from St Arnaud called St Arnaud Sultana, which won! We had a little flutter on that, but then I lost all my money by backing the horse of one of my constituents from Culgoa. It ran in the cup, but did not run as fast as it should have!

An honourable member — Bring back Bill McGrath.

Mr WALSH — Bill McGrath knew all the tips, did he?

We need our sporting bodies to have this connectedness in the society in Victoria. We could argue forever about the issue of whether there should be betting or not. As I said, I am not a great supporter of necessarily having betting on every sporting event.

The purpose of this bill is to strengthen the public confidence in the integrity of sports from a betting perspective and to ensure that sporting bodies receive a fair share of the proceeds from betting that takes place on the respective sports. There are some issues around this. We need to make sure that our sporting bodies are resourced in this state. It costs a lot to maintain the infrastructure that fits around the different sporting groups, and we do not want to see only the bodies that are actually conducting the betting making all the money to do that.

The first amendment in this bill transfers responsibility for the proving of sporting and other non-racing events for betting purposes from the Minister for Gaming to the Victorian Commission for Gambling Regulation, which will be a new body. We have some issues with that establishment, which I will come back to later.

The second amendment is to create a new offence prohibiting betting on specific contingencies that are prohibited by the commission. The third amendment is the creation of a mechanism enabling the commission to approve a sporting body as a sports control body for

betting purposes. The fourth amendment is the creation of a new offence prohibiting a sporting betting provider either in Australia or overseas from offering bets on the Victorian events without the written agreement of the sports controlling body or a determination of the commission.

I would be interested in the minister's giving me some feedback on this particular part of the bill when he sums up, because on my reading of that clause I have some reservations as to how the minister or the Victorian Commission for Gambling Regulation can actually enforce any of that. If we are going to have a betting body in Victoria that is betting on a Victorian sporting event under the rules, I can clearly understand how that can be enforceable. If we are going to have an interstate betting body betting on a sporting event in Victoria that comes under the rules of this bill, I believe that there is probably some way in which there could be some regulation and control over those people.

However, if, for argument's sake, we are going to have a betting organisation out of India betting on sporting events here in Victoria under the rules that we are implementing and if it breaks the rules or if it bets on an event that is not covered in this bill, I am not quite sure how the minister or the commission is actually going to enforce these rules. If the organisation is located in some of the lesser known areas such as the Virgin Islands, the Cayman Islands or the Jersey Islands which do not have the sort of strict protocols — that is, some of the tax havens of the world — how is the law to be enforced in those bodies? I would be interested in the minister's actually covering some of those issues in his summing up.

The other issue that has been raised with The Nationals is the issue of national consistency with this bill. I think our leader covered that with the minister in his contribution to the debate. I suppose we have to be very careful with the legislation that we pass in this place, to make sure it works across all the Australian jurisdictions, so we do not get too far in front of it. We have had numerous examples in this place of model legislation coming down from ministerial councils on various issues or we have had shell legislation where we can actually make sure that what we do in Victoria is consistent with what happens in other jurisdictions.

My understanding is that with this particular piece of legislation Victoria is the first state to be doing it. If we are going to cover the issue of gaming as it involves different sporting events, I would hope, as The Nationals leader discussed with the Minister for Gaming, that the gaming minister's council — or whatever it is called — is making sure it is working

towards having consistency across all Australian jurisdictions.

I would like to conclude by reinforcing that we have to be very careful as a society that our economy does not degenerate into one that is reliant on gambling income in order for the state budget to have the surplus that the Treasurer informed us of yesterday when he introduced this year's budget. To my mind, putting too much emphasis on gaming income sends the wrong signals about what our values are here in Victoria. We should be looking at how we can potentially wind back some of the gaming in this state and go back to some of the values we used to have which I think are slowly disappearing.

Mr DONNELLAN (Narre Warren North) — It is an honour to speak on the Gambling and Racing Legislation Amendment (Sports Betting) Bill. I think it is a good bill, because it is designed to improve the integrity of revenue generated from betting on sports events. It will enable sporting bodies to receive a fair share of the revenue generated. It recognises the importance of the sporting event to betting providers. Further, it also recognises there is a cost involved in providing integrity measures for such sporting bodies when people are betting on those events.

It is vital that Australia's premier sporting events are not sullied in any way by the perception that there may be a fix or something dodgy happening with them. Revenue will be provided to these sporting bodies — and a lot of them are small organisations — to be ploughed back into their sport. This betting legislation provides for the widening of the field for those events that can be bet on, compared to the somewhat restricted field at the moment.

The current legislation requires that approval of betting on sporting events be given by the Minister for Gaming. This will be transferred to the Victorian Commission for Gambling Regulation. It enables the commission to approve a sporting body to act as a sports controlling body for betting purposes. It is very much up to the sporting body to decide what it wants to do, how it wants to monitor it and how it wants to set it up. Further, it creates a new offence that prohibits a sports betting provider based anywhere in Australia and elsewhere from offering bets on a Victorian event without agreement of the sports controlling body or a binding determination by the commission.

When the commission is deciding on which sporting bodies to approve to undertake these activities, it looks at the capacity of the sporting body to provide integrity measures. That is solely and wholly the basis upon

which decisions of which sporting bodies to approve are made.

The bill specifically addresses what type of bets can be taken by a sporting provider. It actually specifies which type of bets can be taken but is silent on any other style of bets which can be put forward. Future legislation will allow the commission to decide what bets can be taken, what bets cannot be taken, and what bets could be vulnerable to manipulation and fixing. To a large extent it will depend on the type and style of betting monitoring a betting provider and the sports body can provide.

If a betting provider and a sporting body cannot actually come to a decision over what type of fees should or should not be paid in these instances, the sporting body will be able to apply to the commission to seek a ruling on what the fee should be and also what type of information-sharing arrangements should be in place. In terms of the fees that can be negotiated, this very much provides an incentive for the sporting bodies to invest time and resources into developing integrity measures like codes of conduct, monitoring measures, enforcement mechanisms, information provisions and the like. As I previously mentioned, they can seek a ruling, which I think is a pretty good way of dealing with it.

In many ways, we need to take the lead on this issue. In Victoria we are fanatical about our sport. We are also fanatical about our gaming and betting. To some extent, this new bill will allow sporting bodies that previously were not able to generate fees from betting placed on their sports to actually get some fees and put them back into the sport, hopefully at grassroots level.

Betting, sport and the like provide a massive contribution to the Victorian economy and also make an enormous social contribution. I personally am not a great bettor, but I understand the fanaticism with which people undertake it. I am part of a family that has been fanatical about horseracing. SP (starting price) bookmakers in the family have been fanatical about footracing and the like. If we do not deal with what events should and should not be bet on and what style of bets can be taken, we will pretty much allow the underground to move on that, resulting in a revised version of SP bookmaking, which I think my grandfather would undertake with great glee.

In many ways it is important the ALP takes a lead on this, because people like John Wren, who was a supporter of the ALP, gave a lot of joy and sport to the Victorian people. He actually set up the first tote. He brought out world championship boxers and so forth

and ran gaming on their fights. Because we have that fine tradition we need to deal with these events and ensure that we can give people a broad range of events on which they can put their money, because it is good for the sport and it is good for the sporting bodies. As I said previously, I am not a great gambler myself, but I think it is important that those who gamble are able to do so knowing that the sporting event they are gambling on has integrity, is properly managed and ends up with a fair outcome for all concerned.

I know other states have not yet moved on this, but realistically the majority of sports betting and the like is carried out in Victoria or carried out on Victorian events, so it is incumbent upon us to deal with this and not ignore it. We could wait for model legislation to come down from COAG (Council of Australian Governments), but there have been various attempts to deal with this in the past and at the end of the day there has been no agreement, so to a large extent we need to move now — and this is what we are doing today. I think the minister is being very responsible in putting this up now instead of waiting for five or six more COAG meetings until everybody finally agrees on how we manage and control it.

Mr Andrews interjected.

Mr DONNELLAN — It could take 10 years, as the minister says. That makes perfect sense, and it is why we do not want to be waiting for everyone else to deal with this.

An honourable member interjected.

Mr DONNELLAN — The commonwealth may not want to deal with it, full stop, knowing the ways in which the commonwealth moves. But realistically we are the leaders in this area. We need to be seen as the leaders, and we need to move on this. I commend the bill to the house.

Mr ROBINSON (Mitcham) — While I am in the house I may as well speak on this bill.

An honourable member — You raced in.

Mr ROBINSON — I did race in: I was champing at the bit to get into the house to speak on this bill!

I am very pleased to have the opportunity to speak on the Gambling Regulation Amendment (Review Panel) Bill — the sports betting bill — for a few minutes, because it is welcome legislation. As much as Australians love a punt — and the constituents I represent in the seat of Mitcham are no different in that respect from people elsewhere in the country — they

also believe in a fair go, and it is vitally important that the competitions they bet on are constantly seen as fair and reasonable and above board. Anything that strengthens the fairness of the competitions they bet on and the genuineness of those competitions is to be welcomed.

The legislation, as has been described by a number of earlier speakers, seeks to achieve this in a number of ways. It also builds on earlier legislation that the government passed, which is proving its worth. I want to refer to an article in this morning's *Herald Sun* headed 'Inquiry widens'. It relates to some thoroughbred racing matters and to the race fields legislation, which was introduced in this place last year.

One of the effects of the race fields legislation is that it enables racing stewards to access wagering providers who bet on Victorian races. It also provides for some disclosure to racing authorities as to people who have betting accounts — and I am quite happy to acknowledge to the house that I maintain a telephone racing account. In this case the article goes on to indicate that two jockeys who ride on the flat are embroiled in a Racing Victoria Ltd stewards inquiry into betting accounts.

... chief steward Des Gleeson confirmed yesterday that stewards had questioned jumps and flat jockeys about ownership of betting accounts.

...

It is believed as many as six jockeys have been asked to explain ownership and use of TAB phone accounts.

Of course the rules of racing do not permit jockeys to engage in betting on races or have an interest in a bet or enter the betting ring. Punters would be disconcerted to learn that any jockey in the state of Victoria or elsewhere was defying that rule. That rule is essential if we are to ensure that the people who wager do so with as much confidence as is possible.

It is appropriate that I refer to an article on racing at a time when the Warrnambool carnival — the famous May racing carnival — is on. It is once again a carnival at which Victorian stewards do an exceptional job. Governments of the day of whatever persuasion need to be continually vigilant when it comes to the betting environment which operates in the state of Victoria. I suspect that sporting codes less familiar with wagering than the racing industry need to be very much on their guard.

We have recently had some revelations about AFL (Australian Football League) players who have been betting on football, which is, I understand, clearly in

breach of a conduct rule that the AFL maintains. It did the players and the clubs no good at all to be coming out with lines like 'I wasn't actually betting much' or 'I wasn't actually betting against my own team' or 'I wasn't betting on the match in which I played'. That brought no credit on them at all.

Punters are not interested in whether a footballer was betting \$10 or \$10 000. They are interested in knowing that a footballer was betting when he should not have been betting at all. That is a rule that is clearly understood in horse racing. I suspect that organisations like the AFL have a little bit of work to do in making sure that their professional participants understand the seriousness with which the general public, and indeed members of this place, view breaches of those sorts of conduct rules.

Just as players should not bet, there is a longstanding practice that umpires should not bet. It has become a common practice in this state that we permit betting on the Brownlow Medal. One can well appreciate that if umpires were allowed to bet actively, then confidence in the betting opportunities on that event would be severely undermined.

In closing, it is the case that if governments, sporting bodies and the regulators of gaming and gambling and sports and sports betting do not maintain their vigilance, sports are liable to be corrupted. We do not have to look very far to find examples, the most outstanding of which involve international and one-day cricket. We have seen in recent years some very tawdry episodes involving cricket matches being thrown and international and up-till-then well-respected players taking pay-offs from bookmakers and other unsavoury characters.

That has greatly diminished the standing not only of those individuals but of the sport in which they participate. I know it has distressed many people right across the world. If sports administrators and governments do not maintain their vigilance, ultimately corruption will seep through sports bodies, and that is something no-one wants, particularly Australians and Victorians, who have a great fondness and affection for sport, which plays a substantial role in their lives.

This is good, useful legislation because it will strengthen the integrity of sporting activities and wagering on sporting activities. I will be supporting it very strongly.

Debate adjourned on motion of Mr KOTSIRAS (Bulleen).

Debated adjourned until later this day.

GOVERNOR'S SPEECH

Address-in-reply

Debate resumed from 1 March; motion of Mr PALLAS (Minister for Roads and Ports) for adoption of address-in-reply.

Mr LANGDON (Ivanhoe) — It is with great pleasure that I finally, after a long wait, get to do my address-in-reply to the Governor's speech. When members start off they often congratulate the Speaker and Deputy Speaker on their election to high office, as well as all the Acting Speakers and all the whips, but as it is now the month of May and we have had time for the Speaker and Deputy Speaker to settle in, I would like to tell the house of my admiration for the work they have done so far.

All Speakers and Deputy Speakers take some time to fit into the job. I have been witness to the work of four Speakers in this house, and each one has been unique and each one has done the job in an exceptionally good way, particularly the last three. But in particular the new Speaker has settled in, as has the Deputy Speaker, who did a mammoth job over 6 hours the other night with the stem cell bill. I congratulate them on their appointments to their jobs and on settling into their jobs so well.

I am very pleased to be a part of the third Bracks government.

An honourable member interjected.

Mr LANGDON — Thank you — 'an important part'! This is the fourth time I have been elected to this place. I must admit I was one of the surprise results of 1996; I do not think anyone in this house would deny that. With a swing of about 5.8 per cent I unseated the then member, the late Vin Heffernan, and the Labor Party and I have retained the seat ever since. Since that time the margin has ebbed and flowed a fair bit: in 1999 it was between 4.5 and 4.8 per cent; in 2002, the historic landslide victory of the Bracks government, it was 12.5 per cent; and it has now settled down to 10.4 or 10.5 per cent. I am very pleased with the latest result. It meant a lot of hard work, and it means that the electorate appreciates the work we have done.

I do not think it will be a surprise to anyone in this house if I mention that the Austin Hospital helped me get elected in 1996, given the then plans to privatise it. The community of Ivanhoe definitely did not want that. The Bracks government not only honoured its election pledge to keep it in government hands but went beyond that by allocating \$376 million and building a new

hospital. Along the way it has also added approximately \$18 million to a new mental health facility on the Austin site, which was opened just prior to the election. We also funded, in the last term, the Banyule community health centre with \$11.5 million. The neighbouring electorate of Bundoora, which is not far from the Eltham electorate either, also had major work done on its part of the Banyule community health centre. Basically under this government the centre has got two new homes. I do not think it would be unfair to say that Banyule Community Health and its board could not be happier with this government given all the work it has put in and all the work the members around about have done.

Schools in my electorate have also fared exceptionally well, with a lot of them being granted funds to upgrade facilities. I think the school with the most amount of funding is Viewbank Secondary College. It is certainly the largest secondary college in my electorate, and it has received over \$3 million in works over the life of this government. Many other schools have received funds for works. Off the top of my head I can say that Ivanhoe East Primary School, Bellfield Primary School, Rosanna Golf Links Primary School, Rosanna Primary School and Heidelberg Primary School have all received funding.

Yes, there are still schools that are waiting, and I am very pleased that during the last election campaign this government promised over the next 10 years to improve all schools in the entire state, not just in my electorate. That is a lot of work, and I commend the education ministers and all the other people who have worked in the education portfolio over the life of the Bracks government. They have all put in an enormous effort.

The Heidelberg police station has been upgraded to a brand-new police station. The Heidelberg courthouse has also been upgraded. I am also now working on the master plan for mental health and the repat hospital and other aspects of that.

I want to go back to the election campaign of 2006. As I said, the result showed a swing of 2.04 per cent against me, which is below the state average of 3.6 per cent. While I had rather a substantial drop in my primary vote, there was a unique group of candidates running against me. The Greens certainly improved their vote, and an Independent who had been elected mayor on two occasions also ran and directed preferences to the Liberal Party and the Family First Party. But in looking at the figures you can see that over 70 per cent of those voters defied the Independent's ticket in particular and sent their

preferences to me. So I have some standing in the community, and I respect that. I think the community appreciates all the hard work I have put in.

I may not be the most favoured member, because I will call a spade a spade at times, but the community respects the effort we make. You cannot make an omelette without breaking a few eggs, and I have a habit of certainly getting things done — but sometimes I rock the boat a little bit. I am more than pleased to get results on the board. As I said, there was a below average swing against me. There might have been a drop in my primary vote, but people appreciate the work I have done for them. I thank them for their endorsement.

It is not easy being a member of Parliament. The demands on your time are great. I know all members with families understand the enormous strain that puts on their family members. You spend many nights in Parliament. You spend many nights going out to meetings — and at times there seem to be endless meetings. I take this opportunity to thank my family — my wife, my children and my niece who lives with us — for all their support and understanding. As the children get older they are certainly getting more involved in election campaigns. My eldest daughter has actually joined the Labor Party of her own volition. She says that she probably attended more meetings on non-voting nights during her childhood than a lot of other people who had voting rights. She is certainly involved, and I appreciate all her efforts and support. As I said, I would like to thank my wife as well.

The results around the electorate have been quite interesting. I want to thank on the record all the Liberal candidates who have stood against me. There was a bit of a testing time in 1999, when a relatively new member of the Liberal Party, the then mayor, stood against me. I have always conducted fair and reasonable campaigns against all the longstanding Liberal party members who have stood against me. We have never been nasty to each other. In actual fact the Liberal candidate for the seat of Ivanhoe at the 2002 election thanked me after the election for never actually attacking him. Yes, I attacked his policies, but I never attacked him. I was pleased not to have done that.

Something new happened in Ivanhoe during the last state election campaign. My signs were constantly attacked. I spent an absolute fortune on large signs. What did they say? They outlined the achievements of the Bracks government in the Ivanhoe electorate. Who could have possibly taken offence to that? The Liberal candidate and the Liberal campaign team assured me on numerous occasions that it was not them. I can tell

members of this house that I believe them. I do not believe it was them, because it is not the style of the Liberal Party in Ivanhoe to do such things.

The only difference in this election was the involvement of a particular Independent candidate. Unfortunately I am well aware of this Independent's style. Her son stood in a local council election against an ALP candidate. All sorts of things started to occur then, and all sorts of literature was handed out. While those who attacked the signs could not be identified, some people tell me that young people attacked them at 2 o'clock in the morning. I know that one campaign worker said to me on polling day that he had received feedback that the attacks may have been linked to the Independent candidate. I will not dwell on that aspect. It was just a coincidence!

The Ivanhoe campaign was fair. The electorate vastly appreciated that, but there were some negatives. I am glad the Minister for Mental Health is at the table, because one of the things that really upset me — I will say this in this house to make an issue of it and will continue to make an issue of it in times to come — was a press release that made local headlines. It was an appalling press release. It was from Cr Jenny Mulholland and was headed 'Independent with integrity for Ivanhoe'. She put out a press release that said:

The state government are proposing to transfer patients from the Fairfield Centre J Ward for the criminally insane to the Heidelberg repat.

In what was supposed to be a much-needed facility for adolescents/adults with minor mental health conditions is now proposed to house the worst insane criminals in Victoria.

1. This government and state member for Ivanhoe must come clean.
2. What level is this facility?
3. Why does this facility need a 30-metre buffer zone?
4. Is this facility — J Ward? For criminally insane?

The words 'For criminally insane' are underlined. The press release then says:

5. Will adolescents and women with eating disorders or women with postnatal depression and their babies be housed next door to criminals with mental health conditions?
6. Is the government closing down the mental health facility at Fairfield and selling the land for housing?
7. And moving the whole facility to Heidelberg/Ivanhoe?

8. When was this government going to let the local residents of Heidelberg and the community in the state seat of Ivanhoe know?
9. What is this government and state member for Ivanhoe hiding?

All these questions must be answered prior to the election.

This press release was issued two weeks out from the beginning of the election campaign — just enough time to make great headlines in the local press. I managed to receive a letter from the Minister for Health which absolutely refuted all these claims. Thomas Embling Hospital at the Fairfield site is not closing. In actual fact the Minister for Mental Health and I visited that site earlier last month. To my surprise that hospital is having a new extension built. The Jardine unit will be opened on 22 May.

Not only is that proof that the government is not closing the Thomas Embling Hospital, but it is also proof that the government is putting money into the hospital to keep it open. However, that councillor was not deterred from making such outlandish and inflammatory statements.

Many people have mental health problems. Such problems can affect one in five Victorians — and they affect not only the sufferers but their families and friends as well. These sufferers should not be used in a political game. I am making an issue of this matter and will continue to do so. Using the issue of mental health in this way was absolutely outrageous. It was an attack on people who could not defend themselves. She made victims out of those suffering from mental health problems. It was totally and utterly wrong. I am concentrating on this issue to make the point that people with mental health problems should not be used as political footballs. The Independent candidate who ran against me, Cr Jenny Mulholland, used those people and defamed them in many ways. She made outlandish comments in her press release, which I have read to members. Those comments are now in *Hansard*. When she claimed the most criminally insane people in Victoria are moving to Heidelberg, she was totally wrong. The Thomas Embling Hospital is staying open.

Yesterday this government announced that it is spending money on the repatriation hospital. For example, we are fixing up the veterans mental health wards nos 17 and 18. This has been welcomed by veterans. The veteran community, the community of the repatriation hospital and people involved with the hospital have been attending community consultative committee meetings with me. I am the chair of that committee, and Cr Jenny Mulholland has been part of the whole consultation process. She has never once

raised her concerns. In actual fact, she has only attended one meeting since the election. The consultative committee asked her to apologise for her outlandish press release. She has failed to do that. She is totally aware of what we are doing.

People from the Thomas Embling Hospital came to the meeting to discuss what the hospital is doing. I am very pleased to say that I was stunned when they talked about the results for their patients. There is obviously a section of the hospital for those who are under forensic care. Its success rate is 100 per cent, which is outstanding. No prison in Australia could say it has a 100 per cent success rate, but the Thomas Embling is doing exceptionally well with the patients in its care.

I am more than pleased to support this government in its actions in mental health; I am more than pleased to support this government in what it is doing at the repatriation hospital site with its master planning. There will be more mental health beds put on the site from future budgets that are to come in this term — that has been said, and we are not hiding from it. It is all part of the consultation process, and everyone is happy with it, except for one councillor, who made an outrageous comment and then disappeared into the mire and has not turned up again.

Finally, with the limited time I have, I thank all those involved in my electorate. I thank the Bracks government for the enormous effort it has put into the seat of Ivanhoe. It is certainly famous for having the Austin Hospital within its area, and it seems to be continuing that way. It seems that in every budget this government has brought down so far there has been some mention of the Austin Hospital somewhere along the line. If I continue that work, I will be more than pleased, and I know my electorate will be more than pleased.

I have some very good members for neighbours — the member for Eltham, who is with us here, and the new member for Bundoora. We all work very well together and provide the north-eastern suburbs with outstanding representation, and I know we will continue to do so. I am very pleased to commend the address-in-reply debate to the house. I am pleased to be part of the third-term Bracks government.

Mr HERBERT (Eltham) — It is a pleasure to follow the member for Ivanhoe's address-in-reply. He, of course, is in the neighbouring electorate to my electorate, and we work very closely together. I note that he spoke eloquently about the importance of the Austin Hospital and the major funding achievements that have been made there. I want to point out that the

Austin Hospital is an absolutely fantastic regional resource. It is the hospital of choice for many people in the Eltham electorate, and every improvement under the massive building program there is of course appreciated. It is very useful and important to the long-term health prospects of many people in the Eltham electorate.

It is a pleasure to speak on the address-in-reply debate and to use it as a bit of an opportunity to thank some of the people who were instrumental in my re-election and to outline some of the significant achievements and issues relating to the Eltham electorate. Firstly, let me say that the last Labor Eltham campaign was a very positive one which focused squarely on the issues relevant to the electorate and to the future of Eltham itself.

I would like to thank first and foremost all those people in Eltham who supported me at the election. They put their faith in me in terms of continuing the job that we are all doing to rebuild the Eltham community. I achieved a swing of a little under 2 per cent, which of course went against the trend in the general area. I am sure that is in many ways a result of the entire government's efforts in making areas and electorates like Eltham much better places to live, work and raise a family.

I would like to thank my entire campaign team, from my campaign director to the coordinators of the booths, postal votes, shopping centres, signs and the pre-poll. They all did a fantastic job in making sure the Labor brand was out there and visible in the electorate. I would particularly like to thank the many people who helped me on the day, and the many more who shed kilos walking the hills of Eltham, Montmorency, Greensborough and St Helena to deliver my pamphlets. I lost a little bit of weight myself! Sometimes I wish we had an election every year so I could stay a bit trimmer!

Mr Robinson interjected.

Mr HERBERT — I say that tongue-in-cheek, of course. My campaign team is a great group of people. They are active not only in the Labor Party but also in the communities in which they live. I very much value the support I have received from them, not just during the election but over the last four years.

I would also like to give thanks to my former and present staff, who have worked tirelessly over four years to improve opportunities in the electorate. They punch well above their weight and have put in thousands of hours of voluntary work for our community.

I would like to thank Tim O'Halloran, who, amongst his many achievements, was responsible for my community health campaigns and interactive web sites. These campaigns have probably been some of the most useful things we have done over the last four years to try to raise awareness of health concerns, such as prostate cancer among men, diabetes, improving the rate of organ tissue donations and a number of others. Tim has since moved on. I wish him well in his new vocation in his new city, Sydney. He moved from Melbourne to Sydney to be with his girlfriend. I wish him well in the work he is doing. I am sure he will continue to be an active member of the community where he is now living.

I would like to also thank Jennie Juchnevicius, my office manager, who has absolutely fantastic links with the local community and whom I rely on enormously to ensure that a fairly ambitious agenda is progressed smoothly and efficiently.

I also take this opportunity to mention Geoff Mathews, who is one of the many volunteers who help in the office. He comes in daily and assists with the numerous tasks associated with electorate officers. Without his regular assistance each day it would be hard to deliver the improvements to services that we have achieved over the past four years. I very much value his ongoing support. One of the great things about the Eltham electorate is the immense community spirit and the capacity of volunteers to make our community a terrific place to live. As I said, Geoff is just one of those many people.

When I was first elected in 2002 I determined that what I hoped to achieve first and foremost was to strengthen the sense of community, to build links between diverse groups within the electorate and to ensure that our community receive the support and assistance that is required to flourish. That is a pretty ambitious task. Whether you are a MP, a councillor or even the government per se, you can never really make these achievements alone. To achieve these ambitious goals you need the support and hard work of the entire community — to turn plans into reality. I have been lucky to receive that support, which resulted in many achievements and improvements in the first term. There are too many to mention all of them, but I would like to mention just a few of them during this address-in-reply speech.

People going to Eltham Central Park will see that the oval is green.

Ms Allan interjected.

Mr HERBERT — We are using recycled water there. We have just laid a very smart turf and new underground drip irrigation system. It is part of the WaterSmart sports ground proposal, on which local clubs worked with me and the council and which ultimately led to a \$2.6 million project to drought proof our sporting grounds. That is going to be fantastic. In my electorate Eltham Central Park and the Eltham North soccer grounds will be renovated, and ultimately they will get a lot more use with something like 10 per cent of their existing water usage. We have also seen upgrades to the Eltham Panthers Football Club pavilion. A simple upgrade to the change rooms and other things enabled it to have the Diamond Valley Football League finals for the first time ever.

The Eltham bowling club saw another achievement. Many of the older bowlers at the club have for a long time tried to get new clubrooms, and they finally got them to replace the old ones which had something like 40 to 50 steps, which the members had to go up and down every day. It was just too much for some of the older bowlers, and the club's membership was declining. Now it is flourishing, and there is a great competition happening there.

Another issue at the Glen Katherine Primary School, which was prevalent when I was first elected, was the need for a safe drop-off zone. The government funded that drop-off zone, and it has been a fantastic boon to the many parents who drop off their children at this rather large and very successful school.

Next to Glen Katherine Primary School is the St Helena Secondary College. It is one that I am proud of, and I am sure the staff, principal and parents are also proud of it. It has really thrived with the addition of a new \$3 million state-of-the-art science and information technology building. This building has computers built into the lab workbenches so that when students are conducting experiments they can key in their results directly into their computers and can keep working on them from virtually any room of the school. It is a big school of about 1500 students, it is well resourced, and it is absolutely thriving.

Many schools in the area had upgrades during my previous term as local member. Eltham North Primary School was the site of one such upgrade that the then education minister opened — two new and innovative classrooms with water-saving technology incorporated into them. Eltham Primary School, an historic school in my electorate, is now getting an upgrade to its buildings at a cost of more than \$2 million, as was announced as part of the anniversary year of Eltham.

One thing I was particularly proud of as part of my involvement in bringing different groups together for the one purpose was the building of the new soccer field at St Helena Secondary College. A major problem after the success of *Bend It Like Beckham* was that a lot of young women joined soccer clubs, and, following the success of the Melbourne Victory soccer team, many young people have been greatly enthusiastic about taking up soccer. The existing facilities simply could not cope.

The school, the council, the soccer club and I got together, then the state government kicked in. The minister at the table — the Minister for Skills, Education Services and Employment — funded that innovative program, which has been an absolute boon. The new soccer ground is used by the club members and is used by young people after school. It is played on at weekends and the school can use it during the week. It is a terrific example of what you can get when you mix school buildings and community effort.

There have been many other developments in my electorate. There are heaps more bus services, and there is a fantastic footbridge spanning the Yarra River, meaning that Eltham residents can ride their bikes or walk from Eltham Lower Park to the Westerfolds and Candlebark parks. A new bike path has been constructed through Barak Bushlands, and there is a new skate park for the young people — a long-overdue initiative that was brought about by the really hard work of a group of parents who worked with their youngsters in pushing and lobbying for it. I think they even talked me into donating a pushbike for a raffle at some point. With the help of the state government they got that facility up and going. I can tell the house that when you drive past there every day you see young people — after school, of course — with their skateboards and BMX bikes having a great time.

The last thing I would like to mention is what is perhaps one of the major roadwork projects carried out in my electorate — that is, the duplication of the Greensborough bypass bridge. The road there was very dangerous; it had a number of lanes and narrowed down so that drivers were swapping lanes at peak hour. The construction of the new \$17 million bridge makes the area much safer.

The many achievements made in my electorate have all happened with the support, prompting and hard work of the many volunteers throughout Eltham. Those same volunteers will be working with me over the next four years; they will be working with me on many of the election promises we have made. Incidentally, as happened in my first term, I will be putting up election

promises on my website, and as each commitment is met or as progress is made on it, that too will be put up on the website as a form of accountability to the public. All the election promises were kept last time, and I am certainly intending to keep all my election promises this time.

Some of those promises or commitments are pretty important. We have committed to rebuild Greenhills Primary School, an old school that is basically falling down, at a cost of \$4.5 million; also, to refurbish and expand Eltham High School's middle year maths and science building. Eltham High School is a terrific school — it does some really terrific work with young people and achieves really good results — but its old maths and science buildings are not suitable for the sort of innovative curriculum it wants to offer. The government has come to the party, and we are going to be providing new facilities.

Roads are always a problem in any electorate, and they are a problem particularly in Eltham. Because of the nature of the area — it is lean, green, and hilly — there is often a fair bit of congestion on local streets. We have committed to a number of improvements which, when completed, I think will really improve motorists' lives. One of them, which was contentious, was for traffic lights to be installed at the corner of Karingal Drive and Weidlich Road in Eltham North. I know the residents are very much looking forward to that installation at what is a fairly dangerous intersection. It will also help many young people cross the road to get to school each day.

We are also putting in pedestrian lights and improving pedestrian safety at Main Road, Research; installing metered traffic signals at the Greensborough bypass; and currently putting in smart lights at the Fitzsimons Lane roundabout as well as doing a whole range of other things.

I am very pleased about the Hurstbridge rail line upgrades as \$6 million worth of signalling will be installed, and I note the former transport minister is in the chamber. He had to endure me quite regularly coming in and talking about the need to upgrade that line, and he delivered for the people of Eltham in terms of the new bridge across the Clifton Hill–Westgarth rail section and, as I said, by having \$8 million worth of new state-of-the-art signalling installed between Greensborough and Eltham.

There are a couple of other small things I would quickly like to mention as part of highlighting some of the many great groups in my local area. The Montmorency Football Club's club rooms have been

inundated with white ants and require a fair bit of money to rectify the problem. The government has agreed to renovate the club rooms of that great club. It is providing \$100 000, which may not seem to be a lot of money in the scope of things, to upgrade Eltham Little Theatre, which has a fantastic group of volunteers — budding film stars and actors, all. They put on some fantastic performances, and this \$100 000 will do them a lot of good. There will also be new basketball courts at Montmorency Secondary College for the Wildcats and a new bus will become available for Lower Plenty senior citizens.

There is a lot to do. My first term as the member for Eltham achieved a lot, and I hope my second term will achieve even more. I very much look forward particularly to my new role as Parliamentary Secretary for Environment and to working with the people of Eltham to improve the area and build a much stronger community over the next four years.

Mr ROBINSON (Mitcham) — I am very pleased to have the belated opportunity to contribute to the address-in-reply debate. I would like to commence by acknowledging the work of Governor de Kretser and by conveying to him and his wife my appreciation of the work they do. The role of Governor is very onerous. The Governor and his wife, like governors and their partners before them, do it very well. I have come to understand in recent weeks how diverse that role is.

I was fortunate enough to attend a Rotary function at Box Hill town hall in late February at which the Governor was a guest speaker. I was greatly impressed by the way he spoke so frankly about men's health issues. He comes from a professional background and thus is very familiar with a lot of the intellectual content of that subject matter. But the fact that he was able to and chose to speak so frankly at a gathering at which the larger proportion of the attendees were men about an issue which starkly confronts older men in this state and this country was a great credit to him. So for that and for all his other work I want to pass on to him my congratulations and the appreciation of the people of the Mitcham electorate.

I also want to use this opportunity to congratulate the new Speaker and the new Deputy Speaker on their appointments. I am sure they will carry out their respective roles with great flair and great commitment. I would also like to congratulate all the new members of this place, on whatever side of the chamber they sit. It is a rare privilege to be elected to this place. Many people seek election; very few overall gain it. In my time here I have been provided with wonderful

opportunities, and I am sure the same will be true for them in the time they serve here.

My greatest acknowledgement and my thanks go to the voters of the Mitcham electorate for seeing fit to give me an opportunity to serve a fourth term in this place. I have always had the view that the voters of the Mitcham electorate — I suppose all members have a similar view of their constituents — are tough judges but fair judges. I have never taken any one of those election results for granted. It is an absolute privilege and a delight to be asked by them to once again represent them in this place. They are the absolute arbitrators of electoral fortune, and the seat is still very much considered a litmus seat.

I appreciate the contributions of many local residents, friends and Labor supporters to the result at the last election. There are many I could mention, but I will try to just mention a few. I would like to especially thank people like Tim Joyce, Nola Smith, Coral Delarue, Kristina Olsen, Peter Minard, Yvonne De Sousa, Kate Oldaker, Alex and Vicki Doherty, and Leigh Wardle, as well as my family and many friends, all of whom pitched in and were more than happy to assist on polling day as well as during the many days and weeks leading up to the election, doing all the jobs that accompany election campaigns.

I want also to use this speech to congratulate and acknowledge the contribution to the previous Parliament of Helen Buckingham, a former member for Koonung Province in the other place. Helen is a good friend, and we greatly regret that she was not able to continue to serve. I think she added a great deal of value to the previous Parliament, notwithstanding the fact that she served in another chamber. Helen is an inherently decent person. She has a very strong Labor pedigree, but never once through her life has she sought to use that, cash in on it or have it take her places without earning her way. She has always earned her way through life, and I wish her well in her somewhat forced retirement from this place. We hope her health holds up after all she has been through.

The voters of the Mitcham electorate supported the return of the Bracks government, because the key themes of the campaign, health and education, were matters on which they plainly judged Labor as being more competent than the team which was offering itself as an alternative. Health and education were and will remain the key issues in the electorate. Much as opponents repeatedly claimed that standards in education in particular were deteriorating, local families disagreed. That was no surprise, because there is plenty of evidence to the contrary.

Since 1999 the government has invested very heavily in public education in Mitcham. A number of primary school upgrades have been completed in that time. Notably Laburnum Primary School has been entirely finished, Blackburn Lake Primary School has had a reinstatement, and work on the Mitcham Primary School started and finished under the Bracks government. Antonio Park Primary School has completed stage 1 of its works and is now well into stage 2. We have had major toilet block works and other works carried out at a number of other schools, and just in recent days we have had funding of several million dollars announced for Box Hill High School — I know the member for Box Hill will greatly welcome that — along with an announcement that nearby Blackburn High School is proceeding to full planning stage, which is a precursor to its rebuilding.

Those are great investments that will stand the test of time. They are evidence of the continuing commitment this government has to public education. Certainly if I look at the primary schools across the electorate, I see enrolments remaining very strong. I am sure that is due in large part to the financial commitments we have made to the rebuilding of those schools.

Health is a similarly strong issue in the Mitcham electorate. In the health field the Bracks team has been able to highlight a number of substantial improvements. We have, for example, boosted the number of nurses at Box Hill Hospital, as we have at Maroondah at the other end of the electorate.

Mr Clark — Tell us about the stage of the upgrade.

Mr ROBINSON — I am talking about the upgrade and I am very pleased about the upgrade getting under way. We are getting through stage 1, as the member for Box Hill knows. I think some \$37 million or \$38 million was allocated. I understand that that money has not yet been fully expended, but when it is we will be in a position to move on to stage 2. I anticipate that stage 2 will involve a lot more than \$38 million.

We are building this hospital to service a very large community for the next 40, 50 or 60 years. Certainly the government will not resile from making sure that all the necessary planning is done so that the building phase of the works is undertaken as efficiently as possible. It is no easy thing to rebuild a hospital on an existing site and have its operations continue through the rebuilding phase. But the Box Hill Hospital upgrade is a very exciting project, and I want to acknowledge the work that my colleague the member for Burwood has contributed to the upgrade project as the chair of the local consultative group.

The success of the Box Hill Hospital follows on from the earlier refurbishment of the Whitehorse Community Health Service's dental chairs. There are now 10 chairs located in the service, which is a big improvement on what was there previously. The benefit for the local community is that the waiting list for general dental care has been drastically slashed. Jim Killeen and his team down at Box Hill are doing an outstanding job. I think dental health is still underrated at the federal level in particular. Certainly talking to people about their ability to access dental care in a timely fashion brings out all sorts of emotional responses. People put great store in being able to access those services, and in the Whitehorse area we are now making huge inroads into waiting lists, and that is as it should be.

Mitcham voters judged the Bracks team to be more competent in education and health. I think it is fair to say that they also judged the Bracks team to be more competent in transport matters as well. Mitcham has a number of transport issues. Arterial roads can get congested at times. We have a number of level crossings — probably more than most. During the state election campaign the Liberal opposition came out with a rather startling statement about what it would do with level crossings in the electorate. I was mindful, in reconsidering this, of the comments that the former opposition leader, Mr Doyle, made post the election, when he said that some of his frontbenchers had spent only 9 hours working on alternative policies over two and a half years.

Mr Clark — What's your position on Springvale Road?

Mr ROBINSON — I'll come to that. Our position is a lot more consistent than the Liberal Party's position, let me tell you. When it comes to the shadow transport minister, I think 9½ hours would be a generous estimate. When it comes to transport and level crossings I think 9½ minutes would be more like it.

In the 2002 election campaign the Liberal Party proposed lowering the railway line on Springvale Road. It intended to lower a great deal of line and said it would cost only \$50 million. By 2004, with some more work commissioned by the local council, that costing was \$235 million.

Coming to the 2006 election campaign, the then Liberal shadow Minister for Transport changed tack and said that this time he would back a different plan, which was to put Springvale Road into a tunnel below the railway line — not to eliminate the rail crossing but to offer a bypass. That was estimated by council to cost somewhere around \$100 million, although the

government thought it would probably cost upwards of \$200 million. It did not stop there. Then the shadow minister said they were also going to grade separate Blackburn Road. Until then no-one had been so audacious as to suggest that that should be done because there is no practical way of dealing with a series of congestion points on Blackburn Road, due to its historical layout.

That did not stop the shadow minister, who bowled up proposals. He produced some ingenious photographs in which the level crossings had been removed and he said, 'This is what it'll all look like', even though the council plan for Springvale Road that he was backing did not include getting rid of the level crossing; it simply offered a bypass. I thought the shadow minister's campaign on level crossings in the Mitcham electorate was excitingly manipulative. I think Peter Foster would have been proud of the manipulation that went on during that campaign! While all that was going on, the Labor Party was actually getting on with the job of eliminating a level crossing at Middleborough Road, which was a very good project.

Mr Clark interjected.

Mr ROBINSON — I hear the member for Box Hill say that it was a bungle. One of his colleagues actually said that it was a dud. I seem to recall that 18 months or two years ago members opposite were saying the project had stalled and that the government was not delivering the project. When it came to the actual construction phase, it was done in record time.

Mr Clark interjected.

Mr ROBINSON — It was actually planned to be done in record time.

Mr Clark interjected.

Mr ROBINSON — The member for Box Hill talks about residents, so I will quote from people who wrote to me:

It was a job well done and much needed and is a great benefit to many people.

The decision to work 24 hours a day was a wise one, and less painful for everyone.

This letter is from people who live very close to the work. They acknowledge that there was dust and noise, but they say they:

... were not disturbed ... knowing it was such a short time and a great benefit.

I got a number of letters like that. That is a project which will serve the electorate enormously well over many years to come.

There are other things the government needs to achieve through this term. We need to finalise the purchase of land adjacent to Blackburn Lake, which is something that I have been working on intensely for the past two years. We thought we had the Liberal Party's approval for that. During the campaign it put out a flyer, saying 'Protect Blackburn Lake Sanctuary', but only a few weeks into this term a member for Eastern Metropolitan Region in another place, Mr Atkinson, tabled a motion calling for the land acquisition to be abandoned. It is not hard to explain why the Liberal Party failed in Mitcham — it was because on issues like Blackburn Lake and level crossings it does not have a consistent, well-thought-out position.

There is a lot more to be done in Mitcham in the next few years. There is further work to be done in our schools. Just because Sol Trujillo came to Laburnum Primary School and lauded the state government's investment in our broadband, and said that in his experience it is almost without precedence around the world, it is not enough to rest on praise like that. We do need to do more. We need to continue with the rebuilding of our schools. We need to see through the revitalisation of our health services. We have a lot more work to do in these things. I am very grateful that the people of the Mitcham electorate in their infinite wisdom have seen fit to give me the opportunity to represent them in this place through the third term of the Bracks government, to help make sure that we do get on and achieve those things.

Mr PANDAZOPOULOS (Dandenong) — It is a great pleasure to speak in the address-in-reply debate. In doing so, I thank my constituents in Dandenong for re-electing me for my fifth term. Certainly it has been a great journey of evolution, given that my first seven years in this place were in opposition and the most recent seven years have been in government. As everyone says, being in government is a heck of a lot better. It is also a heck of a lot better because it is Labor governments that look after Labor and working-class electorates. When the conservative parties are in government places like Dandenong never get anything. They never get the priority or the resources they need. In fact they lose a whole lot of services and community facilities.

The community has reflected on that and that is why this government got the second highest vote that any government has ever received in Victoria's history. The highest vote was, of course, at the 2002 election. In

Dandenong we had a very small swing against us, way below the state average. I am personally pleased about that.

As we see in the budget, this government is delivering for all Victorians. We certainly take a broader view than members on the other side. We govern for all Victorians, which was our pitch in 1999, but we look after our electorates as well. If we are governing on the basis of need, then help will go where the need is. It happens that the highest need is in traditional working-class, stronghold electorates for the Labor Party, such as Dandenong.

I guess the things that were on the voters' minds at the last election included the \$290 million that was designated in last year's budget to Dandenong as a transit city. The Dandenong central business district is the biggest retail, commercial and office centre outside the Melbourne central business district. In fact, it operates as Melbourne's second city. Because of its ageing streetscape and the opening of large, stand-alone shopping centres in many other locations, shoppers have changed the way they do their shopping, and Dandenong has missed out. The retail dollar spend per customer in Dandenong would be one of the lowest of all retail precincts in Melbourne.

Dandenong was certainly bypassed in the office booms in the 1980s and 1990s. As people started to look at developing new office blocks in the outer suburbs, taking advantage of lower land prices, Dandenong missed out. This government has seen the potential of Dandenong by offering to invest \$290 million into land acquisition, buying up strategic sites and offering them up to the market, using an effectively Docklands-type model to get the strategic investment and to get market-ready projects available for the private sector that can create jobs and new opportunities in Dandenong.

Dandenong is a powerhouse of manufacturing but its economy has been very narrow. It has been dependent on manufacturing, and whilst manufacturing in key technologies is still doing very well in Dandenong the reality is that we need to support a broader economy in the Dandenong region with the growth that is available in white-collar jobs. The transit city strategy will provide not only a better shopping environment but also a lot more white-collar jobs in Dandenong in the future, so securing its economic future and its key role as the strategic heart of the south-eastern suburbs of Melbourne.

In the election campaign we saw other commitments including one to redevelop the whole emergency

department at the Dandenong Hospital and to redevelop its mental health facilities, doubling the number of beds. By the time those projects are completed, which will be roughly at the end of the term of this government, we will have seen in effect the total rebuild of the Dandenong Hospital from the time since we came to government in 1999. We have brought back the beds that Kennett closed in the heyday of his government, when he took services away from needy communities, and we have put in more beds and facilities.

At the moment Southern Health's new aged-care facility is under construction. Those people who are very unwell and cannot find nursing home or hostel care immediately will be able to go to a more appropriate care facility run by Southern Health. That facility will be on the old Ministry of Housing Peace Court site. The walk-up flats at Peace Court were closed down by the Kennett government. They were left derelict and vacant with a big cyclone fence around the site for a number of years. We have knocked down those flats and we are building a new aged-care facility as part of Southern Health in that area.

Other commitments have been made for which we have seen the first down payment in the budget — that is, the commitment to build a third railway line in the Dandenong corridor. That is about providing that fast-growing region in the south-east, towards Pakenham and Cranbourne, the best available public transport services there are. We have seen a massive capacity increase on that line, with a 16 per cent increase in rail passenger traffic in the public transport system. Who would have imagined that? We certainly would not have imagined it under the Kennett government, with all its cutbacks. Under this Labor government we have seen people come back to using public transport. Yes, it is under stress, but we are investing in new trains. Bombardier Transport, based out at Dandenong, has built a lot of our regional trains for the fast rail service. We have been pleased with the job it has done, and we have been pleased to assist regional Victoria with its new train services, which are doing well.

The third railway line on the Dandenong track will mean that for the first time ever commuters on that line will have more regular and more frequent rail services. They will be able to get to their destinations — such as the CBD (central business district), the footy, the great public spaces we have built in the CBD and the great major events we have here in Melbourne — more quickly. They will be able to get to the CBD on more regular and faster train services because they will be stopping all stations to Springvale and then running as

express services into the city. We currently see that express service on three or four peak services in the mornings, but soon we will be able to see that service on a more regular basis.

We have also seen new police resources provided by the Labor government. Not only does Dandenong police station have more police, but we have opened up a new police station in Endeavour Hills. The Kennett government closed the police station just down the road in Doveton, but the Labor government, as I said, has opened up a 24-hour police station in Endeavour Hills. We also have more police out at Narre Warren and Cranbourne and a new police station at Springvale supporting the community safety needs of the region. We have seen crime go down in places like Dandenong, as it has in a whole lot of other areas in Victoria.

We have also seen investment in new schools under the Labor government. I was pleased today as part of the budget announcement to be at the Dandenong High School. Three secondary schools — Dandenong High School, Cleeland Secondary College and Doveton Secondary College — are working together to assess the needs of education provision in secondary schools for the future in the Dandenong and Doveton areas. Those school communities have got together under the Dandenong High School umbrella, and they have three campuses now rather than being three different schools. There is a down payment of nearly \$10 million in the state budget to get the Dandenong schools precinct project done.

I commend the government and its education ministers, current and former, for the vision which is about regenerating schools in established communities based around a curriculum agenda, driving the curriculum opportunities available, designing schools around those opportunities and bringing local communities together. It is the first time it has been done anywhere in the world. There are other models we have learnt from in other parts of the world, but Dandenong is going to be one of those pioneering schools.

The reality is that in the Dandenong and Doveton areas we have ageing buildings, with great teachers and staff trying to do their best with the means available given the limitations of the buildings and the three different sites — and the broadest curriculum has not been available. The reality has been that, despite the great will of the teachers and education workers in the region, to date not all the choices in education have been available for kids in secondary schools in the Dandenong and Doveton areas, but that will change with this project.

These are just some examples of what Labor governments are doing and can do for areas that have been neglected under conservative government rule. It has been a pleasure for me to be able to support the community. There are many needs, and as time has gone on the area has become more multicultural and more diverse. It was great, as a local member in Dandenong and as a minister of the Bracks government with responsibility for multicultural affairs for the first seven years, to see the way we worked together to maintain and grow community harmony in Dandenong and in Victoria.

It was great to be able to welcome and settle new refugee communities successfully into our local area, and Victoria has the reputation for being able to do that. I think the Bracks government has taken the focus on multicultural affairs and community harmony that the people in Victoria have, which has historically been a bipartisan focus, to a totally new and positive level. Many people come from around the world to have a look at exactly what we are doing here and at what they can learn from us. We have a federal government that unfortunately says we can learn from bad practice overseas and that we can bring bad practice here, whereas at the moment other world communities that are also dealing with more refugees, more cultures and more migrants are actually looking at us and what we are doing.

Later this year, for example, the International Metropolis Conference is being hosted in Melbourne. That conference will be looking at exactly what Victoria does and how we build this cohesive society, which Victoria is well known for. In 2009 we will host the World Parliament of Religions, when 7000 of the world's religious leaders will come down to Melbourne as part of their parliament. They chose this destination because they believe we are unique in the world and have something positive to showcase to the rest of the world in relation to how cultures can live together in relative peace and harmony. It does not mean there are not issues, but we do it much better than anyone else does. It was a pleasure being a minister in the Bracks government and being able to support and enhance that focus.

In my last few minutes I would also like to comment on the other commitments we have made in the budget around areas that I am passionate about — tourism and major events. Again this government has taken major events to the next level. We have more than doubled the amount of funding available for major events. All the key calendar gaps have now been plugged, and we are certainly one of the top three major event cities in the world, thanks to the investment made by the Bracks

government, which of course has built on the success of what others have done in the past. Let us not forget that the Victorian Major Events Company was set up under a Labor government in 1991, and that, with bipartisan support under the Kennett government, has meant that Melbourne has this great reputation as a major event city.

One of the things about Victoria that I think is very much unsung is that this state is now a great tourist destination in its own right. The big growth in travel is actually coming from the leisure travel market. People are wanting to holiday in Melbourne and in Victoria, and they are wanting to get on the Great Ocean Road, tour around the Grampians, go and see our goldfields regions, go to our Gippsland national parks, such as Wilsons Promontory, and have a look at our mighty Murray River. People are actually voting with their feet. We have seen a huge growth in tourism numbers in Victoria in the last seven years because of the record investment we have been making in promoting the state overseas and interstate. We are now seeing very significant growth.

The fact is that over the next 10 years \$7 out of every \$10 of growth in the tourism economy will come from the international market. We should be very pleased that we are so well connected around the world that we have a record airline seat capacity into the great curfew-free Melbourne Airport. As a result of our marketing campaigns, the reputation that our major events have built for us and the investment we have made with the new convention centre Victoria is now getting a record number of international conferences. We are going to be an even greater international city, not just because of all the different cultures here and not just because we are a great place to invest in and trade with because of our innovation, but also because people are wanting to come here to holiday and have a look at our great state and our great city.

I look forward to the time in the not-too-distant future when the world will see Melbourne not only as one of the top three sports cities and event cities in the world but also as one of the major thinking cities in the world. Our innovation agenda is second to none. The growth in investment that we have made in biotechnology and in research institutions in all areas is also backed up by the number of similar international conferences that are booking to come to the new convention centre that will be operational in 2009.

It is a pleasure to have the confidence of the people of Dandenong who re-elected me for the fifth time, and it is a pleasure to be part of a government that has the confidence of the people who re-elected it for a third

time. We will repay that confidence. Victorians have seen the investment we have been making in the last seven years and they have seen the investment that was made in yesterday's budget as part of that down payment on the election commitments that were made at the last election. I certainly look forward to the next number of years working for the state in my areas of interest and working for the people of Dandenong.

Debate adjourned on motion of Mr HELPER (Minister for Agriculture).

Debate adjourned until later this day.

Sitting suspended 6.24 p.m. until 8.02 p.m.

GAMBLING AND RACING LEGISLATION AMENDMENT (SPORTS BETTING) BILL

Second reading

Debate resumed from earlier this day; motion of Mr ANDREWS (Minister for Gaming).

Mr DELAHUNTY (Lowan) — I am pleased to rise on behalf of the Lowan electorate to speak on this important bill — the Gaming and Racing Legislation Amendment (Sports Betting) Bill. A couple of The Nationals have spoken on this bill — the Leader of The Nationals spoke in detail about some of the things in it — but I want to point out that the bill is aimed at strengthening public confidence in the integrity of sport from a betting perspective, and The Nationals could not agree more about doing just that.

There is a lot of insecurity in relation to gambling in Victoria, particularly given some of the controversies that have happened while this government has been in charge. I will touch a little bit on those. They concern not only gaming licences but also horseracing and trotting licences. At this stage I must point out that I have a son who works for Tattersall's, so I need to put that on the record.

Mr Kotsiras — Has he got shares?

Mr DELAHUNTY — He has got shares, but the reality is that he works in the computer section and is not at all at the senior level of Tattersall's.

Mr Crutchfield interjected.

Mr DELAHUNTY — The member for South Barwon wants to know if he can get a bet on Balmoral. They would be a hot favourite for the premierships this year — and this is the worry with some of the betting

that goes on. As we know, years ago when an Australian side was doing well in an Ashes series over in England, Botham put a big bet on England getting up, and it did — and he won a fortune. A lot of people accused the Australians of lying down, but I am sure the Harrow-Balmoral Football Netball Club will not lie down. It is very confident of winning the premierships this year.

The purpose of this bill is to ensure that sporting bodies receive a fair share of proceedings from the betting that takes place on their respective sports. Whether it is football or cricket, you can just about bet on anything these days. From that point of view, like my colleagues in The Nationals, I will not be opposing this legislation.

There are five amendments in the legislation, and it is pleasing to see that the Minister for Gaming is at the table. I will touch briefly on the amendments, but the interesting thing is that some of these amendments transfer the responsibility for approving sporting and other non-racing events for betting purposes from the Minister for Gaming to the Victorian Commission for Gambling Regulation, which will commonly be known as the commission. There has been a bit of controversy in some of these decisions, and I would have to say there was controversy under the previous Minister for Gaming and Minister for Racing, because he was the one who oversaw the loss of harness racing right across country Victoria and particularly in my electorate —

An honourable member — A bit harsh.

Mr DELAHUNTY — That is probably a bit harsh, but we lost a lot of harness racing tracks. In those small communities, whether they be — —

Mr Andrews interjected.

Mr DELAHUNTY — It was not altogether the minister's responsibility, but at the end of the day the minister had some authority in this area. The member for Dandenong was the minister at the time, and I think he did not show enough leadership in this area. He promised a lot, but unfortunately people did not see anything delivered. Places like Charlton and Ouyen lost harness racing. That had a devastating effect on those communities, because harness racing and the gallops are an integral part of the community. People can be involved in training horses or owning them, and there are a lot of people involved.

In particular I want to speak about the area I represent. Hamilton, a large city in my electorate, also lost its harness racing. I know that work is going on — it has been going on too long — to get back those race meetings. Hamilton's race meetings have been moved

either to Horsham or down to Terang. But again there are some concerns about the way that has operated, and I will come to the gallops a little bit later.

The second amendment in the bill will create a new offence prohibiting betting on specific contingencies that are prohibited by the commission. This is going to be very difficult, because as we know there is internet gambling and people can get information from the radio and by telephone and the like. I am not sure that the government has the resources or the ability to do it. I am not saying that the government does not have the will to prosecute people who are doing the wrong thing interstate or offshore, but it does not have the ability to do so. When the minister sums up he might like to explain to the house how the government is going to handle those people interstate or offshore who are doing things that will be illegal under this legislation.

The third amendment will create a mechanism enabling the commission to approve a sporting body as a sports controlling body for betting purposes. I will be interested to see how this translates into real action. I was overseas a couple of weeks ago and saw how in Europe soccer is a booming industry. The players are superstars, and it is a big industry, but I also know that a lot of money is bet on the games themselves — who will score the first goal, who will get the first penalty and so on. You can just about bet on anything in relation to soccer, and the same thing happens in all fields of sport these days. Therefore we have to ensure that there is integrity in the way the sports operate and, importantly, that the public has confidence not only in the organisations involved in the gaming industry but also in the sporting bodies and other industry groups that have control of it.

We have seen that happen here in Australia. A couple of players in the Australian Football League were charged with betting on their own sport. I think that happened last year.

Mr Andrews — This year.

Mr DELAHUNTY — The minister reminds me that they were charged this year. The AFL took a fairly strong approach to the matter — and so it should have, because the one thing that the public wants is to have confidence in the sport and to know that it is being run in a clean fashion and not impacted by any betting that could be going on behind the scenes.

The fourth amendment will create a new offence prohibiting a sports betting provider, either in Australia or overseas, from offering bets on Victorian events without written agreement from the sport's controlling

body or a determination of the commission. I have touched on this briefly before. I will be interested to see how the government manages this. To be honest, I want to support the government in this area, because there is no doubt that we lose revenue from it, but more importantly the sporting bodies and the industries themselves also lose revenue from groups betting offshore or interstate.

I want to touch on the gallops industry, in particular the thoroughbred breeding industry. My family has been very heavily involved in the racing industry for a long time.

An honourable member interjected.

Mr DELAHUNTY — They have owned a couple but they have never been much good. My father is a life member of the present Country Racing Victoria. In fact he will be down at Warrnambool for the races tomorrow; he is down there for the week. He is being escorted by my sister tomorrow, to try to make sure he does not spend too much money.

Dr Napthine interjected.

Mr DELAHUNTY — He was at Stawell the other day, but that was with another sister — I have three sisters. He has not been in good health, but he does enjoy his racing, and he will have a special day down there.

In the area I represent I have two racing associations. Wimmera-Otway Racing looks after the Apsley, Castleton, Coleraine, Dunkeld, Edenhope and Penshurst races. Kim is the person looking after them. There has been a bit of a change in the way it operates, but last Sunday week I was at Edenhope for the Apsley Cup, which is a special race meeting. It was a great event. The Casterton Cup is coming up very shortly — —

Dr Napthine interjected.

Mr DELAHUNTY — This Sunday! I thank the member for South-West Coast. Wimmera Racing is the one I really want to highlight.

Wimmera Racing is really upset because of what has happened with the racing industry, particularly under the leadership of this government. They have lost four race meetings: one at Horsham, one at Murtoa, one at St Arnaud and one at Donald. Wimmera Racing took a leadership role in country racing. They amalgamated and pooled their resources; they elected a board of directors under the leadership of Shane Wall at that stage. Now the president is Lance Huebner. They have done an enormous amount of work in the marketing

and promotion of racing in Western Victoria, with the support of the VRC (Victoria Racing Club) and Country Racing Victoria. Through all that their fields have held up, but they have been cut. They have lost four race meetings under this government.

Dr Sykes — It's not good enough!

Mr DELAHUNTY — It's not good enough, as the member for Benalla says. It is one of those things that they have taken. The government should have done more to try to support country racing, which is the lifeblood —

An honourable member interjected.

Mr DELAHUNTY — I have covered that. It is a tragedy for country racing because, as I said earlier, those race meetings are the lifeblood of a lot of country communities. It is in their blood, and Wimmera Racing was very disappointed to have lost four race meetings. With those few words, I will not be opposing this legislation.

Mr ANDREWS (Minister for Gaming) — The bill before the house is an important set of arrangements to better regulate sports betting, a very fast-growing — in fact, the fastest growing sector — component of the gaming industry more broadly. We have heard figures quoted in terms of that rate of growth and the sheer expansion of this growing market, so it is important that we come forward with a set of arrangements to better regulate this fast-growing part of the gaming industry more broadly.

This bill has been the result of an extensive consultation process whereby a discussion paper was released in March last year followed by an exposure draft of the bill released in October last year. Detailed submissions and a whole range of other consultations are being conducted, and the bill comes to the house with the support of the Coalition of Major Professional Sports which includes the Australian Rugby Union, Cricket Australia, the Football Federation of Australia, the Lawn Tennis Association of Australia, the National Rugby League and the PGA Tour of Australasia, together with a range of other bodies.

This is an important measure to improve the prospects of sports betting where the integrity of that betting and the integrity of the contests will be dramatically enhanced by these arrangements, which arise, as I said, after extensive consultation over a significant period. I pay tribute to the member for Dandenong, the former minister, who obviously was intimately involved in the development of these packages. He can be proud of

these measures as we take those forward in a fast-growing part of the gaming industry.

A number of honourable members raised issues, and I want to try to address some of those in summing up. In relation to the definition of 'sport' and 'sporting event', the bill deliberately does not define a sport or sporting event so that nothing is inadvertently left out. It is also about providing maximum flexibility to cover new sports that may emerge in the future. It will be left to the Victorian Commission for Gambling Regulation (VCGR) to make those judgements. We think that is an appropriate way forward so as not to have to amend this legislation repeatedly over time.

In relation to jurisdiction and coverage issues raised by a number of opposition members, I want to make two points. An event can be approved for betting purposes — that is distinct from sports betting purposes — regardless of where that event is held. A good example is the Academy Awards. I think the honourable member for Prahran, in his contribution, drew that analogy as well. The Academy Awards are currently approved, and this means that Victorian bookmakers can take bets on the outcome of the Academy Awards.

The new sports betting regime set out in the bill, however, only applies to betting providers offering bets on sporting events held in Victoria. We think that is an appropriate way to move forward. In relation to enforcement and compliance issues, which a number of opposition members raised questions about, I can say that the sports betting regime as put forward in the bill will apply to all betting providers offering bets on sporting events held in Victoria.

The point was made that it is difficult to enforce this act against providers who are interstate or providers overseas. The important point to note here is that the gambling industry is a truly global market in which probity, integrity, good character and compliance with the regulation in the markets that you actually participate in are very closely monitored by those who regulate gambling right across the world. A betting provider who openly flouts Victorian laws will put both its good name and its licence and any future prospect of securing other licences at risk. So we are confident — given that your good name, probity and character in terms of the way you comply with the regulation in the various markets in which you operate are monitored — that the vast majority will comply with the new requirements we are moving ahead with.

In relation to the unreasonable extension of the scope of gambling in Victoria, a matter raised by a number of

members, the bill moves the approval of non-racing events from the minister — from me — to the VCGR and inserts a list of matters that the commission must be mindful of and must take into account when considering applications for approval. One of those matters is whether approving an event would constitute an unreasonable extension of the scope of gambling here in Victoria. This only applies to non-sporting events, because it is designed to make the VCGR think about this issue when considering events that have not traditionally been available for betting.

It is important that the commission look at these matters. For instance, if an application came forward for betting on the outcome of *Big Brother* or another type of product like that, it would obviously be an extension of the scope of gambling, and it would be appropriate within those confines that the commission consider that matter. We think this is appropriately constructed to give effect to the intentions of the bill.

On the subject of compliance with international codes, the member for Malvern raised a matter relating to the World Anti-Doping Agency and the Australian Football League and the requirement to consider the issues that were raised. It is one of the nine matters that the Victorian Commission for Gambling Regulation must have regard to when considering the status of a sports controlling body. How much weight is given to that matter, and indeed to all of those nine matters, is a matter for the VCGR. We think that is appropriate. It is an independent statutory authority, and it will be charged with the responsibility to look at all those matters. As I said, compliance with international codes is one of those, but that is for the commission to determine, on balance and taking account of the fullness of the facts on a case-by-case basis. We think that is an appropriate way to move forward.

The member for Warrandyte raised an issue relating to integrity. He said that the reference to integrity was nothing more than a passing reference within the scope of this bill. It is important to note that integrity is central to the bill and to the new requirements for sports controlling bodies — that is, they must have appropriate integrity measures in place in order to be granted controlling body status and therefore secure a share of the revenue generated from betting on their particular sports. Integrity is central; that is the crucial point in the arrangements we are putting forward. It is important to be clear about that. Integrity in the sports betting environment is not some sort of incidental feature, it is a central point of this bill.

In terms of providing funds for grassroots sport, a number of members asked why there was not some sort

of hypothecation regime. Where the proceeds, if any, go from these arrangements is a matter for individual sports, given that there will be significant calls upon any revenue they generate from this in order to give effect to the integrity measures I just spoke about. I repeat: it is for the individual sports to determine where the profits or proceeds of this activity go. In the second-reading speech I noted that it would be preferable if an amount was to find its way into grassroots sport, acknowledging the clear benefit that that has for communities, particularly their young people, right across our state. But ultimately it is for those controlling bodies to allocate the revenue, if any, from the betting on their particular sports.

The peak bodies of small sports do not have to apply for controlling body status. If they make a judgement that they are unlikely to make a profit from this, then they are not compelled to apply. In terms of fees in a broader sense, there will be a cost-recovery model. It is not our intention to impose onerous burdens by way of costs on controlling bodies of sports.

I think it was the member for South-West Coast who raised the matter of cross-sports betting. The events that are to be bet on must be approved for betting purposes, and the sporting bodies must be approved as controlling bodies for their particular events. The individual products that make up a group of products are to be sold as one product, if you like, and all those involved would each have to be controlling bodies in order to be approved under this regime. If that were the case, then cross betting would be a perfectly appropriate thing for them to offer.

The member for South-West Coast raised a whole range of other racing issues. With the greatest of respect, they are not matters for me; they are matters for the Minister for Racing. I will be happy to make sure that the minister's attention is drawn to the matters raised by the member for South-West Coast.

I also noted there was a sense of asking why we are doing this. It was claimed that there is a lack of community interest and that it is not a burning issue. We take the view that we are very much leading the way. We make no apology for doing that. It is not appropriate to wait until we can finally reach some sort of national policy approach on this. That would be a preferable outcome over time, but we are not going to wait around until there is a significant sports betting scandal, for instance. We simply cannot sit on our hands waiting for agreement at the national level.

It is quite curious that we were criticised for not being able to put together a deal across the six Labor state

governments and the two Labor territory governments. All of a sudden that which was something to be afraid of — coast-to-coast Labor governments — was a great virtue. Our responsibility is to appropriately regulate sports betting in this state. We are confident that other states, and indeed other parts of the world, will be convinced by the merit of the proposal and by the hard work that has gone into the development of this bill. We are not prepared to wait around and put at risk the integrity of sport and sports betting in our state. I think that addresses that issue.

In relation to the bill in a broader sense, this is a sensible set of arrangements with which to move forward. Sports betting is a rapidly growing section of the gaming industry. After much consultation and hard work, and after fully considering these issues, the government has come forward with what I believe to be a balanced and well-structured way in which we can regulate this fast-growing part of the industry. We are confident that this will work well and that it will finally give to those controlling bodies — the people who run those sports — a share of the revenue generated from betting on their sports. The likelihood that the integrity of the sports betting environment will be enhanced by these measures means that this bill is sound. I urge all honourable members to support it.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

GOVERNOR'S SPEECH

Address-in-reply

Debate resumed from earlier this day; motion of Mr PALLAS (Minister for Roads and Ports) for adoption of address-in-reply.

Mr HELPER (Minister for Agriculture) — It gives me a great deal of pleasure to address my remarks to the address-in-reply to the Governor's speech. I want to touch, firstly, on the achievements that have occurred since the Bracks government was elected in Victoria and since I was fortunate enough and honoured to be elected as the member for Ripon. I want to secondly touch on the aspirations, as I see them, that the electorate has going forward — the aspirations that we reflected and I reflected in what I took to the electorate in the last election — and then I want to briefly touch on my new responsibilities, since the election late last

year, as Minister for Agriculture and on what I see as the challenges and opportunities in that sector.

I would like to touch on some of the achievements that have occurred in my electorate since 1999. For example, in the area of health we have seen right across the state a massive investment in services and a massive capital investment in the rebuilding of our hospital sector. I remember well the fear that existed in the community of Dunolly that it would lose its hospital. After the election of the Bracks government, the fight of the community to save the Dunolly hospital — and it was a legendary fight — bore fruit and the Bracks government maintained the Dunolly hospital and indeed contributed significant funds to its redevelopment.

Also redeveloped were significant hospitals in Ararat, Maryborough and Stawell. The member for Lowan, through his experience with Stawell in his electorate before the boundary redistribution, would know how important the redevelopment of the Stawell hospital has been to that community. There are other hospitals at Avoca and Skipton — that is in my electorate — and I am very proud to have played a small part in supporting community aspirations for the rebuilding of those hospitals.

The aspirations that the Bracks Labor government took into the election campaign were for the rebuilding of the Stawell community health centre, the combining of services and turning the Stawell community health centre into a real community hub through its investment of \$20 million. I was very pleased to see in the budget brought down yesterday that the commitment we made in the election campaign has been brought to bear and that the investment of \$20 million will occur forthwith. The other area I wish to touch on is police services. We have seen the rebuilding of the Avoca, Lexton, Learmonth, Landsborough, Beaufort, Maryborough and Dunolly police stations — I genuinely and sincerely hope I have not left any out — and the list goes on.

The aspirations of the community were for the rebuilding of the Ararat police station, so again I was very pleased to see that the budget yesterday allocated resources to fulfil the commitment we made to the electorate.

In education the single proudest achievement of a capital nature that the Bracks government can lay claim to in terms of infrastructure in the Ripon electorate is the creation of the Maryborough Education Centre, which has taken former school sites and former school facilities and combined them on one site, bringing together community and education in a modern,

forward-looking development that is not just about the bricks and mortar of the Maryborough Education Centre but is indeed about the educational philosophy, the educational approach and the educational aspirations that Maryborough can live up to. In this regard I wish to pay tribute to a former member for Ballarat Province in the other house, the Honourable John McQuilten, whose vision and hard and consistent drive over many years played a critical and pivotal role in making the Maryborough Education Centre a reality.

The aspirations for the education sector that we took to the election included the rebuilding of the Skene Street special school in Stawell. I remember visiting the Skene Street special school and being overwhelmed with the need for it to be redeveloped. Again I was very pleased to see that yesterday's budget delivered on our commitment to rebuild Skene Street special school amongst the enormous and historical program for school rebuilding.

One aspiration I am particularly proud of is the return of passenger rail services to Ararat. Notwithstanding the anniversary early this week of the tragedy that occurred at Trawalla on that rail line, the overall benefits that have been derived from the return of passenger rail to Ararat are magnificent. Its patronage levels are steadily increasing, and the boost that the return of passenger rail has given to both Ararat and Beaufort, where the train stops on its way from Ballarat to Ararat, is absolutely magnificent.

I want to thank a number of people in the context of the election campaign that led to the re-election of the Bracks Labor government and also my re-election in the electorate of Ripon. They are the people of the electorate who have placed their trust in returning me to Parliament. I will do my utmost to return that trust and to be faithful to their aspirations.

I want to thank my staff. An election campaign is a very daunting activity for the staff of a member who is also a candidate who is suitably nervous and so on. It is a tough gig to work for such a candidate, and I want to thank my staff for having put up with my mood swings and my franticness. Karl, Lorraine and Julie have very much put in beyond the call of duty in their employment to support the aspirations of the Ripon electorate and to support of me.

I also want to thank the many branch members who have put in an enormous amount of effort, and in the context of thanking them I wish to particularly thank Alex Stoneman, who was my campaign director. He also had to put up with a moody candidate and with the

enormous amount of activity that occurs in the context of an election.

I wish to also thank the media. A democracy cannot work without the participation of all its voters and all parts of the community, and the media plays an important part in communicating the ideas, the challenge of ideas and the battle of ideas that make true democracy, so I wish to express my gratitude to the local media in the Ripon electorate.

I also want to acknowledge my opponent, Vic Dunn. I have been a candidate on five occasions, and I have lived through the tough times that come when one contests an election and is not successful. I appreciate that my opponent put in a tough campaign. I think the effort he put in should be recognised and acknowledged.

I also very much need to thank my family, not only for putting up with me as a member of Parliament but also again putting up with the additional stress of an election — so to Julie, Megan and Patrick, thank you very much for putting up with me.

I wish to turn briefly to the challenges and opportunities that are faced by agriculture, and I wish to do so in the context of the honour that I have been given since the election of being appointed Minister for Agriculture in the Bracks government. I wish to thank my colleagues and the Premier for putting me in that position. I am very honoured by that, and I will again endeavour to live up to the responsibility that is put on my shoulders to fulfil that role.

Firstly, of course we have the challenge of the drought. We have talked about that a number of times in this chamber. It is an issue that reaches into every corner of rural and regional life. I do not need to go through a lengthy explanation of the consequences of it. Suffice it to say that the impact on individual farmers and their families, on their communities and on the state economy should not be underestimated. The recovery from it will be contingent on the type of break we have. As I said earlier today in this chamber, we saw some great rain in parts of Victoria last weekend. That gives us all hope, and hope is an important component in the recovery. I am not for one second suggesting, and nobody should for one second suggest, that one rain maketh the end of the drought; however, one rain is necessary for the start of the break to occur.

The challenges that underpin agriculture's response to the drought as well as the role agriculture plays in the world are challenges that are associated with all agricultural markets. The worldwide competitive

environment for agricultural commodities is a very tough one. Our government is keen to support agriculture into the future by making sure Victoria maintains its efficiency and production edge. We need to remain competitive and guard our agricultural sector against biosecurity threats, whether they be man-made or ones associated with climate change or with the much freer movement of products around the world and the potential incursions of biological and biosecurity threats that brings to our markets and to our industries.

That is why I was pleased to see in this week's budget that the biosciences centre, which is proposed to be established in conjunction with the La Trobe University at Bundoora, has received \$180 million in funding. The La Trobe University is partnering with the Department of Primary Industries to bring together in excess of 400 scientists at the one location. That will bring about the critical mass and the great innovative and scientific application we need in order to retain a competitive agricultural sector. I look forward to being the minister while this project progresses. It is an enormous honour.

In the time I have left I will comment on the enormous support that I feel I have been given by the Department of Primary Industries. It is a professional department that gets on with the job of supporting agriculture in Victoria. It has done so for a long time and will do so for a long time into the future. I have been overwhelmed by its capabilities and its professionalism. As I said, during my time as minister it will be an enormous honour to work with the agriculture department and its many staff, whether they be in regulatory or scientific roles within the Department of Primary Industries.

There are many challenges facing agriculture. I believe the commitment of the Bracks government in supporting our rural communities and our agricultural sector, together with the professionalism of the Department of Primary Industries, will give us every chance of meeting those challenges and advancing agriculture into the future.

Mr LIM (Clayton) — I feel enormous pride in making a contribution to the debate on the address-in-reply in response to the Governor's speech. When we mention Professor David de Kretser, everything is an understatement. I would like to take this opportunity to congratulate him on his elevation to this high position in this state. I would like to look at his elevation from two perspectives. When I met him on one occasion at a community function he confided to me that he had been a resident of the electorate of Clayton some 30 years ago. That took me aback. I was very much taken by his humility, his easy approach and

accessibility, as well as that of his wife. I have never seen anyone in such a high position being so humble and approachable.

From another perspective, we are so lucky to have such a distinguished medical scientist as a Governor. This says a lot about the fact that in this state we take enormous pride in promoting people of the calibre of Professor David de Kretser.

The electorate of Clayton has one of the best and most prestigious teaching hospitals in the Monash Medical Centre. Monash University is also in the Clayton electorate and it has one of the proudest medical schools in Australia, if not in the world. I want to connect this with the fact that Clayton is a complex electorate, particularly the northern part of the electorate.

I would like to particularly push the concept that Clayton is the city of science. We have such a heavy concentration of cutting-edge science and technology research centres. The CSIRO is connected with Monash University, which is a leading university of science and research, and with the Monash Medical Centre. The synchrotron is next door, plus there are some 40-odd other cutting-edge technology centres, such as the Toyota centre which was opened by the Premier two years ago. Toyota invested something like \$50 million in the Clayton electorate to build its fifth biggest and most modern research centre. Across the road from this is the Telstra research centre. It is one of the most complex and advanced technological centres.

If you look in totality at the northern part of the Clayton electorate, you can see it is very much a city of science. We have had tremendous support from the vice-chancellor of Monash University, the chief executive officer of the CSIRO and a whole range of other scientific and research centres in the area. They were thinking and talking about promoting Clayton as the city of science for the whole of Victoria and even Australia.

When contrasting this area with the southern part of my electorate, you will see that Clayton is a cosmopolitan electorate in the sense that while there are very elitist up-market science and technology centres in the northern part of the electorate, the south is a very basic and down to earth Labor working-class area. In that context, there is a big migrant population. We should never forget the fact that 56 per cent of people in the Clayton electorate are from migrant backgrounds and speak a second language. Something like 25 per cent of the whole population of Clayton come from an Asian background.

I would particularly like to take this occasion to especially pay a humble tribute and give my respect and gratitude to the people in the electorate of Clayton for re-electing me for my fourth term. Having said that, it would be remiss of me not to mention that before the second last state election, my margin doubled from 12 to 24 per cent. At the last election my margin was reduced, but it was still lower than the state average of 3 per cent. This says something about not just me personally, but what the people in the electorate of Clayton think of this government. They hold this government in high esteem for having achieved so much in making not only Clayton but the whole of Victoria a great place to grow, live and raise a family in every respect.

Having said all of that, I would like to mention the electorate of Clayton in another context. Although we have a harmonious and growing multicultural community, there has been some trepidation. Because of the politics of division and fear which emanate from Canberra from this present federal government, it would be remiss of me not to mention some trying times that the people of the Clayton electorate have experienced.

The introduction of this so-called citizenship test is a disgrace. It is an insult to many in the community. My community wants me to convey quite clearly to the Parliament that this test is uncalled for and is an attempt to intimidate certain sections of the community, particularly my community, the Indochinese refugee community. No matter how you are going to test that community, they are going to fail because their English is not up to scratch. Are we going to alienate this whole community by saying that because its members cannot read, write and speak proper English they are not citizens?

The fact of the matter is that we have forgotten that members of this community have very traumatic backgrounds. Their loyalty and commitment to this country is beyond reproach. We also forget that the people who were behind the bombing incident in London, for example, were not first-generation migrants but were second-generation migrants. They were well-to-do and had sophisticated English language skills, but were alienated in other respects.

This so-called citizenship test is uncalled for. It is antagonising and provocative. This is the latest incident that the Prime Minister, who has become increasingly isolated, has played up. You can see the pattern in the way he conducts his politics. Close to every federal election coming up there is always a mechanism to produce fear, intimidation and insecurity. His latest

antic is the so-called alliance with the Japanese. I must take this opportunity to commend the Chinese community which feels so traumatised by this incident, yet has taken control by not responding to this silly, stupid move by the Prime Minister.

With a whole range of things, he is downgrading multiculturalism, and this latest incident to incite and provoke the Chinese community is because he knows there is a remarkable absence of an effective Chinese lobby in this country. That is why he can get away with that. We know for sure he would not do the same thing to the Greek community, and he would not dare do the same thing to the Jewish community because its lobbying is most effective.

There is no need for that so-called agreement with the Japanese. If he is fair dinkum about signing such a treaty, why did he not offer the same thing to China? He is playing the game of fear. He intimidates and creates tension among the Middle Eastern community. He is almost stepping over the line by provoking the Asian, particularly the Chinese, community. The Prime Minister is playing a very dangerous game of fear.

China, unlike Japan, did not bomb Darwin. China, unlike Japan, did not send the midget submarines to Sydney Harbour. China, unlike the Japanese armed forces, never beheaded any Australian prisoners or starved them to death on the Burma Railway. We should never forget that, but suddenly it is a case of, 'We are the best of mates'. There is no need for that. If we are fair dinkum about offering cooperation, what is wrong with China? This is like saying, 'I will sleep with you, but I will never marry you'. We let China buy so many resources: gas, iron ore, steel, aluminium — you name it! Yet we treat China very unfairly.

That has antagonised a lot of the Chinese community here, but they swallow their pride. They know they should not respond because they would play into this very dangerous Prime Minister's game. I hope his days are numbered and that we can look forward to a fresh, more open and fairer approach to dealing with China.

I would like to talk about my electorate of Clayton and its unique multicultural nature. Something this Parliament never seems to have the occasion to hear a lot about is the interfaith community that is operating in full force in the electorate of Clayton. I would particularly like to mention the interfaith community in Springvale, which is now part of my electorate. It is fantastic and unique, and it should be copied everywhere in Australia. The present federal coalition government should be looking at them, praising them and learning from them.

The countries that these communities have come from have been at war with each other for something like 500 years. For the first time in my life I have seen Vietnamese Buddhists coming to pray in a Cambodian temple here; you never see that happen in Cambodia. You see Catholics coming to the Hindu temple, to appreciate and learn what is being done there. You see the interfaith community every time they appoint a new mayor of the City of Greater Dandenong. They come to pray together to ensure that the new leader at the council level takes into account the fact that more than 150 nationalities are living together.

Unless we believe in and are committed deep in our hearts to fairness and equity in the delivery of service, as highlighted by the leadership of the Bracks government, we will never be able to take this harmony, understanding and tolerance for granted. Every year when a new mayor is being appointed all the interfaith leaders from the different denominations and different religious backgrounds come together to pray together. They visit each other and celebrate their different faiths together. That is an example that we should all recognise and praise. We do not praise them enough; they are the living treasure that this state and this country needs.

In closing, it would be remiss of me not to thank my staff, particularly my campaign manager, Vince Rossi, and the whole range of young people who came out of the woodwork to make sure that this Asian-faced MP got re-elected. I had never met them, and I would like to take the opportunity to thank all those people. I would also like to thank the Labor Party — the Clarinda branch, the Clayton branch and all the other branches that came out to make sure that I enjoy the margin that I now enjoy. I humbly give thanks for the opportunity to make this contribution.

Ms D'AMBROSIO (Mill Park) — I also have great pleasure in being able to reflect on the address-in-reply debate and on my second election as the member for the electorate of Mill Park. I wish firstly to pay my respects and give my thanks to the many people who assisted me in my journey while facing another state election last year. I was very pleased that a lot of true believers were certainly happy to share that journey, knowing that our government has done much good work since 1999.

I would like to give particular thanks to my campaign committee. They are wonderful people who have given me a lot of advice and support at the right moments during the campaign period. I would also like to thank my staff and family, who have certainly gone beyond the call of duty to assist during that period.

Yes, the electorate of Mill Park has many young families, and yes, it has its fair share of older members in the community. But one thing is for sure: the demographics in the electorate of Mill Park are very diverse, yet we have a great sense of community harmony and community strength. I am thankful that I am able to serve such a community. I do that with humility, and I will continue to present myself with humility.

The needs of that electorate are like those of many other electorates, but of course the area has its own particular needs. Having said that, I wish to reflect a little bit more on the great strengths that we have there. In the period since 2002 when I have been able to represent the electorate of Mill Park I have been overwhelmed by the breadth of understanding of and commitment to the northern region by the community in its various forms. Whether it is at the school level, at the kindergarten level, in employment settings or in volunteer settings, the commitment is unbounded, and I am very thankful and lucky to live in and represent such an area.

I would like to also note the great advantages available to the community living in Mill Park and the advantages I have in representing the area. We certainly have a good mix of schools and services such as health and mental health services, and we also have very fine institutions such as the RMIT University campus at Bundoora, the nearby La Trobe University, with its biotech focus, and of course the Northern Melbourne Institute of TAFE campus at Epping, which goes from strength to strength in terms of innovation and catering to the diverse needs and demands for further education of people in my community. Each one of those institutions is rising to the challenge of the modern economy and the need to drive improvement and growth in skills in our community, especially in my local Mill Park community, and I am very grateful for their work in that respect. There are many benefits the local community derives from the presence of those facilities in and around the electorate.

I am very pleased that during the election campaign the commitment of the Bracks Labor government to my community continued to shine through. I wish to focus on some of those commitments and on how well received they were by the local community during the election period and thereafter. They constitute a clear restatement of the commitment of our government to education, to health and to community safety. Those are critical areas which are a hallmark of our government, and I am certainly pleased that my electorate has not been left behind in receiving its fair share of the benefits of real election commitments which receive real funding.

The Mill Park Primary School redevelopment has been very important. Going back more than a couple of decades now, this was the first school developed in the then new suburb of Mill Park, and it is a school with a wonderful community. The school community fosters a very good measure of values, self-development and self-improvement, and it has a very nurturing environment. It leaves nobody behind, that is for sure, and it goes to the nth degree in ensuring that every child, however challenged they may be in a school situation, does not get left behind.

I wish to pay tribute to that school community because its members — parents, teaching staff, principal and students alike — have worked very hard in recent years to develop a master plan for the school's redevelopment, to effect a major upgrade of the school. I am very pleased that during the election period our government made a commitment to deliver on that project and see it through, and committed over \$4 million to it. That was very well received by the local community, and it is a measure of the seriousness with which our government acknowledges the needs of the community and takes the necessary steps to meet those needs and demands as much as we can.

I am very pleased that as a result of that commitment the school will have a new music space; a new library; a new first aid room; upgrades to physical education facilities; a new staff administration area; upgrades to amenities, including the toilets; a new general purpose classroom; and a new art and craft area. I am sure those things will be very much enjoyed by the students of the terrific Mill Park Primary School. Again, I congratulate the principal, teachers and teaching staff, parents, the school council president and the students for their diligent work and for working together as a really strong community to come up with a master plan that suits their needs — and one we were very happy to commit funds to.

On the topic of education I wish to mention the significant fact that the funds this government is investing in the physical infrastructure and rebuilding of existing schools and the development of new schools constitute the largest capital injection of funds into our school system since the World War II boom. That is no mean feat; that is a serious commitment which I know all schools will see the benefit of over this 10-year commitment to modernise or rebuild every government school.

Another area of great importance for my community is the growing demand for mental health services. I was pleased about a relevant commitment made during the election — and I welcome and acknowledge the terrific

work in this regard of the present Minister for Gaming, the former Parliamentary Secretary for Health, who has just walked into the chamber. In making comments on this topic I cannot bypass the terrific work and dedication the Minister for Gaming has put into bringing about a wonderful and much-needed mental health policy — and a policy this government is very keenly applying.

The commitment has been made that in my area there will be a doubling of the number of mental health beds at the Northern Hospital — that is, an extra 25 beds to meet the growing demand of a fast-growing community. It is certainly an area that we want to highlight as in major need of improvement, and I am confident that we will go ahead in leaps and bounds in that respect.

I also do not want to bypass the point, in terms of our commitment to the continuing expansion of the Northern Hospital, that we are continuing with that expansion at a terrific rate, and I look forward to a greater share of the resources committed as a result of our election commitments to increase the number of patients that are treated through the emergency departments and outpatient services. I know that the Northern Hospital has one of the most efficient hospital emergency departments in Victoria. They are all doing very well with regard to efficiency, and I am very pleased that the Northern Hospital is right up there on the top. Certainly the commitment by our government to enabling the treatment of more patients and providing more appointments for outpatient services will go a long way towards meeting the growing demand.

I cannot let this chance go by without commenting on the fact that the growth in demand is attributed to the growth in population. The government has done much to grow the population, grow the skill base and grow the desire of people to live, work and have a family here in Victoria, and it has done a good job in achieving that. I must say, though, that demand has grown of itself, and to an extent that has been ignored by the federal government in the way it funds health, dental health and other services — and I have mentioned just a couple of them.

The state government has proudly grown its investment in the number of nurses in our hospitals, the number of patients and the number of treatments — and of course infrastructure has been a critical part of that. We have also given a major boost to dental services, for example. But I say again that in those areas the federal government has abrogated all responsibility. Dental health? Forget it. Unless you have private dental health

cover as part of your health insurance you do not get a look-in.

The federal government subsidy of 30 per cent for private health insurance is one thing, but when that subsidy includes private dental insurance you really have to wonder what concession card holders have done to deserve being totally ignored by the federal government. Not a cent has been forthcoming from our federal counterparts. However, our government has stepped up to take on the big challenge of dealing with the national dental health crisis we have in this country. But I will move on, because there is certainly more good news in regard to what our state government is working on.

During the election campaign a commitment was made following the confirmation of our transport policy, Meeting Our Transport Challenges. During the election campaign many commitments were given, including ones that will certainly be of great benefit to my electorate, including a bus review in the city of Whittlesea. That will involve reviewing all existing bus services with a view to analysing their effectiveness and whether any improvements can be made. Importantly it will also look at where new bus services need to go or where extensions need to be made to meet the needs of growing communities, especially in the growth areas of the Mill Park electorate. I am very pleased with that.

I am also very pleased to know that the Clifton Hill rail junction will be tackled in this term of government. That is one major bottleneck that will be removed by this government, along with the several other bottlenecks down the track, to enable us eventually to extend the rail line to South Morang. I am very pleased that our words are coming to fruition on that matter. A lot of hard work and a lot of major capital investment must go into public transport, and we are doing it.

The ACTING SPEAKER (Mr Jasper) — Order! I call the Minister for Housing. We are all looking forward to his contribution to the address-in-reply to the Governor's speech!

Mr WYNNE (Minister for Housing) — Thank you very much, Acting Speaker, for that kind welcome to this address-in-reply to the Governor's speech. It has been a while coming, but I am delighted to have the opportunity to make a contribution tonight and to thank the good people of Richmond for re-electing me for a third time.

It is an honour to stand in this house as a member of the Bracks government. This was a tightly fought election for me, because I had a lot of candidates standing

against me, including representatives of the Greens, the Liberal Party and the socialists. It is a matter of public record that all the other candidates preferenced against me, so it required me ensuring that my primary vote was high enough to be successful with a minor leakage of preferences from the minor candidates. Nonetheless, at the end of the day mine is a very discerning electorate. People make judgements about your work and your advocacy on behalf of the electorate. Like all of us who have the privilege of serving in this Parliament, it is appropriate that we stand that test of the people's choice every four years and take their judgement with good grace. I am very pleased that the good people of Richmond chose to re-elect me for a third term.

I suppose the judgement that the voters made can in no small way be explained not only by the level of my work but by the achievements that we managed to consolidate over the last term of government. I want to point to some of those today by way of their being signposts that mark some of the major achievements of the Bracks government over the last seven years. I want to commence with some core social outcomes which we have achieved and which are best represented, I would submit to the house, by the reopening of the Fitzroy High School. The closure of the school in the time of the former Kennett government was shameful. It was a really a dark period in public education for me, Acting Speaker — —

Mr Kotsiras interjected.

Mr WYNNE — It was one of the first issues that I took up when I was elected in 1999, because the people of Fitzroy and North Fitzroy, who had campaigned for so long and in fact occupied the school for a number of months, wanted to send a message to the Kennett government that this — —

Mr Kotsiras interjected.

The ACTING SPEAKER (Mr Jasper) — Order! The minister, without assistance.

Mr WYNNE — They occupied the school to send a message to the Kennett government that this major educational facility was deeply valued by the community. It was through the efforts of those community members that the school was reopened. One of the people who had occupied the school with her family, Marilyn Dawson, subsequently became one of my electorate officers. I know how passionately she and her colleagues felt about getting that school reopened.

Not only was the school reopened by the Bracks government, but it has had extensive refurbishments and is now one of the schools of choice in the area. It has built itself up to progressively accommodate students in years 7, 8 and 9, with year 10 to commence next year. I was delighted that the former Minister for Education and Training, now the Minister for Public Transport, announced that the years 11 and 12 Victorian certificate of education program would commence as well. So there is now a full suite of secondary education available in Fitzroy for that community. That is really a profound and excellent result.

Mr O'Brien interjected.

Mr WYNNE — The honourable member for Malvern asks me about Melbourne Girls College. Melbourne Girls College is also a fantastic public school — there is no question about that.

Mr O'Brien interjected.

Mr WYNNE — The member for Malvern does not understand the history of my area. Melbourne Girls College was not closed.

Mr O'Brien — It was closed.

Mr WYNNE — It was not.

The ACTING SPEAKER (Mr Jasper) — Order! The minister will continue to make his contribution to the debate.

Mr WYNNE — There is no point taking up the interjection from the member for Malvern because he does not understand the history of that struggle in the inner city. He refers to the Richmond Secondary College issue, but I will not bother dignifying his comments across the table with any further comment.

The \$19 million investment in the North Richmond community health centre announced by my colleague the Minister for Health was, I am reliably advised, the biggest investment in community health funding by this Bracks government. It is a fantastic result for the North Richmond community, and work is well progressed on the planning for the redevelopment of that centre. Public and social housing, of course, is a large component of my electorate. The investment of the government in the North Richmond, Atherton Gardens and Collingwood estates is well known, and I have spoken about this as well over the years.

Bicycle paths are also an important element of transport for people in my area, and I must say that Bicycle

Victoria and many of the people in my local community fought hard to ensure that the removal of a major impediment to the bicycle path, the Gipps Street steps, was achieved. With the support of the former Minister for Transport, \$1.5 million was provided to remove the Gipps Street steps, and I am delighted to inform the house that the planning in relation to that project is also well advanced.

It would be remiss of me not to also indicate that the support for the refugee communities, who have traditionally called the city of Yarra their first port of call and their first home, has also been an important element of my work and indeed an important element of many of the community organisations in my area. I want to pay particular tribute to the people at the Refugee and Immigration Legal Centre, who have fought so many cases on behalf of refugee communities, particularly the East Timorese community. They fought a very vigorous case in lobbying the federal government to ensure that the few remaining East Timorese refugees who did not have permanent residency — about 50 — were ultimately able to be given permanent residency here in Victoria because they had lived here for a significant length of time. I obviously played a significant part in that campaign, and the Premier himself made some personal advocacies on behalf of that community as well. It was truly a wonderful result to see members of that community being provided with permanent residency.

One of the real lighthouse organisations that over many years has provided support to refugee communities is the Fitzroy Learning Network, which for so many years was ably run by my colleague and friend Anne Horrigan-Dixon, who is well known to both sides of the house as a passionate advocate for refugees. The Fitzroy Learning Network has done wonderful work in supporting successive waves of refugees who have come through my area of Richmond over the years. Its important work has ensured that those communities are in fact welcomed and supported in very tangible ways to help them integrate more successfully into our communities.

With the Minister for Health here with us it would be remiss of me not to also indicate the wonderful support that was provided to the Victorian Foundation for Survivors of Torture for a major capital upgrade of its building. The government provided \$5 million in funding to relocate and upgrade facilities for that foundation, which is so ably represented by Paris Aristotle as its chief executive officer. He is well known on both sides of the Parliament as a person of great integrity who has done wonderful work to support refugees who have come here after having suffered

from great deprivations and significant mental and psychological illnesses. The Victorian Foundation for Survivors of Torture is yet another example of the very practical assistance that we have provided to refugee communities through the efforts of the Minister for Health and the Bracks government generally.

You do not win elections in seats like mine without putting the work in. I, perhaps immodestly, would suggest to the house I am probably the king of the doorknockers. When it comes to doorknocking, the member for Burwood and I might have a decent competition, but I would have to say that I am probably one of the most experienced doorknockers going about this Parliament.

If you want to see a slice of life, come and man a street stall with me outside the Safeway down in Smith Street, Collingwood, because you will see all manner of colourful life pass you by there on a Saturday morning.

Mr Batchelor interjected.

Mr WYNNE — Including the former Minister for Transport, who has been known to frequent that neck of the woods. I would say that the residents of my electorate expect me to be out there, they expect me to be accessible and they expect me to be responsive to the issues of concern to them, and there is no better way of engaging with the community than getting out there and doorknocking and holding street stalls. It is good enriching work, and it is something that has been a part of my life since I was elected in 1999.

In that respect, I want to pay tribute to colleagues and friends who have been tremendous supporters of me and the campaign: Robin Williams and John Sawyer, who are two well-known colleagues and comrades who have been tremendous supporters of mine; Juri Ots, who in fact was my campaign manager; Wes Maley, who did an absolute power of work in support of my campaign as well; and of course my colleague and friend for nearly 30 years now, Neil Cole, who has worked with me through every campaign, who has doorknocked with me, who has worked on street stalls with me and who has done anything that was required to assist me to win on all three occasions. He is a great colleague of mine, and I pay my respects to Neil, who is a great personal friend.

I pay tribute to my staff — Geoff Barbour, Simon Kosmer, Paul Erickson, Glen Brandum and Barnaby Kerdel — who, by any measure, were just fantastic staff members and who travelled the journey with me; we did it together. You are only as good as the staff you have around you, and you are only as good as your

support network and the volunteers who so willingly give of their time to support the Labor Party and to support their candidate. I owe them a deep debt of gratitude for all their efforts.

But at the end of the day you are only as good as the people who support you in your family life, and I am deeply indebted to my wife, Svetlana, and to my two young children, who really have to put up with a tremendous amount of stress. My two young boys did not have their father with them pretty much every Saturday for the last 18 months of the campaign and every Saturday and Sunday for the last 12 weeks. That is tough on families, and I owe them a deep debt of gratitude as well.

Ms CAMPBELL (Pascoe Vale) — It is with pleasure that I rise to contribute to the debate on the address-in-reply to the Governor's speech. I begin by thanking the people of the Pascoe Vale electorate who have re-elected me to serve them in the Victorian Parliament. I do not think the honour of being a member of Parliament leaves you. When you make your first address-in-reply contribution, you think, 'How on earth can the daughter of a carpenter and a homemaker be here representing the people of an electorate in a parliamentary democracy?'. Yet here again, in 2007, I marvel at the fact that Australia is a great democracy and that people from all walks of life can take their places extremely proudly in this house to represent their communities.

I believe that voters re-elected me on the service they have received from my electorate office team. I want to place on record a tribute and my heartfelt thanks to my electorate office team of Jenny, Kerrie, Karen, Kathleen and Therese.

The voters also elected me as a member of the Bracks Labor government and on its many commitments given to govern responsibly, both economically and socially. Together with members of my Pascoe Vale state electorate campaign committee, I sat with immense pride at Her Majesty's Theatre in Ballarat to listen to Premier Bracks outline his vision for this state during this term of government. The people of Victoria placed their trust in Premier Bracks, and now we are here commenting upon the Governor's speech, which I turn to now.

We were all privileged to listen to the Governor, Professor David de Kretser, deliver his address on 19 December. I want to go progressively through a number of the outstanding election promises and commitments to the Victorian community as they were outlined in that address.

I will begin by mentioning the various headings in the speech, the first being 'Economic management and job creation'. The one I particularly wish to go to is 'Increasing productivity through continued investment in innovation'. During the last sitting week this Parliament had the opportunity to deliberate on important legislation. That legislation was part of the government's outstanding work in relation to its science, technology and innovation program, in which over the last five years the government has invested \$310 million, with \$209 million going to medical research institutes.

As was outlined by the Premier at Her Majesty's Theatre in Ballarat and also by members in their contributions to the debate on the address-in-reply to the Governor's speech, Victoria is to become one of the top five international biotech hubs by 2010.

I think it is a great privilege that, as a result of that innovation commitment, we have had the opportunity to exercise a conscience vote. Members of many other parliaments are locked into a system wherein all members of a particular party vote the same way, no matter what the issue may be, but the members of this Parliament have had the privilege of exercising a conscience vote. During the last sitting week members of this house had the opportunity to cast their votes on the content of the Infertility Treatment Amendment Bill as part of the government's innovation program, which was outlined by Professor de Kretser in the Governor's speech.

I think a conscience vote allows us to make decisions based on knowledge. Each person is expected to cultivate a well-informed conscience, to take responsibility for their actions and therefore to seek to make the right choice or choices. There is a need to resolve any doubt as far as possible rather than to act doubtfully. One's conscience enables one to act in accordance with right reason in choosing what is good and enables the attaining of human flourishing.

Conscience means using practical reason and knowledge in order to know and to choose the good. In the choice of our deliberations here the mind can face dilemmas and confusion as to what is right and what is wrong. For this reason conscience must be well formed and very well informed. Conscience is not an exterior voice prompting us to make a choice or to decide how to act. It is not a strong feeling, intuition or opinion. Something is true because it exists, not because it is true as perceived in the mind. Conscience enables one to seek the good and to avoid what would harm oneself or another.

When we look at legislation in exercising a conscience vote, we do so knowing that practical reason is accessible to all. It is obvious that we should respect one another, and the sayings 'Do no harm' and 'Do to others as you would have them do to you' come to mind in deciding how to act in this place.

Conscience is a judgement of reason whereby the human person recognises the moral quality of a concrete act that is going to be performed, is in the process of being performed or has already been completed. In acting with a good conscience one is obliged to follow what is right and just — and again, we had this opportunity during the last sitting week.

A politician's conscience needs to respect those values which are non-negotiable — those which correspond to the objective truth — and only in this way can the duties of a politician be carried out in a way which respects the human person and fundamental human rights. Those with an informed conscience in making decisions take into account the good of all in establishing and maintaining a stable society which promotes human dignity, rights and freedom.

Decisions which are just are based on the basic human goods: human life, the family, education and human flourishing are, for me, non-negotiable. It would be wrong and a betrayal of the trust placed in politicians by those who elected them to justify taking action against those values and basic human goods by basing such a decision in the name of an appeal to one's conscience. However, in my view conscience fails if falsely instructed or if it is confused with personal preference, intuition and opinion or a feeling. Conscience concerns the generally and naturally known principles of ethical conduct and includes a judgement or act by which one reaches conclusions about what is right or wrong, what is to be done and what is to be avoided.

To me, each person has deep within the core of their being the knowledge of what is right, what is good and what is not. Conscience allows us to act on this knowledge rather than being based on external pressures and influences. Opinions, emotions, feelings or peer pressure can cloud conscience. What is often tearing at members of Parliament as they agonise over decisions — and making decisions about innovative technology is one of those — is that they can visualise a person suffering from an incurable disease. As politicians we can readily empathise with those who are suffering and want to give them hope, but this should not be a false hope or at the expense of using women as a means to an end.

The joy of sitting in the Victorian Parliament, unlike many overseas — we would hope — is that in making a conscience vote, deliberation needs to be made on the veracity of truth. For us it is important to overcome pressure to make decisions based on political pragmatism.

When we look at recommendations and outlines — such as those in the Governor's speech on innovation and other matters — I think it is important we remember that an authentic conscience vote ends with the politician being at peace with his or her decision — a decision based on practical reason, on knowing the truth which is written in every person's heart and acting accordingly with justice. To me, that inner piece lasts long after the title 'MP' has gone, and that again is important in living in a parliamentary democracy in Australia, where one would hope that a conscience vote is able to be exercised freely.

To move progressively through the Governor's speech, the next heading I turn to is 'Stronger democracy'. I think it is great that the Governor outlined that the government will present initiatives designed to further strengthen democracy in Victoria. The first one listed is the new Legislative Council Legislation Committee which will enable more detailed consideration of bills by the Legislative Council.

The next topic is education and skills, and it is with immense pride that people in my electorate have been able to see the fruits of our government having education as its top priority. In the Pascoe Vale electorate there are great teachers and great new infrastructure, at both Pascoe Vale Primary School and Pascoe Vale North Primary School, at Coburg senior secondary college, and at Box Forest Secondary College, which is just outside my electorate but which many students from my electorate attend. There is also the great Oak Park Primary School which has almost completed its rebuild.

The election commitments made by the government to which my electorate warmed were on items such as the Upfield shared pathway, where the then Minister for Transport, the member for Brunswick, and I enjoyed a great cycle. Over \$1 million was committed to completing that in the term of this government. We also made commitments to the electorate for new tennis courts at the Oak Park Tennis Club and to the Hadfield netballers, who have a vibrant club but, believe it or not, do not have any netball courts at this point. We have also made a commitment to build an access-for-all-abilities playground in my electorate.

In relation to transport, the electorate is most grateful that the SmartBus on Bell Street has been flagged, and work has begun on that; that the Broadmeadows rail line, with its extra traffic, now has extra trains and more carriages; and that the Coburg community health service, under the great leadership of Phil Moran, is working hard to have a consolidated site. The Pascoe Vale electorate will be well served by the Bracks government. It has made commitments, and as our government has consistently said, it intends to deliver on all the commitments that have been made.

Before I conclude I wish to pay particular thanks to my campaign team executive: Mark O'Brien, Michael and Anne Leahy, and Ana Mackay and Ron Spencer. The last four have been with me from before I was preselected, and they have been a fount of knowledge. They have been stoic in the workload they have carried, and they have been wise in their counsel.

I also want to place on record my appreciation to my wonderful husband, Kevin, and our four children Rebecca, Tim, Greg and Clare, all of whom think all too often they are taken for granted for their many kindnesses and good humour and the incredible workload they take on both during an election campaign and in our private life.

I particularly pay tribute to Kevin, who now has spent more than a third of our married life being the husband of a politician. I always think he got the tougher job of the two of us when I was preselected and then elected, and I look forward to spending a very happy weekend with him.

The ACTING SPEAKER (Mr Nardella) —
Order! The question is:

That the address-in-reply to the speech of the Governor to both houses of Parliament be agreed to by this house.

Question agreed to.

Remaining business postponed on motion of Mr ANDREWS (Minister for Gaming).

ADJOURNMENT

The ACTING SPEAKER (Mr Nardella) —
Order! The question is:

That the house do now adjourn.

Police: Brighton station

Ms ASHER (Brighton) — The issue I have is with the Minister for Police and Emergency Services. The

action I am seeking is to assure Brighton residents that the Brighton police station will remain open and continue to be a 24-hour police station.

The background to my raising this is that in the budget announcements I see that Sandringham is to have a new police station. I do not begrudge Sandringham a new police station, but the problem from my perspective is that a raft of FOI (freedom of information) documents that I have show that, as part of the funding mechanism for the new Sandringham police station, there is a plan to shut Brighton and sell the valuable land on Carpenter and Asling streets, Brighton, to part-fund the new Sandringham police station. I have received assurances from the two previous police ministers that Brighton police station will not close.

In this house on 20 May 2003 the then Minister for Police and Emergency Services, the member for Kororoit, said:

... there were absolutely no plans to replace the Brighton police station.

In fact, he went on to tell me that I was having an 'anxiety attack', possibly brought on by the 'marginality of the seat of Brighton'.

I also refer to a letter from the subsequent police minister, now the Minister for Finance, WorkCover and the Transport Accident Commission, dated 11 July 2005, when I received even more FOI documentation indicating that Brighton police station may close. He wrote to me, advising:

... Victoria Police has advised that no further consideration has been given to any options which would result in the closure of Brighton police station.

He also wrote to me again on 31 August 2006, admonishing me for raising this issue on behalf of my constituents. He said:

While I know it is important for Liberal MPs to conjure up —

he thought I was conjuring something up —

issues to campaign on in the lead-up to the election, I think your campaign in respect of the Brighton police station is a particularly desperate one ...

I will not go on. Given I have had assurances from the two previous ministers, I seek an assurance from the present minister that Brighton residents will have a right to have an ongoing, 24-hour stand-alone police station in Brighton. We do not want police in Sandringham having to look up a *Melway* when crimes are committed in Brighton. We have an entitlement,

particularly given the taxes we pay, to basic law and order services. This has been documented for years.

I again seek the assurance of this minister, on top of the assurances given by the two previous ministers, that Brighton police station will remain open, will stand alone and will be in operation 24 hours a day, continuing to service the people of Brighton.

Real estate agents: underquoting

Mr STENSHOLT (Burwood) — I would like the Minister for Consumer Affairs to take action in regard to what seems to be a rash of underquoting in the real estate sector. It is occurring in Brighton, as well as in Box Hill, Hawthorn, Glen Iris, Niddrie and many other suburbs. With the current surge in the property market, there has been significant community concern. People have come through the door to my electorate office saying, 'What is going on?'. I got dragged around to an auction of a house in Ashburton that was advertised at '\$800 000+'. It went for \$1.1 million. The quote was \$800 000+, and the little plus sign was put there by the real estate agent.

I would like the minister to take action to work out with the real estate sector the effectiveness of the current regulatory framework and to make sure that people know about these things. I was reading in the *Sunday Herald Sun* of 29 April about a number of people being really concerned about this issue, particularly when people pay up to \$400 in order to get an inspection report. Young couples count their pennies very carefully and work out that they have, say, \$453 000 before going to an auction of a house that has a quote of \$420 000. 'That sounds good,' they think. They then put in a bid, and of course it gets rejected.

I wonder about some of these agents, too. Adrian Jones from Noel Jones Real Estate was quoted in the *Age* as saying, 'If you overquote the property, you may not be serving the vendor well'. I have a few concerns about Noel Jones Real Estate, having been burnt by it in the past. There are also other real estate agents that say these things too. With regard to quoting, Hocking Stuart's managing director, Greg Hocking, said that even their own guys have been known to be a bit colourful.

We do not want too much colour; we want a bit of education. I would like the minister to take some action by working with the real estate sector so that young couples — or even older couples — looking for a home can have some assurances about certainty in the marketplace. In Surrey Hills, which is in my electorate, a property was advertised at \$380 000 and it sold for

\$570 000. The *Age* did a survey which showed that houses were being sold for prices up to 70 per cent over and above what was originally quoted.

I understand that Consumer Affairs Victoria has had 60 complaints, but it has not prosecuted anybody. I would like a bit more action from the minister. He should work with Consumer Affairs Victoria and with real estate agencies in order to clarify this matter and to give more certainty to buyers and the marketplace.

VicRoads: Lowan electorate

Mr DELAHUNTY (Lowan) — I raise a matter for the attention of the Minister for Roads and Ports. The action I request on behalf of the largest electorate in the state, the Lowan electorate, is for the minister to reinstate to my electorate services under the control of VicRoads.

The three services that I highlight tonight are, firstly, motorcycle licences; secondly, overdimensional permits; and thirdly, roadworthy certificates. Members of the Casterton community, which is about an hour's drive west of Hamilton, are able to get many VicRoads services through the staff of the Glenelg shire, but I have been contacted by people who are upset that they cannot get roadworthy certificates in Casterton.

The second service that has been lost to my electorate involves the ability to get permits from VicRoads officers in Horsham for overdimensional machinery. I have a letter from Mr Mark O'Connor, the general manager of O'Connor's, a large machinery dealer in Horsham and a great company, which I will quote:

The Horsham VicRoads office is about to lose its ability to service overdimensional permits from 1 July 2007.

He went on to say:

As I understand the situation VicRoads Horsham office will still have the qualified staff employed but will no longer be able grant the permits. This means all permits will come out of the Melbourne office.

The third thing I want to talk about is the issuing of motorcycle learners permits and licences. I have been contacted about this issue by many people who have had to go either to Swan Hill, 2½ hours away, or to Ballarat, 2¼ hours from Horsham. I have checked on the web to find out where you can get learners permits and licences. You can get them at Ballarat, Bendigo, Hamilton, Mildura and Swan Hill. There are other places, but they are all 2 or more hours from Horsham. In places like Nhill they would be a lot further away than that.

The key issue in remote areas is transport. Being able to get motorcycle licences and learners permits is vital for a lot of people in my electorate. The key issues here are the long distances they have to travel to get a licence and, importantly, the cost. Usually it includes the cost of overnight accommodation.

The history of the matter is that VicRoads has contracted the services. In previous years it has used the VicRoads depot, council facilities or the AH Plant depot, but it needs a track and a classroom, because to get a learners permit you need to attend a two-day, 12-hour course, and that costs \$270. You then get a learners permit for 3 months to 15 months. At the end of the day getting a probationary licence means another one-day course at a cost of \$240.

A lot of work has been done by the Road Safety Committee and motorcycle dealers and the community on improving skills and safety, but people need to be able to get these licences in Horsham, which is in a central part of my electorate. Many people in my electorate are returning to riding, whether they be schoolteachers or doctors and the like. They need to be able to get these licences. I ask the minister to reinstate these very important services in the Lowan electorate, which I represent.

Preschools: accessibility

Ms RICHARDSON (Northcote) — I wish to raise in tonight's adjournment debate a matter for the attention of the Minister for Children. I call on the minister to take appropriate action to ensure that children in long day care and other child-care programs do not miss out on the opportunity of participating in a kindergarten program. As we all know, the early years of childhood are recognised as the most important years in a child's learning. That is why the Bracks Labor government has increased funding to kindergartens by 138 per cent since coming to office.

I welcome the further \$171 million investment in this year's budget in early year services. Further, I commend the Bracks Labor government's decision to increase the kindergarten subsidies from \$330 to \$730 per year for health care card holders. This will in effect make kindergartens free for children from low-income families and will help many families in my electorate of Northcote.

The concentrated efforts of the Bracks Labor government in early year services are paying off. We have seen participation rates at kindergarten soar to record levels. Over 95 per cent of four-year-old children are taking part in a kinder program in stark

contrast to the falling rates of participation under the previous Liberal government. However, there is a very small percentage of children who are not in four-year-old kindergarten programs. These children are in some form of child care at centres that do not have a qualified kinder teacher to run the program. Many of these centres make do as best they can for the children in their care, but clearly they would like to do more for four-year-olds at their centres.

The competition for child-care places and the pressure on working families trying to balance work and family commitments can make it difficult for some families to access long day care that has facilities for a kinder-based program. I hope the minister can take this action to ensure that all four-year-olds, not just in my electorate but across the state of Victoria, have access to a kindergarten program, because we know that is the basis upon which children can excel and is the basis upon which they can make the most of the opportunities that life presents them.

Mental health: prevention and recovery care

Ms WOOLDRIDGE (Doncaster) — I raise a matter of concern for the Minister for Mental Health. The action I seek is for a changed approach to the establishment of the new prevention and recovery care facilities, and in referring to them I will use the acronym PARC.

Prevention and recovery care are two areas where this government has consistently fallen down. Repeatedly community visitors charged under the Mental Health Act with the responsibility of reporting on public mental health facilities have found there is a shortage of discharge accommodation. Also it is estimated that approximately 30 per cent of patients in acute hospital-based care are no longer acute but have no other alternative if they are to receive appropriate care.

In terms of intervening early to reduce emergency hospital admissions, the government has a policy that patients should, if at all possible, receive assessment and treatment in a community setting. However, currently over 30 per cent of patients are not having contact with community mental health services in the days prior to admission. Belatedly the government has sought to alleviate part of the crisis by investing in PARC facilities. These facilities are run in a partnership between a public mental health service provider, such as an area health service, and a non-clinical provider, such as a community organisation.

As the name suggests, PARC facilities provide appropriate community care instead of prior to and/or

after a hospital stay. Eight are currently funded and another six were announced during the election, although shamefully only three received funding in the budget.

PARC facilities are a good initiative, but their effectiveness has been decreased due to significant delays between when they receive funding and when they are operational. Time frames for the facilities to get up and running is varied. The Shepparton PARC took six months, the Box Hill PARC took a year, the Dandenong facility took two years and the PARC facility which is affiliated with the Alfred is still not on line despite funding being allocated way back in 2004. That is three years and we are still waiting. It is just unacceptable for those who need these services.

When this variation was investigated two common themes emerged. The partnership approach is critical to the success. However, there is a direct relationship between the speed and effectiveness of the establishment of the facility and the level of leadership that the community organisation partner has in developing appropriate community-based facilities and getting local neighbours and community on board.

The development of PARC facilities at particular sites and with local communities is a tricky business. As concerns and misconceptions about mental illness are regrettably still widespread, the community partner is best placed to navigate these challenges as they are challenges it faces on a daily basis when undertaking its core business.

I call on the minister to provide a clear message from the government that in the partnership, the community agency partner should play a lead role in the establishment of the facility and in its ongoing operation to ensure these facilities are up and running in the shortest possible time so that they can achieve outcomes for those who are dependent on their services.

Office of Workplace Services: advice

Mr ROBINSON (Mitcham) — This evening I want to bring to the attention of the Minister for Industrial Relations the experience of a constituent in the Mitcham electorate which raises serious questions about the quality of some industrial relations advice being provided to Victorian workers, and I am seeking from the minister his investigation of the extent of the misinformation currently being provided.

The circumstances are as follows. A constituent contacted me. The constituent had been employed by Telstra for approximately 20 years, 18 of which were

full time and the balance part time. The constituent, like many others, had accepted a separation package. This included a redundancy payment component which was calculated on a formula related to the length of service. There is nothing unusual about that practice. The formula provided that a factor related to the length of service be multiplied out by the final salary of the former employee.

The constituent, however, was shocked to learn after accepting the separation package that the redundancy payment component did not distinguish the employee's full-time service from the part-time service. They are simply lumped together and multiplied out by the final part-time salary, which was much lower than the salary that had been enjoyed by the worker for most of the worker's career. The difference for the worker was calculated at some \$20 000.

This failure to prorate was in contrast to Telstra's practice in relation to long service leave and annual leave. I lobbied Telstra for many months last year. It continued to refuse to acknowledge the spirit of the redundancy agreement and that the circumstances of this worker were unusual. I also contacted the federal Office of Workplace Services and the state workplace rights advocate. I have to say the state office was very helpful.

I am pleased to report to the house that Telstra finally relented and in December 2006 a formal change of policy was announced. The change will now provide that on the date of termination the redundancy payment component will be based on the weighted average of the employee's part-time and full-time service. That is a good thing; it is a fair and decent thing. But I am very concerned that the Office of Workplace Services, the federal-government-funded information service for workers, in late January this year responded to my earlier request advising that it fully supported Telstra's earlier decision not to prorate and encouraged the worker instead to pursue costly legal action. It appeared that the Office of Workplace Services was not only unaware of Telstra's policy change but also unaware of Telstra's offer to settle the matter with the constituent.

I am deeply concerned that any Victorian worker solely relying upon the Office of Workplace Services will be duded and denied access to dollars they are legitimately owed. This case demonstrates a lack of competency in that office. It reflects the federal government's current policies, but I want the minister to investigate it thoroughly.

Rosebud Hospital: obstetric services

Mr DIXON (Nepean) — I wish to raise a matter for the Minister for Health regarding maternity services at the Rosebud Hospital. I am asking the minister to meet with concerned mothers regarding a number of issues following the closure of birthing services at Rosebud Hospital. Following the closure last month, all mothers — and there are 300 births a year at Rosebud Hospital — are now required to go to the Frankston Hospital to have their babies, but within 4 hours they are required to move out of Frankston Hospital and come back down to Rosebud for their post-natal care.

This problem did not come out of nowhere. The government and Peninsula Health have been aware of this for a while. Two years ago two of the four obstetricians left the service of the hospital at Rosebud, and early this year the remaining two obstetricians decided to leave. At around the same time the minister was overseas recruiting doctors and nurses for Victoria, because apparently there is a surplus of them in the UK. I wrote to her and asked her to find some obstetricians who might be interested in working on the beautiful Mornington Peninsula. In fact I received a letter today saying that was not successful.

There are two petitions circulating in my area now calling on the minister to do something to help. One of the options being put forward is that midwife-led births for potentially low-risk births should remain at Rosebud if the mothers so choose. There is a wonderful midwifery team at Rosebud Hospital more than capable of doing that; in fact they have been doing that because on many occasions an obstetrician has not been there anyway. I think it would suit a lot of the mothers to remain on the Mornington Peninsula.

But the real issue that is currently running is transport. As I said, mothers are being required to move back to Rosebud 4 hours after the births of their babies, which I think is very unsettling for them and their babies. But depending on whom you speak to at Peninsula Health, you get a different answer as to how that transport is going to happen. Some officials at the hospital are saying, 'You have to arrange your own transport. You have to get your husband' — or partner or family member — 'to drive you and the newborn baby in a baby seat back down to Rosebud'. Others within the hospital are saying, 'You can take an ambulance, and we'll supply the ambulance'. Others at Frankston Hospital are saying, 'If you can't get a car, you've just got to take a taxi, and you've got to pay for the taxi'. How do you transport a 4-hour-old baby in a taxi?

The latest one we heard just last week involved officials at the hospital suggesting they would put on a minibus with a few baby seats in the back to transport groups of new mums and their babies down to Rosebud. So you can see, Acting Speaker, that there are a number of issues of concern, and I would like the minister to address them.

TRUenergy: outsourcing

Ms GREEN (Yan Yean) — I wish to raise a matter for the attention of the Minister for Skills, Education Services and Employment. The action I seek is that she come up with options for recently unemployed workers, particularly women and mature age workers, in my local community. The reason I am asking for this at this time is that I have become very concerned about a recent development. At 10.00 a.m. on Monday one of the largest employers in my electorate, TRUenergy, announced that it will be the first electricity company in Victoria to outsource its operations to India, which will mean more than 266 jobs will be lost at the South Morang site.

I think this is an absolutely appalling situation. Families in my electorate that are struggling with high mortgage payments will now find that they will not be able to meet those payments because they will not have jobs as a result of this cynical exercise by TRUenergy to outsource its operations to IBM Daksh, which is now going to set up an operation in Bangalore in India.

There will be 200 redundancies, and another 66 workers will be offered jobs with IBM but with vastly inferior conditions: they will be unable to be covered by the existing enterprise agreement, so their jobs will be in jeopardy; and they will be subject to a six-month probationary period.

Other members in this house have spoken about the harsh nature of Prime Minister Howard's WorkChoices legislation, and this is just an example of what can happen. We have heard nothing from the federal member for McEwen, Fran Bailey, in defence of these workers and their families. I have been out doorknocking with our federal candidate, Robert Mitchell, and we have coincidentally doorknocked families whose breadwinners will be losing their jobs.

Honourable members interjecting.

Ms GREEN — Members on the other side jeer. This is about workers not being able to pay their mortgages, pay for their child care and provide for their families. People on the other side stand condemned if they think this is funny. I do not think it is funny.

Members might be familiar with the TRUenergy advertising campaign that says it is excited about energy. I am not excited about what it is doing. In fact I am absolutely appalled. I am a TRUenergy customer, but our family will definitely be moving our account to another, more responsible energy company. I will be exhorting people in my electorate to take their business elsewhere. This company has form. Originally the work site in South Morang was set up after the company moved out from the Latrobe Valley. I urge the minister to do all in her power to support these workers in their hour of need.

Disability services: aids and equipment program

Mrs VICTORIA (Bayswater) — I rise to ask the Minister for Community Services in another place to explain the government's funding of the Victorian aids and equipment program. In last year's election campaign, and indeed in the budget, the Bracks Labor government committed itself to providing just \$90 million in extra funding over four years for additional aids, equipment and home and vehicle modifications. What an absolute shame!

Last week Karen came in to see me. Her son, Roger, resides in a local supported accommodation facility, as caring for him has become overwhelming. Roger is a highly intelligent young man in his late 30s whose body has become disabled due to cerebral palsy. Roger is capable of leading a relatively independent and mobile life with the aid of his wheelchair. However, his current model breaks down regularly and has other operational issues. As a result Box Hill Hospital has advised Roger and his parents that a new wheelchair is required. The quote for a replacement wheelchair is \$14 325. Under the Victorian aids and equipment program, Roger is only entitled to \$8000 to assist in the purchase of a new wheelchair. Unfortunately his family simply does not have the extra \$6325 which is required. Without a new wheelchair, Roger will lose his independence and his quality of life will diminish drastically.

This government made a pre-election promise called 'Addressing disadvantage' which was an offer of just \$90 million. This government constantly tells the community what a brilliant job it is doing, yet once again we have discovered the obvious mismanagement for which it is becoming so well known. This government does a lot of looking into issues, but when it comes to practicalities it does very little. There is a projected surplus of over \$320 million. Surely the government could be more generous towards those who do not have the capacity to find \$6000 to retain their independence.

Why should service clubs and charitable organisations be responsible for filling the gaps? The last budget of the previous Liberal government provided 32 500 people with financial support for aids and equipment. In this government's budget of 2003–04, only 24 500 people benefited. I again ask the Minister for Community Services to provide answers to the following —

An honourable member — And to meet with your constituent.

Mrs VICTORIA — And to meet with my constituent. Why has the Bracks government cheated our disabled citizens by only allocating \$90 million in extra funding for the aids and equipment program when such a large surplus exists? Why do people in need, like Roger, not receive the support and assistance they need from this government? Why are fewer people receiving financial support when funding was supposed to have been increased? There are a lot of people waiting for an answer to this issue from the minister.

Local government: Geelong buy-local campaign

Mr CRUTCHFIELD (South Barwon) — My issue is for the Minister for Regional and Rural Development. I ask the minister to support an application from certain councils for the Geelong buy-local campaign. I have a brochure that I picked up today when I was lucky enough to receive leave to travel to Geelong for a publicity experience with the president of the Geelong traders association, Hayden Spurling, at Elseworthy's Retravisio. Angela MacPherson from the Geelong Business Network was also there. I have continued to have a long association with Angela since I was on the local council.

This program is particularly unique to Geelong. The Borough of Queenscliffe, the Greater Geelong City Council, the Surf Coast Shire Council and the Golden Plains Shire Council have combined in this campaign to harness their collective energies to ask the state government for \$40 000. We have a program that has just been funded by the recent budget. Each municipality is able to apply for \$10 000 to put towards a buy-local concept.

The four Geelong councils have combined and applied early in the program. Geelong is a forerunner in networking. G21 is a network that involves five councils, which include the four I have named and also the Colac-Otway Shire Council. In terms of networking or clustering, this is the way to go. These four councils

are the first in Victoria to apply as a unified group for some \$40 000 of funding for the buy-local campaign.

Like any community, there is escape expenditure. Geelong is no different in this regard. We have about \$1.2 million of escape expenditure going to areas outside Geelong, predominantly to Melbourne. This is a campaign that is being sponsored by the Geelong Chamber of Commerce, the economic development unit of the City of Greater Geelong, the Industry Capability Network and — as I have mentioned — the Geelong Business Network. The *Geelong Independent* has come on board to form a media partnership. It is a worthy partner of this program.

All those groups are keenly looking forward to this application being favourably received by the minister. I am supportive of this application, and I know other members are as well.

Responses

Mr ANDREWS (Minister for Consumer Affairs) — I am pleased to respond to the honourable member for Burwood who has raised a very serious matter for my attention. I thank him for raising this matter. The member for Burwood is a passionate and tireless advocate of his local community, particularly in relation to consumer protection issues.

The issue of underquoting is important, and it has received much attention in the press in recent times. As we are all aware, the property market at the moment is in a situation where supply is short and prices are particularly volatile. It might even be suggested that it is a vendors market. While that is a sign of a strong economic outlook, it is important that we take the appropriate steps to ensure that potential buyers are not misled by the actions of vendors or estate agents.

Honourable members, including the member for Burwood, would know that in 2004 the government made amendments to the Estate Agents Act, which in effect outlawed or prohibited agents or agent representatives underquoting. This is advertising a property either for sale or auction at a price below what it would reasonably fetch. In terms of those matters, the exclusive sale authority or auction authority that is signed between the vendor and the agent needs to reflect a price that a willing but not anxious buyer would in fact pay for that property. It needs to be based on sales of like properties; and it needs to be based in effect on the expert judgement of the agent in question.

It is an offence under the act to advertise a property at a lower amount than the estimate stated on the exclusive

sale authority or auction authority. The penalties for that particular breach of the Estate Agents Act are quite severe. You, Acting Speaker, would be interested to know that the fines range from in excess of \$21 000 for a breach of those provisions of the Estate Agents Act. The price can be expressed either as a dollar amount or as a range of not more than 10 per cent. Agents need to be aware of the act. They need to take their responsibilities under the changes we made in 2004 very seriously, because these matters are important to Victorian consumers.

As we all know and as, I am sure, all honourable members would acknowledge, for many Victorians — and perhaps all Victorians at some point in their lives — the purchase of a house, your own home, can represent the largest financial commitment you can make as a consumer up to that point. Transparency, fairness and a sense of fair play are important elements in the market operating efficiently and well. That is why we made those changes, but that is not to say that, just because a property sells for considerably more than the advertised price, it has been an underquoted property.

As I said, it is a volatile market at the moment. Supply is short, and because of the very willing bidding at auctions we are seeing prices for homes that are considerably higher than the advertised prices. The key is the price that is put on the exclusive auction authority, it being a fair representation of what a willing but not anxious buyer would pay and a reasonable estimate based on the expertise of the agent based on like sales for that type of property in that particular part of Melbourne or indeed in other communities across the state.

The Real Institute of Victoria (REIV) is concerned about this matter because any public perception that agents are not acting in the best interests of an efficient market or any notion that agents are acting in breach of the law or in an inappropriate way undermines the community's high regard for estate agents in a broader sense and the integrity of that profession. It is very serious and obviously important in terms of the long-term viability of that sector but also the property market in a broader sense.

The REIV has recently re-issued a practice note to its members to try to draw their attention to their requirements under that act. On from that, I have met with the Estates Agents Council and have sought its advice. It has a watching brief on these matters, and I have sought its advice in relation to whether the law is operating as it should and what other measures we can

take in terms of enforcement or from a sector education point of view.

In closing, can I say that Consumer Affairs Victoria (CAV) is also engaged in a working group with the REIV and others to prepare detailed guidelines for the real estate sector so we can make sure that all those involved in these matters are aware of and understand their obligations under the relevant act.

I want to congratulate the REIV on its leadership on this. It understands it is a serious issue, many consumers understand it is a serious issue, and the member for Burwood can be assured that CAV and I will take the appropriate action to ensure that the law that we put in place in 2004 is adhered to by all that ought to adhere to it.

The member for Brighton raised a matter for the attention of the Minister for Police and Emergency Services in relation to the Brighton police station.

The member for Lowan raised a matter for the attention of the Minister for Roads and Ports in relation to services provided in his local community by VicRoads.

The member for Northcote raised a matter for the Minister for Children in relation to long day care and access to kindergarten programs in her community.

The member for Doncaster raised an issue for the attention of the Minister for Mental Health in relation to prevention and recovery care facilities, which are wonderful facilities that are doing a great job, and extra funds for the park facilities are in this year's budget.

The member for Mitcham raised a matter for the attention of the Minister for Industrial Relations in relation to the separation packages and redundancy arrangements at Telstra under the Howard government's draconian WorkChoices regime.

The member for Nepean raised a matter for the Minister for Health in relation to maternity services at Rosebud Hospital.

The member for Yan Yean raised a matter for the attention of the Minister for Skills, Education Services and Employment in relation to TRUenergy and its position in her local community.

The member for Bayswater raised a matter for the attention of the Minister for Community Services in the other place in relation to the aids and equipment program.

Finally, the member for South Barwon raised a matter, as you would expect, for the Minister for Regional and Rural Development concerning a very predictable topic — that is, the Buy Local, Smart Thinking campaign. It is an important matter.

I will forward those matters for the action and attention of the relevant ministers.

The ACTING SPEAKER (Mr Nardella) —
Order! The house is now adjourned.

House adjourned 10.16 p.m.