

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT

FIRST SESSION

Tuesday, 27 February 2007

(Extract from book 3)

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FIFTY-SIXTH PARLIAMENT — FIRST SESSION

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Tuesday, 27 February 2007

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

QUESTIONS WITHOUT NOTICE

Gaming: public lotteries licence

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. I refer to the Premier's pre-election answer to my question on 4 October 2006, when he said that he had not advised representatives of Tattersall's or Tabcorp that the gaming licence duopoly would continue or that in any tender for the renewal of licences Tattersall's or Tabcorp would be given priority, and I ask: does the Premier stand by that statement?

Mr BRACKS (Premier) — I thank the Leader of the Opposition for his question. The retendering for gaming licences, both for the gaming machine industry — the poker machine industry — and for other gaming industry sectors, has always been an open process, and it will be an open process in the future. Tenders will be sought, as they have been sought in the past, on the basis of the best value for money.

An honourable member interjected.

Mr BRACKS — I will, and I will go on to say that.

Mr Baillieu — On a point of order, Speaker, I asked a simple question. Does the Premier stand by his statement?

The SPEAKER — Order! There is no point of order. Taking a point of order does not allow a member to repeat the question.

Mr BRACKS — I restate that a duopoly may or may not be in the interests of the taxpayers of Victoria. It will be up to the independent process to determine that. It has always been the view of this government that a duopoly may or may not be in the best interests of Victorians, and that will be tested by the tender process.

Murray–Darling Basin: federal plan

Ms THOMSON (Footscray) — My question is to the Premier. I ask the Premier to update the house on the position of the state government regarding the future of the Murray–Darling Basin.

Mr BRACKS (Premier) — I thank the member for Footscray for her question. I also thank her for her

commitment, alongside most members of this house, to seeing a good outcome for the Murray–Darling Basin system.

As most members would know, the Prime Minister has sought through a plan to take over responsibility for the Murray–Darling system — that is, to transfer the powers which are vested in state governments around the country to the commonwealth in a general transfer of power, with specific referrals back to the states depending on what is required by the commonwealth in an open-book arrangement. I have been disturbed from the very start about the lack of detail.

At the start of this process we were predisposed to do what we could in the national interest to deliver a good outcome for the Murray–Darling Basin and to assist irrigators, assist the environment and assist communities in that area. What has been surprising as we have had more information along the way is the paucity of information and the lack of answers on a range of issues. There is no clarity yet on how irrigators will be supported, how communities will be supported and how we would make sure that the policy objective, which is a shared policy objective of seeing more water flow along the Murray River, will actually be achieved.

The Victorian government has stood outside the Prime Minister's proposals for several reasons. This house has spent much time, as it should, debating and discussing a legislated right for irrigators in this state. We have spent a lot of time debating that. As a result of that debate surplus water was taken away from irrigators in return for a legislated right, which is like a land title, for irrigators in the state. That surplus water was used and is being used for the first stage of the Living Murray commitment. I regret to inform the house that the Prime Minister and the federal water minister have not given any guarantees to our irrigators to protect those rights, which this house two reaffirmed years ago in legislation that was supported in this place.

That would effectively mean that there would be no guarantees for water allocations. It would effectively mean that water could be taken off irrigators for use in other states or for Adelaide or for any other purpose. More than that, there are no guarantees for urban water supplies anywhere north of the Great Dividing Range. So all those cities and towns like Mildura, Echuca and Swan Hill would have no guaranteed allocations for the same water allocations they have now. In effect they could be traded off for the water supply for other states or other regions or other farming communities.

On the question of Ballarat and Bendigo, that also goes to the town water supplies coming from the north —

from the Murray — for the goldfields super-pipe. As for transferring powers to the commonwealth unfettered, the commonwealth could effectively cancel those projects as soon as it got those powers. So there are no guarantees for any community — or for its water supply — or the irrigation districts north of the Great Dividing Range.

Not only that, but the ambitions of the federal government became clearer as the process went on. Two days before the last Prime Minister's summit it was indicated that — whilst we were under the impression that it was primarily the Murray and Goulburn rivers — it involved every river and every tributary north of the Divide. So it includes the Campaspe River. Every other river north of the Divide that flows into the Murray is involved, and the Campaspe is part of that. Not only that, but any floodplain which results in this area would automatically become the responsibility of the federal government if there was any development proposal on that floodplain, whether, for example, it was for a forest project or an industrial development proposal which a community might have. So there are so many unanswered questions on this project. There is also no commitment in this project —

Honourable members interjecting.

Mr BRACKS — It is not surprising that the Liberal Party would just say yes to the federal Liberal Party. It is also not surprising that The Nationals have urged me to oppose this plan. It is not surprising that the Victorian Farmers Federation has urged me to oppose this plan. It is not surprising that councils in the area have urged me to oppose the plan. I think it is important in this place to stand up for Victoria, not just simply to give in because the federal Liberal Party says you should give in — and that is what the Liberal Party in this state is doing.

We will continue to stand up for Victoria. We will act in the national interest, but we will stand up for Victoria and make sure in bilateral discussions that the interests and legalised rights of irrigators are protected, that town water supplies are protected and that the environment is protected with new environmental flows, because to do otherwise would be effectively selling out our state.

Water: goldfields super-pipe

Mr RYAN (Leader of The Nationals) — My question is to the Minister for Water, Environment and Climate Change. Given that the government's very welcome \$170 million investment in the Wimmera–Mallee pipeline will achieve annual water savings of 90 billion

litres in perpetuity, how does the government justify spending more than \$200 million piping water to Bendigo and Ballarat without a single litre of that water being derived from savings?

Mr THWAITES (Minister for Water, Environment and Climate Change) — The Leader of The Nationals has asked me about two things: one, the Wimmera–Mallee pipeline, and two, the goldfields super-pipe. In relation to the Wimmera–Mallee pipeline, it is an outstanding project that is delivering water savings, and I am very pleased to advise that we are accelerating that project now to provide water security for farmers and towns in western Victoria.

In relation to the goldfields super-pipe, we are talking about two very important regional towns, Bendigo and Ballarat. I am surprised that the Leader of The Nationals now seems to be questioning this project, when his own local member, Mr Drum, a member for Northern Victoria Region in the other place, was supporting it. What we see here is a split even within The Nationals, just as we see one between The Nationals and the Liberal Party. We are proud to support this project, because we support our key regional towns. We understand that without water security we are not going to have security for the future of Ballarat and Bendigo.

Mr Ryan — Where are the savings?

Mr THWAITES — Of course we will continue to seek savings in our irrigation system. We are already undertaking millions of dollars of expenditure on total channel control and on pipelines, including the Tungamah, Normanville and Woorinen pipelines. Members opposite know that these projects take a considerable amount of time. Bendigo and Ballarat need that water and they need it now — and we are going to provide it.

Nuclear energy: plebiscite

Ms LOBATO (Gembrook) — My question is to the Premier. I ask the Premier to update the house on the government initiative that will allow the people of Victoria to have a say before any construction of a nuclear power plant in Victoria.

Mr BRACKS (Premier) — I thank the member for Gembrook for her question. We on this side of the house do not believe there is any safe way of having a nuclear power plant in Victoria. We have legislation in place in this state which was framed and passed by this Parliament in 1983 and which has not been changed by any subsequent government that prohibits a nuclear

power plant in this state. Further to that we are proceeding — and this house will receive advice on this later, as I understand it — to look at a further safeguard in this state and to have a plebiscite, a vote, of all the Victorian people if such a proposal were to go ahead.

We do not believe there is any safe way of storing nuclear waste, and of course that is the responsibility of any nuclear power plant that might operate — the safe storage of spent rods and nuclear waste which occurs from that.

Secondly, as the report which was commissioned by the federal government indicates, there is still no absolute assurance on the safety and operation of the plants themselves.

Thirdly — and this is a concern to the Victorian government and should be a concern to most parties in this house — the economics of a nuclear power plant are just not there. It is twice the cost of a coal-fired power station and would require, in Victoria's case, something like \$1 billion in subsidies from the federal government for that to occur. If the federal government is to provide subsidies of \$1 billion, why not invest in clean coal technology, which is the policy of this government? Why not invest in renewables as part of the provision of electricity generation for the future?

The combination of clean coal technology, of peaking with gas, which is a feature of what we have done since we came to government, and of renewables is all part of the future. What a blow it would be to the Latrobe Valley if this proposal got off the ground and we saw nuclear power subsidised by the federal government, in effect undermining the coal-fired power station industry in this state. Coal, with proper investment and with the proper sinking of carbon, can be a clean source for generation of energy in the future. We support that. We support investment in the coal industry to make it cleaner and also to have less emissions of carbon in the future.

The proposals we have seen today are not supported by our government. Generally on the matters that have been raised with us, we have indicated that it is not the policy of the government. The legislation and the policy of this government are to oppose nuclear power. Coming into this house will be a provision to reinforce that with a plebiscite to be held of the Victorian people.

Dr Napthine interjected.

Mr BRACKS — We know you support the nuclear power industry. In fact the member for South-West Coast is from an area which the Australian Institute says is conducive to a nuclear power plant. Portland is

one of the sites for a nuclear power plant, alongside Werribee and Western Port. That is the proposal from the Australian Institute. I am not surprised that the member for South-West Coast would voice his approval for a nuclear power plant because his electorate would obviously stand to gain from it.

We oppose nuclear power plants in this state and will seek to oppose them in the future.

Dr Napthine — On a point of order, Speaker, I am on the record time and time again as being opposed to nuclear power.

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

Dr Napthine — I think this is an absolute political stunt that is a waste — —

The SPEAKER — Order! There is no point of order. I warn the member for South-West Coast.

Gaming: public lotteries licence

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. I refer to the Premier's pre-election statement on 15 November 2006 which claimed he had never discussed gaming licences with David White or anyone else outside of government. I ask: does the Premier stand by this statement?

Mr BRACKS (Premier) — The government, I as Premier or any other minister do not discuss gaming licences when there is a tender process on, nor have we discussed those matters prior to that. If those questions are raised with the government, we say there is a proper probity process which either is in place, if it is a tender process, or will be in place in the future. Clearly I am reinforcing the statements I have made in the past.

Otway Basin: carbon storage trial

Mr CRUTCHFIELD (South Barwon) — My question is to the Minister for Energy and Resources. Could the minister update the house on the progress of the internationally acclaimed carbon capture and storage trial located in the Otway Basin?

Mr BATCHELOR (Minister for Energy and Resources) — I thank the member for South Barwon for his question. Carbon capture and storage is one of a number of different technologies the Bracks government is supporting. We are doing this to tackle the important issue of climate change.

I can inform the house that last Thursday I visited Nirranda, which is down near Warrnambool, to witness firsthand the drilling work being undertaken at the moment to support a major trial for the capture and storage of carbon dioxide in the Otway Basin. This project is not only important to us here in Victoria, it has attracted international interest. The Bracks government has contributed \$4 million to this trial, which is currently being run by the Cooperative Research Centre for Greenhouse Gas Technologies, also known by the acronym CO2CRC.

This carbon capture and storage project could offer a pathway to a significant cut in Victoria's greenhouse gas emissions from fossil fuels — brown coal — through their permanent storage underground, deep beneath the surface. The trial involves the extraction of up to 100 000 tonnes of naturally occurring carbon dioxide from a nearby existing gas well followed by its injection in a compressed form into a well currently under construction at Nirranda, where it will be stored deep under the surface — some 2 kilometres — in an already-depleted natural gas field. One of the most important elements of this project is to scientifically demonstrate to the community, to governments and to industry that carbon capture and storage works and that the carbon dioxide can be stored safely and monitored in these rock structures deep below the surface.

The other significance of this trial is that the results at Nirranda will work for Victoria, because they should be able to be applied to the storage of carbon in other depleted oil and gas fields in Bass Strait. In Victoria we are in the enviable position of both having world-class potential storage sites in Bass Strait and being very close to the fantastic and long-lasting resources of brown coal in the Latrobe Valley. This places us in an ideal position to develop and demonstrate carbon capture and storage not only to the Victorian community but to the world scientific community.

Victoria is at the cutting edge of this technology, and we are leading Australia if not the world in its development through this important trial, to which this government is making a financial contribution, in the Otway Basin.

Gaming: public lotteries licence

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. I refer to the Premier's media conference yesterday. When the Premier was asked if he had ever discussed gaming licences with Tattersall's trustees he replied, 'No, I haven't'. I ask: does the Premier stand by that statement?

Mr BRACKS (Premier) — As I said yesterday, one of the things this government does not do is discuss tender arrangements when a tender process is on. That is what I said yesterday, and that is what I say today.

Water: management

Mr HERBERT (Eltham) — My question is to the Minister for Water, Environment and Climate Change. I ask the minister to detail for the house examples of Victoria leading the way on water allocation for irrigation and the environment.

Mr THWAITES (Minister for Water, Environment and Climate Change) — In Victoria we have created a balance between water for the environment and water for irrigation. Our government is investing many millions of dollars in upgrading irrigation systems and farming systems around the state and in saving water for the environment while providing a better service to farmers.

We have talked about the Wimmera–Mallee pipeline, which is under way — 240 kilometres of pipe has already been laid. The first arm is due to be completed this year. I am pleased to say that the building of the second stage of the Wimmera–Mallee project — supply system 5 — will begin in April. We have also completed the Woorinen and Normanville pipelines, which are saving water for environmental flows in the Snowy. I am also pleased to advise the house that the Tungamah pipeline is now complete. The member for Murray Valley has sought that project for many years, and it has been delivered under the Bracks government.

An honourable member — Is he going to be opening it?

Mr THWAITES — The government that delivered it will open it, but the member will be there.

I also emphasise that there will be significant water savings from that project which will go to the Snowy. However, I have to say that, if there is a federal takeover of the water supply, there will be no guarantees that the Snowy flows will continue. Victoria also has total channel control being placed in the Macalister and Goulburn systems, once again ensuring that we have more efficient irrigation and more water for the environment.

Our balanced approach is reflected in the sales water agreement, under which 145 billion litres of water will be released for environmental flows in the Murray in return for more secure water rights for farmers. That agreement is enshrined in legislation this house passed less than two years ago, providing more water for the

environment, water for the Murray, more secure water rights for farmers and the ability to review and reset water allocations. All those things are under threat as a result of the proposed commonwealth takeover. I might add that the balanced approach we have taken has been widely supported. The member for Rodney, as the then president of the Victorian Farmers Federation, said that the sales water package is a win-win. We agree with that.

An honourable member interjected.

Mr THWAITES — We knew he was so good he would get there!

The *Weekly Times* said:

Victoria has led the way in attempting to strike a balance between water users and the environment ...

We agree with the Leader of The Nationals, who has said that Victoria has a pre-eminent position in water administration within Australia and that we should not be simply handing that over to the commonwealth. We have again seen that The Nationals are prepared to stand up for farmers, but unfortunately, once again members of the Liberal Party are Liberals first and Victorians second. I might say there is one odd thing about the Liberal position, and that is that the Liberal shadow minister does not appear to have issued any statement or any press release on this issue.

Honourable members interjecting.

Dr Napthine — On a point of order, Speaker, the minister is debating the issue. I ask you to bring him back to answering the question.

The SPEAKER — Order! The minister is beginning to stray from the question and should answer the question.

Mr THWAITES — It is extraordinary that on the biggest water issue in the country the opposition spokesperson has not seen fit to issue a statement.

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

Mr THWAITES — I note the member for South-West Coast's point of order, and I respect that. However, I also note that the member for South-West Coast has said that all south-western rivers should come under the control of the commonwealth.

While Victoria will have discussions and negotiations with the commonwealth government in a spirit of genuine cooperation, we do not wish to see our farmers

lose their water security, we do not wish to see the sales water deal undone, we do not wish to see the Snowy River lose its environmental flows and we do not wish to see the balance that we have achieved in this state come to grief.

Gaming: public lotteries licence

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. I refer to the Premier's pre-election statement that he would not take any phone calls from personal friend and Labor powerbroker David White, and I ask: why not?

Mr BRACKS (Premier) — I answered that question at the time, and I stand by it.

Goods and services tax: distribution

Ms OVERINGTON (Ballarat West) — My question is to the Treasurer. I refer the Treasurer to today's regional population growth figures, and I ask him to detail for the house the impact of the GST distribution on the state's capacity to make Victoria the best place to work, live and raise a family.

Mr BRUMBY (Treasurer) — I thank the member for Ballarat West for her question. Today the Australian government's Commonwealth Grants Commission released its 2007 report on state revenue-sharing relativities. I can report to the house that regrettably Victoria has been duded once again by the Commonwealth Grants Commission. This is not a new phenomenon. This has been continuing for year after year after year, under Labor governments and Liberal governments. The relativities today show that Victorians will continue to pay more to the commonwealth in GST than we get back in payments from it. This year we will subsidise the other states of Australia to the tune of \$1.24 billion. In other words, this year Victorians will pay \$9.7 billion in GST and we will get back just \$8.5 billion.

Mr Ryan interjected.

Mr BRUMBY — It is \$8.5 billion; we pay \$9.7 billion. That equates to \$242 for every man, woman and child living in Victoria. When you think about the growth in revenues, you find that over the past five years the total GST pool across Australia has grown by 48 per cent and the total company tax pool received by Mr Costello, the federal Treasurer, has grown by 109 per cent. This year, even under the changed relativities in today's Commonwealth Grants Commission report and as we go through what is the largest and most sustained resources boom in Australia's history, Victorians will continue to

subsidise Queenslanders. That is how broken down this system is.

As I said, today we continue to lose \$1.24 billion. This is, of course, in a period when the commonwealth is cutting back on funding for health under the Australian health care agreements. It used to be fifty-fifty; today the state provides 60 per cent and the commonwealth, just 40 per cent. If you think in terms of fuel funding, we pay 25 per cent of fuel excise and we get back just 16 per cent.

Having said that, today I have some more good news for the state of Victoria. Today the Australian Bureau of Statistics released its regional population data. What it shows is that the regional population in Victoria grew over the last year by a staggering 1.41 per cent, compared with 1.39 per cent for Australia as a whole. This is the highest growth that we have seen in Victoria in more than 15 years. The ABS notes in its report today that the four fastest growing inland areas in regional Australia are all in regional Victoria. How's that for an achievement! They were: Mildura, 2.2 per cent; Bendigo — good members — 2 per cent; Ballarat — good members — 1.9 per cent; Shepparton — —

Mr Ryan — Good member!

Mr BRUMBY — It is up 1.9 per cent — —

Honourable members — There are no Liberals!

Mr BRUMBY — She is a very good member — —

An honourable member interjected.

Mr BRUMBY — That's right — what has gone wrong with the Liberal Party?

Honourable members interjecting.

The SPEAKER — Order! The Treasurer, through the Chair.

Mr BRUMBY — How long have we got? Actually I got those quotes from Victor Perton the other day, so he had some advice — —

The SPEAKER — Order! The Treasurer, through the Chair!

Mr BRUMBY — I am happy to say that it is not just regional Victoria. In the last year Melbourne added more people per week than any other capital city in Australia. How's that — more than Brisbane and more than Sydney! That builds on the highest building

approvals in Australia in the 2006 calendar year, and of course it builds on very strong jobs growth.

I conclude my answer today with a quote from a very authoritative journal, the *Sea Lake and Wycheproof Times Ensign*.

An honourable member interjected.

Mr BRUMBY — I do. I get all these at home, and I go through them on a Saturday with a highlighter pen. It is an authoritative journal; I have long been a fan of the *Sea Lake and Wycheproof Times Ensign*. I will finish with a quote from this article:

Victoria is already disadvantaged by the federal-state arrangements regarding GST distributions, with only 87 cents of every \$1 raised actually returned to Victoria. The balance of GST funds is used to subsidise other states — we do not want the same thing to happen with our water.

As I said, that is the *Sea Lake and Wycheproof Times Ensign* of 1 February 2007. The person who made those comments was the Leader of The Nationals, and I could not agree with him more.

RULINGS BY THE CHAIR

Adjournment debate: guidelines

The SPEAKER — Order! I would like to provide the house with some information on the adjournment debate, which I committed to doing last week.

During the last sitting week I was concerned about the approach taken by some members in making contributions to the adjournment debate. In the past comprehensive rulings have been made by previous Speakers about the correct procedure for raising matters. I do not intend to repeat those rulings, but I urge members to carefully read chapter 1 of the *Rulings from the Chair*, copies of which can be requested from the Clerk.

I remind members that the adjournment debate is not an opportunity to ask questions or to make a statement. It provides a formal process for raising matters for the attention of a specific minister and seeking action. Unless issues are framed correctly, they will be ruled out of order by the Chair. I also draw members' attention to a fact sheet produced by the Legislative Assembly procedure office on the adjournment of the house, which they may find of assistance.

BUSINESS OF THE HOUSE**Members: photographs**

The SPEAKER — Order! While I have everyone's attention, I would like to remind members to have their photos taken for the *Victorian Parliamentary Handbook* this week. These photos are important as they are used for various publications produced by the Parliament for public and educational purposes.

NOTICES OF MOTION**Notices of motion given.****Mr MULDER having given notices of motion:**

Ms Green — On a point of order, Speaker, I seek some clarification. In previous rulings by the Chair, including rulings by Speaker Maddigan, a number of motions that began in the same manner and were repetitious were ruled out of order because they were not different in content.

The SPEAKER — Order! I will have a look at those.

Mr MULDER — On the point of order, Speaker, each of the motions contains different information about different locations around the state.

The SPEAKER — Order! As I have already ruled, I will have a look at those in the fullness of time.

Mr Haermeyer — On a point of order, Speaker, I request that whilst you are looking at the point of order raised by the member for Yan Yean you also look at the motions given notice of by the member for Polwarth to see whether they constitute imputations against the Minister for Public Transport.

**NUCLEAR ACTIVITIES (PROHIBITIONS)
AMENDMENT (PLEBISCITE) BILL**

Introduction and first reading

Mr BATCHELOR (Minister for Energy and Resources) introduced a bill for an act to amend the Nuclear Activities (Prohibitions) Act 1983 and for other purposes.

Read first time.

**MAJOR EVENTS (AERIAL ADVERTISING)
BILL**

Introduction and first reading

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) introduced a bill for an act to provide for the regulation, management and control of aerial advertising at major events in Victoria, to consequentially amend other acts and for other purposes.

Read first time.

LEGAL PROFESSION AMENDMENT BILL

Introduction and first reading

Mr HULLS (Attorney-General) introduced a bill for an act to amend the Legal Profession Act 2004 as a result of amendments to the national model provisions for the regulation of the legal profession and generally to improve the regulation of the profession and for other purposes.

Read first time.

**DRUGS, POISONS AND CONTROLLED
SUBSTANCES AMENDMENT (REPEAL OF
PART X) BILL**

Introduction and first reading

Ms PIKE (Minister for Health) introduced a bill for an act to repeal part X of the Drugs, Poisons and Controlled Substances Act 1981, to amend that act to close the Drug Rehabilitation and Research Fund established under part X of that act, to provide for the transfer of all money standing to the credit of that fund to the Consolidated Fund, to repeal a spent transitional provision in the Confiscation Act 1997 relating to that fund and to make a statute law revision amendment to the Drugs, Poisons and Controlled Substances (Amendment) Act 2006 and for other purposes.

Read first time.

GAMBLING REGULATION AMENDMENT (REVIEW PANEL) BILL

Introduction and first reading

Mr ANDREWS (Minister for Gaming) — I move:

That I have leave to bring in a bill for an act to amend the Gambling Regulation Act 2003 to establish a review panel to report to the minister on certain processes and for other purposes.

Mr BAILLIEU (Leader of the Opposition) — I ask the minister for a brief explanation.

Mr ANDREWS (Minister for Gaming) — The bill will establish a review panel to independently assess the integrity of processes followed by the Gambling Licence Review Steering Committee.

Motion agreed to.

Read first time.

LIVESTOCK DISEASE CONTROL AMENDMENT BILL

Introduction and first reading

Mr HELPER (Minister for Agriculture) — I move:

That I have leave to introduce a bill for an act to amend the Livestock Disease Control Act 1994 to improve the administration and enforcement of that act and to make changes to the cattle compensation scheme and for other purposes.

Dr NAPTHINE (South-West Coast) — I ask the minister to provide a brief explanation of the bill.

Mr HELPER (Minister for Agriculture) — Firstly, the bill seeks to ensure that Victoria has the power required to adequately respond to a disease outbreak. Secondly, the bill allows Victoria to implement a nationally agreed approach to compensation for tuberculosis in cattle. Thirdly, the bill clarifies what types of milk and milk products can be fed to pigs.

Motion agreed to.

Read first time.

PETITION

Following petition presented to house:

Hazardous waste: Lyndhurst

To the Legislative Assembly of Victoria:

The petition of concerned residents, individuals and others, locally and/or in the state of Victoria, draws to the attention of the house that the Lyndhurst hazardous waste landfill should cease accepting hazardous waste. The petitioners therefore request that the Legislative Assembly of Victoria do whatever is required to ensure this is achieved.

By Mr HOLDING (Lyndhurst) (2421 signatures)

Tabled.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 2

Mr CARLI (Brunswick) presented *Alert Digest No. 2 of 2007* on:

**Parliamentary Legislation Amendment Bill
Pay-roll Tax Amendment (Bushfire and
Emergency Service) Bill
Prahran Mechanics' Institute Amendment Bill
Victims of Crime Assistance Amendment Bill**

together with appendices.

Tabled.

Ordered to be printed.

DOCUMENTS

Tabled by Clerk:

Altona Memorial Park, Trustees of — Report 2005–06 together with an explanation for the delay

Falls Creek Alpine Resort Management Board — Report year ended 31 October 2006

Financial Management Act 1994 — Report from the Minister for Water, Environment and Climate Change that he had received the 2005–06 report of the Lake Mountain Alpine Resort Management Board

Members of Parliament (Register of Interests) Act 1978 — Summary of Primary Returns — February 2007 and Summary of Variations Notified between 14 September 2006 and 26 February 2007 — Ordered to be printed

Mount Baw Baw Alpine Resort Management Board — Report year ended 31 October 2006

National Environment Protection Council — Report 2005–06

Parliamentary Committees Act 2003:

Government response to the Road Safety Committee's Inquiry into Driver Distraction

Government response to the Rural and Regional Services and Development Committee's Inquiry into Regional Telecommunications Infrastructure for Business

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

Bayside — C46

Casey — C46

Darebin — C71

Greater Bendigo — C51

Greater Dandenong — C88

Maroondah — C55

Mildura — C10

Moonee Valley — C74

Moreland — C69, C70

Mornington Peninsula — C85

Stonnington — C65

Wodonga — C50

Snowy Hydro Ltd — Financial statement 3 July 2005 to 1 July 2006

Statutory Rule — *Legal Profession Act 2004* — SR 3

Subordinate Legislation Act 1994:

Ministers' exemption certificates in relation to Statutory Rules 177/2006, 3

Water Act 1989 — Barwon Water Supply Protection Area Declaration Order 2007.

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an order of the house dated 19 December 2006:

Drugs, Poisons and Controlled Substances (Amendment) Act 2006 — Sections 1, 2, 3, 7, 9(1) and 11 — 19 February 2007 (*Gazette G7*, 15 February 2007).

APPROPRIATION MESSAGES

Messages read recommending appropriations for:

Parliamentary Legislation Amendment Bill

Pay-roll Tax Amendment (Bushfire and Emergency Service) Bill

Victims of Crime Assistance Amendment Bill.

BUSINESS OF THE HOUSE

Program

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

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 4.00 p.m. on Thursday, 1 March 2007:

Parliamentary Legislation Amendment Bill 2007

Pay-roll Tax Amendment (Bushfire and Emergency Service) Bill 2007

Public Prosecutions Amendment Bill 2006.

In moving this motion today I identify the legislation we will be dealing with this week. Each and every day of this parliamentary sitting week we will take a piece of government business from the program and deal with it. The items I have just listed start with the Public Prosecutions Amendment Bill, which we will debate today; on Wednesday we will debate the Parliamentary Legislation Amendment Bill; and on Thursday the Pay-roll Tax Amendment (Bushfire and Emergency Service) Bill.

Of course that is not all we will be doing this week. We still have to provide a large number of members in this house with the opportunity to make their contributions to the address-in-reply debate. The address-in-reply conventions are only available to members at the beginning of each parliamentary term. The government would be saying to members of the house that if they have not made their contributions to the address-in-reply debate, they should try to do that this week. The government has decided to use the bulk of this week to provide members with the opportunity to make a contribution to the address-in-reply debate. Accordingly the number of pieces of legislation will be correspondingly reduced in order to provide for that.

In the last parliamentary sitting week we tried to provide a large amount of time for members to make their address-in-reply speeches, but that time was more or less restricted because of the time spent on debating some bills. We are making it clear that time is being made available this week, so if members want to make a contribution, they should try to make it this week. We are not certain at this stage if the next government business program will provide for large amounts of time for the address-in-reply debate.

That leaves six bills on the notice paper to be dealt with in coming weeks, and that is on top of the six bills of which notice was given today. Members can see that

there will be limited opportunities for the address-in-reply debate in future parliamentary sitting weeks.

Mr McINTOSH (Kew) — The opposition does not oppose the government business program, but I want to make a couple of points. While I am very grateful that the Leader of the House provided details of this extensive government business program on Friday morning — and the opposition was made aware of what was going to be on the program — I point out, as I have pointed out before, that we have a paucity of business to be transacted in this third sitting week of the third sitting month since the election. One could not help but observe that there is no great reforming zeal reflected in the legislative program. It is not as if you could say that any of this is of great significance and will propel us into the 21st century.

I also point out that perhaps there should be some forms of the house that follow a precedent set in the United Kingdom Parliament where the business program is debated some two weeks prior to the adoption of that business program, which means that everybody — opposition parties as well as the government — is well and truly aware some two weeks ahead of what will be on the government business program.

I conclude by saying that there is no doubt we are going to have a riveting week, given the fact that the vast majority of debating time will be taken up with the address-in-reply debate. I note that the opposition — notwithstanding new members and everything else — has only four speakers; and I understand The Nationals have only four speakers. We will be sitting here riveted until 10 o'clock tonight, 10 o'clock tomorrow night and 4 o'clock, if not later, on Thursday listening to all the government members droning on in the address-in-reply debate. It is regrettable that we have to do that, but perhaps it is just part of the deal. With those comments, Speaker, can I just say that the opposition does not oppose the business program.

Mr DELAHUNTY (Lowan) — The Nationals debated last night whether or not they would support this government business program — and we are going to support it. We are a bit disappointed with it and we thought we would oppose it because there is not enough on it for a change.

An honourable member interjected.

Mr DELAHUNTY — I got the information on Thursday night. The reality is that it is a very short government business program. There are only three bills to be debated: one today, one tomorrow and

another on Thursday. Six bills are going to be second-read in this place tomorrow, I believe, and three of them are reactive bills.

One of them, the energy bill, is unnecessary; the gaming bill is only a reaction to the upper house inquiry; and the sport and recreation bill should have been covered in a bill a couple of years ago when we debated the Commonwealth Games legislation, but we have seen from the Australian Football League finals, the soccer and the swimming that there are obvious flaws in that legislation which need to be amended. We covered many of those issues when the Commonwealth Games legislation was being debated. We are pleased to see that these bills will be second-read tomorrow because we will be able to debate them earlier in the next sitting week in a fortnight's time.

In respect of the address-in-reply debate, The Nationals have four speakers to go, and we are looking forward to that debate because it gives us the opportunity to talk about our vision for the electorates we represent in rural and regional Victoria. That could include the issue of water — and a lot of people in country Victoria are concerned about water being taken to service the needs of urban areas of Melbourne, where the population is going to grow by 1 million people by 2030. It is interesting to hear the Premier guaranteeing that the rights of farmers will be protected in relation to the Murray–Darling Basin when those rights have just about been stood all over in relation to the Bendigo pipeline.

The Nationals will not be opposing the government business program for this week.

Mr INGRAM (Gippsland East) — Speaking on the government business program, I would like to flag to the house that I believe we can get through this heavy agenda. One of the important bills I would like the house to focus on this week is a bill I will be seeking to move amendments to, and that is the Parliamentary Legislation Amendment Bill. I would like to seek assistance from the house — —

An honourable member interjected.

Mr INGRAM — Through you, Speaker, it is clear that you should never stand between a member of The Nationals and a perk, because you will get flattened every time. I seek the assistance of the house to make sure we are able to go into consideration in detail on that bill. Since there are only three bills on the notice paper, clearly there should be no problem with that, but I would like the assistance of the house to achieve that to make sure the Parliament has the ability — —

An honourable member interjected.

Mr INGRAM — It is better than giving free grog to under-18-year-olds. I will be supporting the government's business program with the proviso that we go to the consideration-in-detail stage on the Parliamentary Legislation Amendment Bill.

Motion agreed to.

MEMBERS STATEMENTS

Frankston Teddy Bears Picnic

Dr HARKNESS (Frankston) — On Sunday it was an enormous pleasure to attend the annual Teddy Bears Picnic with my family, together with thousands of other Frankston residents. It is the major fundraiser each year for the Frankston Toy Library. The library is a not-for-profit organisation and is mainly operated by volunteers. The key focus of the toy library is to encourage play, which is essential for any child's development, and build positive relationships between adults and children. Many of the toys and resources available at the toy library have a high educational value. The toy library is a much-valued service in the Frankston community, and the high attendance each year is a tribute to the high regard Frankston residents have for the toy library.

Each year I have the pleasure of judging the fancy dress and teddy bear competitions, and this year I was joined in the judging ring by the mayor of Frankston. As usual the contest was difficult to judge, with many children going to a lot of effort to ensure that they and their teddy looked their very best. I was also fortunate to meet Honey Bear, the mascot of the Frankston Toy Library, who entertained children and adults alike. Parents and children in Frankston are very lucky to have a range of service providers, many of which had information and activity stalls at the Teddy Bears Picnic, that cater for their needs. The providers included the Australian Breastfeeding Association, various playgroups and preschools in the Frankston area and the Frankston City Council. Children, parents and teddies enjoyed a range of fun activities and musical performances.

The Teddy Bears Picnic also provides visitors with an opportunity to see other services that assist the whole community in action. Children were delighted to see vehicles from our local emergency services such as the Country Fire Authority, the State Emergency Service and Victoria Police. I would like to take this opportunity to commend the tireless work of the toy

library's coordinator, Bev La Bas, and her many volunteers. Bev's dedication to the toy library is certainly admirable, and I know that the Frankston community appreciates her hard work.

Bushfires: Licola flood

Mr BAILLIEU (Leader of the Opposition) — Two weeks ago in this house I described the impact of the recent bushfires on country communities, and I commented particularly on the pain and cost of those bushfires in the Macalister Valley, which I had had the opportunity to visit in January. I said then that one of the major concerns was a loss of topsoil caused by intense heat and the destruction of root mass and that subsequent rains had washed much of the topsoil away. In turn this had choked rivers and streams and contaminated water supplies.

Residents explained to me their fears that further heavy rain could lead to more severe damage and flooding. They called for urgent assistance with reseeding and clearing, and they called for ongoing support for their communities. Sadly that help did not arrive, and their predictions have been realised, in the first instance because of poor public land management and firefighting culture and now because of a lack of assistance.

Last weekend a severe thunderstorm and torrential rain lashed the upper reaches of the Macalister Valley. The town of Licola was swamped, but this time with flood, not fire. Residents still recovering from the fires have been flooded with mud, ash and debris washed down the ravaged slopes and rivers. Homes and streets have been trashed and community assets have been devastated. The likes of Licola store owners Ray and Mary Winter and local Ralph Barraclough have already been through hell. Now they face a lack of water and a lack of sewerage, damaged homes, fences, boats, cars and caravans, an almost total loss of income and a serious ongoing health risk. In the last few weeks I have tried privately to urge ministers to visit. That has not occurred, and I urge the Premier, the Deputy Premier and other ministers to help now.

Climate change: federal policy

Ms LOBATO (Gembrook) — I was thrilled recently to receive a letter from a 12-year-old student who stated that when he was old enough to vote he would not vote for a politician or a party that ignores the threat of global warming. This young student, who is called James, has seen the movie *An Inconvenient Truth* and is currently reading Tim Flannery's book *The Weather Makers*. He wrote to me asking if I could try

to make the public, especially children, aware that we must all do everything possible to slow down global warming. James leads by example, turning off lights and computers when they are not in use and opening windows and using blinds instead of using the air conditioning. He knows, however, that as well as individuals setting an example it is up to government to provide leadership and direction.

He wrote that, in his view, the excuse from the Howard government for not signing up to the Kyoto agreement is, I quote, 'A baby's excuse'. He correctly pointed out that, if as is sometimes claimed we are already doing more than Kyoto, there is no reason not to sign up and prove that to the world.

Climate change is a global problem that will not be adequately tackled by piecemeal solutions and a few people here and there choosing to do the right thing. It will be tackled appropriately only when the federal government shows genuine leadership and implements policies to assess and enforce measures that address climate change. If we do not do the right thing now, we will be disappointing our youth, like James, who are relying on us as community leaders to make decisions that show we care about global warming. As James wrote to me, 'We can't take money with us'.

Roads: Lowan electorate

Mr DELAHUNTY (Lowan) — Country roads are a fundamental component of our state infrastructure which country communities and industries depend upon for transport, and they want them to be safe. Many people in the Lowan electorate, which is the largest electorate in the state, have raised their extreme disappointment at the condition of our state's roads. During my travels throughout the electorate using those roads I have become very aware of the concerns raised. I have witnessed where the infrastructure has failed — roads are crumbling, vegetation is obscuring visibility or the surface is so uneven that the roads are unsafe, particularly for trucks.

Millions of dollars are being spent installing wire rope barriers to stop vehicles hitting roadside objects, but people feel these barriers are in place to catch vehicles that have bounced off uneven roads. Many roads in the Lowan electorate need attention, and some that have been brought to my attention are the Henty, Wimmera and Glenelg highways and the Cavendish–Dunkeld and Glenthompson–Maroona roads. It is no wonder that over the past seven years the city road toll has dropped but the country road toll has increased. Part of the problem is the condition of our country roads. If you fix country roads, you save country lives.

Victoria is bigger than Melbourne, and as the Royal Automobile Club of Victoria and a parliamentary inquiry have stated, VicRoads should implement a major program to upgrade category C roads to make them safer. This year there must be funds in the state budget to upgrade our country roads and bridges. I say again: if you fix our country roads, you will save country lives.

La Mirada: Jewels of Spanish Cinema

Mr LANGUILLER (Derrimut) — I wish to commend the Australian Centre for the Moving Image and La Mirada: Jewels of Spanish Cinema for holding a film festival in Melbourne starting on 1 March. This unique festival aims to show Australian audiences the best of Spanish cinema. Melbourne is fortunate to have one of cinema's most celebrated filmmakers, the multi-award-winning director Pedro Almodovar, as curator of this classic section. Pedro Almodovar has chosen five masterpieces — some of his favourite movies from the history of Spanish cinema. These are all Australian premieres which will showcase the excellence of Spanish cinematography. These films have a common purpose — to denounce injustice. Each exemplifies extraordinary quality and compelling ethical commitment.

This Spanish film festival is about joy, tragedy, suspense, adventure, humour and romance. I commend its director, Rocio Garcia, and all the sponsors and partners, including the Victorian Multicultural Commission, and all those associated with the festival. I also wish to quote the Spanish film director, who said in relation to the Melbourne festival:

I want to express my total support for La Mirada: Jewels of Spanish Cinema, [to] which I will endeavour to contribute my grain of sand by annually selecting five jewels of my country's cinema to be seen in Australia.

...

I know that I am fortunate in that my films are seen in Australia, but there are many extraordinary filmmakers both from previous and current generations who remain to be discovered. I strongly believe that through La Mirada we will open a window for these artists —

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

Portland ring-road: pedestrian overpass

Dr NAPTHINE (South-West Coast) — I call on the government, through VicRoads, to build a pedestrian overpass to replace the dangerous pedestrian-controlled traffic lights on the ring-road in Portland. This ring-road provides access for vehicles to the port of Portland and

to South Portland. It is an extremely busy road with a projected massive increase in truck traffic. It is predicted that, with the growth in exports in woodchips from both softwoods and blue gums, mineral sands and grain, 250 000 truck movements a year will take place on that road. That is the equivalent of one B-double every 5 minutes.

Presently there are pedestrian-controlled traffic lights allowing children access to Portland Secondary College and three local primary schools, Bundarra, All Saints Catholic and St John's Lutheran, so that students can get from central Portland to these schools, but given the current and expected massive increase in truck movements this crossing will become increasingly dangerous. Also the crossing will be even more disruptive to port traffic, with trucks having to stop whenever the traffic lights are active. This is inefficient and dangerous for the people who use this area.

The solution is simple: build a pedestrian overpass to make sure that children using the crossing can use it safely to access their schools — and at the same time the 250 000 trucks which access the port per year will not be halted by a pedestrian crossing. I urge the government to build the overpass immediately.

Courtenay Gardens Primary School: achievements

Ms GRALEY (Narre Warren South) — Earlier this month Courtenay Gardens Primary School, in the fast-growing suburb of Cranbourne North, launched its own TV station, which is now training up the next generation of news reporters and camera operators. They provide a live-to-air show that is beamed into every classroom each morning of the school term.

During a recent visit to the school I was interviewed by a budding 11-year-old journalist, Kaitlyn Frawley, about my parliamentary role. Behind the camera was Brodie Bishop and helping out with questions was Ashleigh McGrath. Together we managed to put together a terrific little production under the watchful eye of teacher Mr Scott Balliet. I gather that various other visitors to the school have also been put under the spotlight. The students also cover weather reports, details about the day's timetable, notifications of school award winners and any other information that the children and the school community may benefit from hearing about. Congratulations to principal Loretta Hamilton and her hardworking team at Courtenay Gardens for establishing such an innovative learning program.

Whilst I was at the school I also presented school captain badges to James Kaing and Amy Bruce; house captain badges to Milica Skoric, Adrian Brehaut, Ashleigh McGrath, Jason Twite, Tiarna Preer, Brad Parker, Tayla Roth and Jon Grima; and vice-captain badges to Taylor Briggs, Javier Amaya, Kaitlyn Shepherd, Nathan Bonilla, Kaitlyn Frawley, Shaun Smith, Samantha Andon and Bryan Shackley. Under their leadership the school is sure to have a great year. It is a great team at Courtenay Gardens.

Point Nepean: maintenance

Mr DIXON (Nepean) — Fort Pearce barracks are an important part of not only Victoria's but also Australia's cultural and military history. They are located on Point Nepean and are part of the state-controlled national park there. The asbestos cement sheeting used for the roofs and some of the cladding are to be removed from seven buildings on the barracks site. Parks Victoria has appointed a consultant to advise on the future of the often-deteriorated remaining structures. If all the buildings cannot be saved, I hope to see at least one building made suitable for visitor shelter and a display of the history of the fort and barracks, including photographs of the site and the soldiers who were stationed there. Toilet facilities should also be provided. This idea is supported by the fantastic Nepean Historical Society.

The other danger to the barracks and the surrounding state-controlled park is the abysmal state of the seawall that protects the tip of the park from the bay right around Point Nepean and extending into the Bass Strait section of the coastline. The wall has been breached, and part of it has already fallen into the sea. This government has been negligent about preserving Point Nepean and its features but is always ready to criticise the federal government, which has invested over \$30 million in the section it controls. It is about time this government did its bit as well.

Marjory Walkowski

Mr TREZISE (Geelong) — I take this opportunity to pay tribute to Marjory Walkowski, who passed away in Geelong on 31 December 2006. Marjory Walkowski, or, as she was known to thousands of nurses, Matron Taylor, was truly a wonderful human being who contributed enormously to the community of Geelong, and in particular to the health sector.

Marjory served with the Royal Australian Air Force during World War II and as a senior nurse with the girl guide international service in Germany. It was during her time overseas that she met her husband to be,

Franciszek. On returning from overseas duty Marjory was employed at the Geelong hospital from 1950 as the supervisor of the maternity wing and then as the director of nursing for 17 years. At the hospital she was very much respected, and rightly so. In 1980, in recognition of her work in nursing, Marjory Walkowski received an Order of Australia medal, of which she was very proud.

On retirement Marjory continued and extended her work within the community sector. She was a member of many community organisations and boards, including Karingal, the Fairfield hospital and the YWCA. Importantly to the community of Geelong, she was a founding member and driving force behind the establishment of the Geelong hospice, where she contributed significantly for many years. Marjory Walkowski was one of those special people who worked tirelessly for the betterment of others, and this world will be very much the poorer for her passing. My condolences go to her family, including my friend Anne Sorensen, Marjory's beloved sister.

Bushfires: Licola flood

Mr INGRAM (Gippsland East) — I join today with the Leader of the Opposition, who raised the severe impact of this summer's fires on communities within my electorate, including Licola in the Macalister Valley. The impact has been severe on businesses, tourism operators, farmers, other land-holders and communities right across my electorate. Places like Licola, Seaton, Dargo, Bruthen, Waterholes and the Tambo Valley have all suffered significant losses either directly or indirectly due to the fires. I highlight what happened over the weekend. Because of the stripping of the vegetation due to the intense fires up near Licola, a large thunderstorm dumped enormous amounts of silt and other rubble onto a number of properties in and around Licola. That was raised earlier by the Leader of the Opposition. This meant that a number of houses were severely damaged or near enough to destroyed.

Many people in this place would know Ralph Barraclough, who is a very strong advocate for the improvement of public land management; his place was basically wiped out. He commented in an email to honourable members that the first locals knew he was in trouble was when they saw, 3 kilometres downstream from his place, his worldly possessions going down the street. Also a vehicle in the main street was swept away by the floodwaters, and silt and rocks and so on were rolling down the river. There are a number of issues the government must deal with to address the impact on these communities, and I ask it to do so.

State Emergency Service: Sunbury unit

Ms DUNCAN (Macedon) — Last Saturday night I had the pleasure of attending a celebration by the Sunbury State Emergency Service of its 30th year of service to the Sunbury area. The event was very well attended and highlighted the dedication of members, some of whom have over 20 years of service with the SES.

The SES does a fantastic job across this state. It responds to extreme weather events, such as floods and storms, and of course we are seeing more of those — even in the middle of the drought. The SES also provides critical emergency response for road crashes. With major roads nearby, it frequently responds to crashes in the local area. It also provides operational support for our fire services, search and rescue support for Victoria Police and critical support to local government with emergency prevention and management planning.

The 5500 volunteers who make up the State Emergency Service respond on our behalf in rain, hail or shine 24 hours a day, 7 days a week, 52 weeks of the year. As a government, we have supported the SES with additional funding — something like a threefold increase in funding since coming to office — and also by establishing a statutory authority to manage the SES, which will assist the SES in its management and assist it to provide a sustainable budget framework into the future.

I congratulate the SES volunteers who support us, and I congratulate their families who support them in their work. I wish the Sunbury SES a happy 30th birthday. I thank them on behalf of the people of the electorate of Macedon.

Victorian Communities: senior appointments

Mr KOTSIRAS (Bulleen) — I stand to condemn this lazy, inept and incompetent Labor government for employing more cardigan-wearing, folder-carrying and coffee-drinking public servants in their own departments at the expense of classroom teachers, nurses and front-line police.

It has been brought to my attention that the Department for Victorian Communities (DVC) has appointed another layer of senior bureaucrats who will be carrying the secretary's briefcase and coffee to meetings. In an email Yehudi Blacher said:

... the senior executive group will be expanded to include a number of executive directors to provide greater input into important discussions on strategic issues for the department.

This group will assume both horizontal leadership roles as well as the traditional line management functions for the department.

I hope his definition of 'horizontal leadership' does not involve sleeping on the job after a meal and a cappuccino at taxpayers' expense.

Perhaps Mr Blacher should use some of the extra staff to fix the mess in the Office of Multicultural Affairs. Multicultural affairs in Victoria has come to a complete stop. There are no new ideas, no new initiatives and no new vision — just more public servants in DVC enjoying skinny milk cappuccinos and carrying folders up and down the corridor.

We need more classroom teachers, more nurses for hospitals, more police on our streets and fewer public servants who are simply there to provide advice to incompetent ministers.

Summerhill Residential Park: tenant rights

Mr SCOTT (Preston) — I rise to acknowledge the wonderful work of the residents of the Summerhill Residential Park in advancing the rights of caravan park tenants. The residents are mainly elderly pensioners, many of whom are fragile and in poor health, yet they have shouldered a heavy burden, particularly the residents representatives, who have been willing to stand up publicly for the rights of their fellow residents during a long struggle between the residents and the operator of Summerhill. Some of the key individuals in this struggle for greater residents rights are Mr Lionel and Mrs Marion Foster, Mr John Canard and Mrs June Walkeden, among many others. Bullying and cowardly threats against the residents, and especially their representatives, have been met with bravery and dignity.

Laws are changed not just by legislators but also by ordinary people willing to stand up and fight injustice. The fruits of these brave residents' struggle will be found in the improved rights for long-term residents of caravan parks that I know this government is committed to. I would also like to place on the record the tireless work of my direct predecessor as the member for Preston, who put Summerhill at the centre of the last few years of his time in this place. He too can take credit for highlighting the need to improve the rights of long-term residents in caravan parks.

Warranwood Road, Warranwood: pedestrian crossing

Mr R. SMITH (Warrandyte) — I would like to draw attention to a road in my electorate that requires

urgent work. It is my understanding that VicRoads considers the much-needed improvements to Warranwood Road in Warranwood to be of low importance, but local residents, including those who live in the AshCare Retirement Village, would beg to differ. As it stands there is no sealed footpath along Warranwood Road, only a path laid with gravel. AshCare residents who are reliant on motorised wheelchairs are unable to get proper traction on the gravel. Other residents with walking difficulties or those using walking frames encounter similar problems.

Further to this, a pedestrian refuge also needs to be installed to ensure the safety of pedestrians. The bend in the road makes it difficult to see traffic approaching for anyone attempting to access the two bus stops on the road. Crossing the width of Warranwood Road all at once can be dangerous, particularly for the young and for the infirm. Both Maroondah City Council and the Royal Automobile Club of Victoria have flagged this project as a high priority. Despite repeated requests for funding, VicRoads south-east regional manager recently said there were no plans to improve the road or to install a crossing.

Local residents say they need these improvements, but apparently this government knows better. I endorse the rights of the residents of AshCare and the wider Warranwood community to be able to travel to the local shops or use the bus stop safely, and I call on the Bracks government to commit to a viable and safe solution to those living in and around Warranwood Road in the immediate future.

Trams: Plenty Road stops

Mr BROOKS (Bundoora) — I wish to draw the attention of members to a very important upgrade of six tram stops throughout the Bundoora electorate. Members may be aware that in May last year the Bracks government committed \$250 million over a 10-year period to make public transport in Victoria more accessible. The government is getting on with the job of delivering this program, and work started on six tram stops on Plenty Road through Bundoora and Kingsbury several weeks ago. The work, which should be completed by the end of March this year, includes stops at Kingsbury Drive, Curtain Street, Bundoora Park, Greenwood Drive, Bundoora Extended Care and Grimshaw Street. The new stops will be compliant with the federal Disability Discrimination Act and essentially will involve the construction of elevated platforms.

Many of us take for granted the ability to move around within our towns and cities, but for many people the

ability to do a simple thing like go to the shops or to a medical appointment can be a real challenge, if not impossible. These works being delivered by the Bracks government will help the elderly, people with disabilities and people with prams to board and alight from trams. The Bracks government is getting on with the job by rolling out these new tram stops.

Alexandra Secondary College: driver-training program

Dr SYKES (Benalla) — Last week the member for Seymour and I attended a meeting to discuss the future state government funding of the Alexandra Secondary College driver-training program. The meeting was organised by passionate driver training advocate John Birtchnell, OAM, and chaired by Bob Flower, the mayor of Murrindindi shire. Attendees included driver-training experts and local police.

There was unanimous support for the program, with comments from the local police saying that they are 150 per cent behind the program and that the local accident rate has declined from being off the scale before the program started 15 years ago to minimal now. The problem of the lack of state government funding appears to be due to the government using irrelevant overseas data and a grossly inadequate evaluation of the local program, but the facts speak for themselves. Prior to the establishment of the program by the local Rotary club, out of 60 year 10 students at Alexandra Secondary College in 1969, 25 were killed in road accidents in the following 10 years. Since the program started in 1993 over 1300 students have completed the pre-licence driver education and training program, and there has not been one death of a student who has done the program.

Similar programs operate in Charlton, Alpine shire and the Mornington Peninsula. The member for Seymour and I strongly support the program, and we will continue to support local community efforts to obtain state government funding to ensure that more students can benefit from pre-licence driver education and training.

Friends of Edgars Creek

Ms CAMPBELL (Pascoe Vale) — Congratulations to the Friends of Edgars Creek group for its visionary work to achieve recognition of the environmental and recreational value of Edgars Creek and its surrounds. Friends of Edgars Creek, ably led by Stephen Northey, is a recently formed community group under the auspices of the vibrant and dedicated Friends of Merri Creek. One of the friends' aims is to protect and restore

habitat for the 48 fauna species recorded within 1.5 kilometres of Kodak bridge. At the group's inaugural meeting I had the pleasure of being involved in helping map out a short, medium and long-term vision for Edgars Creek surrounds with people from a broad range of skills bases that included horticulture, birdwatching, knowledge of local indigenous plant life, corporate governance, landscaping and geology.

Work is under way to engage more stakeholders, such as the Merri Creek management committee, Melbourne Water and Moreland council, and of course Friends of Merri Creek, to obtain funding to rehabilitate the lower section of Edgars Creek between Henty Street and the confluence of the Edgars and Merri creeks with particular emphasis around the areas of geomorphological significance.

Congratulations to Stephen Northey, Aliey Ball and Anita Morgan, and Aliey Ball again for her job with water watch officers Anita Morgan and Patrick Belford. Thanks to Eamonn Fennessy, Ray Radford, Brian Bainbridge and Dave Crawford, who are from Moreland council, the Friends of Merri Creek and MECCARG, the Merri and Edgars Creek Confluence Area Restoration Group.

Gaming: poker machines

Mr THOMPSON (Sandringham) — In December 2006 a Victorian County Court judge, Roland Williams, remarked:

How a so-called civilised society can allow and offer the mindless operation of poker machines to witless members of the public under the euphemism of gaming and entertainment is no doubt a question for the sociologists of this world.

He was making those remarks in the context of sentencing a woman who stole more than \$3.5 million from her employer to fund her addiction to \$1 poker machines. He further said:

I feel constrained to remark how sad a situation this is ... sad that the availability of gambling in this state is such that you found it so easy to turn to it as your outlet, and once started you readily became trapped by the gimmicky enticements and rewards.

Liberal Party policy at the last state election was to reduce the number of gaming machines in this state by some 5000, a policy which the Labor Party rejected. At one gaming venue in the electorate of Williamstown, the Williamstown RSL, over a defined period some \$326 000 was extracted from working Victorians, leading, no doubt, to increased numbers of problem gamblers and an increase in family misery, hardship, poverty, criminal charges, debt and family violence.

Anita Samardzija

Ms RICHARDSON (Northcote) — I would like to take this opportunity to mention a young student from my electorate, Anita Samardzija, and to pay tribute to the school where she was head school captain — namely, Thornbury High School. Anita has won the Darebin Young Citizen of the Year award for 2007. Anita won the award for her student leadership at Thornbury High School in 2006 and for her active role in raising awareness about the plight of refugees. She and her parents were themselves refugees from Croatia, from where they were forced to flee in 1996. On arrival in Australia they spoke no English.

Anita took part in Thornbury High School's campaign to prevent the deportation of Thai student, Nak Assavatheptavee. The school made a documentary, *Saving Nak*, which was shown at the State Theatre in Sydney. Anita flew to Sydney to provide a voice-over for the screening.

Anita is no stranger to this place. She spoke at the Victorian Youth Constitutional Convention, where she debated against John Cain, Jr, our former Premier, arguing for a mandatory human rights charter. She has been a guest speaker at many functions, including a regional convention held at Lalor Secondary College. Anita has commenced a course in international studies at the city campus of RMIT University, and I wish her all the best.

In the nomination statement for the award it was said that:

She is a great human being, a compassionate, selfless and empathetic young lady.

This is the third year running that a student from Thornbury High School has won the Darebin Young Citizen of the Year award. It is a vibrant and successful school. I look forward to the school's ongoing success and the contribution its students will undoubtedly make to our community.

Returned Services League: Healesville sub-branch

Mr HARDMAN (Seymour) — I rise to thank the Healesville RSL sub-branch for its efforts to create a memorial for all those who have served their country at home and abroad. On Sunday the RSL held a dedication ceremony for the new memorial. Its purpose is to provide a place for reflection by RSL members and members of the community on the days when we remember those who have served our country. The memorial was funded entirely by community funds.

The Healesville community turned out in numbers again to support the RSL in Healesville, which is dedicated to providing services to veterans and their families. Again, I thank and congratulate the Healesville RSL for the great work it does for the community.

Kilmore skate park: opening

Mr HARDMAN — On Saturday, 17 February, I attended the opening of the Kilmore skate park. I wish to congratulate the members of the Kilmore skate park committee — and those who supported them in their efforts, such as the Kilmore Police Community Consultative Committee and the Shire of Mitchell — on the fantastic new skate park that has been created for the young people of Kilmore and its district.

The opening was attended by a number of enthusiastic skateboarders and BMX bike riders and even a couple of unicycle riders. The park has been funded through the local community, the Mitchell shire and the state government. I would particularly like to mention Elaine De Gabrielle, a key driver of this project, who dedicated her time to ensure that the project, which was originally a passion of her late husband, Cr Sam De Gabrielle, was followed through. She did so by finding a space, gaining support from the local community and obtaining funding for the project. It is already providing a safe, alternative leisure space for the young people of the Kilmore district.

The SPEAKER — Order! The member for Clayton has 30 seconds.

TRUenergy: debt collection

Mr LIM (Clayton) — Recently I became aware that TRUenergy wrongly set a debt collector onto a customer for the sum of \$28.86. The problem occurred because TRUenergy twice ignored the customer's advice to send the bill for their holiday house to their Melbourne residence. On the second occasion TRUenergy made the situation worse by opening a second account so that the holiday house had two accounts for the one electricity supply.

The customer and her husband had paid what was owing on the first account for the holiday house and paid in full for the second account —

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

PUBLIC PROSECUTIONS AMENDMENT BILL

Second reading

Debate resumed from 20 December 2006; motion of Mr HULLS (Attorney-General).

Mr CLARK (Box Hill) — This bill has two main purposes. The first is to put beyond doubt the capacity of the Victorian Director of Public Prosecutions and Victorian Crown prosecutors to be appointed to prosecute offences of other jurisdictions within Australia, both in the commonwealth jurisdiction and in other states and territories, and to specify the circumstances of such appointments. The second purpose is to allow the Director of Public Prosecutions or DPP legal staff of another state or territory to be appointed as Crown prosecutors to prosecute Victorian offences.

To examine the bill in more detail I turn to clause 3, which proposes to insert in the Public Prosecutions Act 1994 new section 22(1)(cc), which says that:

if the Director, with the consent of the Attorney-General, holds an appointment, commission or authority to prosecute offences against laws of the Commonwealth or another State or a Territory, to institute, prepare and conduct proceedings in accordance with that appointment, commission or authority ...

In other words, it will provide that, if the director holds such an appointment, one of the director's purposes will be to institute, prepare and conduct proceedings in accordance with the appointment that the DPP holds.

A parallel provision is inserted by clause 5 of the bill in relation to Crown prosecutors. It sets out a similar power for a Crown prosecutor if the Crown prosecutor, with the consent of the director, holds such an appointment, commission or authority.

Clause 4 of the bill operates in the other direction by allowing the appointment of a director of public prosecutions from another state or territory, or a member of the staff of the office of the director who is a legal practitioner, to be appointed under the Victorian legislation as a Crown prosecutor for the period that he or she is the DPP or a member of staff of the DPP of that other jurisdiction. That is to be achieved by inserting a new subsection (3A) after section 32(3) of the Public Prosecutions Act 1994.

The only other provision of the bill which is of substance is clause 6, which inserts a retrospective validation provision — new section 55 — into the Public Prosecutions Act 1994. This will provide that

anything done or purported to have been done under the principal act before the commencement of these amendments which would have been validly done had the act been amended is deemed always to have had the same force and effect as it would have had if the amendments had been in operation at that time.

Overall the scheme of this bill is straightforward and logical. It makes it clear that there is a power for the Victorian Director of Public Prosecutions and Crown prosecutors to be appointed to prosecute commonwealth offences and offences in other Australian states and territories and, conversely, to allow Victorian appointments of interstate legal staff. However, I will raise a number of specific concerns about the bill on behalf of the opposition, particularly relating to retrospectivity. We are very keen to hear further from the Attorney-General as to the reasons for the retrospective provision and the justification for it. The retrospective operation of legislation should not be lightly enacted, and certainly the house should not be asked to approve any retrospective legislation without explanation or justification, in particular as to what cases might be affected by that retrospective operation.

It should also be said in passing that there are some issues separate to this bill in relation to the state's capacity to appoint the commonwealth Director of Public Prosecutions to conduct prosecutions of state offences. These complications arise out of some of the High Court's interpretations of commonwealth legislation. However, those complications are not directly affected by the bill before the house.

Opposition members raised a number of issues about the bill with departmental staff when we were briefed on the bill, including its retrospective operation. One of the Attorney-General's advisers who was present at the briefing refused to allow the departmental staff to provide any information to the opposition about the reasons for the retrospective provision. They also refused to allow certain other information to be provided to the opposition. We found that both regrettable and frustrating in our attempts to understand the logic behind the bill and to get what we would have considered some fairly innocuous explanations as to how various provisions arose and how they are intended to operate. Nonetheless, the Attorney-General's staff took on notice the various questions that they did not permit to be answered at the briefing.

After some time and some exchanges of phone calls with the Attorney-General's office, and following some intervening changes of staff within his office, I was provided with some information on those questions

yesterday. I want to acknowledge and thank Danny McGlone, who I understand is a new member of the Attorney-General's staff, for his efforts to obtain and convey to me information about and responses to the issues raised by the opposition at the briefing. However, it certainly would have been a lot easier if the Attorney-General's other adviser had allowed a more direct interchange at the briefing.

I turn now to deal with the concerns which we raised and which remain outstanding. The first relates to the manner in which appointments of persons to hold these various powers will operate — in particular, whether the appointments are to be general or for particular purposes, or whether they are to be case specific or otherwise time limited, and if they are not and are intended to be open-ended appointments, what capacity there is to revoke them. It is worth stating at this point that in his second-reading speech the Attorney-General indicated that the purpose of making clear the power of the Victorian Director of Public Prosecutions and Crown prosecutors to be appointed in relation to commonwealth offences is so they can conduct joint prosecutions where both commonwealth law and state law are applicable to a particular case.

However, in relation to appointing interstate or territory DPPs or Crown prosecutors, the reason given by the Attorney-General relates to situations where there may be a conflict of interest or a perception of bias in the other jurisdiction — for example, in the DPP's office prosecuting a member of its staff. I would be interested if the Attorney-General has in mind any other circumstances in which these reciprocal interstate or territory powers will be exercised.

The information that was provided to me yesterday by Mr McGlone is, as I understand it, that the general practice is that appointments between jurisdictions are on a case-specific basis. In other words, there is an appointment for the purpose of prosecuting a particular case, and therefore there is no need for there to be an express power to revoke the appointment of somebody under the legislation. However, looking at the bill itself, that does not seem to be the case, at least not in all instances.

Clause 4 inserts a provision for the appointment of the Director of Public Prosecutions of another jurisdiction or a member of the staff of that DPP's office 'for the period that he or she is that director or such a member'. This does not seem to be an appointment that is limited to any specific case, and that therefore raises the question of whether there ought to be a provision to revoke that appointment. It may be that circumstances change or a policy changes and some difficulty is seen

with that appointment and therefore there is a need for it to be revoked, but the power does not seem to be there for that appointment to be revoked.

In relation to an appointment of a Victorian to conduct prosecutions on behalf of the commonwealth or other states or territories, that appointment is subject to the consent of the Attorney-General, in the case of the DPP, or the consent of the DPP in the case of a Crown prosecutor. That consent can be general or specific. Therefore presumably it is possible for the consent to be limited in such a way that it would expire or perhaps be able to be revoked, but it seems to be an awkward way to impose limits on such appointments. That is a relatively limited and mechanical matter. But it is one that is worth putting on record, because these things are better sorted out at the time of legislating rather than giving rise to complications in practice down the track.

The main area that the opposition remains concerned about is the retrospective validation of things that may occur prior to these amendments being passed. The response provided to the opposition by Mr McGlone, again as I understand it, is that no specific cases have prompted the inclusion of this validation provision in the legislation and that the legislation as a whole arose out of consultation by the Office of Public Prosecutions with various other DPP offices. However, that does not make the situation fully clear. I also think that as a matter of appropriate procedure this house should not have to rely simply on an oral response provided to me by a member of the Attorney-General's staff.

It is worth making the point that a similar concern was raised by the Scrutiny of Acts and Regulations Committee of this Parliament in its *Alert Digest* No. 1 of 2007, where it flagged the issue of the bill potentially trespassing unduly on rights or freedoms. It said:

The committee notes the retrospective effect of the validating provision proposed by new section 55.

The committee will write to the Attorney-General to seek advice whether he is aware of any person who has a legal proceedings on foot that may be adversely affected by the validating provision.

Pending further advice the committee draws attention to the provision.

There is no further reference to a response from the Attorney-General in *Alert Digest* No. 2, which was tabled in this house a short while ago. Accordingly this house has no elucidation via the Scrutiny of Acts and Regulations Committee as to whether any person who has legal proceedings on foot may be adversely affected or, indeed, as to whether there is anybody whose trial

has already been concluded who may be adversely affected by the retrospective validation.

There may well be limited circumstances in which retrospective legislation can be justified, and this house does pass retrospective legislation from time to time. But it is something that needs very careful scrutiny to make sure that people who have relied in good faith on a particular legal regime do not have their legal position overturned retrospectively. Indeed it is a fundamental principle that the retrospective alteration of a legal regime on which somebody has acted in good faith is bad law. In relation to that the head of the Criminal Bar Association has made it clear to me that in his view the association would be completely opposed to a provision such as is contained in this bill.

As far as members of the opposition are concerned I would not describe our position as being categorically opposed to it, but we want to understand the reasons for it. We believe that those reasons should be laid before this house and thus available for the whole community to see and understand. If there have been prosecutions undertaken under appointments which may be invalid and therefore there is a doubt about the validity of those prosecutions, then we in this house and the wider community are entitled to know that, to know the circumstances and to know the rationale for seeking to validate such a case.

It is unfortunately further evidence of the contempt in which the current government increasingly holds this Parliament that the Attorney-General can introduce legislation such as this, which has potentially far-reaching retrospective validation provisions, and yet give no justification to this house or the community as to what consequences the retrospective validation will have or what the rationale for that validation is.

The opposition's position on the bill is that we support the objectives and are prepared to support the bill as a whole, provided the Attorney-General gives to this house and to the community a sufficient and reasonable explanation of the need for retrospective validation. Hopefully the Attorney-General will provide such an explanation and the bill can therefore proceed through the Parliament. However, if we do not receive such an explanation from the Attorney-General, then this is an issue that the opposition will pursue in another place. Subject to these qualifications and concerns, the objectives of the bill seem laudable, and they are objectives which the opposition supports.

Mr WALSH (Swan Hill) — The Public Prosecutions Amendment Bill is a relatively simple piece of legislation. It specifically enables the Victorian

Director of Public Prosecutions to prosecute offences in another jurisdiction and enables reciprocal powers to be given to directors of public prosecutions in other states to prosecute Victorian laws in their jurisdictions.

Mr Delahunty — We have consulted very widely on this one.

Mr WALSH — We have consulted very widely on this bill. As I said, the bill is a relatively minor piece of legislation, but it gives legislative certainty to a process that effectively already applies. Currently the Victorian Director of Public Prosecutions and the commonwealth Director of Public Prosecutions are able to prosecute offences against the laws of other jurisdictions. Typically those arrangements prevail in the prosecution of drug offences involving both commonwealth offences — for example, the importation of drugs — and Victorian offences — for example, the trafficking of those drugs.

Currently there is a gap in Victorian legislation in that, unlike the commonwealth act, the Victorian act does not contain an exclusive basis on which the Victorian Director of Public Prosecutions and Crown prosecutors can receive and exercise commonwealth authority. The bill fills that gap. The bill makes two other minor amendments to provide the specific capacity for the Victorian Director of Public Prosecutions to prosecute offences under the laws of another state or territory.

The Nationals support this legislation. As I said, it is a minor piece of legislation and effectively provides powers for what is already happening within the system. We wish the bill a speedy passage.

Mr ROBINSON (Mitcham) — I am very pleased to have the opportunity to speak on the Public Prosecutions Amendment Bill. The government strongly supports the bill and hopes that it will gain the support of the other parties. This is a bill that residents in the Mitcham electorate would also support strongly, because its basis is cooperation. As members understand it, cooperation is very much an integral element of a functioning federation, and this bill seeks to further enhance the cooperative arrangements that have been in place for some time between the commonwealth and Victoria.

There is an interesting contrast between what we are trying to do here and what the commonwealth is trying to do about water. In the past few weeks we have in effect been lectured from Canberra and told that the problem with the Murray–Darling system is the inability of the states, including Victoria, to cooperate with each other and the commonwealth. That is

notwithstanding the fact that, as members of the government understand and as The Nationals have pointed out recently, Victoria has the most efficient irrigation system in that basin. It is refreshing that we can return to a more constructive debate in which all sides recognise the tremendous progress that has been made in recent years between the commonwealth and the states on a number of fronts, but most importantly on matters of justice.

To that end it is worth pointing out that the progress that has been made in recent years on corporate regulation in this country, on policing and on the community's response to terrorism has all been on the back of the states willingly supporting transfers of power to the commonwealth. I just want to put that on the record.

In his second-reading speech the Attorney-General gave a very succinct rationale for the bill. He referred to the way that the commonwealth and the state of Victoria have been able to work effectively in relation to justice issues and prosecutions. He made out the case for the need to further enhance that cooperation, through providing:

... an explicit basis on which the Victorian DPP and Crown prosecutors can receive and exercise this commonwealth authority.

That is a measure that people in my electorate and Victorians universally would support. It is a common-sense measure and one that is born of continual dialogue between attorneys-general in this country. By virtue of the changes the bill effectively extends the interchangeability of prosecutors in the country, and that is a good thing.

It is perhaps worthwhile at this stage to look at some circumstances in which that interchangeability is of benefit to the community. The Attorney-General in his second-reading speech referred to drug offences as being typical of those involving both commonwealth and Victorian law. We have ongoing cases of importation and trafficking, which provide a very good example. I will refer to a couple of other examples.

The first of these was reported in the *Australian* of 26 January this year. It relates, conversely — or perversely, perhaps — to a New South Wales senior prosecutor who at that stage had pleaded guilty to a charge of possessing child pornography on his personal computer. I do not wish to go into the background of that case, notwithstanding the fact that he had been reported as pleading guilty.

The key point of the article was that the individual was not going to be prosecuted by one of his colleagues. Because of his particular office there was a respect for the fact that the prosecution ought to be done independently, and in fact he would be prosecuted by Victoria's most senior public prosecutor, Jeremy Rapke, who would be called in to represent the Crown at a sentencing hearing. That is a very practical example of the way the states can work together to ensure that justice is observed and that prosecutions are conducted in the most efficient and fair manner possible.

Another very topical example concerns the Cole inquiry into the affairs of the Australian Wheat Board (AWB). As all members would recall, Commissioner Cole was charged in November 2005 with a task, amongst other things, of establishing — I quote from the *Australian* of 28 November last year:

'... whether decisions, actions, conduct or payments by Australian companies mentioned in the Volcker inquiry into the UN oil-for-food program breached any federal, state or territory law'. The inquiry was expanded to include BHP Billiton and Tigris Petroleum.

That was an unusual role to give to a commissioner — to actually investigate potential breaches of both commonwealth and state law — but it is a very vital role and Commissioner Cole did an excellent job. I think all members of the house would acknowledge the considerable work that was done last year on the fairly fulsome report — some 2065 pages — that was completed and tabled in the federal Parliament in late November. I believe he deserves congratulations. He was asked to investigate a very tawdry episode in Australia's corporate history, in which one of Australia's leading companies knowingly rorted the United Nations oil-for-food program and passed over hundreds of millions of dollars in kickbacks to a despised regime.

Of course his investigations only related to that company and the related companies in so far as dealings with Iraq were concerned. Whether or not AWB has been involved in questionable practices elsewhere remains to be seen. But a number of findings were presented in his report which was tabled in late November. Referring again to the *Australian* of 28 November last year:

Mr Cole found the AWB executives may have been accessories to offences committed by the company, including possible breaches of the Crimes Act, Criminal Code, the Banking (Foreign Exchange) Regulations and the Corporations Act.

The article went on to report on findings against one particular individual of the 11, Mr Norman Davidson

Kelly, who was founder of the BHP Billiton-related company, Tigris Petroleum.

Mr Clark — Is this related to the bill?

Mr ROBINSON — It is, because the finding against Mr Kelly was that there had been a possible breach of Victoria's Crimes Act.

In the event that these findings make their way to actual prosecutions — and that remains to be seen — we will have a series of breaches of state law and commonwealth law by a group of individuals. In that circumstance a question would need to be asked as to how efficiently those prosecutions could take place. I think most members would agree with me that it would be unwise and unproductive to have the commonwealth conduct some prosecutions and the state then having to repeat the whole exercise against some of those who had already been charged. It would be a much better thing for the interchangeability provisions of the legislation we are looking at and related legislation to be activated so that those prosecutions can proceed most efficiently. That is a very good example of the way the legislative measures we are looking at today and those the bill builds on can be applied to the benefit of all Victorians.

I note the comments made by the shadow Attorney-General, and I understand the Attorney-General will comment on them in his summing up. My reading of the provision that the shadow minister was talking about — clause 6, which inserts new section 55 — is that it is one which is not uncommon in these matters. In my time in this place we have had a few. It is very important that we get those referral powers absolutely right, notwithstanding what happens later on.

I recall one example when a prominent Victorian, Mr John Elliott, was charged and the prosecution, which involved the expenditure of millions of dollars, collapsed on the basis that a later examination showed that the referral powers had not been exercised entirely appropriately. The individual in that case got off on a technicality. I do not think Victorians regarded that as a good investment of money. In so far as it goes towards streamlining and making sure that these referrals are executed properly, the measure is a good thing. This is good legislation, and it deserves support.

Mr McINTOSH (Kew) — I am very pleased that the member for Mitcham has identified that the Attorney-General will be coming into the house to deal with what is probably the principal grievance in relation to this bill. The examples concerning the Australian

Wheat Board and John Elliott have absolutely nothing to do with the ability to prosecute.

In relation to the prosecution of Mr Elliott, that matter went before His Honour Justice Vincent, one of the most senior Supreme Court judges at the time, who ruled that the evidence the Crown sought to bring forward was inadmissible. That was later ruled upon after the Director of Public Prosecutions (DPP) appealed to the Court of Appeal. I note that Justice Vincent since that time has been appointed, quite properly given his eminence in the profession, to the Court of Appeal. Secondly, in relation to the Australian Wheat Board, it had nothing to do with a prosecution. That was a creature of the executive government. It is still an inquiry at this stage, but it may be a prosecution.

Also I think the member for Mitcham has failed to grasp the gravity of this issue in relation to retrospectivity. No-one disagrees with the fact that, with an abundance of caution, it is prudent to have the ability, particularly in relation to matters such as drug cases where there is a commonality of interest both in commonwealth law as well as state law, for the commonwealth DPP to be able to prosecute those matters as well as state matters and vice versa. As the member for Mitcham has identified, this measure addresses perhaps an oversight in the state legislation that does not have any counterpart in the commonwealth legislation that provides for the state DPP to have that ability to prosecute commonwealth matters and vice versa.

The critical issue the opposition has raised here — again it has only been tangentially addressed by the member for Mitcham, and perhaps that is understandable because he is used to providing a lot of rhetoric without any degree of substance — is retrospectivity. That is the most important thing and the substance of the issue. There have been a number of bills passed, certainly in my seven years in this place, that have corrected some problems retrospectively.

A matter that immediately springs to mind is an amendment that was made to the various laws governing domestic violence. There had been some 20 000 decisions by magistrates granting intervention orders under the law on the basis of consent without having those matters heard and determined as was required by the legislation. The parties sought the intervention orders by consent, but because there was no investigation by the presiding magistrate some 20 000 orders were brought into question as a result of a decision of the Court of Appeal. We quite properly rectified that matter because that which we thought was the correct position had obviously been changed by the

Court of Appeal, which had adopted a literal interpretation of the legislation.

Importantly the bill that went through ensured that the rights of the parties that had been vindicated by the courts in that precise case, which had gone to the Court of Appeal, were specifically preserved. That is very common, and certainly in my time there have been two or three bills where the rights of individual parties that have been vindicated and declared by the court have been specifically preserved.

Another bill that passed through this house related to the action of a fisherman down in Gippsland who had had the temerity to challenge the administrative decisions of the then Minister for Agriculture, who had abolished the fisherman's licence supposedly in accordance with the act. However, it was alleged that the discretion by the minister had miscarried, and a prerogative writ was issued in the Supreme Court. Notwithstanding that particular case, it was a matter of enormous controversy when that anomaly was retrospectively corrected by legislation that extinguished the rights of a litigant then currently before the courts — something without any precedent that any person in this place at that time was able to provide to this house. A number of rhetorical statements were made, but no example was ever provided of a litigant currently before the courts whose rights had been extinguished.

A valid question that the opposition and the people of Victoria should ask the Attorney-General about this retrospective change is: has anybody taken the point, not just a case that might be on foot, that a prosecution is invalid because the person prosecuting was not authorised in accordance with the law? I note that the Scrutiny of Acts and Regulations Committee (SARC) has explicitly drawn attention to this by saying in *Alert Digest* No. 1:

The committee will write to the Attorney-General to seek advice whether he is aware of any person who has a legal proceedings on foot that may be adversely affected by the validating provision.

Regrettably it should also ask the question: have there been any past cases, although the proceeding may no longer be on foot, that may now be declared invalid by virtue of the retrospective nature of this change? It is an important question.

The general thrust of the bill is supported by all parties, but the issue is the retrospective nature of proposed section 55. The Attorney-General must come into the house and address two issues — something that has been in part identified by SARC and very eloquently by

the shadow Attorney-General. Those two issues are: whether there are any proceedings on foot that may be adversely affected, and whether there have been any proceedings that may be adversely affected by this retrospective change. The people of Victoria deserve to be provided with answers to these questions. They should not be dismissed by any flippant, condescending, rhetorical comments. They are serious questions that need serious responses.

Mr LUPTON (Pahran) — I am very pleased to speak in support of the Public Prosecutions Amendment Bill. In many senses this is a technical and machinery piece of legislation, but it nonetheless does important things to clarify the important issue of who can conduct prosecutions in Victorian courts in relation to different criminal actions.

The legislation makes two separate changes to the arrangements relating to the Director of Public Prosecutions (DPP). In the first instance it will enable directors of public prosecutions from other states and territories to be appointed as Victorian Crown prosecutors. This will enable them to prosecute Victorian offences when necessary, such as where a conflict-of-interest issue might otherwise arise. The legislation currently enables commonwealth DPPs to be appointed so that the commonwealth can prosecute both Victorian and commonwealth offences.

This bill will enable DPPs from other states and territories to share in the power that is currently the preserve of the commonwealth DPP — for example, the bill will allow the New South Wales DPP to prosecute in the Victorian courts under Victorian law a matter that involves a real or perceived conflict of interest where someone who is associated with the Victorian DPP's office or who has a close relationship with law enforcement in Victoria is the subject of criminal charges. It is a very important principle that we ensure not only that there is no conflict of interest but also that there is no perception of a conflict of interest in relation to matters such as prosecutions carried out in this jurisdiction.

The second matter this bill deals with concerns creating legal clarity and certainty around a set of arrangements that have operated for a considerable number of years on an informal basis — that is, it makes clear that the Victorian Director of Public Prosecutions and Crown prosecutors in Victoria can receive the authority and exercise powers to prosecute offences in other Australian jurisdictions. This currently occurs on occasion — the Victorian DPP and Crown prosecutors can and do prosecute matters in other Australian states or territories — but there is no explicit statutory

foundation for the conferral and exercise of that power. It is something that has existed as an understanding in the law, but it has never been specifically legislated for in Victoria.

The bill before the house addresses this gap in the law and brings the legislation into line with the equivalent statutes in other jurisdictions. It is being brought in through an abundance of caution, in a sense, to make sure that no prosecution could be threatened or brought into doubt through the raising of this technical argument.

The situation with regard to both the amendments the bill makes has come to the attention of the government through a consultative process that has been going on between the Victorian Director of Public Prosecutions and the DPP's equivalent officers at the commonwealth level and in other states and territories. The DPPs from around Australia have a regular series of consultative meetings, and it was arising out of those discussions that the Victorian Director of Public Prosecutions brought the idea to the government that it was a sensible, practical and appropriate amendment to the legislation to clarify the status of the DPP and Crown prosecutors in relation to prosecuting offences in other Australian jurisdictions and also to enable DPPs from other Australian jurisdictions — in addition to the commonwealth — to prosecute Victorian offences.

This is an example of the government listening, conferring and consulting with the appropriate law enforcement officers. We have taken what we believe to be sensible and appropriate advice of the eminent Director of Public Prosecutions, Paul Coghlan, QC, who is in charge of a very proficient, efficient and successful office in Victoria.

The opposition has raised a couple of issues regarding this legislation. As was said by my good friend the member for Mitcham, who preceded me on this side of the house, the Attorney-General will no doubt be making further comments in relation to these matters in due course.

In relation to the issue of retrospectivity it is common, where the purpose of a piece of legislation such as this is to clarify existing practice, to make the legislation technically retrospective in order that the practice that everyone has been operating under in the legal system in this state, and in their relations with other states, is reinforced. We are not changing the law; we are clarifying it so that everyone understands that the law we have been operating under for many years is clearly and certainly the law. In that situation the nature of this sort of legislation does not offend against what is

sometimes regarded as the legal principle that retrospectivity not be the reason for which legislation is brought into this house. Quite clearly, if we were changing the nature of legal rights and obligations retrospectively, that would be a different matter. What we are seeking to do here is to give legal certainty and clarity to an existing situation, not change that situation.

Nonetheless, we have advice that there are no cases in relation to this matter that would be subject to any change as a consequence of the passing of this legislation and its retrospective nature. This matter is rather about an abundance of caution. We are taking the advice of the Director of Public Prosecutions to clarify the legal basis upon which prosecutions are dealt with between different jurisdictions. For many years the system in relation to the Victorian DPP and Crown prosecutors operating in other Australian jurisdictions has operated on a case-by-case, informal basis. This legislation seeks to give a legal basis and legal standing to the current arrangements and allows the arrangements where prosecutors are appointed for particular cases to continue.

We do not wish to change the way those appointments are made, nor do we anticipate that there will be any change. The way in which individual, case-by-case arrangements are made to engage Crown prosecutors for these rather special cases is intended to remain the same. The legislation deals with these cases in a sensible way. It does not change the situation or in any sense make the bureaucratic system that is used for the conferral of these powers any less flexible or more restrictive than it currently is. It maintains the current situation but gives it a clear and certain legal basis.

This government is very proud of the fact that it has an independent and constitutionally safeguarded Director of Public Prosecutions in this state. The office of the DPP is an institution that was established by an earlier Labor government, and this Bracks Labor government has given the DPP constitutional protection by including the office in the constitution. This legislation gives the DPP particular powers. We are very happy to support it, and I wish it well.

Ms BEATTIE (Yuroke) — I rise to support the Public Prosecutions Amendment Bill for virtually the same reasons as my colleagues. Once again I must point out to the house that this is what the Bracks government does very well. It expects the highest standards of the law, and the community has a great expectation of the highest standards of the law being maintained. We are committed to open and responsive government and working with the major stakeholders in the criminal justice system.

The bill clarifies and gives teeth to what has been custom and practice. The Director of Public Prosecutions (DPP) and the Crown prosecutors derive authority from and exercise powers to prosecute offences in other jurisdictions from time to time. The member for Mitcham quoted a case where that had happened. But it has not been a formal arrangement; rather, it has been informal in its nature. This bill gives clarity and certainty by saying that this will happen where there is a perceived conflict of interest in the home jurisdiction — not just a conflict of interest but a perceived conflict of interest. That is why we have such a highly regarded judicial system in this state. Not only do we address what is a conflict of interest, but also we address a perceived conflict of interest as well. Having clarity surround the arrangement may ensure that challenges do not happen in the future.

The bill clarifies the arrangements under which the Victorian Director of Public Prosecutions and Crown prosecutors can prosecute commonwealth and other state and territory offences. It also clarifies the arrangements under which power can be conferred on commonwealth, state and territory DPPs or their staff to prosecute Victorian offences. We heard specific examples from the members for Mitcham and Prahran. But from time to time the DPPs and the Crown prosecutors get together and confer with each other about what should or should not be clarified. I am pleased this recommendation has come forward so that we can clarify what has been custom and practice. The Office of Public Prosecutions sought these amendments following some of those consultations and chats between the Australian directors of public prosecutions.

The amendments to this bill are compatible with the charter of human rights that, interestingly, those on the other side of the house wanted to dispense with. We have members in the other place who are threatening to work against the charter. It disturbs me when I hear public utterances in the house that people will work against the charter of human rights.

Human rights cannot be taken for granted. We look at other countries and we are sometimes appalled by what we see as their lack of human rights. Our charter of human rights is very precious to me, and I am sure it is to other members of the house. I have spoken many times with the member for Macedon about the charter. It is something that members on this side of the house hold near and dear to their hearts. If there are any attacks on the charter, members on this side of the house will defend it vigorously. However, these amendments are compatible with the charter of human rights. They do not directly affect any rights that are

currently protected by the charter, and indirectly support the right to a fair hearing.

In case of a potential conflict of interest, this amending bill ensures that an impartial prosecutor from another jurisdiction can be appointed to prosecute Victorian offences, and that has happened before. It will probably happen again in the future, and that is why we have the legislation before us.

It is good legislation, and I have the highest regard for the judiciary in this state. When I say I have the highest regard for the judiciary in this state, I mean that we can all go to the courts in the city and watch their deliberations. We can go to the County Court or we can go to the Melbourne Magistrates Court, but if you really want to see justice at the coalface, you should go to a local magistrates court where you will really see justice with its sleeves rolled up. I have been to my local magistrates court, the Broadmeadows Magistrates Court, and I have to say to the house that I have the highest respect for the magistrates there. They do a fine job under very difficult conditions at times.

The Broadmeadows court is not unlike any other court — I am sure they all do a fine job — but the Broadmeadows court is the one I know about. It is a very humbling experience to see those men and women taking on cases and dispensing justice without fear or favour but with compassion and care. Any judicial officer that needs to face the courts needs somebody from another jurisdiction to deal with them in a fair and just manner. They are no different from anybody else.

In conclusion, as other members have said, the Attorney-General will come into the house at the end of the debate on this bill. Questions have been asked regarding retrospectivity, and we are informed that there are no cases on foot that could be affected by this. However, I am sure the Attorney-General will come in and confirm that. I wish this legislation a speedy passage through both this house and the other house. I commend the bill to the house. As I said earlier, it clarifies what has previously been custom and practice, and it adds clarity to that situation.

Ms DUNCAN (Macedon) — Acting Speaker, I congratulate you on your appointment as an Acting Speaker, and I understand that this is the first occasion you have performed that role.

I am pleased to support the Public Prosecutions Amendment Bill. As a number of previous speakers have said, it is not one of these long, tedious and technical bills. It is quite a simple bill that seeks to clarify and formalise what has been an informal

arrangement for some time. This bill amends the Public Prosecutions Act 1994 to give effect to the current practice. As we have heard, there are currently informal arrangements which allow the directors of public prosecutions (DPPs) and Crown prosecutors to prosecute offences in other jurisdictions as required. Those arrangements will be supported by this legislation, which will provide a framework to enhance those arrangements.

We have heard from a number of other speakers some examples of the sorts of circumstances that may arise that require these arrangements to be made. One very simple example is where someone within the Office of the Director of Public Prosecutions or the Crown prosecutors office may be charged with an offence. There is probably not a prosecutor in Victoria who would not know them, and therefore question the impartiality of the prosecutor of the department.

One of the cornerstones of our judicial system, and one that I am sure is supported by all sides of the house, is the independence of the Office of Public Prosecutions and the need for it to be seen to be without conflict, and also to be seen to be able to prosecute without fear of favour regardless of who you are or whether you are known to the prosecutors. It is important that that office be seen to be independent, because it is the cornerstone of our judicial system. Without a prosecution we cannot have a defence; and without both we cannot have a trial. So those are really important parts of our justice system.

These arrangements are important to avoid any potential conflict of interest, by allowing the appointment of an impartial prosecutor from another jurisdiction if required. These arrangements also avoid the need for two prosecutions to be run, in some circumstances, when a particular prosecution is run under both commonwealth and state laws. So these current arrangements avoid the need for two prosecutions to be run by two separate prosecution agencies in relation to the one case. And again, we have heard examples of where that may arise, typically, in something like a drug case where there may be breaches of both commonwealth and state laws.

Currently the Victorian act does not contain an explicit basis on which the Victorian Director of Public Prosecutions and Crown prosecutor can receive and exercise this commonwealth authority. This bill addresses that by providing an explicit statutory foundation for these arrangements. One of the purposes of the bill — although we have heard that nothing is pending — is to assist in future in avoiding any technical legal challenges that may arise as a result of

the appointment of the DPP. These arrangements have been sought by the Office of Public Prosecutions, and have come about as a result of consultations between Australia's directors of public prosecutions, and we have heard that they get together from time to time to discuss critical issues across the country.

These amendments are compatible with the human rights protected by the Charter of Human Rights and Responsibilities Act which was introduced by this government last year. The bill faced resistance from the opposition, which is not unexpected. We introduce bills with a sound base, but oppositions being what they are seek to find some major point of difference in order to give themselves relevance by opposing a particular part. In this case the opposition did not support the not hugely controversial Charter of Human Rights and Responsibilities Bill when it was introduced into the house. It was difficult to see how anyone could argue with what it was trying to achieve.

This legislation before the house ensures that there is no conflict with the Charter of Human Rights and Responsibilities Act and allows those comparisons to be made as a further check to legislation introduced into this chamber. This bill has been looked at in the light of the charter and determined to be consistent. In fact, it further enhances some of the human rights in the charter. For example, it enshrines the right to a fair hearing by avoiding any conflict that may arise with the DPP or the Crown prosecutor by appointing an impartial prosecutor. So we make sure there is no chance of an accusation that someone has not had a fair trial because of a conflict with the prosecutor.

Allowing us to enshrine in legislation what has been a current practice enhances that aspect of the charter. It also supports the charter by ensuring there is no unreasonable delay in any trial; this will be further enhanced by facilitating the arrangements that have previously been in place. The amendment enhances the current practice, thereby ensuring there are no unreasonable delays to a trial, which is consistent with the charter of human rights.

The amendment supports the independent role of the DPP and our Crown prosecutors. As I said, it is a cornerstone of our legal system to ensure we prosecute without fear or favour. One of the great strengths of our system is that we do not elect either our prosecutors or our judiciary in this country. I can only thank God that we do not, and hope that we never go down the track of introducing any type of political influence over either the DPP or our judiciary. It is what makes our system far superior to systems in many other Western countries. It is the strength of this country. There are

also strengths in many aspects of our legal system in the way we conduct elections in this country. It is another example of where we have got it right.

This amendment enhances the judicial system, and it enhances the roles of the DPP and Crown prosecutors. It strengthens our judicial system by ensuring an impartial prosecutor is in place and that trials are held without unreasonable delays. It puts in place what has worked very well but which is now given clarity and certainty to prosecutors, to allow them to continue to play their important role in our legal system. I commend the bill to the house.

Ms MUNT (Mordialloc) — I am very pleased to rise in support of another great piece of government legislation — namely, the Public Prosecutions Amendment Bill 2006. I have been listening to other contributions, but I cannot quite work out whether or not the opposition supports the bill; I think it does. Certainly I support the bill because it is a common-sense bill designed to clarify the arrangements between the state of Victoria and other states and the commonwealth so that the Victorian Director of Public Prosecutions (DPP) and Crown prosecutors can prosecute commonwealth, state and territory offences. That power can also be conferred on the commonwealth, state and territory DPPs or their staff to prosecute Victorian offences.

A number of instances have been mentioned by the members for Mitcham and Prahran where this approach is a common-sense one which avoids any confusion or conflict of interest or other matters in the fair application of the law. The legislation arose after the Office of Public Prosecutions sought these amendments following consultation between Australia's directors of public prosecutions and is a result of those DPPs requesting it cover all the facets that needed to be covered.

The Bracks government supports cooperation between jurisdictions, and this bill will further that cooperation. The states and the commonwealth cooperate in a number of areas, in particular in legal matters, and that is paramount for all the reasons I have just spoken about. It will avoid the need for two prosecutions to be run by two separate prosecution agencies in relation to one case, which is a costly and inefficient duplication and can have all sorts of other ramifications in the application of the law.

I have spoken on many pieces of legal legislation introduced by the Bracks government, and I believe we have put in place a raft of great legal legislation. As well as that, of course, the government has provided

access to the legal system for a whole range of communities in a whole range of ways.

Just as the member for Yuroke mentioned the Broadmeadows court, I would like to particularly mention the new courthouse which is going to be built close to my electorate in Highett and which will be called the Moorabbin courthouse. This particular courthouse is a \$30 million investment in our local community. As well as housing the Children's Court and the Magistrates Court, it will be a premises for Victorian Civil and Administrative Tribunal hearings as well. This is a great way for local communities to have access to all those courts for the speedy resolution of many of the legal processes they have to deal with.

So as well as legislative reform, which we are talking about in this debate, practical reform of the legal system is also going on at the grassroots level out in the community. The member for Yuroke referred to roll-up-your-sleeves magistrates courts. They add to the range of legal services we provide to the state of Victoria. This is a good piece of Bracks government legislation that encourages the smooth operation of the law. As has been said, it was requested by our enforcement agencies themselves. The independence of the Director of Public Prosecutions, which this government brought into operation, has also been discussed in relation to this legislation.

The Public Prosecutions Amendment Bill will also aid cooperation between state and commonwealth governmental levels. It is a good, practical piece of legislation that should be supported by all parties in the house, and it will be put into operation very smoothly. A few questions were raised about the retrospective nature of the legislation, but the member for Prahran explained it, and the minister will come into the house and address those issues too. I support this bill, which is another good piece of government legislation. I commend the bill to the house.

Ms CAMPBELL (Pascoe Vale) — I rise to support the Public Prosecutions Amendment Bill and join with other members of the house in saying that this is good legislation. We are discussing this legislation because the Office of Public Prosecutions has sought amendments following consultation between Australia's directors of public prosecutions.

As outlined by other speakers, the bill clearly proposes two amendments to the Public Prosecutions Act of 1994. Firstly, it enables the directors of public prosecutions in other states and territories — and obviously the staff from their offices — to be appointed as Victorian Crown prosecutors. This will enable them

to prosecute Victorian offences, where necessary, where there are conflicts of interests or perceived conflicts of interest. Before I spoke on this bill I asked what kinds of examples might come up where this legislation would be appropriate. Some of those have been outlined by the members for Mitcham and Prahran, so I do not intend to repeat them. However, I reinforce the point that we have to not only ensure there is no conflict of interest but also make the provisions clear so there is no perceived conflict of interest.

The principal act currently enables the commonwealth Director of Public Prosecutions (DPP) and his or her staff to be appointed so that the commonwealth can prosecute both Victorian and commonwealth offences. The second amendment to the legislation will make it clear that the Victorian DPP and Crown prosecutors can receive the authority and exercise the power to prosecute offences in other Australian jurisdictions. As we have been informed, this currently occurs, but because there is no explicit statutory foundation for receiving the conferral or exercising it, this bill addresses the gap and brings the act into line with equivalent statutes in other jurisdictions.

This is good legislation. As I said, we have been operating in the absence of this express authority, and that has occurred under governments of different political persuasions. It is really important that this Parliament make sure that good legislation is enacted to avoid technical legal challenges, and the government has responded to requests for such legislation.

Part 4 of the Public Prosecutions Act is headed 'Functions and powers of director' and lays out those functions and powers quite explicitly. Section 22(1) says that the functions are:

- (a) to institute, prepare and conduct on behalf of the Crown, proceedings in the High Court, Supreme Court or County Court in respect of any indictable offence; ...
- (b) if he or she considers it desirable to do so —
 - (i) to institute, prepare and conduct any committal proceeding under the Magistrates' Court Act 1989 ...

In summary the bill clarifies the arrangements allowing the Victorian DPP and Crown prosecutors to prosecute commonwealth and other state and territory offences and makes explicit the power that can be conferred on commonwealth, state and territory DPPs or their staff to prosecute here in Victoria.

As other members have said in speaking on the bill — and a number of us have been making exactly the same points — this has given us the opportunity to reflect on

the wonderful court system that operates here in Victoria and particularly in our own regions. I want to acknowledge, along with the communities of Melbourne's west and north, two great senior magistrates. The senior magistrate who, along with his staff, deals most readily with my constituents at Broadmeadows is Bob Kumar; and the senior magistrate at Sunshine is John Doherty, and his staff does a great job also.

I am sure that many of the constituents in Melbourne's west or north might not relish the opportunity to go to court, but they know that if they go to the Broadmeadows or Sunshine court they will get a fair hearing and will be treated with great courtesy and respect. Whatever role a constituent plays in the execution of our justice system, they know they will be treated with profound respect. I want to pay tribute to the fine reputation and actions of those two courts. On behalf of my community I express our gratitude, because so often those courts go well beyond what people would consider necessary in administering the justice system in this state. With those concluding words acknowledging the fine magistrates out my way, I commend the bill to the house.

Ms GREEN (Yan Yean) — It gives me great pleasure to join the debate on the Public Prosecutions Amendment Bill. As other members have said, this is not a particularly complex piece of legislation. Often the legislation put forward by the Attorney-General is incredibly complex and difficult for members like me, who are not lawyers, to get a detailed handle on in terms of the research we do.

This is a quite simple, open-and-shut piece of legislation which gives effect to the government's decision to amend the Public Prosecutions Act 1994 to ensure that the legislation matches the established cooperative arrangements which exist currently and which enable the commonwealth Director of Public Prosecutions and DPPs from other states and territories to prosecute offences against the laws of Victoria and under which the Victorian DPP can prosecute commonwealth and other state and territory offences.

Like other members, I welcome this. It is good to have some clarification guiding this sort of thing and some proper legislation that actually puts teeth into the law rather than just having an in-principle arrangement. As other members have mentioned, not only does this legislation clarify those arrangements but it ensures that we do not have costly duplication where matters have to be prosecuted in more than one jurisdiction.

The Bracks government is committed to the highest standards of law, in keeping with the Victorian community's expectations. Our legal practice and our courts in Victoria are widely respected, and I think it is important that that continue. The member for Prahran reminded the house that it was the Bracks government that enshrined within the constitution the powers and the authority of the Director of Public Prosecutions, which I think is a very important change. In the 1990s we saw threats to the independence of that office, which was not healthy for our democracy and not healthy for the conduct of the courts or for prosecutions. It could have contributed to a lack of confidence by the community in our courts and tribunals. That was a really important move and something that was done early in the term of the Bracks government.

The Bracks government is supportive — and it is embodied in this legislation — of the sort of cooperation we are talking about between jurisdictions. The bill clarifies arrangements under which the Victorian DPP and Crown prosecutors can prosecute commonwealth and other state and territory offences, and the power that can be conferred on the commonwealth, state and territory DPPs or their staff to prosecute Victorian offences. The Office of Public Prosecutions sought these amendments following consultations between all of Australia's directors of public prosecutions, so everyone is pretty happy with this.

Like the members for Pascoe Vale and Mordialloc, I would also like to pay tribute to some of the other changes that have been implemented by the Bracks government, including things that have impacted on communities in the northern suburbs. They have included the implementation and establishment of the domestic violence division of the Magistrates Court at Heidelberg and also the establishment of the Koori courts based at Broadmeadows and other parts of the state. I think those courts have operated very well.

I would also like to commend a number of magistrates, including the chief magistrate at Heidelberg. I had the privilege during the last sitting week of having a few hours off to attend the launch of the police Ropes Program, which is a diversionary program for young people who come before the Magistrates Court in Heidelberg. That diversion will ensure they will not have a police record if they have committed only minor offences; they will be diverted into the Ropes Program which has operated in Sunshine, Dandenong and other places, resulting in very low rates of recidivism, similar to what we have seen in the Koori courts.

This bill is a strong part of the legislative practice of this government within the portfolio of the Attorney-General. It is a hallmark that we have stood by, making everything we have done as a government an example of our commitment to openness and accountability, and I think the bill is another example of that. As I said at the outset, it is not a particularly complex bill. There is probably not a lot more I can add to my contribution, so I commend the bill to the house and wish it a speedy passage.

Mr HOWARD (Ballarat East) — I also am pleased to speak on the Public Prosecutions Amendment Bill which, as we have heard from previous speakers, is a simple, straightforward bill that responds to issues that have been brought to the government via the Office of the Public Prosecutor. It does not make any specific changes to the way the law is practised, but it clarifies issues as to how the powers of the Director of Public Prosecutions and the Crown prosecutors can be enacted as they relate to other jurisdictions around the country.

It is a very important piece of legislation, because it helps to ensure there will be no hitches in future cases where public prosecutors might be operating outside their jurisdiction. This bill, like so many other bills that are brought before this house and that I have been pleased to support, shows that the Bracks government is working to ensure we have the best legal system in this state and that the legal system as it operates recognises a whole range of contemporary issues, is flexible and responsive to the needs that are brought forward.

I particularly want to commend the Attorney-General, who is now in his third term in that office. He has acted in such a way as to refresh the way the law is enacted across this state, particularly making it more accessible to people for whom the law is always a difficult matter, either because of the cost involved to pursue matters of law or because the law is a complicated system. People can be very seriously disadvantaged if they are not given the right support in pursuing matters of law.

This Attorney-General has undertaken a broad range of activities over the term of this government to ensure that legal advice is made more available. In the electorate of Ballarat East, for example, community legal centres have been fully supported, been able to expand and most recently been able to offer outreach services right up to the Wimmera area so that people who need legal advice but who do not have funds to immediately access lawyers can access support. There are also broader opportunities to access legal aid when required.

This Attorney-General and this government have been very keen to see that finance is not an issue which would prevent people from taking legal action and pursuing fair judgements where they believe they have been wronged, or find themselves confronted by a legal action against which they will have to defend their position. The government and the Attorney-General have supported this position. Under this government I am very pleased to see a good range of judicial appointments, including more women in the judiciary and at senior levels. This responds to changes in the way that legal processes are undertaken.

The Koori Court system has been introduced. That system recognises that a higher proportion of members of the Koori community come before the law than should be the case and that the way in which law was practised may have disenfranchised them. The new Koori Court system recognises issues of Koori culture and supports those people through the court process and again recognises the need for the judicial system to be responsive to changing times.

Although this is not a significant piece of legislation, it has been brought forward to ensure that, when a law is enacted, loopholes will not be found in regard to particular matters, such as when the chief Crown prosecutor or the Director of Public Prosecutions acts outside their jurisdiction or, in the case of the federal prosecutor, that they are able to act in the Victorian jurisdiction. Greater simplicity will be achieved by their not having to duplicate prosecuting matters across jurisdictions. This legislation recognises the need for Victoria to work with other states and the federal government to ensure that legal matters can be pursued in the most efficient and effective manner and will provide a good statutory basis upon which this can take place.

I am very pleased to support this bill. I notice that the new statements of compatibility require us to affirm that each bill we pass does not impinge upon human rights matters. Everyone who has spoken on this bill has noted that it does not bring about any significant change; it simply recognises and clarifies the way the legal system operates.

I am very pleased to support this piece of legislation, and I again commend this government and the Attorney-General for bringing forward legislation that is responsive to identified needs and which will ensure that the legal system in this state will be as good as, if not better than, any legal system in other parts of the country and indeed other parts of the world so that we have the best legal system. That is what the people of Victoria should expect: good accessibility within their

ability to practise law. Therefore I commend this bill to the house.

Mr SEITZ (Keilor) — I rise to support the Public Prosecutions Amendment Bill, and in particular to congratulate the Attorney-General, to whom I refer affectionately as the no. 1 law man, who has brought in so many common-sense changes to the law that the average citizen is able to understand and follow, as are members of the judiciary and magistrates, because it makes a lot of sense to clarify existing anomalies.

This Attorney-General has done a tremendous job of debugging and demystifying the whole legal system. It is important for our society and community to have confidence in the legal system. This is another step forward in clarifying the situation and removing any doubt about the action of the Director of Public Prosecutions and Crown prosecutors in those situations where they act in other jurisdictions.

In my experience — and we have made some changes in this house — in the past you could not have a lawyer from another state, if he was not registered to do so in that state, acting on behalf of a client in this state. There have always been anomalies affecting the border towns. The bill removes some of the anomalies that have created a lot of problems for people. As people become more mobile and travel around, the country seems to become smaller. This change to the principal legislation is another step in the right direction. I commend the Attorney-General on the common-sense approach he has taken right through his career as a minister in the Bracks government, because it stands the government in good stead.

The explanatory memorandum notes state:

- Clause 1 sets out the purpose of the act, which is to amend the Public Prosecutions Act 1994 ... to enable —
- the Victorian Director of Public Prosecutions (DPP) and Crown prosecutors to receive and exercise powers to prosecute offences of another Australian jurisdiction in accordance with the authority conferred by the other jurisdiction; and
- the DPPs of other Australian jurisdictions or their legally qualified staff to be appointed as Crown prosecutors so that they can prosecute Victorian offences.
- Clause 2 provides that the bill commences operation on the day after it receives the royal assent.
- Clause 3 amends section 22(1) of the act by inserting a new paragraph (cc). That paragraph provides the DPP, with the consent of the Attorney-General, with a function of prosecuting the offences of other Australian jurisdictions in accordance with any authority to do so.

It is also important to note the explanation of clause 4:

Clause 4 amends section 32 of the act by inserting a new subsection (3A). That subsection allows the DPP of another Australian jurisdiction or his or her legally qualified staff to be appointed as a Victorian Crown prosecutor. Such an appointment will enable the appointed person to institute, prepare and conduct proceedings in relation to a Victorian offence.

That is a very important clause, because it shows again that the Attorney-General has no fear of people from other states acting on behalf of Victorians. It shows his confidence in the judiciary of this country, right across the commonwealth. Only an Attorney-General who has no fears or hang-ups and has that confidence is able and qualified to carry out these functions and bring in legislation such as this. You often have ministers and people in public high places protecting their little empires, scared that someone else will step into their territory. I commend the Attorney-General on this step.

The explanatory note on clause 5 states:

Clause 5 amends section 36(1) of the act by inserting a new paragraph (ba). That paragraph provides a Crown prosecutor, with the consent of the DPP, with a function of prosecuting the offences of other Australian jurisdictions in accordance with any authority to do so. A Director of Public Prosecutions of another jurisdiction, or a member of the staff of the office of that director, who is appointed a Crown prosecutor in Victoria under section 32(3A) does not require the consent of the Victorian Director of Public Prosecutions to prosecute offences in their home jurisdiction.

Again, these are forward-looking, embracing steps that demonstrate that we are becoming a country, not just a collection of individual states. It is not like what the Prime Minister is trying to do at the moment with the Murray–Darling situation, where he wants to have centralised control rather than federalism. This legislation shows that the Attorney-General believes in federalism and in a situation where qualified people can work together and carry out functions for each other across state borders. It is important to note these factors, because it is not too often, particularly these days, that we hear the media commenting on the actions that have been taken by the Bracks government and its ministers to promote and foster federalism rather than being hung up on centralism or states rights issues.

Clause 6 inserts proposed section 55 into the act. That section validates actions taken before the commencement of this amending bill which would have been valid had the amending legislation been in operation at the time. Again, that is another important step. Some barristers or some clever legal firm may

want to challenge decisions made before this legislation is enacted and before the law is clarified. It may have been common practice for these things to have taken place, but this legislation now makes it quite clear, and it will have the imprimatur of this Parliament of Victoria, the Attorney-General and the judiciary who work in that field. It is a very important clause, and the amendments are very important because they show the maturity of this state towards the jurisdictions of its fellow states and of the commonwealth.

Clause 7 provides for the automatic repeal of the amending legislation on the first anniversary of its commencement. As recommended by the Scrutiny of Acts and Regulations Committee, all amending legislation now contains an automatic repeal provision which will save the time and expense of having to repeal amending legislation in statute law revision bills. The repeal of this legislation will not affect in any way the operation of the amendments made by the bill, in accordance with section 15(1) of the Interpretation of Legislation Act.

It is an important piece of legislation. As I said, our Attorney-General has introduced a lot of innovative new procedures dealing with the delivery of the law in this country. Members who spoke before me mentioned the Koori courts that have been established. The Bracks government and the Attorney-General were willing to finance those courts and to take the courageous step of establishing them in consultation with the Koori community, and that consultation and discussion with the stakeholders has been ongoing.

The domestic violence court is another great step forward and also a welcome step forward. It has been in operation for quite some time. I have received very favourable reports on that court, which is an important part of our legal system. Having said those few words, I certainly commend the bill to the house and wish it a speedy passage.

Mr HULLS (Attorney-General) — I thank the honourable member for Keilor for his very informative contribution, and I thank all members of this house for supporting this piece of legislation. I want to make a couple of very brief comments about some of the issues that have been raised, which will take only a couple of minutes.

What this bill really does is codify the current arrangements and practices in this area. The issue of retrospectivity has been raised, and the question has been asked as to whether we know of any cases that are affected by the retrospective provisions. The answer is no. In relation to retrospectivity, this bill prospectively

legalises current, future and indeed past practices. The fact is we believe that is absolutely appropriate, and the legislation makes clear and codifies the existing arrangements. Out of an abundance of caution we want to ensure there is no risk of what some would describe as legal opportunism as a result of this legislation. We are not aware of any cases. There have not been any in the past, but we believe this is appropriate practice in relation to what has occurred in the past — that is, to make the legislation retrospective.

We as a government are committed to the highest standards of law. Indeed, this is in line with the community's expectations. I repeat: the bill simply codifies the current arrangements and practices under which the Victorian Director of Public Prosecutions and Crown prosecutors can prosecute commonwealth and other state and territory offences. It ensures that the power to prosecute Victorian offences can be conferred on commonwealth, state and territory DPPs and their staff. I might say that the Office of Public Prosecutions sought these amendments, and that was after extensive consultations between Australia's directors of public prosecutions.

I thank all members for their support. I think this is good and sensible legislation. I commend the bill to the house.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

GOVERNOR'S SPEECH

Address-in-reply

Debate resumed from 15 February; motion of Mr PALLAS (Minister for Roads and Ports) for adoption of address-in-reply.

Ms GREEN (Yan Yean) — It gives me enormous pleasure to contribute to the debate on the address-in-reply to the Governor's speech. This takes me back to when I made my inaugural speech in this place four years ago and had the opportunity to thank the wonderful electors of the Yan Yean electorate — not only did they elect me four years ago but they have now re-elected me in similar numbers. I am incredibly grateful for their support. This really is the best job I have had in my life. I want to thank the 40 000-plus electors who live in my electorate. I have spoken many

times in the house about what a fantastic electorate Yan Yean is. It has the best of all worlds. It offers great, well-planned suburbs, some beautiful country towns and some of the best national and state parks to be found in the state that are very close to Melbourne. It has beautiful tourism businesses — great wine, great food. I think everyone in the chamber should come and visit the electorate of Yan Yean.

Although I am very humble on a personal level, I am pleased to be part of the Bracks government. My re-election is not just an endorsement of me and whatever small contribution I may have made on the ground, it is very much an endorsement of what has been delivered by the Bracks government, which has given my communities faith in me. I would like to talk a little about what the Bracks government has delivered for the communities of the northern suburbs and particularly the outer north.

I will start with health. Three of the four newest hospitals in Victoria are located in the north and serve my electorate. One of them is the Northern Hospital. This government has upgraded this hospital twice. The second wing is almost finished and includes additional beds. The first wing included additional operating theatres. We have also completely redesigned the emergency department. At the hospital there is also an after-hours medical clinic which offers support because of the shortage of GPs at the hours when people need them. We are offering the services that the community needs and wants, and that a growing community deserves.

We also have the Austin Hospital and the Mercy Hospital for Women. Until it is dwarfed by the Royal Melbourne Hospital redevelopment I think the Austin and Mercy hospital relocation will be the largest public or private hospital project in the history of this country. It is important for members of this house to understand — and I know my community understands — that when the Bracks government came to power in 1999, we were only just able to stop the sale of the fantastic Austin Hospital. This significant hospital in the northern suburbs, which services the local community but also does more specialty work for country Victorians than any other hospital in this state, would have been sold off to the private sector. That resource would have been lost. It is also co-located with the fantastic Mercy hospital.

I had the privilege of being with the Minister for Health during the government's previous term of office on the day that all of the 20 neonates were relocated from the old site to the new site. We watched the parents who were nervous — it was difficult for them to have watched their babies being delivered after such a short

gestation period and then for us to see their anxiety as the babies were moved to another site. But their anxiety was diminished when those parents walked into that fantastic new site. That hospital will be there for the community in the future.

The other hospitals which are important to my community are the Royal Children's Hospital, the Royal Women's Hospital and the Royal Victorian Eye and Ear Hospital. These hospitals are either scheduled to be upgraded or are being upgraded. That is great for my community.

In terms of education, the Epping campus of the Northern Melbourne Institute of TAFE has more agricultural and horticultural training than any other institution in the state. The horticulture centre is going to have a \$10 million upgrade. Those at the agriculture centre were pleased that the Premier visited during the election campaign and announced an additional expansion.

We have also upgraded and built new schools. I have spoken a number of times in this house about a fantastic school — the Mill Parks Lakes P-9 school. The first stage is open this year for P-7 students. The construction will continue and next year we will have P-4 on one campus and 5-9 on another campus, and there will be a magnificent children's centre across the road, which has also been partially funded by the Bracks government. This offers a fantastic education and family precinct service for Mill Park Lakes.

We are also in the process of acquiring land for a new school in the new residential centre of Laurimar, which will service the beautiful, growing community there. In Epping North we have purchased land and are going through the process leading to the construction of a facility there. I have been privileged to serve on all of the planning committees of those schools. It has been one of the best experiences I have had as a local member.

I have also had the privilege of opening six new classrooms at Epping Primary School. This school has the distinction of being the only school in the state with classroom wings that were constructed in the 19th, 20th and 21st centuries. It is a school with a proud history, and it looks to the future with some great quality classrooms, some great teachers and happy kids. I have also had the privilege of opening new classrooms and facilities at the Diamond Creek East Primary School in the local neighbourhood. I look forward to more of that in the future.

In relation to community safety, my electorate has some of the safest communities in Victoria, certainly in the Melbourne area. The officer in charge at the local police station in Diamond Creek, which is where I live, recently told me that Diamond Creek has the lowest crime rate of any suburb in metropolitan Melbourne. I think this fact correlates with the additional police on the beat and the fact that we have built new police stations. The Diamond Creek emergency complex, which was opened by the Premier about a year ago, has police, fire and ambulance services located in it. It is a really good facility for the community.

We have built new police stations at Hurstbridge, Eltham and Kinglake and also one at Warrandyte, which has only just become operational, so the community can see that we are taking safety seriously. As for fire safety, we have built new stations at Yarrambat, Doreen, Hurstbridge and South Morang and at Arthurs Creek and Kalkallo, which are due to open soon.

We have been very committed to road infrastructure, with the \$17.2 million bridge over the Plenty Gorge, \$30 million for the duplication of Cooper Street in Epping and \$12 million for the extension of Edgars Road, providing another access point onto the Northern Ring Road. Importantly, those two roads form the boundaries of the site for the relocation of the Melbourne Wholesale Fruit and Vegetable Market, which not only will be on a better site on the edge of Melbourne and so reduce congestion in inner Melbourne but also will provide 6000 to 8000 jobs for young people in my local community.

I know that the opposition did not commit to that relocation but committed to leaving the market where it was, which shows that its members did not care about the north in the 1990s and still do not care about it now. We are also halfway through the duplication of Plenty Road, which is a \$32 million project. We have also taken our public transport needs seriously, with the upgrading of a lot of bus routes and with more planned for the future.

I want to thank very much the Premier and the ministers of the previous Parliament and the current Parliament. They have given me great support as a local member. None of those projects would have been able to be delivered without their support. They have always been available and free to visit my electorate. I think the Premier has been out there on four occasions. He, the Treasurer, the education minister and the Minister for Health — whichever portfolio has been involved — have taken a strong interest in my community, and I am very grateful for that.

I pay tribute to all my colleagues. As a lot of commentators have said, the election was the second-best result ever for Labor, but sadly a handful of the class of 2002, of which I am a proud member, were not returned. I want to put on record my thanks for their courage, support and friendship. I know I will have that into the future, and I hope I see some of them return here. I also welcome the new members, in particular my great friend the member for Bundoora. He waited a long time to get into this place. We share a boundary and we have done a lot of work together over time, and I know that we will continue doing good work for the community now that we are both in this place.

While I am thanking the ministry, I will talk a little bit about what we have committed to doing in this term. As I said, since 1999 the Bracks government has achieved a lot, but we are not resting on our laurels. We have a strong agenda for the forthcoming term. Earlier I touched a little on the fact that we have announced another \$10.5 million to expand the operation of the Epping campus of the Northern Melbourne Institute of TAFE. We are attacking the skills shortage head-on and also caring for our young people and ensuring that they have access to a good quality education.

Earlier I spoke about emergency services. There will be a new emergency services complex in Whittlesea. I have always had a passion for and commitment to co-location of those services. The new complex will house the Country Fire Authority brigade and a new State Emergency Service unit for Whittlesea, which has not had that before. It has had and now gets good service from the Eltham, Kinglake and Craigieburn units, but given the growth that is occurring in Whittlesea it is important that it have its own unit. We have also committed to establishing the necessary peak-period ambulance station in Whittlesea. That will address some of the longer-than-optimum response times there, and it is appropriate to serve the growing community. We will also be building a new Country Fire Authority station at Christmas Hills North.

In the sports area, we have announced \$750 000 for an upgrade of the Greensborough hockey centre and \$50 000 for the Yarrambat Junior Football Club.

I want to thank very much my campaign team; they made a sterling effort. Victory in an election campaign is never achieved just on one's own. At the risk of leaving some people out — I really hope I do not — I want to make a few mentions. I thank Mark Ward, Andrew Lanigan, Jenny Willis, Sue and Sean Dunne, Denise Power, Rod Currie and the Currie gang, Pam McLeod, Peter Kneale, John and Joyce Parker, and Santo and Sophie Spinello. I want to thank Santo very

much for the four years he spent on my staff in my first term. He provided me with invaluable advice, and I know even now, though he is not on my staff, that he will continue to give me that advice.

I want to thank Rachel Joiner; the branches ably led by Michelle Rollins, Barry Kyle and Peter Turner; all the Country Fire Authority captains who have given me great support, in particular Peter Perkins and David McGahy, whom I have been on strike teams with and who have taught me a lot, as well as Lex de Man, the local area manager; party stalwarts and senior gentlemen of the area Pete Steedman and Peter Cleeland, who have given me a lot of advice over the years; and the school communities, which have provided me with a lot of support and advice and enjoyment. The school visits are one of the most wonderful parts of my job as a local member.

I want to note the passing of three of my valued constituents during the last four years: Eleanor Vincent, Laurie Bates and Sheila Ferguson. I offer my support to their families. I also want to note that on the sick list are Dawn di Vola and Mick Woiwod. I wish them all the best and a good recovery.

Finally, to my wonderful family: I could not have done this without you. I thank my partner, Steve, and my beautiful sons, Blake and Carlo, particularly Carlo. I do not know any other 17-year-old who for four years has done his own washing, including school uniform and football gear. He is going to be a great catch, I think! He has also become a bit of a dream cook. He is studying politics as well, so he is an all-round great young man.

I want to thank my cousins, Jacinta, Francis, Elena and Annika — you have really given me a lot of support and advice when I have needed it — and I want to thank the rest of the family. I also want to thank my mum, who has been suffering from breast cancer over the last year. Get well soon, mum, and thank you for being there for me despite your trials and tribulations. I am pleased to contribute to this debate.

Mr McINTOSH (Kew) — I will start by acknowledging the appointment of Professor David de Kretser, AC, as Governor of Victoria during the course of last year, and I also acknowledge his wife. I acknowledge the work of David de Kretser in his previous life as a medical researcher. I was interested to hear him about three or four months ago on national radio, on Macca's program on a Sunday, talking about his work, particularly in men's health and those sorts of issues. I wish His Excellency and his wife well.

I also formally acknowledge the election of the new Speaker of this place and wish her well. As the manager of opposition business I have already developed a working relationship with the Speaker. At tense times, particularly around question times, I think the flow of information between the opposition and the Speaker is very important. I welcome the opportunity of discussing with the Speaker those matters that will improve the behaviour of members, the operation of this place, the flow of information and the holding of the government to account during question time. I relish that opportunity.

While I am mentioning the Speaker, I again acknowledge her first contribution in this place on 19 December 2006, when she thanked the Parliament for electing her as Speaker. Interestingly enough, she made a comment about the environmental precinct, if you like, of Parliament itself and talked about trying to do an audit of the Parliament and about driving an agenda to make it a model which other organisations can look to.

It is interesting to note that during the election campaign — it may have been just before the election campaign — an article appeared in the *Age* newspaper about our energy use. We were all invited to determine whether or not our electorate offices were provided with green energy. It was a matter of profound embarrassment that I was unable to respond. I merely said that Parliament paid the bills; the power was connected and the bills were paid out of my allowance. I acknowledged that as private citizens in our own homes we can purchase green energy and pay the extra amount. It then generated in my own mind, and it was a matter that I raised at a climate change forum, just how embarrassed I was to be a member of this place, particularly where I saw a complete waste of energy.

This morning I came into my own room at Parliament, not having been in the room for a few days, and was conscious of the fact that although I had turned off my air conditioner, the temperature was right down to about 16 degrees and the air conditioner was pumping away in two empty rooms, both an anteroom and my room. Someone had obviously been in there and turned the machine on. I do not know whether or not it was to welcome me so I could get into a cool environment this morning after coming in from a hot walk, but it is a matter of some concern.

I welcome the Speaker's comments that she thinks we need to do an audit of the environmental condition of this building and perhaps look at ways in which we can also provide some leadership in our community, which is becoming increasingly aware of energy use and of

ways in which we can save energy and other vital resources such as water, in relation to toilets or otherwise.

Moving on from that, I just want to touch upon those issues that I think have been largely ignored in my electorate. I think this government blithely holds the view that Kew is a Liberal-held seat and it does not really care. Indeed the principal of those concerns which I have raised on a number of occasions has been batted back by the government fairly dismissively. The principal of my concerns is the development of Kew Cottages. I have said it before and I say it again: I cannot believe the hypocrisy of this government when it talks about Kew Cottages and the sale of some 27 hectares of land to a Sydney developer to be flogged off for a housing development.

The government took a stand in relation to government-owned land adjacent to the Point Nepean National Park and condemned the federal government, which never really announced but certainly alleged that it would flog that off for a housing development. Eventually an arrangement was entered into so that that land would be transferred and would be accommodated as part of the Point Nepean National Park.

Likewise I have in my electorate what is not really a national park, although it is called a national park, it has been treated as one and it is managed by Parks Victoria. I am talking about the Yarra Bend Park. Parts of that park comprise virgin bush virtually unchanged since white settlement. Having been preserved as the site of a mental institution in the 1860s, large tracts of that land remain almost virgin bush. Likewise there are large areas that have been used for recreation, both golf and other sporting pursuits. It is a huge parcel of land that is only 4 kilometres from the central business district of Melbourne. It is almost unimaginable. Can members think of any other large city in the world that would have a large tract of land like Yarra Bend Park so close to a major city centre?

Let us compare what the government did at Point Nepean with what it is doing at Yarra Bend Park. The only difference I can see between the two is that probably more people would use Yarra Bend Park on one day than would use the whole of Point Nepean in a full year. Firstly, it is free; you do not have to pay any entrance fee. You do not have to go through the cumbersome process of catching a bus. You can walk, ride, run, play golf, play cricket or walk through the bush in a number of different ways; it has so many different access points.

I was down there at about 11.00 a.m., a bit late for me on a Sunday, and it was getting a bit warm at that stage. I did not go to church this weekend, although I am a regular attender of my local Anglican church. I was taking my dog for a walk. There is an off-the-lead area, which is a great boon and which allows my dog to have a free run. There were hundreds of people taking part in a cross-country running race using a course that had been set out, and I would have seen nigh on 200 or 300 people of all shapes and sizes jog past on this cross-country course. I can only admire their fortitude. As I said, the only difference between Kew Cottages and Point Nepean is the number of people who actually have access. Two great icons of Melbourne are the Fairfield and Studley Park boatsheds, and on any Sunday afternoon they are completely jam-packed with people.

Of course a housing development in there is a complete grab for cash. For the first and only time I can think of, the government is, firstly, the owner of the land, and secondly, it is the local planning authority, because it has called it in and the Minister for Planning has the call, completely overriding the interests of the local community and the City of Boroondara. While the government is consulting with the City of Boroondara, it is very unsatisfactory, particularly when you know that the government, along with Walker Corporation, is a joint developer of that land. The government is the owner, the planning authority and the developer, and if that is not a conflict of interest, I do not know what is!

The other thing is that the most valuable site will be up along the top ridge, adjacent to the historic Willsmere building, which dates back to the 1880s, and all of that skyline will be severely damaged. But the worst thing about this is the treatment of the residents. For years — at least five years — many of the residents had no idea what their fate would be; whether they would be amongst the 100 lucky people who would stay or they would not. I acknowledge that a number of the residents were, in accordance with the wishes of their families and with their own wishes, very satisfactorily relocated into community residential units, but many residents and their families contacted my office to express their profound concern.

I will hold this government to account, because I do not believe it is genuine when it says that all the money generated from the sale of the land will be returned to disability services. What will be worse will be if Walker Corporation goes to the government and says that the only way the government will be able to maximise its return from the sale of the land will be to move those people out of the new housing development. When you are expecting people to pay

around \$1 million for housing blocks, then you can expect there will be some driver in that regard.

I was present when Jeff Kennett talked about the closure of Kew Cottages — a regrettable term — but he was very clear that the decision as to what would happen to the land should be divorced from the decision about the redevelopment and about what would happen to the residents, because if it was not, the Treasury would get its hands on the money and that would be the principal driver. And I think that is still the principal driver here. There are many other concerns, but time does not permit me to go through them in detail.

I would also like to mention a matter that is of profound concern to the people of Victoria. It has been raised by countless commentators and by countless media sources, and it is the matter of the secret deal between the government and the police union. To go back to the days leading up to the 2006 state election, whatever else is true, the Police Association was very critical of the state government in relation to police resources. There were countless occasions when Paul Mullett and other members of the Police Association were critical of the appalling lack of front-line police services. It also begs the question about where all the new police officers who have been put through the academy have gone to. We still have critical problems right around the state — Geelong, Ballarat, Bendigo and many other places. We do not have a 24-hour station in Rowville, notwithstanding a commitment in 1999. There are real problems, and the Police Association led the charge.

On 6 November this government gave a substantial commitment in written form to the Police Association, and it was secret. If a particular journalist had not got hold of it and put it on ABC TV, it would never have come out and we would never have known about this secret deal.

The fact is that this government deliberately orchestrated the hiding of this arrangement, notwithstanding that it provided that substantial commitment. The worst part of this is that it made a commitment not to indemnify police officers who appear before a Office of Police Integrity inquiry but to reimburse the Police Association for the cost of providing a defence for officers who appear before the OPI. While that may be an appropriate outcome, it is certainly quite inappropriate for that money to flow through the Police Association, let alone for such a deal with the government to have been entered into. Commentator after commentator, including people such as Justice Stewart and, most recently, Frank Costigan, QC, have come out and described this as an appalling indictment of this government. It makes a complete

travesty of the findings of the Fitzgerald inquiry, which made it quite clear that there should be no contact between government ministers and a police association without the knowledge of the chief commissioner.

The fundamental flaw in this is that the Chief Commissioner of Police was not part of this agreement, or deal, and was not aware of the letter having gone out. The fact that the OPI has now come out and described the use of the legal defence fund as hampering corruption inquiries should put a lot of people in fear of the current circumstances. It begs the question: who is running the police in the state of Victoria? Is it the Chief Commissioner of Police? We are told that we should leave it up to the Chief Commissioner for Police when we mention police numbers and other matters.

This is a very dangerous precedent, but the worst part is that the Premier and the Minister for Police and Emergency Services do not get it. They would have blithely gone through the next four years without disclosing this to anybody, notwithstanding the dangers involved in this particular agreement, notwithstanding the real concerns that have been raised by commentator after commentator and notwithstanding the fact that it transgresses the recommendations of the Fitzgerald report. This demonstrates that we are getting very close to having a Moonlight State here in Victoria. The government is complicit in doing that as an outcome of this deal.

Ms PIKE (Minister for Health) — It is a great privilege to have the opportunity to make some comments and to respond to the address of the Governor of Victoria on the opening of the 56th Parliament. I am delighted that Professor David de Kretser, AC, is the Governor of our state. It is very significant that someone who comes from a medical research background has been appointed to this high office. It is a recognition of the strength we have in this particular area of the Victorian community. It is something that we are recognised for internationally.

One of the reasons we enjoy such a prominent international profile in the medical research area is our very strong public health system and the capacity to connect both the research and the teaching in our world-class universities and the clinical experience that people can get in the big major public hospitals. Professor de Kretser comes out of that system, and he will be a wonderful ambassador for our community in that role.

I note that in the introduction to his speech to Parliament he acknowledged the traditional owners of the land, and I want to follow up on that

acknowledgement. Many of us in many situations have give an acknowledgement to the traditional owners, the Kulin nation. That of course needs to be followed with substance. The government has been very committed over the last seven years to working with the Aboriginal community to try to improve the lives of Aborigines. Whether it be in the health area, in children's services or in the justice arena, we have worked very hard and in a collaborative way on what remains one of our biggest community challenges — that is, to make sure that our community is an inclusive one in which all citizens enjoy the same rights, level of services and outcomes.

I also offer my congratulations to the Speaker on her appointment. I am delighted to see the second appointment of a woman Speaker in the Victorian Parliament. This is coupled with what I think is an increase in the number of women — from both sides of the house — in Parliament. It is nice to see some female members from other parties join us in this 56th Parliament.

As Minister for Health I obviously have a strong interest in the work we will be doing over the next four years to build on our work, to try to improve the health system and the overall health status of the people of Victoria. I am also very keen to make some comments about my local electorate, the seat of Melbourne, which I am delighted to be representing after a pretty tough battle in the election period — one that did not reflect some of the other contests that were occurring around the state.

As I have been reappointed as Minister for Health I hold the honour of being the longest serving health minister in Australia. This gives me a unique opportunity — and it is a wonderful privilege — to have some knowledge and experience of the health system, so that I am now able to look at ways we can plan for the future of health services in Victoria. We face some major challenges. As the population ages, people are utilising health services more. We have had an explosion in terms of the new technologies, procedures and drugs now available. All of that dramatically increases the demand on health services. The community itself is much more educated about health and has very high expectations of health services.

The demand for health care is growing by 4 to 5 per cent each year, with additional people coming into the system. More and more of the state budget is being taken up by the provision of appropriate health care. We have to be a lot smarter about the way we support the health needs of Victorians. Continuing our work to ensure people get timely elective surgery, managing the

demand in emergency departments, using every single bed and every single dollar we have as wisely as we can, and genuinely reforming the way we do business in the health system are all part of the agenda.

Members should remember that hospitals were once big charitable organisations — —

Mr Delahunty interjected.

Ms PIKE — Yes, many were started by churches and many are still run by churches, but they have been brought into a new contemporary management environment, and that means a lot of cultural change and adjustment needs to happen. We want to work very closely with our hospitals and health services.

The best outcome would be that people do not go to hospitals at all. We know that preventing illness and ill health is a fundamental responsibility for all of us, and the government in particular needs to show leadership in that regard. Around 80 per cent of people who go to hospital are there because of avoidable illnesses, because of lifestyle-acquired illnesses — from things like smoking, obesity, lack of exercise, poor diet, and the use of substances like alcohol and drugs. All of these things are big contributors to our health system, and we need to continue to invest in those kinds of programs that educate people about the need to take care of themselves and assist people with managing chronic illnesses so they do not keep bouncing back into hospital in a way that can be avoided. These things are a very high priority for the government.

We spearheaded the Go for Your Life program in the last term. In this term we will see more funds going into that area, particularly into programs that target type 2 diabetes, so that people who have been diagnosed as having the propensity for type 2 diabetes and are pre-diabetic will be given the opportunity of an intensive program. It is not just about drugs and medication and putting people into hospital; it is about — —

Mr Delahunty interjected.

Ms PIKE — Yes, as the member for Lowan has correctly said, it is about getting people up and active and moving and learning to manage these things in a way that is much more appropriate and beneficial to all of us. All of these issues are part of the agenda. Getting families to be fit together and all of those things will really help to improve the health status of our community.

The other big challenge for me is the negotiation for the Australian health-care agreement. We are certainly

wanting to make sure that Victoria is very substantially represented in the Australian health-care agreement negotiations. This house would recall that in the last term — in fact I am the only health minister who was around at the time when we were having those negotiations — there was an adjustment to the commonwealth's forward estimates, to the tune of \$1 billion, which saw Victoria lose \$350 million of funding that was available. We do not want that to happen again.

We want to get our fair share of funding for our hospitals, but we also want to use the opportunity with the health-care agreement to work collaboratively as a nation on the kinds of reform initiatives that will see a better patient experience. At the moment people are shuffled between commonwealth-funded and state-funded programs. There is not the kind of continuity of care that people really would expect and which really leads to the best possible clinical outcomes. That is a big opportunity and a big challenge for us all.

As I said at the outset, it has been a wonderful privilege to be the member for Melbourne for the last seven years, and I am very honoured and delighted to be able to continue in that role for the next four years. Melbourne is a very interesting electorate. Obviously members are sitting here in my electorate, which encompasses not only the central business district but also very diverse suburbs that are close to the city of Melbourne. Of course many members have homes in my electorate, and I am very pleased to welcome them. Twenty-five per cent of my electorate lives in high-rise public housing. We have many immigrants from the Somalian community, from the Eritrean community, from Vietnam — in fact from places all over the world. They are living amongst academics and students from our universities, and of course they have some of the best food at the Queen Victoria Market that money can buy.

It is a real challenge to be able to work with that community to continue to ensure that the diversity is celebrated, not just the ethnic diversity but also the socioeconomic diversity. I want homeless people to feel that they are welcome in my community and that there are services for them and that people will work hard to change their difficult circumstances.

That leads me to the area of social justice. It is very important that we continue to promote the kind of society that is really in tune with the needs of the most vulnerable of our citizens.

Many of those causes are given voice in the inner city parts of Melbourne, although not exclusively because many people are committed to social justice and community responsibility. I have worked very hard to encourage and facilitate the kinds of projects that remind us all that we need to continue to work hard to make sure that people are included; that we are not a divided society and that we share the abundance we have with people who are new, poor and homeless.

I see that as a very important objective for me in my role as local member. Our capacity to work towards social transformation is part of what makes Melbourne livable and what makes us a sophisticated community. Whether it is providing good quality public education services, whether it is making sure that everybody, whether they are an asylum seeker, a refugee or the richest person living in Parkville, can go to a public hospital and get a universal health care service, or whether it is making sure we have the boundaries in our community right so that our communities are connected to each other, all these are very important objectives which I intend to continue to work on over the next four years as I continue to represent the seat of Melbourne.

People will know that it was a pretty tough election campaign. Even though on election night Antony Green had a member of a different hue sitting on the benches in his very graphic presentation, in the end I was able to continue to represent the seat. I was able to do that because of the support of a great number of people. I thank those people who worked very hard on my campaign, and I particularly thank my family, who had to put up with a pretty tough time. It is going to be a challenge over the next four years, but I am up for it, and I am very pleased to be able to work with others on these tasks.

Dr SYKES (Benalla) — I would like to commence my presentation by congratulating the Bracks government on its return to a third term. It is not quite as good as the Brisbane Lions, which won three premierships in a row, but it is not a bad effort on behalf of the government. That said, I would also like to put on the record that we Nationals did quite well in the election, with an overall 10 per cent swing to us in country Victoria; and of course we picked up two new seats — Mildura and Morwell.

I would like to use my time to reflect on the past four years and to look forward to the next four years. I particularly focus on the claim by the government that it governs for all Victorians. The key issues in my electorate over the past four years have included the current drought which comes on top of 10 tough years. I would say to people in Melbourne that it is damn

tough out there now, and it is probably going to get tougher. We have also had the bushfires of 2003 and 2006, and I will cover those at a later date in debate in this Parliament.

Early in my four years we were faced with the toxic dump fiasco at Violet Town. It was a bad decision. The dump was proposed for a floodplain upstream from the Goulburn Valley food bowl. The government went through a process of Clayton's consultation and it subjected local people to months of unnecessary stress. Interestingly, the polling booth results at Violet Town showed a decrease in the Labor vote of 60 per cent, with an increase in The Nationals vote of 60 per cent.

The saga of decommissioning Lake Mokoan continues. Briefly, it is my contention and that of many local people that the original decision was based on incomplete and flawed information. We have major concerns about the government living up to its written commitments to guarantee current security of supply of water to irrigators at an acceptable cost. If we look at the local poll results, in 2006 the Labor vote came down 50 per cent compared with the 2002 election result, and The Nationals vote went up 50 per cent. In relation to Lake Mokoan, I ask that the Bracks government look again, particularly at the security-of-supply issue, and consider all options for delivering on the written commitment it made to irrigators, particularly the Barron Box-type model, which has been shown to be extremely successful in the Griffith area of New South Wales.

Turning to the frail, disabled and disadvantaged people in country Victoria, we have the country taxi fiasco, particularly the wheelchair-accessible cab fiasco. After prolonged lobbying by The Nationals and the country taxi operators eventually in May 2006 the Bracks government came up with a package which included \$3 million, which was sufficient to fund 75 wheelchair-accessible taxis in country Victoria. That is 100 per cent of them.

The government then, for reasons that defy logic, proposed a means test as one of the eligibility criteria. Whilst I wrote to the parliamentary secretary on 31 July 2006 asking that that approach be reviewed, I have not yet received a reply, but now we have our taxi operators being advised that they are going to be subjected to means tests. We also have a situation where Euroa Taxis went ahead — it could not wait, because it wanted to continue to provide services to its clients — and bought a second-hand wheelchair-accessible cab that was just a fraction over five years old when it bought it. It now finds out that the requirements for the funding support include that the cab be less than five

years old. I will be taking that issue up with the parliamentary secretary responsible for this, because the frail and disabled people of Euroa should not be disadvantaged by the tardiness of the Bracks government in putting in place policy decisions.

Similarly I had a letter just this week from Ted Kilby of the Kyabram Taxi Service raising concerns about the need for the government to direct work towards country taxis where appropriate. In particular he raised the issue of the Transport Accident Commission country-related work being directed to country taxis, not going to Melbourne-based taxis as occurs at the moment.

We can switch to other issues for people with disability. We have the Mansfield Autistic Centre, which is a fantastic centre set up for people with disability, particularly autism, throughout Victoria. With the help of the parliamentary secretary for human services we were able to get a \$40 000 one-off grant to keep its services ticking along, but that was two years ago and unfortunately the Mansfield Autistic Centre's travelling teacher service, which is known to be highly effective, is chronically underfunded, and more money is required. With both the Mansfield Autistic Centre and the Mansfield Adult Autistic Services MACCRO day program, which looks after young adults or adults with autism, there is an urgent need for respite accommodation.

If we move to trains, which are often the form of transport for people with disability, our frail and our economically disadvantaged, it would be fair to say that country train services are appalling. The member for Murray Valley is a strident campaigner. He has made extensive representations to the relevant ministers, but unfortunately at this stage those representations appear to be falling on deaf ears. I too have had many representations made to me about such problems as the trains not running on time, faulty rail tracks, breakdowns, the lack of cleanliness of carriages and air-conditioning breakdowns. The issue of passenger confusion at Spencer Street was raised with me by Mr Richard Hawkins. The high travel costs of country Victorians were most recently raised with me by Marie Saunders of Benalla.

I should note that the government has introduced a reduction in rail fares, and to some extent that picks up on the fare reduction initiative suggested by The Nationals back when the Commonwealth Games were on. When The Nationals initiative was finally implemented we saw an upsurge in the use of rail travel, so we encourage the government to continue to improve the services and reduce the costs. We also had significant timetable changes and service cuts, on the

Murchison line in particular but also on the line to north-eastern Victoria, and issues have been raised with me by many people from Murchison as well as by Ross Wilkinson of Nagambie and Ailsa Lamont of Tamleugh.

There was a serious problem with the rail crossing at Avenel, but on a positive note, through the personal interest of the then Minister for Transport, the railway level crossing boom gates, which had failed to function in the preceding two years, were eventually repaired. I wish to record my thanks to the former transport minister for making that happen.

If we look at the socially and economically disadvantaged people in the electorate of Benalla, we see that people who rely on neighbourhood houses are being short-changed. The Mount Beauty neighbourhood house, staffed by Yvonne Evans and her crew of volunteers, continually fails to get funding because the Victorian government works on statistics which it acknowledges are flawed. Those flawed statistics suggest that Benalla is not an area which is in need of support. That is totally incorrect. I challenge the Bracks government to look at the proper figures so that funding can flow to the Mount Beauty house and other neighbourhood houses. Other neighbourhood houses are missing out on funding because the government does not know how to produce an application that meets the criteria necessary for funding. That is appalling management.

In much of northern Victoria we also have a need for financial counsellors not just for drought-related issues, which are here-and-now issues, but for ongoing issues, particularly those in the Ovens Valley. The Ovens Valley Awareness Group, led by Cheryl Sanderson, has been fiercely advocating for support, particularly financial counselling, for people who are disadvantaged. I should mention that Cheryl Sanderson's efforts were recognised when she was named this year's citizen of the year in the Alpine shire. Cheryl has also been stridently campaigning for cheaper energy costs. In the *Alpine Observer* of 21 February it was interesting to see the Treasurer, who is also the Minister for Regional and Rural Development, reported as coming out and giving an explanation for the government's failure to deliver natural gas to the Ovens Valley, amongst other locations, as promised in the 2002 election. The Treasurer is quoted as saying:

Essentially what we said was that the \$70 million was available to subsidise getting gas to those areas where it is not profitable to do so.

He went on to say that the government did not own the gas anymore because the previous government had sold it off, which is a little bit of buck passing. In effect he said the government had spent all the money and unfortunately there was no money left for the people of the Ovens Valley. The Treasurer then suggested that it was up to local government to drive the issue. I say to the Treasurer that if he is going to govern for all Victorians he should take the initiative and put natural gas in the Ovens Valley and those other locations, as unequivocally promised back in 2002.

We also have issues with the Victorian patient transport assistance scheme. Basically the assistance in that scheme has been limited to 14 cents per kilometre, a rate that was set a number of years ago and well before the hike in petrol prices. I ask the government to look at upping that to a more reasonable rate so that country people who have to travel long distances can have some of their expenses offset.

Looking at the education system, we are very pleased to have funding for some of the capital works at Bright P-12 College. It was a bit of a battle to ensure that there was adequate funding for air conditioning. There was also a battle, with many local people fighting for it, to get air conditioning in the schools in the valleys of north-east Victoria — but there is still a fundamental problem with the lack of maintenance funding for many schools in north-east Victoria. Myrtleford Secondary College is a stand-out example of a school that is in bad repair, and the school is also seeking additional funding to put it on a level footing with other schools. It is looking for funding for what it calls a democratic learning area to enable its students to have a reasonable chance of a good education.

Roads continue to be appalling. In case members have not picked up on it, The Nationals are running a 'Fix country roads — save country lives' program. There are a number of roads in north-east Victoria that need work, such as Creightons Creek Road in the Strathbogie shire. About \$5 million or \$6 million has been spent on the Wangaratta-Whitfield Road so far, but more is needed, particularly with the extra logging truck activity that will happen as a result of the damage done to much of the timber in the forests of north-east Victoria.

There are also problems with major intersections in Benalla. I have a letter from 12-year-old Nicole Briggs, who raised with me her concerns about the accidents she has seen at the Kilfeera-Samaria roads intersection. That includes one accident involving her father, who was knocked off his bike as he went through the intersection, the person who collided with him not having seen him.

At this stage it seems there are insufficient funds to fix country roads and save country lives, and I call on the government to look at implementing the recommendation of a Royal Automobile Club of Victoria report to allocate \$200 million a year for 10 years to get country roads up to scratch.

I also have an issue in relation to the funding of schools. The government made a pre-election commitment to build new schools. In particular the Labor candidate for Benalla said Tawonga Primary School was one of 40 small rural schools of predominantly relocatable buildings that would be replaced with permanent buildings. That commitment by the Labor candidate was backed up by the Treasurer, who said that \$70 million had been allocated for the replacement of relocatable schools and that a re-elected Labor government would replace 40 schools during the next four years, the first 23 to be replaced to include Tawonga Primary School.

I ask the government to confirm that that is going to happen, because there are rumours circulating that the government will renege on that promise. Equally there are concerns at Euroa that the government will renege on a pre-election commitment to provide \$50 000 for the construction of toilets at the football ground. I ask for a reaffirmation of that commitment also.

My old football team had a commitment from the then Labor candidate, Mr Anderson, who said that Garfield Football Club would receive \$40 000 to upgrade its change rooms. The club has contacted me to say it is concerned that the money is not going to be delivered, so I am going to take it up with the very forthright local member, the member for Bass, who I am sure will act very strongly on behalf of the Garfield Football Club.

There is also a situation about water supplies. The Tatong community misses out on water grants because the grants are restricted to communities on stage 3 or stage 4 restrictions. The problem is Tatong does not have a reticulated supply and therefore has no water, but is still ineligible for grants.

In conclusion, I ask that the government live up to its claims that it governs for all Victorians, keeping in mind that The Nationals represent approximately two-thirds of the state of Victoria and have the experience and commitment to help the government deliver practical, relevant programs and that the party will strive to ensure that country Victorians get their fair share of the \$100 million a day tax income which comes into Victoria. In particular, The Nationals seek a focus on fire and drought recovery, roads and bridges,

water infrastructure, hospitals, schools and getting more police on the beat.

Mr CARLI (Brunswick) — It is with great pleasure that I rise in response to the Governor's speech after the historical third victory of the Bracks Labor government. Firstly, I would like to thank the people of Brunswick, Coburg and the little bit of North Fitzroy that makes up my seat for my re-election. It turned out to be a very tough and long election campaign; it was also the second election when the Liberal Party finished third and the Greens became the second party in my area. It turned out to be a very tough fight against the Greens, who did very well and were able to win an upper house seat in the Northern Metropolitan Region. I would like to thank the campaign workers and my family for putting up with me during the election campaign.

In the seat of Brunswick we can see the results of seven years of Labor government. There has been a major reinvestment in that community. We see it in the new police station and in improvements to the bypass. I am very proud that what was once Brunswick High School has become a health precinct, and I thank the Minister for Health, who is at the table, for her great support.

The Victorian Foundation for the Survivors of Torture has built premises in Brunswick, as has the Milparinka Adult Training Centre. Now the Bouverie Centre is being constructed on land that was to be sold by the previous Liberal government. However, the Labor government decided early in its term to keep that land in public hands and use it for a public purpose. It has become a very important place for community activities. Added to that, the Brunswick Business Incubator is leasing land there; also, the Brunswick gymnasium has become a really vibrant part of our community in a very short time.

We have seen reinvestment in local schools, both in infrastructure and in terms of teachers. We have had a really positive result from seven years of Labor government. We have also been running some interesting schemes in the area, including the Think Tram program along Sydney Road which has been about providing greater priority for trams along Sydney Road. It has been a very successful program and has meant that tram travel is quicker and safer along Sydney Road. It is a relatively small program, but in terms of our community it is a very important one.

Ours is a very strong community with a very strong sense of itself. We have seen, for example, very strong support in the local community for asylum seekers. We have a number of people from Iraq in particular in our community, and there is a lot of support for them. We

have also seen strong support for David Hicks. We have had a number of public meetings in an endeavour to ensure that the issue is resolved and that David Hicks is either put on trial or returned home.

This year we have seen the reopening of Coburg Senior High School. It is a major senior college for the northern suburbs, and a lot of resources have been put into it. We are all looking at it with serious interest to ensure we continue to improve our retention rates. We have also had the great success of Brunswick Secondary College, a school which has really thrived in recent years and which goes from strength to strength.

One of the big issues that came out of the election campaign in Brunswick was climate change. Our commitment to a greenhouse gas reduction strategy is very well appreciated in my community. There is a lot of activity on the ground. The Moreland Energy Foundation is involved in programs to reduce energy use and to reduce our environmental footprint, if you like. At the community level the Centre for Education and Research in Environmental Strategies, known as CERES, is undertaking a number of very interesting and innovative programs looking at energy reduction, water recycling and other programs to improve the environmental sustainability of an urban community, and the council is very committed to that as well. So we are seeing a lot of very strong local activity. As a government we are also committed to greenhouse gas reduction and clean coal generation of energy in this state.

One of the things that make Brunswick such a great community is that it is very innovative. A lot of people put a lot of effort into doing things to be innovative. One of the areas where we have seen much innovation has been in housing. A program which I think deserves recognition is WestWyck. It is on the site of the old Brunswick West Primary School, which has become an eco-village. It practises energy reduction and water recycling and has won a United Nations association award. WestWyck saved a heritage-listed building and developed a revolutionary environmental housing estate. It has taken eight years to develop this eco-village, and it has been a major commitment by the partners of WestWyck.

It is very unfortunate that last week's *Sunday Herald Sun* contained an article entitled 'Hypocrisy call over old school', a malicious article which makes a number of scurrilous attacks on a former Moreland councillor, Mike Hill. The comments in the article are a complete fabrication. If anything, WestWyck is a major housing development and community centre. It has also seen the preservation of a major heritage site, and in that sense it

has become very important to our local community. It was very deceitful journalism by the *Sunday Herald Sun* and those who made the accusations.

It is really important that we recognise the work of Mike Hill, Lorna Pitt and others who have been associated with WestWyck and recognise the effort that Moreland City Council — and before that Brunswick City Council — have made to protect the built environment to ensure that heritage buildings are preserved in the area and that we get a good mixture of public and private building, and more importantly that we do it in a way that improves the environmental sustainability of our built environment. It is important for a community like Brunswick's that that happen. I want to commend the work that has been done by WestWyck and say categorically that the article in the *Sunday Herald Sun* last Sunday was malicious and scurrilous.

There is another aspect that is important in terms of heritage and ensuring that the built form gets renewed and functions effectively. At the moment a local structure plan is being prepared for Brunswick, including Sydney Road and Lygon Street. There is a strong commitment from both political leaders and the local community to work together to get a positive renewal of the built environment.

One has to remember that Brunswick was a very industrial area. A lot of that industry has moved out, and a lot of that land is now available to reuse. It is important that we generate not only good residential buildings and some level of density but that we also get some jobs out of it and that there are some mixed-use developments. A very positive process is occurring in the community at the moment to strengthen our ability to plan for the future, and it is really important that we plan for it, because change is occurring and will occur regardless of what we do.

Brunswick is undergoing an enormous change; it is in a period of transition. It used to be very much a working-class community where most people worked locally. Now it is becoming more and more an area with some service and commercial industries but is largely a community of white collar professionals and paraprofessionals who work in the city and commute into the city on public transport.

It is important that we do not simply become a commuter suburb for the city. We need to maintain a fair level of local employment, ensure there is a strong service sector and maintain and strengthen the cultural life of Lygon Street and Sydney Road by encouraging the strong bar culture and music culture that have arisen

in the area in recent years. We should also ensure that there is renewal of the built environment and that more residential buildings are built along those two important arterial roads, which run essentially as a spine through the community.

I want to emphasise the positive response we are getting from the local community. Relatively Brunswick is quite a dense community already — there are a lot of people in the area — but clearly there are still opportunities for renewal, particularly of old industrial land, for both residential and commercial-sector-type uses. That is the process we are undergoing. It is important that we plan for that, that we are effective and that we carry community support. The community wants good redevelopment. It believes in a level of urban consolidation, but it needs to be done in a planned way that opens up to the needs of the local community.

The last seven years of Labor government have been very positive for the Brunswick electorate — the Brunswick-Coburg area. There has been a strong sense of reinvestment in our public institutions. There have been significant new public buildings. There has been increased employment in terms of schools. We also depend a lot on, for example, the central city hospitals which have been heavily invested in. There have been strong investments in that area, which is very good for our community. I can truthfully say we have undergone a strong period of investment in our community. It is a community that is undergoing dramatic demographic changes and certainly a community I am proud to represent.

Sitting suspended 6.29 p.m. until 8.02 p.m.

Mr K. SMITH (Bass) — Acting Speaker, it is a great pleasure to see you in the chair. I think this is the first opportunity I have had to congratulate you as that is a very fitting position for you.

What I would like to do in this address-in-reply is to congratulate the Governor, David de Kretser, on his excellent delivery of the government's propaganda at the opening of the Parliament. I have been in this Parliament for only a short time, so far be it for me to criticise the Governor; he is a very lovely man, and I am looking forward — —

Honourable members interjecting.

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

Mr K. SMITH — I am looking forward to working with the Governor in trying to get some things

happening in the Bass electorate. The government has most certainly neglected the area very badly. I am sure if we could put a bit of pressure on the Governor after his wonderful speech, we will be able to get some things happening.

I will talk about some of the concerns. The government talked about — or it had the Governor talk about in the speech that was obviously written by the government's propaganda unit — a lot of issues. He talked about employment. I am sure each member opposite — as well as you, Acting Speaker — would say congratulations to Prime Minister John Howard for the extra jobs he has put into Victoria. The WorkChoices legislation has been probably one of the greatest things that has happened under John Howard. It is all about choice — choice on the job, choice on working conditions, choice on the amount of money that is paid as long as it fits into the basic salary criteria set out. We thank John Howard for the great commitment he has made to the state of Victoria in trying to fix up the mess that has been made by the socialist government in Victoria.

We look at water as one of the things that this government thinks it can hang its hat on and say — —

Mr Kotsiras interjected.

Mr K. SMITH — What has it done? Today we had the budgie, the Minister for Water, Environment and Climate Change, stand up and talk about all the pipelines that have been started. But one has concern about whether any of these things are actually happening, because we know this government does nothing but talk about things that it is going to do or that it thinks will be a good idea. It says, 'We are going to put this pipeline here', or, 'We are going to put this pipeline there'. We have to see water starting to flow. We are on stage 4 water restrictions down in my area, down there in part of the Bass Coast shire — —

Mr Ingram interjected.

Mr K. SMITH — I know where I live: I live in San Remo, which is part of the Bass Coast shire. This the effect of a lack of water on the people living in the Bass Coast shire!

We are starved of water down in Bass Coast because of what this government has not done for the people living in the Bass Coast shire. It has not worked with Westernport Water, which wanted to connect up to Melbourne's water supply. Our reservoirs are down to about 16 per cent capacity.

Honourable members interjecting.

Mr K. SMITH — They may laugh over there, but the fact is we are very short of water. We have not been able to water our gardens for months. Despite all the effort and work that was put in by people from my area, their beautiful gardens are now dying. It is a shame that this government was not prepared to make a commitment to Westernport Water, to make a commitment to reuse water, to do something about purifying sewage before it is pumped out into Bass Strait or pumped into Western Port. It could have been done by this government if it had made a commitment to putting some finance into the area. That is just one of the weaknesses of this government.

Let us look at the fires that have ravaged Victoria and at the in excess of 1 million hectares of fire-ravaged country in this state. Last week we spent a couple of days at a seminar up in the Howqua Valley — —

Mr Crutchfield — In tents?

Mr K. SMITH — Yes, we were in tents. We are not like members of the Labor Party who can slosh around in the finest 5-star hotels and restaurants in the countryside at taxpayers expense. No, we stayed in tents and we stayed in a bunkhouse. We went back to nature a bit, and it was good. I can say to the members opposite who are city-based people that we were in a position to see the devastation caused to the community up in that area.

We met up with one of our former colleagues, Graeme Stoney, and with Charlie Lovick and a couple of former mountain cattlemen who have lived up in that area for years and years. We saw the way they had to commit themselves and their families to trying to fight these fires to save not only their own homes but another 30 homes up the hill. They also saved the fires going up to Mount Buller. Why did they have to do it? Why were the lives of those families put in peril? It was because the Country Fire Authority (CFA) and the Department of Sustainability and Environment said, 'We are not going to stay here and work with you. It is too dangerous for us. We are professional firefighters. We will leave it to you amateurs to be there and to put your lives at risk'.

The truth of the matter is that those people fought the fire up there. I will never play down the fantastic work that the CFA does, but the fact is that CFA personnel withdrew from that area and it was the people of those communities who were fighting for their lives and for their communities — and at the end of the day they won! They saved their valley, their homes and Mount Buller. And what happened after that? Two days after the fires were brought a bit under control, people from

Parks Victoria came to see if any animals had been hurt or were imperilled to the extent that they would have to be put down. Parks Victoria staff came to look for animals, but nobody came to see if any humans had been wiped out or had survived.

The first questions Parks Victoria staff asked were, 'Have any animals been injured?', 'Who are you people?' and 'What are you doing here?'. It is an absolute disgrace that local residents were left up there.

Honourable members interjecting.

Mr K. SMITH — Believe me! What I am saying is the truth. It is just diabolical that those people were left to their own devices to try and save their lives, their homes and so forth. It is terrible that that happened. It would have been nice if the Premier had made some sort of secret deal with the people in that community who had to fight for their lives and not with Paul Mullett and his Police Association before the election. It would have been nice if the Premier had said to those people, 'It's a secret deal. We are going to try and save you and your community'. But no! He was more than happy to go to Paul Mullett, sign up a deal with him, override the Chief Commissioner of Police, make all the laws and ignore what is actually happening in this state of Victoria. What he did is an absolute disgrace!

Ms Marshall — On a point of order, Acting Speaker — —

Mr K. SMITH — Don't waste my time on a stupid point of order. I am telling you a few home truths about the way that this government works, and it is a disgrace.

Ms Marshall — On a point of order, Acting Speaker, I do not believe the issue the member is currently speaking about is relevant.

Mr K. SMITH — On the point of order, Acting Speaker, it is stupidity for a member from the other side to try to waste my time when I am trying to tell a few home truths.

The ACTING SPEAKER (Mrs Powell) — Order! The point of order is out of order. The debate is wide ranging, and I will allow the member to carry on.

Mr K. SMITH — Thank you very much, Acting Speaker. You have just made a great ruling.

Let us have a look at what is going to happen in the upper house as far as gaming is concerned. Opposition members are in a position to deliver a few home truths about what is going on with gaming in the state of Victoria. Members in this house will know that I was

the shadow Minister for Gaming in this house for a couple of years and that I have an understanding of what has gone on in this community and the deals that have been made. All will be revealed when the upper house committee has the opportunity to ask some questions of the right people. I can assure members of the government that they will have an opportunity to hear what is going to be revealed. Some of us actually know.

I will now talk about ports, which is another important issue. It is wonderful to have the Minister for Roads and Ports on the other side of the table. In fact he and I are in agreement.

Honourable members interjecting.

Mr K. SMITH — We are in agreement! I want to see — —

Honourable members interjecting.

Mr K. SMITH — Just quieten down a little! I want to put on the record that I want to see the port of Hastings developed. It is the best deepwater port in southern Australia. There is all the talk about dredging Port Phillip Bay, but I think that will cause untold damage to the bay. This will be borne out by the environment effects statement. The biggest ships that are planned anywhere in the world would be able to come into the port of Hastings today. They could sail up to the port that is already there for BHP or Esso. We already have the biggest oil tankers in the world coming to Hastings. They have been doing so for 30 years, and not one drop of oil has ever been spilt in Western Port. Esso is not planning to bring in more oil. It will continue to bring in what it is already bringing in, but there are no plans to bring in any more.

The big problem is that the Minister for Roads and Ports and the Port of Hastings Corporation kept secret the reports that were supposed to have been put before the people in that area. The reports dealt with a transport link between the port of Hastings, the railway and the highway that will connect Melbourne, Gippsland and western Victoria to the port of Hastings. They made a big mistake: they wanted to wipe out suburbs down there that should never have been subjected to any such consideration.

They have done that on the basis that they are trying to deflect some of the criticism from the development of the port, because a lot of people down there believe the port should not be developed and that Western Port is sacrosanct as far as nature is concerned. I believe the Hastings port can be developed properly.

I have stood up, not only here in the Parliament where it is recorded — and I am sure it will be thrown back at me — but also as the local member at public meetings in Hastings; I have also stood up at public meetings at Hastings when I was a councillor there over 20 years ago and said that the magnificent asset there should be in use for the whole of Victoria, not just for the local area. It is a great area down there, and it should be developed. Minister, develop your port, I think it is going to be very important, but do not run the railway line through those little towns down there —

The ACTING SPEAKER (Mrs Powell) — Order! Through the Chair!

Mr K. SMITH — Through you, Acting Speaker, of course, the minister will suffer because I will unleash myself upon him and the government. I can see the minister shaking in his boots, and that is fair enough. Local government —

Mr Crutchfield interjected.

Mr K. SMITH — How lovely to see the member from the Geelong area opening his mouth! What about some of the councils —

The ACTING SPEAKER (Mrs Powell) — Order! I ask the member not to respond to interjections.

Mr K. SMITH — And I do not want him to respond. I believe the council in Geelong is corrupt. There should be a full investigation of the council and some of the corrupt practices that have been undertaken in the area. I will talk to the Minister for Roads and Ports about this later, because it is important. There have been more than enough inquiries into the City of Greater Geelong and the antics of some of the stupid Labor councillors down there —

Honourable members interjecting.

Mr K. SMITH — Commos! They are putting local government in a very sad light. It should not happen, because local government is not like that. You, Acting Speaker, and I have both been councillors, as has the Minister for Local Government. We know how important local government is. It is the government that is closest to the people, and it should be represented by better people. The minister and I will sort them out!

Mr INGRAM (Gippsland East) — I apologise to the house in advance, as mine may not be quite as entertaining as the speech members have just heard from the member for Bass. I think that was the first time I have heard him — and it was a great presentation by him — go through a full presentation without

making multiple pinko or commo comments about the government.

Honourable members interjecting.

Mr INGRAM — Protect me, Chair, please! With great respect, it is a great pleasure to be here speaking on behalf of the people of Gippsland East. My electorate, as many members will know, is one of the larger ones in the state. It covers about 14 per cent of Victoria; 80 per cent is either national park or state forest. It is one of the most spectacular natural areas. We have some of the largest and best national parks in the state. I am a little biased, but I would say mine is the best electorate in the state. I always invite members of Parliament to visit my electorate, and I would welcome them to come and see what it has to offer.

A number of issues have been fairly consistent in my electorate, and I have constantly raised many of them in this Parliament over the last seven-odd years. One of the constant issues is the failure of governments to deal with public land management. It is a major concern commonly reflected in my community that people are not comfortable with the way governments have maintained fire, pest and forest management of public lands.

It is of great concern that we are sitting here with a sense of *deja vu*, because immediately after the previous election a large proportion of my electorate was burnt out in the 2002–03 fires. This year again we are here in Parliament and another 1 million-odd hectares predominantly of my electorate has been burnt.

Dr Sykes interjected.

Mr INGRAM — And some of the electorate of the honourable member for Benalla has been burnt as well. Much of the alpine area has again been destroyed by fire. The real issue is the historic mismanagement of the natural fire regimes. Over 50 to 100 years we have removed the natural fire regimes from our state forests and national parks, and this has left an increased fuel load and also bushland that is more susceptible to fire. So when it burns, it burns with more intensity and the fire is harder to put out. There have been some real failures in our public land management.

If you look back at the history of fire management in Victoria over the last two decades, you will see that we have failed to meet half of our fuel reduction burning targets in the state forest areas. Since most of the public land in Victoria is in my electorate and in the electorates of the members for Benalla and Benambra, it means that the small number of electorates that cover the alpine area and the Gippsland region face the largest

portion of the challenges from bushfires. This situation needs to be addressed.

An honourable member interjected.

Mr INGRAM — I know it is rude to pick up interjections, but I support the motion moved earlier to have the Environment and Natural Resources Committee investigate the fires, because I think it is important that we investigate what caused them and how we should go forward. It is very difficult to return some of the natural fire regime to our public land areas without increasing the risks. Basically we have become less accepting of the risks associated with returning fire to the environment, and at the same time we have reduced our public land management resources by about 50 per cent, particularly on the ground. That is a major concern that we need to address.

As I indicated before, some of the best national parks in the state are within my electorate, and we have very limited access to them. They are also very large national parks, and it is important that we have acceptable tourism infrastructure within those parks. In electorates like mine, where the national parks are very large, it is not okay to have the infrastructure just on the outside of the parks, because the best bits are locked up within them. For example, the Snowy River National Park covers about 100 000 hectares, and most of that is a wilderness zone. It is not okay to have the infrastructure just on the outside of national parks when some of the greatest alpine ash forests in this country are locked up within them and when they contain really important tourism assets.

I would like to raise a number of issues which were considered important during the election campaign, and one of them is local government. Lack of access to local government is probably one of the greatest complaints I have received throughout my electorate over the last seven years. Since the amalgamation of councils there have been some real challenges to do with how we gain access to local government services. The amalgamations have caused a lack of access to and, to a certain extent, a lack of accountability from local government.

One of the things that is going on in my electorate has come about partly as a result of a government direction to change the planning schemes in many of our coastal towns. In my area Wellington shire and East Gippsland shire both undertook to do an urban design framework (UDF). This has been a real concern because of the haste and lack of process that has occurred. Whilst this issue has affected a large number of areas, there are a couple of points which are very important. One of them

is that Paynesville and Lakes Entrance were included very late in the process. Just a week or so before the council approved the final design the consultants wrote to the council expressing their concerns about the process and the lack of detail. Their memorandum states:

Evaluation of parking and traffic needs for the future of a commercial centre of this scale over the time horizon of this study is well beyond our brief and requires additional specialist expertise.

A week later the council passed this UDF and said it was okay. The memorandum goes on to say that:

... this brief enabled limited exploration of the development issues in the town centre.

They suggested further research needed to be done and should include a detailed analysis of existing land use, built form and character, a detailed analysis of existing traffic conditions and parking supply and an assessment of land development opportunities. The memorandum goes on to list a number of issues which the consultants did not have the ability to deal with, and yet the urban design framework was approved.

One of the issues was the land between towns. Under the proposal all the land between towns will go to the new farm zones. None of the rural land-holders in those areas is even aware that this is an issue, and this is about to come out as a planning amendment.

Another issue which is of concern involves the Gippsland Lakes, one of the greatest boating areas in the state — and Paynesville is arguably the boating capital of Victoria. Land on the Gippsland Lakes at Paynesville has been set aside for the development of a marine services industry; this land has been set aside as light industrial land. Under the UDF this area will go to public open space. That will leave the Gippsland Lakes without any land for marine services industries, and without marine services industries you cannot have boats being serviced on the Gippsland Lakes. It is pretty basic. This issue must be addressed, and I will be taking on these issues.

Another issue which was not addressed is climate change and its impact on many of the low-lying areas of the Gippsland Lakes. I am one of the few members on this side of the house who was not a climate change sceptic before the last election. Climate change is an issue which came up at most of the public forums during the election campaign. I noted with some interest the change of view some of my opponents had on climate change during the election.

I sat in this place when the Liberals and Nationals opposed the introduction of mechanisms to increase renewable energy — I was one of the few non-government members in this place who supported the government on that. I argue very strongly that we need to do much more on renewable energies. I support the wind industry. I know it is a very contentious issue in some areas of Victoria, particularly coastal areas.

I think what we have not done very well in Australia is utilise solar power. Recently there has been a bit of a push up in the north-west but it is the first. We have lost most of the science and most of the development opportunities for solar when Australia arguably has the best opportunity for solar in the world. I know we have a strong reliance on coal but there are a number of opportunities in renewables that we really should be pushing into, including tidal power. I think there are some opportunities for that in some of our coastal areas. I know it might be contentious, but I think it should be considered.

Biofuels are another option. The timber industry is one of the most important industries in East Gippsland. There is a whole range of waste products in the timber industry which should be utilised for the generation of electricity. Basically we are burning it anyway: this summer we have burnt about 1.2 million hectares of it.

A number of issues need to be addressed in relation to the fires. I have raised some of them in this Parliament in recent times and will continue to do so. I do not think the government has addressed some of the concerns, particularly the impact on tourism businesses. The effect varied in different areas of my electorate. Some areas and businesses suffered significant economic loss while other areas probably came out even. The impact of the fires differed. Some experienced benefits because of the large number of firefighters who went out there.

I would like to place on the public record my thanks to all the Country Fire Authority, State Emergency Service and Red Cross volunteers, the Department of Sustainability and Environment and Parks Victoria firefighters, and the incident controllers who were always very accessible and let people know what was going on during the bushfires.

One of the major challenges for my electorate is the drought and the lack of rainfall throughout most of my electorate this summer — it has been very depressing and difficult. Last year late in winter our situation was not as bad as it was in many other areas — we actually received some rain when other areas did not — but it has been extremely depressing for the many businesses

that suffered great financial loss this year because of the drought.

The impact of the fires has also led to great hardship for many rural businesses. It became apparent after the fires that retail businesses that were not directly impacted by the fires would suffer significant economic loss. This was because in the lead-up to the fires many people spent a large proportion of their disposable income on — —

Mr Kotsiras interjected.

Mr INGRAM — We will save those matters for later in the week. There are a number of other issues which are very important, and I will continue to work on them over the next four years.

I would like to thank all the members of my campaign team for the work they did over the period of the election. It was the third election that I have contested successfully. It was a great effort to man the polling booths in my electorate. As I said, Gippsland East is a very large regional electorate. We had about 150 people staffing booths on election day — for an Independent, that is a fairly large task.

On a sad note, I indicate that I am the last of the Independents to sit in this place. I would like to thank my Independent colleague, the former member for Mildura, for his assistance over the last few years. As a member who has sat in this place for a number of years, I find it quite interesting to see the change of faces in this place after elections. You see the change of dynamics within the Parliament. It is also important to note that there has been a change of dynamics in the upper house since the last election. That augurs well for democracy so long as The Nationals do not continue to shaft democracy, sell out for a few pieces of silver and a chauffeur-driven car and shaft the committee process in this place. It is very important that we have a functioning committee — —

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

Mr WELLS (Scoresby) — I rise to join the address-in-reply debate to the Governor's speech. I congratulate the Governor on his appointment. Professor David de Kretser, the Governor of Victoria, is an outstanding person. His advancements in the medical field are first class. He is also a member of a very famous tennis club that is headed by Mrs Marg Hammon, who is an outstanding president, and has some strong, community-minded members. The club is the Wesley Uniting Tennis Club.

The election results for the Liberal Party in the electorate of Scoresby were absolutely outstanding. We achieved a swing of just under 8 per cent. I wonder why the Liberal Party did so well in Scoresby. I suspect the main reason for that huge swing against Labor in the Scoresby electorate was because of the number of lies told by the Bracks government over its seven years in office. You can only mislead people and break promises for so long before people get fed up.

Let us just have a look at some of the lies that were told and broken promises that were given to the people of the outer eastern suburbs, especially in Scoresby. The first lie — and we will always remember it — was: only Labor will save Waverley Park football ground for the Australian Football League. The Labor Party was out in the community running with this message during the 1999 election campaign, and there were colourful street marches. A lot of people in the outer eastern suburbs believed the Labor Party, but as soon as that election was over it broke its first promise.

On the second broken promise, an article in a local paper headed 'Light rail to city in four years' states:

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

The date of this newspaper is 20 September 1988! Members of a Labor government made that promise almost 20 years ago! On the front page, beside the article, is a photograph of the then member for Wantima, Carolyn Hirsh, the then transport minister, Jim Kennan, and a then member for Boronia Province, Judith Dixon.

As Labor had promised in 1988 that that would happen, we were very surprised that on 21 October 1999 before the election it again promised:

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

So in 1988 members of a Labor government promised to extend the tramline, but they did not move it 1 centimetre. In 1999 Labor members had another crack at it and promised to extend the tramline to Knox City. What happened from 1999 to 2002? It was not moved 1 centimetre. From 2002 to 2006 the government moved the line out to the Vermont shopping centre and then said, 'We're not going to move it any more. The reason is that the figures don't stack up'. That was another broken promise or blatant lie — whichever way members want to see it. It was something that government members kept running. Even in 2002 they were still telling the voters in the

outer east that that tramline was going to go all the way to Knox City.

Broken promise or blatant lie no. 3 was that Labor would have a feasibility study done to determine whether a train line could be put in from either Glen Waverley or Huntingdale through to Rowville. Just a feasibility study — that is all Labor promised. But it could not deliver even a lousy feasibility study. It was another broken promise. This is what Labor said:

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

It would have cost a maximum of \$500 000 or \$600 000 to do a feasibility study, but no, Labor did not care one iota. That was broken promise no. 3.

Then there was broken promise no. 4 — that is, that Labor would build a 24-hour police station in Rowville. The Liberal candidate for Ferntree Gully campaigned very strongly on this and I suspect that one of the reasons that the people in Rowville voted for him was that they were sick and tired of Labor's broken promises. The government actually built a 24-hour police station, not in its first term, 1999–2002, when it promised it, but in its second term, 2002–06.

The problem was that the government did not have any police to put in it. It did not have enough police to put some of them into a 24-hour police station. So then the government changed the rules: it made it a 16-hour station, with the operational ability of it being a 24-hour station. It was spin and rhetoric. Labor members have no conscience at all. They just tell blatant lies. They get their media people to prepare something, saying 'No, no, we need to clarify', or, 'We need to put some extra spin on that'. So today we still have a 16-hour police station in Rowville.

You have to hand it to Labor. The biggest blatant lie of all was in something I keep on my desk. It is from 2002 and is headed 'Only Labor guarantees Scoresby freeway'. How many times were members told that only Labor would do it? I love this bit:

On 30 November don't risk the Scoresby freeway.
Vote Labor, vote Pollyanne Williams for Scoresby.

Mr Kotsiras — Has she gone?

Mr WELLS — She went. But there was more.

Honourable members — More?

Mr WELLS — The then, now former, member for Bayswater put out a flyer to invite everyone to a breakfast. Its headline was:

Tolls are good.

Prove us wrong!

Then it stated that the speakers, Peter Lockwood and Dympna Beard, the then members for Bayswater and Kilsyth, who are both no longer here, the then Minister for Transport, Minister Batchelor, and Phil Lovell — I cannot believe that — from the Victorian Transport Association, would explain why tolls are good for business. They certainly went to a different accounting school from me. If you are promised that it will be toll free, I do not understand how its being toll free is not going to be as good for business as having tolls will be. And it always bothers me why it is that in the western suburbs the Western Ring Road is toll free but the government has to toll the Scoresby Freeway.

Honourable members interjecting.

Mr WELLS — It just does not like it.

An honourable member interjected.

Mr WELLS — We've got the Monash. We still have to pay tolls coming in.

But I like this one as well. Minister Batchelor wrote to me personally. His letter states:

Dear Mr and Mrs Wells —

that was nice of him —

The Bracks government is committed to building new transport services in the Scoresby corridor — including the construction of the Scoresby freeway. Unfortunately, the Liberal candidate for the Aston by-election is misleading people and trying to score political points over this important project. The Bracks government wants to get on with the job of building this road, as part of an integrated transport solution for the Scoresby corridor ...

And it was going to be a Scoresby freeway. The letter further states:

On July 14, you have a chance to send John Howard a message that we want better transport in Aston — not just more Liberal Party lies.

Yours sincerely,

Peter Batchelor

PS: Vote Labor on July 14 and let's get on with the job of building the Scoresby freeway.

More blatant lies. But of course the flyer that Pollyanne put out was all about —

An honourable member — Who's Pollyanne?

Mr WELLS — She was the Labor candidate. The flyer states:

The Bracks government has negotiated and signed the fifty-fifty funding agreement with the commonwealth government.

A re-elected Bracks Labor government has committed to calling for expressions of interest ...

It further states:

Under the signed state-commonwealth funding agreement, the freeway will be completed by 2008.

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

The government letterboxed the entire Scoresby corridor knowing it was a blatant lie. It knew it was a blatant lie, and that is why there was such a big swing to the Liberals in November 2006.

Do you know what is even more disappointing? Because of the PricewaterhouseCoopers document the government knew before that election that it was a lie and that it would have no choice but to toll the freeway, but it still went to the election promising no tolls. We all remember that when the Premier was asked about this in the ABC debate in 2002 he said — and he repeated it over and over again — that there would be no tolls. But the PricewaterhouseCoopers document, which the government did not want us to have, made it very clear that what it was going to have to do was to consider commercial tolls. Why did it not tell the people of the outer east and Victoria well and truly before that election? Because government members have no conscience. They just blatantly lied.

Of course then we got this letter from the Premier telling us why he had to break his promise. He went on to blame the privatisation of the public transport system. I remember in 2002 the Treasurer and the Premier saying that their promises were fully costed and fully budgeted for. So if they were in charge — and the Premier's then chief of staff is sitting here at the table — and it was fully budgeted for and fully costed, why did they not tell the people of Victoria that they knew about this flaw? How come all of a sudden on 14 April 2003 it appeared? Was the Treasurer in charge of the Treasury? Was the Premier's then chief of staff not on top of his job? Or did the Premier really know what was going on and just deceive the people of the outer east? This document made it very clear that the government had to bring in a commercial toll. That was absolutely disgraceful, and government members will continue to be punished for the lies they have told.

I would also like to speak about the 2006 promise that the Treasurer made. He said the election promises had been fully costed and fully budgeted. The government went to extraordinary lengths. It had an auditing company, Deloitte, go through or review all its promises. It said they were fully budgeted and fully costed. Deloitte concluded:

... recurrent expenditure commitment estimates have been prepared with due skill and diligence and accurately in all material respects with appropriate supporting assumptions.

That is what Deloitte said, but when we looked at the budget papers that came out, the situation became laughable. No matter what Deloitte said, there was a difference of \$800 million between what Deloitte was saying and what the budget papers were saying. We just cannot understand it.

The Treasurer went on to say, 'If the cost of the infrastructure goes into the next term of government, you do not include that'. That is not what Deloitte said when that firm talked about the total estimated investment — that is, it said the total cost of the capital works should be included. But after the election the Treasurer said, 'No, we will just include what is up to 2010, and not include any capital works costings after 2010'. That is another blatant broken promise.

I want to touch on the police union deal with the Premier and the former Minister for Police and Emergency Services, now the Minister for Finance, WorkCover and the Transport Accident Commission. Is it not ironic that for the four years prior to the election, they were all about saying, 'It is an operational matter. It is the responsibility of Christine Nixon', the Chief Commissioner of Police? Anytime we asked a question we were given the reply, 'It is the responsibility of Christine Nixon. She is in charge of operations'. Why has there been a deal between the Premier, former police minister Tim Holding and the Police Association which includes the allocation of semiautomatic pistols — which is clearly an operational matter — and a commitment for a resource allocation model to be completed by 1 March? Yet the Chief Commissioner of Police is not part of the deal-making process.

On the one hand the Premier has been saying, 'If it is operational, refer it to the chief commissioner', but if he is running up to an election and he needs the Police Association coming in behind it, all of a sudden it is not operational and he says, 'I will take this over'. That is totally unacceptable. We found it a bit strange.

The Leader of the Opposition made the commitment down at Geelong for 700 police. The Police

Association has been screaming for years about a shortage of police, so the Liberal Party promised 700 while Labor promised 350 more police. But all of a sudden 350 is more important than 700! A lot of credibility has been lost by the Police Association.

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

Ms MUNT (Mordialloc) — I am really pleased to be back making my address in reply to the Governor's speech. When you represent a marginal seat, it is always touch and go.

Mr Kotsiras interjected.

Ms MUNT — Just, but I'm back — after a lot of hard work. I would like to thank the electors of the Mordialloc electorate for once again putting their trust in me to effectively represent them for the next four years in the Victorian Parliament as part of the third term of the Bracks government and to effectively undertake my duties inside the electorate. To be in this place is a wonderful privilege, of which I am very well aware. We are all especially privileged to be able to come and represent our electorates and indeed all Victorians in the Parliament of Victoria.

I freely admit that when I was first elected in November 2002 I really had little idea of what was required or expected of me, and I had no idea of how to do the job. I had actually barely been into the Parliament to see how it worked. It was a very steep learning curve when I was first elected, but I know now what is expected of me and how to do the job. I believe I will probably be of much better value to my electorate and to the people of Victoria now that I have served my apprenticeship, having had the L-plates on as a new member of Parliament and really learnt what it is all about.

I am actually full of enthusiasm for the next four years, and in particular for what I want to achieve during the next four years. I also take this opportunity to thank my family — my children, Ian, Katherine and Jenny, and my husband, Greg — for supporting me and for putting up with all the ups and downs, the long hours, the nights out and the time away from those I love the most. And of course I thank my mum, who is a really strong woman and who taught me a lot about being really strong and about going for what I believed in. She also taught me about family and honesty, and I think those are great lessons to learn from your mother.

I thank my staff, Chris and Sean, who have been with me through thick and thin and through the good days and bad days — and sometimes I have some very bad days. They have grounded me, given me very good

advice when I wanted to do things that probably would not have sent me along the best considered paths, and aided me in assisting over 6000 locals who have come to us for help over the past four years. That is a lot of constituents to come to you for help. My staff hold the fort and deal with everyone with good manners, patience and care whilst I am out and about, doing my duty in here and elsewhere.

I thank my campaign workers, those priceless souls who work for free — which is a very good price — and for the love of the Labor Party and our ideals. I will not name them because there are a lot of them, but they know who they are. As one member said, there were well over 150 workers manning the booths on election day. They are absolutely priceless, and I thank them all.

I also mention Noel Pullen, a former member for Higinbotham in another place, who was a great support to me and a tireless worker for the local community. I will miss him dreadfully. I pay tribute to him for his hard work, integrity, honesty and compassion and his love for what he calls the 'light on the hill'. Noel is a gentleman and my friend, and I hope that, no matter what, he will remain my friend. I am blessed to have known him and to have worked with him.

I will also miss a number of my colleagues. I pay tribute to Helen Buckingham, Bob Mitchell, Elaine Carbines and Lydia Argondizzo from another place, and Heather McTaggart, Brendan Jenkins, Rosie Buchanan, Ian Maxfield, Victor Perton and Russell Savage from this place. They were all good members who worked hard for the people of Victoria, and I will miss them all.

I welcome all our new members to the chamber and wish them well for the next four years. It is wonderful to see new members elected to Parliament, and I hope they have a wonderful time. It is hard work, but worth it, and I really look forward to working with all of them.

I love my work in the electorate: I love visiting schools, meeting people and focusing on local issues. I also love my work for the parliamentary committees, including the work I have shared with the member for Bulleen in helping to formulate policy for the state. For the four years of the last Parliament I was a member of the Education and Training Committee, an all-party committee chaired by the member for Eltham, with the member for Bulleen as his deputy chair. All the members of the committee have been mentors to me and have taught me a great deal. The committees are absolutely invaluable, not only for the work they do but for bringing the members of all parties together as friends and colleagues to work for the good of the state.

It can be done, and it works because we realise we are all human after all! I love my work for the government and the Parliament. It is fun, and I hope it is useful.

Over the past four years I have worked in my electorate as a proud member of the Bracks Labor government, and we have achieved the transformation of Cheltenham Secondary College; the rebuilding of Mentone Primary School and Mordialloc Primary School; a litter trap in Mordialloc Creek that saves 30 truckloads of rubbish per year from flowing into Port Phillip Bay; and bus services for Dingley and our local community on evenings and at weekends when none existed before — and it is very important for young people, elderly people and people without cars to have access to school, work, entertainment and their families and friends.

We have seen legislation and regulations to protect our green wedge; the beginning of the construction of the South Road extension; the building of the Moorabbin courthouse in Highett to allow local residents speedy access to justice, the Victorian Civil and Administrative Tribunal, the Children's Court and the Magistrates Court; the rebuilding of the Mordialloc Community and Youth Centre, which serves over 1500 families per week and for which the community has waited for over 20 years; and a substantial increase in funding to Central Bayside Community Health Services to service our community's health needs.

We have achieved funding to train all those who come into contact with children in the care and treatment of children with life-threatening allergies. I pay tribute to the love and care of the Baptists, who lost their four-year-old son, Alex, to an attack caused by a peanut allergy that occurred at a kindergarten. May it never happen again to another family. There has also been funding to allow students with disabilities to attend school until they are 20 years old so they can complete their education to the best of their ability and live full and happy lives. I thank the ministers, their staff and the Premier for their help and support for my local community.

Over the next four years I will continue to work to deliver for our local area, including a rebuilding of Parkdale Secondary College; building works for Parkdale Primary School and Dingley Primary School; traffic lights for the intersection of Lower Dandenong Road and Boundary Road; sand renourishment and the removal of the ugly old pipes at the Mentone beach; the completion of the Moorabbin courthouse; the completion of the South Road extension; traffic-calming measures for Centre Dandenong Road and White Street, Mordialloc; an upgrade of the

Mentone train station to a premium station; a new ambulance station in Mordialloc; an upgrade for Cheltenham ambulance station to deliver fast and effective health services for our local residents —

Honourable members interjecting.

The ACTING SPEAKER (Mrs Powell) — Order! I ask members to keep their conversation down to allow the member to make her speech.

Ms MUNT — There will be more responsible caring and common-sense legislation for the people of Victoria.

We have also delivered the lowest crime rates in Kingston on record and the highest spending on health and education in our history. I also look forward to increasing my knowledge of the whole of government through my work on the Public Accounts and Estimates Committee.

Finally I would like to place on record my appreciation for the great gift of friendship and support I have received from the Speaker, the member for Carrum, and also my grief at the loss of my beloved niece, Caroline O'Connell, two weeks before election day. She was the mother of two small children, Liam and Alice, aged five and one, and wife of my wonderful nephew, Stephen. She died suddenly and tragically. My heart aches for her family, including her parents and brother. She would have been very pleased to see my re-election. I am grateful to have known her — I will miss you, Caroline. Everything falls into perspective when you experience the loss of a loved one.

It is a great privilege to serve the people of Victoria in this place, and I hope to do it well over the next four years.

Mr BAILLIEU (Leader of the Opposition) — I rise to contribute to the address-in-reply debate. I do so as the re-elected member for Hawthorn, for which I express my gratitude to the electors of Hawthorn, and as the re-elected Leader of the Opposition and Leader of the Liberal Party. Again I express my gratitude to my colleagues for their support and encouragement and for the effort they have all put in. I also take this opportunity to congratulate the Speaker, and I ask the Acting Speaker to pass on my congratulations. As I have said before, that is an important role, and I trust the member for Carrum will perform it extremely well.

I also want to take this opportunity to thank the past Governor, John Landy, and his wife, Lynne. They were in their roles for a number of years and did an excellent job, endearing themselves to the people of Victoria

even more deeply than in the past. I also want to congratulate David de Kretser and his wife, Jan, on his appointment as the new Governor. They have already made a fabulous impression. They are fine people who have made a great contribution and demonstrated enormous warmth to the people of Victoria.

This was the first Governor's speech David de Kretser has given. For those outside this place who perhaps do not appreciate this, the Governor's speech is essentially written by the government and read by the Governor. I will say that the speech was very well read! But I do not attribute its contents to the Governor.

In opening the 56th Parliament Governor de Kretser set out the agenda of the Labor government. In many ways it is telling that the speech was buried in the pre-Christmas rush. Those who thought the government might have been demonstrating a willingness to get on with it have no doubt been disappointed. Not only the speech but also the parliamentary sitting received little coverage, and it is no wonder, because this is an incredibly limp agenda. We only have to look at the notice paper to realise how thin the government's agenda is.

This was not a speech of great nation builders, and not even a speech of those who would seek to advance the cause of this great state of Victoria. It is perhaps best characterised by this fact: in the Governor's speech there was no mention whatsoever of what has previously been described by this government as the most critical economic infrastructure project in Victoria — the channel deepening project. But there is a prominent mention of new rules for cubbyhouses, pergolas and tree pruning. This is not the speech of great nation builders, nor is it the agenda of great nation builders.

We can compare this speech, which sets out the government's agenda, to the last Governor's speech of 2003. It is interesting to reflect on that last speech. Prominent in that speech were references to the bushfires of the time. Little has changed. Has Victoria benefited from better public land management or a change in firefighting culture? Tragically, in the last few months it has been demonstrated that we have not learnt.

In 2003 the topic of upper house changes was prominent in the Governor's speech. We have now seen the result of that. So be it; the electoral system for the upper house has changed, but the very people who introduced the new system are now resisting it. The Labor government is now resisting its own changes. I think that reflects on its commitment.

The other prominent commitment in 2003 was to fight terrorism — and I think we are all of that mind. Sadly, little has changed. I note that in the last four years the agenda has been set by the commonwealth in that regard. This Parliament has rightly reflected that in the measures it has taken.

It is interesting to look back at 2003. In the last 12 months we have heard the water minister and the Premier stand up and say on many occasions, 'We set the agenda on water. We declared four years ago that water was our no. 1 priority'. You will not find that in the Governor's speech in 2003 — it gets a little mention, but precious little. That is one of the tragedies of the last four years.

We can compare this Governor's speech to another extraordinary document, an article in the *Herald Sun* of 21 February — just two months after the Governor's speech — entitled 'The Bracks agenda'. It was a two-page spread, which got some front-page treatment as well. This article, which was an interview with the Premier, Steve Bracks, was entitled 'My vision for the future'. Compared to the Governor's speech, it is barely recognisable. You have to conclude that the Premier did not have a commitment to the Governor's speech and barely had a commitment to his own Bracks agenda, as it was described. A different set of priorities is detailed in 'The Bracks agenda' in the *Herald Sun*, but heavens above, there is some telltale language. The article describes the Premier as having:

... firmed up the government's preparedness to build a desalination plant ...

What sort of gobbledegook is that? The article also says the eastern treatment plant project is 'about to begin' and uses the phrase 'if it goes ahead'. The Premier uses the phrases 'the business case will determine', 'the feasibility study is under way' and 'if we need to do desalination we will do it' — and I stress 'if'!

The article said he raised the possibility that the toll road could open early, and he talked of 'speculation' about other projects, and he hoped a decision about channel deepening would be made in the term — he 'hoped a decision' would be made. It said he talked about the potential improvement of traffic moving from Melbourne's east and west, and said 'we think' a framework is achievable. It said he declined to say who would be appointed as the retired judge to oversee the gaming controversy. Then to top it off it said our Premier declined to commit to the next election in November 2010.

The Bracks agenda outlined by the Premier is a limp response — barely recognisable — compared with the

Governor's speech, which set out the details of the government's agenda three months ago. What have we seen since the Governor's speech? January was an extraordinary time. In January we had demonstrated that after seven-plus years in government Victoria had insufficient power, insufficient water, inadequate public transport and insufficient police and security to stop looting in the streets. That was a January probably unprecedented in its poor reflection on a government — after seven and a half years of extraordinary power and of budget surpluses and every opportunity in the world to do what it wants.

Going through the Governor's speech, one of the first items we get to is the national reform agenda. There it is on page 3 — a startling commitment to a national reform agenda. What has happened? Our Premier has balked at the first hurdle on the national reform agenda. The commonwealth has put down an offer on the Murray–Darling Basin involving money and water and commitment, and our Premier has declined to sign. All the rhetoric of the Governor's speech is for naught, because it is well known that we have in Victoria a do-nothing government and a can't-do, won't-do Premier. It is a great sadness for the state of Victoria.

The Governor's speech sets out at least a framework which acknowledges there will be a tougher economy ahead. That is an interesting acknowledgement at the start of a new parliamentary term. I think the speech says that spending will need to be carefully managed. There is an irony with this government — that spending will need to be carefully managed. I would like to go through it all in detail, but regrettably time is against it.

But I will say there are some good things in this Governor's speech that Victorians should look forward to. A focus on obesity is a good thing, and we have supported that. As to a focus on new technical schools, we actually made that commitment and I am sure members on this side of the house will see that with some irony. We would only say that the commitment ought to be for years earlier than year 10. A commitment by this government to new selective schools is again an irony. It is something that we put forward very strongly and were initially lampooned for by the government — and now it has been adopted. As to the commitment to remove public transport zone 3, a commitment made in 2002 and reiterated by this side of the house during the election campaign, it is happening — we hope! But given what we read in the *Herald Sun*, will it actually happen? We will see.

Ms Allan interjected.

Mr BAILLIEU — Let us see. It is a long way off for the Bracks government. As to a surgery blitz, only six months ago we stood in this house and drew attention to the surgery waiting list problem. We were lampooned by the government, only to have it finally acknowledged and be part of the Governor's speech. So be it; we will be pleased about that. The establishment of mental health treatment facilities in hospitals is again something we support.

We note with some irony that a number of other Liberal initiatives have been included in the Governor's speech but we will not be churlish about that. We welcome the notion that land will be made more affordable by the government providing a 25-year supply of land. All that criticism of Melbourne 2030 — and I confess, Acting Speaker, I was part of it — lampooned by the government, which has now acknowledged the fact that the curtailment of land supply was causing a price increase.

There are a range of other measures. The commencement of a Warrnambool hospital redevelopment is something which we committed to — —

Ms Allan — You got the numbers wrong on that one.

Mr BAILLIEU — Quite the contrary. We got the numbers very right and we made a strong commitment to the whole thing, not just stage 1. We would urge the government to get on with the whole project, not just stage 1. There is a proposal to invest additional money in recruiting doctors to rural areas. We made that commitment very strongly and we were lampooned by the government, only to see it turn up in the election campaign. We made commitments for many months to a further investment in the Metropolitan Ambulance Service, which were again lampooned but turned up in the Labor election campaign.

The member for Scoresby has just taken us through his interesting recollection of the police resourcing debate. I am not going to go over it again, but I will simply say that we were out there very strongly — and you just have to wonder what went on in that secret pre-election deal between the Premier and the police union.

We have a list of over 35 measures which we advanced and which were picked up by the government during the election campaign. Good luck to it! The Labor Party won, and we will hold it to those commitments.

I note in the Governor's speech that a number of other measures are referred to, including a commitment that Parliament will sit for at least 10 months of the year. Sensational! Ten months of the year, but not two

consecutive weeks in the whole year — and we will actually sit less than the average.

I look at the commitments to water and note that the Governor's speech says the government 'has led the nation on water management'. There is an irony! Where have the savings been in the last four years?

Ms Allan interjected.

The ACTING SPEAKER (Mr K. Smith) — Order! The minister at the table, the Minister for Skills, Education Services and Employment, will be silent.

Mr BAILLIEU — Where has the recycling been and where are the projects? Where are the pro-water projects mentioned in this speech? They are just not there, and you have to wonder. It is very interesting:

Through this strategy the government will:

secure enough water for Melbourne, Geelong, Ballarat, Western Port and the Latrobe Valley ...

I wonder what the people of Bendigo are thinking, because they did not get a mention.

Ms Allan interjected.

The ACTING SPEAKER (Mr K. Smith) — Order! The minister will be quiet.

Mr BAILLIEU — Where is the so-called Ballarat super-pipe? It is not even mentioned and you have to wonder what is going on here.

We had a commitment to public transport use by 2020, but it is gone. There is no mention of 2030 in the speech, but we do have a new 20 per cent by 2020 under environmental objectives. It is probably only aspirational as a target, according to the Minister for Public Transport.

I want to mention something in my local area, and that is the Glenferrie Road community hub and kindergarten. We need that hub and we need more than \$500 000 to support it. I urge the government to get on with that and other projects.

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

Mr LANGUILLER (Derrimut) — It is a pleasure to rise tonight and use my time constructively in my contribution to the address-in-reply debate. My first comment is that I wish to commend all members who have been elected on both sides of the house. I wish them good luck in their endeavours to represent their respective electorates.

The second matter I wish to put on record is to commend the newly elected Speaker and Deputy Speaker and wish them good luck in their new roles. I am very confident that both of them and other acting speakers will perform well in the chair.

The third matter I wish to register relates to the fact that I am very happy and proud to be elected to my third term in the Victorian Parliament. In this state last year we celebrated 150 years since the introduction of the secret ballot, which is a very significant achievement. I know that other jurisdictions across the land and other countries look up to this achievement. English lawyer Henry Chapman devised the mechanism by which Victorians and Australians used a secret ballot for the first time in the world. He would indeed have been very proud and would have concurred with us that we have come a long way in relation to a very significant part of democracy — that is, the secret ballot.

In addition, I think it is important that I put on record that I am proud, as I am sure all members of the house would be, that this year we celebrate 157 years of the establishment of the position of Auditor-General, that body which we are very comfortable with. We on the government side have nothing to hide. The Office of the Auditor-General can be described as that fundamental body which keeps governments of all persuasions accountable and transparent.

I will quickly reflect on my previous role in the previous Parliament as the Parliamentary Secretary for Community Services. I am very proud of the fact that the Labor government transformed legislation and turned it into leading legislation in the world, and that authorities across jurisdictions and in other parts of the world are looking up to Victoria because of what we have achieved in ensuring the rights of people with disabilities in Victoria.

Members would be aware that the legislation which the house had before the enactment of the last piece of legislation was fundamentally based on diagnostics. In other words, to put it simply and plainly we asked people in the community, 'What is your diagnosis? We will make decisions in relation to services and support that the government may or may not be able to provide to you'.

The Labor government has radically changed the philosophy of disability legislation. As members would be aware, the legislation which was enacted last year — and I am very proud to have been associated with it in my then capacity as parliamentary secretary to the then minister, Sherryl Garbutt, who was a great minister in

the Labor government — is fundamentally based on needs and rights or a combination of both.

It is important that members and, indeed, the disabilities community recognise that we have moved that agenda forward. Now, I may say, short of Norway and some provinces in Canada, Victoria is the place to be and the place to be looked up to in relation to disabilities legislation. I am very proud of that legislation and of the many achievements that that legislation brought about, including the establishment of the Office for Disability.

You, Acting Speaker, would know that the Office for Disability will be accountable to Parliament; it will be reporting to Parliament and will have important powers to investigate, to educate and to work with the sector and the broader community in relation to the rights and entitlements of people with disabilities.

The other important achievement in that legislation relates to having adopted a whole-of-government approach. Members — particularly, if I may say so, members who have been around this Parliament for a considerable time — would know that quite traditionally and classically what would happen is that if there were an issue which pertained to a person with disabilities, typically on the ground right across bureaucracies and in the government and in opposition circles, that person would be referred to the Department of Human Services. We are now saying that the whole of government, all jurisdictions, all ministers and all government departments have a responsibility to ensure that people with disabilities become complete citizens and stop or cease to be regarded as clients. This is an important achievement.

Let me put my argument squarely on the record. Members would be aware — and it has been a debate we have had many times in this chamber — that when Labor first came to government, a budget figure of the order of \$440 million was allocated to the disabilities sector. Last year the budget was brought by this government up to about \$980 million — that is, close to \$1 billion. Acting Speaker, you would understand that even though we have significantly increased the budgetary provisions to the sector, the reality is that of the order of only 30 per cent of people with disabilities can access support from the state government.

In other words, a very significant number of people in the community with so-called unmet needs do not receive support from a government. The only way to ensure that in the future people with disabilities are able to become independent or full citizens and are able to participate across all jurisdictions — in education, sport

and recreation, planning, in local government and in all areas of community life including the arts — is by adopting a whole-of-government approach where every government department recognises that it has to provide a service to all citizens, including those with disabilities: and the government is doing just that!

I am very proud of the changes the government has brought about. The government has taken concrete and very special action which goes very much to the heart of what Labor governments are about — namely, looking after those who are in the most need.

I now wish to refer to some important achievements of the Labor government. In doing so I disagree with previous speakers from the other side of the house. The facts are that under the Liberal government between 1992 and 1999, 1 million patients were treated annually. However, under a Labor government 1.3 million patients are now being treated annually.

Over the life of the last two parliaments the Labor government has employed about 6200 new teachers. Between 1992 and 1999 the Kennett government sacked 4000 teachers. The Labor government has now achieved P-2 class sizes of the order of 20.8 to 21 students; under the Liberal government those class sizes were about 25.

This government has employed of the order of 6000 more police officers because its concerns go to the heart of public safety. Between 1992 and 1999, the Liberal government sacked 800 police officers.

We have definitely improved the employment rates in this state.

Mr Burgess — Rubbish!

Mr LANGUILLER — These are the facts. The member says that is rubbish, and I take up his interjection only because members need to make contributions to debate, in my judgement, based on facts and hard evidence. I refer the member to Australian Bureau of Statistics (ABS) data which confirms that, for example, under Labor the unemployment rate is 5.8 while the rate under the Kennett Liberal government was 9.1.

This government has achieved major water savings, and members would be aware that we are now saving of the order of 22 per cent per capita.

In the remaining few minutes available to me I want to register the important achievements, commitments and promises this government has made, which were delivered to the electorate of Derrimut, formerly called

Sunshine, which I have proudly represented for the term of two parliaments, as I now begin my third term in this place.

It is important to register that, as we have said repeatedly, education is one of our top priorities, and we will deliver to those areas that are most in need. I am so happy to confirm that the government has carried out very significant modernisation projects at Albion North Primary School at a cost of about \$2.5 million. The Minister for Skills, Education Services and Employment, who I am happy to see at the table, was personally involved in having that project implemented.

In addition to the project at Albion North, the government put \$4.4 million into the replacement of Cairnlea Primary School. In Glengala/Sunshine West Primary School we funded minor works of the order of \$80 000. The local community had sought the modernisation of St Albans Meadows Primary School, and the government funded those major works of the order of \$1 million. Also, the government funded the modernisation of St Albans Secondary College at a cost of about \$1.7 million. I could list more school works if time permitted.

You, Acting Speaker, would be aware that before the 1999, the 2002 and last year's elections the government said public safety was its major priority. Let me tell you, Acting Speaker, that in the municipality of Brimbank in my electorate of Derrimut we have reduced the crime rate by 17.2 per cent and we have 15 extra police officers. Some members, particularly those on the opposite side of the house, might not be cognisant of the significance of having additional police officers, so I will relate a simple anecdote. I recollect that under the Kennett government you would not see cops on foot in my electorate or in the western suburbs, whereas today, happily, members of my community see police officers walking around the shopping centres and the community.

This has happened because we have taken the issue of public safety very seriously and because we have grown the whole of Victoria and are delivering for the whole of Victoria. We are not a government which is city centric and which concentrates exclusively on certain suburbs in the Melbourne area, as the former Kennett government did, ignoring regional Victoria and ignoring rural Victoria. May I say that they lost the number of seats they lost on that side because they neglected regional Victoria, they neglected rural Victoria and they neglected the western suburbs — but I am proud to say that this government has not. We are employing more teachers in the western suburbs, we are employing more police officers and other

emergency services officers in the western suburbs, and indeed we are employing more nurses and more doctors. In fact Labor has employed 7264 extra nurses across the state.

That is a major achievement, and many of those nurses and many of those new doctors have ended up in Western Health at Sunshine Hospital, Williamstown Hospital and Western Hospital in Footscray. That is something that was not seen under the Liberal government, because the health of residents in the western suburbs was not taken seriously. Now we have a situation where we have more teachers and we have more nurses — and it is my recollection that we have had hardly any hospital bypasses, if indeed any at all, in the western suburbs.

What a great achievement for a government that when it came to office committed itself to growing the whole of Victoria, to being responsible financially and fiscally and to producing budget surpluses. We do that very proudly, because we say we will not spend any more than we are entitled to or any more than we should. We are treating Victorians, the business sector, the public service, small business and every other sector very seriously. We are committed to governing for all Victorians, and I am very proud that this government has delivered the best conditions in which to work, to live and to raise a family.

Mr DELAHUNTY (Lowan) — I rise to speak on the address-in-reply to the Governor's speech, which was presented in the other house before Christmas. I am proud to say I have been elected for the third time to represent the Lowan electorate — —

Ms Barker interjected.

Mr DELAHUNTY — I will get to that. I am also pleased to say that the Governor and his wife have been to Dunkeld and Hamilton in my electorate a couple of times. We welcome their visits to country Victoria — and there is still much to see. As the member interjected, the Lowan electorate is the largest electorate in the state, at 34 500 square kilometres. In fact I could fit 76 of the other 87 electorates in this place into my electorate. I heard the member for Gippsland East talking about his great electorate, but I can assure him that the Lowan electorate is much bigger than his. In fact his is the third biggest behind the electorate of Swan Hill — —

Mr Burgess — How big?

Mr DELAHUNTY — I am not sure, but it is not the biggest and the best, as the Americans say. I want to congratulate you, Acting Speaker, on your re-election

to the seat of Bass and on your reappointment as Acting Speaker. You joined a distinguished crop in the last Parliament; the member for Shepparton is supporting you in this Parliament and will be a welcome addition to the Acting Speaker roster. I also ask you to pass on my congratulations to the Speaker and Deputy Speaker on taking on their roles in this Parliament.

This is the first opportunity I have had to congratulate my colleagues in The Nationals. The Nationals increased their vote by 10 per cent across the state, and we are particularly rapt to have in this Parliament the new members for Morwell, Mildura and Rodney. I have some advice for the new member for Mildura: he is moving too fast. The former member for Mildura said he would get the trains back to Mildura within a few years. Unfortunately that did not happen, and there is still more work to be done, but the new member for Mildura has got rid of the toxic waste dump proposed for his electorate, and we congratulate him on his very speedy work.

I also congratulate members of the head office staff of The Nationals, including Luke O'Sullivan and John Tanner and their team, for the excellent work they did through a very difficult election campaign last year. I also want to pass on my thanks to the retired members of The Nationals including the Honourables Barry Bishop and Bill Baxter, who were members in the other place, as well as our great colleague from this place, the former member for Rodney. We will have a send-off for him on Wednesday, and I am sure it will be a great show, as was the testimonial for the Honourable Barry Bishop. I want to thank my campaign committee, headed by Simon Syane, and the many members and volunteers who helped the committee. It is a big task to man all the polling booths in the electorate. There were over 60 polling booths and there was also prepolling for two weeks at Hamilton and Horsham. I had a great campaign committee that was supported by many others.

The Lowan electorate is a great electorate. Its employment and economic activity shows strong reliance on the agricultural sector, which has been through a very difficult time in the last seven or eight years with the lack of rain — or the drought. It is now being supported by other industries coming into the area, including the mineral sands plants run by Iluka Resources and the timber industry, which is causing some disquiet, but it is another industry, which we welcome.

We are also seeing agricultural diversification. This has been assisted by the great Wimmera-Mallee pipeline. I am pleased to say that when I was elected in 1999 I

brought up the matter of the pipeline when the Legislative Assembly sat in Bendigo. Many members of this Parliament thought I was talking about a gas pipeline, because gas pipelines were the go at that stage. But I am pleased to say that this government, with the support of the federal government, is now putting pipes in the ground in the Wimmera–Mallee region. That will be of great benefit to the region in providing not only good quality and more reliable water but also an opportunity for agricultural diversification. This will no doubt affect employment in the area.

Like everywhere else in the state, water is a critical issue in my electorate. Because of the drought we have limited storages, and distribution is a problem for us. But more important are the users. We need to enforce upon the city-centric government that it needs to recycle and reuse more of its water. In the GWMWater area of my electorate about 95 per cent of the water is reused in industry and for recreation and other purposes. Unfortunately, it is the reverse here in Melbourne, where most of the water goes out through the Gunnamatta outfall when it should be reused.

The other issue which is causing some concern is groundwater. Applications for licences take five weeks or longer, and then you have to track down a driller. The Gymbowen area is causing great concern. Farmers and land-holders in that area put in applications three years ago, but there has been no response at this stage. A groundwater management strategy had to be developed. Then it had to be signed off in Melbourne. Then they had to work out how they were going to allocate the water, and after three years there has been no response to the land-holders. It is a disgrace for a government that said it was going to work for all of rural and regional Victoria.

But if there is one concern that is really biting hard in country Victoria, it is the water tank rebate scheme. If you live in a reticulated system, then you get support, or if you live near the Wimmera–Mallee channel system that is not getting flows this year, then you get a tank rebate. Many people live in surrounding towns or in tourist resorts in the Grampians and the like, and 80 per cent of the tourist operators are not on reticulated water and so miss out on the water tank rebate. Water is a finite resource, and we must store it as best we can to make sure we do not waste it when it comes down. The reality is that water tank rebates should be for everyone.

There are three water authorities in my electorate: Wannon Water, Southern Rural Water and GWMWater in the northern area. I do not think Wannon Water has handled some of the small town issues as well as I would like. Southern Rural Water has taken far too long

to assess bore applications, and in relation to the implementation of the pipeline GWMWater has more work to do with the community, particularly in relation to land acquisition.

Regarding the recreation reserves, there is still more work to be done by GWMWater. But the major concern is the Wimmera irrigators. We heard the Minister for Water, Environment and Climate Change talking about them today. The reality is that those people have not had water for up to seven years, yet they have been paying for it all of that time, except for this year. If it was not for The Nationals, the Wimmera–Mallee pipeline would not have started in the northern area, and if it was not for The Nationals, the small town sewerage project would not have been started by the Honourable Pat McNamara when he was the minister responsible for water. Importantly, there is still more work to be done in places like Lake Bolac.

In his speech the Governor mentioned the emergency services. There is no doubt that they have played a very important role in country Victoria in the last couple of years, particularly with the fires — those in north-eastern and eastern Victoria, and those in the Grampians the season before last. I want to congratulate 56 000 Country Fire Authority volunteers for their selfless efforts in supporting our country communities. I also congratulate the State Emergency Service (SES) personnel and the many other emergency services people, whether they be volunteers or paid staff. They have done a great deal of work in helping country Victoria.

The SES plays a very important role, particularly in rescues in the Grampians, at Mount Arapiles and in the Little Desert. They do not get enough recognition. But if there is one concern these emergency services people in country Victoria all have, it is this government's unwillingness to fund the air ambulance helicopter for south-west Victoria. If the government is going to govern for all Victoria, why does it not do the same thing it has done for Bendigo and for the Gippsland area where there are ambulance helicopters? We must have one in south-west Victoria.

The other thing I want to talk about in my limited time is hospitals.

Ms Allan — You need an extension!

Mr DELAHUNTY — That is correct; I will support that!

There is no doubt that more money has been spent on infrastructure for hospitals; that started under previous governments and has continued with this government,

and I thank them for that. But more work needs to be done at the hospitals at Coleraine, Merino and Edenhope. Bush nursing centres have been funded, and we welcome that. However, if we do not do more work on the retention and attraction of doctors, nurses and allied health staff, we will have facilities where you walk through the front door and there is nothing happening inside. In country Victoria that is a major worry for our health services.

The other disturbing factor that was mentioned in the Governor's speech is the ever-increasing incidence of child obesity. There is also type 2 diabetes. As the member for Lowan and a board member of VicHealth, I have written a letter to the Premier, and I want to quote from it:

In 2001 approximately 1 million Australians had type 2 diabetes. By 2031 this is projected to rise to 3.3 million and 50 per cent of all cases are undiagnosed with diabetes constituting one of the largest costs to our health-care system.

The main risk factor for type 2 diabetes is weight ...

I wrote that many of our:

... young people are ... overweight — as a member of VicHealth the board has focused on this alarming trend. A generation ago, 70 per cent of children walked to school, now with the fear of 'stranger danger', the convenience and care availability means that 70 per cent are driven to school. VicHealth has instigated the 'walking school bus' to encourage students to walk to school as well as healthy eating programs.

But the thing I wanted to mention is that:

The Greater Green Triangle University Department of Rural Health's ... diabetes prevention project has proven to be the only successful intervention trial for the prevention of type 2 diabetes in Australia.

I wrote that I was of the belief that:

... the national reform agenda for diabetes is scheduled to be discussed at a meeting of COAG —

that is, at a meeting of the Council of Australian Governments, in April this year. I went on:

However, in light of the recent focus on issues of water —

which are terribly important —

... I fear that diabetes may be displaced from the agenda. If it is, the opportunity to set in place a 10-year plan for public health will be lost.

I strongly urged the government to:

ensure the national reform agenda for diabetes remains a priority at not only state level but also at the April COAG meeting.

As I said, hospitals play a very important role, but we also want to look at education, which has an important role in our country communities. The Governor's speech refers to increased school completion rates. We need to do more work to upgrade the facilities at Horsham College and Baimbridge College and also on the retention of vocational education and training buses. There are alarming demographic figures that show that many of our small towns and many of our schools are going to be in trouble in terms of numbers, and therefore the ability to provide staff and run classes is a major worry in the long term.

We must do more work in terms of using videoconferencing in smaller schools. We must also work together to make sure that we provide some of those school classes and courses in remote areas. I know the work has been started, but the people of the largest electorate in the state, the Lowan electorate, look forward to at least some of that happening.

The issue of Longerenong College has yet to be resolved. I have raised it many times in Parliament. It was run by Melbourne University and abandoned by Melbourne University, and it has now been taken over by Workco, company in the Wimmera, which is doing great work there. The government needs to decide who controls that land.

Another education issue concerns preschools. In his speech the Governor mentioned the upgrading of the skills of preschool teachers. Another concern is about support for management committees, because in many of the country towns in my electorate they have to raise up to \$20 000 just to open the school doors. More work needs to be done in that regard.

The Governor mentioned better roads and public transport. The federal government has a good Roads to Recovery program, where money goes directly from it to local councils to improve roads in country communities, but more needs to be done by this government. The last state budget had very little money in it for country roads; therefore the next budget must contain enough to fix our country roads and bridges; in that way, you save lives in the country.

Mental health is a major concern for country communities. We have a diabolical shortage of mental health beds in country Victoria. We also need more services. I want to touch quickly on the issue of ambulance transfers for country hospitals. Many of our small hospitals, because they do not now have the services available, are transferring people to either regional or metropolitan hospitals. This imposes a big cost burden on the local hospitals. I look to the

government using the next budget to fund such practices. Where it has been eaten away by white ants, the Horsham ambulance station building needs to be replaced as soon as possible. It is embarrassing; if that were a private facility, I am sure WorkCover would close it down.

In the last minute or so available to me I want to touch briefly on a couple of matters. My electorate needs more money for stock containment areas. It needs to have its rivers and streams cleaned up. We know it will rain, and when it does, the water will go down the rivers and streams. However, I am afraid that the cumbungi and cane grass and other rubbish that has been thrown into the waterways by some people will impede the flow of water and therefore may flood some towns.

We also need more efforts to be made to control foxes and rabbits. Most importantly, we need a greater focus on country Victoria. Melbourne is not the centre of the universe. Victoria is much bigger than Melbourne, and we need to make sure that the Lowan electorate gets its fair share of attention, as should the rest of country Victoria.

In conclusion, I want to say a big thank you to my family for their support in the last few years, particularly to my wife, Judie, and my sons, Jarrod, Christian and Drew. They have given me tremendous support over the last few years. I look forward to their support in this next Parliament.

Ms BARKER (Oakleigh) — I firstly congratulate you, Speaker, on your election to that position. I am very confident that you will do an excellent job. I very much look forward to working with you.

I also take the opportunity in contributing to the address-in-reply debate to thank the Parliament for its appointment of me as Deputy Speaker. I consider it a great honour, and I certainly look forward to my work as a member of the Legislative Assembly of the Victorian Parliament. I certainly congratulate all the acting speakers, and I look forward to working with them as well.

Most importantly, I wish to thank the residents of the Oakleigh electorate for once again electing me as their representative. Being a member of Parliament for the electorate of Oakleigh is a job that I take very seriously. It has been a very great pleasure to work with the people, organisations and services in the Oakleigh electorate over the last seven years to rebuild and renew the community.

Before I move on to recording some of the work the Bracks government has done and will continue to do in this term, I also express my gratitude to all those members and supporters of the party who have worked with and supported me for many years now, not just during elections campaign but over a long time. They have played a very significant role in my being elected, firstly in 1999 and twice since.

I particularly thank my staff who work very hard for the people of the Oakleigh electorate. I consider myself very fortunate — and I know other members feel the same — to have had and continue to have very dedicated, caring and hardworking staff.

Jasmine Evans left my office a couple of years ago to travel and work overseas. She remains in touch to let us know where she is and what she is learning and enjoying — currently I think she is in Glasgow. She is a delightful young woman whom we all miss, but we all want her to fulfil her dreams. Megan Berry and Stefanie Perri are still with me. They are wonderful young women and I thank them for all they do for me and for the people of the Oakleigh electorate.

I know many members acknowledge the support they receive from their families, and my family is my greatest joy and my greatest support. My husband Jim and my children and their partners, Michael and Jacquie and Kirsty and Richard, are exceptional, and I cannot thank them enough for their love and support and for everything they do for me. My personal life has now taken on another dimension with a wonderful addition to our family. Michael and Jacquie have given Jim and me our first grandchild, Bridgette, and I now fully understand what it means to be a totally besotted and doting grandmother. So I have a new dimension to my personal life which is a great pleasure.

We are achieving results in Oakleigh, but, as we always say, there is always more to do. The Bracks government's agenda for this term will ensure that we can continue to rebuild and renew our community. As indicated in the Governor's speech:

... the government will focus on the issues that matter to Victorian families — namely, sound economic management and job creation, better schools, better hospitals, a secure water supply, a clean environment, climate change, a safe community, better roads and public transport, and a fair go in the workplace.

Education remains our top priority. We have worked hard to begin the rebuilding of our schools, with more than 400 statewide rebuilt and modernised since 1999. In the Oakleigh electorate — and I have mentioned it many times — we regrettably have no secondary colleges left. They were all closed before I became the

member in 1999. That presents us with some challenges, but I am sure we will work through them. We have, of course, excellent primary schools. In this last term alone we have completed a number of very important projects and, as I say, we continue to do all of the work that we need to do locally to make sure we can continue to rebuild and renew our schools.

One of the major works was at Murrumbeena Primary School, where the previous education and training minister, Lynne Kosky, in June 2005 officially opened the \$2.65 million major renovation that has really transformed that school. The school is 87 years old and the structure of those sorts of schools presents us with some challenges in providing new and updated facilities, but it now has a wonderful new arts and information resource centre. We were able to rebuild all of the general classrooms and, in particular — it does not sound much — the staff room, which was really no bigger than many of the offices here in Parliament —

Ms Allan interjected.

Ms BARKER — Yes, very small — I agree with the Minister for Skills, Education Services and Employment — extremely small. The school, compared with others in my electorate, has a large enrolment of 550, so the number of staff that were expected to try and fit into that tiny room was just unmanageable. They now have a wonderful new facility. I particularly commend the school community for its efforts in that project. The federal government contributed \$900 000 to the two-stage project and the state commitment was \$1.66 million, but the local school community, which is very hardworking and enterprising, contributed just over \$102 000. That was a great achievement.

I commend the Minister for Skills, Education Services and Employment, with whom I was very pleased to work in my previous role as Parliamentary Secretary for Training and Higher Education, in particular for delivering some of the smaller but extremely important projects to local schools, such as \$150 000 to Hughesdale Primary School for its new toilet block. We can laugh about toilet funding, but they are very important facilities in local schools. Hughesdale Primary School is another great example. In 1996 it was threatened with closure by the previous government. Admittedly at that time it had a very small enrolment, but the community rejected that closure and rebuilt the school's numbers. Members of the local community, like me, know that our area is changing: families are coming back, and our demography is changing. We now find that we need the schools because we are growing in population, particularly the

number of children. The student population at Hughesdale Primary School is now sitting at around 330, and the school is actually full.

Early last year a new mod 5 classroom was delivered to the school to ensure that it could — —

Ms Allan interjected.

Ms BARKER — They are indeed beautiful buildings. Carnegie Primary School has received funding of \$100 000 for toilets, and \$111 000 — —

Ms Allan — Flush with funds!

Ms BARKER — As the minister said, it is flush with funds. There is also funding of \$111 000 for Amsleigh Park Primary School, again for a new toilet block which is currently under construction. Importantly we were able to give Carnegie Primary School another \$100 000 through what was the school improvement program. The school has been able to reconfigure the junior school, which was very important because the junior school children had to walk through classrooms to go to the toilets. There has been minimal change, but it has been very important. It does not involve a lot of money, but it is certainly very important.

A very proud moment for my community in this last term was when the then Minister for Community Services visited the Oakleigh Primary School site, where we had constructed a new kindergarten. We already have and had a great number of kindergartens in our area, but with more families moving into Oakleigh we had an increasing demand for new kindergarten services. There has been funding from the Bracks government of over \$427 000, and together with an enormous effort and contribution made by the Oakleigh Primary School community, that beautiful new kindergarten has been made a reality. It certainly is a great source of pride to me and to my local community.

Although not linked to education, the Bracks government did something else in its last term that is also a great source of pride for our community. At a cost of \$2.5 million it redeveloped the old Oakleigh police station site in Atkinson Street to provide 11 older person units. They really are quite beautiful. There are four 2-bedroom units and three 1-bedroom units, and another four have living areas with recessed alcoves, which means that grandchildren or family members can visit and stay overnight. They were full from the day they were finished, and they are just beautiful. As I said, they are a great source of pride to me as the member for Oakleigh.

The government has done a lot, but there is still a lot to do. We have an agenda and a program, and we are committed to boosting capital works funding in education by 75 per cent. We will rebuild and modernise another 500 schools by 2011. Importantly we have a long-term plan which commits us to the biggest education building program in Victoria since the postwar boom. I will be very pleased to work as a member of the Bracks government to see our specific commitments as outlined in the Governor's speech delivered in the next term, and as a member of the Bracks government I will be delighted to work with my schools.

We certainly are making progress on health, which again is an issue of great importance in my electorate. I commend the government's appointment of Victoria's first Minister for Mental Health. I think this is a very important step in our progression in dealing with this very important issue. I congratulate the member for Bellarine, not only on her appointment to the cabinet but also on her appointment as the first Minister for Mental Health.

A great deal of funding and capital works have been put into hospitals which service my electorate, and a large number of upgrades will provide even better services at the Clayton and Moorabbin campuses of Monash Medical Centre. Work has started at Box Hill Hospital and at Caulfield General Medical Centre, and we are working very hard to make the Alfred hospital, which services my electorate, a great place to deliver health services.

I heard the Minister for Health indicate — and I agree wholeheartedly — that we are far better off to keep people out of hospital and provide preventive health measures. I have always been a very strong supporter of community health. We have worked very hard with MonashLink Community Health Service in Oakleigh. In 1999 it was disaggregated from the Southern Health Care Network and the community committee of management was restored. The staff and the committee have worked very hard to re-establish the service and identify needs both in client-care programs and capital works. We have started to rebuild MonashLink, and its services do need to be rebuilt. Funding of \$6.6 million has been provided as part of the Clayton community centre development, which will be the first stage of reinvestment.

We have now committed to invest \$22 million in this term to modernise and upgrade three community health centres — including the one in Oakleigh — with \$9 million for the second stage of the MonashLink redevelopment. As I said, that will see the development

of a purpose-built service in Oakleigh and in Glen Waverley. I look forward to working with them to see their future finalised, and I hope to be able to work with the services in the Glen Eira council area of my electorate, which needs some attention.

There are many other challenges that we face in the Oakleigh electorate and as a government. Transport is an important one, and we have started to improve bus services. A big challenge in my electorate is the proposed third rail line from Caulfield to Dandenong, with Caulfield to Oakleigh as the first stage. It presents us with a great opportunity to provide a better service. There are a number of issues regarding roads which already have problems with traffic near railway stations. Grange, Koornang, Murrumbeena and Poath roads are the four roads that we will need to work very closely on at the local community and local council levels in order to address those issues. During the election campaign we also committed to providing a pedestrian crossing in Grange Road, Glen Huntly, and I look forward to making that a reality.

I am very proud to be a Labor member. I also consider it a great privilege to be a member of the Bracks Labor government. It is a government which is absolutely committed to rebuilding and renewing all communities, not just mine, across the state, and it is a government which is willing to deal with the challenges that we all face in terms of water, climate change, the environment and transport and how we make sure we have quality education and health systems.

We have set an ambitious program for the next four years and thereafter that builds on the progress of the past seven years. We are making Victoria a better place in which to live, work and raise a family. During the election period my Liberal opponent used an interesting phrase in his literature whereby he claimed that he would make Oakleigh a better place to live, work and raise a family. I can guarantee those opposite that it is my work as the member for Oakleigh —

Mr K. Smith interjected.

Ms BARKER — I would never name my opponent — I never have and I never will. I can guarantee those opposite that I will be the one who will continue working very hard to make my community a better place. And working with the Victorian government, we on this side will make Victoria a better place to live, work and raise a family.

Debate adjourned on motion of Mr THOMPSON (Sandringham).

Debate adjourned until later this day.

Remaining business postponed on motion of Ms ALLAN (Minister for Skills, Education Services and Employment).

ADJOURNMENT

The SPEAKER — Order! The question is:

That the house do now adjourn.

School buses: Scoresby

Mr WELLS (Scoresby) — I wish to raise a matter for the Minister for Public Transport and ask her to take immediate action to address the shortage of school buses in my area. The particular school bus in question is the one that runs from Borg Crescent and Ferntree Gully Road, Scoresby, to Highvale Secondary College. I have been contacted by Maree Wilson, who has explained that the current bus service is overcrowded and that students are being forced to travel on the steps, which is something we as parents do not find acceptable.

We have written to Ventura Bus Lines, which we are sure will work through this issue. We have an excellent working relationship with Ventura. As a company it has over the years gone to extraordinary lengths to address the needs of the community, especially the school community. Although Ventura will do its utmost to fix this, in this particular instance we need government involvement to make sure there is a further allocation. When in the past it has been short in one area, the Bracks government seems to have cut back on school bus services in other areas in order to create more kilometres and put another bus service into the more heavily populated area.

I am concerned about this issue, because at the same time or thereabouts last year I raised with the then minister a shortage in the number of buses going to the Scoresby Secondary College. Even though we wrote to the department, raised it in Parliament and were given assurances that the school would be contacted, nothing happened. It was embarrassing, because we actually had to raise it again in the Parliament to try to get some sort of action. However, Scoresby Secondary College had no joy from the minister's office. On this occasion we are raising it early in the year to make sure that we get this situation resolved.

Mrs Wilson said in her letter to me:

The bus is very overcrowded and the children are forced to travel on the steps. My son began at the school just last week and has already had his foot jammed in the door as it tries to close.

That gives a pretty good indication that this bus has been well and truly packed. Some students have been left behind, which has created an enormous amount of havoc for parents, who have then received phone calls from students saying they have missed the bus through no fault of their own because there has not been enough room on the bus. That has meant that parents or friends have had to go and pick up the students from the school to take them home. It is an inconvenience, and it is not necessary. What we want is an extra bus to be put on this route to Highvale Secondary College to ensure that these students can travel safely from the Scoresby area.

Schools: bullying

Ms DUNCAN (Macedon) — The matter I wish to raise this evening is for the attention of the Minister for Skills, Education Services and Employment. I ask the minister to ensure that all our schools are adopting strategies designed to keep our schools safe places for students to learn and to develop to the very best of their ability. Specifically I ask the minister to continue to monitor the development and ongoing implementation of anti-bullying policies in all our schools. Increasingly research is showing how destructive bullying can be to the ability of students to learn and to develop.

Bullying at schools, as we know, has been around for a very long time, but I suspect we now better appreciate the huge impact it has on people both at the time of the bullying and for many years to come. Things like low self-esteem, an inability to concentrate and therefore an inability to learn are all things that can result from a student being bullied.

Increasingly we are seeing that bullies are using technology to do their dirty work. We are seeing more cyberbullying through use of the internet, via emails and chat rooms, and also through the use of mobile phones and text messaging. There have been some recent articles in the newspapers about this, and some concern has been expressed to me by friends who work in schools and who have noticed this and see it as an increasingly difficult problem for them to tackle.

I know our schools are doing a great job in tackling this very difficult issue, and I have seen firsthand the work our local schools are doing to address this problem. It is a difficult issue for schools; it is difficult for the staff, and of course it is difficult for the students and their parents.

In May last year we launched the Safe Schools are Effective Schools anti-bullying strategy. All Victorian schools received this strategy, and I know it has assisted staff and parents in dealing with this issue. I have had

some very positive feedback on this useful resource from both staff and parents. The kit includes strategies to help schools prevent and manage bullying. It provides strategies for parents to deal with their child who may be a victim of bullying or in fact be a bully.

Cyberbullying is the latest form of bullying, and as a government we have invested a lot of money to ensure all our students have access to the best of technologies, which bring great benefit to the teaching and learning process in schools. We must make sure that this technology is not being used as a weapon against some students. I ask the minister to take action to ensure that schools continue to develop bullying policies that take into account the changing forms of bullying and that those policies continue to be relevant and effective.

Water: Big Buffalo dam

Mr JASPER (Murray Valley) — I raise a matter for the attention of the Premier and, in his absence, the Minister for Skills, Education Services and Employment. I seek his support for and urgent investigation into the construction of a Big Buffalo dam and the extension of Lake William Hovell in north-eastern Victoria. This has become a huge issue of concern for all of us living in the north-eastern part of the state because of the lack of water in those two dams and the fact that there is limited water coming down through that area. We have the situation where Wangaratta is on stage 4 water restrictions.

Because of the concerns I wrote a letter dated 16 January to the chief executive officer of the Murray-Darling Basin Commission, the chief executive officer of Goulburn-Murray Water, the Premier of Victoria, the Minister for Water, Environment and Climate Change, the Prime Minister and the Leader of The Nationals at the federal level about the urgent need for consideration of the extension of Lake William Hovell and the building of the Big Buffalo dam.

Many people would be aware that a former Premier of Victoria, Sir Henry Bolte, over 40 years ago bought additional land in the Lake Buffalo area, and Little Buffalo was constructed for the purpose of building the Big Buffalo dam. An article in the *Wangaratta Chronicle* in 1962 provided information about the extension of Lake Buffalo and the building of the dam. Unfortunately that dam has not been considered for construction.

I have had only two responses to my letter to date. One is from the chief executive officer of Goulburn-Murray Water and the other is from the chief executive officer of the Murray-Darling Basin Commission. The

responses are absolutely ridiculous. Russell Cooper, the chief executive officer of Goulburn-Murray Water, said in part:

You have previously written to us requesting that consideration be given to constructing Big Buffalo. In order to increase the storage capacity of Lake Buffalo there would be need to be an equivalent reduction in capacity at another storage within the Murray-Darling system to ensure compliance with the Murray-Darling Basin cap.

That is a preposterous suggestion. We are looking for construction of this dam to underpin the supply of water in the Ovens and King rivers and provide water to the Rural City of Wangaratta. It would also provide water for irrigation, environmental flows and town supplies.

It is critical that the government look at this issue immediately to see what we can do. It is estimated that Wangaratta will be completely out of water by 8 April. Water is now being lifted out of the lower part of that dam. We need action straightaway to see that something is done to assist us in north-eastern Victoria with the building of the Big Buffalo dam and the extension of Lake William Hovell.

State Emergency Service: Geelong unit

Mr TREZISE (Geelong) — I raise an issue for the Minister for Police and Emergency Services. The issue I raise for action relates to the relocation of the Geelong State Emergency Service (SES) unit. All members of this house would be well aware that the State Emergency Service units across Victoria provide a magnificent service. These services are provided on the ground by a dedicated group of tireless and committed volunteers. I assure the house that the Geelong SES is no exception.

I have regularly visited the current headquarters of the Geelong SES unit. It is located on the corner of Swanston and Little Myers streets in my electorate of Geelong. The site is now owned by Barwon Health, which plans to use the site for car parking. I know car parking is in great demand from patients and their families, visitors and employees such as nurses. Therefore the Geelong SES unit will be required to vacate the site in the near future, as I understand it. The action I seek is for the minister to work and fully consult with the SES, in particular its Geelong branch members, in ensuring that an alternate, suitable site is located in Geelong in the near future.

As I mentioned before, the SES unit in Geelong, as is the case with units across Victoria, is staffed by a group of dedicated and committed volunteers. There are currently approximately 20 members in the Geelong SES unit, ably led by controller David Viga. The

Geelong SES has been located at its current site at the corner of Swanston and Little Myers streets for 15 to 20 years. This site provides effective and efficient access to all corners of the greater Geelong area. This central location allows members easy access in emergencies and for other important functions such as training. The Geelong SES has prime responsibility in the area for storm and flood rescue. Members might say it could not have had too much work in recent years because there have not been too many storms and floods. However, I am informed that the Geelong SES also provides a general rescue service and has performed four rescues in the last couple of weeks.

It is vital that the Geelong SES finds a new home. I know the minister is committed to ensuring that a suitable site is found. I look forward to working with the minister, the SES, the City of Greater Geelong, importantly, and local SES members to resolve this important issue.

Planning: Mornington Peninsula

Mr MORRIS (Mornington) — I raise a matter for the Minister for Planning in another place. I ask the minister to immediately withdraw from exhibition amendment C84 to the Mornington Peninsula planning scheme and to commence meaningful consultation with the local community with a view to developing, as a matter of urgency, a specific Mornington Peninsula planning scheme.

The planning scheme amendment that I am referring to affects the commercial area not only of Mornington but of the whole peninsula. It was introduced by the council as a consequence of the impact of the activity centres designated under Melbourne 2030. The amendment is having the effect of changing the nature of the three main activity centres on the Mornington Peninsula beyond recognition. It is another example of the sorts of problems that have been created by imposing a policy that was designed for the Melbourne metropolitan area on areas that are adjacent to but not part of the metropolitan area. This is really a critical point. Two or three applications for multistorey developments have been approved. A town that has managed to keep its character intact for the last 160 years is in imminent danger of being destroyed. Not only Mornington is affected; Hastings and Rosebud are affected in exactly the same way. It is a tragedy because it is totally unnecessary.

The standard line is that the amendment has to be adopted as part of Melbourne 2030 and is necessary to protect the broad acres of the peninsula, but the fact is that those areas had been protected by successive

councils and successive governments since the 1950s. Peninsula people are not, in their view, part of Melbourne, and they do not want to become part of it. They do not see themselves as living in Melbourne. The legislative hard black line that had been imposed as part of that strategy had been working very well, as I said, for the previous 50 years. This goes a long way towards destroying the character of three great towns. It does not have to be this way. I call on the minister to act now not only for us, the people who are immediately affected by the change, but for future generations.

Buses: Yan Yean electorate

Ms GREEN (Yan Yean) — I wish to raise a matter for the attention of the Minister for Public Transport. The action I seek is that the minister provide advice as to when the local bus reviews for the Plenty Valley, Eltham and Greensborough will begin. Last year the Premier launched a \$10 billion blueprint to improve public transport entitled *Meeting Our Public Transport Challenges — Connecting Victorian Communities*. Part of the initiative committed the government to significant improvements, including the expansion of local bus routes. My community certainly welcomed this initiative, particularly because it referred to growth corridors.

In October last year the former Minister for Transport indicated that the two distinct areas of Eltham-Greensborough and the Plenty growth corridor would be the first to benefit from the initiative. My community welcomed this announcement. We have seen great improvements in my electorate. The 561 bus route from South Morang to Greensborough has seen significant service improvements. A new service has been introduced between Eltham and Diamond Creek. We have also seen the reintroduction of weekend services between Eltham and Warrandyte and Greensborough and Humevale. Those services were cut under the former Kennett government.

Due to the expansion that is occurring in the growth corridors in my electorate, there is a need for a large increase and improvement in bus services. There is a need for an overall planned approach, as indicated in *Meeting Our Transport Challenges*, taking public transport on a region by region basis rather than just looking — —

The SPEAKER — Order! The member has 1 minute to ask for specific action.

Ms GREEN — I have asked the minister to indicate to the community when the local bus reviews will take place. I think I made that clear at the outset, but I am

happy to reiterate that because I think that the community is not yet clear when those bus reviews will occur.

We need many more new services for new communities in my electorate, including those in Doreen, Laurimar, Mernda, South Morang and Whittlesea. I look forward to the conduct of the reviews, which I understand will involve extensive consultation with those communities across the Yan Yean electorate and which I am sure will inform the Department of Infrastructure on the need for new and improved services for my electorate. I welcome that initiative and hope that the minister will detail the time frame for when that will occur.

Trams: accessibility

Mr WAKELING (Ferntree Gully) — I raise a matter for the attention of the Minister for Public Transport. The action I seek is that the minister review the route 75 tram service to Vermont South and ensure that trams on that tramline are accessible by both people with disabilities and the elderly.

Currently Yarra Trams has two types of low-floor trams, the D1 and D2 classes. Recently I was approached by a resident who is confined to a wheelchair. She advised me that no D1 or D2-class trams visit the Vermont South tram stop. My constituent sought to clarify the situation with a customer service representative. She was advised that on that route those trams travel only as far as Hawthorn. My constituent then asked if she could possibly request that a low-floor tram service the site on subsequent days. That request was completely ignored. My constituent had had the audacity to request that she could access the public transport system! After I had received this advice I wanted to clarify the situation for myself. I spoke to a tram driver at the Vermont South tram stop who confirmed that no D1 or D2 trams service that site.

This situation is completely unacceptable. As the member for Scoresby pointed out earlier, in 1999 Labor promised the residents in Melbourne's east that a Bracks government would extend the route 75 tram from Burwood East to Knox City. History has proven that, as with the promised Rowville rail feasibility study, the 24-police station at Rowville and the toll-free Scoresby freeway, the government has turned its back on my constituents by delivering a tram extension to only Vermont South. The failure by the government to deliver on its key promise has been roundly criticised by many in the outer east, including residents, community groups, Knox City Council, the Public

Transport Users Association and many others. In fact at the last election the former member for Bayswater seemed to be out of step with his own party when he said that he wanted the tramline to be extended.

The former Minister for Transport opened the tram extension to Vermont South with much fanfare. The stop has certainly been designed to accommodate people with disabilities and the elderly. However, what is the purpose of constructing an all-abilities-accessible tram stop if disabled passengers cannot board a tram? What is the message that this government is sending to constituents in Melbourne's east? If you are disabled, the Bracks government expects you to live in the inner city. Disabled passengers can access our new state-of-the-art tram stop, but they should not expect to get on a tram. This government has turned its back on Melbourne's east. I and my neighbouring colleagues will not give up on ensuring that this government delivers better public transport for our region. It is imperative that the Minister for Public Transport fix this situation.

Housing: Northcote

Ms RICHARDSON (Northcote) — I raise a matter for the Minister for Housing. I refer to his announcement last Thursday that the public housing at 1 Roberts Street and on High Street, Northcote, will be fully developed as new public housing. The action I seek is that the minister ensure that the existing residents are fully consulted on the plans for the redevelopment. The two buildings on the estate, each consisting of four-storey walk-ups, were built in 1963. Approximately three-quarters of the 47 residents live in single-room bed-sitters while the others have separate bedroom and living areas. Although the buildings met the requirements of the building codes when they were built, they do not meet the standards for housing that we would expect today.

It was with great pleasure that I was present at the estate when the minister announced that the current structures would be demolished and replaced by new buildings with up-to-date facilities.

The residents were very pleased to learn directly from the minister of his decision to improve their living conditions. They are also very keen to play an active role in the development of the project. In particular they want to know how the costs of the relocation will be met, whether the design of the new buildings will take into consideration mobility issues and whether they will be able to live locally while the buildings are being constructed.

I have had the privilege of meeting with several of the residents. Their care and concern for each other's welfare is a model for all of us. No doubt their care and concern for the success of this redevelopment will also be noteworthy in the months ahead. They were very pleased about the minister's quick and decisive response following my representations to him on their behalf, and I might add that they were disappointed to learn from the two Liberal members who visited them at the estate that the Liberal parliamentary party would only raise their concerns if their story caught the attention of the metropolitan media. Unlike the approach of the Liberal Party members, the minister has responded to the concerns of residents and no doubt will also ensure that their needs are met as the project is implemented.

Morwell-Thorpdale Road: upgrade

Mr NORTHE (Morwell) — The action I seek is from the Minister for Roads and Ports. I request the minister to make funds available immediately to undertake urgent safety upgrades of the Morwell-Thorpdale Road. I refer the minister to a front page article in the *Latrobe Valley Express* of Monday, 19 February, which refers to the tragic deaths of two Thorpdale teenagers on this small stretch of road during the past four years. The loss of life on country roads is an all-too-frequent occurrence. The last thing I wish to do is politicise the tragic loss of life on country roads, but the fact is that a disproportionate number of people are dying on country roads. While the city road toll has dropped over the past seven years, the country road toll has increased.

Tragically Thorpdale teenagers Tim Bright and Melanie Johnston were the two young people who lost their lives on the Morwell-Thorpdale Road. There is nothing we can do now that will console their families, because we cannot bring back Tim Bright and Melanie Johnston, but we can take action to prevent further loss of life on this road. Let me quote the *Latrobe Valley Express*, which I must commend for reflecting the community's concerns about this road and leading the campaign for safety upgrades. It states:

Melanie's parents have been leading the campaign to have the road upgraded and believe if safety barriers were erected their daughter may still be alive.

I have spoken to Jeff Johnston, Melanie's father, about the circumstances of his daughter's accident. He said the lack of guardrails around trees close to the road meant any mistake by a driver would have tragic consequences.

We all make mistakes, but on many of our country roads the slightest mistake can be fatal because of poor road conditions. That is why The Nationals have launched a campaign called 'Fix country roads, save country lives'. The Nationals believe that if you invest in safety upgrades on country roads, you will reduce the road toll in rural and regional Victoria. This is not just my view, this is the view that has been expressed by the Royal Automobile Club of Victoria in its commentary on the most effective ways to reduce the road toll in country Victoria. Clive Hall, the president and chairman of the RACV board, is quoted in the February 2007 edition of *Royal Auto* as saying:

We know that road improvements such as shoulder sealing, guard fencing, overtaking lanes, intersection improvements and the like, will contribute significantly to reducing trauma on country roads.

The RACV is also on the public record as stating that an additional \$200 million a year for the next 10 years is required to bring country highways up to an acceptable standard. This commentary is in addition to the finding of the inquiry into the country road toll that VicRoads should implement a major program to upgrade category C roads to make them safer.

At the time of the inquiry the Bracks government gave a commitment to request VicRoads to develop a strategy and action plan for country roads which would be completed by the end of 2006. We are still waiting to see the report, and residents of Thorpdale are still waiting for their road to be upgraded. I invite the minister to visit the Morwell electorate and inspect the road and see for himself how it needs to be urgently upgraded to improve safety for local motorists. If you fix country roads, you will save country lives.

Blackburn Lake: funding

Mr ROBINSON (Mitcham) — I wish to raise an issue for the attention of the Premier. It concerns some very well-thought-out proposals to extend the iconic Blackburn Lake Reserve in my electorate. I am seeking from the Premier his urgent clarification of the state government's position in regard to the land acquisition, preferably by a written response to the local council, because I believe this is urgently required.

The Blackburn Lake adjoins an aged-care facility which for many years was run by the Adult Deaf and Dumb Society of Victoria. With an obvious need for it to expand, the aged-care facility was transferred to private ownership some years ago, and that was accepted by all parties. There was some consultation locally as to the degree to which that expansion would occur, and I am pleased that along with some local

groups we were able to extract from the operators of that facility a concession as to the way in which it would be expanded.

What resulted from that was the availability of some eight allotments on the site owned by the aged-care operator that were subdivided some 100 years ago but never built on. The operator indicated that it had no need for those allotments. It was agreed by all parties that an appropriate outcome would be for those allotments to be purchased and incorporated into the neighbouring lake reserve. This is a win-win situation for all involved. It initially had the support of the Liberal Party locally, but its members turned out to be very much fair-weather friends.

I am pleased that we were able to get an agreement — it took some time to secure, but I was involved in it — where all three levels of government, the Whitehorse council and the state and federal governments, would contribute equally to the acquisition of those blocks. That was very good news. But — surprise, surprise! — with the connivance of a local Liberal upper house member for the Eastern Metropolitan Region, in cahoots with a couple of local councillors, the Liberal Party has now seen fit to abandon this. In a motion recently put before the upper house the state government has been asked to abandon its agreement with the federal government and Whitehorse council to acquire those allotments. Instead a harebrained scheme has been devised under which it is proposed that the government ought now compulsorily acquire land about a kilometre up the road. I will not go into the details of that, but it is a half-baked proposal.

The Blackburn Village Residents Group has responded to the notice of motion put forward by the Liberal member and said its members are outraged by the news of the motion, pointing out the hard work that has been involved in getting the three tiers of government to this point. The mischief being created by local councillors has contributed to the council writing to the government and asking whether it might be permitted, with the acquisition of those lands, to then establish buildings on those lands for some unknown community purpose. This would be a total betrayal of the undertakings which have been sought to this point in time. I am asking the Premier to reiterate the government's original commitment.

Mr Kotsiras — On a point of order, Speaker, I did not want to interrupt the contribution of the member for Yan Yean, but she asked for advice. While I am not asking for the matter to be ruled out of order, I ask you, Speaker, whether you could just make it clear to

members that the adjournment debate is not the time to ask questions.

The SPEAKER — Order! The member for Bulleen is correct. I clearly heard the member for Yan Yean ask for advice in her initial statement, but in her contribution she then asked the minister to clarify with the community of Yan Yean when the bus reviews will take place. My understanding of that was that she was actually asking the minister to have contact and consultation with the community, and I would argue that I will interpret that as action. But the member is correct when he says that the member for Yan Yean asked for advice in her initial statement. That is why I asked her part way through her contribution to ask for action, which I believe she did.

Responses

Ms ALLAN (Minister for Skills, Education Services and Employment) — I am very pleased to respond to the matter raised by the member for Macedon, who is greatly concerned about the issue of bullying in our schools. As a former librarian and longstanding worker in our schools, she understands very well these issues and concerns for young people. This is a commitment that the Bracks government shares.

We want to make sure we have the best possible learning environments for our young people. That is why we require all schools, government and non-government, to have a code of conduct. That is why last year we launched an extensive anti-bullying campaign in our schools. It was based on research that was undertaken by Deakin University and the Allannah and Madeline Foundation. It was the most comprehensive research project into bullying that had been undertaken in the history of Victorian government schools.

I am pleased to advise the member for Macedon that, building on the back of the materials and resources that we put into schools in 2006, in 2007 we are taking further action in this critical area. In particular we are examining and looking at issues around cyberbullying to determine the best strategies to support schools in this emerging area.

Cyberbullying, as we know, can happen anywhere and unfortunately is reportedly on the rise. We should note also that it happens outside school hours. When you consider the proliferation of mobile phones, personal devices and computers in the home, it is not surprising that a large part of this bullying happens outside of schools, but it has an impact on young people at school,

which for the information of the members opposite is a very serious matter.

We will be requiring all government schools to review their code of conduct by December this year. We will be providing advice to schools regarding cyberbullying to ensure their code of conduct reflects current and emerging issues. Steps have also been taken to provide a safe online environment for students at schools. I am pleased to announce, for example, that students are unable to access a number of websites, including the website that is well known to members, the *YouTube* website. This means that students cannot publish videos of themselves or other students while at school.

This is part of a range of activities that includes professional learning activities that are linked to our anti-bullying campaign, which we commenced in 2006 and are building on in 2007. We want to make sure that Victorian students are supported in their school environment so that they can achieve their personal best.

Mr WYNNE (Minister for Housing) — I rise in response to the member for Northcote —

Honourable members interjecting.

The SPEAKER — Order! The Minister, without assistance from other members!

Mr WYNNE — It is always a delight to see new members firing up so well. They are obviously very comfortable in their seats and will only be here for one go, most of them.

I am pleased to respond to the member for Northcote and I acknowledge the important role the member for Northcote has played in resolving what has been an important issue in her electorate. Almost immediately after I became the Minister for Housing the member for Northcote approached me in relation to this particular block of units in Roberts Street, Northcote. The units are some of the oldest public housing units in Victoria. They were built in 1963. For a long time residents have been concerned about the condition of the accommodation. There was some uncertainty in the minds of the residents about what the future held for the site.

As the member for Northcote indicated in her adjournment matter, I was out there last week with her when I was pleased to announce a \$9 million refurbishment of the units. Forty-seven units are currently on the site and in the redevelopment of those units we expect to deliver a minimum of 47 units. Our

hope is that through the process we will get a larger number of public housing units on the site.

One of the important elements of these redevelopments is that residents have the opportunity to be involved in the consultative process around the redevelopment. That commenced today when an information session was held on site — I understand the member for Northcote's office was represented at that meeting — when residents were advised about the time lines and the process going forward in terms of the redevelopment of the area. This includes very basic things like what areas residents might be moving to, whether any costs will be incurred in the move or the reconnection of services and various other day-to-day matters which are of concern to the residents during this redevelopment process.

The important thing about this process is that we engage tenants in a meaningful and consultative way. One of the best ways to do that is by forming a committee. I invite the local member, the member for Northcote, to chair a consultative group of tenants to work with the architects around the redevelopment of this site. It is a very good model and is one that has been used across the board. I am sure if new opposition members had public housing in their areas to be redeveloped, they would also support the concept of a broad consultative committee to work with the local community around the process of redevelopment and to work in with the architects who will be commissioned to do the work.

The process going forward is that the residents, through that consultative process, will have the opportunity to go and look at other public housing redevelopments in the inner city to ensure they are well aware of the standards in place. We on this side of the house are very proud of those standards. The standard and quality of the public housing we are building is absolutely first class. When the local member goes around with the tenants to look at these redevelopments, she will be equally proud of the work that the ministry has done in redeveloping public housing over the years of the Bracks government.

This development will go through the full planning process of the City of Darebin. Early indications are that the council is very supportive of this redevelopment, and we look forward to its going through the standard planning process. As one would expect, the plans will be exhibited and there will be opportunity for input from the neighbouring communities. There will be the usual process by which objections can be lodged, but we hope to get a speedy resolution to any objections to the planning process. We

expect that the tenants will be relocated into the neighbouring communities by the end of this year, and they will have the first right to come back to the redeveloped units as long as they remain eligible for public housing.

I sincerely thank the member for the effort she has put in. Since the first day she became the member for Northcote she has been a fearless advocate for this project. It was a delight to be out there with her last week, announcing this redevelopment. It is merely one in a whole range of redevelopments that will occur over the next four years of this government.

Mr Jasper interjected.

Mr WYNNE — I am sure the member for Murray Valley will provide his usual level of advocacy on behalf of his community. I look forward to the opportunity to visit his area as well.

I commend the member for Northcote for her work and very much look forward to this redevelopment progressing smoothly so that the old, run-down public housing stock will be redeveloped in a great location, and we will have very high-quality replacement public housing in the area.

Ms ALLAN (Minister for Skills, Education Services and Employment) — The members for Scoresby, Yan Yean and Ferntree Gully raised matters for the Minister for Public Transport, and I will refer those matters for her attention and response.

The members for Murray Valley and Mitcham raised matters for the Premier for his attention and response.

The member for Geelong raised a matter with the Minister for Police and Emergency Services regarding the relocation of the Geelong State Emergency Service, and I am sure the minister will respond to the member.

The member for Mornington raised a matter for the Minister for Planning in the other place, and I will refer that matter to him for his response.

The member for Morwell raised a matter regarding country roads and safety for country motorists. That matter will also be referred to the Minister for Roads and Ports for his attention and response.

The SPEAKER — Order! The house is now adjourned.

House adjourned 10.39 p.m.

