

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT

FIRST SESSION

Wednesday, 20 June 2007

(Extract from book 9)

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By authority of the Victorian Government Printer

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Parliamentary Services — Secretary: Dr S. O'Kane

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FIFTY-SIXTH PARLIAMENT — FIRST SESSION

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Lim, Mr Muy Hong	Clayton	ALP	Wynne, Mr Richard William	Richmond	ALP

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Wednesday, 20 June 2007

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

Dr Naphine — On a point of order, Speaker, on Thursday, 7 June, a document entitled *Ministerial Intervention in Planning Matters — Statement to Parliament* by Justin Madden, MLC, Minister for Planning, and dated May 2007 was tabled in this house. On checking this document I want to raise a point of order because I think there is an error in it.

I am asking you, Speaker, to investigate with the minister whether the error that I believe to exist is genuinely a mistake and to ask to have it corrected so that the Parliament is not misled by this document as tabled on behalf of the minister.

The error refers to matters called in by the Victorian Civil and Administrative Tribunal under the Victorian Civil and Administrative Tribunal Act 1998. Reference number P3175/2005 refers to a permit for residential subdivision with a call-in date of 27 July 2006. In the document presented to Parliament the address of the land is given as 55 Rossdell Court, Portland. I have checked with the Glenelg Shire Council, and I am advised that the address is not correct. I have checked with the property owner, and I am advised that it is not correct. The documents that I have seen previously on this matter refer to 35 Rossdell Court, Portland.

I ask you, Speaker, to check whether this is an oversight or a typographical error or whether, unfortunately, there is an attempt to mislead the Parliament with this document. Speaker, I ask you to examine and clarify the matter and take it up with the Minister for Planning in the other house so that Parliament is given accurate information about serious issues where the minister calls in planning matters.

NOTICES OF MOTION

Mr RYAN having given notice of motion:

The SPEAKER — Order! Before calling the member for Essendon on a further notice of motion, I should clarify that I have agreed to accept the point of order raised by the member for South-West Coast and undertake to conduct such an investigation. I did not do that with the member for South-West Coast, but that probably would not be reflected in *Hansard*.

Further notices of motion given.

PETITIONS

Following petitions presented to house:

Buses: Dandenong NightRider service

To the Legislative Assembly of Victoria:

Currently the NightRider bus service extends as far as Dandenong with many young travellers living further out (Cranbourne, Berwick and Pakenham) having to either walk or call scarce taxis to get home.

The city of Casey and the Cardinia shire council are in the growth corridor which has seen an escalation of growing numbers of the youth population; an extension of the NightRider bus service would provide the youth of this area a safe, cheap and alternative service.

We, the undersigned concerned citizens of Victoria, ask the Victorian Parliament and the minister for transport to support our youth and extend the Dandenong NightRider bus service to Cranbourne, Berwick and Pakenham.

By Mr K. SMITH (Bass) (200 signatures)

Rail: Maryborough line

To the Legislative Assembly of Victoria:

The petition of residents of central Victoria draws the attention of the house to the substandard level of public transport existing between Maryborough and Melbourne.

The petitioners therefore request the Bracks state government to upgrade the rail connection between Maryborough and Castlemaine to 120-kilometre per hour capacity and to introduce a fast, regular and modern passenger rail service to Maryborough.

By Mr LANGDON (Ivanhoe) (938 signatures)

Planning: Port Campbell development

To the Legislative Assembly of Victoria:

The petition from the residents and visitors of Port Campbell draws to the attention of the house the potential for a large development excavation and foundation to accelerate the collapse of Port Campbell's culturally significant, geologically unstable headland. The petitioners request that the Legislative Assembly of Victoria instigate a full transparent environmental, cultural and infrastructure impact assessment. The petitioners also request that no public or Crown land be given to this development.

By Mr MULDER (Polwarth) (685 signatures)

Sandringham: beach renourishment

To the Legislative Assembly of Victoria:

The petition of the residents of Sandringham, the city of Bayside and Victoria draws to the attention of the government the serious erosion of the Royal Avenue–Southey Street Sandringham beaches and abutting beaches to the immediate

north caused by a recently constructed rock groyne as part of the Royal Avenue beach remedial works project.

Prayer

The petitioners therefore request that the government in conjunction with the City of Bayside adopt the following proposals to ensure the maintenance of the natural beauty of the beachscape both now and as our legacy to future Australians and:

- (a) immediately halt work on the renourishment project, remove the recently constructed Southey Street beach stone groyne and review the role of the old Royal Avenue beach stone groyne to prevent further rapid erosion;
- (b) consider and implement a more effective, less costly and more aesthetically pleasing method of renourishment (as used for other parts of the Australian coastline) such as geo-bags, wooden groynes, sand and other options; and
- (c) ensure the protection of the Bayside beaches as a whole rather than an ad hoc 'beach by beach' approach which is causing a negative environmental, financial and aesthetic outcome.

By Mr THOMPSON (Sandringham) (4140 signatures)

Tabled.

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

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

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

DOCUMENTS

Tabled by Clerk:

Auditor-General:

Administration of Non-judicial Functions of the Magistrates' Court of Victoria — Ordered to be printed

Annual Plan 2007–08

Promoting Better Health Through Healthy Eating and Physical Activity — Ordered to be printed

Statutory Rules under the following Acts:

Chattel Securities Act 1987 — SR 51

Fair Trading Act 1999 — SR 46

Gene Technology Act 2001 — SR 50

Subordinate Legislation Act 1994 — SR 47

Trade Measurement Act 1995 — SR 48

Trade Measurement (Administration) Act 1995 — SR 48

Transport Accident Act 1986 — SR 49

Victorian Civil and Administrative Tribunal Act 1998 — SR 52

Subordinate Legislation Act 1994:

Ministers' exemption certificates in relation to Statutory Rules 32, 46

Minister's infringements offence consultation certificate in relation to Statutory Rule 48.

MEMBERS STATEMENTS

Water: management

Ms ASHER (Brighton) — I wish to draw the house's attention to the negligence and tardiness of the Victorian government in relation to water supply. Victoria is the last state off the starting blocks on water supply. In New South Wales the contract for a desalination plant at Kurnell will be awarded in July, and the contract for associated pipelines has already been awarded. A new dam in the Hunter Valley will start construction in 2008 for the Hunter and the Central Coast. Pumping and piping engineering works to access deep water in the Warragamba and Nepean dams is either commissioned or in place.

In Queensland a desalination plant at Tugun has been commenced with a completion date of 2008. Two new dams are going to be constructed in south-east Queensland: at Wyaralong, expected to be completed in 2011; and the first stage at Traveston, also expected to be completed in 2011. In South Australia plans are under way for a desalination plant in the Upper Spencer Gulf, and there is an investigation into a second plant at Adelaide. A dam upgrade program has already commenced. In Western Australia one desalination plant has opened at Kwinana, and a second plant has been announced for 2007. In Tasmania a new dam, the Meander Dam, is going to be completed in 2007.

Victoria is the last state to move on water projects. We now find the reason why we are the last state to move on water projects is that the Minister for Water, Environment and Climate Change unfortunately is nothing but a taxpayer-funded snow bunny who has not done his job!

Private Peter Gillson

Mr ROBINSON (Mitcham) — Along with the Premier, I was honoured to attend last Friday's funeral service at St Paul's Cathedral for Private Peter Gillson.

Private Gillson was born in Brunswick in October 1945. He enlisted in the Australian Army in the early 1960s and in 1965 was posted to Vietnam as a member of A Company, First Royal Australian Regiment. On 8 November 1965 Private Gillson and a colleague, Lance Corporal Parker, were listed as missing in action, presumed killed. Their bodies were not located at that time. It was only through the efforts of Lieutenant Colonel Jim Bourke, retired Vietnam veteran, and other veterans with their self-styled Operation Aussies Home that over a number of years the bodies of Private Gillson and Lance Corporal Parker were finally located and successfully repatriated to Australia in early June.

The funeral on Friday offered a wonderful opportunity for very moving tributes to be paid to Private Gillson from his wife and from the son he never knew and offered to the broader Vietnam veteran community a welcome potential for closure after some 42 years. I congratulate all those involved in Operation Aussies Home as well as those who contributed to last Friday's very moving funeral service.

Traralgon Harriers: 40th marathon

Mr NORTHE (Morwell) — I rise today to congratulate the Traralgon Harriers on conducting the 40th Traralgon marathon on Sunday, 17 June. The Traralgon marathon lays claim to being Australia's longest running marathon event and consequently has seen many famous names participate. The most famous of all would have to be former Olympian, Derek Clayton, who in 1970 ran the incredible time of 2 hours 13 minutes 39 seconds — just a little bit better than my time. Derek was on hand for the 2007 event and presented trophies to race winners, which was a great gesture from this wonderful Australian.

Participants had the opportunity to run, jog or walk in one of three events, including the 10 kilometre, 21.1 kilometre and 42.2 kilometre races. The winners of the full marathon were Dr Tim Cochrane in the open male event and Sandra Timmer Arends in the open female event. Congratulations must go to these two worthy winners, and in particular to Sandra, who has now won an unprecedented five titles. Congratulations to all participants, who ran in ideal conditions.

All accolades go to the Traralgon Harriers, who not only organised events but also supervised and assisted

all participants on the day. I acknowledge the efforts of the president, Carol Summersgill, and a band of volunteers before, after and during the event. I know all runners, including my wife, Jenny, and me, were very appreciative of the manner in which the Traralgon marathon was conducted. Carol deserves our sincerest congratulations. The Traralgon Harriers conducts weekly events on Thursday evenings and caters for those who wish to walk, jog or run. This creates a great opportunity for individuals and families to exercise in a family-friendly environment. Well done, Traralgon Harriers. Keep up your great community work for the Morwell electorate.

Denis Sadik

Ms BEATTIE (Yuroke) — Like many young Australians, Denis Sadik lists soccer as his first love, and this young man from Craigieburn is living that love firsthand, having been selected to play in the Victorian Secondary Schools Sports Association (VSSA) soccer team in Darwin in August this year.

I congratulate Denis on his selection and ask members to watch this space, because by all accounts this is a young man with a great future in the world game. I wish him well as he follows in the footsteps of other stars of the game, like Marco Bresciano, who also played in this competition during his school days. Denis, who is currently in year 12 at Craigieburn Secondary College, started playing soccer at the age of six. His commitment will leave many of us in awe. He juggles training three times a week with his team at Green Gully Soccer Club, as well as undertaking strength training at home and managing his school work.

Denis represented Victoria at last year's VSSA competition in Canberra, and his discipline and hard work have earned him the praise of his team manager, Christos Karameros, who says that even since last year's event Denis has continued to improve. I commend Denis for his hard work and wish him all the very best for the future. I look forward to seeing him in the green and gold at the World Cup one day. I also look forward to seeing him play at the new soccer stadium.

Volunteers: insurance costs

Mr MULDER (Polwarth) — The matter I wish to raise concerns the imposition of unnecessary financial burdens on volunteers. An example of how these financial burdens threaten volunteers is the Coast to Crater rail trail project in my electorate of Polwarth. In February this year the Heritage Council announced a

grant of \$152 000 for restoration of the 114-year-old Curdies River bridge, which is in very poor condition. This grant, together with funding from the Department of Sustainability and Environment (DSE), forms the basis of the Camperdown to Timboon trail, which will be an integral part of the overall Coast to Crater rail trail. As is the case with this type of project right across the state of Victoria, dedicated groups of volunteers put in many hours of work in maintenance and care of these trails so that all those who use them can do so safely. They work tirelessly together with DSE to maintain these significant community assets for locals and visitors.

In the case of the Camperdown to Timboon rail trail, the committee's delight in seeing this project coming to fruition has been decidedly dampened by the news that they are responsible for insuring the volunteers who are working on the project, even though the land is owned by DSE and the land care work being done will result in its value being retained if not improved. The committee of management has contacted many insurance companies seeking cover; however, just two were willing to assist and even then only at considerable expense. The work of volunteers saves the state of Victoria millions of dollars every year, and nowhere is their work more important than in rural communities.

Bruthen Street Kindergarten: play space

Mr HUDSON (Bentleigh) — Last week I had the pleasure of opening a new roofed play space at the Bruthen Street Kindergarten in Moorabbin. The play space has been planned and constructed by successive management committees, which have not only raised considerable funds for the structure but also sought grants from the state government and the Kingston City Council. The project was originally conceived under the committee leadership of Michael Bateman, and was constructed by committees under presidents Georgina Heenan and Danielle Bishop. The kindergarten has a wonderful community spirit and a clear vision of the kind of environment it wishes to provide children. The parents know that if their children are to be fully developed physically, socially and intellectually they need a stimulating environment that will allow them to engage their imagination in creativity and play. The all-weather veranda that has been constructed is not only sun smart but also gives the kindergarten enormous flexibility in the use of its indoor and outdoor spaces.

This is a fabulous facility that was only made possible by the energetic fundraising efforts of the parent community, which raised over \$17 500 towards the project. Congratulations are also due to the Kingston

City Council, which, along with the state government, provided funding towards this facility. This project demonstrates that the parents of Bruthen Street Kindergarten know, as the kindergarten prepares their children for school, that the investment they make in the development of their children in the early years will have significant benefits as they grow into adolescence and adulthood. Well done to Bruthen Street Kindergarten.

Office of Housing: maintenance service

Mr CLARK (Box Hill) — The recent Auditor-General's follow-up report on 2003 and 2004 audits is damning of the delays in maintenance of public housing, particularly in the Box Hill-Ringwood area, which is clearly the worst performing district in the state, with only 3.3 per cent of normal maintenance works orders completed within the benchmark of 14 days in recent years and only 31.3 per cent of priority maintenance completed within seven days. The report also shows that the Office of Housing is failing to properly monitor and evaluate contractor performance, has inadequate data on overdue maintenance and is failing to enforce penalties or compensation against contractors who do not carry out maintenance on time.

The Office of Housing has treated taxpayers and public housing tenants with contempt in this appalling failure to ensure that public housing in Whitehorse and other parts of the state is properly maintained. From the beginning of 2006 maintenance of public housing in the region has plummeted, leaving properties empty, costing taxpayers hundreds of thousands of dollars and leaving public housing tenants living in run-down housing.

Contributing substantially to this problem was the bungled handling by the Office of Housing of the \$93 million computer software upgrade, the housing integrated information program. The Auditor-General's report at page 80 indicates that the Office of Housing did not follow its own guidelines when accepting the software, introduced it with a number of known material defects, without required action plans and without requiring undertakings that problems would be addressed. Clearly the Bracks government is not properly maintaining public assets.

Josie Minniti

Ms D'AMBROSIO (Mill Park) — I wish to inform the house of the wonderful work of one of my constituents, Epping resident Josie Minniti, in raising money for our local hospitals. On Saturday, 16 June, I

was honoured to attend another of Josie's major fundraising events. On this occasion a dinner and auction were held at Greenville Receptions for the Northern Hospital. The dinner was attended by 354 people and raised a magnificent \$12 851. The funds will be donated to the Northern Hospital for the purchase of special chairs for cancer patients.

Josie's work is given great support by her husband, Rino, and their four children. Josie would wish me to duly acknowledge the dedication and commitment of many people in our local community who assist Josie in her continuous fundraising efforts, especially those who donated wonderful auction items for the night. Josie has been Whittlesea citizen of the year and was a runner in the Commonwealth Games baton relay in 2006. The voluntary efforts of people like Josie and her family are a shining example of our humanity and concern for one another and of the good that can be achieved when we work together as a community. My wholehearted appreciation goes to Josie Minniti. As Josie describes it, raising funds for cancer patients is her passion in life.

Well done, Josie. I wish her and all of her supporters many more successful fundraisers for cancer patients, and I know the Northern Hospital has been very appreciative of the wonderful efforts to date.

Benalla electorate: theatre productions

Dr SYKES (Benalla) — Last Friday week my wife and I attended the opening of the Benalla Theatre Company's production of *Smoky Joe's Cafe*. It was a very entertaining evening with members of the cast, led by Molly Craig, going through their repertoire of 1960s songs. Well done to all those involved.

Mr K. Smith — Did you pay?

Dr SYKES — I did pay. The following night Sally and I were part of a full house which enjoyed a fantastic production of *Oliver* by the Mansfield Musical and Dramatic Society. The cast of over 50 people entertained us with powerful acting and some fine singing. The orchestra's musical accompaniment was absolutely outstanding. *Oliver* — 'Please, Sir, may I have some more food?' — was played by Owen Holland, who was excellent. Fagan was played expertly by Ian Mallyon. Ian Keys played bad man Bill Sykes to a tee. He certainly was a nasty piece of work. No wonder my parents' friends were horrified when my dad and mum named me Bill Sykes. Sandy Grant's performance as Nancy, Bill Sykes's girlfriend, was also very well done.

I congratulate the Benalla Theatre Company and the Mansfield Musical and Dramatic Society on entertaining our local communities, something which the actors and the whole crew clearly enjoyed doing. Community spirit is alive and well in country Victoria. Talking of nasty pieces of work, the action by the Bracks government in stealing water from northern Victoria to satisfy Melbourne's insatiable appetite for water is an absolute disgrace!

Cranbourne electorate: community kitchens

Mr PERERA (Cranbourne) — I rise today to speak about an exciting event that is happening in Cranbourne. The event is the delivering of community kitchens throughout the electorate. I originally came up with the idea last year when I met with a family who were running soup kitchens at the Sacred Heart Mission in Grey Street, St Kilda.

We are currently running successful community kitchens in Frankston North and Cranbourne, and the Cranbourne community kitchen recently served more than 300 meals. I have been overwhelmed by the partnerships we have formed in delivering this initiative for Carrum Downs, and the first is being delivered this Thursday evening. Supporters and partners include the chef and crew from the William Angliss Institute of TAFE in the electorate; staff from the Carrum Downs branch of the Bendigo Bank; the Reverend Ian Morison from St Luke's Anglican Church, Carrum Downs; staff from ROMA Food Products; volunteers and committee members from the Carrum Downs community support group; and local entertainer, Mr Glen Mason.

This kitchen also gives residents of Carrum Downs the opportunity to meet and mix with other residents from the area while enjoying a hot, nutritious meal and comradeship with light entertainment. There are residents who are simply doing it tough with increasing interest rates, rising petrol costs, job insecurity, the cost of child care and general financial challenges. Some residents are doing it tougher than others. The soup kitchen will be held this Thursday.

Sandringham: beach renourishment

Mr THOMPSON (Sandringham) — The Sandringham electorate foreshore represents one of the great coastal features of Port Phillip Bay. Today its historic seascape, once captured on canvas by Condor, Roberts and others is in the process of being jeopardised. I wish to acknowledge the vision, purpose and extensive work contributed by the members of the Sandringham foreshore group — Dr Vicki Karalis, Mr John Amiet, Mr Paul Hede, Mr Brett Hayton,

Mr Craig Francis, Ms Sue Duggan — and their expert advisers in seeking to preserve and protect the magnificent shoreline, distinctive cliffs and native vegetation.

Groynes interrupt tidal flow, cause sand build-up on the up-drift side and accelerate the erosion of the down-drift beach. Coastal management experts, a leading academic and a petition of over 4100 residents of Melbourne lodged today all call for a natural, environment-sensitive approach. This could include regular sand replenishment, geo-bags, low-lying offshore rocks and reefs and outcroppings. Nothing can stop the force of a good idea, the time for which has arrived. It is time for the minister to take wider counsel, meet with all stakeholders and work to protect the coastline in the Sandringham electorate, not destroy it.

Country Fire Authority: Arthurs Creek station

Ms GREEN (Yan Yean) — I had the privilege of opening the magnificent Arthurs Creek fire station last Sunday. The opening ceremonies were beautifully performed by the children of Arthurs Creek Primary School, which is a great partner with the local fire brigade. The program was one of the most beautiful I have seen. It was produced in full colour, beautifully illustrating the gorgeous rolling hills of Arthurs Creek. Well done to Lieutenant Mike Chapman, who was the master of ceremonies for the day. He had put together a truly wonderful collectors item.

I was pleased to be accompanied by the deputy chief of the Country Fire Authority, Geoff Robertson, who presented a huge number of service awards on the day, and I will detail the magnificent awards that were presented. They included awards to Barry Apted, for 50 years service; Captain David McGahy, 40 years service; Barry Tully, 40 years service; Andrew Alford and Lindsay Brain, 20 years service; Pat and Gayle Corr, Maree Apted, Len Delaggia, Pam Garbler, Marilan McGahy, Vicki Anne Mitchell, Bob Murphy and Graeme Simmons, 25 years service; Joe Shepherd, 20 years service; and Roland Kelly, Peter Jenkinson and Michael Chapman, 12 years service — truly magnificent achievements. Arthurs Creek fire station has a proud, 65-year history, and one of its founding lieutenants, Sandy Brock, was present.

The auxiliary produced the most magnificent food — the tables were truly groaning — and I have asked them to come and cater for my office opening soon!

Transport industry: performance-based standards

Mr TILLEY (Benambra) — To satisfy the government's and the transport industry's need to move freight by road, higher mass limit programs have allowed for innovation. Performance-based standards (PBS) come into effect on 1 July 2007. These are a national set of standards designed to set the benchmark for assessing approval for new, innovative and blueprint vehicles. These standards exclude original manufacturers and apply to new, innovative vehicles only.

Quad-axle trailers have managed approval, whilst tri-axle drive and tri-axle trailer combinations with advanced suspension systems that could potentially save lives and address fatigue and have the ability to save taxpayer dollars in road damage are excluded. If applied to all vehicles PBS will identify anomalies, particularly in bridge formula and static rollover testing. However, it seems that some want to move the goalposts, so to speak, in an attempt to make the square peg fit into the round hole, just to satisfy suspected self-interest.

It is timely to remind engineers involved in these projects who are members of the Institution of Engineers Australia and subscribe to their very own code of ethics of the details of the first tenet of that code:

Members shall place their responsibility for the welfare, health and safety of the community before their responsibility to sectional or private interests, or to other members.

For more than seven years this Labor government has allowed bureaucracy to ignore major new technological and manufacturing developments in road-friendly suspension and dynamic road sharing that could provide a major community and industry benefit for Victoria.

Multiculturalism: community support

Mr SCOTT (Preston) — I rise to support multiculturalism. Multiculturalism celebrates diversity and the right of free citizens in a free society to define themselves and their own identity. But multiculturalism can exist only within the framework of a free society and a democracy. Therefore support for multiculturalism should be based on opposition to traditional cultural practices which undermine the individual rights of women, children and minorities and total opposition to totalitarianism and violence as a form of political action.

Multiculturalism springs from the rule of law and our strong democracy, and it makes our society stronger. It deserves the support of all members in this place, but that support should be critical and should acknowledge that traditional cultural practices do not always conform with the democratic values of our society. On that basis, I believe we will make our society stronger and a better place to live.

Police: Hastings

Mr BURGESS (Hastings) — A police command review is being conducted of policing services at all Mornington Peninsula stations. The review committee's stated objectives include identifying areas of public concern and implementation of community ideas to improve service delivery. Under questioning at a public meeting on 30 May, the committee refused to rule out that the review was prompted by the amalgamation of the Springvale and Dandenong TMUs (traffic management units) and CIUs (criminal investigation units) and that Hastings may lose its CIU and TMU and could lose officers. However, the committee did confirm that the review would not provide Hastings with any additional officers.

A review that allows for a reduction in police numbers while making an increase impossible has more of the hallmarks of an attempted hatchet job on local police resources, which are already too low, than of any genuine review. I put the Bracks government and police command on notice that the Hastings community will not accept any downgrading of the Hastings police station or reduction in police numbers.

Eramosa Road West, Somerville: pedestrian crossing

Mr BURGESS — I wish to speak also about Eramosa Road West and to highlight the hazardous crossing conditions faced by pedestrians at Eramosa Road West in Somerville. This dangerous intersection is putting the safety of children and elderly and impaired persons attempting to cross the very busy Eramosa Road West to access schools and shopping facilities at grave risk. The pleas of the local community to the Mornington Peninsula Shire Council and the Bracks government to have this deathtrap rectified have fallen on deaf ears. By not providing a solution to this dangerous situation both the council and the Bracks government are playing Russian roulette with people's lives.

Dame Elisabeth Murdoch

Mr BURGESS — On another matter, on behalf of my community I would like to wish Dame Elisabeth Murdoch a speedy and complete recovery from her recent ill health.

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

Police: Project Clarendon

Mr HOWARD (Ballarat East) — Nearly a year ago a crime desk team was established at Ballarat as part of Project Clarendon, which has seen 23 crime desks established across Victoria. The crime desk concept involves establishing a special police unit to take full responsibility for attending crime scenes, taking photographs, doing the forensics and then following up. In Ballarat's case the crime desk team consists of nine members, four of whom were additional to the police staffing at the Ballarat police station. The establishment of the crime desk allows uniformed police to be freed up to undertake other proactive police work.

I note that a recent report provided to the Ballarat media states that the crime desk has been more successful in identifying offenders and bringing down crime levels in Ballarat, particularly in relation to burglaries. This not only provides a greater sense of security to residents but also ensures greater availability of police with the appropriate training to attend crime scenes and other events where a police presence is required.

I commend the police commissioner and others who have been successful in implementing this initiative. Under this government we have seen not only an increase in police numbers in Ballarat and across the state but also the implementation of numerous initiatives which have enabled police to address crime and community safety issues more effectively.

Water: Victorian plan

Mr JASPER (Murray Valley) — People living in north-eastern Victoria and in particular in my electorate of Murray Valley are totally opposed to the inappropriate actions of the Victorian government in piping water from the northern part of the state to supplement the water supplies of Ballarat and Bendigo, and its proposal to move water across the Great Dividing Range to Melbourne despite assurances from senior government ministers of major upgrading of water supply systems in the Goulburn Valley to provide greater efficiencies in water usage and delivery. People living in the Goulburn and Murray valleys, the food

bowl of Australia, feel rightly threatened. In particular the delivery of water for irrigation is an essential ingredient in high-grade food production.

I support urgent action to improve efficiencies in water delivery, including water recycling programs and encouraging conservation and wastewater treatment and reuse — a key element is the provision of the extension of existing water storages throughout the state — and the consideration of additional storages in strategic locations particularly for Melbourne and large provincial centres. In north-eastern Victoria it is critical that the state government builds the Big Buffalo dam and utilises land purchased over 40 years ago, and considers extending Lake William Hovell to hold water during rain periods and, of course, to supply irrigators, town supplies and environmental flows, and to back up the system as has been demonstrated by the massive Dartmouth Dam support for the Murray system during the recent drought conditions.

Millwarra Primary School: reading challenge

Ms LOBATO (Gembrook) — On Friday, 1 June, I had the pleasure of welcoming author Phil Kettle to Millwarra Primary School in Millgrove as part of the Premier's reading challenge. I was keen for Phil to visit Millwarra in particular because of the enormous effort the students and teachers had made in accepting my challenge to them to participate in the reading challenge, which can only be described as the greatest reading motivator.

Phil Kettle expanded again the children's newly found enthusiasm for books by explaining to the school how it was that he became an author. He recounted his childhood growing up in an isolated country area where his imagination was able to run wild, where he was the champion footballer as well as the cricketer putting on the baggy green, all in his own backyard. He showed the students the value of imagination. I was pleased to be able to donate 5 of Phil's 110 books to the school library, and I know there will be much competition in the library in order to borrow them.

The students were thrilled with the experience and have written letters to Phil Kettle to thank him for his inspirational visit. Their sentiments are reflected in this excerpt from one of those letters:

I would like to be an author and try to write a book. I was lucky enough, because I got to give you a handshake. Hope we meet again.

Your friend, Christian.

Congratulations to Millwarra Primary School on yet another inspirational educational feat.

Mornington lock-up: funding

Mr MORRIS (Mornington) — The issue I wish to raise this morning is the rapidly deteriorating state of the old Mornington lock-up, not the current Mornington lock-up which, despite being in excellent shape, was closed by the Bracks government last year. The original, circa 1859, is a rectangular, brick rendered building on bluestone footings with a timber floor and a tin roof and which contains two cells. The site is shared with the old courthouse and a modern police station. It remains the property of the state government. Landscaping works from the police station slope towards the building, directing stormwater towards the lock-up where it arrives at floor level.

As we all know old buildings and water do not mix. The timber floor is rotting and there is evidence of damp in the brick walls, probably caused by water pooling under the building. The render base coat is cracked and the finish coat is peeling. To top it all off, pigeons are roosting in the building not only causing mess but potentially health problems. I call on the Bracks government, through Heritage Victoria and the Minister for Police and Emergency Services, to provide funding to undertake these urgently needed works to ensure that this important and historic building — part of the original legal centre for the Mornington Peninsula — is not lost to future generations.

Western Heights College: debutante ball

Mr EREN (Lara) — I was very pleased to attend the Western Heights College debutante ball recently as the guest of honour. It was a fantastic night that everybody attending enjoyed. In the time that I have I would like to mention the people involved with this great evening. The organiser and teachers were Mr Dower, Mr Turnbull, Ms Rooney, Ms Maloney and Mr and Mrs Kavanagh.

The debutantes and their partners looked absolutely great. The flower girl was Millie Britton, and the page boy was Aaron Dedini. The debutantes and their partners were: Holly Wilson and Rick Lengyel; Jess Kocovski and Jackson Janev; Kristie Stoyanovski and Ben Jemmett; Sarah Qoon and Jake Mouat; Takarah Wescon and Jake McDonald; Hannah Winiecki and Andrew Leigh; Kate Worpel and Lochlan Colman; Jessica Britton and Tom Gibbs; Manon Hart and Ryan Trickey; Terri Faint and Kyle Gillett; Annika van Dalen and Ben Maton; Jess Collier and Brad Trickey; Christy Jose and Tim Wight; Sarah Eggert and Mitch Wight; and Belinda Saddler and Keagan Ring. It was a great night which everybody enjoyed. They all looked wonderful in their outfits. I congratulate one and all. I

was very pleased to be there and very honoured to be the guest of honour.

Buses: Frankston electorate

Dr HARKNESS (Frankston) — Improvements to a number of bus routes — routes 775, 779, 780 and 782 — in and around Frankston are now up and running. These are part of the \$1.4 billion overhaul of Melbourne's bus services announced in May 2006. The extra services are a significant boost for people living in Frankston, Seaford, Carrum and the Western Port area of the Mornington Peninsula, particularly those who might rely on these services to connect them to the metropolitan train network. Over the next 10 years \$646 million will be spent improving services on local bus routes. The Bracks government is committed to providing — —

The DEPUTY SPEAKER — Order! The member's time has expired. The time for members to make statements has now ended.

MATTER OF PUBLIC IMPORTANCE

Water: Victorian plan

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

That this house congratulates the Victorian government for building on the magnificent water-saving efforts of Victorians with its visionary \$4.9 billion investment plan to give water security to Victoria, help with climate change and enable our population and community to continue to grow.

Mr HUDSON (Bentleigh) — It is a great pleasure to speak on this matter of public importance because yesterday the Bracks government announced the biggest water plan for Victoria in over 25 years. What the government announced was a \$4.9 billion plan which will grow the whole state and which will deal with the challenges of climate change and make sure we have a secure water supply for all Victorians. This builds on what we have been doing over the past few years. Melburnians, through their water-saving efforts, have saved over 100 billion litres of water each year, which is equivalent to twice the water produced by the Perth desalination plant. Melburnians have committed themselves to that water-saving effort. They needed to, because the water inflows into our reservoirs last year were 165 gigalitres, compared to a long-term average of 588 gigalitres.

We recognise that drought has been a factor. However, we on this side of the house also recognise that climate change is increasingly a factor in variable and uncertain rainfall. The CSIRO reports that there will be less rainfall in the future and that it will be far more variable. That means there will be less water flowing into our rivers and reservoirs — a point which seems to have escaped the opposition, which at the last election proposed the Arundel dam on the Maribyrnong River. Even in the best rainfall conditions, that dam would only have held 17 gigalitres of water. In the current conditions it would be bone dry. I think the member for South-West Coast blew the whistle on that proposal when he said it was really a stormwater retardation basin — it is not a dam, it is a stormwater retardation basin. Of course at the moment it would be completely empty.

With the growing Victorian economy and a growing population we can no longer rely on a natural cycle of rainfall. That is why we are investing this \$4.9 billion in a desalination plant, in funding major irrigation upgrades in the Murray-Goulburn region and in expanding the Victorian water grid. These projects will deliver a 50 per cent increase in Melbourne's water supply within five years. They will increase the total supply of water available to Victorians by 375 billion litres each year. It will be the largest desalination plant in Australia. It will be completed by 2011, and it will provide water, not only to Melbourne —

Mr K. Smith interjected.

Mr HUDSON — but also to Western Port and Wonthaggi. I hear the member for Bass Coast interjecting. I would have thought that would be a point welcomed by the member for Bass Coast. This 150 billion litres a year will be a 30 per cent boost to Melbourne's water supply. What the opposition was proposing was a Mixmaster by comparison. The Liberal Party was proposing a 50 billion litre water desalination plant. It costed this proposal at \$400 million and said it would cost \$20 million to run.

When you go to the Liberals costings for the election, you find that they did not have the courage of their convictions. When you go to the costings you find that for 2006–07 they allocated \$7.1 million; for 2007–08 it was \$2.9 million; and from there through to 2011 there was nothing in the costings. There was no capital and a very small amount of money for a feasibility study. The Liberal Party at the last election said it was going to build a desalination plant, but there was no money for it whatsoever!

Where would the Liberals locate this desalination plant? During the election they said they would locate the desalination plant on the west of Port Phillip Bay near Werribee — —

Mr K. Smith interjected.

Mr HUDSON — It did! Or at Western Port. The member for Bass Coast has amnesia, but I invite him to go to the policy and read it, because that is what it says.

Let us look at what the feasibility study, done for the government by GHD, has to say about the location of that desalination plant. It says that Western Port and Port Phillip Bay are inappropriate locations because they are shallow bays and they have slow water circulation — and in the case of Werribee, poor water quality. In addition, in Western Port Bay there are the Ramsar wetlands, major shipping movements and mangroves. The feasibility study done by the experts says that the proposed sites put forward by the Liberal Party are not the right places for a desalination plant. What we had from the Liberal Party was a half-cocked, half-baked and underfunded, if not unfunded, proposal for a desalination plant which was all dressed up for the election to mask the fact that the Liberals did not have a decent water policy. Instead they had a stormwater retardation basin and a feasibility study for a desalination plant.

Desalination plants use a lot of energy. We are conscious of that, and that is why in this proposal we have committed to ensuring that the desalination plant will be powered by renewable energy. That renewable energy will be in addition to the Victorian renewable energy target of 10 per cent that we have established. This will in fact lift the Victorian renewable energy target to 11.5 per cent. That is another distinguishing point between us and the Liberals, because the Liberals are not committed to a Victorian renewable energy target. In fact they do not support a renewable energy target.

The Goulburn-Murray food bowl modernisation project is the second major element of what we have announced yesterday. This is a plan for growing the whole state. It promotes a once-in-a-lifetime opportunity to upgrade the grossly inefficient Goulburn irrigation district and to stop the massive water losses that are caused by leaks in the irrigation infrastructure in that area. Together the Goulburn and Murray irrigation systems currently account for over 70 per cent of Victoria's water and provide 3500 gigalitres of water each year for irrigation.

But we also have 900 gigalitres of losses through evaporation, seepage and antiquated irrigation infrastructure delivery systems. The food bowl modernisation project proposes to recover about half of that lost water in the long term. In the first stage the Bracks government will fund water projects that will deliver savings of 225 billion litres a year. This is new water that will be shared evenly between irrigators, Melbourne households and rivers.

This proposal is supported by irrigators in the region, unlike the opposition. This is what John Corboy, leader of the food bowl group, is reported as saying about this proposal yesterday in the *Age* when he described it as a win-win scenario:

What we're talking about here is not a quick fix to the system, we're talking about a total redesign ... This is about governments taking real initiative to set this region up for the next 50-60 years.

Later in the article he is quoted as saying:

What we're talking about here is not water that irrigators presently have, but new water. What we know is that with a significant injection of funds we can make our system more efficient and save 450 gigalitres of water, of which only 16 per cent is designated for Melbourne.

Mr Corboy understands what the Liberal Party and The Nationals do not. This is new water; it is not water that is currently available to irrigators and farmers. It is water that is lost through evaporation, seepage and leakage in the irrigation system, and it is water that will be delivered back to our rivers, irrigators and households in Melbourne. It is a once-in-a-lifetime opportunity to revamp the grossly inefficient Goulburn-Murray irrigation system and set the region up for the future. It is going to provide a new source of water for that region to grow our food bowl. The money would not otherwise be invested in this system, yet opposition members are saying that they do not support this investment. They do not want to see water delivered to the Goulburn-Murray region because they do not want to see any of that water going to Melbourne.

This is quite interesting, because the national water initiative, which the Liberal Party and The Nationals signed up to very quickly, would have allowed the commonwealth to divert water to New South Wales and South Australia. They signed up without a whimper. They were very happy to see Victoria's water going to Adelaide. But when we talk about Victoria's water being shared around the region to its best and most effective uses and talk about investing in savings to produce more water for the region, they are opposed to it. They do not seem to have a consistent position on

this. Both the Liberal Party and The Nationals have previously expressed support for the concept of sharing additional water gained through savings. I notice that the member for Swan Hill is at the table. This is what that member said in the *Advertiser* on 21 September 2006:

The Nationals have said any water taken from the Goulburn system for Bendigo and Ballarat should come from genuine water-efficiency projects.

The member for South-West Coast said:

The Liberal Party has promised to force towns and cities to invest in irrigation infrastructure as a condition of taking water out of rural communities ... Dr Napthine said under a Liberal government any water transferred for urban use would have to come from water savings projects.

That was a quote from the *Weekly Times* 15 July last year. Both the Liberal Party and The Nationals have previously said that it is quite okay to produce water for urban areas so long as it is done through genuine water savings and water-efficiency projects. They are quite happy to see that happen. But this is the first test of that — a government saying we are going to invest significant amounts of money in those water-efficiency projects — and they say they are opposed to them and do not want them. They are condemning their areas to inefficient irrigation systems and limited water into the future.

We are creating new water that will be used into the future both in Melbourne and the Goulburn-Murray region. Malcolm Turnbull of course, along with the Liberal Party and The Nationals, was very happy to see Victorian water go to Adelaide, but he does not want to see water-efficiency projects funded in Victoria to benefit Victorians. Yesterday he launched into the paper and said the federal government would not fund this project or have anything to do with the Goulburn-Murray food bowl modernisation project. He is very happy to see water go to Adelaide but not to see it kept in Victoria.

This project will not only deliver the biggest irrigation upgrade ever, it will lead to an expansion of the Victorian water grid. We are also proposing to build 250 kilometres of new pipelines that will boost Geelong's water supply by 50 per cent, connect Hamilton to the Grampians system and Western Port and South Gippsland to the desalination plant. These connections, along with the goldfields super-pipe and the Wimmera-Mallee pipeline, will create a new network of almost 10 000 kilometres of pipe. It will allow water to be transferred between water systems. It provides a mechanism and maximum flexibility for water sharing across the state between regions in the

face of increased rainfall uncertainty and uncertainty about the level of storages we will have in our different reservoirs. This is a great proposal, and I commend it to the house.

Ms ASHER (Brighton) — I also wish to participate in this so-called matter of public importance. I note that the Minister for Water, Environment and Climate Change is not here to participate in this debate. The minister is the biggest loser in the \$4.9 billion investment plan that we are debating this morning. He is the biggest loser, because this is not his plan. He has been rolled by the Treasurer.

Everyone knows that the Treasurer wanted to be the minister for water. The Treasurer was more than happy after the last election to let all the media know that he wanted the job as minister for water. What the Treasurer has done is simply assume that job for himself and take over the water program. It is well known that the Minister for Water, Environment and Climate Change did not want a desalination plant and did not advocate the north-south pipeline. Government spokesmen always tell the truth, do they not? In an article in the *Herald Sun* of 14 November 2006 the minister's spokesman, Geoff Fraser, in rejecting a desalination plant, said:

Before the election the government released its strategy for securing Victoria's water supplies.

The eastern recycling project ... was our preferred option.

Everyone knows that the Minister for Water, Environment and Climate Change preferred the eastern recycling project, the Latrobe Valley project, but has been rolled by the Treasurer. I want to make a brief reference to the failure of the Minister for Water, Environment and Climate Change to be here to debate this matter of public importance this morning.

Mr Hulls interjected.

Ms ASHER — Indeed he is in Wonthaggi. I make the point that these Labor ministers are becoming more and more contemptuous of the Parliament. Not only did the minister refuse to answer any questions yesterday — he just point blank refused to answer questions at question time — but he is now in Wonthaggi for a photo opportunity instead of being here in this Parliament. It may not be apparent to him that he has been elected to be a member of Parliament and that he is a minister of the Crown and should be here for an important debate such as this and not traipsing off to the member for Bass's electorate for photo opportunities.

I also make the observation that there was nothing whatsoever for water in the budget. We now know why the Minister for Water, Environment and Climate Change had not been doing his job to think up some water projects, investigate them and so on. The fact is the minister prefers the role of a taxpayer-funded snow bunny; that is the role he has wanted to assume over many years. This minister does not understand that he cannot use taxpayers assets for his own private use and, more importantly, that Victorians are suffering as a consequence. He has not investigated a range of options, and we now have this so-called plan being announced at the very last minute.

What have we got for this plan that is the subject of a matter of public importance? We have \$4.9 billion, but that is what consumers will pay. The state government will make a contribution of \$630 million, as it appears from the documentation, but the bulk of the so-called grand plan of \$4.9 billion will be paid by consumers. What we do have is an advertising campaign, a huge advertising campaign — television ads, newspaper ads, red helicopters, the Premier again and the whole lot. We have an advertising campaign and we have a Bracks tax on failure and inaction. We have a tax on water that consumers will be paying for years and years and years. No water will be delivered from this plan until 2010 or, in the case of the desalination plant, 2011. What we have seen is a last-minute panic by the government. It has adopted desalination, something it ridiculed previously, and it has adopted the north–south pipeline, an idea that has only emerged in the last few months.

I want to touch on the desalination plant. This plant will, when constructed, provide 150 billion litres for Melbourne, Geelong, Western Port and Wonthaggi. The plant's estimated total cost is \$3.1 billion, with the government contributing nothing and asking consumers to pay for it via their water bills. The plant will not be completed until 2011. I also make the comment that a desalination plant was of course Liberal Party policy prior to the last state election. The government at that stage did not support that policy. We received leaked documents showing that the government had abandoned that desalination plant.

Let us see what the water minister said on ABC radio's AM program on Tuesday, 14 November 2006. The minister said that the desalination plant 'is ill thought out and will have environmental consequences'. That is what the minister said about desalination. On 13 November 2006 the Premier was reported in an interview in the *Herald Sun* as saying that he was opposed to desalination. He said:

The energy generation is enormous, the intrusion on the community is enormous and, of course, it's extraordinarily expensive ... what a hoax it is.

That was the Premier's view on a desalination plant — it was a hoax. Now we see in yesterday's press release the Minister for Water, Environment and Climate Change saying:

Desalination is a drought-proof, guaranteed water supply independent of rainfall or climate change ...

We have seen substantial change from the government in its view on desalination. I also make the point that the location in Wonthaggi was a 1975 plan produced by the Hamer government. Obviously the government has just dusted off a 1975 plan. More problematic for the government is who will fund it and the role of the private sector. Can it be a part public-private partnership (PPP), or can it not? Clearly the government has some stated views on the ownership of water, and it has an appalling track record on the use of PPPs in the water industry. One of the proponents went broke in a project and had to be replaced. We will see how the government deals with any private sector involvement in this plant.

I also make the point that the government's announcement is incredibly tardy. In Western Australia a desalination plant is already operating and a second one has been announced. In New South Wales the contracts for the pipes for the desalination plant at Kurnell have already been let. In Queensland the Tugun plant is well under way. South Australia already has two small desalination plants and is building one in the Upper Spencer Gulf now. I make this observation: do not be misled by the release of the feasibility document yesterday, because that was of course the subject of a freedom of information application by the Liberal Party.

The second element of the plan announced yesterday was the north–south pipeline, a very recent idea and one that the Minister for Water, Environment and Climate Change did not embrace. The detail of that is in the documentation supplied by the government. Stage 1 is estimated to cost \$1 billion, with \$600 million coming from the state government and an unspecified contribution from Melbourne Water and Goulburn-Murray Water. The government is claiming that by 2010 there will be 75 billion litres of water available for Melbourne and that there will be a 50 per cent increase five years after that. The point I want to make is that the member for Bentleigh should go to Eildon, which is at 8 per cent. The government is proposing to pump water from a dry dam, and as a city-based person I express my disbelief when the

government's program clearly indicates that Melbourne will have priority over the water savings for the irrigators. I find that, even as a city person, unbelievable in terms of the government's priorities.

The third element of the government's announcement yesterday is the water grid — a vast array of pipelines as a consequence of the desalination plant, as a consequence of the north-south pipeline and as a consequence of the government's desire to have Geelong accessed to the Melbourne water supply and the project involving Hamilton and Grampians Wimmera Mallee Water. I make the observation that the government contribution is small — \$20 million in the case of Geelong and the bulk of the \$60 million remaining to be provided by consumers.

In the Hamilton project the state will make a contribution of \$10 million, with \$20 million being provided by consumers. In terms of water pricing the government is arguing that the average Melbourne bill will double. In the area where I live, the top rate for water is around \$1.55 per kilolitre. I will be interested to see whether we can have an guarantee from the minister that there will be a doubling and no further, but I doubt that that will be the case.

I also make the point that the government is the key beneficiary of any increases in water prices, because it takes dividends from the water authorities as determined by the Treasurer on an annual basis. Last year the three Melbourne retail water authorities under Melbourne Water gave the government a dividend of \$207 million. I would again ask: does the government intend to use this money from dividends for water projects to ease the burden on consumers, or is it going to continue what it has been doing, which is pocketing the dividends for other expenditure?

I also refer to the government's performance. It says that the desalination plant will be completed by 2011, but every single major project undertaken by this government is or has been either late or over budget, or both. On the government's track record, the chances of this project getting up by 2011 are slim. What we will have are stage 4 restrictions in Melbourne, and Melburnians will pay more. More buckets and bigger bills are what this government is giving Melburnians until some of these projects manage to come on line.

In summary I make the observation that this announcement is very late. A series of announcements should have been made years ago by the government. These water projects should have been announced when it put out its initial glossy brochures and ads and whatever. This project is not the minister's plan, it is the

Treasurer's plan — and he has intervened because of the minister's incompetence. The Minister for Water, Environment and Climate Change has not done his job. There will be no additional water for Melbourne, even on the government's forecasts, until 2010, and the desalination plant will not be in operation until after the next election. The greatest example of failure in this government is the minister for water. He has swanned around the countryside doing a range of things — anything other than announcing water projects — and we now find out what he has really been doing, which is acting as a taxpayer-funded snow bunny. I would refer members to the *Macquarie Dictionary* and to the definition of 'snow bunny':

... a young woman in whose mind the social events at a ski resort figure rather more than skiing.

I note the minister's insistence that he was not on holiday and that he was in fact working, which would mean that he would qualify as a snow bunny. I would urge the editors of the *Macquarie Dictionary* to expand their dictionary to make the definition gender neutral so as to include men, especially the likes of the minister for water, who seems to have spent most of his time as minister for water cavorting around ski resorts and taking taxpayer-funded accommodation and not doing his job as minister.

If the minister for water had done a half-decent job, these announcements would have been made in 2002 or 2003 and a desalination plant would have already been built. The desalination plant in Perth is already built and functioning, and if you had gone to Perth over summer, you would have seen that the sprinklers were on and there were no water restrictions. Instead in this state we have had to suffer an incompetent minister with broader interests who should have been concentrating on his portfolio. As a consequence we have no major water projects, we have serious water restrictions across country Victoria and we are about to get level 4 restrictions in Melbourne — and what will happen to taxpayers? What will simply happen is that the price of water will increase and we will all pay for this government's inaction and, in particular, this minister's incompetence.

Mr STENSHOLT (Burwood) — I rise to support the matter of public importance, because water is fundamental to our survival and our prosperity. Water and its availability continue to be a central theme in Australian and Victorian history. Indeed water is central to our prosperity. We need it for our very lives. We need it for our industry, we need it for our farms and we need it for our daily living as well as for our culture. It forms a very important and essential part of our

historical connection to the land and is a key determinant of our way of life here in Australia.

One of the key elements of all that is its historical scarcity. That scarcity has been brought to the front and centre of our consciousness — it underlines our concerns, economically, social and environmentally here in Victoria — by the worst drought in our history and by the lowest flows ever in our catchments in 2006.

What is required now are not glib comments about snow bunnies. What is required now is a long-term vision to secure Victoria's and Melbourne's water supply. What we need is an economically responsible vision that goes hand in hand with fiscal responsibility and management, economic growth, balanced budgets, a AAA rating for Victoria's economy, continued prosperity and jobs for Victorians, investment in our infrastructure and the development and retention of skills here in Victoria. What we need in Victoria is a socially responsible vision that secures a basic community right such as water, makes water available for our growing population and ensures there are good checks and balances in the system that allocates and prices that essential service. What we need here in Victoria is an environmentally responsible vision that secures the future of our rivers, ensures adequate flows in our streams, promotes renewable energy and helps control and reduce greenhouse gas emissions.

We have that vision now in the next stage of the government's water plan, Our Water Our Future, which I will briefly summarise. This is a \$4.9 billion statewide investment in water to secure Victoria's water. It promises to build one of the world's biggest desalination plants by 2011. It is going to provide Australia's biggest ever irrigation upgrade of the food bowl. It will provide 375 billion litres, or gigalitres, of new water and with it a 50 per cent boost to Melbourne's supply and a 50 per cent boost to Geelong's supply. It will provide 250 kilometres of new pipes as well as water for regions such as Hamilton, Western Port and South Gippsland.

Let me talk a little more about the economic investment in water. I note the member for Brighton was talking about investment and about dividends, and I will come back to that in a moment. Under the Bracks government there has already been a massive investment in water and water catchments of nearly \$6 billion since 1999. I will provide some more details on that in terms of Victorian government direct expenditure between 2000–01 and 2006–07. I am talking about spending in terms of operating expenditure — but mainly investment — of \$1.691 billion, and you will find that in the budget

papers. You will also find that just over \$1 billion has been spent in terms of catchment expenditure since 1999–2000. That is a total of \$2.772 billion, and it is a massive investment in terms of Victorian government commitments. I should also mention that it includes an Our Water Our Future environmental contribution of \$165 million. You need to add to that a further \$3 billion in terms of the investment by water authorities in infrastructure, given the works that they undertake.

The member for Brighton talked about dividends, which we have discussed in the past. She mentioned a dividend of \$207.3 million in 2005–06 from metropolitan water businesses. The dividends paid between 2001–01 and 2006–07 totalled \$1789 million. This compares, as I mentioned before, to nearly \$2.8 billion in Victorian government direct expenditure on water as well as water catchments. Saying that this money has just been pocketed by the Victorian government is totally incorrect. We have spent over and above the dividends. We have put them into water and put more money into water catchments here in Victoria.

I note for the record, to help the member for Brighton understand these matters, that between 1996–97 and 1999–2000 far more dividends were paid from the Victorian metropolitan water businesses than have been paid in the last few years under this government. For example, in 1998–99 payments totalled \$269.529 million, and in 2004–05 payments were \$161.8 million. However, we have invested and continue to invest in water. If members opposite want me to go through some of the projects, I would be more than happy to do so.

Honourable members interjecting.

Mr STENSHOLT — We are providing them. We have already committed \$300 million for the eastern water treatment plant, \$80 million for the Tarago Reservoir reconnection, \$17 million for the Surbiton Park water recycling project, \$2.6 million for the Nillumbik sportsgrounds stormwater initiative, and \$4.1 million for metropolitan stormwater project grants.

Let us look at rural supplies — and I am sure some of my colleagues will talk about these projects. We have committed \$60 million for the Lake Mokoan decommissioning, including the Tungamah pipeline; \$98 million for the goldfields super-pipe Bendigo interconnect; \$180 million for the goldfields super-pipe Ballarat interconnect; \$522 million for the Wimmera–Mallee pipeline — and I remember that The Nationals at the federal level had to be dragged kicking and screaming to support it; \$23 million for

the implementation of the water channel automation technology; and \$16 million for the strategic measurement program using channel automation across the Goulburn–Murray irrigation area. And of the \$86 million from the irrigation sales package and Living Murray initiatives, \$56 million has been committed to infrastructure upgrades and \$30 million has been committed to dam safety and headworks improvements.

Honourable members interjecting.

Mr STENSCHOLT — I could go on, because there is another page here. There is an enormous amount of money being spent on water projects. The \$4.9 billion program that we have here includes, as I have mentioned, the desalination plant, which will provide 150 billion litres of additional water each year and will be built at a cost of \$3.1 billion.

The food bowl modernisation project, which will cost \$1 billion for the first stage, includes state government funding of \$600 million and contributions from water authorities. We have asked the federal government for money, and I have asked The Nationals. I am sure The Nationals would like to put some money into irrigation infrastructure in that area, and I hope they will support it. I throw down a challenge to the Leader of The Nationals to go to Canberra and ask his federal colleagues for some money.

With regard to the Sugarloaf Reservoir pipeline, \$750 million will be paid through the Melbourne water companies and passed on to customers in water charges. The expansion of the Victorian water grid through the Geelong–Melbourne pipeline, as it has been mentioned, will cost \$80 million, with \$20 million coming from state government funding. The expansion of the grid through the Hamilton–Grampians pipeline is budgeted to cost \$30 million, with \$10 million coming from state government funding. The eastern treatment plant will be upgraded, which I have mentioned already, at a cost of \$300 million. We are also continuing with the business case in that project.

In terms of what is coming up in the near future, there will be an additional 15 billion litres a year from reconnecting the Tarago Reservoir to Melbourne's water supply, and 13 billion litres a year — that is, 13 gigalitres — from mandatory measures for the largest 1500 industrial water users and other industry programs. That is a new investment. I noticed that the Leader of the Opposition asked, 'Why doesn't the state government put more money in?'. It is interesting that we have similar attitudes to this. The state Liberal Party provided only \$25 million for the Arundel puddle in its

policy document. It is normal that the significant costs associated with providing more water be paid through water charges. That is consistent with current practice and with water pricing under the national water initiative, which all the state governments and the federal government have signed on to. This is a magnificent vision for Victoria, and I commend it to the house.

Mr RYAN (Leader of The Nationals) — This matter of public importance demonstrates once again that self-praise is absolutely no recommendation. The policy announced by the government yesterday has two essential elements. One is the desalination plant, and we support the general principle of that. We are yet to get the proper details on it, so we do not know enough about it, but the general principle of building a desalination plant is something that, unlike the Labor Party, we have always supported. The other element, of course, is the north–south pipeline. There are other aspects of this total package, but they are the two essential elements.

We trenchantly oppose the north–south pipeline, and it is to that issue that I wish to direct my comments today. The Labor Party has some very good policy, and I want to read part of it to the house. The discussion paper entitled *Sustainable Water Strategy — Central Region* that was published by the government in 2005 states:

Government policy is to not consider major transfers of water from north of the Great Dividing Range to Melbourne — the government does not support Melbourne water retailers taking water from irrigators north of the Divide.

It also states:

Some of the proposed new reservoirs would require major transfers of water from north of the Great Dividing Range to Melbourne, which is also not government policy.

And on it goes. It is a very good policy, and we strongly support it. Indeed it is supported by Labor Party members. I have an edition of the *High Country Times* of Wednesday, 30 August last year, which reports comments made by that esteemed former member for Central Highlands Province in the other place, Rob Mitchell. The article states:

Mr Mitchell confirmed that the state Labor government will not trade water from Eildon to meet Melbourne's needs.

'Only Labor's policy has ruled out sending our water to Melbourne to overcome any water shortage concerns', said Rob.

Good old Rob! We see him around the place here these days. He is one of about a dozen former members who, having been beaten at the last election, are now on the

payroll and whose wages are being paid by the taxpayer.

Dr Napthine interjected.

Mr RYAN — And he is a candidate at the federal election. We have a Labor candidate for the federal election saying that this aspect of Labor's policy in Victoria is a dog — and he is absolutely right. It looks like a dog, it barks like a dog and it is a dog.

This is Melbourne Labor at work. This is Labor at its best. The end here is to get water to Melbourne. That is the basic aim: to get water to Melbourne. But the argument for keeping water in country Victoria is absolutely compelling. It is the last of the great natural assets that we have available to us in country Victoria. It is one of the great competitive edges that we have. It is imperative not only now but for our future development and for future generations, and that it is the Minister for Regional and Rural Development who is driving this makes it all the more a disgrace. He talks about new water. Those of us who were at the VFF (Victorian Farmers Federation) function last night heard the crowd laugh at him when he talked about new water. And why would they not laugh at him? It is a laugh. If it were not so serious, it would be a laugh.

The real reason why this government has failed to sign on to the national water plan is now clearly revealed. The fact is that, if the government signs it, it knows there is no water for Melbourne. That is what those opposite know. They know the federal government has committed to providing money to the Goulburn system. The federal government has made it very clear that there will be plenty of money for the Goulburn system for infrastructure needs — no problem. The federal government has also made it very clear that the savings that are achieved out of the infrastructure work that goes in will be divided equally between the irrigators on the one hand and the environment on the other. There is the sticking point. This lot know that if they sign up to the national water plan, their idea for getting water out of the Goulburn system and over the Great Dividing Range to Melbourne will be shot. That is what is driving their opposition to signing up to the national water plan.

That is also why they have structured this idea in two stages. The minister has been very careful to say they are going to fund the first stage of this, the first billion bucks, because that will enable them to pillage the water out of country Victoria. Then he says the federal government can fund the other billion dollars, but he knows even as he says it that the federal government will not do that, and he knows it because the federal

Minister for the Environment and Water Resources, Malcolm Turnbull, sent a letter to The Nationals on 11 April this year confirming that to be the case. I seek leave for that letter to be incorporated, Acting Speaker. I have checked it with Hansard and the other parties.

The ACTING SPEAKER (Mrs Powell) — Order! Has it been checked with the Speaker?

Mr RYAN — Good point, Acting Speaker. I will incorporate it on another occasion. The letter confirms that the commonwealth government is prepared to put money in, but the savings will remain in the Goulburn Valley. The letter readily confirms that, and that is the thing that brings this Labor government undone.

The other furphy being peddled by the Premier is in relation to the position of South Australia. He did it again yesterday in answer to a question from me. He finished by saying that The Nationals would prefer water going to Adelaide than to Melbourne. That is what he said. That is an absolute furphy, and I can tell the house that with assurance.

I spoke this morning to the Minister for Water Security in South Australia, and she told me what is in fact the case — that is, that from the environmental savings that are being achieved South Australia wants a couple of hundred gegalitres of water to go down to the Coorong, which is a Ramsar site falling under the administration of the commonwealth. That is what South Australia wants. It does not want more water for Adelaide. It does not want more water for consumptive use. It is not asking for more water in relation to its agricultural industries. This complete furphy, which continues to be peddled by the Victorian state government, is nothing more than part of the ongoing tissue of lies which has been behind its refusal to sign up to the national water plan.

The government ought to sign and get on with it, because if it did, there would be an enormous amount of money available for the Goulburn system provided by the commonwealth, but provided on the basis that the savings would stay in the system and be divided equally between the irrigators and the environment. In the end that is the sticking point for this government. It will do anything, it will say anything, it will talk to anybody and it will use its influence — and it will do so unashamedly, as it has been doing in this last 24 to 48 hours — to flog people where it thinks it appropriate to achieve what it wants.

There are other issues pertinent to all this. There are a number of people, individually and in groups, who have been absolutely and utterly conned by the government

throughout this whole saga. There is a group of terrific people in the Goulburn Valley, including John Corboy, Ross McPherson and various others, who are the foundation of proposing this initiative to the government. These are terrific people who do great work on behalf of their community, and I commend them. With the greatest respect to them, though, they have been absolutely conned in relation to this issue, because as I have already explained, the fact is that this government's proposal was always to get water to Melbourne, and it is prepared to do anything to achieve that.

The government even to this day is holding up proposals in relation to the national water plan, going through the legislation line by line and word by word, doing everything else but cooperating with the other states — and the federal opposition as well, I might say — and being terribly careful and finicky about it. But when it comes to this proposition, on which the VFF is supposed to be consulted and is supposed to be advised as to what is going to happen — the whole thing is not supposed to go ahead until the VFF supports it — we now have the VFF asking, 'How has this occurred?'. The Premier went out there yesterday with about half an hour or an hour's notice and told the VFF that it is going to happen. The VFF has also been conned.

We have the advantage of sitting opposite this bunch every other day. We know how they work. We know how they go about it. We know what they do and what they are capable of. We have that enormous advantage. I say to these various communities that they need to rise up in relation to this now. There are great people like Frank Malcolm, the mayor of the Shire of Moira, who had the courage of his convictions and spoke out, and he copped a whack for it yesterday from Minister Brumby's department. Good on him and more power to his arm. The other municipalities ought to be doing the same. They ought to stand up and talk against this, because that is an imperative for the future of country Victoria.

Water cost Labor two seats in Gippsland at the last election. Labor lost two seats: we won one and the Liberals won the other. It was the member for Mildura who said, as Mark Twain did, 'Whisky is for drinking, water is for fighting over'. Well, the fight is on.

Ms DUNCAN (Macedon) — I have great pleasure in contributing to the debate on this MPI (matter of public importance) this morning. I am pleased to say that the Labor government has a lot more confidence in the VFF (Victorian Farmers Federation) and in our rural communities. We do not consider that they are

misguided. We do not consider that they have been conned. We believe they understand a little more clearly than the Liberal Party and The Nationals do. The big difference between people on the land and those people in this chamber is that people on the land are not seeking to play politics in the way in which political parties do in this chamber, and we thank goodness that that is the case.

I have been most pleased listening to the debate today and to the Liberal Party last night on the news and again today. It is clear how embarrassed Liberal members are by the announcement the government made yesterday, because they know that the key components of this announcement, including the desalination plant, demonstrate very clearly how far off the mark the Liberal Party was at the last state election. We announced a desalination plant that has something like triple the capacity of what the Liberals were proposing, and it has actual, real costings applied to it.

Dr Napthine — That's a lie!

Ms DUNCAN — We now hear the Liberal Party squealing. That just shows the difference between the Liberal Party's proposal, its little 'Mini-Me' desalination plant, and the one announced yesterday. Of course there is no better way of illustrating —

Honourable members interjecting.

The ACTING SPEAKER (Mrs Powell) — Order! Members will allow the member for Macedon to make her presentation.

Ms DUNCAN — I guess there are two clear illustrations. There is the comparison with the Liberals' proposal. I think the word 'proposal' with regard to their desalination plant actually overstates what they had in mind, because 'proposal' suggests that there has been some thought and some planning. Theirs was barely a proposal. It was a statement made by the Liberal Party. I think at that stage the Liberals were proposing to build a plant at Hastings or Werribee. We now know what a disaster that would have been, and we know about its capacity and costing. They had suggested it would cost \$400 million in total, even though they had only allocated some \$10 million for it. We know it was completely underfunded. It was not going to meet the future water needs of Victoria, and the Liberals had no idea where to put it.

We had this sort of half-baked announcement of a desalination plant. They did not know where it was going to go, they did not know where they would put it, they did not know what it would cost and they did not say when it would happen. They felt that this was a

popular announcement to make in an election campaign and that it would put a lot of pressure on the government to make a similar announcement. The government understood very clearly that there was still much work to be done to know where a desalination plant would go, what it would cost and what benefits it would bring, and it would not be forced into making a populist announcement such as that made by the Liberal Party at the last election.

Nothing illustrates that better than the announcement of the Arundel dam. That was the classic example of policy on the run. They were running around like chooks with their heads cut off, saying, 'We have got to say something. We have got to make some announcements to be seen to be competitive with the government'. So they came up with this Arundel dam proposal. This proposal had been made in the 1970s — it was rejected. It had been made in the 1980s — it was rejected. It was suggested again in the 1990s — it was rejected. It was suggested again in 2000 — it was rejected. For four decades this proposal has been rejected, but what did the Liberals do?

In their desperation to say something on water and to try to distinguish themselves in some way from the Labor government, they announced it as something they would do. Of course we know that it would never have done anything; it was not a dam, it was a flood mitigation proposal. While this state was in the worst drought in this country's history, with the lowest inflows on record, and while this government was working to manage the drought, the Liberal Party was preparing for a flood. It was a beautiful contrast, and fortunately the people of Victoria saw through it.

As I have said, the Liberals committed \$10 million to their desalination plant. They said it would provide 45 gegalitres of water, but we know now what a hopeless suggestion that was. They said it would be at Hastings or at Werribee, and now we have Mr Baillieu saying, 'You do need to dispose of the brine in a non-estuary situation' and 'I do not think the bay is the appropriate place to do that. It should be to an ocean outfall'. That was in May of this year, but that is certainly not what he was saying in the lead-up to the state election.

In terms of issues like closing Gunnamatta, members of the opposition say they will close Gunnamatta, but they cannot tell us how they would do that or when they would do that. Even with things as simple as water restrictions, goodness knows where members of the Liberal Party stand. They are all over the shop on this issue, and the Leader of the Opposition seems not to be able to make up his mind on restrictions. He says that

stage 3A restrictions have not worked, but he then says that the reason the Thomson Dam did not need pumping when his 60-day deadline was up was the effectiveness of the stage 3A restrictions. This is again a clear example of how the Leader of the Opposition is very confused on all these issues.

He also says that if stage 4 is good enough for the country, it should be good enough for Melbourne, but then he will not clearly answer direct questions about whether he thinks we should go to stage 4 or not. The only contributions opposition members make are to scaremongering. We had the Leader of the Opposition just over 60 days ago scaremongering about the Thomson Dam needing to be pumped by now because we would be running out of water. Again he has been wrong about all of it.

On all the issues for which this government has had a very long-term and consistent plan since 2000, the Liberal Party and The Nationals have just chopped and changed. They do not know where they stand. We can hear the way they are squealing here — and their response during question time yesterday was a classic. They were patting each other on the back and somehow suggesting that what was announced yesterday resembled in some way, shape or form what they had proposed prior to the 2006 election. The detail of the announcements made yesterday clearly highlights the contrast between what the Liberal opposition was proposing at the last election and what this government is now getting on and doing.

It is always interesting to see the Liberal Party's stand on the environment generally. The entire environment budget the Liberal Party proposed at the last election was \$137 million. That was to cover climate change, parks, forests and water over four years. That is less than this government is spending in this year's budget on water projects alone. While Liberal Party members suggest that they care about the environment and have thought about water, what we saw was no planning and no costing. They wanted to make an announcement because they thought it would sound good. They wanted it to appear that they knew what they were doing, and they just made any announcement. The Arundel dam proposal that had been rejected for four decades was taken up by the Liberal Party. Fortunately everyone saw through that project, as the public in Victoria showed when it re-elected the Bracks government.

In terms of the Liberal Party's proposed desalination plant, if it had been put at Hastings, we now know what damage that would have done to our Ramsar wetlands and the United Nations Educational, Scientific and

Cultural Organisation biosphere project while still not providing enough water for Melbourne. The announcement by the water minister for the Bracks government yesterday clearly demonstrates to the public the contrast between the government and what the Liberal Party was proposing — policy on the run. The Liberals were virtually saying, 'Let's make it up. Let's make ourselves look good. Let's just build something somewhere. People think that a dam is a good suggestion — it sounds good — so let's just build one at Arundel. It does not matter that it has been rejected for 40 years, we are going to propose it'. Everyone walked away. Everyone who knew anything about water saw what a fraud that announcement was, but the Liberal Party thought it sounded good, and the situation was similar with its proposed desalination plant.

With respect to The Nationals, that they should oppose investment in irrigation infrastructure in rural Victoria is a disgrace.

Dr NAPHTHINE (South-West Coast) — Victoria is in a water crisis. This crisis has developed over the past five years, but the Bracks Labor government has simply failed to act and to deliver water security for the people of Victoria. Now it has announced policies which will not deliver water for Melbourne until at least 2010, with the desalination water plant not delivering water until the end of 2011–12. The question is: why has the Bracks Labor government got it wrong? The member for Macedon has clearly answered that question — that is, because the government is following.

The member for Macedon spent 80 per cent of her time talking about what the Liberal Party has done and its strong initiatives on water. She could not talk about what the Labor government has done on water because it has done nothing. It is the Liberal Party that has led on water and desalination. It is the Liberal Party that has put forward a proposal for a new dam that would augment the Melbourne water supply. That is why the member for Macedon concentrated on what the Liberal Party has been doing — because the Labor Party has not been doing anything.

On water members of the Labor Party have been more interested in spin than substance. They have been more interested in developing advertisements and an advertising campaign than in actually delivering water. They have been more interested in a media visit to Wonthaggi today than being here in the Parliament debating the major issue facing us today — that is, water. Members have clear evidence that the Labor Party is just interested in spin. Yesterday there was an announcement on water and in less than 24 hours I have

had delivered to my door today the pamphlets that the government will use. People have got a 'Dear' letter, written for Labor members to send out to their constituents. Here is a copy of the brochure printed for Labor members. This one is for the member for Eltham. I thank him for delivering this to my office.

Here is a copy of the brochure, already printed and delivered less than 24 hours after they made the announcement. Here is a copy of the press release for Labor backbenchers who cannot even write their own press releases. It says 'XXXX welcomed big increase in water supplies'. So Labor members just have to replace 'XXXX' with their names. This is the Labor Party response to the water crisis: produce the brochures, produce the press release for the mushroom backbenchers and produce documents but do not produce any water; and produce bigger water bills and bigger taxes on water but do not produce any water — just as long as you have the ads right and you are in the red helicopter flying over the coast and as long as you have the letter to con the constituents written out for them, because you could not trust Labor members to write their own letters. I thank the member for Eltham for being kind enough to deliver this brochure with all this material to my office, because he understands why we should be talking about water rather than just the spin on water.

Let us look at what the government announced yesterday: desalination — *deja vu*, copycat policies! Members of the opposition welcome the government's late conversion to desalination as part of the solution to Melbourne's water crisis.

Mr Nardella — Six gigalitres — that was your solution!

Dr NAPHTHINE — The members for Melton and Macedon did not read the Liberal Party policy. The proposed desalination plant that we announced last year would have delivered exactly the same amount of water as the one the government announced yesterday.

Mr Nardella interjected.

The ACTING SPEAKER (Mrs Powell) — Order! I ask the member for Melton to stop his continual interjecting.

Dr NAPHTHINE — Guess what? It would have been delivered on time, on budget and much cheaper than the government's plant, because members of the government do not even know how they are going to build it, and under their plan it will not deliver until the end of 2011. When the Liberal Party announced its proposed desalination plant, what did the Premier and

the then Minister for Water say? They ridiculed it, saying that it was the wrong way to go — the wrong direction — and the wrong policy. The Premier said it was a hoax and the then Minister for Water said that it could not work and that taking the water down to Gippsland was the way to go. Six months later, on the road to Wonthaggi — on the road to Damascus — they have had the conversion. They have understood that the Leader of the Opposition and the Liberal Party had it right. They have copied the Liberal Party policy.

Let us talk about Geelong, because it is interesting. Yesterday the government announced a pipeline to boost Geelong's supplies by 50 per cent. How can the Labor Party be trusted on water policies for Geelong? I refer to a media release from the Premier of Victoria, dated Tuesday, 17 October 2006, headed 'Greater Geelong's water supplies secured by major Bracks government action plan'. It states:

Premier Steve Bracks ... announced a \$100 million plan to secure Geelong's water supplies for the next 50 years and meet the challenges of climate change and population growth.

Hang on, the 50-year plan lasted six months — and it got torn up! The government said that it would secure Geelong's water supplies for 50 years. It says further:

Mr Bracks said the Geelong strategy was the result of an extensive 18-month consultation process with the community, industry, local government, and water and catchment management authorities.

Increased use of groundwater, recycling initiatives ... are key parts of the Geelong water plan ...

The plan will increase Geelong's water supplies by more than 21 000 megalitres ... by 2015.

The plan will use a combination of water conservation, recycled water, and groundwater to meet the future water needs of Geelong.

On page 2 it states:

New groundwater sources, including Jan Juc and Newlingrook aquifers, are the government's preferred longer term options.

Where is the pipeline to Melbourne? It was not part of the 50-year plan for Geelong in October 2006. There was no pipeline to Melbourne, but six months later we are told that we have to have a pipeline to Melbourne to secure Geelong's water supplies. What a joke! Is it any wonder that the people of Victoria are confused by this government? This government's white paper of June 2004, *Securing Our Water Future Together*, is quite clear in what it says about the way forward with water. It says:

... it makes sense to be more efficient with water which will defer the need for expensive engineering works.

So the June 2004 white paper states that the way of the future is water conservation and not expensive engineering works. That lasted about two years, and the Geelong water plan lasted six months. This government has had more positions on water than are in the Kama Sutra — and none of them has worked, as far as the Minister for Water, Environment and Climate Change and this government are concerned. They have absolutely stuffed it up. What about this pipeline? We are absolutely flooded with pipeline porkies.

Mr Baillieu — The pipeline of panic.

Dr NAPHTHINE — The pipeline of panic. The government has said that up to 900 billion litres of water is currently being lost. Yet on page 48 of the white paper it says that 770 000 megalitres of water is lost. We have suddenly lost another almost 200 000 megalitres from one year to the next. It says — and the people of the Goulburn Valley ought to take heed of this — the first 75 billion litres of water saved have been earmarked to boost Melbourne's supply. They are going to take the water first and then people have to wait and hope desperately that they will get something later. The people of the Goulburn Valley are being absolutely conned.

The other point I wish to make about this pipeline is that it makes no allowance for climate change. *Securing Our Water Future Together* says that Goulburn inflows could undergo a 20 per cent decline. So we have the government having lied about the amount of water that can be saved: it has boosted that artificially, and it has failed to account for lower inflows through climate change. It has told the people of the Goulburn Valley, 'We are taking your water first and you have to hope like hell that we deliver the savings'. It is absolute rubbish. What we are getting from this government are glossy brochures, high-cost advertisements and all the spin, but we are not getting the water. Over the past number of years the people of Victoria have suffered a water crisis because of the failure of the Bracks Labor government.

Mr EREN (Lara) — I want to start my contribution with the old saying that success has many fathers but failure is often an orphan, and that fits the opposition like a glove. I say that because of the behaviour of opposition members during question time yesterday, when they were patting themselves on the back and saying that the desalination plant was their idea, but instead it was actually proof how out of touch they are. They should not get too excited and start patting their leader on the back. In fact those who did were actually

feeling for the soft spot on the Leader of the Opposition's back for the stabbing that will go on closer to the next election.

They should not get too excited, because a Liberal member for Western Victoria Region in the other place, John Vogels, said on local radio in Geelong yesterday that the desalination plant was an idea of former Premier, Dick Hamer, even going back to the days of Sir Henry Bolte. This delusion of the opposition even extends to the upper house. It is unbelievable! It is a stupid argument, but let us entertain it for the sake of this debate. Let us say that it was an idea of the Bolte and Hamer governments back then. We in Geelong know all too well that the Geelong ring-road was shown in the *Melway* for 50 years, but who has built it? It is the Bracks Labor government that is constructing that road.

All we ever get from the other side is cheap talk and no action. This government puts its money where its mouth is, unlike the opposition. If opposition members genuinely want to do something useful for the Geelong community, they should get on the blower, talk to their masters in Canberra and tell them to fund the Shell water recycling plant, because that vital project is being held up by the federal government. The Bracks government has committed to it, the federal Labor Party has committed to it and Shell has committed to it; everyone except the federal government has committed to it.

I suggest to opposition members that if they truly want to be useful they should tell Canberra to fund this very important project for Geelong, which would further secure our water future. I am sure the federal government would be happy to build a nuclear power plant in Geelong, but there is no water infrastructure funding. What a shame. Stewart McArthur, the federal member for Corangamite, will face the people of Geelong very soon. We will see how he goes at the next federal election.

Besides all that, the opposition's water plan was flawed and impractical. The Liberal Party was planning to build a desalination plant in the wrong places. It had a grand plan to build a plant in Hastings, and what a disaster that would have been. It was thinking about Port Phillip Bay and even thinking about Werribee, but the bays are clearly unsuitable for a desalination plant. On top of all that, the plan was totally underfunded and would have provided only 50 billion litres of water, which would not have provided enough water to meet Melbourne's needs let alone the needs of Geelong. When it comes to the water needs of the future, the opposition has no idea. Geelong has prospered since the

election of the Bracks Labor government. The economy is booming, the building sector is booming, the unemployment rate is lower and there is confidence in Geelong like never before.

This water announcement came as no surprise to those who have faith in the Bracks Labor government. They had faith in our policies and in the platform we took to the election. Clearly they supported the policies of the Labor government in relation to its water policies, and overwhelmingly, particularly in Geelong, they supported the Labor team. The water plan will see Geelong continue to prosper well into the future.

I will give a quick overview of our announcement. It is close to a \$5 billion statewide investment, and it will provide one of the world's biggest desalination plants by 2011. This is based on properly researched, well-thought-out policies. Back in 2004 we instigated a feasibility study, and all the opposition's talk that this was its idea and that the Labor Party pinched its idea is absolutely false. This is going to be one of the biggest desalination plants in the world. The plan includes Australia's biggest ever irrigation upgrade of the food bowl, with some 375 billion litres of new water. The Nationals are trying to say that Melbourne, and Geelong for that matter, will be pinching water from the food bowl in the north of Victoria, which is not true.

This announcement is about creating new water and making sure that we use that precious resource in a proper way. There will be 250 kilometres of new pipelines, and there will be water for regions such as Hamilton, Western Port and South Gippsland. There will be a 50 per cent boost to Melbourne's water supply. So far as I am concerned, the best thing is —

Mrs Fyffe — I thought you said 30.

Mr EREN — It is actually 50 per cent.

The ACTING SPEAKER (Mrs Powell) — Order! I ask the member for Lara to ignore the interjections.

Mr EREN — My information is that there will be a 50 per cent boost to Geelong's water supply, which is a fantastic announcement. Geelong has been struggling in recent times because of climate change and the drought. That is why this government has decided to build a 50-kilometre pipeline at a cost of about \$80 million to give the Greater Geelong region access to Melbourne's water supply. This will provide much-needed water security and economic certainty to our region.

The water from Australia's largest desalination plant, the water we will capture by modernising the irrigation system in northern Victoria and the construction of the

Geelong pipeline will boost Greater Geelong's water supply by almost 50 per cent — and rightfully so. Geelong was probably one of the first areas that implemented water restrictions, and we have had them for many years. We have done it tough but it has been well worth it. Water is a resource that is very precious. We are a tough and resilient lot down there, and hopefully with this announcement the people of Geelong and the Greater Geelong area will be rewarded for their discipline in terms of conserving water and making sure they use water very wisely.

I will conclude by saying that if anybody needs a pat on the back, it is not the members opposite, it is the members on this side of the house. I congratulate all the people involved with this great announcement, which will secure Victoria's water future for many years to come.

Mr DIXON (Nepean) — This matter of public importance (MPI) is another self-congratulatory proposition. The government seems to use its matters of public importance either for self-congratulation or to knock the federal government. I say that self-praise is faint praise. The member for Lara said that opposition members were showing signs of congratulating each other yesterday. Goodness me, that is what this MPI is about! I was looking at the Channel 10 news last night, and the whole 2 minutes of the first advertisement break consisted of a water advertisement. What did that cost? It was full of self-congratulations. The media releases that have gone out to the backbenches are full of self-congratulations. The glossy brochures being sent out by government members are full of self-congratulations. The double-page colour advertisements in the papers today are full of self-congratulations. This is not a matter for self-congratulations, but it is an opportunity to talk about water, which I welcome.

I particularly want to refer to the deeply disappointing fact that the Gunnamatta sewage outflow is going to continue to spill out 450 million litres of C-class, barely treated sewage every day for the immediate future. To give the current Minister for Water, Environment and Climate Change his due, he was interested in what was happening down at Gunnamatta. It might have been because he is a surfer and knows what it is like to surf in the rubbish that is flowing around there and he has heard the stories and has spoken to surfers, but he was interested in the upgrade of the treatment plant and closing the outfall.

Mr R. Smith — The current minister?

Mr DIXON — I put the emphasis on 'current'. Part of that is the upgrade of the eastern treatment plant, which I will get to, but that has just gone. The minister has lost the fight with the Treasurer, who is now the spokesperson on water — he is talking about the big issues now. The projects the minister held dear when he was the Minister for Water have just gone by the bye. This government has given up on a major recycling issue.

There are some good points about what the government has announced, but the subliminal message — the underlying message — in all of this is that recycling is no longer on the table. The Latrobe Valley pipeline and all that might entail is on the long finger. If you look, if you burrow down through the press releases and that avalanche of stuff that came out yesterday, deep down there are a couple of sentences about the business case for the Latrobe Valley pipeline being extended into 2008. What does that mean? It means it is just on the long finger. What is the next step after the business case — another two or three-year feasibility study? What is going to happen? When is something actually going to happen there? It is buried in all the glossy brochures. It is not going to happen, and it is deeply disappointing.

I am really concerned about the fact that it really is long-term stuff. The north-south pipeline is going to happen, but it is long term. The desalination plant is not going to come online until 2011. How are these things going to be paid for? Look at the confusion over the unallocated capital spending in the budget and the forward estimates and the confusing and contradictory answers and statements we got from the Premier and the Treasurer at budget time and in the Public Accounts and Estimates Committee. How is it being paid for and over what time frame will it be paid for? Even if this desalination plant, the north-south pipeline and all the associated works the government has announced come on line, how are they going to be paid for? How long term is this? This will push out the eastern treatment plant upgrade. It will push out the closure of the Gunnamatta outfall. It will push out any pipeline down to the Latrobe Valley. That is just not on the radar any more, and that is deeply disappointing.

For three elections in a row now this government has promised to upgrade the eastern treatment plant. This time it has allocated some money for it — Melbourne Water is going to spend, I think, \$300 million on it — and it says this will happen. But, again, this is a very long-term project. It is not something that will be done in six months. You cannot close down the eastern treatment plant and upgrade it to A class. You have to do sections at a time, because the plant has to keep

operating. In high-rainfall days and weeks like this you really cannot do that sort of work because all the equipment in that treatment plant has to be online and working. That is just pushing out the time line for what is basically a major reconstruction of the eastern treatment plant.

The government says it is going ahead, but the Gunnamatta outfall will still be there. There will be three other smaller treatment plants which will be treating sewage to C class. They will still be feeding into the pipeline, and the outfall will still be spewing out into Bass Strait. There is no commitment to recycling or closing down the Gunnamatta outfall at all.

The Liberal Party has been totally consistent about this. We have been saying it for years. It has been in our policies for years. All our statements have been that that treatment plant has to be upgraded immediately and the Gunnamatta sewage outfall must be closed. The various options, including the Latrobe Valley pipeline, were very legitimate uses. They could have used up to 80 per cent of the upgraded outflow from the eastern treatment plant. The other 20 per cent could easily have been taken up, and I will talk briefly about one of the local projects on the Mornington Peninsula which could have taken up to 10 per cent of that. The money and time the government has spent talking about and talking up the eastern treatment plant and the pipeline have just been washed away. A lot of people gave the government credit for talking about it and thought that meant it would do something, but that has been washed down the pipeline along with the C-class sewage.

The project I wish to talk about briefly, which requires \$2 million from the government, is the Nepean sustainable water project. It is a partnership between the federal government, the state government and local vegetable growers and golf course proprietors. It is an upgrade of the Boneo treatment plant, which at the moment treats sewage to C class, and that sewage then goes into the outfall and out the pipe at Gunnamatta. That project would involve building pipelines around the Mornington Peninsula which would allow the market gardeners to grow and expand without using bore water. The golf courses are huge users of water, and this would involve a partnership to upgrade the treatment plant, which would allow the golf courses to pipe that water around and use that instead of using the bore water, which is under some stress.

It is a \$36 million project. The growers and the golf courses are prepared to put in \$12 million, the federal government is prepared to put in \$12 million, but the state government has only committed \$10 million — we are \$2 million short. When you look at the amount

of money that has been splashed around this week, what is \$2 million? This is a major recycling project. It is a great advertisement for what can be done and a great model for other communities. One less brochure around Victoria, which would probably be worth \$2 million, would allow that fantastic project to go ahead.

This is indicative of what this government is all about. It is all about saying, 'We are doing something, here are the brochures. Here are the ideas, and here are our plans' but when it comes to actually doing something, everything announced is long term. The member for South-West Coast talked about the great water plan for Geelong announced six months ago. It was meant to be the answer, but it has gone and there is a whole new plan on the table now. It is about churning out new plans and keeping people busy and excited but not delivering. Here we need \$2 million from the state government to carry out a real plan for something that is going to work and is going to be a great model for the rest of Victoria, but there is no money for it. We are just \$2 million short. I think this is a perfect example of the priorities of this government and how it operates.

I looked at one of the glossy brochures today, and there are pipelines all over the state. It looks like a bowl of spaghetti with pipelines everywhere. This government is right into pipelines and building pipelines and talking about pipelines. However, the 2-kilometre pipeline extension of the outfall into Bass Strait is still on the table. The government wants to ruin hectares of the Mornington Peninsula National Park to construct a 2-kilometre outfall extension to take the sewage further out to sea, where the currents will take it right down into Gippsland, into Western Port and into Port Phillip Bay. There is an obsession with pipelines, and that pipeline is still there. I call on the government to, for once and for all, rule out extending that outfall. That \$64 million could be far better used.

Ms GREEN (Yan Yean) — It is with great pleasure that I join the debate on this very important matter of public importance. I think the community sees that the security of our water supplies, and the provision of water supplies for the whole of the state into the future, is the most important issue facing this state, this nation and probably the planet. That is why we as a government have announced an extremely forward-looking plan. It has been very well thought out. It offers a range of solutions to this very significant problem across the whole state. It is not just for Melbourne; it is not just for one particular area of regional Victoria; it is looking at the whole state and offering some solutions.

What the Victorian community desires, and what I believe is needed for solutions to the water problem, is a vision for the whole of the state, cooperation across the whole community and commitment to fund such a major investment. With almost \$5 billion — \$4.9 billion was announced yesterday — this plan delivers that in spades.

Firstly, I commend Victorians for their commitment to saving this precious resource. Melburnians have achieved a 22 per cent reduction in water consumption. They are taking this issue extremely seriously. I know that the postcodes in my electorate — Diamond Creek, Greensborough, Yarrambat and some of the new, developing suburbs like Doreen — have shown some of the highest reductions in water use. For those new communities, where people are building new homes and putting in gardens, this is a pretty difficult time to deliver savings, but those households have done that. Businesses have also taken up the challenge and are doing their share. We are using a billion litres less than we used in the 1990s, and that is with a much larger population. But there will be population growth in the future. I have two growth corridors in my electorate, and the state is growing very uniformly. In regional areas, Acting Speaker, your electorate of Shepparton is one of the fastest growing areas in the state, as are the areas around Warrnambool and the south-west, and Geelong and the other provincial centres are all growing. This is at a time when our water resources are shrinking.

That is why this plan has been absolutely necessary and why there will be a grid across the state. The member for Nepean talked about pipelines everywhere. Absolutely yes! We do need pipelines everywhere. I am particularly pleased to see the Sugarloaf pipeline, which will connect into the Sugarloaf Reservoir in my electorate. One of the reasons why my constituents have been so committed to water savings is that they are actually in the catchment and have seen firsthand, in our own back yard, the reduction in storage at Sugarloaf, at Yan Yean — Melbourne's first water storage, built 150 years ago — and also at Tourourong.

The Sugarloaf pipeline from the Goulburn will be a 70-kilometre pipeline and will allow 75 billion litres of water to come to Melbourne by 2010. This is new water. It is extra water. Northern Victoria and the northern rivers will also gain extra water. At the start of my contribution to the debate I said that what the community expects is cooperation and action on this, but I am really disturbed that what we have seen from the opposition parties is a quite shameless exploitation of the challenge of water and a divisive campaign that

is trying to set one part of the community against another.

There has been shrill hysteria from The Nationals, who are saying that Melbourne is stealing the water of the Goulburn Valley. That is absolutely not true, and it is quite a ridiculous thing to say, given The Nationals absolutely lay-doggo-down support for the Howard government's plan in the Murray–Darling Basin, whereby it would just hand over water to Adelaide and not care about those in Victoria. To say that the water is being taken from farmers and try to set one part of the community against another is not what the community wants; it wants to see solutions.

I bring to the attention of the house some previous comments by members of The Nationals. The member for Swan Hill said in a press release of 18 June:

We believe that any water savings generated by improvements to irrigation infrastructure would be better utilised in regional Victoria to increase environmental flows and irrigators' reliability of supply ...

In expressing the support of The Nationals for shared savings with urban areas, the member for Swan Hill is reported in the *Bendigo Advertiser* of 21 September 2006 as having said:

The Nationals have said any water taken from the Goulburn system for Bendigo and Ballarat should come from genuine water-efficiency projects ...

In the proposals for the Goulburn and the pipeline down to the Sugarloaf, that is what is actually occurring. The increased water, the 75 billion litres of water, is only a third. There will be a third, a third and a third. The communities of northern Victoria and the northern rivers will gain extra water.

I refer to the Liberal Party's contributions in this debate. As we heard from the member for Macedon earlier, its pathetic proposal for a little bathtub of a reservoir at Arundel was actually a flood mitigation measure. It was not going to deliver. Six gegalitres is absolutely nothing — that is giggle litres, not gegalitres.

We can see why the Leader of the Opposition had to change his water spokesperson. We heard the member for South-West Coast on a shrill rant earlier, but obviously his water ideas were not taken up by Victorians. They were ignored. The Leader of the Opposition was obviously ashamed of the lack of work, the lack of research and the pathetic proposals put forward by the member for South-West Coast, because he sacked him from the job — and that was a reasonable thing for him to do. I have spoken in this house before about the dearth of water policy that was

made available to the Victorian community by the Liberal Party. It really did not have any ideas beyond that little bathtub at Arundel. It proposed that the same water be used in both Ballarat and Geelong. It did not understand that people can actually read papers from the media area next door, so the people of Ballarat and Geelong saw through the lies and the stupidity of the proposal. They saw that you could not actually have the same water for both those communities as a long-term solution.

Returning again to the food bowl proposal, it has been said by The Nationals that we are taking water off farmers in northern Victoria. We are absolutely not doing that. We will be capturing 225 billion litres of new water through savings by investing in infrastructure upgrades which will be shared three ways between farmers, stressed rivers and Melbourne. This is water that is currently lost to leaks in our outdated irrigation channels.

The Liberal Party and The Nationals really had an opportunity to deal with that in their seven years on the Treasury benches, but they did nothing. They have criticised us for not being forward looking, but we have been examining proposals and doing the hard work in a strategic way. We put forward the green paper and consulted widely with the community and then there was the white paper on water. This is not something that has come out of the blue. We have taken a very long, hard look at what we need to secure Victoria's water future. I absolutely support the matter of public importance proposed today by the member for Bentleigh because this government deserves congratulations on a \$4.9 billion investment and I commend it to the house.

Mrs FYFFE (Evelyn) — I am pleased to speak on the matter of public importance. Water is the single most important issue facing everyone in Victoria and other parts of this country. When I was last a member of this Parliament we mentioned drought a lot. When we had the farm dams debate, drought was talked about numerous times. I am talking about the period from 1999 to 2002. The fact that we were in a drought was raised by the community and members on this side of the house a number of times. Yet it is only now, at 5 minutes to midnight, that this government is actually taking action.

Yesterday Melbourne's water supplies were at 28.4 per cent, and not all of that is accessible. We all know that the bottom water in a dam is not suitable and it is difficult to access. Yet it has taken until now for the government to take action. It was interesting listening to the member for Yan Yean's contribution to the debate

when she attacked the opposition for changing shadow water ministers since the last election. It was also interesting sitting here yesterday to observe that the Treasurer is now the de facto water minister after having rolled the Minister for Water, Environment and Climate Change so that recycling of water is not part of these major announcements.

At last year's state election Victorians were told very clearly by this government that there would be no desalination plants in Victoria. The opposition was attacked on the size of its proposal, but this government was very clear it was not going to have desalination plants in Victoria. It also said it was taboo to pipe farmers' water south to Melbourne. It was said not just once but on several occasions. Victorians were told that recycling of water was in and Victorians understood and accepted that. But six months later what have we got? We have one of the world's largest desalination plants going to be built in Victoria. The formerly forbidden north-south pipe is going to happen and water recycling now appears to be on the backburner.

The Leader of The Nationals made a very eloquent and passionate contribution to this debate when talking about the taking of water from irrigators and farmers — the very soul of this state — and its delivery to Melbourne. Much has been made by government spokespeople about how this is new water. It is not new water. It is water which is already there and which should have been managed better. If they had not been so busy stripping water authorities and trusts of their funds, there would have been money to repair the pipelines and it would have been happening over the last seven years and not left until 5 minutes to midnight. The member for Nepean talked about the Gunnamatta outflows. The people in that area will be feeling disappointment when so much was implied and promised.

Victoria is the last state to seriously look at a desalination plant. In Western Australia a plant was built within two years and an announcement has been made that a second one will commence very shortly. In New South Wales a contract for a desalination plant at Kurnell is going to be awarded in July and a contract for its pipelines has been chosen. Construction of a new dam for the Hunter and central coast region is starting in 2008. Pumping and piping and engineering works to access deep water in dams have been commissioned or are in place. Yet this government dismisses any thought of a new dam. Thank goodness our forefathers had the foresight to provide us with dams, otherwise where would Melbourne be?

In Queensland there is a desalination plant at Tugun under construction that is due to open in 2008. Two new dams are to be constructed in south-east Queensland. In South Australia there is a commitment to build a desalination plant in the Upper Spencer Gulf, and an investigation is already under way for a second desalination plant. A dam upgrade program is in progress. In Tasmania a new dam, the Meander dam project, is going to be completed later this year.

The Treasurer is always wanting Victoria to be the first. He had to be first to bring in the embryonic stem cell legislation. He wanted to say, 'I'm first, I'm first!' so much that it could not even be brought in as a separate bill as it should have been. Yet here he is now behind all these other states. So what do we have? He is going to produce bigger and better; he is going to have the biggest desalination plant in the world.

Mr Burgess — When it matters, we're last.

Mrs FYFFE — When it matters, we are last, as the member for Hastings says. This government has just sat on its hands waiting for the drought to break. The extra water will not arrive until 2011. So what are we going to have in the meantime? Stage 3A or stage 3B or stage 3C or stage 4? Will we be asking Melburnians to shower on alternate days and no watering of their gardens? In 2003 the then Minister for Water in a ministerial statement said the government saw the size of the problem, yet the delivery of extra water will not start until 2011. He saw the size of the problem way back in 2003, but it has taken until 2011 to do something about it. What is the government going to do for the next five years? Has it got the prayer mats out? Has it got its fingers crossed while it looks to the heavens to open in order to fix its total ineptitude, procrastination and mismanagement?

This government has been dithering for seven years and, as the *Australian* says today, it only got serious at the 11th hour. The *Herald Sun* editorial of today says it very well, and I quote:

Finally, the Bracks government has moved to deal with Melbourne's water crisis.

Like our winter rains, the almost \$5 billion package — a huge commitment by any measure — of initiatives is long overdue.

It is a welcome move, but it is going to be costly. Our water bills will double over five years. The projects are vital. They are needed, but they are far too late.

I want to touch on consultation with the communities. Today we have large advertisements in the newspapers. Last night we had a television advertisement that I think lasted for probably about 1 minute 50 seconds. We

have the Premier again in the helicopter — boy, how they love those shots! We have seen, as the member for South-West Coast has shown us today, the publicity provided to government members to be distributed in their electorates. They are glossy leaflets of 4 or 6 pages which will cost the Victorian taxpayers a lot of money. How much water has been used in the production of that paper? Yet the government is talking about saving water!

The food bowl proposal is to capture 225 gegalitres out of 900 gegalitres piped over the Great Divide. That water could have been saved if work had been done on the pipelines over the last seven years, particularly if the millions and millions of dollars had not been taken out of water authorities accounts. The water authorities could have done the maintenance. I wonder about the cost of pumping the water when we know for a fact that the Sugarloaf Reservoir is higher than the Goulburn and that significant power is needed to operate those pumps.

In the 1960s a detailed study was done about running water from the Big River to the Upper Yarra Reservoir and the Black River to the Thomson Dam and tunnelling through the Great Dividing Range with a diversion weir that would take water from the top of the system. That was discarded because it was realised that the farmers needed that water. I am concerned about the anxiety that small business, the growers, must be feeling. In my electorate we have 70 per cent of the nursery industry in Victoria, 75 per cent of strawberry growers and 30 per cent of the cut-flower industry. I know that people are lying awake at night not knowing what will happen during the next growing season: whether they will have any pumping rights from the rivers, and whether there will be enough rainfall to fill their dams. Now they will have to worry about the extra costs.

How much extra will it cost the irrigators north of the Divide for their water after paying for their proportion of the Goulburn-Murray Water costs for these pipelines? How is small business expected to pay for all of these things, to absorb the costs and to have less production while waiting for these things to happen? Lying awake at night in small business you worry about everything. You worry about paying wages and about keeping your staff on. If you are a grower of any size in the Goulburn area I would have to say you would be lying awake longer. This government has no right to take water from that very valuable area.

Ms MUNT (Mordialloc) — I am very pleased to rise to speak on this matter of public importance moved by the member for Bentleigh:

That this house congratulates the Victorian government for building on the magnificent water-saving efforts of Victorians with its visionary \$4.9 billion investment plan to give water security to Victoria, help with climate change and enable our population and community to continue to grow.

This \$4.9 billion investment in water has four main components that are built on a range of initiatives and projects that are already being put in place by the Bracks government. The cornerstone of this investment is the construction of the desalination plant in Wonthaggi at a cost of up to \$3.1 billion to be completed by the end of 2011. It will be one of the largest desalination plants in the world and the biggest in Australia when it is completed. It will supply more than a third of Melbourne's water supply without relying on rainfall and will be the biggest boost to our water supply since the Thomson Dam was built 25 years ago. I will speak further about the Thomson Dam later in my contribution.

A major investment of over \$1 billion will be invested to modernise our irrigation system to dramatically reduce the loss of water through seepage and leakage, bringing 225 gigalitres of new water back into the system. This new water will be shared equally between irrigators, Melbourne householders and our rivers. Our Victorian water grid will be expanded and connected, linking the new desalination plant with Melbourne, nearby regional towns and Geelong. This will build on a range of other water pipeline infrastructure works around Victoria to link our regional centres, Melbourne and rural areas. I refer to an item from a report in the *Shepparton News* today which says:

The Goulburn Valley Environment Group spokesman said 70 gigalitres a year for rivers was a positive step.

Under Foodbowl Unlimited's plan, about 225 gigalitres of water savings would be shared evenly between irrigators, urban users and rivers each year.

That is a positive contribution reported in today's *Shepparton News*. The business case for the eastern water recycling project to provide recycled water to the Latrobe Valley power generators will also be expanded. It has not been shelved, as the opposition said this morning. It will be expanded and the business case investigated. The upgrade of the eastern water recycling project at Carrum, a \$300 million investment, will start shortly and will continue to provide a major source of recycled water for Victoria.

Until these measures come online over the next five years interim measures will include the reconnection of the Tarago Reservoir to Melbourne's water supply, industry recycling and water-saving measures for the top 1500 industrial water users and savings of over

100 billion litres of water a year from existing households and industry water saving initiatives. This all builds on our efforts to date. I would like to take this opportunity to congratulate Victorians for their efforts to save water during this most severe of droughts. The drought has lasted so far for 10 years. Last year, for example, water run-off to our catchment areas was about 50 per cent below the previous record low of any year on record. It illustrates the severity of the drought we are experiencing. We are in the early stages of climate change. I wish the federal government would acknowledge the severity of the impact of climate change and come to the party with help for the states in coming to grips with this issue.

Up until now Victoria's businesses and households have been using 22 per cent less water per head than in the 1990s, which amounts to 100 billion litres of water saved each year. Over 150 000 rebates have been claimed from the Victorian government for water-saving products. System leaks have been reduced by 20 per cent, making Melbourne's leak rate one of the best in the world. Many households, including my own, now have dual-flush toilets, energy-efficient whitegoods, water tanks, grey-water systems, drip irrigation, solar panels, water-saving shower heads et cetera, which all help to contribute to the water savings Victorians have managed to produce.

I recall when I was a young girl living with my country-bred parents being encouraged to have short showers, throw water on the vegetable patch, use grey water for the chooks and turn the tap off when cleaning our teeth. They would have had a water tank too, but it was illegal at the time. It goes to show how times change regarding water saving and how what goes around comes around.

Nearly 30 years ago we thought the Thomson Dam would drought-proof Melbourne. I wish to refer to reports in the newspapers at the time. I refer to the *Sun* of 13 May 1983 which reported in an article entitled 'Can we bank on the Thomson?':

The Premier, Mr Cain, will tip a load of rocks from a large truck today to finish — with a ceremonial flourish — the construction of the huge Thomson Dam.

The Thomson, the dam they said would make Melbourne virtually 'drought-proof', is the fourth biggest dam in the world, with a capacity of more than twice the rest of Melbourne's reserves put together.

...

Victorian governments since before the days of Sir Henry Bolte have known just how sensitive the Victorian public is about its water supply — water, drought and restrictions are very much political issues.

This is from 24 years ago.

Mr Cain is fortunate that the dam is nearing an end during his premiership.

Work on the actual dam began three years ago, but earlier parts of the project began in 1969 —

which is 15 years before —

and the site has been considered as a possible dam site from as early as 1922 —

which was 57 years before.

According to Norm Sutherland, a spokesman for the MMBW, 'the filling is now likely to take about five years depending on the weather'. According to engineers at the site, 10 years is a more realistic figure.

I mention this for two reasons. Firstly, it was thought that that dam would drought proof Victoria. Of course it has not. Also it took 15 years from its conception in 1969 to its construction in 1984, and it took 10 years after that to fill. That is 25 years to wait for a dam. The projects we are announcing now will be completed in 5 years, and that water will be available then, so we are looking at the difference between 25 years and 5 years. These projects, particularly the desalination plant, will provide an ongoing one-third of Melbourne's water supply without having to wait for it to fill.

I would also like to quickly mention my own electorate. I work and live in my own local area and local residents talk to me about water extensively. It is a big issue for most people, and I have noticed a change in their feelings over the past year or so. They are becoming alarmed at the lack of rain and the dwindling water supplies, and they are becoming aware of the effects of climate change and the probable need to plan for a permanent reduction in rain and water supply. They are also becoming very aware of how precious our water is.

People in my electorate are prepared to do their bit. The rebate figures for my electorate are very high, but we need a guaranteed base level water supply both for business and for residents. That is the job of government, that is what we are doing and that is what the desalination plant will help to do. I would also like to congratulate the Bracks government on rejecting Port Phillip Bay, along which my electorate sits, as a suitable site for the desalination plant. Port Phillip Bay could not cope with the brine run-off, but the ocean can. The salt will be quickly dispersed in the ocean, but it would not have been good for the environment of Port Phillip Bay.

This is a great package for Victoria, because it will increase Melbourne's water supply by 50 per cent. It

will come on line relatively quickly compared to all the other projects that I have mentioned, and it will provide a guaranteed water supply for Victoria. I commend this matter of public importance to the house.

The ACTING SPEAKER (Mr Lupton) — Order! The member for Bulleen has 27 seconds.

Mr KOTSIRAS (Bulleen) — I was surprised and disappointed that the government has decided to bring in an MPI (matter of public importance) on an issue on which it has failed over the last eight years. Then I said to myself, 'Who would bring in this MPI? Who else but the member for Bentleigh!'. The member for Bentleigh is very disappointed he is not a minister as yet, so the government decided to ask him to come in and propose this MPI. We have had not one single minister contribute to the debate.

The Minister for Water, Environment and Climate Change has been absent, and the Treasurer has been absent. Instead we have had a number of mushrooms on the backbench come in here and talk about this MPI, which is all about saying, 'Look at what we are about to do' — and not about how they have failed to do anything for the past eight years. They have achieved nothing, and as a result Victorians are suffering today. We have heard not one single word about the last eight years, during which this government has failed. They have talked about what they will do — and I tell you what, I will be surprised if they deliver this project on time and on budget. It was interesting to see that at the last election they laughed at opposition members when we said we should build a desalination plant. The then Minister for Water said, 'What a silly idea'.

The ACTING SPEAKER (Mr Lupton) — Order! The member's time has expired, and the time for debate on the matter of public importance has expired.

STATEMENTS ON REPORTS

Public Accounts and Estimates Committee: 2007–08 budget estimates (part 1)

Ms ASHER (Brighton) — I wish to make a statement on the Public Accounts and Estimates Committee (PAEC) *Report on the 2007–08 Budget Estimates (Part One)*, which was tabled in May 2007. In particular I want to comment on the communications, advertising and promotion budgets. At page 200 of that report there are some figures that the committee obtained in relation to the Department of Sustainability and Environment (DSE) and its budget for communications, advertising and promotion. This

is, of course, a very big issue given that, as we watched the news last night, we saw a taxpayer-funded promotional campaign on the government's tardy proposals on water, and when we opened our newspapers this morning we saw full-page colour ads and the like. What is the budget for DSE? At page 200 the committee advises that:

The communication, advertising and promotion budget expenditure for 2007–08 is \$7.9 million.

The committee then provided information showing that the actual expenditure in 2005–06 was \$9.7 million and the estimated expenditure for 2006–07 was \$8.4 million. We have recently seen evidence of the government's very expensive promotional campaign. I have seen a booklet put out on this, and the member for South-West Coast has come into this place and detailed all the newsletters for Labor members of Parliament. So I thought to myself, will the government blow its DSE communications, advertising and promotion budget? I have now checked the Department of Premier and Cabinet budget, and I have found some extraordinary information at page 159 of this report:

The department does not have a specific budget for advertising and promotional activities. Funding for advertising and promotional activities is generally drawn from within the business unit or branch from which the need is generated on an ad hoc basis.

I now have the explanation for how this very expensive water campaign is going to be funded: I assume it is going to come from the Department of Premier and Cabinet, which does not even have a budget for advertising and promotion. What the government has reported to the PAEC is that it will spend whatever it likes on advertising and promotion. Again I hark back to the old days of the PAEC, where I would have expected some sort of comment from the committee about unfettered government access to taxpayers money for advertising and promotion, particularly in this instance, as it is far more about the advertising and promotion of the Victorian branch of the Labor Party.

I turn to the minority report of three of the members of the Public Accounts and Estimates Committee. Their reference is as follows:

Following adverse findings and criticism of the Bracks government by the committee in previous reports, we are concerned that this report is an attempt by the government majority on the committee to minimise scrutiny of the government by presenting to Parliament a report which is devoid of critical analysis and recommendations.

This is exactly what we see before us today. We have an extraordinary piece of information that has been relayed to the Public Accounts and Estimates

Committee — that is, that the Department of Premier and Cabinet can spend whatever it likes on advertising and promotion on an ad hoc basis. What a good description that is! That is considered good enough for this government to use as a test when expenditure is outlaid. In other words, if the Premier decides he wants an advertising campaign, the funding is there for him. It does not even have to be allocated. He can draw down as much public funding as he likes for politically inspired promotion and advertising.

I would have expected some sort of analysis of that from the Public Accounts and Estimates Committee. I know that in the past members of this committee — even members of the governing parties — have had the guts to bring down adverse findings, and they would have brought down an adverse finding and recommendation on an issue such as this. I commend the three authors of the minority report for pointing out the deficiencies of part 1; but even more importantly, the government stands condemned for having an ongoing taxpayer-funded stream for advertising and promotion.

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

Public Accounts and Estimates Committee: budget estimates 2007–08 (parts 1 and 2)

Mr STENSHOLT (Burwood) — I also would like to talk about the Public Accounts and Estimates Committee 2007–08 budget estimates report, parts 1 and 2, which has been tabled in both houses of this Parliament. As mentioned by previous speakers, the reporting process this year has changed. We had 43 hearings on the estimates, and the results of those hearings and the responses by the departments have been tabled in record time.

I very much thank the secretariat and my colleagues on the committee for ensuring that this report on what is essential work of the Parliament was brought into the Parliament in record time. Some \$34.3 billion worth of operating revenue and \$33.9 billion of operating expenditure is estimated for next year. Obviously there is a surplus. New net annual infrastructure investments are estimated to be around \$3.3 billion per year for the next four years. The Public Accounts and Estimates Committee (PAEC), on behalf of Parliament, is there seeking an awareness and understanding of key strategic directions and initiatives within each portfolio.

The Premier and all the ministers turned up and got quizzed by me and the deputy chair and the other eight members of the PAEC, and they were asked many

questions. During the seven dark years of the Liberal-National coalition the Premier would just sit here and have a cup of tea. He was not going to appear before that lot. He treated the process with absolute disdain, and rarely did we have a minister turn up. I am not even sure whether the parliamentary secretary turned up — maybe he was hiding in the broom closet in the Treasurer's office at that stage.

Under the Labor government again and again, and this year is no exception, the Premier and the ministers appeared during the course of the 43 hearings, as did the Speaker of the Legislative Assembly and the President of the Legislative Council. The committee, in its questions to ministers, sought clarification and explanation of many items, including matters relating to productivity, performance and accountability in portfolios right across the government. As chair of the committee I specifically asked the Premier and each minister questions about productivity, because I believe productivity is important for our long-term economic growth. I refer members to the explanations for this in budget paper 2 at pages 26, 27 and 28.

There is a real need to continue to grow productivity in our state. We enjoyed strong productivity growth in the late 1980s and early 1990s, owing in part to a great many of the economic reforms implemented in that time, such as financial market deregulation, floating the dollar, trade liberalisation — John Button needs to be thanked for that — and national competition policy, which has been pursued. The Bracks Labor government has been one of the major supporters of national competition policy. However, labour productivity growth has slowed in the current decade. There have been increases over the last quarter or two, possibly also built on the fact that workers wages have been reduced under Australian workplace agreements, but there is a need to continue to grow that productivity.

We are very pleased, as members of the government, to grow that productivity through investment in infrastructure, supporting record business investment and growing the skill set here in Victoria. The fact that we have more apprentices finishing their training in this state than New South Wales has is a magnificent achievement. We need to make sure that we maintain that sort of skill base and grow it. We are continuing to support apprentices and TAFEs, which were almost bankrupted by the previous government. We are making a massive investment in our schools and allocating \$1.9 billion to rebuild schools. As well, we are investing in extra teachers, nurses and police right throughout Victoria. Productivity is essential to this, and it is a key theme of the Public Accounts and Estimates Committee.

Public Accounts and Estimates Committee: budget estimates 2007–08 (parts 1 and 2)

Mr DELAHUNTY (Lowan) — I rise to speak on the Public Accounts and Estimates Committee report on the budget estimates, parts 1 and 2. Firstly I want to talk about health professionals, who are referred to in the report where my colleague the honourable — yes, he is a very honourable man — member for Benalla asked questions of the Minister for Health about the concerns of specific programs to address the shortage of health professionals in country Victoria.

Mr Stensholt — He asked lots of questions.

Mr DELAHUNTY — Reading through the report shows that he asked some good questions, and I thank the member for Burwood for his recommendation there. The concern was that we do not believe the minister really addressed the critical shortage of health professionals, whether it be nurses or doctors, in country Victoria.

I particularly want to focus on doctors. More and more of our doctors are coming from overseas-trained backgrounds, and more and more of our doctors are getting here after a lot of work has been done by health services to recruit them and bring them into this area. But they are being poached by other states, particularly Queensland and South Australia, which have better schemes, particularly for on-call services. We are looking to the government, which promised a lot in the last budget, to deliver on that promise. If we do not have a health service in our country areas, we have major problems.

At page 19 of part 1 the member for Benalla is reported as asking questions in relation to the Victorian patient transport assistance scheme. You have to travel a minimum of 100 kilometres before you can claim the assistance, and you have to go to the closest medical service. We in country Victoria think that is far too restrictive, and we are looking for the distance to be decreased. We are also looking at the fact that sometimes people have built up a relationship with a doctor and the doctor might have moved, and we think there should be some common-sense approach to that. I know it was raised in the committee report when the member for Benalla asked questions on that topic.

At page 26 there are questions about the air ambulance helicopter service. Ours is the only part of Victoria that has not got that service. We are pleased to see that the minister said she would look at the issue if there was a favourable proposal. Unfortunately the favourable proposal that was put forward by the Western District

people was knocked back by the government. It is an unfortunate circumstance, because we have major traffic roads, major tourist attractions, such as national parks, and the Southern Ocean. You cannot drive an ambulance out there; we need an air ambulance helicopter service. Some of these issues were raised in part 1 of the report.

The issue I am really concerned about is discussed on page 26 of the transcript on health services, which is included in an appendix to part 1 of the report, where the member for Benalla asked a question about obstetric services. Since the government has been in power we have lost 21 birthing services across rural and regional Victoria. That is not good enough. We need to draw a line in the sand and provide resources to support the health services and medical staff and, importantly, to provide a service in country Victoria. The Nationals believe people are entitled to a health service within their community and specialist services within their region, but the way this government is going, country people will have to travel many hundreds of kilometres to access obstetric services.

I go to part 2 of the report. Page 21 of the report lists the amount of money allocated for ambulance service expansions and upgrades as \$500 000. I assure members that the people of Horsham are not happy that the ambulance station there, which has almost been eaten out by white ants, is not on that schedule. I again call on the government and the Minister for Health, who has just come into the chamber, to fund the upgrade of the Horsham facility not only so that the staff have good facilities but also so that services are provided for country Victorians.

When I looked through the report I saw that page 22 lists efficient government savings in the Department of Human Services. It talks about saving \$16.9 million through various programs. I will be watching that with interest, because we in country Victoria feel that we have been losing services and that that is where savings are being made to bolster the government's bottom line.

These reports provide worthwhile information not only to MPs but also to people in the community, including information about mental health services. People in country Victoria have a distinct disadvantage in this regard, with limited beds and staff. These services are not being provided for country people. Again, the reports are worthwhile reading, and I congratulate the committee on its work.

Public Accounts and Estimates Committee: budget estimates 2007–08 (part 2)

Ms GRALEY (Narre Warren South) — I will also speak on the Public Accounts and Estimates Committee's *Report on the 2007–08 Budget Estimates*. I will particularly focus on part 2, because it is a very good achievement of the committee and all those involved that a budget delivered on 1 May is reported on in such a substantial and informative fashion by the middle of June. It is good to see that members of Parliament are able to go to these substantive reports and learn about what is in the budget papers and the ministers' thoughts about future funding.

I was quite amused that the member for Brighton is still concentrating on part 1. It is nice to see that she has a complete copy of the report now, with that little bitty minority report in it. It is now time to look at part 2 and all the good things referred to in it. It contains some very interesting information. This timeliness of the report is all about making sure that the committee reports in an accountable and transparent manner.

I put on record the work of the committee. It involved 51 hours of proceedings over 14 days; in excess of 530 questions researched and raised by committee members; 128 questions on notice; 35 unasked questions; the provision of evidence by 10 government departments and the parliamentary departments; the hearing of evidence from 91 witnesses; and 626 pages of transcripts. It was a monumental effort that was carried out in a very short amount of time. I commend the work of the chair, the member for Burwood, who unrelentingly asked every minister a question on productivity. We know that is a particular interest of his, but it is also very important issue for the state of Victoria and indeed for the whole country. It was very interesting to hear each minister's reply to that question. That information is a great resource as we plan for Victoria's future.

I would also like to draw the attention of members to some questions that were asked. The Minister for Gaming gave straightforward and caring responses regarding problem gambling. The member for Benalla, continuing in the fashion that the member for Lowan has outlined, quite rightly asked a number of probing questions of the Minister for Agriculture. I think they had a really good discussion not only about matters of interest to rural Victorians but also, in the discussion of the showgrounds redevelopment, about issues that are very important to Melburnians.

I also draw the attention of members to some comments by the Minister for Finance, WorkCover and the

Transport Accident Commission in response to a question that I think was asked by the chair regarding the need for readability and uniformity of financial reports across departments. As we know, financial reports that are uniform, up to date and accessible to members of Parliament and the public are a sign of good governance and, indeed, good government. At the committee hearing the minister tabled a letter from David Watkins, the head of financial reporting policy at Her Majesty's Treasury in the United Kingdom, who said that the financial reporting standards adopted by the Victorian government in 2005 and 2006 will be adopted in the United Kingdom in 2008 and 2009. As far as financial reporting is concerned, there is a little bit of work to do, but we should commend the Bracks government for leading the way not only in Australia but also from an international perspective.

In conclusion, I commend members for turning up to the many committee meetings. I thank the staff, who worked long into the night on many occasions to make sure that these reports were presented to the Parliament so that we could all read them, learn from them and use them in our debates and in also in our relationships with community members. I commend the report to the house. It is an excellent report, and I look forward to part 3.

Public Accounts and Estimates Committee: budget estimates 2007–08 (part 2)

Mr WELLS (Scoresby) — I would also like to talk about the Public Accounts and Estimates Committee *Report on the Budget Estimates 2007–08 (Part Two)*. Part 1 was tabled in the chamber in May, and the committee decided to get the transcripts of evidence into the Parliament as quickly as possible. The member for Brighton mentioned that the Liberal members of the committee decided to put in a minority report, and we stand by that report because we wanted to differentiate it from previous reports that have been tabled. It is important that parts 1 and 2 of this report are not seen as making recommendations but merely as, I guess, a grouping of the minutes. The member for Narre Warren South said she is looking forward to part 3. I think most people in the Parliament are also looking forward to that part of the report, which we will be able to drill down into, but I will come back to that in a minute.

The report also covers questions on notice and sets out the process and the reports that ministers have submitted to the committee. I had a look at some of the things said by the Minister for Water, Environment and Climate Change. Minister Thwaites was before the committee on 15 May, and he gave the Liberal members of the committee the impression that he had

absolutely no idea of what was going on in regard to water infrastructure. I asked a question about the Melbourne Water website, which stated that it would cost approximately \$1 billion to build a new dam equivalent in size to the Thomson Dam. The website went on to say that such a huge cost could not be justified when there were many low-cost opportunities to use available water more wisely. The argument that was put forward was not an environmental one but one about cost.

It is interesting that a month later the government announced a \$3.1 billion desalination plant. I suspect that because of the minister's performance before the committee, which showed he had no idea of what was going on, he has been completely sidelined by the Treasurer. The Treasurer had a clear vision of what had to happen, but the minister for water was keener to promote low-cost opportunities to use available water. I do not think the minister for water was very keen on desalination — certainly not when he was before the committee.

We questioned the Minister for Industrial Relations about Work Directions, the company that was owned by the wife of the federal Leader of the Labor Party, and raised the issue of the Workplace Rights Advocate Act 2005. This government brought in that legislation and was very proud of the protection it afforded workers, but it only extends to those workers not connected to a Labor mate. That is about the best way you can put it. We questioned the minister as to why he would not exercise section 5(2) of the Workplace Rights Advocate Act 2005, which allows the minister to recommend the examination of unfair or illegal practices, and the only explanation we could assume from his answer was that if yours is a company owned by a Labor mate, the industrial relations minister is hands off, even though he has the ability to act. That is the height of hypocrisy when it comes to industrial relations.

In conclusion, as I mentioned, we are looking forward to part 3 of the report. The credibility of the Public Accounts and Estimates Committee rests with making sure that a fair and reasonable analytical report is tabled in Parliament. The Parliament also demands of the Public Accounts and Estimates Committee that ministers and departments are held to account. If that is not done, Victorians will lose confidence in the system.

BUILDING AMENDMENT (PLUMBING) BILL

Second reading

Debate resumed from 19 June; motion of Mr CAMERON (Minister for Police and Emergency Services).

Mr PERERA (Cranbourne) — I rise to speak in favour of the Building Amendment (Plumbing) Bill. The plumbing industry provides well over 300 000 jobs in Victoria, and over 300 000 compliance certificates are issued each year by the Victorian plumbing industry. The plumbing industry is a huge and indispensable component of the building industry. In 2004 an Australian plumbing regulators forum developed the Plumbing Code of Australia 2004 on behalf of the commonwealth and each state and territory government. The Plumbing Code of Australia is performance based, allowing innovative solutions. It also provides a set of technical provisions for achieving greater consistency across all states and territories.

This bill amends the Building Act 1993 to make reference to the Plumbing Code of Australia, which is the national yardstick at present. The Plumbing Code of Australia is defined to facilitate the incorporation of the code into the plumbing regulations. With the passing of this legislation the plumbing regulations will not have to be amended every time the Plumbing Code of Australia is amended, which means that the regulations will always be current. The Plumbing Regulations 1998 will sunset in November 2008. Therefore this is a perfect opportunity to have a specific power in the act to incorporate the Plumbing Code of Australia as amended from time to time.

This is an inevitable piece of legislation for the plumbing industry. The bill also amends the Building Act to enable a registered plumber to undertake specialised plumbing work under the supervision of a licensed plumber. Licensed plumbers are the only ones able to issue compliance certificates where the work is over \$500. Licensed plumbers must be licensed in specific areas of plumbing — for example, water supply, gasfitting, sanitation, roofing, draining or mechanical services to carry out that type of work. They are also required to have insurance to issue a certificate of compliance. Other plumbers do not need insurance and are limited to work not requiring a compliance certificate.

Under the proposed amendment, licensed plumbers can supervise other suitably qualified plumbers and issue the certificate of compliance. If, on inspection,

plumbing work fails to meet the required standard, the licensed plumber will be required to rectify the plumbing work to an agreed standard. Therefore the new arrangements will still guarantee the quality of work on specialised plumbing jobs. This will open up specialised work to a large number of qualified people without removing the controls designed to ensure amenity, health and safety.

The labour costs for unlicensed plumbers would generally be much lower than for licensed plumbers. This makes plumbing work affordable for average income earners in Victoria. As we know, plumbing covers water supply, gasfitting, sanitation, roofing, drainage and mechanical services. These are major components of the building industry. When the cost of installing these services comes down, the cost of building your dream home will come down as well. The great news is that housing has become affordable for the Victorian community. I commend the bill to the house.

Mr K. SMITH (Bass) — It is nice to have the opportunity to get up and speak on the two loves of my working life — plumbing and politics. I must say quite honestly that I have loved both of the jobs I have participated in, particularly my early life as an apprentice plumber and then running my own business for a number of years before going into politics.

I have read this legislation, and the Liberal Party is supporting it, but there are a couple of things I have a small concern about. One is that plumbing products must meet the Australian standard. One would hope they would be to the Australian standard, but often some of the best equipment — baths, basins, sinks, and all that sort of stuff — comes from overseas. I remember from my earlier plumbing days that a lot of materials, especially basins and toilet suites and so forth, we used to buy from Roger, Sellers and Myhill were imported from overseas. It was the best quality you could possibly get, but a lot of it was not to Australian standards, if I can put it that way, and at times we had to adapt some of that equipment. Although there are great plumbing companies around now that supply good equipment, some of the specialty companies supply what I might call offbeat and beautiful fittings, and it would be a bit of a shame if this bill stopped them from continuing to do so. I hope the provisions in this legislation will not allow that to happen.

I was also a little concerned about the provision in the bill enabling registered plumbers to do work under the supervision of a licensed plumber. One of the main concerns that was always mentioned in the plumbing

industry was the roofing industry, which at times can be a law unto itself. This was where totally unqualified people were allowed to work with some of the big roofing companies around Australia, I could say, but particularly in Victoria. Some of them were very professional and some were not. It was always a concern to me that fly-by-night roofing contractors would come in, put on roofs, pick up their money and be gone. I am not talking about roof tiling, I am talking about metal-deck roofing and so forth. While it was not raining, it was not a problem, but as soon as it started to rain those roofs leaked and people could not go back and get them fixed because the fly-by-nighters had disappeared. That was always a bit of a problem.

I am wondering whether this piece of legislation is going to allow some of those people to come back into the industry, working under the so-called supervision of a licensed plumber. It may be that this bill will bring them into line better, but I have a feeling that it may also allow some of the bigger companies that do installation work and the companies that manufacture a lot of this roofing material and probably have a licensed plumber on their staff to have teams of basically unqualified people who will be able to come in overnight and put roofs on buildings.

There is also some disappointment for me, coming from, could I say, the old days of plumbing. In the old days our work used to be inspected completely. We had to make sure it was always done to the right standards, and I must say that I always worked to the highest standards that I could. This was necessary so that we could have a certificate issued to us as plumbers. One of the difficulties we have now is that it has been accepted that plumbers sign their own certificates of compliance.

Only 5 per cent of jobs are inspected, and this is done on a random basis. This is also a bit of a problem in that some of the people who are doing the inspections or some of the people who are issuing the orders as to which premises should be inspected may be happy to ensure that some plumbers do not receive the number of inspections they should have. These sorts of things could, and I am sure probably do, happen. It worries me that this will now come under the building industry. I do not have a problem with Tony Arnell, but I thought the Plumbing Industry Commission was a well-run organisation. It was probably the leader across Australia in the plumbing industry, which is a unique industry, although electricians would probably come under the same banner.

Plumbing is different from a lot of the other trades in that it deals directly with people's health and safety. It

does not take much for somebody who is fiddling with their own plumbing or electrical work to cause long-term grief. If you get an electric shock it is liable to kill you there and then, on the spot, but certainly the spread of disease can come from plumbing. If you have problems with your cross-connections and so forth, they can cause long-term distress to people.

I do have a couple of concerns about the bill, although I must say that it is nice to be able to get up and talk a bit about plumbing. I do not think it enthuses me quite enough to want to go back to it, but every now and again, when a cistern in this place sticks and I can hear it running, I give it a tap and stop the water running, which I suppose is good.

There is one last thing I would like to talk about. Now we have what are called green plumbers, an initiative of the Master Plumbers and Mechanical Services Association of Australia. Ray Herbert, its chief executive officer, considered this an excellent way for plumbers to go. In fact I noticed in a recent edition of its magazine that green plumbers and the way they operate have now been accepted in some overseas countries, including the USA and I think the UK, which are looking at doing green plumbing as well. That was a great initiative from plumbing here in Victoria, particularly through Ray Herbert. I would like to congratulate him on that particular initiative. I will conclude by saying that plumbing is a unique industry and I hope we do not see it buggered up by this type of legislation.

Mr SEITZ (Keilor) — The Building Amendment (Plumbing) Bill is again a bill that brings in regulations and standards and it goes further by bringing in an Australian standard. Right through the history of the plumbing industry Victoria has been a leader. Coming from the plumbing and sheet metal industry myself I still maintain my tools, and like the previous speaker I try to keep up my experience and practice in case I have to go back to a plumbing job when I am finished in this job.

Plumbing has been an important industry in the past, but is no less important now, given that we have started the grey-water system. That was demonstrated particularly when there was a recent outbreak of gastro when one of the water authorities had grey water connected to the drinking water in its own establishment. That shows just how important it is to have licensed plumbers and registered plumbers dealing with water connections for the safety of our community and society. With water prices going up, people will be attempting to install water tanks and grey-water

systems in their own homes and mistakes can be made. Back flow is important and must be controlled.

I support the bill because it allows registered plumbers with sufficient experience to carry out specialist work under the supervision of a licensed plumber. The introduction of the plumbing commission led to a change in the regulation from the time former Melbourne and Metropolitan Board of Works inspectors used to come out to every site, inspecting our jobs. Whether it was a stack in a high-rise building or a sewerage connection in a villa home construction, we always had to have a board of works inspection. You could not fill in a trench until you had the inspection and it had been tested for leaks and was passed. The same thing applies now with random inspections.

Another new phenomenon that has developed in the area relates to the evaporative cooling systems that are installed by plumbers as licensed installers. They have to be checked as well because they use water, which then goes mainly into the spouting and then into the stormwater drains. Again, that work must be done correctly and a number of things need to be checked. Now evaporative coolers are advanced and better developed so that they are self-cleansing and therefore less hazardous for the health of people. The filters of the old ones had to be cleaned because they were not self-cleaning, as the modern ones are. As the previous speaker said, those issues are important for the health of people.

The bill allows registered plumbers to carry out a number of specialist jobs, so that new people who have finished their trade, passed their exams and got themselves registered will be able to carry out work. The cost will not increase and the work will be controlled by licensed plumbers, but works can be carried out under their supervision.

Roofing is also an important industry. As Colorbond is becoming more popular in the construction of domestic roofing, particularly on beachfronts, a lot of steel roofing is going up. That needs to be done properly not only to protect people from leaks but also for safety reasons, to ensure that the roofs are well secured and will not fly off in a wind or hurricane. As members know, insurance companies like to say that such things are an act of God or nature and therefore are not covered by insurance, so it is important that all these matters are covered by regulation.

The conversion of appliances to gas must be done by a specialist plumber who has sufficient knowledge and experience. That is very important and is covered in this legislation. On air conditioning, generally in our

construction industry sheet metal workers make the ducting but the plumbers install them at building sites. The bill provides coverage for that specialist job as well. With those few comments, I commend the bill to the house and wish it a speedy passage.

Sitting suspended 1.01 p.m. until 2.05 p.m.

Business interrupted pursuant to sessional orders.

ABSENCE OF MINISTER

The SPEAKER — Order! Before calling the Leader of the Opposition can I just announce that the Minister for Sport, Recreation and Youth Affairs is absent from question time and will be absent tomorrow as well. We congratulate him on the birth of his baby girl, Sophie, and wish him all the best. Any questions that were to be directed to the minister will be answered by the Minister for Skills, Education Services and Employment.

QUESTIONS WITHOUT NOTICE

Water: Victorian plan

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. I refer to the Premier's proposal to double consumers' water bills to pay the \$4.9 billion for new water infrastructure and to the fact that the Bracks government has stripped more than \$2 billion out of water authorities over the last seven years but is contributing only \$630 million over eight years to these works, and I ask: isn't this proposal just another massive tax take — a Bracks tax on inaction and the failure to deliver water security — and a tax that Victorians will have to pay year after year after year?

Honourable members interjecting.

The SPEAKER — Order! I ask government members, particularly the members for Burwood and Kororoit, and opposition members to allow the Premier to answer the question.

Mr BRACKS (Premier) — I thank the Leader of the Opposition for his question, and the answer is no. The government has indicated already that a mix of users, of course, in the Melbourne water system will pay for the infrastructure — the \$4.9 billion of new spending on water: it is just under \$5 billion — through increased prices. A contribution will also be made through the budget to the regional development project

which will provide some water for Melbourne as well, the food bowl modernisation project.

The desalination project itself is a \$3.1 billion project which will come on stream at the end of 2011. It will obviously need financing and support, and that will become part of the price increases that the Essential Services Commission will determine in the future. I have indicated already that we expect, for example, that Melbourne water prices will double over five years. We expect that that will be about a 20 per cent increase per year. That will be determined finally and independently by the Essential Services Commission. We will have a system in place that we have determined. That system is: the more water you use, the more water you pay for. It will be a step system on that basis. We will be assisting and supporting those families who receive concessions as well.

If you look at the details of average water prices for Melbourne, you find they are somewhere between 20 per cent and 30 per cent less than water prices in other capital cities, and that is before they have built into their prices the augmentation, the extra price increases in the future.

Mr Burgess interjected.

The SPEAKER — Order! The member for Hastings does not need to continue interjecting when I am calling for order.

Mr BRACKS — It is all right; they have been rehearsing. The price increases will pay for the infrastructure, and the prices will double over the next five years. It will be about 20 per cent on average over the coming years, with the final figure to be determined, but prices will double over the next five years. That is from a base where Melbourne's water charges are on average about 20 to 30 per cent less than the charges in other capital cities, and other governments in other states have already announced that those charges will go up to pay for their new projects.

In relation to water dividends, the government is in fact spending more than it gets in water dividends. It has been spending well in excess of that, and of course with the extra \$630 million we have announced today, we will spend even more. As recently as the last budget we announced a significant upgrade to the irrigation systems in Shepparton. That was part of the last budget. We have been progressively contributing to upgrades of regional water infrastructure around this state. They have been announced progressively, well in excess of any water dividends.

If I can finish on this point — and I welcome the question — the \$3.1 billion for the biggest desalination plant in Australia, and arguably the biggest in the world, will be funded by water users. It will be funded over a period of time. Compare that to the \$10 million that was offered by the opposition to build a desalination plant, or the comment made today by the opposition leader that he would have funded the \$3.1 billion out of the state budget. He would have funded it out of the state budget — driving up debt, driving up taxes and driving up the cost of living in Victoria. There is a well-established principle that water users pay for water resources. That will occur here, but it will be done in a fair way which protects families as well.

Mr Haermeyer — If the Baillieu family wants to make a philanthropic contribution, it will be gratefully accepted.

The SPEAKER — Order! The member for Kororoit was not given the call to enter into the debate.

William Street shooting: government response

Mr STENSHOLT (Burwood) — My question is to the Premier. I refer the Premier to the heroic actions of Brendan Keilar, and I ask the Premier to advise the house on what the government is going to do to support his family following his tragic death.

Mr BRACKS (Premier) — I thank the member for Burwood for his question. At the outset I would like to take the opportunity — I know many members of this house have already done this — to express the government's shock at the events that took place in Melbourne just this week. I offer my deepest condolences to the family and friends of Melbourne solicitor Brendan Keilar, who tragically lost his life. Our thoughts are also with the two people who were injured and who are currently recovering in our health system in Victoria. Dutch national Paul de Waard and Melbourne woman Kara Douglas are currently recovering.

This cold-blooded shooting took place during peak hour in the heart of Melbourne's legal and business precinct. The trauma for the immediate family and friends of the people involved is significant and profound. But the trauma for those people going about their business is also significant and is still heartfelt. It happened without warning and has left Melbourne in a state of shock and disbelief. The tragedy of this event is that it has left three young children without a father because of the heroic efforts he made to help someone else in need and to support someone who needed

assistance at that time. It has also left a young visitor to Australia fighting for his life in hospital. We hope and pray that he recovers. I know his family is coming out to visit him very soon.

Brendan Keilar was going about his business on Monday morning when the shooting happened. He saw someone, as I mentioned, who needed help and did the instinctive thing that many people around Australia would do — that is, offered his help, offered his support and intervened to protect someone who appeared vulnerable at the time.

Tragically Mr Keilar died at the scene. He paid a terrible price for his selfless act of heroism. Our hearts go out to his wife, Alice, his three young children, Phoebe, Lucy and Charlie, his parents and his siblings. Our government will assist and support the family in this very difficult time. I know there will be many other offers of assistance and support for the family. Our government will offer Mr Keilar's spouse and family a support fund to help them during this extremely difficult time. Our government will contribute an initial \$250 000 towards this trust fund, which will be established for the support of his family and children. That trust fund will be operated independently and will receive support and funds from others who wish to contribute.

I understand of course that many Victorians will also want to show some recognition in their own way. Many people are looking for a way to assist this family in some way. Today our government is inviting the Victorian public to contribute to this new support fund, which we hope will provide some relief to Mr Keilar's family and to his wider friendship group.

Our government has also offered to help the family of 25-year-old Dutch national, Paul de Waard. Mr de Waard was in Australia to pursue his love of surfing. I understand he has been in Australia for some time and was nearing the end of his holiday, enjoying with his friends the Australian and Victorian coastline and what he said were the best of Australian waves.

Our government has been in contact with the Dutch consulate, which has informed us that Mr de Waard's parents are making their own arrangements to travel to Melbourne to be with their son. They will be met at the airport by the consul general. Victorian police have been working closely with the Dutch consul general in facilitating travel arrangements for Paul de Waard's family. Our government has offered assistance towards Mr de Waard's family's needs in terms of travel and accommodation costs while they are here visiting their son.

This event is a tragedy for the families involved and a tragedy for Victoria. Our government will continue to do whatever it can to help those involved. We also praise the work of the police who are currently working in Victoria and interstate to try to apprehend the alleged criminal who perpetrated these horrendous crimes on the people of Victoria. I wish those who are recovering all the best for their recovery, and I certainly wish the family and friends of the hero of Victoria all the best at this very difficult time.

Honourable members — Hear, hear!

Bushfires: parliamentary inquiry

Mr RYAN (Leader of The Nationals) — My question is to the Premier. I refer to the Premier's comments on ABC Radio Gippsland this morning, when he told the presenter that this government does not tell regional staff what to do, and I ask: will the Premier now direct the Minister for Water, Environment and Climate Change to remove the gag on regionally based Parks Victoria and Department of Sustainability and Environment staff and allow them to express their views before the current parliamentary inquiry into last summer's bushfires?

Mr BRACKS (Premier) — I thank the Leader of The Nationals for his question. Just as I said today that the government does not instruct regional staff what to do, so we will not instruct the minister to instruct staff what to do. It is very obvious. Who presents before committees is a decision for the management of departments. That is their decision, and it has always been their decision. I understand that they have already presented. It is their decision as to who should present before a committee, and they will make that decision, as I said today, operationally —

Mr K. Smith interjected.

Mr BRACKS — That is not true.

Mr K. Smith interjected.

The SPEAKER — Order! The member for Bass!

Mr BRACKS — The government does not direct regional staff and will not direct regional staff. The government will allow the departmental heads involved to make those decisions based on what they believe is appropriate advice to the committee. We support this committee reference. We actually gave the committee the reference. We support this inquiry happening. We have facilitated that through the department head, offering support, assistance and advice to the committee itself. That will continue.

Williamstown shipyard: defence contract

Mr BROOKS (Bundoora) — My question is to the Premier. I refer the Premier to the government's commitment to attract investment to Victoria, and I ask him to detail for the house the most recent example of the government delivering on this commitment.

Mr BRACKS (Premier) — I thank the member for his question. I am very pleased today with the announcement by the Prime Minister that Victoria will share in a significant boost to our ship-building industry here in Victoria. This is great news for our state. We have been working with the ultimately successful bidders, Tenix and Navantia — a Spanish ship-building company — on a project to obviously have Victorian technology, Victorian engineering skills and Victorian abilities go into the fitting out of the hulls which will come for the amphibious ships as part of the defence contracts in Victoria. I am very pleased that that confidence has been repaid with the Defence Materiel Organisation awarding that contract to Tenix and its partner in Spain. That awarding will effectively go to the workforces of the companies in both Victoria and South Australia.

This will mean that somewhere between 500 and 600 jobs in Victoria — highly skilled jobs, engineering jobs and technical jobs, for which we have a great capacity. We already have about 40 per cent of the shipbuilding industry in the country here in Victoria. We have about 4000 people working in naval shipbuilding and repair. We have successfully undertaken the delivery of the 10 Anzac frigates from the Williamstown dockyards by Tenix, on time and on budget — and a very effective, efficient and productive site that has become. That will be the site also for the new work which will be undertaken on these two amphibious ships once the hulls are delivered and they are fitted out with all the technology required for that to occur.

This will be a project which will go over about 10 years. As I mentioned, it will involve about 500 to 600 jobs directly; but indirectly, in the supply chain and the other support and subcontractors that go with it, there will be hundreds and hundreds of other jobs that will be provided as well. This is great news for Victoria and great news for our capacity and ability and our leadership in shipbuilding. We have a proven track record. I am glad our proven track record was recognised in the recent decision which the federal cabinet made and which the Prime Minister announced today — that the commonwealth Defence Materiel Organisation would be awarding that contract to Tenix, with a significant amount of that work being

undertaken in Victoria. I am very pleased that we were able to support the bid and the arrangements for the bid and to provide the infrastructure support that is required for that to be successful in Victoria.

Water: Victorian plan

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. I refer to the new water tax — the Bracks tax on inaction and failure — and the government's policy of using water pricing to influence demand, and I ask: will the Premier advise the house whether the doubling of water bills will apply to service charges and levies or only to water usage charges?

Mr BRACKS (Premier) — I thank the Leader of the Opposition for his question. The final determination on that matter will be made by the Essential Services Commission — —

Honourable members interjecting.

The SPEAKER — Order! The member for Polwarth!

Mr BRACKS — That is all right, feigned laughter is useful.

An honourable member interjected.

Mr BRACKS — They have rehearsed it.

The opposition may have missed that we had legislation pass through this house which gave the rights over water prices to the Essential Services Commission. The opposition may have been absent for part of that time — —

Honourable members interjecting.

The SPEAKER — Order! I will not have that level of interjection. The member for Polwarth knows better than that. The member for Warrandyte is becoming a consistent offender at question time, with consistent interjections that are not appreciated by the Speaker, and the member for South-West Coast is a constant recalcitrant.

Honourable members interjecting.

The SPEAKER — Order! I will not have that response from government members — the member for Narre Warren North and the member for Mitcham.

Mr BRACKS — Under the legislation which we passed in this house, the final determination on the structure and pricing regime will be for the Essential Services Commission.

Mr Baillieu — On a point of order, Speaker, this was a simple question. The Premier is debating the question, not answering the question. The Premier has told Victorians that average water bills will double but seems to have no basis for it. Will they double or treble?

The SPEAKER — Order! Taking a point of order does not give the Leader of the Opposition the opportunity to debate. The Premier, to answer the question, and I ask for cooperation from members so that I can hear the answer.

Mr BRACKS — We have been upfront and indicated that, with the infrastructure requirements that water authorities have and the future infrastructure requirements which we have announced, there is going to be a doubling of water prices. The composition of that will be determined by the Essential Services Commission, which is required under the legislation. The components of it will be determined by the commission over the second half of this year.

Water: desalination plant

Mr PERERA (Cranbourne) — My question is to the Premier. Can the Premier update the house on his visit to the site of the new desalination plant and how the plant will guarantee economic growth for Victoria and particularly Wonthaggi?

Mr BRACKS (Premier) — I thank the member for Cranbourne for his question and his interest in ensuring that we have water sustainability in the state. The centrepiece of the government's water plan is the \$3.1 billion desalination plant. That is the biggest desalination plant in Australia and one of the biggest in the world. It will produce, in the first instance, about 150 gigalitres of water. It will have the capacity in the future, if any government so chooses, to increase that to 200 gigalitres. That is about 30 per cent added on to the total water supply that exists in Melbourne, and that is a significant infrastructure project in its own right.

I had the opportunity today to meet with the mayor of Bass Coast shire, Cr Neville Goodwin, and the chief executive officer, Allan Bawden — nice bloke — as well as with the South Gippsland and Western Port water authorities — —

Mr K. Smith interjected.

Mr BRACKS — That is in the mail, by the way.

The mayor did a good job, and of course he would. Obviously we discussed not only the impact of this for Victoria in securing our water supplies but also the

impact for the region as well. This will have a dedicated pipeline system into the whole of the Bass Coast area which is going to secure its water supplies forever in that region — for example, the whole of the South Gippsland Water and Westernport Water areas will have access to the desalination plant at Wonthaggi to assist and support them in their water security for the future, which will include, of course, places such as Phillip Island, Korumburra, Leongatha, Wonthaggi and Foster. All of those towns will also be assisted and supported as part of that.

Honourable members interjecting.

The SPEAKER — Order! The Deputy Leader of the Opposition! And the Leader of The Nationals knows that conversation across the table is not allowed.

Mr K. Smith interjected.

The SPEAKER — Order! I understand the member for Bass is very excited, but I ask him, if he could, to control himself.

Mr BRACKS — This will also mean significant economic development for the region not only in water security but in other economic development. Clearly there will need to be an upgrade of the power system to account for this new desalination plant. I understand the region has had some outages in the past which can be repaired and assisted with this project. The road infrastructure will need to be improved, of course, as part of this, with access into the new plant. It will also mean a significant amount — hundreds and hundreds — of jobs. Up to 1000 jobs will be provided in the construction phase, and many, many jobs will also be there in the operation of the plant.

Mr K. Smith interjected.

Mr BRACKS — The local member can claim that work as well. This is a great project for Victoria and will have a significant benefit not only for Melbourne but for the region as well. I am very pleased that the council has given support for the project. We pledge to work in partnership with the council in the delivery, design, construction and consultation process. We will support the council in that as well in a partnership approach. There will, of course, be some people who will be affected, people who will not be happy about the fact that their existing properties will need to be acquired. That is understandable. We will work fairly with them and make sure there is a proper and fair recompense for those areas. We will do it in a way which assists not only the environment but also the local families in that area.

Water: Victorian plan

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. I refer to the Bracks tax on inaction and failure, and I ask: why are consumers being hit with these massive tax increases when both the Premier and the Treasurer just a few short weeks ago assured Victorians there was \$2.9 billion in the budget to help pay for future water projects?

Mr BRACKS (Premier) — Both the Treasurer and I indicated that there was unallocated capital which was available for spending. We said we would make a contribution to water projects, and we have. In the particular projects that we announced this week there will be a contribution from our state of \$630 million towards those projects. Over the past eight years we have contributed billions of dollars to water projects in this state, and we will continue to do it.

Water: desalination plant

Ms LOBATO (Gembrook) — My question is to the Minister for Water, Environment and Climate Change. Can the minister advise the house on key findings of the desalination feasibility study and the next steps in the process to build Australia's largest desalination plant?

Mr THWAITES (Minister for Water, Environment and Climate Change) — I thank the member for her question. The feasibility study which was released yesterday clearly identified Wonthaggi as the best location for a major desalination plant for Victoria. It pointed out the problem with other locations in bays, which some people had previously suggested. This location is preferred because it is in an ocean and you get a much better dispersal of the brine and very pure water. You have the other great benefit of being able to also access Western Port and South Gippsland. We know how much they need water.

Today the Premier and I met not only with the council and the mayor, Cr Neville Goodwin — we had a very good meeting with him — but also with South Gippsland Water, and it was a very productive meeting. I can indicate that from that meeting South Gippsland Water will be working with Westernport Water and Melbourne Water on establishing a strategic review to assess not only the water needs of the immediate area but also additional opportunities for the use of desalination water further afield, including, potentially, Leongatha and Korumburra. That is a significant area for work to be done in. The strategic review will be very important in giving security for people right throughout South Gippsland. If you look at the rainfall

in the last 12 months, you can see that in fact South Gippsland has been hit about as hard as any other region of the state. That area has faced very tough times, and it is doing a good job.

We also note the importance of Phillip Island for tourism, and we want to give security for that. We were there with the chief executive officer of Westernport Water today. The desalination plant is able to link into Phillip Island and give security for the future of tourism. That is another great initiative. There is a lot of work to be done. Over the next 6 to 12 months there will be extensive work done on the site to get it ready for construction. This will include geotechnical investigations both onshore, which will involve drilling at the preferred site and along the pipeline route, and also offshore, with drilling to test the intake and outlet areas.

There will also be sea water quality sampling, which will be important to ensure that we are able to understand the water composition and to define the pre-treatment and reverse-osmosis processes. A pilot plant will also be set up. It is important that we are able to exactly determine the quantity of water and the type of water. The pilot plant will be done over the next six months or so, and there will be testing of the water from the pilot plant.

Environmental studies will be undertaken to assess the marine and land impacts and also enable the minister for the environment to determine whether an environment effects statement is required. There will be hydrodynamic modelling, which will include computer modelling of ocean conditions and climatic entitled data. There will also be an important investigation into the electricity supply, which will offer more opportunities for the region, because a high-voltage feeder will be brought in which will improve the electricity supply for Wonthaggi.

Of course the total project will be carbon neutral. This is a significant initiative that will ensure that all the energy that is produced from this desalination plant will be offset by a wind farm or other renewable energy facility somewhere in the state. This will be in addition to VRET (Victorian renewable energy target).

Honourable members interjecting.

Mr THWAITES — I know there are sceptics on the other side, but it will be in addition to VRET. Not only will that be a great environmental outcome, but it will mean more jobs in regional Victoria. That is what we have already achieved with our existing VRET, and we are going to produce even more.

This is a great project for the whole of the state. I might say that this has been widely supported. Environment Victoria, which one would expect would have concerns about desalination and energy, has said there are potential benefits from the desalination in this case because it can take pressure off our stressed rivers during drought. It has indicated that it is pleased we are fully offsetting the greenhouse gas emissions.

This is an announcement that is widely supported, and we will be working with the local community to deliver.

Minister for Water, Environment and Climate Change: conduct

Ms ASHER (Brighton) — My question is to the Minister for Water, Environment and Climate Change. Given that the minister has had another 24 hours to examine his diaries and his conscience, can he now tell the people of Victoria how many times he has stayed at ski resorts, Wilsons Promontory and other government accommodation, when he stayed, who accompanied him and why he did not declare these taxpayer-funded holidays in the register of members interests, given that three of his Labor colleagues did?

Mr THWAITES (Minister for Water, Environment and Climate Change) — I did answer this question yesterday, and I indicated to the member that I am the minister for the environment. It is my job to oversee — —

Honourable members interjecting.

Questions interrupted.

SUSPENSION OF MEMBER

The SPEAKER — Order! Under standing order 124 the member for Kilsyth is barred from the chamber for 1½ hours. The use of props at question time or any other time is absolutely out of order and will not be tolerated.

Honourable member for Kilsyth withdrew from chamber.

Honourable members interjecting.

The SPEAKER — Order! I ask the minister to sit down. In the brief few seconds that the minister was trying to answer the question I could not hear anything. I ask members for a little bit of consideration.

Questions resumed.

Mr THWAITES (Minister for Water, Environment and Climate Change) — As I indicated yesterday — —

Mr Kotsiras interjected.

The SPEAKER — Order! The member for Bulleen is warned.

Mr THWAITES — As I indicated yesterday, these resorts and parks are tremendously important for our economy and for jobs right around the state — some 4000 jobs in the Alpine resorts. Not only that, they play a key role in the success of our regional towns. That is why I was at Mount Buller at the weekend for the opening of the ski season. It involves me in numerous functions and events, supporting the community, visiting the Country Fire Authority and talking to the CFA. That is important. I would have thought we should back our CFA — —

Mr Haermeyer interjected.

The SPEAKER — Order! The member for Kororoit!

Mr Baillieu — On a point of order, Speaker, the minister is debating the question, not answering it. If his trips, visits and holidays were legitimate, what does he have to fear from making a public disclosure.

The SPEAKER — Order! The taking of a point of order is not an opportunity to enter into debate. The minister, to answer the question.

Mr THWAITES — As minister for the environment, that is exactly what I do — I make these visits. What do you think I do? I have to meet the CFA, I meet the operators, I meet the chamber of commerce, I attend functions such as the Olympic winter event and I attend the opening of the ski season and give the speeches. I am doing what I ought to be doing as minister, supporting the industry.

Honourable members interjecting.

The SPEAKER — Order! The members for Polwarth and South-West Coast are continually holding up question time.

Water: food bowl modernisation project

Mr HARDMAN (Seymour) — My question is to the Minister for Regional and Rural Development. I refer the minister to the next stage of the Victorian government water plan and ask the minister to advise the house of the support for the food bowl modernisation project.

Mr BRUMBY (Minister for Regional and Rural Development) — I thank the member for Seymour for his question. This morning the Minister for Agriculture and I visited Shepparton, where we had meetings with the Greater Shepparton City Council, meetings with the food bowl modernisation group and meetings with Murray-Goulburn Water and a number of the area irrigation groups and representatives of the Victorian Farmers Federation. It is fair to say that the response to the government's announcement yesterday by many groups in the area has been extremely positive. These groups see the benefits that will flow both in the short term and in the medium and longer term from \$1 billion invested in this region. I repeat that the discussions this morning were positive.

I confirmed today, as we announced yesterday, that a steering committee will be established. The steering committee will be inclusive, it will be wide ranging and it will ensure that there is a representative group in the local community with whom the government can discuss key issues over coming weeks. That was responded to very positively as well.

The \$1 billion announcement yesterday received a very positive response from many people throughout the region. The *Shepparton News*, and I was there this morning, said, 'Grand ideas flow', and went on to highlight many of the positive announcements made and the responses given. The leader of the food bowl group, chairman John Corboy, described yesterday's announcement as 'a fantastic result'. He said:

Where else do you get that amount of funds injected into the region and end up with more water on top of it?

He is dead right in what he said. When asked about the lack of support from The Nationals, Mr Corboy said he believed the party was out of touch with its constituents on the issue. You do not have to be John Corboy to know that. The heading of the opinion piece in the *Weekly Times* is 'Irrigators must ignore the knockers and back this gift horse'. The opinion piece goes on to say:

Plenty of visionary Victorians share Mr Brumby's and Mr Thwaites's view, arguing that if this project doesn't go ahead, irrigators will be left to foot the massive cost of upgrading a 80-year-old irrigation system.

It goes on to say:

It seems The Nationals would rather see the government waste millions saving a trickle of water in the city rather than creating a wealth of water for irrigators, Melbourne and the environment north of the Divide.

That is the *Weekly Times*. When we looked at the plan we said to the mayor of Shepparton, 'Is this going to be

of benefit to the community for decades?', and the answer was yes.

Stephen Mills, the chair of the Goulburn Broken Catchment Management Authority, said:

This \$1 billion plan will upgrade inefficient irrigation systems that are up to 100 years old and bring the Goulburn Valley into the 21st century.

Tim Piper of the Australian Industry Group said:

The initiatives will be a considerable boost to industry, which above all needs certainty of supply.

Neil Coulson of the Victorian Employers Chamber of Commerce and Industry said it is:

... a win-win for the Victorian community because it does not draw on existing water but provides water for irrigators, the environment and Melbourne from savings.

Not everybody agrees with this proposal, and it is the nature of major, far-reaching and long-term policy solutions that not everyone will agree with them.

My attention has been drawn on that issue to some statements made last year about this issue of water coming across the Divide into the Goulburn system. I will quote from a speech of Damian Drum, a member for Northern Victoria Region in the other place, citing Bill Baxter, a former member of the Legislative Council, who said:

We are totally supportive of it, provided the water used for the project is generated out of savings.

He went on to say:

We all know the savings are in the system, we just need a government that has the will to do the right thing and invest in infrastructure savings.

Guess what? We are investing \$1 billion in infrastructure savings.

My attention has been drawn to another article. This was in the *Weekly Times* of 15 November 2006, and it refers to Liberal Party policy in relation to water, rural supplies and urban supplies. It quotes the member for South-West Coast and says:

Dr Naphine said under a Liberal government any rural water transferred for urban use would have to come from water savings projects.

Honourable members interjecting.

The SPEAKER — Order! The member for Narre Warren North! And the member for Mitcham does not need to gesticulate in that manner.

Dr Napthine interjected.

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

Mr BRUMBY — As I said today in Shepparton, we will be moving to establish a steering committee to take this project forward.

An honourable member interjected.

Mr BRUMBY — We will be setting up a steering committee to take this project forward. In terms of the projects we announced yesterday, let me just say something too on the funding of these projects, because I had Treasury provide me with a little bit of advice on a previous visionary project for our state, the Thomson Dam. It might be of interest for members of this house to know that the Thomson Dam was paid for, with one small exception, by the Melbourne and Metropolitan Board of Works — in other words, it was paid for by Melbourne users.

The only contribution that was made towards that project was a contribution in the 1980–81 budget of the then Liberal government of \$111 million, which was a contribution from the budget sector to MMBW to pay for the environmental flows and the water being provided for rural users. There is a fair bit of similarity, is there not, between that proposition back under the Hamer government and the proposition we announced yesterday, with \$600 million of budget sector capital funds being devoted towards environmental flows and investment in rural infrastructure.

This is a good package. It is a package as visionary as the Thomson Dam was under the Hamer government. It delivers \$1 billion in infrastructure investment to the Goulburn Valley region, and it is widely supported by groups throughout regional areas. The only people who are out there opposing this project at the moment are The Nationals and the Liberal Party, who do not have a leadership bone in their bodies.

BUILDING AMENDMENT (PLUMBING) BILL

Second reading

Debate resumed.

Mr ANDREWS (Minister for Consumer Affairs) — I am pleased to provide some concluding comments in the debate on this important Building Amendment (Plumbing) Bill. These are very important changes to the regulatory framework that governs the plumbing

industry, and that is obviously a benefit to businesses, to those who run plumbing businesses, to registered plumbers and to Victorian consumers in a broader sense.

This modernisation of the existing regulatory framework, as I said, is great news for all involved, and it means we will have a more contemporary and relevant framework that has greater utility as we go forward. In effect the Plumbing Code of Australia and the Victorian plumbing regulations will be consistent over time, even as the code is changed from time to time and nationally consistent standards for works and products improve the efficiency of this very important industry in such a buoyant property market. It is an industry that from time to time is relevant to every household across the state.

The proposal also increases the number of plumbers who can undertake specialised plumbing work, and that is expected to reduce waiting times, given that we have skill shortages and there is a shortage of skilled plumbers right across the Victorian economy. Other amendments that are part of the bill are fairly technical in nature. This is a common-sense set of arrangements and one that I think is broadly supported across the plumbing sector. It is the product of detailed consultation by my ministerial colleague the Minister for Planning in another place.

I thank all honourable members who have contributed to the debate on this important bill: the members for Box Hill, Shepparton, Yuroke, Bayswater, Bundoora, Morwell, Burwood, Ferntree Gully, Cranbourne, Bass and Keilor. As I said, this is a sound and sensible set of arrangements to take this industry forward. I commend the bill to the house and wish it a speedy passage.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

ENERGY LEGISLATION AMENDMENT BILL

Statement of compatibility

Mr BATCHELOR (Minister for Energy and Resources) **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 Energy Legislation Amendment Bill 2007.

In my opinion, the Energy Legislation 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

This is an omnibus bill which has two principal aims:

It promotes electricity generation from small renewable energy sources by strengthening the provisions for feed-in tariffs paid to small wind generators and extending these provisions to other forms of renewable generation including hydro, biomass and solar. This is done by repealing the existing provisions and inserting a new division 5A into part 2 of the Electricity Industry Act 2000 (EIA).

It clarifies the power to make dispute resolution processes under the gas market and system operation rules (MSORs). This is done by amending section 52 of the Gas Industry Act 2001 (GIA). The bill also clarifies the functions and powers of the Victorian Energy Networks Corporation (VENCorp).

In addition, the bill makes minor statutory amendments to the EIA.

Human rights issues

Human rights protected by the charter are unlikely to be affected by the bill, as the bill will affect licensees that are corporations rather than individuals. Licensing under the EIA, and participation in the national electricity market pursuant to the national electricity law and rules, attract substantial prudential and technical obligations. This is also the case under the GIA and the gas pipelines access law and code. All current licensees under the EIA and GIA are corporations and licensing of individuals is considered unlikely.

In the event licensees are individuals, the bill technically engages the right not to be deprived of property in section 20 of the charter as 'property' includes statutory rights such as licences. While the bill affects such property by imposing new licence conditions, the right is not limited as the licensee is not substantially deprived of the use of the licence.

As well, the amendments in the bill to section 52 of the GIA technically engage the right to a fair hearing in section 24 of the charter if individuals participate in the gas market governed by the MSORs. While the MSORs establish alternative dispute resolution processes, the right is not limited as those processes do not preclude a public hearing and the dispute resolution panels are independent, required to observe the rules of natural justice and subject to court oversight.

Conclusion

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

PETER BATCHELOR, MP
Minister for Energy and Resources

Second reading

Mr BATCHELOR (Minister for Energy and Resources) — I move:

That this bill be now read a second time.

The Bracks government is committed to tackling climate change and to establishing practical measures to achieve reductions in greenhouse gas emissions. This bill will fulfil our promise to legislate to require electricity retailers to purchase power from small-scale renewable generators at a fair price.

Feed-in tariffs are the amounts paid by retailers to buy power generated by customers and supplied to the network. The bill amends the Electricity Industry Act 2000 (EIA) to promote the generation of electricity from small, renewable energy sources. It does this by strengthening the current provisions for feed-in tariffs paid to small wind generators and extending these provisions to other forms of renewable generation including hydro, biomass and solar.

Clause 3 of the bill inserts several provisions in the EIA, including a new section 40G. This section will require licensed electricity retailers to publish the prices, terms and conditions under which they will purchase electricity generated by small, renewable source generators under 100 kilowatts capacity. The bill will therefore provide clarity and transparency for those who are less able to negotiate feed-in tariffs for power with retailers.

The prices, terms and conditions published by a licensee under section 40G must be fair and reasonable.

Where a licensee publishes prices, terms and conditions under section 40G, the minister may refer them to the Essential Services Commission (ESC) for assessment as to whether they are fair and reasonable. If the ESC considers that the prices, terms or conditions are not fair and reasonable, it must recommend ones it considers to be so. The minister may then declare that these prices, terms and conditions apply to the licensee named in the declaration.

If a licensee fails to publish relevant prices, terms and conditions under section 40G, the minister is empowered to request the ESC to determine prices, terms and conditions which are fair and reasonable and recommend them to the minister. The minister may then declare that these prices, terms and conditions apply to the licensee named in the declaration.

Clause 4 of the bill repeals a spent provision in the EIA. The provision, section 19(5), relates to the process for

licensing of the Snowy Hydro Corporation. As the licensing process was completed in 2004, this provision can be repealed.

Clause 7 of the bill amends the Gas Industry Act 2001 to clarify the power to include dispute resolution processes in the market and system operation rules. The bill also clarifies that the rules may confer functions and powers on the Victorian Energy Networks Corporation (VENCorp).

Lastly, the bill makes minor statute law revision amendments to the EIA.

I commend the bill to the house.

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

Debate adjourned until Wednesday, 4 July.

CRIMES AMENDMENT (DNA DATABASE) BILL

Second reading

Debate resumed from 2 May; motion of Mr HULLS (Attorney-General).

Mr CLARK (Box Hill) — The Crimes Amendment (DNA Database) Bill is a bill that has two main purposes: the first is to enable Victoria to participate fully in the national criminal investigation DNA database (NCIDD); the second is to broaden the range of matching of DNA samples which are permitted under Victorian legislation, both within Victoria and in Victoria's participation within the national scheme.

To implement these purposes the provisions of the bill fall into four main headings. The first is to recognise the NCIDD as a separate entity. The second is to change the matching table that governs what types of DNA samples may be compared with other DNA samples. The existing legislation and the bill itself classify DNA samples into categories from crime scenes, from suspects, from limited volunteers, from volunteers providing samples for unlimited purposes, from serious offenders, from missing persons or from unknown deceased persons. The third main set of provisions gives the minister broader powers to enter into agreements with other jurisdictions and with the commonwealth body, CrimTrac, for the sharing of DNA data. The fourth set of provisions authorises the disclosure of DNA information for the purposes of investigation of a complaint by the director, police integrity, or by an interstate authority that would be

allowed to access the information on its own jurisdiction's database.

DNA testing has proved a remarkably successful instrument in fighting crime in Australia and around the world, and the use of DNA for crime fighting as well as for identifying unidentified deceased persons and for finding missing persons is something that has been strongly supported by the Liberal Party over many years. Indeed Victoria was the first jurisdiction in Australia to enact legislation regulating the use of a DNA database during the term of the Kennett government, and Victoria Police obtained the first cold hit from a state DNA database in 1999 when the DNA profile of convicted thief Wallid Haggag was matched to blood found in a car used in a burglary for which he was not previously a suspect.

As the use of DNA has developed there has clearly been a need for a national interchange of data, and the commonwealth government in conjunction with the states established an agency called CrimTrac to facilitate information sharing across Australian jurisdictions. In 2001 CrimTrac launched the national criminal investigation DNA database (NCIDD) to achieve that very purpose, and it has been remarkably successful in the few short years that it has been operational. The CrimTrac website gives a number of examples of its successes, particularly those of Queensland and Western Australian police, where various offences occurred and crime scene samples were placed onto the NCIDD. Links were then made with profiles stored in other jurisdictions, enabling extradition to occur and the law to take its course. It has been a remarkably successful regime and has been progressing further over recent years.

What is perhaps regrettable is that Victoria has in many respects been a laggard in its participation in CrimTrac and the NCIDD under the Bracks government. Profile matching under the NCIDD commenced in 2005 between Queensland and Western Australia and between Queensland and the Northern Territory; in 2006 profile matching commenced between Western Australia and the Northern Territory and between Queensland and the commonwealth; earlier this year profile matching commenced between Western Australia and the commonwealth, between New South Wales and the commonwealth and between the Northern Territory and the commonwealth; and now at last we have legislation to allow similar matching involving Victoria.

As I said, it is regrettable that the Bracks government has been slow in becoming fully involved in participating in the national database. It has been

restrictive in the range of DNA sample matching that it has allowed up to date. There has been a series of piecemeal moves forward in Victoria to slowly extend the provisions for the taking of samples, and on top of all that there have been severe resourcing constraints in Victoria that have led to substantial delays in the analysis of DNA samples. You can have all the legislation you like, but if samples are not being analysed and results are not being made available from the labs in a timely manner, then the regime is not going to work effectively to identify criminal activity and bring criminals to justice or to identify deceased persons or track down missing persons.

The legislative history in Victoria, as I said, commenced under the Kennett government with pioneering legislation relating to the regulation of the use of a DNA database. That was upgraded by the Kennett government in 1998, as acknowledged by our present Attorney-General in a contribution to debate made in this place in 2001. There has been a series of amendments to DNA legislation under the Bracks government, and on each of those occasions the Liberal Party has pressed the government to extend the law to allow more effective use of DNA sampling, but on each occasion the government has lagged in that process and been tardy in catching up. As I have said, it has been tardy in particular with the legislation that we have before us today.

Of course some concerns have been raised, and some issues involving the use of DNA profiles need to be addressed. I express my appreciation to the Law Institute of Victoria for a very comprehensive letter it wrote to me setting out a range of concerns it has about various aspects of the bill. Although it does not say so explicitly, I think it is fair to say from its letter that the institute is opposed to a number of the measures contained in the bill and that it believes there need to be further safeguards on the use of DNA.

I suspect that the Liberal Party probably does not see eye to eye with the law institute on many of the specific matters that it raises, but we do accept that there need to be adequate protections in place in the use of DNA sampling. However, we have on repeated occasions drawn the analogy between the use of fingerprints and the use of those forms of DNA samples that can be obtained without imposing any material burden on the giver of the sample. Several Liberal Party spokespersons in previous debates relating to DNA have made the point that the taking of a swab sample from the mouth is a relatively non-intrusive, non-invasive procedure and there is no reason why the laws that have applied for a long time in relation to

taking a fingerprint should not be applied equally to the taking of DNA samples such as that.

There certainly do need to be safeguards in how the data is used in order to protect individual citizens from improper access to their data. The potential for abuse through improper access to data has unfortunately been seen in Victoria in recent years in another context. It should be said that what is uploaded to the national database is a digital specification of the DNA sample that has been taken, coupled with an identification number, so within the national database itself there is no personally identifying information. There is another layer of protections to ensure that the database only generates matches that comply with what the laws of the different participating jurisdictions allow. When a match is generated the relevant authorities are notified, and it is then up to those authorities to make a handover of further details, including further identifying information, between one relevant authority and another. That is the way in which there is security of individual data in relation to uploading to the national database.

However, as I said earlier, one of the key issues that needs to be addressed in the use of DNA material is not just what you put in the legislation but how it actually operates in practice. I should make it clear that the opposition supports this legislation. We believe it should have been up and running as soon as possible, and we are concerned that Victoria has been tardy in bringing it to this chamber, but we do urge on the government, as we have for a long time been pointing out, that it is vital to overcome the very serious delays in DNA testing that have occurred in Victoria. The honourable member for Kew in his contribution to debate on the Victims' Charter Bill in this house on 8 August last year spelt out some of the delays that were occurring when he spoke about cases that were being adjourned for many months because of delays in the undertaking of DNA testing that was necessary for the cases to proceed.

These delays not only are intrinsically unjust to all of those concerned — the accused, the witnesses and the victims, if the victims have not been killed as a result of the crimes — but very much impede the effective working of our police force. In my local area a senior police officer has made clear to me and to others his frustration at the inability he and his staff have to pursue criminals, particularly in the context of burglaries, where it can take months and months to get DNA samples analysed. He makes the point that, if those samples had been available much earlier, the relevant offenders could have been identified and many

burglaries and other offences could have been prevented as a result.

There is a further consequence of these delays, and this is when bail applications come before courts, be it the Magistrates Court or a higher court. The judiciary is understandably very concerned to see that a person who has up to that point not been found guilty should not continue to be incarcerated for a long time awaiting trial while these DNA samples are sitting on some desk or waiting in some queue to be analysed. The result of the delay is that a magistrate or a judge can reach the point where they believe that, balancing the considerations involved, the alleged offender should be released on bail even though, if the trial had been capable of being brought on much earlier, the offender would have remained incarcerated up to the start of the trial. There have of course been a number of well-publicised incidents in recent times where alleged offenders have been released on bail and have fled the country. The government has attempted to implicitly point the finger at the courts for the decisions that were made to release those offenders, whereas in fact the blame needs to fall squarely on the government for failing to provide a regime for DNA testing so that samples are tested in a timely manner and these delays to trials do not occur.

This is something that our side of politics has been making clear for some considerable time. We made a number of commitments on that score last year. That culminated in a substantial commitment by the Liberal Party during the course of the last election campaign to provide increased funding — both recurrent and capital funding — for DNA testing. In the end the government was forced to also make some commitments in that area, which have now been incorporated into the budget. Whether those commitments are going to be adequate enough to make substantial inroads into the backlog remains to be seen, but I make the point that, if those inroads are not made, then every effort needs to be made to inject whatever resources and whatever other reforms are necessary into that area in order to get delays down to a reasonable level. It seems absurd and unjust, as well as potentially having very serious consequences, if such a vital aspect of police operations is being hampered due to the delays that have been occurring.

There is one further matter which I want to raise during the course of my remarks in relation to the bill. As I have said, the opposition supports the bill, and we wish Victoria's participation in the national database had been up and running earlier. But I raise a query about the drafting of one provision in the bill and whether it is going to be effective in achieving its objectives. I refer to the provision that broadens the range of parties to

whom database information may be disclosed. In this bill it is proposed to insert into section 464ZGK(2)(g) of the Crimes Act 1958 new subparagraphs (iv) and (v) to allow Victorian information to be disclosed for the purpose of an investigation of a complaint by the Office of Police Integrity, referred to as the director, police integrity, within the meaning of the Police Regulation Act 1958, or, in subparagraph (v):

an authority of a participating jurisdiction, but only if the authority would be entitled to the information if it were held on the participating jurisdiction's DNA database.

The query I raise is whether it is adequate that the information can be disclosed to those bodies for the purposes of an investigation of a complaint, or whether these bodies may well have a legitimate need for access to this data for purposes other than the investigation of a complaint. In other words, are they undertaking proactive investigations of possible breaches of police integrity or other possible breaches of the law that are not triggered by complaints? Are they, by virtue of the way this provision has been drafted, unable to be provided with information from the DNA database in those circumstances?

However, subject to that concern, we are pleased that Victoria is at last going to be participating in the national database. We are also pleased that the matching table contained in the Crimes Act is going to be broadened so that in effect a DNA sample obtained from any classification can be matched with DNA obtained from any other classification, subject simply to the restriction that if a volunteer has provided a sample for a limited purpose, there can only be a matching of that sample if it is for the purpose which is within the limits for which the volunteer gave the sample. Subject to that, there can be a general matching of samples for all purposes, and we understand that this is similar to the table that applies in Queensland and another jurisdiction. We believe that the broadening of the matching is very sensible, subject always to the other protections that are built into the legislation. On that basis the opposition is pleased to support this bill.

Mr RYAN (Leader of The Nationals) — The changes in this legislation have arisen out of the national processes conducted through both the Standing Committee of Attorneys-General and the Australasian Police Ministers Council. Currently Victoria is able to engage in DNA matching in other jurisdictions, but on a bilateral basis. The bill will enable Victoria to participate in the national DNA data matching through the national criminal investigation DNA database, better known as NCIDD — which sounds like the television show, but it is not. The national system enables DNA samples from participating jurisdictions

to be automatically matched through that single database. The amendments in this bill will enable full interjurisdictional sharing of the DNA information, as opposed to the simple bilateral process which now applies.

Currently Victoria can approach another jurisdiction requesting that checks be made to determine if there is a match. If there is, Victoria can then ask for all the identifying information to be provided from that other jurisdiction. The NCIDD offers a streamlined and automated system which allows checks to be made simultaneously across all participating jurisdictions. That system contains DNA information, and the actual identification of the individuals concerned will need to be the subject of further examination. As I said, once a match has been made, that information can then be sought and provided.

The Nationals are concerned also that it has taken somewhat longer than one might have preferred to have this legislation apply, particularly given that the legislation has been partially operational across Australia since 2003. Nevertheless, this is another very important tool in the means available to police to combat crime and to apprehend those who are guilty of committing it. The member for Box Hill has raised a series of issues by way of clarification. We support the matters to which he has referred. We otherwise wish the bill a speedy passage.

Mr HAERMEYER (Kororoit) — I am pleased to make a contribution to this debate. As members have heard from the previous speakers, the legislation facilitates the automatic matching through a single database of DNA samples across jurisdictions.

We have already had a national DNA database partially operational since 2003, but it has become clear to people in all jurisdictions — notwithstanding that that in itself was a huge step forward — that there were some procedural and legislative constraints that provided a brake on the full use or benefit of the information contained in that database. As a result of a lot of work done, initially by the Australasian Police Ministers Council and subsequently by a Standing Committee of Attorneys-General working group in 2006, which was set up to facilitate full interjurisdictional data sharing, the commonwealth passed the Crimes Act Amendment (Forensic Procedures) Act (No. 1) of 2006. That enabled other jurisdictions — that is, the states and territories — to bring in complementary legislation at each of those levels.

Currently DNA data matching is possible only through a fairly convoluted bilateral process. If, for example, Victoria Police has information from a crime scene and wants to match that with information about an individual from another jurisdiction who is possibly on the database, it must first approach the other jurisdiction to match that sample. If there is a match, it must then ask that jurisdiction for the identifying information. Usually Victorian authorities do not encounter obstruction from other jurisdictions, but nonetheless the whole process that has to be gone through is time consuming. That is very important, because we have to require from the system that it deliver that information as quickly as possible. Firstly, we do not want time lost. Sometimes, when you are dealing with a serious crime and a possible offender is on the run, the rapid identification of that information can result in the early apprehension of that offender before that offender absconds overseas or is able to commit other crimes.

One area that has been missed in the two contributions to debate we have had is the important area of disaster victim identification. Victoria is a global leader in disaster victim identification. The skills that have been built up within Victoria Police and our forensic science facility out at Macleod were very much evident in the aftermath of the Bali bombings. Victoria was called in as the agency to lead that whole disaster victim identification (DVI) process. I am not sure that I would call it a privilege, but I was certainly able to see some of the aftermath of those bombings. Everywhere there were human remains which were totally unidentifiable by any other procedure. The only way it would have been possible to identify those victims was through DNA matching. It was quite horrendous, and Victoria Police did an absolutely fantastic job. That was critical in providing sad closure for some people but also letting others know that their loved one was not a victim of one of those incidents.

Similarly the DVI skills of Victoria Police came into effect more recently following the tragedy at the level crossing near Kerang. Once again the very advanced and internationally renowned disaster victim identification skills of Victoria Police were used, again in very tragic circumstances but very effectively, in helping to identify the people who came to grief in that disaster. The more quickly we can do that, the earlier we can give peace of mind to loved ones.

For quite some time Victoria has been a leader in DNA technology. Victoria Police is a leader in analytical know-how, and our forensic science laboratories have developed processes which are now being sought worldwide in the ability to take DNA samples from things such as fabrics and all sorts of other materials

and substances. It just enhances the amount of DNA evidence that we are able to collect at crime scenes. DNA is a high-tech, modern form of fingerprinting. I can understand the concerns that some have about the misuse of DNA.

Certainly there are some apprehensions about it. We need to provide the protections that are required, but at the same time we need to move forward as quickly as we can in embracing DNA technology, because it is a very effective means of identification, and not just of perpetrators. That is something that is often misunderstood. More often than not DNA is a very useful tool in eliminating suspects such as people who may have been under police suspicion or police attention for a number of years. When I was in the police portfolio I became aware of one case —

Mr Mulder — Are you going to start taking credit for it?

Mr HAERMEYER — Good grief! When I was in the portfolio I was aware of one case where somebody had been a leading suspect in a major crime, to the point where that person fled to another country, I suppose to escape the attention. That person was ultimately able to be eliminated as a suspect, and this tool is extremely useful in that sense.

Victoria is a leader in both analytical know-how and in investigative technique. We have also been a leader in enabling legislation and regulation when it comes to DNA. It is interesting that Liberal Party members come in here sometimes and tells us, 'It is all a little bit too late. It is not enough'. Quite frankly, we do not hear anything from them beforehand, but they are full of criticism when legislation comes up. I recall that in 1998 the previous government passed legislation to enable the DNA checking of the entire prison population, but it was only this government that did it. We were the ones that did it. We provided the resources and we provided the procedural backup that was required to enable it to be done.

The member for Box Hill came in here and said we needed more than legislation, we needed to provide the resources. This government has provided those resources to Victoria Police with record funding — 1600 additional police and a 60 per cent boost in its funding. We have provided a significant boost to the forensic laboratory out in Macleod which is internationally recognised as one of the best facilities in the world. I am sure its workload will continue to grow over the years as the embracing of DNA technology continues to help us fight crime. This government has been quite unashamed. We are prepared to use DNA

technology, and we are prepared to use legislation to stack the odds against crime.

Mrs VICTORIA (Bayswater) — I rise to support the Crimes Amendment (DNA Database) Bill. I have just come from taking a phone call from a member of my office which has really brought home to me what this bill is all about. We have just had a lady in the office who was visibly distraught. She has five children; one boy who is 15 years was raped by an internet predator over the weekend who broke into their house. We are trying to find emergency accommodation for them because obviously this predator now knows where they live. I hope this type of legislation will allow such perpetrators — such monsters — to be identified very quickly and to be dealt with in the most expedient manner.

The purpose of the bill is to enable Victoria to participate in national DNA data matching, which is known as the national criminal investigation DNA database (NCIDD). It is a valuable national program which pools DNA sample information to fight crime. It can also help in finding missing persons and identifying deceased persons in the event of a disaster. The main provisions of the bill are to change the matching table that governs the types of DNA samples. So, for example, there are certain provisions within the tables of each of the states for things like crime scenes, suspects or volunteers. Volunteers can give their DNA for limited or unlimited purposes. If they give it for limited purposes, this legislation puts in place security which will not allow their information to be used for anything other than the specific purpose for which they have allowed their DNA to be used.

The bill also gives the minister broader powers to enter into agreements with other jurisdictions and with CrimTrac for the sharing of DNA data. As I have already mentioned, this will be invaluable in, hopefully, keeping serious offenders off the street and away from our children, and putting them behind bars where they belong. The bill also authorises the disclosure of DNA for the purposes of the investigation of a complaint by the director, police integrity, or by an interstate authority, which would be allowed to access the information on its own jurisdiction's database. Currently that does not happen. It is not a very lengthy process, but it is certainly not as quick as it will be in the future.

The only issues I have with the bill — and again it comes down to the case that has just occurred in my office — is that it has been delayed. We are certainly one of the last jurisdictions to come on board with this, and I wonder how many perpetrators could have been

put behind bars or dealt with in a far more expedient manner had the bill been brought to the table much earlier. The NCIDD has been in place since 2003, and the commonwealth amendments were passed last year, but we have been a little slow in bringing this bill to the table. Unfortunately this seems to be a growing trend with the government. It was very slow to bring in big water infrastructure progressions, if you like, and it has certainly taken the government a long time to bring in something as clever as desalination, which of course was a Liberal Party initiative for the last election.

As a party, we have previously strongly supported wide powers for the taking and use of DNA samples, and the legislation proposed today can only be a very positive thing. As I said, there are certain safeguards in place, and if you provide a sample for a limited purpose it will continue to be protected. Once a match is found data is still secure until requested. So even though the DNA data is on a national database, the personal data — for example, the name and address of the person — is not able to be accessed by other jurisdictions unless they request it formally. As I said, the safeguards are in place. The bill allows for more efficient interjurisdictional use of DNA technology. I support the bill.

Ms MUNT (Mordialloc) — I am very pleased to rise today to speak in support of the Crimes Amendment (DNA Database) Bill. I have listened with interest to the contributions of other members, particularly the member for Kororoit, who made a very useful contribution to the house this afternoon. The bill comes about as a result of an election commitment made before the last election which recognised the need for a nationally coordinated, multijurisdictional approach to law enforcement and DNA databases in particular. It also came about as a result of the work of the Standing Committee of Attorneys-General working group, which reported in May 2006 that amendments needed to be made to commonwealth legislation to facilitate the sharing of DNA information.

The commonwealth has now passed the necessary amending legislation — the Crimes Act Amendment (Forensic Procedures) Act (No. 1) 2006 — and other jurisdictions such as New South Wales and South Australia have also passed legislation to enable them to match DNA. So the amended table will be consistent with the matching tables adopted by Queensland, New South Wales and the commonwealth, which means that Victoria is coming into line with that other legislation and those other states to enable a seamless DNA database to be put together.

I will just go through the technical aspects of the bill. It provides for the legal recognition of the national criminal investigation DNA database (NCIDD) as a separate legal entity and distinguishes it from the Victorian and other states' databases. It changes the matching table which governs which types of samples may be compared to other samples to remove anomalies and broaden the range of permissible matches. It 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 the NCIDD to operate to its full capacity and to match samples automatically, which is a critical part of this legislation.

The bill updates the oversight and enforcement powers and makes a range of consequential amendments to ensure that the balance of the legislation is consistent with the new arrangements. Given that crimes are not committed by criminals who stay within state boundaries and given that all our law enforcement agencies work very well together, this legislation will give them another tool, another way of tracking criminals seamlessly and automatically between jurisdictions and between states as part of the commonwealth.

As the member for Kororoit said, DNA is rapidly expanding as a tool of our law enforcement agencies; it used to be fingerprints and now it is DNA. This is an important mechanism for strengthening the crime-fighting capabilities of our police, particularly in interjurisdictional areas. The bill will also allow police to crosscheck DNA samples in every participating jurisdiction simultaneously. This will assist in the early identification of suspects in criminal matters. However, as the member for Kororoit said, DNA can also be used in identifying victims of natural disasters, missing persons and terrorist attacks.

I support this piece of legislation. I try to stand in support of every piece of legislation in this house that is really tough on crime. I think it is our duty to the citizens of Victoria to do all we can to protect them, to bring people to justice when they have committed a crime and to protect public safety. I support this bill and commend it to the house.

Mr TILLEY (Benambra) — I stand to make a contribution to the debate in support of the Crimes Amendment (DNA Database) Bill. I support this bill because the Liberal Party has always been strong on supporting wide powers for the taking and use of DNA samples.

We have heard a number of times this afternoon in other contributions to the house that DNA samples are truly the 21st century fingerprints. Notwithstanding that, we need to ensure through our DNA sampling processes that we do not forget those things learnt in the past — fingerprints are equally important as investigative tools for our law enforcement agencies not only in Victoria but right throughout Australia. Having been a criminal investigator in a previous life before coming to this place, I know how important it is to be able to collect samples of all kinds. I know full well that when criminals commit their crimes in our community every contact leaves its trace. Whether it be blood, urine, hair, specimens, scrapings or whatever, we have the ability to process those samples and record and capture them.

That leads me on to the next thing about this bill, and that is that it refers to a database. It is terrific to see that we will now be able to share information throughout Australia. However, a database is only as good and can only be as effective as the information contained in it. That leads me to the next point, which is that in Victoria we have been collecting these samples over a number of years. Police officers right across the state have samples in vials and samples in envelopes in property lockers and drawers waiting to get them to the Victorian Forensic Science Centre (VFSC) to have them processed in order to identify suspects as offenders, bring them before a court of appropriate jurisdiction and see a successful conviction. Notwithstanding that, we still wait. We could probably stand here today and put an additional 20 scientists into the VFSC to see to the continual backlog of processing DNA samples to see successful prosecutions of offenders.

We are talking about samples and specifically identifying offenders. I was part of the CrimTrac trials a number of years ago. As an investigator, it was a terrific feeling to enter the law enforcement assistance program database and do your crosschecks and have a result from another state. Policing in a border region, you see the results come up there on the screen showing that the person you have in custody and whom you intend to interview has also committed offences in other states of Australia. We are seeing in Australia that borders are becoming less significant every day.

Our country is becoming smaller, because our crooks traverse the state and territory borders very quickly, whether it be by motor vehicle, train, aircraft or whatever the means might be. Travel around Australia is relatively affordable for many, and particularly for those involved in areas of crime who can travel far and wide through their illicit gains. We need to show the

way in Victoria. Victoria Police is regarded as the leading law enforcement agency in Australia. This government needs to support our police officers and ensure they have the best investigative tools before them so that they can properly carry out their jobs.

As I was leading up to when I referred to additional scientists, we need a commitment to put more scientists in to make the database more effective. There is a reciprocal arrangement for other state law enforcement agencies to access data about Victorian criminals that was originally recorded on the Victorian database. We need to ensure that Victoria Police continues to be regarded, as I said earlier, as the best law enforcement agency in Australia. This government needs to put more money into the Victorian Forensic Science Centre to ensure more scientists are employed and to clear that backlog. While this is going on, every day and every week we are losing time. Criminals continue to walk the streets in the country and in metropolitan Melbourne. They are not necessarily getting away with their crimes, but they are walking the streets when they should be charged or on bail and should most definitely be going before the court and waiting for successful prosecution and sentence.

When you have an offender the varied avenues of investigation open to you through the investigative process can quite often be exhausted. I know the exhilaration you feel as a result of getting a positive result from the quick and expeditious return of a DNA analysis. You know that you have the piece of garbage sitting on the other side of the table from you who has committed some quite possibly heinous offences against the ordinary, good citizens of Victoria. You have him hook, line and sinker, and you know there is no way of him wriggling out because this evidence is state of the art and he is unlikely to negate any of the evidence before any appropriate court.

In closing, I encourage this government to not only bring forward legislation during this term of government but to continually raise the bar and put more money into policing in this state to ensure that we continue to have the best police force in Australia. I support this bill and look forward to seeing the outcomes of its becoming legislation being truly effective for the future of Victoria.

Mr LANGUILLER (Derrimut) — It gives me pleasure to rise in support of the Crimes Amendment (DNA Database) Bill. The first comment, which I quite happily make, is that it has a very good statement of compatibility in the light of the human rights charter. It covers the issues that ought to be covered, including unlawful appearance and arbitrary interference, and it

concludes that the Crimes Amendment (DNA Database) Bill is compatible with the Charter of Human Rights and Responsibilities on the basis that it does not provide for unlawful or arbitrary interference in a person's privacy, which is the only right in the charter that it potentially engages. It was good of the minister to provide that, and I reiterate as a member of the Scrutiny of Acts and Regulations Committee that we continually get reports on legislation in relation to the charter.

I will go to the basics. First of all, this is good amending legislation, because Labor has a policy and Labor has a plan — and in this case, in the light of community safety concerns, Labor's plan is to keep crime rates low. It is another example of a good effort made by a government that is committed to reducing crime rates in Victoria across all jurisdictions and across all types of crimes. This is good because it facilitates and provides for the legal recognition of the national criminal investigation DNA database as a separate entity. Acting Speaker, you will be aware that up to now we have had situations where there have been bilateral arrangements between jurisdictions — say, between Victoria and New South Wales or between Victoria and Queensland — but there have not been comprehensive arrangements which allow for the use of a sole database from which information can be sourced in the event of a crime or in trying to solve the case of a missing person, for example.

By and large civil libertarians — I have come across this discussion and debate on numerous occasions — would first of all have some apprehension about the use of DNA, which is a separate issue; and secondly they might have reservations in relation to a database. From my humble experience the reality is that unless you use a database, DNA in itself can be pretty useless. Secondly, I call on those who might have reservations to understand, for example, that DNA proves not only guilt but also innocence. In jurisdictions where there is capital punishment — the United States comes to mind — an accused who is innocent would certainly want to be able to use DNA and would want to have access to a useful database.

There are some issues that I want to raise in relation to profiling. First of all, one of the issues that has emerged concerning the retention of DNA profiles and databases and the manner in which they are used is that DNA profiles contain intimate and particular information on individuals. This is an important issue, because there is the popular assumption that the DNA database and DNA profiling might well provide an opportunity for the body that manages the database to identify a range of characteristics of individuals — for example, race

and colour. My understanding is that that would not be the case. The profiles are extracted from an area of DNA that is called non-coded DNA and contains non-genetic information. Some commentary on this issue mistakenly confuses the digital DNA profile with the biological DNA sample. We ought to put on the record the point that a person's DNA genetic material — and as such, the key to their physical identity and other attributes — will not necessarily be provided. It is important that we understand that.

The other matter which I think is important in this legislation is that the attorneys-general will then have the power to enter into agreements among and across all jurisdictions. The other matter that I understand to be of significance — and it proves our case for reducing crime in Victoria and Australia — relates to the range of offences being broadened so that police can take DNA samples to test for most indictable offences. That is good, and it will go some way towards reducing crime rates. It is possibly the price we, these days, have to pay if we want to make sure that our streets are freer of crime and if we want to address those issues which are of concern in relation to community safety generally. The reality is that the direction in which I believe we have to move includes using DNA for criminal and forensic investigation and the establishment of good and useful databases.

I also refer very briefly to the detailed research on the use of DNA and the establishment of databases in other jurisdictions — namely, Chile and Argentina. The fact is that without DNA and DNA databases many of the human rights issues in Latin America, the Balkans or Africa could not be addressed and could not be resolved. When one looks at the debate between civil libertarians and those who strongly support the use of DNA and DNA databases, it is interesting to note that if one is a human rights and civil libertarian supporter in Latin America, say, one supports the use of DNA and DNA databases because they help to address human rights issues and help to resolve those cases involving missing people — for example, 30 000 in Argentina and some thousands in Chile, the Balkans and other jurisdictions. I welcome the fact that there are Australian scientists and other experts in the field who are now volunteering their time and their scientific knowledge in other countries in order to assist those countries and their people to resolve these issues.

This is good legislation for the establishment of the database, and I will put on the record a quote from the parliamentary Law Reform Committee, which had a reference in the first Parliament after Labor came back to office. I quote from chapter 2 of the committee's

report headed 'The establishment and use of a DNA database':

DNA databases provide an ability to potentially identify possible offenders to unsolved crime and to link crimes that were previously unknown to be linked. In this sense, DNA databases enable proactive policing and have the potential to increase the solving of crime.

We have indeed come a long way from 1986 when Dawn Ashworth was murdered in England. Investigation of that crime brought about the use of DNA and subsequently the establishment of a database in the United Kingdom, as I understand it, for the first time.

This follows on the good work that was done in the 1990s by the Australian Police Ministers Council and the report *The Forensic Use of DNA Profiling in Australia — Need for a National DNA Database*, which was a good report by Mr Ross, the then director of the National Institute of Forensic Science, and the subsequent working group under the chairmanship of Justice Phillips, which made a very significant contribution in the improvement of the use of DNA and databases.

In concluding my remarks, I think this is a good bill which goes in the right direction. It is a 21st-century type of amendment in the sense that it brings this area up to speed with the challenges we face in relation to criminal activity and forensic and criminal investigation in Australia, or other challenges in relation to the security and safety of our community. I commend the bill and wish it a speedy passage.

Mrs SHARDEY (Caulfield) — It is with pleasure that I rise to support the Crimes Amendment (DNA Database) Bill. I would just like to comment what a pleasure it was to hear the member for Benambra make his remarks. He has some very personal experience in this area. It is nice to hear from someone who has really worked at the coalface and understands the significance and importance of us passing legislation in this place and then seeing it actually used out there in the community for the benefit of all Victorians. Certainly my party has a history of very strongly supporting this type of legislation and the use of this technology in helping to fight crime in our country and keeping our citizens as safe as possible.

This bill will now finally enable Victoria to participate in national DNA database matching through the national criminal investigation DNA database (NCIDD). The NCIDD system enables the automatic matching of DNA samples through a matched national single database involving participating jurisdictions or

states and territories which signed up to an agreement with the commonwealth which goes back to 2003. Since that time a number of states have passed complementary legislation to allow for the full use of the national DNA database. Further amendments were made to facilitate the usage at a commonwealth level last year.

This legislation in Victoria will now mean that the NCIDD can offer a very streamlined and automated system to allow checks to be made across all participating states and territories to assist in the early identification of criminals, missing persons and disaster victims through the matching of DNA information. I think we should not just focus on the identification of criminals. It is very important that we recognise the use of this technology for finding missing persons — we hear about missing persons on a daily and weekly basis — and, importantly, for identifying disaster victims, particularly the Bali bombing victims. I will talk about that a little bit later because I think that was of huge significance to Australia and Australians.

Briefly, the main provisions of the bill recognise the NCIDD as a separate entity. They change the matching table that governs what types of DNA samples may be compared with other DNA samples so as to broaden the permissible matches. The bill gives the minister broader powers to enter into agreements with other jurisdictions and with CrimTrac for the sharing of DNA data. It authorises the disclosure of DNA information for the purposes of investigation of a complaint by the director, police integrity, or by an interstate authority that would be allowed to access information on its own jurisdiction's database. It is a much broader piece of legislation which indeed is going to benefit all of us.

I just mentioned CrimTrac. This bill gives the minister the power to enter into an agreement with CrimTrac for the sharing of DNA data. I went back to the CrimTrac website. Obviously this is not my portfolio speciality, but I still find this area quite interesting. CrimTrac is a national agency that was established in July 2000 with the responsibility of using and developing the technology required to give police ready access to information needed to solve crimes. It has a vision that it will take a leadership role in generating national approaches to information-sharing solutions for law enforcement agencies to provide for a safer Australia.

CrimTrac's mission is to contribute to enhanced community safety by delivering and maintaining high-quality, timely and cost-effective national policing information services; advanced national police investigation tools; and national criminal history record checks for accredited agencies. This agency plays a

very large role in the safety of the citizens of Australia. CrimTrac's intergovernmental agreement requires it to deliver on four major areas to improve information sharing for police. They are a new national automated fingerprint identification system; a national criminal investigation DNA database that we are talking about here today; a national child-sex offender system; and the provision of rapid access to national operational policing data.

The agency also provides national police record-checking services to accredited agencies to assist in pre-employment probity checking — something we are doing a lot more in Victoria. The intergovernmental agreement signed by all police ministers underpins this agency and defines its strategic directions, key policies, initiatives and appointments, and it appoints the members of CrimTrac's board of management. I note that the memorandum of understanding was signed in July 2000 by the previous Minister for Police and Emergency Services, who has already spoken on this piece of legislation.

The importance of all this goes back to the whole issue of information exchange. I go back to some history. In May 1999 Australian police ministers formally established the National Exchange of Police Information to combine the resources of jurisdictions and maximise the exchange of operational information between jurisdictions. CrimTrac was designed to build upon this organisation, and its systems provide an Australia-wide integrated view of police information. A lot of this is to do with DNA and most of us do not know a lot about DNA. What does DNA stand for?

Dr Napthine interjected.

Mrs SHARDEY — Very good. DNA is deoxyribonucleic acid. I did not go to veterinary school — I did commerce, and with that and economics you do not learn about such things; however, I did do year 12 biology. DNA is said to be the blueprint for life. It is a long molecule that carries genetic information that governs a person's physical characteristics. Each individual inherits half their DNA from their mother and the other half from their father. With the exception of identical twins, no two individuals share the same DNA sequence. What I think is important in all of this is that DNA is now a tool that can be used across Australia for the prevention of crime and for ensuring we are able to identify those who commit very serious crimes in this country as soon as possible.

I want to mention very briefly that after the Bali bombings the Australian Federal Police, the state and

territory police and CrimTrac began immediately to cooperate to facilitate victim identification for families of those killed or missing. It was realised that CrimTrac would provide a model and the technology for a very fast and reliable way to identify the human remains gathered at the blast site. I do not think any of us will forget that occasion. I think we all felt at the time there were many families who just did not know for some time whether their relatives were lost or had survived. We are all grateful that the Australian Federal Police were able to coordinate a response that meant that some of those families found out either good news or in many cases very bad news, that they had lost their relatives, but at least the time was shortened by the sort of technology that was able to be brought into force. This amazing technology deserves the support of all members of this house, as does the bill.

Mr ROBINSON (Mitcham) — I am pleased to support the Crimes Amendment (DNA Database) Bill, which will have very widespread support throughout the Mitcham electorate. An important reason for that is that a bill such as this will allow Victoria Police to do its job more effectively. The police have a very difficult job, and it is incumbent upon the government of the day to ensure that they have the resources and the capacity to do that job as well as they can.

The government delivers on that obligation in a number of ways. We do that by repeatedly committing to and delivering an increase in police numbers. That is one of the key reasons the crime rate in Victoria continues to fall. We do that by providing the police with the physical infrastructure necessary to do their job adequately, and for that reason we have embarked upon the largest rebuilding program of police stations in living memory. We do that through equipment upgrades and through innovative legislative schemes such as the hoon driver laws, which have been an outstanding success. Just recently we had the 2000th vehicle impounded and taken off the road. That is a tremendous tribute, and it has probably worked even better than we anticipated a couple of years ago.

This bill represents another way in which the government helps Victoria Police do its job — that is, through the more productive use of resources, particularly the databases and in this case the DNA database. The other great value of the bill is that it shows the benefit of the cooperative approach at a national level amongst attorneys-general and police ministers. It has been the shrill cry of the federal government in particular that the states are incapable of working together and that the only thing the states do is hold back the nation, yet here is yet another shining example of the way in which ministerial councils, in

this case the Standing Committee of Attorneys-General and the Australasian Police Ministers Council, can work collaboratively and constructively to deliver legislative proposals that will be of enduring benefit to police forces across Australia and to all Australians.

The bill facilitates the better use of the national criminal investigation DNA database, and as the minister indicated in his second-reading speech, NCIDD offers a streamlined and automated system allowing checks to be made across all jurisdictions simultaneously. It offers significant efficiencies that will assist in the early identification of suspects in criminal matters. In that sense NCIDD is very much an elegantly simple concept, but it is one that is eminently sensible and for that reason should be embraced by all members.

It is worth offering one qualification at this point in time. I do so with the greatest respect for the contribution to the debate made by the member for Benambra, who is someone who has participated in criminal investigations. I thought I understood him to be intimating that measures like this would guarantee convictions so that people under suspicion of committing an offence would be put away. I do not think legislation like this can ever guarantee a conviction. I think what legislation like this does is greatly increase the probability of a successful conviction. Nothing in the bill changes the fundamental tenet of the criminal law system that we operate under in Victoria, which requires that the burden of proof on the prosecution, in this case the Crown, remain beyond reasonable doubt. It is important to make that comment. This legislation will undoubtedly ensure a higher probability of successful convictions, and that is something I am sure every police officer will appreciate, but it does not go so far as to guarantee convictions. I do not think any legislation could ever do that.

The member for Caulfield in her contribution touched on one item that I wish to touch on as well in finishing up my contribution. She said that the scheme being proposed would also be of great assistance in helping identify missing persons and disaster victims. Regrettably we live in an age when we are seeing and will probably continue to see a high incidence of acts of terrorism. The member referred to the Bali bombings and the great work that was done by a large number of people, including some Victorian police officers, in trying to trace just who it was who had been killed and who it was who had been injured.

That is a terrible assignment for anyone. Obviously having an enhanced database system and having the ability to tap instantaneously into the databases that are

held in the different jurisdictions across Australia are steps that would greatly assist people who are required to undertake that sort of work. It is the sort of work that agencies like the Red Cross, with its missing persons bureau, undertake every day. I suppose now is as good an opportunity as ever to acknowledge the work that is done by agencies such as the Red Cross. It is extremely valuable and is greatly appreciated.

This is very sensible legislation. It is another important contribution to effective policing in this state. The Bracks government has done a lot over the past seven years, but there is more to be done. This bill, which I hope will enjoy the support of all members of the house, will help all Victorian police officers.

Mr BURGESS (Hastings) — I rise to speak on the Crimes Amendment (DNA Database) Bill, which will enable Victoria to participate in national DNA data matching through the national criminal investigation DNA database, or NCIDD.

There are a number of concerns about the way the Bracks government is handling this area of investigation, including the criminal aspects. I refer, for instance, to the ridiculous backlog in the DNA testing area. The underfunding of that area has been an embarrassment to this state. Other members have dealt with those matters, so I will concentrate on the more positive areas of this legislation and its effects on Victoria.

The bill will recognise the NCIDD as a separate entity and will change the matching tables that govern what types of DNA samples may be compared to others and broaden the permissible matches. The benefits of nationwide DNA matching are considerable. The Salvation Army cites statistics that show that more than 30 000 people a year are reported as missing. Other research suggests that for every person who is missing, 12 people surrounding that person are affected. Sometimes their lives never return to normal.

Of course DNA matching can perform a lot more functions than its use in criminal investigations. It can be used to trace missing persons, and it can be used to identify the victims of natural disasters and other disasters. As the member for Caulfield mentioned before, the use of DNA matching after the Bali bombings certainly enabled the authorities to reduce the level of angst and the waiting times that the people who were related to the victims had to endure.

Currently Victoria is able to engage in DNA matching with other jurisdictions on a bilateral basis. For example, Victoria can ask another jurisdiction to

determine if the DNA samples that we have match the database samples that the other jurisdiction possesses. Victoria then has to ask the other jurisdiction, if there is a match, to provide identification materials. This is quite a convoluted process and interferes with the efficient investigation of crimes. What the NCIDD offers is a streamlined and automated system that allows checks to be made across all participating jurisdictions simultaneously. Of course that adds significant efficiencies to the system. Early identification of not only suspects in criminal matters but also missing persons and disaster victims are then able to be carried out.

Science has become an essential tool for solving crimes more efficiently, not only by identifying criminal suspects but also by absolving innocent people who have been implicated. That in itself relieves a lot of stress for people. It is also able to help identify missing people and, as I mentioned earlier, people who have been involved in disasters, both natural and otherwise. That technology, together with intelligence sharing and cooperation across different jurisdictions, will certainly achieve the desired result of a nationwide DNA database, provided this is implemented quickly and utilised efficiently. I commend the bill to the house.

Mr HOWARD (Ballarat East) — In speaking on the Crimes Amendment (DNA Database) Bill, it is amazing to think that the discovery of the DNA molecule by Watson and Crick a little over 50 years ago has had such a remarkable effect on science since that time. Their discovery of the coding and nature of the DNA molecule was very exciting. Since that time it has provided many opportunities to go forward with ongoing research in the area of biology in order to understand more about the genetic make-up of living things and how that coding can be passed on.

The research that has followed from that has had many important ramifications in the medical field, not only in human medicine but also in the field of medicine more broadly, and in the agricultural field. Our understanding of the coding of the double helical DNA molecule has enabled us not only to understand how traits can be passed on but to pinpoint where diseases might have occurred and how the replication of the DNA can go wrong. Therefore it has provided us with opportunities not only to find cures for and deal with human diseases but also to address many other issues associated with human health, the health of animals and the ability to grow food more efficiently.

The recently completed human genome project, which was a very exciting, internationally collaborative project, has provided ongoing work that is enabling us

to understand the make-up of the human genome and to use that knowledge to comprehend how different diseases occur and how various traits are expressed. Understanding all that has provided a fantastic range of opportunities and benefits to mankind and to the world in general.

As Parliamentary Secretary for Agriculture in the last term of the government, and having a long-term interest in agriculture, I have seen how our understanding of DNA can provide us with opportunities to improve the nature of various crops and improve our animal husbandry, which means that we can provide more food and better food more efficiently in the future.

In regard to this bill, we know that DNA technology now enables us to effectively identify individuals, and this can be used for a range of reasons. We have heard previous speakers say how the identification of people has been very important when, for example, we have had a serious natural disaster and people have died and their bodies have been subsequently discovered. It is very important that we have ways of identifying those people. But we also know that in these cases there is substantial trauma involved in identifying exactly who the people were, so the more efficiently we can do that, the better. Our advances in DNA technology have provided us with great opportunities in this regard. Sometimes there are issues with determining who a child's parent is in paternity disputes and so on, and this is where DNA technology can also be useful.

The most obvious way that DNA technology can be of benefit — it is one way we are using it regularly — is DNA technology associated with crime identification. It is important to support legislation that allows us to access one national database involving a range of jurisdictions. We can now use this DNA technology to cross-reference a single national database to get information back quickly.

As I mentioned before, there is a great deal of trauma associated with identifying bodies as a result of crimes that we are looking to solve through the use of DNA. On the one hand some people who have been suspected of a crime are innocent, but they are still going through significant trauma. DNA technology enables them to be eliminated a lot more quickly if we can follow through with an efficient database. On the other hand the efficient use of DNA technology may help us identify a perpetrator of a crime far more quickly. The bill recognises and takes advantage of the great benefits that have been made through scientific understanding over a number years. By working together across jurisdictions and across agencies throughout the country with a

common database we can make use of that technology far more efficiently.

I am very pleased to hear that members on both sides of the house are supportive of the legislation, recognising that there is great potential in being able to have a single database across the country which is contributed to by all jurisdictions and a range of agencies. It will not only provide opportunities for crime identification and the solving of crimes, but it will also provide a number of other benefits by way of identifying bodies. I am certainly very pleased to support the bill before the house.

Mr MORRIS (Mornington) — It is a pleasure to rise to speak on the Crimes Amendment (DNA Database) Bill. I make the observation in passing that the incident that occurred a few moments ago during the discussion on this bill behind the play, as it were, is exactly the sort of unparliamentary behaviour I have come to expect from Carlton supporters.

The bill we are addressing today will amend the Crimes Act 1958 to enable national automatic matching of data on DNA databases. It is a process that has come through the Standing Committee of Attorneys-General and the Australasian Police Ministers Council. It also has a fair bit to do with the intergovernmental agreement that was made on 13 July 2000 for the establishment and operation of CrimTrac, the national law enforcement information system for Australia's police services. CrimTrac was required by virtue of the agreement to deliver four new systems to improve information sharing for the various state and federal police services and forces. They are: a national automated fingerprint identification system; a national criminal investigation DNA database, which of course we are talking about this afternoon; a national child-sex offenders system; and the provision of rapid access to national operational policing data. I understand that at least three of those four requirements are either fully or very close to being achieved, while the last one is through its testing phase and well on the way.

Clause 2 deals with the commencement of the operation of the bill on the day after it receives royal assent. That day cannot come soon enough. I have made the observation in this chamber before that we need to be as innovative as we can, particularly in terms of law enforcement. Without going into the debate on police numbers and crime rates, we will never have enough police, and we will always have too much crime. Whatever we can do to enhance the effectiveness of the officers charged with looking after the community, whatever way we can utilise technology, whatever way we can improve its

effectiveness, we should be taking it up as quickly as possible. This is yet another option we have and another option we should be taking up very quickly.

What is the practical effect of the legislation? The national criminal investigation DNA database has been in place since 2003. The whole DNA process is a relatively new investigatory and crime-fighting tool, and not surprisingly given the relative newness of the process various procedural and legal difficulties have emerged. As I said, that is not unexpected, and it is certainly not a criticism of the original legislation. This bill essentially finetunes and clarifies those concerns and hopefully eliminates the problems. It also seeks to streamline and automate the matching procedure and speed up the whole system.

Another point needs to be made: the bill has no impact on the existing safeguards. The rules for the taking, storage, use and disposal of DNA samples are not affected by the legislation. That is a very important point, because if any of these procedures were on the table — if any of them were intended to change — this would be a very different debate. I also stress that what we are talking about is an investigative tool. We are not talking about the way in which evidence is presented to or treated by the courts; we are talking about assisting in the investigative process.

The final point I want to make on the bill is to contrast the government's approach to DNA testing with the approach we have taken on this side of the house in terms of our alternative approach to government, if you like. If you look at chapter 1 of budget paper 3, under the heading 'Justice' you will see that the government is committing some \$7.1 million over four years for additional forensic officers and \$1.7 million for new forensic equipment.

I contrast that with the support that was proposed by the Liberal Party in the election campaign in November last year, which would have seen \$8 million spent over four years for additional officers — there is another \$900 000 there — and, most importantly, a capital commitment of some \$9 million, which would have allowed us to very rapidly clear the forensic testing backlog through the purchase and installation of state-of-the-art machinery. I understand the backlog is somewhere between 18 months and two years at present. In fact that sum would have enabled us to bring it back to something like one month, which makes the whole process more effective. From anecdotal evidence I believe we have now got to the point where police quite often do not bother taking DNA samples because they know they will never be used.

I make the point that if we do not as a state make that investment, we will never be able to achieve this legislation's potential. The legislation has great potential, and it would be a shame if it were not fully realised. Despite the shortcomings of the bill, I think it is worth supporting, and I commend it to the house.

Mr SCOTT (Preston) — I take pleasure in rising to support the Crimes Amendment (DNA Database) Bill, which I am glad to see seems to have the unanimous support of the house. The bill has important benefits for the community. It is an important practical step forward in pursuing DNA matches, assisting the solving of crimes, bringing guilty persons to justice and identifying disaster victims. I note that DNA matching has played an important role after terrorist attacks. After the World Trade Centre attacks, DNA testing was important in identifying victims who would not otherwise have been able to be identified. Further and importantly — this is something I will touch on in my contribution to the debate — DNA matching has been important in providing evidence allowing people who have been wrongly convicted to go free. That is an important aspect of DNA matching in terms of the civil liberties aspect of the bill.

Let us look at the history of DNA matching from the very first case of DNA profiling, which was developed by 1985 by Sir Alec Jeffreys. It was first used in 1987 in a case that ended in the conviction of Colin Pitchfork for the heinous murder of two young women. The prime suspect, Richard Buckland, had confessed to one of the crimes, but the confession was later proved to be false. He clearly could not have been the perpetrator on the DNA evidence that was found. Mr Pitchfork was later convicted, interestingly enough, because it was discovered that he had contrived with another man, Ian Kelly, to falsify evidence. Mr Pitchfork had encouraged Mr Kelly to masquerade as him when providing a DNA sample. The confession by Mr Kelly that he had entered into this contrivance led to the conviction of the perpetrator, who was not the main suspect. This highlights the revolutionary nature of DNA evidence and also the fact that it has led to innocent people being released from prison or not convicted when they would have been if this evidence were not available.

When researching for my contribution I could not help but notice that in 2005 the 164th person in the United States and the 5th in the state of Georgia to be freed as a result of DNA testing was a Robert Clark. I am sure this person bears no direct relationship to the member for Box Hill, although we cannot be sure; I am sure he is not the member for Box Hill — —

Mr Lupton — We have to do a DNA test!

Mr SCOTT — Indeed. I am sure he is not the member for Box Hill, because he had previously served 24 years in prison for a crime he did not commit. Civil libertarians often raise issues around DNA, but in examining this issue we must remember that it is important that the innocent are freed from punishment for crimes they did not commit. I hope the streamlining of DNA testing under this bill will assist in this process.

In terms of civil liberties, I note that whilst the national criminal investigation DNA database contains information that allows the identification of DNA, it does not include personal identifiers such as names, and therefore in my view it does not significantly impinge on the civil rights of Victorians or Australians. That is something that I am confident has been protected in the bill, and I am sure other members of the house are also confident of this.

Previous contributors to the debate have touched on a number of examples of persons who had been sentenced to death in various jurisdictions but freed at a later date due to DNA testing proving that they were not guilty. In fact DNA testing has been used in other contexts that I doubt would be covered by the database. In 1994 the DNA testing of fur from a cat known as Snowball was used to link the perpetrator to the crime scene and was important in later leading to a conviction.

I would like to comment on an earlier contribution to the debate which seemed to regard DNA testing as conclusive in proving guilt. That has not always proved to be the case. In 2003 a Mr Sutton was released from prison after serving 4 years of a 12-year sentence when DNA evidence was shown to have been mishandled in the original investigation, leading to a false positive result. Other speakers have touched on the fact that DNA evidence is an important tool that allows for greater certainty and for more specific evidence to be tendered in court, but it does not override the normal rules of evidence, and it does not do away with the presumption of innocence that lies at the heart of our legal system. We should be careful in saying that DNA evidence is a very important tool that can assist in both the conviction of guilty persons and the release of innocent ones, because it is not foolproof. Any process that involves human beings at any stage is fallible. In my experience, and I am sure this Parliament agrees, human beings are fallible and capable of error.

I will not touch on the technical aspects of the bill, as previous speakers have done that and I am sure members do not want to sit through a further rehashing of it, but I am keen to again place on the record that I believe this is an important bill that will allow for more

speed in DNA matching and therefore more speedy and more accurate justice. I commend the bill to the house and urge all members to support it, as seems to be the case.

Mr WAKELING (Ferntree Gully) — It gives me great pleasure to rise to speak on the Crimes Amendment (DNA Database) Bill. As members from both sides of the house have said, there is general consensus on this bill. The use of DNA is an area in which there has been exponential growth internationally in investigative reporting and, more importantly, in the solving of crimes of both a civil and a criminal nature. I noted with interest the contribution of the member for Preston, who talked about the use of DNA testing to solve crimes involving animals, but I think the tenor of the legislation relates to solving crimes against persons.

I would like to acknowledge the assistance of officers from the department. This is a rather complex bill, and I thank them for their briefing and for their help and support in trying to make sense of what are very technical issues. This bill amends the Crimes Act 1958 to enable the national automatic matching of data on DNA databases. The proposed changes to the act that are contained in the bill have arisen out of national processes through the Standing Committee of Attorneys-General and the Australasian Police Ministers Council.

As has been mentioned by members who have spoken before me, this will ensure that DNA information will be accessible through the national criminal investigation DNA database, commonly known as NCIDD, as a result of a national agreement in 2003 that involved the development of complementary legislation in the national and state arenas. It will also involve the linking up of crime victims through the CrimTrac system, which has been spoken about by a number of members who have contributed to the debate on this bill. Effectively it will enable the sharing of DNA data nationally.

The importance of the new scheme is that instead of a law enforcement agency in a particular state having to contact other agencies throughout the nation to determine whether or not they have a particular DNA profile on their system, simply entering the information into the system will be enough to alert other states of a match. It is certainly going to speed up the process, but more importantly it will potentially help solve a range of unsolved criminal and civil crimes throughout the country. Hopefully it will also help in solving a range of missing persons cases. As the member for Hastings pointed out, Salvation Army studies have demonstrated

that a significant number of people throughout this nation are reported as missing — and it is not just the missing person who is affected. The member said that up to 12 people in any family unit are affected by a missing person case. This legislation will hopefully help solve some of those cases.

I have seen reports in the media of a range of crimes that highlight the importance of DNA. One only has to watch a number of episodes of the television show *Forensic Investigators — Australia's True Crimes* to identify that.

Mr Kotsiras — Do you watch it?

Mr WAKELING — I watch it regularly. We only have to go back to the 1980s and 1990s to see that some of the heinous crimes that were committed throughout this nation went unsolved because the technology was not available to prove the guilt of particular offenders. It was not until the advent of DNA testing that crimes that had been committed 5, 10, 15, 20 or 30 years earlier could be solved and the perpetrators brought to justice. Given the importance of DNA testing, this legislation is a building block. It enables DNA information sharing to be developed not only at a state level but at a national level in a way that is far more sophisticated than it is at the moment. It is incumbent upon us as legislators to ensure that we do whatever we can to speed up that process and provide law enforcement agencies throughout this nation with the requisite powers to put in place a system that enables them to solve crimes.

The member for Benambra, a former member of the police force, has talked about how the system needs to be used. He is a very good member who represents the people of Benambra very well, but obviously he has also represented his community well as a former serving member of the police force.

One thing that came out of the briefing on the bill was that this legislation highlights the need for an international focus. Whilst this bill does not have an international focus in terms of sharing an international database for the purpose of solving crimes, given the activities of Tony Mokbel and the activities that occurred in William Street this week — I saw a report today that said it is believed the perpetrator has fled the country — one can only hope there is the potential to focus on developing a system similar to this at an international level. I am not saying that this Parliament needs to deal with that issue now, but it is certainly something that needs to be put on the agenda for the future.

However, I want to draw attention to a point made by members opposite, particularly the member for Mitcham when he talked about this legislation empowering police. I remind the government that whilst members on this side of the house will be supporting the legislation with respect to improving the powers to use DNA testing, a lot more needs to be done to improve the powers of police, not just by providing DNA testing through a national system but by providing improved resources, including upgrades to stations and increases in police numbers, and delivering on promises such as the Rowville 24-hour police station, given that the Rowville station operates only 16 hours a day. Whilst I am mindful that this bill will deliver improvements that have been developed at a national level and has the support of this side of the house, I am also mindful that the government still has much more to do to improve the powers of the police force in this great state.

Given the points I have made, I confirm that I will be supporting the bill and the Liberal Party will be supporting the bill, and we hope it has a speedy passage.

Ms D'AMBROSIO (Mill Park) — I am pleased to speak in support of the Crimes Amendment (DNA Database) Bill. The bill will enable the simultaneous checking of DNA databases across all the participating jurisdictions in Australia. This will assist in taking law enforcement capabilities to a new level of efficiency and effectiveness. Data matching will occur through the national criminal investigation DNA database, or NCIDD.

While the NCIDD has been in place since 2003, procedural and legislative difficulties have come to light that this bill will address. This will enable Victoria to move squarely to a position where it will be a full participant, together with other participating jurisdictions, in the automatic and simultaneous use of the NCIDD. This means there will be greater efficiencies in identifications that involve not only criminal matters but missing persons and victims of disasters. The NCIDD system can only offer confirmations of matching data. The system itself is not allowed to hold personal details against that data. The way the system works is that if a match is established it is then incumbent on the jurisdiction seeking the data match to provide information which tags that match with the known person. This must be done in compliance within the legislative parameters of the jurisdictions involved.

The bill does not contravene the privacy of individuals. I was very pleased when I read the minister's statement

of compatibility with the Charter of Human Rights and Responsibilities. The statement looked for any areas where there was a possibility that difficulties could arise because rights may be infringed and also looked to see that the provisions in the bill merely allow for the automatic and simultaneous matching of databases. Only when a match is found is the onus on the jurisdiction that sought the match to prove that it belongs to a particular person. To that end a person's privacy is protected, and the bill does not interfere with a person's privacy either unlawfully or arbitrarily. The bill does not impede the safeguards in the existing law regarding how DNA samples are taken, stored and used. The bill does, however, broaden the offence provisions of the existing law so they apply to the abuse of information gained from Victorian samples in other jurisdictions as well as in Victoria.

The bill protects against arbitrary interference with privacy. I briefly referred to the minister's statement of compatibility with respect to the matter of personal privacy, and there appear to be no other rights in the charter that may potentially be impinged upon by the bill.

I want to turn quickly to some of the amendments in this legislation. There is reference to the matching tables of the databases which regulate the matches that can be made between two samples. The amendments in this bill go to the matching table that exists in Victoria. They will provide for consistency in the matching tables used across jurisdictions, notably Queensland, New South Wales and the commonwealth. The amendments also allow for matches to be made between DNA samples of unknown deceased people. This is currently not permissible. We would hope that there is rarely a situation where law enforcement agencies would need to resort to providing matches for deceased people across jurisdictions.

However, in the case of major disasters or calamities which occasionally befall communities, a situation may arise in which the ability to automatically access the database involving deceased unknown persons across jurisdictions would be desirable. Previous speakers have referred to the more notable disasters that have befallen people in Australia and in other countries, where unknown persons have been affected. The ability to have lawful access to the matching of database information can certainly lead to the quicker identification of people affected and would help ease the burden on families of victims of disasters who are missing and are unable to be identified otherwise.

As I have already mentioned, the bill removes the legislative barriers to participating automatically in the

national data-sharing scheme. I hope that the bill will receive the support of all members of the house. Once it is passed it will allow Victoria to sign off on full participation in the scheme through a ministerial agreement with the other participating jurisdictions.

In passing I reflect on why we have come to having this bill presented to the house, other than the reasons already mentioned. The bill is quite important in the government's broad community safety policy. In 2006 the Bracks government took to the Victorian election its community safety policy, which included a commitment to facilitate access to this national database — and we are doing that today. The community safety policy also contained other related commitments. I mention some of those to give a broader understanding of where the government is coming from and where it will be heading in the future, ensuring that we roll out our election commitment to the community of Victoria.

The government said we would broaden the offences for which police can take DNA samples to include a greater range of indictable offences. We also committed to reducing the threshold test for police taking samples of DNA and obtaining court orders for the compulsory acquisition of DNA samples. We committed to reducing the administrative burden on police and the Victoria Police forensic science centre, with an extension of time for the keeping of suspects' samples. These all form part of a very important strategy that the government has adopted to improve the safety of our community. To that end our record has been shown to be credible. We can clearly see that our community has a lot of ticks for an increased sense of safety and the reduction of certain crimes.

I look forward to the government presenting further legislation to introduce the remaining parts of our commitment to community safety in the policy we announced during the election campaign. I commend the bill to the house and wish it a very speedy passage. It sits squarely within the parameters of achieving full access to the national database, and I know it will reap many rewards in law enforcement in an efficient and effective manner.

Mr THOMPSON (Sandringham) — The use of DNA samples in crime detection and prevention has proved to be a most valuable tool. However, it is interesting to contrast the work of different jurisdictions as they have implemented their methods of collection and retention of DNA samples. On the one hand there is some merit in hastening slowly. In Australia we have had a cautious approach in which we have endeavoured to specify very clearly the range of offences for which

DNA samples can be taken and retained within the system. I contrast the position in Australia with that in the United Kingdom, where the collection and retention of DNA samples is quite extraordinary. In most cases a sample is kept in perpetuity. There is a view that people who commit crimes at an early age are likely to reoffend at a later stage. They have shown significant clearance rates across a range of crime areas, from motor vehicle theft to the resolution of more serious matters.

A few years ago in the United States the point was made that they could process 50 million DNA samples within 6 microseconds, which is an extraordinary rate. Like Australia, the United States has a federal system of government and samples were collected at different levels. A number of years ago, following the September 11 plane crashes into the World Trade Centre, the use of DNA sampling was applied and developed at an accelerated rate. Just by way of illustration, when one of the buildings of the World Trade Centre collapsed six floors were compressed into 6 feet. In order to identify the victims the remaining bone fragments were taken for DNA assessment.

Interestingly, as they collected the evidence they got family members to give DNA samples, but the routine was not in place at sufficient levels of exactitude to have distinguished relatives as blood relatives or as related by second marriage or for similar reasons. Hence they ended up having to have all the people resubmit their DNA samples on a more accurate and precise basis as they unravelled the tragedy further and identified the victims of the World Trade Centre disaster. Another example derived from the United States was where a serial offender crossed a number of borders, leaving DNA samples in a range of separate states. Once the information was put through the computer database, someone who had offended on the east coast was ultimately captured in Florida.

Any parliamentarian who is interacting with their community on a regular basis would come across people in families who are the victims of crime, having lost family members due to horrific acts of violence. Just two days ago a tragedy occurred on the streets of Melbourne where a person who was an offender in another state took the life of an innocent person who had courageously gone to render assistance to a woman who was in distress. The use of DNA samples across jurisdictions can serve to assist in the investigation of crime. Every bill that is brought before this chamber that increases the possibility of capturing someone who has offended, even if it goes down to the juvenile area, and every bill that broadens the cross-state processing of DNA samples will have my full support.

I might add also, running another side of the argument, that DNA sampling has been used pretty constructively to assist in the resolution of crime, where people may have been convicted and found themselves on death row. My information is that, following the early introduction of DNA sampling, more than 100 people on death row in the United States have been released, which provided some good arguments for the civil libertarian lobby as well, in that not only did it imply guilt but also it could confirm innocence.

There are important measures that can be built upon through the admission of DNA evidence. It brings to mind the importance of having the technology available for what is termed an innocence program, where people who are currently serving custodial sentences and have been convicted of crime have an opportunity to access the technology if it is thought the DNA evidence may affirm innocence or at least provide a basis for retrial or acquittal. Hence the opposition in the present case supports the bill.

The developments in Victoria include the resourcing of the Victorian Forensic Science Centre, which the opposition has raised regularly as not being fully adequate. There is a long delay in the processing of samples at the centre, and it is essential that there be an appropriate level of resourcing to enable it to do its important work. At the end of the day the use of DNA in crime detection and prevention is just one of the tools that a good police team would utilise in the investigation of crime.

Mr PERERA (Cranbourne) — I have great pleasure in joining all the members of this house in supporting the Crimes Amendment (DNA Database) Bill. This is an example of the delivery of another election commitment by the Bracks government.

However, this legislation is of national importance. New intelligent robots have arrived in Victoria to begin testing DNA samples at the Victorian Forensic Science Centre. What exciting news! The new robots will boost the DNA testing capacity from about 21 000 to 50 000 samples annually. Experts predict that DNA will be taken from approximately 8 per cent of all future crime scenes in Victoria. The police expect a demand for 45 000 DNA samples per annum by 2010. The significant increase in forensic capacity has been further boosted in this year's budget with the announcement of \$7.1 million to fund another 25 forensic staff over four years. The technology is moving forward at a rapid pace, and it is important to change legislation to cater for that technological advancement. The use of DNA is rapidly expanding, and it is fast becoming a key to solving crimes.

Currently Victoria is able to engage in DNA matching with other jurisdictions only on a bilateral basis, which is an impediment to speedy action to track down criminals and, of course, terrorists. It means Victoria has to request other jurisdictions to check if there is a match between a Victorian crime scene sample and offender samples. It is cumbersome and outdated technology in this day and age, especially now the national criminal investigation DNA database (NCIDD) is up and running. This national database system contains DNA profiles from samples collected from suspects, offenders and volunteers by the police services in all Australian jurisdictions. The national database, the improvements in DNA testing technologies and the ability to produce digital DNA profiles now make possible the use of information technology and digital communications to accelerate the elimination and/or matching process.

The bill will allow Victoria to participate in the national DNA database, enabling the states and territories to share information freely and to help each other to solve crimes. It is an important mechanism for strengthening the crime-fighting capabilities of the police. The bill will assist in the early identification of suspects in criminal matters. It can also be used in cases of natural disaster and terrorist attacks.

As we have observed, serious offenders can move from one state to the other very quickly, and criminals based outside Victoria can be offenders in Victoria. On the other hand, terrorist activities around the globe have proved to be well planned and terrorists have access to modern technology and bucketloads of money. It is always important to move with the times and put in place the most sophisticated procedures to combat criminal and terrorist activities. This change means that Victorian authorities will no longer repeatedly have to seek permission from each state and territory to access their databases under time-consuming bilateral agreements. Instead the bill will allow police to cross-check DNA samples in every participating jurisdiction simultaneously.

It is important to provide a regulatory framework for law enforcement agencies to take quick action to avoid further damage. The NCIDD contains only DNA information; it does not contain any other identifying information such as a person's name. The bill does not alter arrangements to what occurs once a match has taken place, and therefore it does not constitute a civil liberty issue.

Improving the way our law enforcement agencies access DNA information delivers substantial community benefits. The bill will complement the

Bracks government's other initiatives such as recruiting thousands into the police force and increasing other resources such as new and upgraded police stations. The delivery of a \$6.7 million police station in Cranbourne and a commitment to build a police station to service Carrum Downs and Langwarrin in my electorate are fantastic initiatives to enhance community safety and reduce crime. Along with this legislation, the Bracks government has committed to enhance the safety of the Victorian community. I commend the bill to the house.

Mr NORTHE (Morwell) — It gives me great pleasure to contribute to the debate on the Crimes Amendment (DNA Database) Bill. As the Leader of The Nationals said earlier, The Nationals certainly support the bill.

The main purpose of the bill is to amend the Crimes Act 1958 to enable national automatic matching of data on DNA databases. Currently the legislation dictates that Victoria is able to engage in DNA matching in other jurisdictions on a bilateral basis only. This bill will enable Victoria to participate in the national DNA data matching scheme through the NCIDD (national criminal investigation DNA database), which I would have thought is a very sensible approach. As many other speakers alluded to earlier, the impact of DNA across Victoria, nationally and worldwide has been profound. DNA is used for the purposes of identification. That can be for the identification of an individual, but in our party we are aware that it can also be used in the identification of animals, plants and so on as well. It is an important tool across the board, not only for identifying perpetrators of crime but also for so much more.

In this particular case DNA has been able to assist with the identification of missing persons. It has certainly been able to assist in apprehending those who have perpetrated crimes. It has been able to be used to eliminate persons suspected of crimes. It has also been utilised to identify persons who have been involved in major disasters. Missing persons were alluded to earlier in the debate. There are thousands of missing persons nationally, and certainly in Victoria we suffer from the same fate. DNA technology has been able to bring families back together — it has reunited families, friends and the like. It can also provide closure for those persons who have suffered the worst of all consequences by identifying persons who have died.

It has certainly identified perpetrators of crime. Victoria being involved in a national scheme with the NCIDD will, I believe, improve efficiencies and help apprehend criminals. We have had incidents in Victoria where

perpetrators of major crimes have absconded. We can only hazard a guess at the time frames for bringing these particular perpetrators of crime to justice, but it can take considerable time. A sensible bill such as this will certainly help that. Anything we can do to assist Victoria Police is very important. There is no doubt that our investigatory police, particularly of major crime, spend long hours investigating crimes. If we can work on a national scheme such as this to help our forensic people and our police force as such, it will only cause greater efficiency across the board. An automated system such as this is certainly common sense. I know that down in my neck of the woods in Gippsland, and probably across other areas of the state, we suffer from a lack of police numbers. We should do what we can to assist them. Having a national scheme such as this will help that as well. Anything we can do to apprehend criminals may play only a small part, but at the end of the day it all helps.

As I said, and it was mentioned in the house earlier, DNA has been responsible for eliminating alleged offenders as suspects. It has certainly exonerated innocent parties from crimes for which significant jail time has already been served. The do-gooders and the civil libertarians need to get on board and support such testing as DNA, because it works both ways. This has been demonstrated many times. DNA is an important part of everyday life these days. Unfortunately in recent times we have seen major disasters such as the Bali bombings, the Asian tsunami and, in Victoria, the Kerang rail disaster. DNA has had to be utilised for identification purposes on a significant scale at those times. Having a national database such as this will only enhance the efforts of those forensic persons who have to deal with unimaginable horrors and experiences across the board.

Over time DNA has grown to such a point that the number of samples that need to be analysed has increased significantly. I hope we can move with these times and have the staff in place to be able to process this data in a reasonable period of time. The last thing we want to see is samples being delivered but not being analysed and information requested by authorities being delayed for long periods of time, therefore hindering efforts in identification.

Mr Nardella interjected.

Mr NORTHE — I will not harp on that too much longer. What I wanted to say has already been said. The member for Melton can also contribute to the debate. The sensible provisions in this bill need to be commended. There is no doubt that Victoria's participation in the national criminal investigation DNA

database is welcomed by this house and the community in general and is supported by The Nationals.

Ms DUNCAN (Macedon) — I am very pleased today to contribute to the Crimes Amendment (DNA Database) Bill. It is good to see both sides of the chamber supporting this bill. It seems to be unconditional support. Normally we hear, ‘We are not going to oppose it, but ...’. I am assuming that today we have full support for this bill.

As has been said by previous speakers, this is an attempt by all states to make sure that we have a national approach to crime fighting in this country. This bill intends to allow quicker and more efficient use of DNA while at the same time maintaining the safeguards that are important in criminal investigations. This bill will streamline and strengthen the crime-fighting capabilities of Victoria and the other Australian states. The overall objective of the bill is to enable Victoria to participate in automatic DNA data matching with other Australian jurisdictions via the national criminal investigation DNA database, or NCIDD. It will allow checks to occur automatically and simultaneously across all jurisdictions, which is not possible at the moment.

This also enables, as I understand it for the first time, the DNA samples to include people registered as missing persons. It will help in those sorts of circumstances as well. It is not just about crime fighting, although that is the main priority. It will also assist in identifying people in the event of a disaster or, heaven forbid, a terrorist attack, or, as I have said previously, those who are missing persons.

The bill also maintains the safeguards that currently exist. It continues to respect those people who have voluntarily submitted DNA for testing, whether it be to eliminate themselves from an investigation or for any other reason. This DNA database will continue to respect those samples that have been given voluntarily for a very specific purpose. If the match is not consistent with that purpose, it will not proceed. This bill maintains existing safeguards while making crime fighting across this country much more efficient and more streamlined. This proposal arose through changes made in 2003 to allow automatic matching across a single database. It was intended this would occur in 2003, but a variety of problems prevented it from occurring. A number of procedural and legislative difficulties prevented that sharing of DNA information across jurisdictions. As I said, this bill addresses those problems.

In May 2006 the Standing Committee of Attorneys-General working group met and agreed to make these amendments across jurisdictions. It acknowledged the need to share DNA information and to ensure that commonwealth legislation was introduced to facilitate that interjurisdictional information sharing. The Attorney-General agreed to that, as did other attorneys-general back in May 2006, but we were unable to proceed with it in the lead-up to the state election. This is the first opportunity we have had to introduce the legislation, and it is about a commitment from the Bracks government to make sure that in Victoria we have the best crime-fighting capabilities we can. We have seen that commitment through a whole range of budget initiatives that have been introduced since 1999 to increase resourcing, whether it be for police, for technology or for the changes that were made to the collection of DNA in previous bills.

All of this is consistent with what the government has been trying to do since 1999 to make sure that Victoria remains a really safe place to live. We have seen that in the increase in police numbers and in the technology that is available to them. Of course being able to access a DNA database that covers every jurisdiction and does so simultaneously will reduce the time and resources required. We have seen over the last 10 or more years the increasing role that DNA is playing in the detection of crime. As has been pointed out by previous speakers, it not only assists in identifying criminals but also helps eliminate people from particular investigations. I have recent experience of this myself through a person who was charged with a particular offence.

Mr Nardella — A friend of mine!

Ms DUNCAN — It was quite a complicated one that I will not go into, but through DNA testing it was determined that the person who had been charged could not have committed the offence. DNA testing has given the family of the person who had been charged enormous peace of mind in knowing that it was not possible for that person to have committed the offence. They are no longer in a position to know the full outcome of the matter, because there will not be a court case. But it really is an important tool for eliminating suspects as well.

We are all a bit blown away by how effective DNA testing is. It is obviously one of the most critical scientific breakthroughs we have had across the world in terms of dealing with crime and in being able to eliminate suspects and being able to proceed to court by providing evidence of the crime.

We have seen some people who have spent very long periods of time in jail after having been charged and convicted of offences but who, it has later been shown, did not commit the offences. A number of people in Australia and overseas have been released from jail after serving very long prison sentences not because DNA testing has been able to show who committed the crime but because it has been able to eliminate those who could not have committed the crime as a result of a lack of evidence. It is just one of those things that most crimes are committed without observers being present. In the absence of witnesses, this really amazing and mind-blowing piece of science now enables investigators to know without any doubt whatsoever whether someone has committed an offence.

This will be a very welcome addition to our crime-fighting commitments in this state and across Australia, and as I said, it will enable Victoria to participate in DNA information sharing. It will be extended to enable people to identify missing persons and disaster victims. We have seen all too frequently situations where this sort of DNA testing would be useful. We have certainly seen it being used in America, for example, after September 11 to identify victims. Others will be assisted through databases like those that exist in Australia and overseas. I commend the bill to the house. It is further evidence of the Bracks government's commitment to crime fighting.

Mr SEITZ (Keilor) — I rise to support the Crimes Amendment (DNA Database) Bill. As we heard from previous speakers, DNA testing is a significant breakthrough by modern science, and the computer age we are living in makes it possible to use it as a tool in crime fighting, mainly for our police force. For that reason I am pleased to support the bill. When the original legislation was introduced in this house the media and almost everybody else made a big hue and cry about it, but as we have seen, the state has gone ahead with it.

The federal government, following the Bali disaster, established a central database for Australia, and we were assisted by that database in identifying the victims of that disaster. Since then there has been a lot of publicity in the media about some cases in towns where sexual crimes have been committed and where all males of a certain age voluntarily submitted saliva samples for DNA testing. All in all DNA testing has been embraced by the community and by the enforcement agencies in the states and territories as a tool that assists in identifying the scenes of crime and whether people are found guilty or not guilty. It does not change the situation regarding a person's guilt, but

it acts to provide further evidence for the police to submit.

This bill will also eliminate a lot of the paperwork involved in getting permission between jurisdictions. Now with Victoria joining the central database and with this legislation alleviating a lot of the red tape that has been necessary in making requests, it still will not endanger the privacy of people. It will not establish the name or details of a person until there is a match of the DNA, and then the two jurisdictions have to exchange information. Privacy is still protected in this bill. There is always concern about those issues.

Further to that, we are talking about the identification of people today who have been convicted and are in jail. I would like to see it go further so those people have an opportunity — I know a lot of people say jails are full of innocent people — to have a substantial ground of review and have a DNA test carried out even at that late stage to see if they can prove their innocence retrospectively. Very few have succeeded in that in the past. I know there is one in America who has the same name as the member for Box Hill who was released after the DNA database showed he was innocent. He could not have been at the scene of the crime at the time and was not involved. There are other examples of that, so both sides are affected. People can use DNA to clear their names or clear themselves from a charge or conviction that has been made by a judge or jury. Some who were found guilty have been able to prove themselves, with hindsight and this modern technology, to be innocent. It offers a great advantage.

In the main we are talking about law enforcement and victims of natural and other disasters. We are able to identify people who would otherwise not be able to be identified. As was mentioned before, when the terrorists struck in America on 9/11, DNA played a major role in identifying the victims. It is very important that we use and have confidence in DNA testing. It allows relatives and families to know with certainty what situation their relatives are in. Just recently two soldiers were repatriated from Vietnam to Australia so their families could have closure of that grieving.

DNA has many other uses that I can see in the future. It will be used by the legal fraternity and people with the money and means to progress the use of DNA research. A lot is offered on the internet now, so you can search your genealogy and ancestry and learn about sicknesses and illnesses that might go across generations. There are a number of other issues. The field is still at an early stage of development, but I can see that in the future we will be in here changing this legislation to meet the needs of the future. We are going to have to regulate

DNA samples, testing and databanks that will be put to use by our society.

Even today if we had this in some of the warring countries, when war criminals are brought before the international court at The Hague, DNA tests and samples would be important. This process would be particularly useful when mass graves are found in various countries. It would be a very important tool to be used by the United Nations in following up these cases. I can see its use extending so that we not only have it in the Australian jurisdiction but with Interpol. When we were trying to locate our notorious so-called gangster Tony Mokbel overseas, establishing his whereabouts involved police cooperation across national borders and boundaries.

The whole concept of this legislation will be amended again in the future to develop and expand this system and gain the cooperation of other countries and other police forces, such as our neighbours in New Zealand, and on it will go. I can see some other members are eager to speak, so before the matter is adjourned I will commend the bill to the house and say we will certainly be revisiting it to make further amendments in the future.

Mrs MADDIGAN (Essendon) — I have pleasure in supporting the Crimes Amendment (DNA Database) Bill. This is a further step in improving access to DNA data matching through the national criminal investigation DNA database. The system has been operating since 2003, but amendments agreed to by the Standing Committee of Attorneys-General working group last year will help to overcome various procedural and legislative difficulties that have arisen. This will assist in solving crimes more efficiently as well as offering better opportunities to identify missing persons and disaster victims.

It is always a pleasure to speak on a bill that fulfils an election promise. This bill does that. The election commitment set out in *Community Safety — Labor's Plan for Keeping Crime Rates Low* said the government would ensure that Victorian laws facilitate effective comparison with DNA data from across Australia. These amendments will make the job of Victoria Police easier in tracking criminals and should lead to more interstate matches occurring. However, as other members have mentioned, it is also useful in ensuring that innocent persons are released and for identification purposes during human disasters.

Many of us know a great deal about DNA testing from watching crime shows on television. I think it is probably one area of police investigation the

community is well briefed on. I would like to take issue with the point raised by the member for Morwell, who implied that DNA testing was opposed by do-gooders and civil libertarians, if I may paraphrase what he said. I would like to point out to the member for Morwell that it is important to note that whilst the national database contains DNA information, it does not contain any other identifying information such as a person's name. Once a match has been made it is up to the appropriate authority in each state under the legislation to see what action takes place. For the member for Morwell to make that statement is in fact making an assumption which is untrue. Certainly there are people in the community who quite rightly are concerned about people's rights to privacy, but to suggest they are against DNA testing is totally untrue.

As other members have said, considering DNA testing only started in 1985 in the United Kingdom, which was the first place where forensic DNA testing was done, it has become a significant part of our community in a fairly short period. It has been helpful in many other areas apart from the criminal world. As another member mentioned, in 1987 the United Kingdom police used DNA profiling in the well-known Pitchford case where a 17-year-old boy was suspected of two rape murders. Police collected samples of 5000 local men in that area which enabled them to identify the real attacker whose name was Colin Pitchford. In the same year the first person was convicted in the United Kingdom on DNA evidence.

The first court case involving DNA evidence in Australia was in 1989 in the Australian Capital Territory. In Victoria in the same year George Kaufman, who raped 16 women in Melbourne's south-eastern suburbs over a four-year period, was confronted with his DNA testing and immediately confessed to the crimes. In 1997 Victoria was the first state in Australia to pass legislation to regulate the use of a DNA database. Only two years later Victoria achieved its first cold hit from the state database — the case of Wallid Haggag, a convicted thief, whose DNA was matched to blood found in a car used in a burglary for which he was not previously a suspect. The member for Keilor referred to the identification of soldiers from the Vietnam War, and we recall that very famous case on Norfolk Island when there was extensive testing which eventually led to the arrest of the perpetrator of the murder on that island.

There are many examples where DNA testing has been significant in assisting police and others in the identification of people in a whole range of areas. This legislation will ensure that this tool becomes even more effective in the future. It is a good bill and a good

process to enable interstate matching more carefully. It is surprising to look at some of the statistics, which some members have referred to, about the many cases where people have been identified as a result of DNA testing for crimes for which they were never a suspect by having their DNA on record. It has proved very useful both in that area as well as in the other areas that members have identified in this debate. I am very pleased to support the bill, and I wish it a speedy passage through this place and the other house.

Debate adjourned on motion of Mr LUPTON (Pahran).

Debate adjourned until later this day.

STATUTE LAW REVISION BILL

Second reading

Debate resumed from 6 June; motion of Mr BATCHELOR (Minister for Victorian Communities).

Mr CLARK (Box Hill) — The Statute Law Revision Bill, as its name implies, is a bill to revise the statute law in a number of respects. As the introduction to the explanatory memorandum points out, it makes minor amendments to a number of acts to correct grammatical and typographical errors, to update references and for other similar purposes. Prominent amongst those is the removal of various spent provisions. There are 77 items contained in the schedule to the bill which are affected and amended or otherwise dealt with by the bill. As is the case with bills of this sort, it was considered in detail by the Scrutiny of Acts and Regulations Committee of the Parliament which has provided a comprehensive report.

The bill contains three provisions that operate retrospectively. The first is item 7.2 of the schedule which relates to the Children and Young Persons Act 1989 and inserts the word ‘person’s’ for ‘child’s’. That is proposed to come into effect retrospectively on 1 September 2006. The second is item 57 which relates to the Public Sector Acts (Further Workplace Protection and Other Matters) Act 2006. It substitutes the words ‘Mineral Resources (Sustainable Development) Act 1990’ for the words ‘Mineral Resources Development Act 1990’. That comes into effect retrospectively on 10 October 2006. The final one is item 61.1, which relates to the Sex Offenders Registration Act 2004. That substitutes the words ‘a cognitive impairment’ for the words ‘impaired mental functioning’, and that is deemed to come into effect on 1 December 2006.

In the other place this bill was a privilege bill and the corresponding bill in this house was the Statute Law Repeal Bill which we dealt with some time ago. As I have indicated, this bill was considered and reported on by the Scrutiny of Acts and Regulations Committee and it made two particular recommendations. The first is:

The committee has reviewed the retrospective amendments proposed to be made by items 7.2, 57 and 61.1 and in each case considers the amendments to be justified and appropriate to be included in a statute law revision bill.

The second recommendation is:

The committee considers that the amendments made by the 77 items in the schedule are justified and appropriate to be included in a statute law revision bill.

As is the custom, parliamentary counsel was also asked to provide certification in relation to the bill, and the Chief Parliamentary Counsel, Mr Eamonn Moran, by letter dated 19 April 2007 to the chair of the Scrutiny of Acts and Regulations Committee, said:

In accordance with the agreed practice, I certify that this bill contains only amendments appropriate for a statute law revision bill and does not make any substantive changes to the statute law of Victoria. The effect of any transitional or saving provisions repealed by the bill will be saved by section 14 of the Interpretation of Legislation Act 1984.

The point needs to be made, as I did in relation to the Statute Law Repeal Bill — and I will not go into the same detail as I did in speaking on that bill — that regulatory reform is often spoken about these days as a means of reducing red tape. That is important, but this bill, while it does some useful tidying up of the statute book, can by no means be represented as a law having any significant impact on the regulatory burden that exists in Victoria. That burden, as I pointed out in speaking on the Statute Law Repeal Bill, has continued to grow steadily and places a very significant impost on Victorian business and citizens. The government to date, despite all the grand announcements by the Treasurer and others, has not put in place an effective regime to prevent the enactment of new regulatory burdens or to reduce the level of existing regulatory burdens.

I also refer briefly, as did my colleague Gordon Rich-Phillips, a member for South Eastern Metropolitan Region in the other place, to a petition that was tabled in the Legislative Council by Greg Barber, a member for Northern Metropolitan Region in the other place, in relation to land at Diamond Creek and Yarrambat. As Mr Rich-Phillips told the other place, despite the concerns raised by the petitioners in that petition the various provisions contained in the bill do not affect their concerns. They have concerns in

relation to what has happened in the past with the treatment of land on the urban fringe, which has often proved to be a contentious issue, and they raised a number of concerns, as they have done directly with me, about how they have been treated in the past. In particular they have very serious concerns about their difficulty in obtaining a response from the government on those matters.

However, those matters are not ones that are affected by this bill. As the Chief Parliamentary Counsel and the Scrutiny of Acts and Regulations Committee have reported, they are simply statute-law-provision-type amendments which do not affect the substantive rights of parties. Accordingly this is a bill that the opposition is happy to support. It is a routine but necessary part of keeping the statute book in order, and we support it on that basis.

Mr RYAN (Leader of The Nationals) — It is my pleasure to join the debate on the Statute Law Revision Bill, for which I have been preparing all day in anticipation of being able to make this long awaited contribution. This bill has a number of purposes, but essentially it is a — —

Mrs Maddigan interjected.

Mr RYAN — I am being invited to go through all 77 acts, but I am not into filibustering. I only ever speak as the need dictates, so I am not going to do that. The bill does a number of things. It corrects a number of ambiguities, minor omissions and minor errors and the like that have been found in the statutes. It also corrects spelling and grammatical errors in acts. I did not know that that could happen given the involvement of parliamentary counsel, but I suppose they would say it is not parliamentary counsel's fault anyway and that the spellcheck on someone's computer has not done the job.

The bill makes amendments which should have been made as consequential amendments when the legislation was first passed but which were overlooked. It also repeals redundant transitional provisions that are no longer required because of the passage of time and subsequent legislative enactments. It furthermore repeals substantive provisions which have fulfilled their purpose of amending or repealing other acts. It amends statutes to make them consistent with changes that have been made through administrative orders under the Administrative Arrangements Act 1983. I know that all members have that act by the bed at home for close reference of an evening and that for most it is the last thing they look at before they close their eyes! The bill also makes technical improvements rather than

substantive amendments to the state's statutes, and generally speaking it is a bill which is being used in a tidy-things-up sort of a fashion. It is one of the essential features of the legislative program of the Parliament.

Despite the invitation, I do not intend to refer to all the 77 pieces of legislation that are listed in the schedule. But it is always interesting to look at the various pieces of legislation that are referred to, because in one sense they trace the activities of the Parliament and are reflective of the things that are relevant to what we do in this place on behalf of the people of Victoria. Just in flicking through, I can see a reference in item 38 of the schedule to the Legal Profession Act 2004 and to the repeal provision that is contained therein. That reminds me of the fact that the profession has changed enormously over the years, and to its great credit it has adapted very well to the contemporary requirements expected of it by the people who seek out advice.

It has changed from the days when people went to a legal practitioner simply to get legal advice per se. More often than not these days most firms offer an amalgam of different forms of advice by way of commercial activities generally, including superannuation, investment in all its different forms and finance — all the many things which go to make up commercial life these days and which are important to people in the way they live their lives. It is to the great credit of the profession that it has been able to adapt to the changes which have been brought about by those sorts of developments.

Items 39 and 40 refer to major crime legislation in different forms — and there again we have seen enormous changes over the course of the years. Who would have thought that we would now have legislation of the style which now goes through Parliament and which imposes enormous restrictions upon personal liberties in a variety of ways in the name of contesting terrorism in all its forms. It is interesting, when that style of legislation comes before the house, to hear that in the main there is pretty consistent commentary across the chamber as to the need for it, given that you would not have to go back very far at all to hear strong arguments around the house as to whether such measures were warranted. It is perhaps a mark of where we are in a communal sense that we have legislation of that nature passing through this place without in the main being contested by the parties.

Item 44 refers to the National Electricity (Victoria) Act 2005 and the repeal of part 3. The changes that have occurred in the electricity industry over the course of the years, including the radical changes that were made to its structure, have been for the better given the way

the industry now operates. We now have a lot of born-again capitalists on the Labor side of the house who at the time bitterly opposed those changes. They now pride themselves on being able to trip around Australia saying, 'What a great competitive environment we have here in Victoria. We are leading the nation in the way our electricity industry operates'. All of that is completely aside from the other relevant factor, which is that the \$23 billion that was achieved from the privatisation of the system unfortunately had to go to the banks to pay off some of the debt which the former government inherited from the previous Labor incumbents. However, the changes that have occurred in the industry over the course of the years have been immense. They are some of the things in which we as the government at the time continue to take great pride, because they shaped the future of the industry, not only in Victoria but in a general sense in Australia.

Item 54 deals with the Professional Boxing and Combat Sports Act 1985, and probably the less said about that the better in the context of where I am now speaking. Item 64 refers to the Sustainable Forests (Timber) Act 2004. That also is something that reminds me of the way in which that industry is struggling in a variety of ways in the current environment. The simple fact is when you talk to industry representatives you find that the hardwood timber industry is battling to make its way. I think it is a reasonable observation to make that the tender system as a way of providing timber to the industry has failed miserably. It has led to a consolidation of the interests of the major players at the expense of the niche players and smaller operators, and that in turn has had a radical impact upon many of our communities, where jobs have been lost as a result.

Another feature that is imposing strains on the industry is the ravages of the bushfires, whereby a lot of the coupes that would otherwise have been available for the purposes of harvesting have been lost. The government to its credit has a recovery process, with a \$22 million tag attached to it; but I must say that when you talk to the industry you find there is a large measure of doubt as to the credibility of the package and the manner of its application. Nevertheless when you see legislation of that ilk being referred to in a bill such as this, it is a reminder of just how important that great hardwood industry is to all of us in Victoria. All credit should go to those who are involved in it and who continue to represent that industry as well as they collectively do.

Items 75 and 76 are very pertinent, because they refer to water acts. The first of those is the Water Act 1989, and the second is the Water (Governance) Act 2006. Of course they are very topical and are in keeping with the

discussions that flow through this house — pardon the pun! It is instructive when you see legislation of that name in a bill such as this to reflect on contemporary events. I will give credit where due. At the moment I think the government is playing the whole situation like a Stradivarius. The intention in dividing the north-south pipeline into two projects, whereby it says that it is going to fund the first of them out of its own resources, is really about getting 75 gegalitres to Melbourne come what may.

I suspect it will then sign up to the Prime Minister's national water plan, and then it will go to the federal government and say, 'We want you to put up the other \$1 billion', knowing full well that the federal government has already said it will not do any such thing. Victoria will then belt the federal government on a daily basis for not being prepared to put up the second billion dollars. The scenario is probably something along those lines. To give credit where it is due, you would have to say that it has been pretty well thought out. There have already been a lot of questions asked about it, and there will be many more asked, but for all of that, that is what the government intends.

The unfortunate feature is that an opportunity to really have Melbourne, indeed Victoria, take its place amongst the global leaders of innovative projects in relation to water-saving programs and recycling programs has for the moment at least been lost. It would have been terrific to have the state government sign up to the national water plan, which would have resulted inevitably in the commonwealth government funding the major projects in the Goulburn Valley and therefore save Victoria a lot of money that it could have brought back into Melbourne for the purposes of developing recycling programs. That would have been a great initiative. The downside to that proposition from the state government's point of view was that the savings under the commonwealth scheme would have been split fifty-fifty between the irrigators and the environment and would therefore have stayed in the Goulburn Valley. Of course Melbourne would have missed out, which is what should have been the fair and proper result.

But be that as it may, as I remarked a moment ago, all credit to the government. It is out there now with a \$1 million campaign, red helicopters and the Premier commentating. It is doing what it does well: the spin doctors are working overtime. The ministers, who would otherwise be at the Parliament you would think on a day such as today to participate in a matter of public importance debate which was moved by the government highlighting what it says are its great initiatives in this regard, were all missing. I worked it

out that at one stage there were five Labor members of Parliament here. This \$5 billion program amounted to \$1 billion per head, which I thought was a bit of an overpayment really.

Ms Allan — I can buy and sell you for \$5 billion.

Mr RYAN — I would be quite happy to be bought and sold for \$5 billion. I think that is a reasonable offer.

The ACTING SPEAKER (Mr K. Smith) — Order! I think the Leader of The Nationals has invited this.

Mr RYAN — Indeed I must not respond to interjections. As I was saying, when bills such as this, particularly in a contemporary sense, come before the house, they provide an opportunity in debate to ruminate about the things that are important to all of us here in Victoria and particularly in the further context of our having the honour of being able to represent Victorians in this place. We wish the bill a speedy passage.

Ms THOMSON (Footscray) — I must commend the Leader of The Nationals, who has taken the opportunity to address a rather mundane but necessary bill and turn it into a debate on water — an interesting little exercise. I note that he just about managed to fill all his time. We have actually hit a nerve with the Leader of The Nationals on the issue of water. When it comes to looking after country Victoria on this issue the Bracks Labor government is certainly committed to doing so, as is demonstrated in the next phase of our water statement. It is pleasing to see that The Nationals recognise that we have put in place a comprehensive strategy. Its members might be feeling some remorse for not having stuck with their farmers and irrigators on the federal government's water proposal.

The Statute Law Revision Bill is what I would call a housekeeping bill. I hate housekeeping, but I know it is necessary and important to do it. This sort of bill is important to keep our statute book in order, up to date, accurate and able to be interpreted by the courts; and it includes little things like spelling and grammar amendments. Of importance are the changes to administrative orders or changes to titles out of those administrative orders, and they need to be reflected in the legislation.

When I was looking through the bill I thought, 'How many people have to beaver away at our legislation to ensure that we are keeping our legislation accurate, that we are making the corrections that we need to make, that redundant parts of legislation are removed, that we are being accurate and ensuring that these small

changes are being made?'. Looking through the list of 77 items in the schedule, I noticed that there was one act that went back to — —

Mrs Maddigan — 1958.

Ms THOMSON — The member for Essendon says '1958'. I saw the one from 1965. There we go! We can therefore understand how many people in our departments are ensuring that our legislation is correct. There is a lot of work — —

Mrs Maddigan interjected.

Ms THOMSON — That old County Court Act of 1958! Whilst this may be a bill that comes to us with no major issues, and we can all agree on that, there are a lot of people putting in a lot of effort to make sure that our legislation is correctly compiled for us to observe and for the courts to utilise. There are a number of acts that might be of surprise to us. Probably 10 years ago no-one would have thought that we would need to have something like a gene technology act, and in fact we now do. There are a number of acts on our statute book that once we would never have considered we would ever legislate on, and at one point in time we probably did not even know that these sorts of things existed. As a Parliament we reflect our community and its changes.

We also reflect technology and how it develops, and where we need to legislate reflects society's requirements from time to time. The Leader of The Nationals also indicated in his address to the house that our standards change and that what the community expects the laws to provide by way of protection changes as well, and we reflect that in our legislation.

When I went through the bill I noticed that it covers a few pieces of legislation that I introduced into the Parliament. I am pleased to be able to say that a number of them are now redundant because we have gone past the stage of having crossover legislation and are fully implementing the new acts. I shared responsibility for the Retail Leases Act with the member for Brighton, who is at the table. She was responsible for the first rewrite of the retail leases legislation, which underwent a total rewrite again when I was minister and is now of biblical proportions. That really was about getting the balance right between big business and small business, between those who own retail premises and those who lease them. I think we did get that balance right, and I was pleased to see at the time that all parties supported the legislation when it passed through the house. It reflected a whole lot of work by a whole lot of people, including people in the retail industry itself. It is good

to see that we now have a fully functioning act in place that is doing its job well.

The Utility Meters (Metrological Controls) Act was another of my bits of legislation as Minister for Consumer Affairs, as was the Retirement Villages Act. Again we are seeing the transferring over of provisions in that act. There is another piece of legislation that I wanted to point out that is unusual, and that is the Owner Drivers and Forestry Contractors Act. This piece of legislation again was about big versus small. It was about contractors who had been disadvantaged in the past and ensuring that we get the balance right for them. It is a great comment on the government's commitment to small business that we brought in those pieces of legislation and looked after the owner-drivers and the forestry contractors to ensure that they were protected in the contracts they had to enter into to undertake their chosen work.

While this legislation is not really of substance in that it is tidying-up legislation that ensures we have an accurate statute book, underlying that are a whole lot of statutes that are really meaningful to this state and have really made a difference to people's lives, the way they conduct themselves and the way we conduct ourselves as a society. It is good to know that we have departments ensuring that our statute book is kept up to date. That makes it easier for the system to work. To all those who are beavering away in departments ensuring that we are keeping our statute book relevant to today, this piece of legislation complements all the work that goes into the detailed policy legislation that we bring in and ensures that it properly reflects what the Parliament wants it to reflect.

Ms ASHER (Brighton) — I want to be brief in speaking on the Statute Law Revision Bill. This is the second statute law revision bill that has appeared before Parliament this year. The first one was significantly more comprehensive than this one, but nevertheless these are important steps forward.

For many years this process has been driven by the Scrutiny of Acts and Regulations Committee, which of course has representatives from all parties and a longstanding goal to reduce the amount of paperwork on our books. That is a commendable goal, and I am pleased to have seen two bills of this sort already this year. The acts or parts of acts that are being repealed are listed in the schedule. Some reasons for changes, such as spelling and grammar mistakes, are relatively minor. There are other examples where there have been errors in acts of Parliament, examples where acts are redundant, examples where the legislation is completely spent or part of it is spent, and other examples where

there has been an amending bill and the amendments have been incorporated in the principal act, thus making the amending act redundant.

Mainly, however, the bill before the house represents the repeal of sections of particular acts, and I just want to pick up on a couple of examples. On my reading of the bill the oldest act to be amended is the County Court Act 1958. I note that the explanation for the amendment to section 87(3) is that it is to correct a grammatical error. You have to ask why it has taken from 1958 until now to correct a grammatical error, given that we have gone through this process again and again and again over a range of governments and twice this year. One has to ask why it has taken so long to do something so simple.

However, there are many more recent acts. I will not be as nostalgic as the Leader of The Nationals was, but many of these acts, mainly amending acts, have passed through the house during my time as a member of Parliament. I well remember the National Taxation Reform (Consequential Provisions) Act, which was obviously the basis of a very significant taxation reform across Australia — the GST. A schedule to that act reflected the fact that all Premiers, both Labor and Liberal, signed up to that sweeping taxation reform, which is rather odd, given the carping we hear from the ALP about the GST. That act had the support of all states at the time it went through.

I can also add to the recollections of the member for Footscray in terms of the Retail Leases Act. She mentioned that that act, which was introduced by her, replaced an act that was introduced by me as minister, and I can complete the nostalgia here. The now Leader of The Nationals was on a committee that assisted me with the drafting of that original reform act. He did an outstanding job, and I thought as minister I made a very good choice of whom I asked to assist in that very difficult task of balancing big business and small business. Wendy Smith, a former Liberal member for Silvan Province in the other place, chaired that task force, and that work was particularly useful.

I also will not resist the temptation to refer to the amendments to the two water acts — that is, an amendment to the Water Act itself and changes to the spent provisions of the Water (Governance) Act. I again make the observation that the changes to the Water Act remove unnecessary full stops, hyphens and commas and in one instance an unnecessary word. In terms of the Water (Governance) Act, the amendment is to correct a typographical error. What a shame this government does not pay attention to that sort of detail with water itself. I understand the sensitivities of

irrigators in this regard, but in terms of other aspects of yesterday's announcement — the desalination plant in particular — these are announcements that should have been made years ago. Supply announcements should have been made by this government and the minister for water years ago. In this bill we see fastidious detail, in complete contrast to the government's ignorance of the big picture.

I also want to refer to what I think is the most important clause in this bill, and that is clause 4, which means that this bill, when it becomes an act, will not have to come up as part of a statute law revision process. That is because clause 4 is an automatic repeal provision. Clause 4 reads:

This act is repealed on the first anniversary of the day on which it receives the Royal Assent.

What is now happening — again on the recommendation of the Scrutiny of Acts and Regulations Committee — is that in many acts the government is bringing before the Parliament there is an automatic repeal provision so that we do not have to go through this process in all instances. In other words, when the acts we debate in this place are amendments to a principal act, they will sunset automatically — they will automatically be repealed. Instead of going through this process, with the enormous amount of bureaucratic work that the member for Footscray referred to and a huge amount of attention from the Scrutiny of Acts and Regulations Committee, the Parliament is now putting in place, again on the recommendation of all parties, a more, sensible, streamlined approach. I think the most important clause in this bill is clause 4, which will automatically repeal this piece of legislation one year after it becomes an act.

I think that is probably sufficient comment from me, and I will allow others time to speak before the dinner break.

The ACTING SPEAKER (Mr K. Smith) — Order! I would like to call on the member for Essendon to make her contribution before the dinner break.

Mrs MADDIGAN (Essendon) — That is very gracious of the Acting Speaker, and I thank him very much for recognising me on this occasion. As we have mentioned the water bills, I would like to initially, if I may, congratulate the Acting Speaker, who is also the member for Bass, on his fine contribution to the government's water policy. The member for Bass is now regularly known as 'Salty Smith', and his contribution to the selection of the location for the desalination plant —

The ACTING SPEAKER (Mr K. Smith) — Order! I think the member is reflecting on the Acting Speaker at this stage, and I ask her to desist.

Mrs MADDIGAN — I am quite distressed about that, because I was going to suggest that because of the great contribution made by the member for Bass perhaps the desalination plant should be called the Salty Smith Desalination Plant, which I think would be a very appropriate name for it.

The ACTING SPEAKER (Mr K. Smith) — Order! If the member moves that one, I will second it.

Mrs MADDIGAN — The member for Bass might like to have a word with the Premier about that in the next few days to see if he has a view on the subject.

This has been an interesting debate. Certainly members of the Liberal Party have spoken on the bill, but I thought when the Leader of The Nationals was speaking that perhaps I had tuned into the grievance debate by mistake, because he took the opportunity to get a number of things off his chest. I hope he feels better now than he did when he walked into this chamber 20 minutes ago.

This is an unusual bill. It is unique, I think, in this Parliament, because it is the only bill that has been introduced into the upper house first since this Parliament commenced sitting. It was introduced by the Minister for Planning in the other place and referred to the Scrutiny of Acts and Regulations Committee, which reported back in May of this year. That committee, which does a wonderful job under the chairmanship of the member for Brunswick, has reported on this bill in its usual sensible and fulsome manner.

There are three acts mentioned in this bill that have retrospective provisions, and I think people always get a bit nervous about that. They were touched on by the member for Box Hill, and they are the Children and Young Persons Act 1989, the Public Sector Acts (Further Workplace Protection and Other Matters) Act 2006 and the Sex Offenders Registration Act 2004. However, recommendation 1 in the report of the Scrutiny of Acts and Regulations Committee reads:

The committee has reviewed the retrospective amendments proposed to be made by items 7.2, 57 and 61.1 and in each case considers the amendments to be justified and appropriate to be included in a statute law revision bill.

The committee has, if you like, given the green light for the bill to go ahead, and it certainly does not remove any rights that people may have previously had.

As some of the earlier speakers have said, reading through the acts listed in the schedule to the bill gives a very good overview of the wide range of topics covered by legislation in this Parliament. The member for Footscray referred to some acts that we would never have known about earlier and acts that we never thought we would have to pass in this place, particularly those relating to new technology and other such things. There is, of course, the Public Sector Acts (Further Workplace Protection and Other Matters) Act 2006, which we thought we would never have to pass either, but due to some appalling policy from the federal government we have had to introduce that legislation to protect workers. I mention that because I know the member for Bass is very fond of workers. It is good that there will be a lot more workers in Wonthaggi soon, and they will all be good union members.

An honourable member — One thousand of them.

Mrs MADDIGAN — One thousand new union members will be down there in Wonthaggi, and I am sure the member for Bass will welcome them all with open arms and be very pleased to have those new workers in his electorate giving him support — or whoever the Labor candidate might be at the next election.

This legislation covers a wide range of acts, as I think the member for Brighton said. The amendments are fairly minor in the matters they cover, and I guess it could really be referred to as the government's spring-cleaning at the beginning of each Parliament to tidy up the statute book and remove any redundant provisions and anomalies that might appear in the acts. There is nothing in the bill that changes substantially the nature of the acts it amends. It is a sensible piece of legislation, and I commend the bill to the house.

Mr STENSHOLT (Burwood) — The Statute Law Revision Bill, on which a number of other members have spoken very eloquently, is interesting in that it is one of the very few bills — the member for Essendon said it was the only one — that has come to us from the upper house. Naturally we are delighted to receive it from the upper house and to further revise the statute law of Victoria. This is a very traditional bill that mainly makes minor amendments to correct grammatical and typographical errors, including full stops. I noticed that the member for Brighton was getting excited about full stops.

I should mention that at one stage in my career as a diplomat I was a member of a drafting committee dealing with agriculture. We spent about 4 hours

debating the position of a full stop in a record of a meeting which was all to do with lack of access to agricultural markets. The member for Brighton may well be concerned about full stops and commas. I am happy to talk about an absolutely marvellous vision for securing our water supply here in Victoria with a \$4.9 billion investment over the next few years.

A number of items are listed in the schedule. When I saw that item 50 states that part 4 of the Parliamentary Precincts Act 2001 is repealed, I wondered what part 4 was about. I found that it is about the parking arrangements in the parliamentary precinct and includes a nice map of the precinct. It is a provision which relates to another act, in this case about road safety, and it has now been safely incorporated in that act. It has commenced operation and therefore is deemed to be spent. There are many other items exactly like that, where changes have been made and have now been incorporated.

The schedule also lists minor name changes — for example, the Council of the Museum of Victoria has changed its name to the Museums Board of Victoria. The definition of 'finance minister' is inserted by one item. The Professional Boxing and Combat Sports Act, which used to come under the Department of State and Regional Development, now comes under the Department for Victorian Communities. I am not sure why that particular amendment is being made — I have not had time to check it out — but I am sure it is meant to be part of it. In name changes, item 19 omits 'and Training', as the relevant department is now called the Department of Education.

I notice that the member for Brighton picked up on the automatic repeal provided by clause 4 which has appeared in bills that have been before the house recently. It is a recommendation of the Scrutiny of Acts and Regulations Committee that, particularly where provisions of a bill become part of a principal act, an automatic repeal provision be included. It is usually as provided in clause 4 that the act or provision is:

... repealed on the first anniversary of the day on which it receives the Royal Assent.

This bill cleans up all sorts of legislation which did not have the advantage of having that recommendation of the Scrutiny of Acts and Regulations Committee applied to it. As many speakers have said, the bill fixes grammatical and typographical errors, updates references and has similar purposes. It does not list any ancient acts — none going back to the 1850s, I am afraid.

Ms Allan interjected.

Mr STENSHOLT — We should be far more gentle in looking after the Acting Speaker and showing him due deference. I commend this bill to the house.

Sitting suspended 6.30 p.m. until 8.02 p.m.

Mr CAMERON (Minister for Police and Emergency Services) — Thank you, Acting Speaker, for the opportunity to make a brief contribution to the debate on the Statute Law Revision Bill. This is one of those bills that people look at and say, ‘This is a bill without much content’. But the fact of the matter is that this is about a government getting on with the business of governing, and that is certainly what the Bracks government is entirely about.

This is about cleaning up the statute book. You only have to look at the examples in the schedule to the bill to see all of the provisions that have been repealed to make life much simpler for those people who go about the business of looking up legislation. We do not want people looking up legislation when it is redundant. Certainly this sort of tidying-up exercise has to occur from time to time. This is a good spring clean by the Bracks government, even in winter and close to the shortest day of the year. Nevertheless we are getting in early with this spring clean. I commend the bill to the house.

Mr JASPER (Murray Valley) — I listened with a great deal of interest to the contribution by the minister. I felt he was denigrating the Parliament itself when he spoke about the bill. I remind the minister that I have been in this Parliament for an extended period, and this bill — the Statute Law Revision Bill — is a bill which regularly comes before the Parliament. I can go back many years to when I was a member of the regulation review subcommittee — —

Honourable members interjecting.

Mr JASPER — I would like to think that the minister was listening, because he made what I thought were some denigrating comments about previous parliaments. Perhaps he should listen and learn a little about the background to this bill and about the fact that the Regulation Review Subcommittee of the Legal and Constitutional Committee, of which I was a member in my early years in the Parliament, reviewed only regulations and not acts, which its replacement, the Scrutiny of Acts and Regulations Committee, now does. In those days the Serjeant-at-Arms was the secretary of the committee. It reviewed regulations regularly and on occasion made reports to the Parliament. One of the issues of great concern to us in those years involved regulations of a retrospective

nature. We were very much opposed to any regulation which had a retrospective aspect to it, and I will refer to that later in my contribution.

I have a copy of a report from the Scrutiny of Acts and Regulations Committee which refers to three acts which contain retrospective provisions. As a committee we are always very concerned about any regulation of a retrospective nature, and we report back to Parliament if that is the case. Over the years, and contrary to the comments made by the minister, in each Parliament we regularly see a Statute Law Revision Bill which corrects minor mistakes in bills and deals with changes that need to be made to ensure that acts are accurate in what they say they do.

When this bill came before the house I was interested to read what the government said about its overview. The statement of compatibility with the Charter of Human Rights and Responsibilities gives an overview of the bill and states in part:

The bill makes statute law revisions to acts of Parliament to correct spelling and grammatical errors. The bill makes any other amendments that should have been made as consequential amendments when legislation was first passed but were overlooked.

In fact on many occasions when this house passes legislation which then has to go to the Legislative Council a flaw or mistake is picked up and corrected while the bill is between houses. But we also have situations where a bill becomes an act of Parliament and small mistakes are found — grammatical and other types of errors that need correction — only when it is in operation. The bill also:

...amends legislation to make it consistent with changes that have been made indirectly to the legislation through administrative arrangement orders ... to ensure the acts correctly reflect the changes made...

Although some speakers have indicated that it is a small or supposedly minor piece of legislation, in fact it has important consequences in what it does. The bill arises from a report from the Scrutiny of Acts and Regulations Committee, of which, as I said, I am a member. I note in particular three recommendations in the report which was brought before the Parliament. The first recommendation states:

The committee has reviewed the retrospective amendments proposed to be made by items 7.2, 57 and 61.1 and in each case considers the amendments to be justified and appropriate to be included in a statute law revision bill.

The second recommendation states:

The committee considers that the amendments made by the 77 items in the schedule are justified and appropriate to be included in a statute law revision bill.

Finally, the third recommendation, 'Unproclaimed acts watch list', states:

The committee notes the two unproclaimed acts listed in appendix 2 and has sought further advice from the Minister for Planning concerning the continued need to retain these unproclaimed acts.

I should say — and the minister should listen to this — that the committee operates very effectively now in reviewing bills before they come to Parliament, and it looks at and reviews the regulations to ensure they reflect and are consistent with the provisions of their acts of Parliament. The committee looked at those issues and came up with its recommendations. The committee received evidence from the Chief Parliamentary Counsel, Eamonn Moran, supported by the Deputy Chief Parliamentary Counsel, Gemma Varley. They commented particularly on the three areas where retrospective queries were raised by the committee. I put before them the issue of retrospectivity, and they made it quite clear that while corrections were being made to those three particular acts, they would not have any adverse effects and no actions had been taken which would be affected by the changes implemented by the retrospectivity.

The first one related to the Children and Young Persons Act 1989. Again I felt there needed to be some reference to that by the parliamentary counsel to ensure that there would not be any adverse effects from the retrospective changes and that action was not being taken by the legislation as it is currently before the Parliament. The second one was the Public Sector Acts (Further Workplace Protection and Other Matters) Act 2006 where a retrospective provision took it back to 10 October 2006. The third area where there was retrospectivity was the Sex Offenders Registration Act 2004 where there was a change in wording from 'impaired mental functioning' to 'a cognitive impairment'. This change was retrospective to 1 December 2006. My concern was that there should not be any adverse effect from the changes proposed by the Statute Law Revision Bill. I have to say that the information that was provided to us was excellent. It clarified the position as far as we in the committee were concerned.

I mentioned that there are 77 items which make small changes to a range of acts where there was some small area that needed correction. The other issue related to the unproclaimed acts. I think it is important to note the work of the Scrutiny of Acts and Regulations Committee in looking at acts and making

recommendations to make sure they meet the requirements under the legislation which controls the committee, and also looking at the regulations to make sure they also meet the requirements of the legislation. This is a most important committee. Once a bill goes through the Parliament and becomes an act, regulations can be made under various acts of Parliament which really put into effect the bill that has been debated. I think it is a critical committee. I believe the recommendations being made are of importance.

Finally, I want to say that when letters are written to ministers where there is a query about a particular bill or a regulation, most of the ministers respond positively because they know and recognise the importance of the committee. Indeed if they do not respond, that can be the subject of a report to the Parliament itself. This committee has that important function. We now have provisions which ensure that amendments that pass through the Parliament become part of the principal act automatically after a period of time, usually 12 months. While the Minister for Police and Emergency Services seemed to denigrate the bill to some extent, I see it as important that this is coming before the Parliament so that corrections can be made to legislation where required.

Ms D'AMBROSIO (Mill Park) — I am pleased to rise in support of the Statute Law Revision Bill. The bill continues the relatively modern practice of cleaning up Victoria's laws. The purpose of bills such as this is to remove ambiguity, lack of clarity, grammatical errors or omissions and to repeal spent or redundant provisions of existing laws. Statute law revision bills must not change the intent of any existing laws, but they ensure we have a modern array of laws which are accessible and able to present a very clear message to the people about what laws govern Victoria.

As usual the Scrutiny of Acts and Regulations Committee has reported on the bill under its ongoing reference to review and report on unclear, ambiguous and unnecessary or redundant provisions. In this instance the committee also received a referral from the other place to inquire into and report on this bill. It is important to note that in considering the bill the Scrutiny of Acts and Regulations Committee received evidence from the Chief Parliamentary Counsel, Eamonn Moran, QC, and the Deputy Chief Parliamentary Counsel, Gemma Varley. The committee was furnished with a certificate from the Chief Parliamentary Counsel certifying that the provisions of the bill were within the parameters of a statute law revision bill.

Further, the Scrutiny of Acts and Regulations Committee has given a broad thumbs up to the bill. It identified three retrospective items in the bill which it considers to be non-detrimental in their application. They include a change to section 155(1)(d) of the Children and Young Persons Act 1989 to replace a reference to 'child's' with 'person's'. This occurs in light of the enactment of the Children, Youth and Families (Consequential and Other Amendments) Act 2006. The second retrospective item concerns the Public Sector Acts (Further Workplace Protection and Other Matters) Act 2006 which replaces the reference to the 'Mineral Resources Development Act 1990' with the 'Mineral Resources (Sustainable Development) Act 1990'. The third retrospective item refers to the Sex Offenders Registration Act 2004. It introduces a more modern reference of 'a cognitive impairment' to replace the term 'impaired mental functioning'. None of these items disadvantages anyone. Therefore these changes sit comfortably within the parameters of the acceptable retrospective application of provisions.

The bill does a good job in terms of modernising our statutes. It does so with a very clear eye to ensuring that legislation in this state is modern and reflects current circumstances. I wish to commend the work of the Scrutiny of Acts and Regulations Committee in its oversight of the bill and the invaluable work of the Chief Parliamentary Counsel and Deputy Chief Parliamentary Counsel in ensuring that, in their opinion, the Statute Law Revision Bill meets the parameters of statute law reform bills.

Mr LUPTON (Prahran) — I want to make a short contribution to debate on the Statute Law Revision Bill. I will refer to two reasons that changes made by legislation such as this are important in the administration of the law in Victoria. One is that people who are required to research the law in Victoria need to easily understand that repealed legislation is no longer part of the law of Victoria. Getting rid of repealed legislation and cleaning up the statute book is very important for those who are researching the law. It ensures that the law is accessible and easily understood by the people it affects.

The other reason the changes made in this sort of legislation are important is they make the work of the courts more effective and ease the load on the courts in this jurisdiction. If commas, full stops or hyphens that are not meant to be there make their way into the printed legislation, this can have an effect on the way in which acts of Parliament are interpreted by the courts, and that can have an effect on the rights and obligations of people in Victoria. Therefore it is important to make sure that we clean up these matters and that the statutes

of Victoria accurately reflect the intention of the Parliament. That is what this legislation does.

The final point I wish to make is that as a consequence of a recommendation of the Scrutiny of Acts and Regulations Committee it is now standard practice for acts to contain automatic repeal provisions. This means amending legislation like this Statute Law Revision Bill will not need to be brought into the Parliament on a regular basis, because sections of legislation that become redundant because of the repeal of legislation will automatically be repealed as a result of the administrative changes that have been made in legislation.

Clause 4 of this bill, which provides that this act is repealed on the first anniversary of the day on which it receives royal assent, is an example of that, and it will mean that this type of technical legislation will not be needed as much in future. In that sense it represents a change in the administration of the law, which means that it will be more accessible, more easily understood and will make the role of our courts more effective. In that sense it is good for the administration of justice in Victoria. I commend the bill to the house.

Mr ANDREWS (Minister for Gaming) — I am very pleased to offer some brief comments in summing up on this routine but important bill before the house this evening. This is all about making sure that our legislative framework in Victoria is contemporary and effective and that it operates in an efficient way.

As the member for Prahran eloquently outlined to the house, there are often very serious ramifications and impacts if there are errors in Victorian statutes. Again, this is a routine process and one we go through quite regularly, but it is important, as I said, that we have a contemporary, relevant and effectively accurate framework for all Victorian families. As the explanatory memorandum makes clear, this is about further revisions to statute law in Victoria to make minor amendments to a number of acts to correct grammatical, typographical and other routine errors, and that is all about making sure we have an efficient and effective regulatory framework here in Victoria.

I thank the member for Box Hill, the Leader of The Nationals, the members for Footscray, Brighton, Essendon and Burwood, the Minister for Police and Emergency Services and the members for Murray Valley, Mill Park and Prahran for their contributions to this important debate. These are a common-sense set of arrangements. I commend them to all members and wish them a speedy passage.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

CRIMES AMENDMENT (DNA DATABASE) BILL

Second reading

**Debate resumed from earlier this day; motion of
Mr HULLS (Attorney-General).**

Mr LUPTON (Pahran) — I am pleased to make a contribution in support of the Crimes Amendment (DNA Database) Bill. Deoxyribonucleic acid, more commonly known as DNA, is in fact a nucleic acid molecule which contains genetic instructions which are used in the development and functioning of all living organisms, and it really is the basis of life forms as we know them.

The discovery of DNA has resulted in immense and numerous technical and scientific advances over the last couple of decades. We see now that there are scientific and medical breakthroughs in relation to genetic engineering, and there is a completely new discipline of bioinformatics that has been developed as a result of the development of DNA. DNA is also of vital interest in the science of computation, and it plays a very significant and important role in our understanding of our own history of this planet, and in anthropology. Another significant development in the use of DNA, and one which is very central to the bill which we are debating at the moment, is the use of DNA in forensic science. I had the opportunity in the 55th Parliament to be a member of the parliamentary Law Reform Committee. We had a reference and reported to Parliament on the use of DNA evidence in criminal proceedings.

In my former role as a barrister in this state for many years, and also from my experience as a member of the Law Reform Committee in examining the science and use of DNA in criminal proceedings, I certainly developed a greater appreciation and understanding not only of the science but also of the potential uses of this type of technology and scientific information. It is without doubt that DNA evidence in criminal proceedings is a vital forensic tool at the disposal of law enforcement in Victoria and in fact around the world. Victoria has certainly been a leader in the development and use of DNA technology and database development.

That has proved to be a very beneficial and important part of the law enforcement program in this state over a period of years.

The particular provisions of this bill really are designed to enable Victoria to participate fully in an automatic DNA data-matching process with other jurisdictions, both the commonwealth and other states and territories, via the national criminal investigation DNA database (NCIDD). This legislation also follows the commitment given by the Bracks government last year in our community safety policy *Labor's Plan for Keeping Crime Rates Low* to provide that the government would ensure that Victorian laws facilitate effective comparison with DNA data from across Australia.

What the NCIDD scheme will do once it is fully up and running is that it will enable a data-matching process to be carried out with all relevant state and commonwealth-based databases in one search. It will mean that once law enforcement officers in Victoria and, of course, the other jurisdictions around Australia have their legislation in place, they will be able to do their job a lot more quickly, a lot more simply, a lot more easily and a lot more effectively. In the fight against crime and against criminals — and in particular violent or organised criminals who operate often across jurisdictions — this is a very important development and one of which I believe the community is strongly supportive.

DNA evidence is important in a number of ways in criminal proceedings. It is often cited as being a particularly effective tool in proving whether somebody is guilty of a particular crime, and that can in fact be the case. It is important to understand the benefits but also the limitations of DNA evidence. As members of the Law Reform Committee we certainly heard some interesting evidence about the potential use of DNA evidence in criminal proceedings.

It is important to recognise that it is a part — an important part but nonetheless still a part — of the forensic toolbox that is available to law enforcement agencies and that it does not necessarily replace other more traditional forms of evidence gathering. It is often not the only piece of evidence that law enforcement agencies will require in order to prove guilt, but where it is an important part of the evidence it can in fact build on the other, more traditional forms of evidence and be a conclusive factor in proving guilt. It may in that way lead to more pleas of guilty and lesser periods of time involved in the presentation of evidence in court, and in that way it may also assist in the administration of justice. So it is very important and can be a very effective tool in a number of respects.

Of course there is another side of the argument as well, because it can also be very important evidence in exculpating somebody suspected of a crime. It is important to make sure we understand that it has this ability to be used as a part of the process of proving evidence against somebody and to provide evidence of somebody's innocence. In those situations, one way or another DNA evidence can be important in making sure we have a system of justice that people can have confidence in, knowing that the outcomes of our criminal investigations and criminal trial processes are in fact correct. In many respects DNA evidence can be important in that regard. This bill will enable Victoria to participate in automatic national DNA data matching with other jurisdictions in Australia. It means that the use of DNA in the collection of forensic evidence will be made more effective across Australia.

One of the other aspects of this bill is that it modifies and expands the table of possible matches of DNA material that are capable of being used. At the moment a variety of limitations are placed on what types of DNA material can be sampled and potentially matched against other samples. DNA material is collected from a number of people who may have had some involvement in a crime scene. DNA material can of course be collected through skin cells, saliva, semen and hair samples, and that material is often collected from people who are suspects in criminal investigations, who may be witnesses or who volunteer their DNA. They may in fact be people who were earlier convicted of serious criminal offences. There is a range of different people who may have their DNA in a database because of the ways in which those materials have been collected over the years.

This legislation enables the establishment across jurisdictions throughout Australia of a better and more effective system for matching the types of DNA material that have been collected from people who are in those different categories — suspects, witnesses or previously convicted persons. In a number of ways this legislation will make the use and collection of DNA material more useful to law enforcement agencies in this country. DNA evidence is of course very important in criminal investigation; it is also very important in identifying people or evidence arising out of terrorist or natural disasters as well.

This is a very important piece of legislation. It improves the administration of justice, and I commend it to the house.

Mr KOTSIRAS (Bulleen) — It is a pleasure to stand and speak on the Crimes Amendment (DNA Database) Bill 2007. It is a very important piece of

legislation, and is one that I will support. I think it is fair to say that all members of this house will be supporting it. I would also like to thank the public servant who is here at 8.30 at night listening to us. I think that is a challenge in itself. I assume that very soon she will be going home.

Ms Beattie interjected.

The ACTING SPEAKER (Mrs Fyffe) — Order! The member will have a turn in a moment.

Mr KOTSIRAS — DNA technology is a good crime-fighting technique. It is also a very important tool for law enforcement. It helps identify bodies, find missing persons and solve crimes, and it is used to try to prove whether someone is guilty or innocent — it can work both ways. It is a very important tool and one that law enforcement agencies need to use to try to solve a number of crimes.

The purpose of the bill is to enable Victoria to participate in national DNA data matching through the national criminal investigation DNA database. That is a good thing. It is unfortunate that it has taken so long for this to be achieved. I understand that most states and territories except the Australian Capital Territory have not passed this legislation as yet. It has taken this government more than 12 months to do so, but nevertheless it is good that it has finally decided to bring this legislation before the house.

DNA evidence is very important. I was just reading in the *Herald Sun* about an incident where a body was found in the boot of a car and the police were not able to identify the body until they used DNA samples. I quote from the article:

Police will carry out DNA testing on a body found in the boot of a burnt-out car in Melbourne's outer south-east yesterday.

The body was so badly charred homicide squad detectives have yet to determine if it is male or female, or the cause of death.

It is very important that police have this tool, DNA evidence, to assist them in trying to identify the body.

The opposition will support this important legislation. It is unfortunate that it has taken so long for the government to bring it into the house, but nonetheless the opposition supports the bill.

Ms BEATTIE (Yuroke) — It gives me great pleasure to speak on the Crimes Amendment (DNA Database) Bill. This bill gives effect to the Bracks government's election commitment to ensure Victorian laws facilitate the effective comparison of DNA data

right across Australia. This bill recognises the need for a nationally coordinated multijurisdictional approach to law enforcement.

We have gone into the bill in some detail, but we really have not explored what a powerful instrument DNA is. We have seen great successes from DNA testing recently. The Victoria Police and its agencies have been at the cutting edge of DNA testing. We saw a high-level team sent over to Sri Lanka to DNA test remains during that dreadful tsunami incident. I was reading in the paper today that they are hoping to repatriate Geronimo and return his remains to his homeland if what are believed to be his remains show a positive match with the DNA of his great grandson.

I want to go back a little in time because one of the successes of DNA is that it has been proven that about 90 per cent of thoroughbreds racing today actually trace their DNA back to the three great foundation sires of the time known as the Byerley Turk, the Darley Arabian and the Godolphin Barb. As the former Minister for Agriculture will know, 'barb' is another word for horse. Those great stallions are the forefathers of about 90 per cent of our modern-day racehorses, so we can see what a powerful forensic tool DNA has become. DNA testing opens up enormous possibilities. If we can isolate cells that cause problems, perhaps we can eliminate those problems.

In my former role as Parliamentary Secretary for Education I used often to go to schools, particularly when the Premier's reading challenge was on. They used to ask me what my favourite book was. My favourite book was a book about the Byerley Turk. I used to explore that book with them because it was technically a book about a horse, but it opened up a whole lot of other worlds. For those young children it opened up a another world of literacy to them. It really showed them the power of the written and spoken word. I digress a little from the facts, but I thought it important for the house to note just what a great tool DNA is.

DNA, as has been expressed by other speakers, can prove one's innocence or one's guilt. Some civil libertarians would be opposed to the bill, but those who have nothing to fear from their DNA being tested should not have any problem with it. It is a good bill. The DNA testing for the purpose of the bill is quite powerful, and the bill provides the legal recognition of the national criminal investigation DNA database as a separate legal entity and distinguishes it from the Victorian state database and other databases. It changes the matching table, which governs the type of sample that may be compared to other samples, and it removes

anomalies. It also broadens the Attorney-General's power to enter agreements with other jurisdictions in relation to the sharing of DNA information.

As many speakers have alluded to, crime knows no boundaries. In these days of fast air travel criminals have absconded overseas to such places as Spain and more recently to Greece. Criminals know that they can travel to faraway places, but their DNA is an imprint that follows them everywhere, just as the imprint of those three great stallions has followed them. With those short remarks I support the bill and wish it a speedy passage.

Mr DELAHUNTY (Lowan) — I rise to speak on behalf of the people in the Lowan electorate on this important bill, the Crimes Amendment (DNA Database) Bill. The main purpose of the bill is to amend the Crimes Act 1958 to enable national automatic matching of data on DNA databases. The Leader of The Nationals has outlined the views of members of The Nationals, and we support the bill. Anything we can do to assist the matching of DNA connected with crimes — or as the member for Yuroke said, the matching of DNA so that people can prove their innocence — we will do.

We know the changes in this bill have arisen out of a national process through the Standing Committee of Attorneys-General and the Australasian Police Ministers Council. We have seen cooperation between the states and territories under the Council of Australian Governments agreement, and it is good to see we are breaking down the barriers between states. I know my northern colleagues have a problem with border anomalies because people frequently cross the border — I have been sitting beside the member for Murray Valley for too long! It also happens along the South Australian border in the area I represent. People move across borders regularly.

Along the South Australian border we have a problem which I have spoken about before, and DNA was one way of solving livestock thefts. DNA was used to match up sheep where the sheep of an adjoining neighbour was involved. They were able to bring a successful prosecution using DNA. Livestock thefts in Australia cost about \$40 million in lost revenue each year, and on average about 12 Australian farmers are involved in livestock thefts each year. We know it has cost them about \$4000 each. It is not only the money they lose, it is the breeding lines, and those losses can be incalculable. With the good rains we have seen across rural and regional Victoria, the price of stock will skyrocket. We are getting water in country Victoria, and reservoirs and dams are gradually filling

up. We do not want to see the theft of water for Melbourne. We have seen some of that, and it may bear the fingerprints of the Premier or the Minister for Water, Environment and Climate Change.

Honourable members interjecting.

Mr DELAHUNTY — It is a crime to take water from country Victoria.

Mr Nardella interjected.

Mr DELAHUNTY — It is not a matter of that; you want to speak to people before you do it. As I said, livestock theft is hijacking the profits of Victoria's hardworking and honest farmers.

We know that this bill has come about because of cooperation between the states, and it will enable Victoria to participate in the national criminal investigation DNA database, which is common sense. We know there has been some cooperation and the procedure has been in partial operation since 2003. Under the current system Victoria can approach another jurisdiction requesting that checks be made to determine if there is a match. The national database system offers great assistance. It is an automatic system, and the checks allow for the participation of the jurisdictions simultaneously. The system contains DNA information. It does not contain any other identifying information such as a name. If a match is successful, obviously the jurisdictions take a different approach to get the details of names and addresses.

Like other members of The Nationals, I will be supporting this bill, but I want to comment on the member for Prahran's contribution. The member outlined how human samples are collected, and there are very many different ways. But as we heard in the debate today, DNA is not only about convicting people, it is also about proving their innocence.

The member for Yuroke spoke about the fact that there are civil libertarians out there who are not happy with this, but again I think this is common-sense legislation that gives our law enforcement people and others the tools to do the work they need to do in protecting both the life and property of the Victorian community. With those few words, I will be supporting this legislation.

Mr BROOKS (Bundoora) — I am pleased to rise in support of the Crimes Amendment (DNA Database) Bill. Straight off the top, I should respond to some comments made by the member for Bulleen in relation to the timing of this bill coming to this house. My understanding is that the enabling commonwealth legislation has only been passed in the last six or seven

months, so I would think that is a fairly appropriate and efficient timetable for this house to be dealing with that matter.

As a member of the Scrutiny of Acts and Regulations Committee, I am aware that this bill has been considered by that committee. The *Alert Digest* indicates that this bill provides for the legal recognition of the national criminal investigation DNA database as a separate legal entity and distinguishes it from the Victorian and other state DNA databases; changes the matching table which governs the types of samples that can be compared to other samples and broadens the range of permissible matches; broadens the Attorney-General's powers in relation to agreements with other jurisdictions about using these samples to their full capacity; and makes a range of other minor changes to oversight and enforcement powers.

The committee considered the issues that one would expect it to consider given its terms of reference in relation to privacy and concerns about fair judicial process. The committee reported in the *Alert Digest* that while the bill provides for a greater degree of matching of DNA samples between different jurisdictions, it does not alter the arrangements for what occurs once the match has taken place, and that existing safeguards for the taking, the storage, the use and the disposal of DNA samples remain unaffected by this bill. The Scrutiny of Acts and Regulations Committee offered no further comment on the bill, which means that it did not engage in any of the terms of reference.

On a personal note I should say that I am — and I am sure many members of this house would be — well aware of the impact of crime. Things like break-ins and burglaries of people's homes can have a fairly dramatic impact on a family, particularly young children, who might be aware, for example, in the case of a burglary, that a stranger has been in the house. I think the use of DNA has been fantastic in helping to resolve crimes a lot more quickly than has been the case in the past.

When it comes to the use of DNA sampling, and I note the support of all sides of the house for this bill, it is important for government to provide not only legislation but also the resources and the infrastructure to allow this DNA sampling to occur. I am proud to be part of a government that has significantly resourced forensic science in this state. I am very proud to follow in the footsteps of Sherryl Garbutt, the former member for Bundoora, who was a strong supporter of a facility that was in her electorate, the Victoria Forensic Science Centre in Macleod, which is now in the electorate of the state member for Ivanhoe.

I note that in the middle of last year the Premier attended the opening of that facility, which was after a \$6 million redevelopment. I also note that the forensic science centre analyses over 27 000 items of evidence each year, including things other speakers have mentioned such as firearms, hair, blood, drugs and vehicles, and the list goes on. At that opening the government announced a further \$15.4 million worth of equipment upgrades at the centre, which I am sure the member for Ivanhoe will expand on in his contribution. Suffice it to say that that facility employs around 300 staff from the local area, so from the local perspective the member for Ivanhoe and I are big supporters of the forensic science centre at Macleod, and that all follows on from an earlier announcement of \$8 million funding back in 2004.

The point I am making is that there is more to DNA sampling, fighting crime and keeping Victorians safe than simply passing this legislation. It is about resourcing police and crime-fighting agencies to do their jobs properly, and I am very proud to be a member of a government that has done just that.

Ms THOMSON (Footscray) — It is a pleasure to rise to speak on the Crimes Amendment (DNA Database) Bill. I do so without wishing to digress for too long to say I have learnt something about the member for Yuroke tonight that I did not know before. I thought that the member for Mitcham was a racing tragic, but it appears that the member for Yuroke is even more of a racing tragic than the member for Mitcham.

I want to talk about a couple of aspects of this bill and what it means. The member for Bundoora touched on this being a part of the government's strategy in relation to meeting the demands of crime as it now occurs in a modern society. The truth is that there is a lot of sophistication now in criminal activity and also a lot of mobility, in that criminal elements can move around very quickly if they so desire, so our law enforcement agencies need to be armed and equipped to deal with that circumstance. It is heartening to see that the government is implementing its policies on community safety and ensuring that we have enough police resources, that we have enough forensic resources and that we are looking at a national agenda in relation to some of the criminal activities that occur.

This brings me to my second point — that is, the importance of things like the Standing Committee of Attorneys-General and the bodies that meet together to talk about complementary legislation that enables us to tackle some of the biggest issues that we need to tackle. We need to do it in a collaborative way, not by the

federal government lording it over the states but by the states and the federal government getting together to look at what needs to be done and go about doing it.

Complementary legislation has now been passed in New South Wales and South Australia, and we are doing that in Victoria now. We are doing it knowing that it will make a difference to the speed that it takes to track down people. We are doing it recognising the need for civil liberties and ensuring that we keep people as safe as we can from abuse of civil liberties. That balance has been struck in the legislation we have before us tonight.

DNA technology is something we have been using in dealing with criminal activity since 1985. I think it was the member for Essendon who mentioned that the first case was a rape case in 1985 here in Victoria. We have seen it progress and be utilised in a number of ways. I am the eternal optimist, or at least I try to be, but I hope I do it in a realistic framework. The truth is that there are a lot more things we are scared of in the world these days, such as terrorism and natural disasters. We are all being told that with global warming we will see more extreme climate activity and some of that will be in natural disasters, and from that, unfortunately, there will be deaths. So having DNA testing becomes important in helping to identify those who are the victims; and in the case of terrorism it may help us to actually combat terrorist acts. Having a national database will enable us to check quickly right across the country — and that is what this is about.

We have bilateral agreements where we can compare databases with other states. This will enable us to do it simultaneously across the country. That is really crucial if we are going to act quickly against potential threats. If we see that there is an opportunity or a likelihood of terrorist activities taking place and there is an opportunity to track those people, get the DNA samples and test and identify them, then all that goes to aid our law enforcement agencies in trying to contain that kind of activity.

In the area of natural disasters I am going to refer to our officer from the Department of Justice who is sitting in the advisers box, who may not be quite as optimistic as I am. When I was talking to her about body identification I gave the example of a plane crash that involved having bits and pieces of people on either side of the state border. I thought this was a bit extreme, but I thought I should mention it in the house because there is a serious side to the ability to quickly identify people. While the database will not work if the DNA is not there and registered, it certainly means that there can be

a sharing of information that could be crucial in helping to identify people.

I am proud to be able to support the Bracks Labor government's legislation in this field, because it is part of a package that ensures our community remains safe.

Mr LANGDON (Ivanhoe) — It is with great pleasure that I add what is possibly the final contribution to the debate on the Crimes Amendment (DNA Database) Bill. I do so pointing out that the Victoria Forensic Science Centre at Macleod is actually in my electorate — —

An honourable member — Near the Austin Hospital.

Mr LANGDON — Yes, near the Austin Hospital. It is true to say that I have to mention the Austin Hospital in every speech I make!

It is also true, as the member for Bundoora pointed out, that the centre was in the electorate of Bundoora until the last redistribution, so I inherited it from the then member for Bundoora, Sherryl Garbutt. I was at the forensic laboratory on 24 May 2006, with the Premier and then Minister for Police and Emergency Services, to open phase 1 of the \$6 million redevelopment. At that time the Premier announced another \$15.4 million for the forensic centre. All this, plus this legislation, which gives effect to the government's election commitment, will ensure that our Victorian laws are effective in comparison with the other states and will allow DNA samples from around Australia to be held for the purposes of comparison.

Unfortunately with the Asian tsunami and what have you the Macleod forensic science centre and Victoria Police were actively involved in helping out wherever they could across Indonesia. It was an horrific task, and I know they dealt with it in a professional and constructive manner. I commend them for the work they did. The Macleod forensic science centre, which as I said is in my electorate, had an integral part to play in that process. It will have a lot to do with this legislation, which I commend to the house. I am not sure if the new police minister has been out to Macleod as yet.

Mr Cameron — Yes I have.

Mr LANGDON — He snuck out there without my knowing: I did not stamp his passport! At any time he likes he can come and see the forensic centre. I hope the Premier and the minister come down to open the \$15.4 million redevelopment that was announced and funded in last year's budget. I commend the bill to the house.

Mr CAMERON (Minister for Police and Emergency Services) — On behalf of the government I thank all the honourable members who contributed to the debate, those being the member for Box Hill, the Leader of The Nationals, and the members for Kororoit, Bayswater, Mordialloc, Benambra, Derrimut, Caulfield, Mitcham, Hastings, Ballarat East, Mornington, Preston, Ferntree Gully, Mill Park, Sandringham, Cranbourne, Macedon, Keilor, Essendon, Prahran, Bulleen, Yuroke, Lowan, Bundoora, Footscray and Ivanhoe. That is a lot of members to have spoken on this bill, and they have all spoken in support of it. Certainly that support is welcome.

Honourable members have commented that crime knows no boundaries. We live in an era where people get around the nation far more easily than they did in the past. As an example of that we have seen today the arrest of Christopher Hudson. All of us congratulate the Victoria Police on bringing about that arrest.

A few years ago attorneys-general discussed the matter of jurisdictions sharing their DNA databases by way of having a national database. Subsequently there was some legal doubt around that matter, and as a consequence of that the commonwealth sought to legislate to allow for a national database. That legislation passed through the federal Parliament late last year. As a consequence of that the states have passed or are in the process of passing legislation, and that is what our Parliament is doing today. The states will be entering into an agreement, and we certainly hope we are reaching the final stages of that. We hope that agreement can soon be finalised so that the states can then join in. Once this legislation has been passed, we as a state will be able to join as well.

At the present time the states have to enter into bilateral agreements to share information, which means that if we wanted the DNA of someone who came from Western Australia we would have to go to Western Australia — that is, Victoria Police would deal with the Western Australian police. However, that particular suspect may have spent a period of time in Queensland and as a consequence may have their DNA there as well, but that would be unbeknown to the Western Australian police. As a result of having a national database, which will be run by CrimTrac, that comparison will be able to be made. This will make the system much more effective. It is a good, positive national step forward.

I join with honourable members in congratulating Victoria Police on doing a great job with forensics. The forensic areas of police forces in the other states also do a great job, and the fact in the future we will have the

way clear to share that data is very positive. Former ministers of police have been keen supporters of this initiative, and it is great to see that we are now in this position. I wish the bill a speedy passage.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

Remaining business postponed on motion of Mr HOLDING (Minister for Finance, WorkCover and the Transport Accident Commission).

ADJOURNMENT

The ACTING SPEAKER (Mr Nardella) — Order! The question is:

That the house do now adjourn.

Maroondah: Maidstone Street park

Mrs VICTORIA (Bayswater) — I rise to ask the Minister for Local Government to provide extra funding to support local councils across Victoria. Specifically I request that the minister provide additional financial support to the Maroondah City Council so it can keep the Maidstone Street park open and have its playground equipment reinstalled. Maidstone park is only a small patch of land, but as a result of this government's neglect of local councils it faces the very real prospect of being lost to the community. This oasis in suburbia is a genuinely tiny open space. It is only the size of an average house block in the area.

Ms Green — On a point of order, Acting Speaker, I am not sure that the member for Bayswater is raising a matter relating to state business. I think it is a matter for her local council. She needs to be quite clear, and I do not think she has been.

The ACTING SPEAKER (Mr Nardella) — Order! There is no point of order. The honourable member for Bayswater is asking that more funding be provided to local government, which is an appropriate matter to raise with the Minister for Local Government.

Mrs VICTORIA — The park was designated as open space and parkland for local residents in the 1950s. I held a public meeting at the park on Friday, 15 June, to try to save it from closure. Over 50 people attended the public gathering on a freezing winter

workday morning — a turnout that highlights how dear the park is to local residents. Hearing the stories of residents young and old describing how they enjoy using this facility warmed my heart on such a frigid morning. I heard the Iskra family detail how three generations of their family have enjoyed using the park. I listened to the new mums and children tell of their anguish as they watched contractors tearing down and removing the play equipment. I talked with people like Val, Max and Bev, who truly cherish their little bit of nature.

When they initially hear stories like these of public spaces, facilities and services being closed by local councils, most people lay the blame straight at the feet of the councils. However, when you actually go into the issues a little deeper and look for the key factors behind the councils' decisions, you very quickly find that the root of this evil being perpetuated on local communities is the current Labor government. Since coming to power the Bracks Labor government has overseen and I believe deliberately orchestrated massive cuts in the financial support provided to local councils, while concurrently shifting massive amounts of extra service delivery requirements onto them.

A cursory review of my local councils of Maroondah and Knox demonstrates this point. The increases I refer to are a real result of cost shifting — 67 per cent in Knox and 60 per cent in Maroondah — in these dark years of Labor. The government keeps shifting extra costs and services to the local council domain. Local councils are facing all the extra costs associated with the government's flawed Melbourne 2030 policy. The government should be condemned for its manipulation of local councils. I again request that the minister rectify the situation broadly across Victoria, and I specifically ask that he provide financial support to the Maroondah City Council.

Cranbourne-Frankston Road: upgrade

Mr PERERA (Cranbourne) — I raise a matter for the attention of the Minister for Roads and Ports. I ask the minister to examine possible avenues to upgrade Cranbourne-Frankston Road between Western Port Highway and Hall Road in my electorate. Cranbourne-Frankston Road is a major east-west link connecting the Frankston transit city and the regional town of Cranbourne, which has the largest horse-training centre in the Southern Hemisphere.

Since coming to office the Bracks government has allocated nearly \$60 million towards upgrading this road to ease congestion and improve road safety. Local residents in Frankston, Langwarrin, Cranbourne and

Cranbourne South have welcomed this funding. It has been used to improve Cranbourne-Frankston Road between McClelland Drive and Warrandyte Road, which was completed in March 2005, and to duplicate Cranbourne-Frankston Road between Warrandyte Road and Centre Road — and the Minister for Roads and Ports visited the site to mark the completion of the duplication in May this year.

Work on the \$22 million Sladen Street duplication, with four sets of traffic lights between Hall Road and Scott Street, is expected to be completed in 2008, and the tender process is under way for the section of road between Centre Road and the Western Port Highway. Thanks to the Bracks government the investments in this road will provide a significantly improved link between Cranbourne and Frankston. The remaining section for duplication is between Western Port Highway and Hall Road, and I ask the minister to investigate options for upgrading this section in the future.

The people of my electorate are benefiting from the significant commitment made by the Bracks government to our local road infrastructure. This was highlighted in the recent state budget, which pledged a further \$31 million to upgrade Thompsons Road between the Mornington Peninsula Freeway — which becomes the Frankston Freeway — and the Dandenong-Frankston Road, and a further \$22 million to upgrade the section between the South Gippsland Highway and Narre Warren-Cranbourne Road. Thompsons Road will be one of the major arterial roads that connect the outer south-eastern suburbs to the new EastLink. I hope in time that the minister can look at completing the tremendous work the Bracks Government has done by upgrading the last section of the Cranbourne-Frankston Road to complete a major part of the main road network in my electorate.

Water: Sunraysia infrastructure

Mr CRISP (Mildura) — My adjournment matter is directed to the Minister for Water, Environment and Climate Change. I am concerned that the Victorian government has passed over water infrastructure projects that are essential for the Sunraysia. There has been much consulting on and planning to upgrade state-owned water infrastructure, but no money has been allocated for it in the current state budget, and there is no mention of the four-year projects required for the big ticket items in the system upgrades. The Victorian government has done Woorinen and is starting at Robinvale — both small projects — and money has been allocated for Ballarat and Bendigo. There is ongoing money for the Wimmera-Mallee

pipeline, and huge water projects worth \$5 billion have been announced for Melbourne — but there is nothing for the Sunraysia.

Many studies have been done on large projects for Merbein, the main channel at Red Cliffs and the work required for the First Mildura Irrigation Trust (FMIT). The Mildura Rural City Council, with the water authorities, has rolled all these projects into a single reference document to assist in getting them up. The total cost of getting these government-owned systems up to best practice standards is \$350 million to \$400 million. Whilst an enormous amount of money has been spent in getting local projects to the funding approval stage, nothing further has happened.

It appears that the government does not have a clear plan to meet the infrastructure needs of Sunraysia's irrigators. They need these infrastructure upgrades to remain competitive with New South Wales and South Australia, which are almost entirely on modern and pressurised water delivery systems. We are urged to make every drop count, but the government has not given any consideration to the future and to the requirement for urgent upgrades. I ask the minister what progress has been made on the asset refurbishment of the Mildura irrigation system, in particular the Red Cliffs, Merbein and FMIT refurbishments.

The ACTING SPEAKER (Mr Nardella) — Order! The honourable member has not asked for action, he has asked a question of the minister. On the adjournment the honourable member needs to ask for an action from the minister or the government.

Mr CRISP — Thank you for your guidance, Acting Speaker. In that case the action I ask for is that the minister meet with the Mildura Rural City Council to indicate what progress has been made on this issue.

Mobile phones: advertising

Mr EREN (Lara) — I wish to raise an issue for the Minister for Consumer Affairs. It is one that recently affected a member of my family and one that I am sure has the potential to rob Victorians of millions of dollars a year. The issue relates to mobile phone bills and how some companies charge SMS services against consumers' phone bills without their knowledge in the hope that the bill will be paid and not questioned. I ask the minister to take action to investigate how companies can bill people for services they have not requested and to assist other consumers who have experienced similar scams.

The issue was brought to my attention by a family member who noticed discrepancies on his mobile phone bill. He has been able to resolve the issue — I repeat that he has been able to resolve the issue — but I believe others may be vulnerable. I shall detail his experience. He noticed on his bill that six SMS items had been charged at \$6 each. When he checked the previous bill he saw that there were 10 similar SMS items, but he had paid the bill not noticing that they were there. In all he had been charged \$96 for these messages on two separate bills. On the bills they were labelled as ‘SMS mobile content’. He rang his service provider, Optus, which questioned whether he had text messaged advertisements on television or any similar sort of promotion. He said he had not, and when Optus checked all his sent messages it agreed that he had not. The SMS messages had been sent to his phone and charged against his bill without his knowledge.

Optus then provided him with the telephone number of the business, which was called Mobile Mojo, and said he would have to call its customer service department and request reimbursement of the money on this bill. Optus could not help him further with this issue, as it has nothing to do with Mobile Mojo, which is a completely separate business.

He then rang the number that was provided to him by Optus but got through to something separate called Mobile Messenger. He spoke with a person there who advised him that it was a gateway to the company Mobile Mojo that worked on behalf of many SMS companies. He explained his situation, and apparently it was nothing new to this employee, as it happens often. She advised that a reimbursement cheque would be sent out to him, but first he had to do the following: fax his mobile phone bill with the charges highlighted and attach his full name and address and the reference number which was provided to him during the conversation. A reimbursement cheque would then be sent out to him. He told me that he asked her how this had happened and why his number was chosen, and she said that they can ‘just snatch your number from anywhere’ and start billing you.

He managed to sort this out himself, because he does not take these things lying down and has the knowledge and wits about him to tackle such things by himself. But how many other people with mobile phones are being duped into paying phone bills for SMS messages they never asked for? If these companies can get away with sending out one unauthorised SMS to each person a month, they could rake in millions of dollars each year from unsuspecting consumers. It is wrong, and it must be stopped. I ask the minister to investigate the

matter and see what we can do to protect the public from unscrupulous behaviour such as this.

Road safety: hoons

Mr MORRIS (Mornington) — The matter I raise this evening is for the Minister for Police and Emergency Services, and the action I seek from the minister is that he investigate the ongoing problems with hoon drivers in the Mornington East area as a matter of urgency in an effort to have the issue resolved. Let me say at the outset that I do not want to get involved in a debate on semantics. I am not particularly interested in who is technically in charge of the problem. We have a problem in East Mornington that we need to have fixed, and I am asking for the assistance of the government, through the minister, to get a result in this matter. I would welcome whatever action the minister can take, whether directly or through the appropriate channels, to get a resolution.

I also want to say that I am not in any way implying that the local police are not doing a great job. They do a great job, and in most cases they generate great outcomes. But this is a very clear situation. There simply is not enough coverage. There are not enough officers available to police the area in the way it needs to be policed. Between 7.00 a.m. and 11.00 p.m. one car and one van are available to the Mornington station, and between 11.00 p.m. and 7.00 a.m. we are down to one car to cover an area of over 100 square kilometres that has 50 000 people in it. We have assistance from the neighbouring stations at Hastings, Frankston and Rosebud. Assistance is often required, and the situation is the same for those three stations. Now that we do not have cells at Mornington, if an arrest is made, the prisoner needs to be transported to Frankston, and we have no car in the area for an hour if it is at night. To put that in context, if we need police at East Mornington, they are 23 kilometres away at Rosebud or 19 kilometres away at Hastings.

Hoon drivers have been an ongoing problem in East Mornington for a number of years. It is a relatively new area, most of it built after 1990, so in a large part of the area there is a younger profile. The local police, as I said, have been doing a fantastic job, and they recognise the problem. They recognise that there is an issue with hoon drivers and other antisocial behaviour. They have had lots of community involvement and have put in lots of time out there, but given the constraints, particularly post-11.00 p.m., they simply do not have the ability or the mobility to cover the area as it needs to be covered. I am asking the minister to assist in resolving the situation in whatever is the appropriate way.

Tourism: nature-based

Mr HARDMAN (Seymour) — I wish to raise a matter for the Minister for Tourism, and the action I request of the minister is that he develop a nature-based tourism strategy for Victoria and release it to the public for consultation as soon as possible. Nature-based tourism includes a wide range of activities, most of which can take place in the 6000 square kilometres of the Seymour electorate. Whether you enjoy fishing, bushwalking, rockclimbing, abseiling, white-water rafting, cross-country skiing, birdwatching or many other outdoor activities that make use of our great waterways, parks and Crown lands which people enjoy, nature-based tourism is a very important activity for the many visitors, both domestic and international, to this state.

We have a great opportunity to add value to nature-based tourism in Victoria, certainly around the Seymour electorate. We have businesses that now successfully add value to these wonderful activities. They provide employment, and they invest in our local communities. Whether it be along the Goulburn River, in the Cathedral Ranges State Park, at Lake Mountain or in the Yarra Ranges and Kinglake national parks, not to mention Melbourne Water parks such as the Maroondah Reservoir and Badger Creek reserves, a lot of nature-based tourism and outdoor activities are taking place. I have not even talked about Healesville Sanctuary, which is world renowned, or Steavensons Falls at Marysville, which are magnificent — especially the night walk. There is also the Yarra Valley, which is a great wine region and tourism area.

Nature-based tourism is very significant in the economies of many towns right across the state, but it is the little patch of Victoria I represent that I am talking about. If we can encourage investment in those areas and jobs are created as a result, that would be fantastic. The Bracks government has a proud record of delivering on its commitment to grow the whole of the state and to govern for all Victorians. If the minister were to release a nature-based tourism strategy, it could go out to the public for consultation. That would be a wonderful thing, and I urge the minister to do so as soon as possible.

Manningham: septic tank inspections

Mr R. SMITH (Warrandyte) — I rise to ask the Minister for Water, Environment and Climate Change for funding to assist Manningham City Council with its septic tank inspections. In the absence of any definitive state government action on this front in my electorate, Manningham City Council is embarking on a program

of inspections and education aimed at the large number of residents in the municipality who have septic tanks. The object of this exercise, which is expected to take in excess of four years to complete, is to ascertain which septic tanks in the area pose no threat to the local environment and which have gone far beyond their use-by date. It is hoped that residents will be educated during this process about how to maintain their septic tanks and filters in good order.

The problem the council is facing is a lack of adequate resources to do the job efficiently and in a timely manner. The initial inspections often require extensive follow-up visits, sometimes in order to gain access to the tank and at other times to ensure that the work that is needed for the tank to comply with the correct standards has been done. Therefore Mr David Gardiner, the council's one inspector, spends a great deal of his time backtracking and often finds that he cannot make significant headway in inspecting new properties. I have met with representatives of Manningham City Council, and they have advised me that a second officer is needed to assist Mr Gardiner. This officer would be responsible for the extensive follow-up work that is required as part of Manningham council's program.

I applaud Manningham City Council for doing its bit to ensure that the local waterways of Andersons Creek and Mullum Mullum Creek, as well as the Yarra River, into which both these creeks flow, are kept as clean and as free from pollution as possible. The issues around septic tank maintenance in my community are important ones, as I have mentioned in this house on a number of occasions. My community has certainly been shown few signs that this government will be addressing the matter of connecting local residences to a reticulated sewerage system any time soon. Indeed the minister for the environment has been unable to supply me with a specific date for the release of Yarra Valley Water's water plan for 2008–2013, let alone tell me when, where or how the backlog sewerage program will be implemented.

In the absence of this action it is vital that the community keep its septic tanks compliant. Manningham City Council's work is an important service for our community, and the sooner the council is able to inspect and rectify any issues that arise, the better. I urge the minister, therefore, to supply the funds that are needed to employ another inspector at Manningham City Council to carry out this work, which is so vital to the health of our local waterways and the environment.

Narre Warren South electorate: broadband access

Ms GRALEY (Narre Warren South) — I wish to raise a matter for the Minister for Information and Communication Technology, who fortunately is the minister at the table, concerning access to broadband in the suburban areas of my electorate. Several of my constituents have raised their concerns with me, and I ask the minister to take action to assist my constituents in Narre Warren South and elsewhere to obtain broadband access by pursuing the issue through the Online and Communications Council in Sydney when it meets next week.

Substantial pockets of my electorate, which is only 35 minutes away from here down the Monash Freeway, do not have access to broadband, and this puts them at a distinct disadvantage. People have trouble staying in touch with friends and running businesses, especially those who are trying to run a business from home in an outer suburban area. Others have problems taking up study, such as young mums wanting to get back to work. Basically they have problems getting access to the broadband that is ordinarily available to other people who live very close by.

I note with some hope some announcements that have been made this week by the federal government, but I am not feeling very confident about that as I also note that —

An honourable member interjected.

Ms GRALEY — You never know, but I am not very confident about it.

The Bracks government has provided schools, roads, kindergartens and hospitals, but still some residents in my electorate do not have access to broadband.

I will read some of the emails I have received from my residents on this matter. One of them says:

I write you this letter out of frustration with Telstra regarding internet connections in my street. I have now lived at ... Narre Warren South for now two years and have periodically tried to have broadband internet connected to my house. Over this time it has become evident that none of the households in my street currently have any broadband access ...

When I tell my friends, they simply cannot believe it. In fact this person says:

My friends and family think it is disgusting that we cannot access these type of services!

I had a similar email from a gentleman named John, who is trying to run a business from home but cannot

get broadband access. As I said, they are only 35 minutes down the Monash Freeway, but they cannot access the information superhighway.

I am very happy that we have seen some movement, but I was very concerned when I read in the *Herald Sun* newspaper that the man from Ericsson has warned that the government's plan could be the equivalent of the ill-fated beta video machine. I call on the minister to take action on behalf of my constituents.

Wonthaggi and District Hospital: accident and emergency department

Mr K. SMITH (Bass) — I wish to raise an issue with the Minister for Health regarding a huge health crisis in Bass Coast and the medical services at the local Bass Coast Regional Health, or Wonthaggi hospital as it is known, where local doctors are threatening the whole Bass Coast community by suggesting they will withdraw services from the accident and emergency department of the hospital, and I ask the minister to provide additional funding.

Let me say that I have the greatest admiration for the doctors from the Wonthaggi medical group who have provided services to the hospital for some years. Members should be aware that these doctors work in a clinic in Wonthaggi serving their patients, and then there is an expectation that they will also service the hospital's magnificent accident and emergency department, which was provided to the community by the Kennett government, although it has not been fully manned because of a lack of funding by this government since the accident and emergency department was opened shortly after the 1999 election by a failed Minister for Health, now the Minister for Water, Environment and Climate Change.

The hospital has been great in providing nursing staff, medical supplies and administrative staff to the doctors and patients. As the minister will be aware, I have been lobbying for the local hospital to be upgraded to a base hospital which will be able to provide all of the necessary specialists to our rapidly growing area instead of patients being forced to go into Melbourne or, as the minister wants, to the Latrobe Valley. It appears the clinic has five doctors who are able to perform obstetrics. They are supported by three doctors who can assist at births and perform surgical services. With two of those doctors about to retire, it will undoubtedly lead to a closure of the birthing area of the hospital.

The Minister for Health will be aware that over the next five years her government will be building a

\$3.1 billion desalination plant in Wonthaggi, which will create a huge industrial development in the area, employing hundreds of workers who will require medical services that should be available at our local hospital. But this government does not seem to care about the possible looming crisis in Wonthaggi. I warned of this crisis in a newsletter about two years ago in an article headed 'Don't get sick in Bass Coast', in which I pointed out the need for an upgraded medical service in the accident and emergency department of the Wonthaggi hospital. The local medical clinic manager, John Turner, ran a campaign against me in the local community. I have now been proved right, and people should be concerned. John Turner was shown to be campaigning for higher fees and controls for his clinic, not so much for the hardworking doctors and medical staff that I supported.

I am pleading with the minister to investigate this crisis in health care in Wonthaggi and to invest more money to try to overcome what is a real problem.

Emergency services: interstate assistance

Ms GREEN (Yan Yean) — I wish to raise a matter for the attention of the Minister for Police and Emergency Services. The action I seek is for him to commit resources to ensure that Victoria can play its part when there is a national-scale natural disaster. Any of us who have followed the news and read the newspapers over the last couple of weeks could not have failed to know about the dreadful storms that have been lashing the New South Wales coast. Last night it was lashed by its third storm in — —

Mr O'Brien — Acting Speaker, inspired by the member for Yan Yean's attention to standing orders, I direct your attention to the state of the house.

Quorum formed.

Ms GREEN — I am a member of this house who is concerned about governmental response to emergency services. There is a great fraternity among emergency services workers, and in particular among volunteers who like to work alongside one another and to respond to each other when they are in need. I know many of my local volunteers have attended natural disasters interstate. In my own situation as a volunteer in the bushfires at Kinglake last summer I fought fires alongside volunteers from New South Wales who came to Victoria's aid.

It is a fact that with climate change we are now in a situation where we will see more adverse weather events which will require more and more emergency

services responses. Natural disasters know no state boundaries, and I feel that Victoria's emergency services workers want to ignore those boundaries as well and be able to go to the aid of those — —

Honourable members interjecting.

The ACTING SPEAKER (Mr Nardella) — Order! I ask members to listen to the member on her feet.

Ms GREEN — When a natural disaster occurs in another jurisdiction I think it is important that Victoria play its part. I urge the minister to ensure that our emergency services are well resourced in Victoria so we can go to the aid of our fellow citizens in other states, particularly with the dreadful storms we have seen lashing New South Wales.

Responses

Mr CAMERON (Minister for Police and Emergency Services) — I thank the honourable member for Yan Yean for raising an important matter about times when we have national-scale natural disasters. Unfortunately we saw that last week in New South Wales with the floods. State Emergency Service (SES) volunteers went to New South Wales from Victoria, and certainly we say to those volunteers, 'Thank you very much for being prepared to put down your tools to go and help fellow Australians' — not fellow Victorians, but fellow Australians. That level of cooperation is necessary because when there is a very large event a particular state cannot necessarily handle it itself, and it is important that we cooperate with each other.

Acting Speaker, you will remember that over summer when we needed relief crews in Victoria as a consequence of the bushfires, New South Wales provided assistance. Unfortunately New South Wales is going through a period of many floods, because again this week it is expecting large floods in the Lake Macquarie area, and volunteers from the SES left today with 12 vehicles and also two people from the Country Fire Authority. Again, Victorians pay tribute to all those people for their willingness to go off and help fellow Australians.

The honourable member for Mornington raised a matter in relation to hoons and hoon laws. He will appreciate that those laws are a consequence of their introduction by the Bracks Labor government. They are very good laws which have been in force since 1 July last year. Already over 2000 hoons have been picked up and had their cars confiscated. Every time that happens, every

time a hoon sees their car being taken away, it hits home to them that their actions are totally unacceptable and their antisocial behaviour is totally unacceptable to the community. They are a danger to themselves and to the rest of the community. Police enforce those laws. When complaints are made to police, police determine the evidence and go out there and do their work in an operational way, as we expect from the police, who do a fantastic job. Police recognise these laws as being one of the most — —

Honourable members interjecting.

The ACTING SPEAKER (Mr Nardella) — Order! It does not assist the house or me or others trying to hear the response from the minister when the Minister for Finance, WorkCover and the Transport Accident Commission at the table and the member for Warrandyte are having a conversation across the table. I seek the cooperation of the house in being quiet and listening to the minister continue his response.

Mr CAMERON — Police enforce these laws in a very sensible and effective way. Police have identified these laws as some of the most effective laws they have to administer.

Mr ANDREWS (Minister for Consumer Affairs) — I am very pleased to respond to an important matter raised by the member for Lara. I want to commend the member for raising many matters in relation to consumer affairs and consumer protection issues in support of vulnerable and disadvantaged members of his local community. He is passionate about consumer affairs issues, and I welcome his interest. He raised a matter in relation to mobile phone billing. It relates to the experience of a member of his family. He is not seeking any outcome for the family member, as he has been fortunate enough to get an outcome for himself. However, I commend him for using this as a very good example of consumer detriment that could potentially affect many other young people not only in his community but in communities right across the state.

When it comes to scams and these sorts of issues, we as a government have a proud record. We participated in National Scams Awareness Month in March of this year, which was a very important partnership with 19 different consumer protection and law enforcement agencies right across Australia and New Zealand. We have an ongoing program, with 1.1 million visits to our website; nearly 600 000 calls to the consumer affairs 1300 number; community education work involving not just educating consumers but also supporting traders right across the Victorian community; the issuing of scam alerts; and a dedicated site within the

wider Consumer Affairs Victoria website that is all about targeting and informing consumers about scams that are occurring. We are also developing a very important evidence base through research conducted last year.

A report released this year in relation to Australia and certainly Victoria's first consumer detriment survey showed very substantial negative impacts for a large number of Victorian consumers. Some 370 000 scamming incidents are anticipated to occur in any one year, with a total detriment in excess of \$100 million across the year. That averages out at a very substantial amount of money per scam. No matter where they live, what they do for a living or what their background is, anybody can fall victim to unconscionable conduct. It is important to provide warnings, to keep track of exactly what form the predatory behaviour is taking and to keep up to date with scams that are occurring out in the Victorian marketplace.

I am indebted to the member for Lara for raising this issue. It relates to charges that appeared on a mobile phone bill when at no point had the owner of the phone consented to those amounts being charged against the mobile phone account he held. I think it was of the order of \$6 per message, but over a period of time it amounted to around \$100 in terms of charges across two separate bills. Over time that could represent a very substantial amount of money. Depending on the circumstances that consumer found themselves in, this could have a very substantial impact on them. The consumer detriment they may experience could well be of a very high order. It is important that we track these things.

With a rapidly changing marketplace where technology is becoming increasingly significant in terms of our day-to-day lives — particularly where we have a meeting of that rapid change with perhaps impulsive behaviour by younger people and a situation where for a whole range of reasons people as young as 10 and 11 years of age, who may not have a clear understanding of their rights and the need to read the fine print and understand exactly what obligations they are signing up to, are getting mobile phones — it is important that we educate people and that we understand what is going on out there in the Victorian marketplace.

This is an important matter. I will ask Consumer Affairs Victoria to have a look at the individual circumstances of the matter the member for Lara raised, not to get an outcome for that particular constituent, given that that matter seems to have been resolved to the benefit of the individual mentioned, but to look at

whether the companies involved, if it is a scam, have perpetrated this unconscionable conduct and predatory behaviour against other young and potentially vulnerable consumers. I will also ask Consumer Affairs Victoria to have a look at the broad policy issues that are involved.

As I said, in a rapidly changing world where technology is becoming an increasingly important part of our day-to-day lives, where people are signing up to mobile phone contracts at very young ages and where there may not be the level of consumer education we need in order for people to understand their rights and what they are signing up to, these are significant matters. There is great potential for very considerable consumer detriment to so many different people across our community, particularly in this instance young people who can often find themselves in vulnerable circumstances.

This is an important matter. I again commend the member for Lara for being a consistent and passionate advocate on behalf of consumers in his local community. He understands that these issues are important. I thank him for raising this tonight. He can rest assured that my department will follow these matters through.

Mr HOLDING (Minister for Finance, WorkCover and the Transport Accident Commission) — The member for Narre Warren South has raised a matter with me in relation to broadband access. It is a very important issue, one that I look forward to discussing with online ministers from around Australia and the commonwealth Minister for Communications, Information Technology and the Arts when we meet at the Online and Communications Council in Sydney next week.

As honourable members would be aware, access to broadband is an issue Victoria has been pursuing in a range of different forums. Here in Victoria we have had a range of aggregation programs in place. We have sought to leverage the expenditure of the Victorian government through a range of different programs to access private funds that can in turn improve the access of all Victorians to broadband services. The telecommunications purchasing and management strategy that the Victorian government introduced in the last term has added close to \$200 million in new broadband investment across Victoria. In fact it has put Victoria in a position where we undoubtedly have the best broadband services anywhere in Australia.

This has been combined with other projects such as the Victorian government's \$15 million Broadband

Innovation Fund. It has added to other projects such as VicSmart and the fibre-optic cable we have run down the regional fast rail corridor. There is a whole range of different projects which have sought to increase significantly the investment in broadband infrastructure in Victoria and to improve the access of Victorians, particularly those who live in regional areas, to the broadband services they need to participate fully in life in Victoria, whether it is access to schools, access to hospitals, access for small businesses or indeed access for households.

However, it is true that there is a lot more that needs to be done in this area. The shortfall that exists in broadband access in Victoria and Australia compared to other Organisation for Economic Cooperation and Development nations is perhaps nowhere more pronounced than in our rapidly growing suburban areas. It is for that reason that the Victorian government was very pleased to support the fibre to the home project on the Aurora estate in the growing northern suburbs of Melbourne. That project is already reaping dividends. It also demonstrates the importance of getting this policy framework right.

As all of us would be aware, access to high-quality broadband services is an absolutely critical infrastructure issue for Australia. I was interested to see this week that the federal government has brought out its broadband plan for Australia. It is not really a broadband plan, it is very much a plan which would see many Australians in regional areas only having access to wireless services. The *Australian Financial Review* reported today a whole range of different experts commenting on this plan, a plan I look forward to having the opportunity to discuss with the federal minister for communications when we meet in Sydney next week. The article states:

... West Australian Liberal Senator Judith Adams acknowledged that people in rural areas could not expect the same services as those in the cities —

under the Liberal plan.

Macquarie University adjunct professor and wireless industry pioneer Neil Weste said the nation would be best off if fibre were as widely available as possible.

'If I was in control I'd have fibre everywhere — it would be like putting a huge pipe in the ground and you could use it for aeons' ...

...

University of South Australia emeritus professor Mike Miller, who formerly chaired a wireless internet company, said wireless was unlikely to ever match the capacity of fibre.

Many different experts have indicated that wireless technologies for regional communities provide a substandard service when compared to access to high-quality broadband. It is for that reason that the Bracks government has been investing in broadband services, and it will certainly be calling on the federal government next week and in the months ahead to do more in the broadband space to start to address some of the inadequacies that exist, not only in regional Victoria, but also in places like Narre Warren South, where residents are crying out for high-quality broadband access so that they can carry out their normal daily activities, run their businesses and have access to the high-quality services they deserve.

Mr K. Smith — On a point of order, Acting Speaker, tonight we have had a number of members on this side ask questions — —

An honourable member — What is the point of order?

Mr K. Smith — This is a point of order.

The ACTING SPEAKER (Mr Nardella) — Order! I am hearing the point of order.

Mr K. Smith — We have had a number of members on this side of the house who have asked questions of the government. There have also been members of the government who have asked a number of Dorothy Dixers that have obviously been organised with the ministers that have been in attendance, who have floated in and out of the chamber.

The ACTING SPEAKER (Mr Nardella) — Order! I ask the member to come to his point of order.

Mr K. Smith — I am coming to the point of order, Acting Speaker. The minister has just been quoting from a document. The minister was obviously prepared for the question that was put to him by the member for Narre Warren South.

The point of order is that we had to call a quorum to get some members from the government side to come into this house to form a quorum so that we were in a position where there may well have been ministers in this house who could answer questions. We know that the Minister for Finance, WorkCover and the Transport Accident Commission, who is the minister at the table, is going to get up soon and say that he is sorry he cannot answer some of the questions that members of the opposition have asked, but certainly he and other ministers would have answered their Dorothy Dixers. I would say that this is a very poor performance by this government and — —

The ACTING SPEAKER (Mr Nardella) — Order! I have heard enough on the point of order. The member for Bass, in his point of order, has asked if the minister has been referring to prepared notes. I seek assistance from the minister as to whether he has been reading from notes or other information.

Mr HOLDING — I did quote from the *Australian Financial Review*, and I am happy to table that article.

The ACTING SPEAKER (Mr Nardella) — Order! The minister has been quoting from the *Australian Financial Review* and has made that document available.

Mr HOLDING — I am very pleased that the member for Seymour has raised a matter for me in relation to nature-based tourism. The member sought the development and release of a strategy for nature-based tourism to support this very important industry sector in Victoria. As members would be aware, not only is tourism very important to Victoria, providing a lot of jobs and a lot of economic growth, particularly in regional Victoria, but nature-based tourism is in fact one of the fastest growing sectors of our tourism economy.

We are very pleased in Victoria that we have the most visited, protected-area parks anywhere in Australia and, of course, many international visitors — 77 per cent of international visitors — who come to Victoria will undertake at least one nature-based tourism activity during their visit. Something like 37 per cent of domestic visitors who come to Victoria will undertake a nature-based tourism activity. This could be walking in a national park; it could be an extractive activity such as gold panning or fishing; it could be an adventure activity such as white-water rafting, swimming or snorkelling; or it could be a whole range of different activities in our protected marine national parks. The diversity of nature-based tourism activities is indeed extensive, and it is for that reason that the Victorian government wants to continue to strongly support nature-based tourism activities in Victoria as an essential part of the tourism experience of coming to our state.

I am very pleased that the member for Seymour in recognising the importance of this industry, not only to Victoria but for his own electorate, has raised this matter this evening and I want to assure the member for Seymour that the government has developed a nature-based tourism strategy which it will be releasing shortly for public consultation. This will give Victorians an opportunity from a range of diverse backgrounds and interests to comment on that strategy

and to develop ways in which this strategy can be further enhanced and implemented in the months and years ahead.

We understand the importance of this sector of the industry to Victoria. We understand the opportunities that can exist in improving the experience of tourists who come and enjoy our wonderful natural assets. We have fantastic experiences in Victoria. We have everything, from the Great Ocean Road to our high country and the Grampians — a whole range of different areas where it is possible for tourists to do a diverse and exciting range of things. We want to make absolutely sure that Victorians and interstate and international visitors can continue to enjoy the great natural attractions that Victoria has on offer.

Mr K. Smith — On a point of order, Acting Speaker, the minister has now ably demonstrated to the few of us that are here this evening that this adjournment debate each night is nothing more than a farce.

The ACTING SPEAKER (Mr Nardella) — Order! What is the member's point of order?

Mr K. Smith — It is a point of order. We had to call a quorum to try to get members from the government to come into the house. It is only 9.50 p.m.

The ACTING SPEAKER (Mr Nardella) — Order! I need to know what the member's point of order is.

Mr K. Smith — The point of order that I am raising is that the government is not prepared to answer questions raised by members of the opposition on the adjournment. We have a right to get answers to our questions.

The ACTING SPEAKER (Mr Nardella) — Order! There is no point of order. As the honourable member for Bass would know, the adjournment debate is not about asking questions; it is about seeking actions from ministers. That is point no. 1. Point no. 2 is that there is no requirement for ministers to be present in the house for the adjournment debate. That has been the custom and practice now for many years under both this government and previous governments, so there is no point of order.

Mr HOLDING — The member for Bayswater raised a matter with the Minister for Local Government.

The member for Cranbourne raised a matter with the Minister for Roads and Ports.

The member for Mildura raised a matter with the Minister for Water, Environment and Climate Change.

The member for Warrandyte raised a matter for the Minister for Water, Environment and Climate Change.

The member for Bass raised a matter with the Minister for Health.

I have noted all those matters, and I will refer them to the relevant ministers for their attention and direct response to those members.

The ACTING SPEAKER (Mr Nardella) — Order! The house is now adjourned.

House adjourned 9.54 p.m.