

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT

FIRST SESSION

Wednesday, 28 February 2007

(Extract from book 3)

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By authority of the Victorian Government Printer

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The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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

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

Environment and Natural Resources Committee — (*Assembly*): Ms Duncan, Mrs Fyffe, Mr Ingram, Ms Lobato, Mr Pandazopoulos and Mr Walsh. (*Council*): Mrs Petrovich and Mr Viney.

Family and Community Development Committee — (*Assembly*): Ms Beattie, Mr Dixon, Mr Perera, Mrs Powell and Ms Wooldridge. (*Council*): Mr Scheffer and Mr Somyurek.

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

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

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

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

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

Heads of parliamentary departments

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

Parliamentary Services — Secretary: Dr S. O'Kane

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FIFTY-SIXTH PARLIAMENT — FIRST SESSION

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Deputy Speaker: Ms A. P. BARKER

Acting Speakers: Ms Campbell, Mr Eren, Mrs Fyffe, Ms Green, Dr Harkness, Mr Howard, Mr Ingram, Mr Jasper, Mr Kotsiras, Mr Languiller, Mr Lupton, Ms Marshall, Ms Munt, Mr Nardella, Mrs Powell, Mr Seitz, Mr K. Smith, Mr Stensholt and Mr Thompson

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The Hon. S. P. BRACKS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier:

The Hon. J. W. THWAITES

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

Mr E. N. BAILLIEU

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

The Hon. LOUISE ASHER

Leader of The Nationals:

Mr P. J. RYAN

Deputy Leader of The Nationals:

Mr P. L. WALSH

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Jasper, Mr Kenneth Stephen	Murray Valley	Nats	Wakeling, Mr Nicholas	Ferntree Gully	LP
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Kotsiras, Mr Nicholas	Bulleen	LP	Weller, Mr Paul	Rodney	Nats
Langdon, Mr Craig Anthony Cuffe	Ivanhoe	ALP	Wells, Mr Kimberley Arthur	Scoresby	LP
Languiller, Mr Telmo Ramon	Derrimut	ALP	Wooldridge, Ms Mary Louise Newling	Doncaster	LP
Lim, Mr Muy Hong	Clayton	ALP	Wynne, Mr Richard William	Richmond	ALP

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Wednesday, 28 February 2007

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

PETITION

Following petition presented to house:

Buses: Bulleen service

To the Legislative Assembly of Victoria:

The petition of individuals who object to the proposed changes to bus route 283 draws to the attention of the house we the undersigned object to the proposed changes to bus route 283. That will affect those who need transportation to and from the Bulleen Plaza shopping centre.

The petitioners therefore request that the Legislative Assembly of Victoria take measures to ensure that this vital service to our local community is retained.

By Mr KOTSIRAS (Bulleen) (483 signatures)

Tabled.

Ordered that petition be considered next day on motion of Mr KOTSIRAS (Bulleen).

DOCUMENTS

Tabled by Clerk:

Auditor-General — Results of financial statement audits for agencies with 30 June 2006 balance dates — Ordered to be printed

Director, Police Integrity — *Past Patterns — Future Directions: Victoria Police and the Problem of Corruption and Serious Misconduct* — Ordered to be printed

EastLink Project Act 2004 — Variation Statement No. 9

Essential Services Commission — Report on New Year's Eve surcharge on non-metropolitan taxi-cabs

Financial Management Act 1994 — Report from the Minister for Health that she had received the 2005–06 report of the Keilor Cemetery Trust, together with an explanation for the delay

Gambling Regulation Act 2003 — Victorian Commission for Gambling Regulation Rules (*Gazette S33*, 21 February 2007)

Mt Buller and Mt Stirling Alpine Resort Management Board — Report year ended 31 October 2006

Statutory Rule under the *Subordinate Legislation Act 1994* — SR 4.

MEMBERS STATEMENTS

Police: Caulfield assault

Mrs SHARDEY (Caulfield) — Once again I raise the issue of the bashing of Menachem Vorchheimer. Although this young father was racially abused and bashed in front of his children on his way home from synagogue last October, charges have still not been laid against those responsible. Menachem bravely took a public stand against drunk football club players in a Kombi van who were subsequently responsible for the thuggish behaviour which saw him sustain significant injury and hurt.

If those responsible thought Menachem would just turn the other cheek, they were sadly mistaken. He is a hardworking member of the Jewish community who has had a difficult life but who is a beacon of success in the country adopted by his parents. He is also a man who is devoted to his family and community.

For the Bracks government not to push for the charging of those responsible is a travesty of justice that goes to the heart of its credentials in the area of racial and religious vilification and racial and religious harmony. I call upon the Premier and the Minister for Police and Emergency Services to ensure that justice is done and that those responsible are made accountable. It is time to live up to the rhetoric and actually do something to right a wrong!

David Hicks

Mr HULLS (Attorney-General) — I make a statement today not as a partisan politician but as Victoria's chief law officer and the person charged with the defence of legal principles in this state. I take this duty seriously, as do my state and territory counterparts. Accordingly we have signed the *Fremantle Declaration*, a statement of our belief in entitlements such as a fair trial and in the principle of habeas corpus.

As the man charged with the defence of Australia's legal system and with upholding due process for Australian citizens, the federal Attorney-General, Mr Ruddock, is to be utterly and irrevocably condemned for abdicating his responsibilities in relation to the rights of David Hicks. Knowing that the military commission in the United States of America will rely on hearsay and possibly on evidence obtained through coercion, and knowing that the presumption of innocence has been trampled on, Mr Ruddock now has the gall to say that Hicks needs to have his day in court to clear his name.

As elected members of Parliament in this state, regardless of our partisan persuasions, we cannot afford to take the same politically expedient path as Mr Ruddock. That is why I have invited Major Michael Mori, the United States military lawyer defending David Hicks, to brief all members of Parliament at 12.30 p.m. today.

We are all charged with defending Victoria's democracy and democracy generally. It is vital that we hear from Major Mori the extent to which an Australian citizen has been denied his basic legal entitlements. As a community we can work to prevent this legal travesty from happening again. I invite everybody to attend this meeting today.

Lions club: Charlton low-flow showerhead project

Mr WALSH (Swan Hill) — I rise to support and praise the initiative and energy of the Lions club of Charlton, whose members have devised a project to convert showers in the town of Charlton in my electorate to low-flow showerheads.

The Lions club is very serious about saving water in this current drought. If implemented, the showerhead project would reduce water use in the town and conserve the water remaining in the Wimmera–Mallee. The club has calculated that if 3-star water-efficient showerheads were installed, a household of four people would conservatively save 40 litres of water every day. If 300 showerheads were installed in Charlton, that would equate to a saving of 12 000 litres of water per day, or 4.4 megalitres per year.

The Lions club wishes to obtain around 300 free showerheads under the Bracks government's Water Smart Gardens and Homes rebate scheme to distribute to households throughout the town and oversee their installation. The Lions club intends to help the elderly, the frail and the disabled to install the showerheads in their homes. I have written to the Minister for Water, Environment and Climate Change to seek his support in providing the showerheads for this exciting and innovative project. Perhaps Charlton will be the first town in Victoria to take up the minister's offer of free low-flow showerheads for the whole town.

Water: goldfields super-pipe

Ms ALLAN (Minister for Skills, Education Services and Employment) — For the last decade now the citizens of the city of Greater Bendigo have had to fight for a number of major infrastructure projects to be funded by the federal government. We had the saga of

the Calder Highway, where the Bracks government put its funding on the table but had to force the federal government to follow. We had the saga of the magnetic resonance imaging machine for the Bendigo hospital, where the Bracks government had to put the funding forward for the equipment and the federal government was dragged kicking and screaming with the installation and the licence.

Here we are again, in 2007, with the federal government continuing to refuse to fund the super-pipe to Bendigo, despite the fact that the Bracks government has put \$30 million on the table and despite the fact that the federal Minister for the Environment and Water Resources when he was a parliamentary secretary stood in Bendigo on 13 July 2006 and said that Bendigo would have an answer on federal funding by the end of 2006. We are coming towards the end of the second month of 2007, and we still do not have the funding. What is more worrying with the Prime Minister's plan for the Murray–Darling Basin is that it could not only put the funding for the super-pipe at risk, it could put all of the water that could come through that super-pipe at risk as well, because the federal government could turn the tap off on Bendigo. Under the federal plans it could turn the tap off and prevent Bendigo from receiving water. It is an absolute disgrace that once again Bendigo people have to fight this federal government for vital infrastructure projects.

Western Port: jetty upgrades

Mr K. SMITH (Bass) — I am astounded by the uncaring attitude of the Bracks socialist government in its treatment of fishermen and fisherwomen on the eastern shores of Western Port. We have a government which jumped to the wishes of Rex Hunt and shut down Western Port to commercial fishermen on the basis that it would be good for recreational fishermen but then not only proceeded to neglect the condition and ignore the complete breakdown of the jetties at Lang Lang, Grantville and Corinella but is now threatening to remove the jetty at Lang Lang and demolish part of the Corinella jetty because the socialist government has neglected the facilities.

Each of the jetties should be upgraded through the boating safety and facilities program or the recreational fishing licence fees that are paid by the local fishermen down there. The Lang Lang jetty has seen hundreds if not thousands of kids dip their line for the first time and catch their first fish, but through Parks Victoria the government is going to remove this historic jetty. Over 1000 people have signed petitions to have this jetty replaced, but this uncaring government seems

determined to ruin the opportunities for future generations of recreational fishermen in Western Port.

Maybe the Premier should have promised to fix these jetties when he bowed to the wishes of Rex Hunt to close Western Port to commercial fishermen, denying the people around Western Port from Hastings to San Remo and Rhyll the opportunity of buying fresh fish. Rotting fish are not the only thing that stinks in this state; so does the Bracks socialist government.

Oakleigh Cannons Football Club

Ms BARKER (Oakleigh) — I would firstly like to congratulate Melbourne Victory on its very convincing win against Adelaide United in the A-League grand final. Now we have seen this wonderful success for our Melbourne team in the national league we will see the kick-off of Football Federation Australia's Victorian Premier League season this Friday at the Oakleigh Cannons home ground, the Jack Edward Reserve in Oakleigh. Oakleigh will meet Kingston in that match, and I am confident that we will start the season with a win. This year I am confident that with Stuart Munro as its coach the team will work very hard to ensure that we not only finish top of the ladder but that we finish the season off with a win in the finals.

Importantly on Friday night we will officially open the new spectator shelter which has been built in a partnership between the City of Monash, sponsors of the club, the club itself and the state government. This facility has been desperately needed at the ground, and I am very pleased not only to have supported the Monash council application to government for the funding but also to see a recent further \$60 000 commitment from the government towards the upgrade of the lights on the ground.

I congratulate and thank the immediate past president, Jim Neofytou, who has worked tirelessly along with other committee members to improve the facilities at the Oakleigh Cannons home ground. I look forward to working with the new president, Stan Papayianneris, and the committee to continue upgrading the facilities — and importantly to see the Oakleigh Cannons Football Club have great success in the Victorian Premier League.

Climate change: emission levels

Mr CLARK (Box Hill) — I congratulate the National Generators Forum and CRA International on their recent publication of the document *Analysis of Greenhouse Gas Policies for the Australian Electricity Sector*. This study does some of the hard work

necessary to assess what is required to achieve a large reduction in the level of greenhouse gases emitted by the Australian electricity industry. This willingness to do the hard work and to publish a thorough and detailed report is in stark contrast to the Bracks government, which is more interested in posturing and political stunts than in actually taking effective action on emission levels, despite emission controls being a state government responsibility.

The National Generators Forum has modelled a wide range of possible emission reductions from the electricity sector, including achieving a level of 96 million tonnes of CO₂ emissions per annum by 2050, which is less than half of the approximately 210 million tonnes expected to be produced in 2010 and an 80 per cent reduction in the projected level of unconstrained 2050 emissions. Based on the assumptions made, the study concludes that a 96 million tonne emission level by 2050 could be achieved optimally at a resource cost 23 per cent higher than with unconstrained emissions, or 30 per cent higher without nuclear energy, and that similar emission levels could be achieved by 2050 with a CO₂ price of \$40 a tonne.

The study also found that policies that tried to impose particular technological solutions incurred incremental costs up to four times higher than achieving the same level of CO₂ reduction without restricting technology choice. The findings of the study are heavily dependent on its assumptions, especially that successful carbon capture and storage technology can be developed and deployed.

Carrum Downs Community Support Group

Mr PERERA (Cranbourne) — Carrum Downs Community Support Group plays an integral part in making Carrum Downs a better place to live. I am fortunate enough to be part of this fine group of many local community champions who are consistently coming up with initiatives to drive and deliver in the Carrum Downs area.

A recent initiative was to hold a Carrum Downs and Skye community business breakfast, the second of this kind. There are over 800 businesses registered in the Carrum Downs-Skye area, and most of them are small businesses. The idea behind these breakfasts is to bring local businesses, local schools, local sporting clubs and voluntary organisations together to lay the foundation for a stronger local community. The breakfast was well supported and proved to be a strong networking tool for many.

Some great community ideas have come from the breakfast. One in particular is for the local secondary college to work with local businesses to support a work experience program for the students attending Carrum Downs Secondary College. The Carrum Downs Community Support Group is now finalising a Department for Victorian Communities grant application to assist with initiatives and programs for the young people of Carrum Downs to participate in and enjoy. I take my hat off to all the members of the group who continually put in the time and effort to make Carrum Downs a better place to live, work and raise a family.

Rail: Echuca–Toolamba crossings

Mr WELLER (Rodney) — The Echuca–Toolamba railway line reopened to freight trains earlier this month in a move which has caused much anxiety for residents in the Kyabram-Tongala area. Residents are extremely concerned about the safety of the many crossings along the line and the potential for motorists to be injured or killed. The crossings along this particular stretch of railway line are particularly dangerous, as the line runs diagonally across the road in most places and each of the crossings have minimal warning signs.

The residents are also concerned about the poor visibility of trains at the rail crossings, particularly at night and when the crossing is raised above the level of the road. Measures need to be taken to improve the safety issues at the crossings, including the installation of level crossing gates and activated flashing lights. The visibility of oncoming trains must also be improved through the use of reflective tape and additional lighting on the sides of train wagons.

The technology is available to provide flashing lights at all level crossings in Victoria at an acceptable price, and the Victorian Government has a responsibility to do this. If you fix country roads, you save country lives. If action is not taken immediately to address the dangers of the crossings along the Echuca–Toolamba line, I fear it is only a matter of time before someone is killed.

Tom Cashion

Ms MUNT (Mordialloc) — I would like to take the opportunity today to congratulate Tom Cashion, a young man in my electorate, for his wonderful efforts in his Victorian certificate of education last year. Tom achieved a near-perfect score of 99.6 in last year's VCE and will soon be commencing study at Melbourne University. As reported in the *Herald Sun* newspaper of 12 December 2006, Tom has:

... swapped books for bricks and brains for brawn but Tom Cashion wouldn't swap his near-perfect VCE score for anything.

The Mentone Grammar student surprised himself and his parents by scoring 99.6 for his VCE with only minimal study.

And Tom got the great news while knee-deep in dirt digging a ditch at a construction site yesterday.

'It was a good surprise. I was very happy' —

Tom said.

I have known Tom since he was a youngster at Mentone Primary School. He is a lovely young man with a great future in front of him. Like many students who study the Victorian certificate of education in schools in and around my electorate, he is a credit to himself, his school and his family. Well done, Tom, and all the best for your future.

Croydon soup kitchen

Mr HODGETT (Kilsyth) — I rise to inform the house of two matters. I take this opportunity to praise the work of a number of groups who are involved with a soup kitchen run every night of the week in Croydon, including three nights on Main Street, Croydon, not 100 metres from my own office.

The work of the Heathmont Christadelphians, the Seventh Day Adventist Church, the Christian Community Church, the Eastern Hills Community Church, the Connection Church of Christ, the Christian Life Centre Ringwood and the Croydon Hills Baptist Church supplies approximately 450 meals a week to people in community and government housing, as well as the homeless. Working in coalition with the Maroondah City Council, which provides the kiosk on Main Street, these groups and others around the state provide nutrition for so many people in need and are truly worthy of our recognition.

Eastfield Road, Croydon South: safety

Mr HODGETT — The second matter I raise regards Eastfield Road, Croydon South. Eastfield Road is a connector road that runs through a residential area. There are schools nearby, including Croydon South Primary School and Croydon Special Development School. Eastfield Road is being used as a shortcut for heavy vehicles from the nearby industrial area, and it is a drag strip for hoons in a 60-kilometre-per-hour zone. There have been numerous accidents, one recently resulting in two men dying and one being seriously injured when their four-wheel-drive flipped over and crashed into the tree outside a resident's house.

Eastfield Road is a Maroondah City Council responsibility. Had a Liberal government been elected in November last year, \$29 million would have been granted to local metropolitan councils to help fix problems like the one on Eastfield Road to help take the pressure off hardworking ratepayers.

The Premier and his party refused to match our commitment to local communities, and the people in my constituency continue to suffer. I ask the government to provide assistance funding and support to the local council to make this road safe for local residents.

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

Horses: Lara property

Mr EREN (Lara) — The Geelong community has been shocked in recent days by the revelation that a number of horses have been left hungry by their owner on a property in Lara. I know these concerns have caused great angst to my community. As a result over 100 people who are concerned about the welfare of the animals gathered in Lara on the weekend. I, like many others, was saddened by the visible state of these defenceless animals, and the fact that the owner is a registered vet is a further disappointment.

On Monday I received a petition from 152 members of the community urging immediate action, including that the Royal Society for the Prevention of Cruelty to Animals remove the horses from the property. Unfortunately it was discovered that the petition did not fit the parliamentary guidelines and therefore could not be presented to Parliament as a petition. However, because of the nature of the issue and the fact that it is important to my community, I raise it now in the form of a statement. After being contacted by concerned residents I raised the issue with the Minister for Agriculture. I have also written to the Veterinary Practitioners Registration Board in relation to this matter.

The community would be pleased with the good news that was announced yesterday that there is now enough evidence to start prosecution proceedings against the owner of these horses. Hopefully this decision will ease the community's angst and, more importantly, will lead to a better future for the horses in question.

Bushfires: tourism

Mr BLACKWOOD (Narracan) — The bushfire period this summer has hurt many areas of this great state, but the pain of country Victorians is not going to

end when the weather cools down and the fires are put out. I call on the Bracks government to support all areas of tourism affected by the bushfires equally. I commend the government for supplying funding to rebuild the historic Craig's Hut in the Alpine National Park. Craig's Hut was originally built especially for the film *The Man from Snowy River*. The hut is very popular for tourists to visit — and, as tourists, most like to do as much as they can while on holiday.

Funding must be made available to rebuild part of the historic Walhalla goldfields railway. The railway is running on an amended timetable on a shortened route in an attempt to attract the tourists back. The breathtakingly spectacular Thomson River bridge was tragically burnt down during the recent fires in the area. The Minister for Tourism must honour his commitment to fund the reconstruction of the Thomson River bridge.

While the bridge is not active it is not just the goldfields railway that is restricted and suffering; it is everything else in the area. Michael Leaney, from the Star Hotel in Walhalla, has told me firsthand how the tourism industry and the livelihood of the locals are suffering. Funding must start flowing to the goldfields railway to assist the entire community get back on its feet.

Nuclear energy: western suburbs

Mrs MADDIGAN (Essendon) — All members in this house who have land in their electorates owned by the commonwealth should be very concerned about the federal government's enthusiasm for nuclear power and in particular the sudden enthusiasm for power plants by wealthy investors who, oddly enough, have links with the federal Liberal government.

I have a large area of commonwealth land — Essendon Airport — in my electorate. Obviously I am concerned about that and the other commonwealth land in the western suburbs, so I wrote to the Prime Minister last June and asked him to give us an assurance that no land in the western suburbs, including my electorate, would be used for nuclear power purposes. Surprisingly the Prime Minister did not respond to me, but referred it to one Garry Wall from the uranium mining, processing and nuclear energy review section of the Department of the Prime Minister and Cabinet. He very kindly invited me to have a look at his website, *umpner*. However, that did not give an assurance at all.

Essendon Airport, as we all know, does not make any money from the general aviation activities there, and it has a wonderful road network. The fact that the federal government is not prepared to rule out sites in electorates held by Labor members must cause

considerable concern for all of us who do not belong to the Liberal Party, especially when Russell Broadbent, the federal member for McMillan, which covers the Gippsland area, says he would not have one in his area even though he strongly supports nuclear power. I ask the Prime Minister again to give us an assurance that there will be no nuclear power plants in the western suburbs.

Ferntree Gully Road–Scoresby Road, Knoxfield: safety

Mr WAKELING (Ferntree Gully) — I wish to raise a matter of grave concern with the Minister for Roads and Ports. The action I seek is for both the installation of kerbing and a channel on the south side of Ferntree Gully Road between Dairy Lane and the entrance to Knox Park, plus the installation of a keep-clear zone outside the entrance to Knox Park.

The current gravel shoulder is used extensively by residents entering Knox Park. This park is regularly used by members of the Knox Obedience Dog Club as well as members of the Knox district's churches and soccer and cricket clubs. The entrance is located adjacent to the intersection of Bunjil Way and Scoresby Road, which services the new Waterford Valley golf course. The combination of Knox Park users plus people entering Bunjil Way has resulted in excessive use of the current gravel shoulder. This section of gravel is very slippery and unsafe given that it is adjacent to the double lanes on Ferntree Gully Road. Furthermore, many Knox Park users find difficulty in exiting the site and travelling across the two lanes on Ferntree Gully Road to the right-hand turning lane in Scoresby Road.

The installation of a keep-clear zone outside the entrance to Knox Park would make it both easier and safer for residents. The installation of kerbing and a channel plus a keep-clear zone at the entrance to Knox Park would significantly improve the safety of residents both entering and exiting the facility.

Forest Street Primary School: leaders

Ms OVERINGTON (Ballarat West) — I recently had the pleasure of attending Forest Street Primary School in my electorate to present school captain, house captain and leadership badges to year 6 students. This is the seventh year I have presented badges to the year 6 students at Forest Street Primary School, and I made the comment to this year's grade sixers that they were the peppies when I first attended the presentations.

Ms Allan interjected.

Ms OVERINGTON — I know, it is lovely. Under the leadership of principal Jill Burt, the school teachers and the senior students choose their leaders for the year. This year those students are: school captains, Jasmine Ford and Dylan Robertson; vice-captains, Tara Kermeen and Alex Parrott; fundraising, Annie Crosby and Mitchell Kennedy; communications, Mikaela Coad and Tyler Boyd; arts, Lauren McGahey and Matthew Dickman; safety, Jessica Kennedy and Jake Ainley; sports, Meg Tiley and Tanner Jordan; and house captains, Danyon Clarke, Shelina Strawbridge, Brett Cook, Aimee Dean, Brodie Cookson, Emily Jones, Matthew Blackburn and Mikaela Britton.

Whilst all the senior students at Forest Street Primary School are leaders, the students who have been chosen are fine examples of the school, and I am sure they will excel in their roles for 2007.

Regional Information and Advocacy Council: Mildura service

Mr CRISP (Mildura) — I rise to speak of the loss of a service to the most vulnerable in my community — the disabled. The Regional Information and Advocacy Council (RIAC) has provided a service in Mildura for many years. This service assists those with a wide range of disabilities who need help to deal with and interact in a difficult world which has a complexity that is often beyond those members of our community to cope with.

RIAC counsellors work with clients both face to face and by phone to assist these special people to live as independently as possible in our community. This service has now closed, with a replacement service to open in Swan Hill some time in the future. In the meantime services are being provided from Bendigo or Shepparton.

I wish to condemn RIAC for its insensitivity in dealing with my community. The decision to close the service was made in November 2006, with staff and funding bodies notified a few days later. In December the RIAC chair stated to an objecting Mildura Rural City Council that a delay in closure was possible. The next thing we knew the service was closed — a classic example of a service provider being too far away to be effective.

Victoria provides RIAC with funding of \$182 000 through various departments. I call on the Victorian government to redirect Mildura's entitlement from the \$182 000 provided to RIAC to another body which can and will deliver a suitable service to my community. Victoria is bigger than Melbourne, and the disabled in my electorate need help.

Murray–Darling Basin: federal plan

Mr HUDSON (Bentleigh) — I rise in support of the Premier's decision not to sign on to the Howard government's takeover of the Murray–Darling Basin. The Prime Minister's proposals would have far-reaching impacts on Victoria's rivers and catchments north of the Great Divide. The proposals are half baked. The Prime Minister has not been able to answer the most basic questions about what his takeover would mean.

Two years ago this Parliament enshrined the water rights of irrigators in legislation, along with a commitment to environmental flows for our now stressed rivers. Prime Minister John Howard is unable to tell us what would happen to these legislated rights as he tries to fix the overallocation of water in other states. The commonwealth will provide no guarantees on water supplies in towns like Echuca, Mildura and Swan Hill. The commonwealth is seeking control of not only the Murray and Goulburn rivers but also tributaries like the Campaspe, Ovens and Loddon rivers.

The commonwealth has so far refused to fund the goldfields super-pipe, which will secure water supplies for Ballarat and Bendigo. One wonders whether, if the commonwealth had control of the Goulburn River, it would allow the cities of Bendigo and Ballarat to have access to water from that river system; likewise, what would happen to the commitment of the Bracks government to restore a 21 per cent environmental flow to the Snowy River over 10 years? These environmental flows will be funded out of water savings projects in the Murray–Goulburn system.

The commitment to save the Snowy River has never been supported by the Howard government, which has not committed one cent to these water savings projects. If the Howard government gains control over the Murray–Goulburn system in Victoria — —

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

Planning: Bittern rehabilitation facility

Mr BURGESS (Hastings) — The Planning and Environment Act 1987 introduced an exemption to Victoria's planning schemes to allow for the location of certain Department of Human Services (DHS) facilities in residential areas. This exemption was designed to assist community integration of the mentally ill. Its scope has been expanded significantly since then. When Parliament legislates to exempt facilities from

the planning scheme it removes the local council — the community's watchdog — from the planning process. This should only be done for good reason and with great care; it is full of peril.

When the council is removed, who is left to protect the interests of the community? Who actually makes the decision whether a development should be allowed to go ahead? Take for example the proposal for a drug and alcohol rehabilitation centre in a residential street in the small country township of Bittern. This proposal seeks to use the exemption. In this case DHS put out a tender and two tenderers were selected to establish the service. The conflict of interest that arises must be obvious to all: the body that makes the final decision to impose this facility on the community is also the body that receives reward from the establishment of the facility. Exemptions that allow such conflict to arise must be reviewed as a matter of urgency.

Air services: direct flights

Mr LIM (Clayton) — I draw the attention of the house to the unconscionable, unacceptable and unforgivable behaviour of the Sydney-centric Howard federal government and Qantas in continuing to try to block attempts by foreign airlines to fly directly into Melbourne.

Restrictions on international carriers, which require approval from Canberra to enter Australia, are stifling competition and threatening to damage Victoria's economy. Members may not be aware that tourism contributed something like \$11 billion to Victoria's booming economy last year alone. We hope this figure will rise to \$18 billion by 2016. This is not a small figure. The Minister for Tourism was quoted in the *Age* as having said:

Victoria has no issue with Qantas hubbing out of Sydney — as a private company, it can run its business as it sees fit ...

But that does not justify opposing the legitimate interests of other Australian states by seeking to block those international carriers seeking direct access to cities other than Sydney. International visitors wanting to come directly to Victoria shouldn't be forced to waste time and money in Sydney.

This is most unconscionable and should be condemned in the strongest terms.

The DEPUTY SPEAKER — Order! The member for Ballarat East has 1 minute and 15 seconds.

BEST Community Development: Golden Point school redevelopment

Mr HOWARD (Ballarat East) — I am pleased to advise the house that the former Golden Point Primary School, which was closed under the Kennett government, is now about to be reborn as a community asset. With funding of something like \$800 000 from the Community Support Fund, BEST Community Development has now purchased that site and is about to start refurbishment work on it. That will enable that highly visible site which is central to the Ballarat East area to be used again by a number of community groups in the area, including the Ballarat Regional Multicultural Council, Mount Clear College and the University of the Third Age. It will be a great asset and will be highly valued.

I am certainly pleased that I have been able to work with those groups to promote the project and see that that great facility is not lost as a community asset in my area. I am working closely with BEST Community Development to see this project come to fruition.

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

MATTER OF PUBLIC IMPORTANCE

Roads: funding

The DEPUTY SPEAKER — Order! The Speaker has accepted a statement from the Minister for Roads and Ports proposing the following matter of public importance for discussion:

That this house congratulates the Victorian government on improving Victoria's roads and calls on the federal government to end the entrenched discrimination against Victoria by providing a fair share of commonwealth road funding to further improve Victoria's road infrastructure.

Mr PALLAS (Minister for Roads and Ports) — This is a matter of public importance that should be supported by all members of this house, because all Victorians are being cheated by a commonwealth government that consistently refuses to allocate a fair share of road funding to Victoria. Only yesterday in this chamber the Treasurer revealed that Victoria was being short-changed by the federal government, receiving only 88 cents in every dollar it pays in GST. Now every man, woman and child in this state is subsidising the other states by \$242 through GST revenue. But the funding injustice does not stop there.

The commonwealth government does a great injustice to communities across Victoria by not providing them

with appropriate road infrastructure resources. The economic performance of communities across the state and the safety of Victorian motorists are being jeopardised as the commonwealth government plays political games with road funding.

I will start by making a few simple points, and I will elaborate by providing some statistics. The commonwealth government estimates that this financial year it will raise \$14.2 billion from fuel excise. In the same period, the commonwealth government has allocated just \$2.6 billion in road funding to the states, territories and local government.

Ms Allan — How much?

Mr PALLAS — Yes, only \$2.6 billion. Across the entire country that is a return to motorists of just 18.3 per cent. Less than that \$1 in every \$5 raised through fuel excise is spent on roads.

Every year Victorians contribute around \$3.5 billion in fuel excise. Yet over the five-year life of the current AusLink agreement we will receive \$2.48 billion. In other words, Victoria is getting back in AusLink road funding only 14 per cent of what it contributes in fuel excise every year. Of the total amount of road funding allocated by the commonwealth government in the current AusLink agreement, Victoria receives only 16.5 per cent. This is despite the fact that on a range of measures it is clear that Victoria is entitled to 25 per cent of commonwealth funding. Victoria produces 25 per cent of the fuel taxes collected by the commonwealth government; we handle 23.4 per cent of freight tonne kilometres — that is, the freight task of the nation; 25.2 per cent of the total kilometres travelled in Australia are travelled on Victorian roads; 24 per cent of the population of this nation lives in Victoria; and most importantly, of course, Victoria generates 24.8 per cent of the gross domestic product. So we get 16.5 per cent, but we should be getting 25 per cent.

What this means in practice is that Victoria was allocated only \$2.48 billion in the last AusLink agreement when we should have been allocated \$3.75 billion. That is \$255 million every year that should have been spent on Victorian roads but was instead diverted interstate by the commonwealth government. This is money that the Prime Minister and the federal Treasurer are ripping from the pockets of Victorians. Over the last five years 362 hard-earned dollars from the pocket of every Victorian motorist have been spent in another state.

If the commonwealth government were genuine about the strategic investment it believes is necessary in our

roads, it would recognise that Victoria is a major contributor to the national economy and that providing appropriate infrastructure funding for Victoria would have a flow-on effect to the whole country. Conversely the discriminatory choices that the commonwealth government makes threaten our national economic wellbeing.

Our building approvals lead the nation, in the last 12 months we have had the second highest number of new jobs, and our population growth is higher than the national average. Melbourne is the country's fastest growing capital city. But unfortunately with growth comes congestion. The port of Melbourne is Australia's premier container port, handling about 40 per cent of the nation's container trade. The port currently handles \$75 billion worth of trade each year, which includes about \$100 million of exports every day. International container trade through the port of Melbourne is expected to increase dramatically over the next 30 years, from 1.4 million containers about two years ago to 7 million containers by 2035. With this increased economic activity comes further traffic and transport challenges, which are made more difficult when we are faced with a lack of funding from the federal government.

The Bracks government has made transport a high priority over the past seven years and has devoted considerable resources to building and maintaining a safe, efficient and effective transport network across the state. Sustainable transport options are vital if we are to retain our reputation as one of the world's most livable cities. The government's \$10.5 billion transport plan, Meeting Our Transport Challenges, is delivering sustainable transport options and is the biggest single investment in transport ever undertaken by a Victorian government. Of that \$10.5 billion, not 1 cent is federal money. It is \$10.5 billion of Victorian funding.

One of the great challenges facing this government is the growth and vitality of our economy. Urban congestion has been estimated to cost the Victorian economy as much as \$2.5 billion a year. The federal government needs to recognise that the old funding mentality of subsidising states for the tyranny of distance is being replaced by a new, more challenging dynamic, and that is the tyranny of proximity — or to put it another way, the metropolitan congestion that threatens our continuing economic growth.

Despite the unfair deal that we get from the commonwealth government, Victoria is getting on with the job and leading the way in road construction and road safety. Since 1999 the Bracks government has invested more than \$4 billion in building better roads

across Victoria, including \$2 billion for regional roads. There are seven major road projects under way totalling \$1.7 billion worth of investment. These projects include the \$400 million Calder Highway duplication and the \$150 million Wodonga bypass construction, which are both ahead of schedule — and of course, in partnership with the federal government, the \$331 million Deer Park bypass. The \$2.5 billion EastLink project is making good progress and when completed will result in great benefits for residents and businesses in Melbourne's east, and it is estimated that it will inject up to \$15.7 billion into Victoria's gross state product.

We are undertaking a \$1 billion upgrade of the Monash–West Gate corridor. We have recently completed the Middleborough Road grade separation, allowing 30 000 cars through the intersection uninterrupted every day. In the last five years 34 significant road improvement programs have been completed in the outer metropolitan areas of Melbourne at a cost of \$822 million. We have committed to 23 new projects under the outer metropolitan roads program at a value of more than \$400 million. The Bracks government takes safety very seriously. We allocate 100 per cent of all revenue from road safety cameras and on-the-spot speeding fines to road construction, maintenance and other safety work. Since our road safety strategy Arrive Alive was introduced in 2002, the road toll has decreased by around 18 per cent and saved an estimated 467 lives.

If the federal government continues this unfair distribution of the \$19 billion that it is reportedly talking about, then Victorian motorists will see a further \$1.6 billion of their money spent on upgrading roads in other states. This money should be coming to Victoria and would help accelerate a number of road projects, including stage 4 of the Geelong ring-road to provide a connection to the Surf Coast Highway; the Calder Highway interchange near Taylors Lakes, which would dramatically improve traffic flows and improve safety for motorists; the duplication of the Princes Highway East between Traralgon and Sale; the Goulburn Valley Highway bypasses at Nagambie and Shepparton; the Yarra Glen bypass; and improving our metropolitan public transport capacity as identified in Meeting Our Transport Challenges as an integrated means of relieving road congestion.

We know what a big impact projects such as these can have in improving safety for Victorian motorists. Before the upgrading of the Tullamarine–Calder interchange, there was an average of 30 casualty crashes at the interchange every year. Since the opening of the new inbound lanes in early October last year, there has not been a single casualty crash on those

lanes. With more commonwealth government funding, more accident black spots such as this could be upgraded, improving the safety of Victorian motorists.

The commonwealth government needs to recognise that congestion in our capital cities is a national problem that has real impacts on economic efficiency. Congestion is not just an inconvenience for commuters; it has real economic costs with its impact on businesses and the movement of freight. It is time that the commonwealth government recognised the importance of public transport in helping to free up our road network.

The commonwealth government should be embarrassed about the political games it is playing with road funding. The AusLink white paper claimed that AusLink would:

... revolutionise the planning and funding of Australia's national roads and railways by taking a long-term, strategic approach —

to road planning. It said that we would work cooperatively towards developing:

... corridor strategies as a long-term planning framework to address the transport needs of major corridors with the most appropriate solutions ...

And that:

A new, nationally consistent project assessment methodology will be adopted.

Just yesterday the federal Minister for Local Government, Territories and Roads, Jim Lloyd, reaffirmed that:

... a core element of the AusLink approach to infrastructure planning is the development of long-term corridor strategies across the AusLink network ...

I hope he means that, because a recent article in the *Australian* reported that the federal government was preparing to sign off on the next five-year road funding program and indicated that the package included \$2 billion to build the Goodna bypass in the western suburbs of Brisbane. Is it just coincidence that traffic congestion is a key issue in three marginal outer western Brisbane seats of Blair, Moreton and Brisbane?

It is John Howard who likes to accuse the states of playing politics, yet here he is proposing to allocate \$19 billion of road funding without so much as speaking to any of the states first. It is all too clear that the only thing strategic about the allocation of the next round of AusLink funding will be deciding which seats the coalition is most worried about losing at the next election and directing commonwealth funding

accordingly. Now might be a good time for proponents of a Bennelong bypass to put their hands up for funding.

Of course the commonwealth government has made a habit of playing politics with Victoria's road funding. John Howard played politics with the money owed to Victoria for the EastLink project. After considerable pressure, the commonwealth government has finally allocated \$310 million out of the \$542 million that Victoria was previously promised for road projects, but this still leaves \$230 million that the commonwealth is withholding from Victorian projects.

Yesterday the federal roads minister, Jim Lloyd, criticised the Queensland government for not contributing any funding to AusLink road projects, yet the federal government seems set to throw money at Queensland road projects anyway. The Bracks government has a good record of contributing funding to AusLink road programs, with a 50 per cent contribution to the Calder Highway and a 20 per cent contribution to the Deer Park bypass. If it is a genuine partnership that the commonwealth is looking for, then the Bracks government stands ready and waiting to join it.

Recently the federal roads minister dismissed Victoria's criticisms of road funding arrangements, observing that we had a substantial highway system already in place. Is this the new order? Victoria is to be penalised for the efforts of successive administrations to invest in our road infrastructure while other states, because of the failings of previous administrations to attend to their own infrastructure needs, will be bailed out — a reward for mediocrity and a penalty for excellence!

I note the Victorian Nationals have started a campaign called 'Fix country roads, save country lives'. I hope they will join with the government on this important issue, because more commonwealth government money will mean more money for country roads. Perhaps confusingly The Nationals are asking for the Bracks government to spend \$200 million a year on country roads. In fact we have spent an average of \$253 million a year on country roads since 2000 — and last year it was \$311 million.

I urge Liberal members opposite to join with the government on this issue. They have been conspicuous by their silence on a range of issues in the past. They have let down Victorians on a range of funding issues — whether it has been hospitals, housing or water infrastructure. They have to be prepared to stand up and tell their federal colleagues that Victoria

deserves a better deal. This issue is too important for Victoria — —

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

Mr MULDER (Polwarth) — I rise to join the debate on this matter of public importance, which says that the house congratulates the Victorian government on improving Victoria's roads. I say from the outset, what absolute cheek! It is no wonder that the minister read word for word from a speech that had been prepared for him, because you could not stand up facing this house and in all honesty roll out that litany of untruths. This has nothing to do with Victorian roads; what this is all about is the federal election that is on the way. As we have seen with every other federal election, in the six months leading up to it government members in this house start trying to shoot the blame for every problem that is the responsibility of the Victorian government straight across to the federal government.

We have a new minister at the table, the Minister for Roads and Ports, following on from what happened previously with the previous minister who had responsibility for roads, the former Minister for Transport. The government will not take responsibility in any way, shape or form for what are state government projects. As the Treasurer pointed out yesterday, Victoria gets \$8.5 billion in GST revenue. With that extra \$8.5 billion flowing into Victoria, we still cannot get the basic road projects — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! Other members will have their opportunities to speak.

Mr MULDER — We still cannot get public transport projects up and running, and my electorate has an absolute sham of a project — the Princes Highway West project. Very recently a photograph was published in the newspaper — —

Mr Crutchfield — I'm here, Terry.

The DEPUTY SPEAKER — Order! The member for South Barwon should remember the courtesy of addressing members by their appropriate titles.

Mr MULDER — It showed the shameless member for South Barwon sitting with the former mayor of Geelong, Peter McMullin. Peter McMullin has more political baggage than you can poke a stick at. He will need a horse and cart to carry it around at the next federal election campaign if Labor again picks him to

take on Stewart McArthur, the federal member for Corangamite. The photograph shows the member for South Barwon and the former mayor of Geelong standing with a group of mayors from western Victoria, around Geelong and the region, pushing for funding for the Princes Highway West. Where were they prior to the state election? It was a state government road, and where were they?

Mr Crutchfield interjected.

The DEPUTY SPEAKER — Order! The member for South Barwon will have his turn.

Mr MULDER — They were nowhere to be seen. It was shameless — a terrible thing to do. It is outrageous that they were prepared to line up to attack the federal government, but when the road project was discussed prior to the last state election they were nowhere to be seen.

Princes Highway West has a shocking accident history, as the Minister for Roads and Ports will know. Who has ever stepped forward to provide funding for that road? In 1999 the former Kennett government promised \$175 million to complete the road. If that had happened we would be driving on a duplicated highway all the way to Colac and a number of the lives that have been lost over the last seven years would not have been lost. Those deaths have occurred because of a lack of commitment by the Bracks Labor government to doing anything with the road.

Prior to the last election the opposition committed to spending \$80 million to complete the stage from Geelong through to Winchelsea. What did we get from the government? We got absolutely nothing — not a dollar, not a miserable cent — from the government that has total and utter responsibility for the road. Not only was the opposition prepared to put in \$80 million to start the duplication of the road but there was also going to be a further \$10 million to make safety improvements right up to the South Australian border.

In addition we were committed to spending \$10 million to improve safety on the Midland Highway. We were also committed to putting money into other country roads such as the Omeo Highway. I do not know what happened. I know the member for South Barwon had a big swim with the Treasurer one night and he said, 'I do not forget my mates'. Lisa Mahood, the Labor candidate for Benambra at the last election, must not have been a mate, because she could not get any money for the Omeo Highway. It is amazing that she was conned into standing for Benambra, but as soon as her hand went up the Labor Party ran backwards. It would

not provide any support, not even on some of these road projects.

Over the last couple of days there seem to have been some ghosts of the past turning up in the corridors. I ran into the former member for Narracan the other day. The Premier's department must have a vacancy in protocol. I do not know where the government will put him, but it must have a job lined up for him somewhere. Labor has been caught out on a number of these projects. Time and again there has been no support from the Victorian government, and as soon as there is an election on the horizon it turns around and says it will shoot all the blame across to the federal government.

It is interesting to look at the problems councils are facing with the state Labor government, which is continually prepared to shift costs across to local councils. When it comes to some support for roads, there is nothing at all. There was \$127 million promised to councils by the opposition because of the deaths occurring out on country roads, but there was absolutely nothing from Labor, while \$29 million was given to metropolitan councils. Our project was based around the federal government's Roads to Recovery program, not about the pork-barrelling that goes on with Labor governments where they pick projects in marginal seats and shoot money towards them. The projects have nothing at all to do with the road toll or improving freight movement; they are all about pork-barrelling and shoving money where the government thinks it may get a political return.

It is interesting once again that the Geelong ring-road, a \$380 million project, was sold to the community as having a smooth transition onto the Princes Highway. Instead, what do we get? It ends in a T-intersection in a congested area in Waurn Ponds. The government refused to take the road further west. It is a ring-road which ends with a set of traffic lights.

Mr Nardella interjected.

Mr MULDER — That is not wrong; that is right! The member does not know. He should go back to his own electorate and collect his rent roll. It is an absolute dog of a project. It was not until a little bit of electoral pressure came on — the election was on the way and Whoopy-do sitting up here behind me was under the hammer — that the Premier came out with a \$3 million planning program. It had never been mentioned in the past; no-one had ever talked about stage 4 before. He came up with \$62.5 million for a project we have now been told is going to cost around about \$200 million to \$300 million. He did not even know what the scope of the project was and how it was going to be completed.

But I say \$62.5 million is not going to go far. I have here in front of me a letter from the Prime Minister, John Howard, to the Honourable Steve Bracks, Premier of Victoria. It talks about this project:

Based on the information in your letter and in correspondence between the former Victorian Minister for Transport, the Hon. Peter Batchelor, MP, and the commonwealth Minister for Local Government, Territories and Roads, the Hon. Jim Lloyd, MP, I am concerned that the choice of options for stage 3 of the bypass was based strongly on state issues and may not have taken sufficient account of the commonwealth's objectives of supporting freight efficiency and providing an effective bypass of Geelong.

That is what the guidelines state.

While the independent panel examining the options for stage 3 considered two options, I am advised that a further two options — a more westerly option and a variant on this option proposed by the member for Corangamite, Mr Stewart McArthur, MP —

a great man —

were not considered in any detail. I therefore urge the Victorian government to provide a full analysis of the cost of these two options —

some work for the minister —

(and the connection to the Surf Coast Highway) relative to the chosen route and the proposed stage 4.

In the event that this analysis is favourable to a western option, I would encourage your government to reconsider its current position. In particular, I have been advised that if Victoria proceeds with the proposed route, stage 4 of the bypass is not part of the AusLink network and as such has no call on commonwealth government funding.

'No call on commonwealth government funding' — that is what it says. The \$200 million-man is now sitting behind me out there on the back benches, the man from South Barwon. We want to know where the money is coming from. It was not included in the budget. It has now blown out from the \$62.5 million that the Victorian government said it would put into the project to somewhere, we understand, between \$200 million and \$300 million. Given that this government overcommitted with its capital works anyway, without this sort of debacle, where is the money coming from?

It is no wonder that when this announcement was made, not by the Premier but the Deputy Premier, in July 2006, according to a media release:

Barwon South MP Michael Crutchfield welcomed the decision —

from afar. He was not there when this announcement as to what the government was going to do with the road

was made. By gee, he bolted at 100 miles an hour. He did not want to be seen anywhere near it.

Turning to grade separation projects, I note that the minister in his contribution to the debate referred to the \$10.5 billion plan, of which he claimed none was federal government money. I go to a media release from the office of the Premier dated 17 May 2006:

The Bracks government today committed:

\$1.3 billion for an outer metropolitan arterial road program (including the recently announced Deer Park bypass) ...

Is that the government's money? It is not all the government's money, and he knows it. It is federal government money. They are absolute rippers.

\$208.7 million for grade separations and level crossing upgrades.

This is over 10 years. That would not even do Springvale Road. That is all the government is throwing into grade separation and level crossing upgrades. Some 177 of these projects are required in the metropolitan area, and there is only \$208.7 million over 10 years. The Liberal Party committed \$200 million in its first term. We were going to do Springvale Road, Nunawading, as a first-up project; then we were going to move to Blackburn Road, Blackburn; North Road, Ormond; Moorooduc Highway, Frankston; or Scoresby Road, Bayswater. We have a plan; we at least have a plan, and that is what this is about.

Mr Hulls interjected.

Mr MULDER — They love transport and they love the roads policy, and the minister knows it. We had the plan. We were prepared to put up the money and we were not prepared to go out there and con the public.

When you look at the issue of road and level crossing safety, you see there are 1500 unprotected level crossings across rural and regional Victoria. We only have to look at the last couple of years to see the number of very serious accidents that we have had in rural Victoria and the lives lost — a number of them unfortunately in my electorate. I will continue to pursue the minister responsible, the Minister for Roads and Ports, who is at the table, to ensure that these level crossings are upgraded, along with others across the state.

When we looked at where the money for these level crossings and all the claims that were coming out of the minister's office went, we found that there have been

about 90 done in the year. The majority of them were related to the fast train project.

Mr Nardella — You opposed it.

Mr MULDER — You should have opposed it too, if you had any brains.

Mr Hulls interjected.

The DEPUTY SPEAKER — Order! The Attorney-General! The member for Melton knows that he should not interject, and the member for Polwarth knows that he should not respond.

Mr MULDER — Thank you, Deputy Speaker, for that wise ruling.

When we did an analysis of those level crossings related to the fast train upgrades we found that three of those famous level crossings went to nowhere but cost \$1 million. We found that one went to a disused wastewater plant at the back of Ballan, one went to a disused quarry that had not been used for 10 years and was never going to be used again and the other one went to the back gate of the Bacchus Marsh rifle range. One million dollars of level crossing money went — —

Honourable members interjecting.

Mr Hulls interjected.

Mr MULDER — When you went across the railway line you found there was a locked, rusty gate and a cliff on the other side — and you should take a trip there and keep walking. I tell you that is where the money has gone. It is an absolute disgrace.

The DEPUTY SPEAKER — Order! The member for Polwarth will address his remarks through the Chair.

Mr MULDER — I could also raise issues related to the famous CityLink deal, as cited by Terry McCrann in the *Herald Sun* of Tuesday, 23 May 2006, in an article headed 'CityLink deal stupidity is a disgrace'. It is an absolute disgrace.

The two major road projects over the last seven years that this government wants to hang its hat on are the Scoresby and this shocking sham with Transurban that has actually robbed future generations of Victorians of millions upon millions of dollars in concession notes.

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

Mr NARDELLA (Melton) — It is a real shame when we have a speaker from the opposition who puts the Liberal Party first and Victoria not second or third but last behind Queensland, behind New South Wales, behind South Australia, behind the Northern Territory, behind Tasmania and behind Western Australia. That is how far behind this shadow minister for public transport and roads puts Victoria, and it is an absolute disgrace. When he comes into this house he does not go in to bat for Victorians; he does not go in to bat for our fair share; he does not go in to bat to make sure that Victorian roads are safer than they are. He does not make sure they are built on time and that the tax revenues we pay to the federal government come back to Victoria.

In taking this appalling position the honourable member for Polwarth shows his ignorance and that he hates Victorian motorists. That is demonstrated by what he has put to the house today in regard to Geelong and the Geelong bypass and by what he has put in regard to the rail crossings, in particular pointing out those at Ballan and Bacchus Marsh. What is his point of view? What is he actually saying to the house? He is saying that he does not care about road safety and that those upgrades should not have occurred. I tell you that if there were an accident at those rail crossings and they had not been upgraded, he would be the first one to accuse and throw the stone in this house and ask why they had not been upgraded. But he will not do that because he is appalling, because he has no policies and because the only thing he can do is to support Howard and his people up there in Canberra ahead of Victorian motorists and Victorian taxpayers.

He has a responsibility to stand up for Victorian motorists, but what does he do? He abandons them; he throws them away. All he is doing is making political points by supporting his cronies up in Canberra. And what are they doing? When we think about what they are doing we realise that there is a very stark statistic that honourable members should remember: Victorians make up 25 per cent of Australians, yet we only get back 16.5 per cent of funding. That means, in an absolute and direct way, that where there is a shortfall, whether it be country roads, roads in our provincial centres, our national highways or the other roads we are jointly responsible for in Victoria, the member for Polwarth is saying only Victorian taxpayers should be paying for them. He is saying that the federal government should, supported by this Liberal opposition, spend our hard-earned money in other states — for example, in marginal seats in Queensland and New South Wales. I have been to New South Wales and Queensland, and they have some terrific roads, but they also have some terrible roads. The real

tragedy is that the member for Polwarth is supporting the building of roads in other states ahead of Victorian roads and ahead of Victorian motorists.

The needs here in Victoria for funding under the AusLink program are massive, not only to save lives but to prevent injuries. As the Minister for Roads and Ports said earlier, the upgrading of the Calder has saved many casualties that would have resulted from accidents that have been prevented. Not only have lives been saved but also the absolute heartache that families go through because of these tragic accidents and the resultant injuries has been prevented. The honourable member for Polwarth does not care about that, because he wants to make sure that that money is spent in Queensland and New South Wales to try and help his crony mate Howard up in Canberra.

We also have the situation where, despite the growth we are experiencing in the Victorian economy and despite our wanting to grow employment throughout Victoria, we are missing out on benefits because the honourable member for Polwarth and his crony mates up in Canberra are spending our money in those other states. That is the tragedy, because we can do much better. We have put our share into the Deer Park bypass but the honourable member for Polwarth says he does not care. He wants to make sure that Victoria remains down the bottom. He wants to make sure the other states get the leg up that they do not deserve because they have not been pulling their weight. Let us not talk about the tragedy of personal cost and family tragedies. The economic cost to Victoria is \$2.5 billion a year, and the honourable member for Polwarth is happy about that. He wants to maintain that discrepancy. He wants to maintain that disadvantage for Victorians.

In Victoria 100 per cent of the funding from speed cameras and 100 per cent of funding from on-the-spot speeding fines goes into roads — and it goes into country roads. It was over \$300 million last year. We govern for all Victorians, not just for those in the metropolitan area, the interface areas and the provincial cities. Those major projects must be funded by the commonwealth government under AusLink — things like Anthonys Cutting between the Bacchus Marsh and Melton townships in my electorate, which more importantly is part of the vital link between Melbourne and the South Australian border.

The Western Highway Action Committee, which is chaired by Peter Russell, has a number of projects on the highway which need to be funded, yet the honourable member for Polwarth does not care about that work. We have seen the hard work undertaken by my colleagues in the federal Parliament — Julia

Gillard, the federal member for Lalor, Catherine King, the federal member for Ballarat, and Brendan O'Connor, the federal member for Gorton — to get funding for the Deer Park bypass. That road should have been built by now. If the federal government had allocated our fair share to us, it would have been completed, with the economic benefits and the reductions in accidents and fatalities. But it has not been.

Other local activists, like the late Ian Cowie who campaigned for the Leakes Road overpass, which is part of the Deer Park bypass, should have seen the construction of that road infrastructure and experienced its benefits. The western suburbs consistently miss out on the allocation of road funding because the federal government does not care. It does not have any seats out in the west. There are no marginal seats in the west because we are not that stupid, but we do miss out.

If you look at the interface councils throughout the Melbourne metropolitan area you see that the growth and the needs within those areas should be dealt with by an increase in funding from the federal government. If you are looking at an integrated transport system then you need a partnership approach, one where the state government works with the federal government to provide road infrastructure, which is what the AusLink program is all about.

The honourable member for Polwarth did not talk about the ways we can reduce congestion and increase economic activity by putting infrastructure and funding into public transport and rail freight, which is part of the AusLink program. But again, the honourable member for Polwarth — and through him the Liberal Party, because we understand that the Liberal Party, like the Prime Minister and the member for Polwarth, does not care — shows his disdain for and ignorance of what is necessary for Victorian motorists and roads.

I will conclude with this: members of the Liberal Party and the shadow minister have a large responsibility. They should have a special relationship with their colleagues in Canberra. I challenge them to use that special relationship to get a fair balance and to get our fair share of road funding from Canberra.

Mr WELLER (Rodney) — It is a great pleasure to be given the opportunity to join this debate on behalf of country Victorians. May I say from the outset that The Nationals would be the first to congratulate the Victorian government if it was really improving Victoria's roads. The Nationals are always willing to give credit where credit is due, but when it comes to Victoria's road network, and particularly Victorian

country road networks, the Bracks government stands condemned. Maybe Melbourne-based Labor members of Parliament do not get out much into the countryside, but I can assure the house that members of The Nationals do. Maybe Melbourne MPs need to get out into the countryside and have a good look.

Good roads are vital to the social and economic life of our communities, but in country Victoria more often than not we see a road and bridge network that is decaying and struggling to meet the needs of a modern society. I cannot help but think that this topic is being debated today because members of The Nationals have forced the government into a position where it feels obliged to defend its record. How have we done that? By raising the real issue of public importance, which is the disproportionate number of people killed on country roads in comparison to urban areas over the past seven years.

Since 2000 there has been a reduction in the number of road deaths in urban areas, which is good, and we congratulate the government, the police and other agencies for their work on the city road toll. But during the same period there has been an increase in the average number of deaths on country roads. It is an alarming statistic and a matter of grave public importance.

There is a very strong link between the number of people killed and maimed on country roads and the amount of funding dedicated to safety upgrades. In short, if you fix country roads you will save country lives. That is not my opinion; it is the strongly held view of the Royal Automobile Club of Victoria (RACV) and other agencies. Let me quote from the national road safety strategy, which states:

Improving the safety of roads is the single most significant achievable factor in reducing road trauma.

In fact it has been argued by leading authorities that creating a safer road environment would save as many lives as safer vehicles and improved driver behaviour combined. It is a matter of public importance, and I am pleased to be in a position to put The Nationals view today.

I refer to a RACV special report titled *Lifeline — Situation Critical for Victoria's Rural Arterial Road Network*, which was released in October 2003. It should be required reading for all Melbourne members of Parliament before they participate in this debate. The RACV report makes the very valid point that when drivers make minor errors of judgement the road and roadside should be presented in such a way as to prevent the minor error from having catastrophic

results. Unfortunately in many cases in country Victoria a minor error of judgement by a driver results in a tragedy.

The RACV Lifeline report goes on to say that if each road in the network was as safe as the safest in its particular class, there would be over 1100 fewer casualty crashes, it would save the community \$220 million a year and, more importantly, it would save 100 lives. These are not my figures, they are in the RACV's report. I refer to just one more quote before I leave the report. On page 7 the report refers to the ageing road network in country Victoria. It states:

There are already indications that our ageing rural arterial network is struggling to cope with the demands imposed on it. Rural fatalities have continued to rise over the past five years, while metropolitan Victoria is enjoying a record low in road-related deaths. RACV believes that a concerted campaign is required to upgrade the safety of Victoria's rural road network. Increasing traffic congestion and a rising road toll point to a road network that is struggling to cope. It's time to reverse the trends and get more serious about road infrastructure in rural Victoria.

Like I said, the RACV Lifeline report should be required reading for Melbourne Labor members of Parliament before they come into this place and sing the praises of this government.

The facts are alarming, and the trend in road-related deaths in country Victoria is a tragedy that shows no sign of abating. It is not as if this Parliament is unaware of this information. In 2005 a parliamentary committee inquiry into the country road toll made a host of recommendations including a call for VicRoads to implement a major program to upgrade category C roads to make them safer.

The category C roads are those important links between centres of population outside the major regional centres. Like my colleagues in The Nationals I spend a lot of time driving on category C roads, and I can personally endorse the findings of the parliamentary inquiry. The category C road network spans about 12 000 kilometres across Victoria, and the RACV argues that improving safety on these roads can save 35 lives per year. The RACV has undertaken research that indicates that two-thirds of Victorians who live in centres with a population of less than 3000 people are dissatisfied with the quality of these category C roads. The only surprising thing in that report is that one-third were actually satisfied. Being satisfied is not my experience nor that of my colleagues in The Nationals.

I know this government loves its clippings — but I have my own clippings from rural newspapers over the past fortnight, and they constitute an alarming

commentary on the government's performance. I do not have time to read them all, but I urge members to familiarise themselves with papers such as the *Bairnsdale Advertiser*, the *Gippsland Times and Maffra Spectator*, the *Foster Mirror*, the *Leongatha Great Southern Star*, the *Latrobe Valley Express*, the *Bendigo Advertiser*, the *Geelong Echo* and, in my own area, the *Riverine Herald* — and the many other excellent newspapers which inform the community of Rodney.

If members opposite were to get outside Melbourne and drive around on country roads, they would see the true picture. I invite the minister to come to Rodney. If he does, I will take him on a tour of roads such as the Heathcote–Redesdale road, the Echuca–Serpentine road and the Murray Valley Highway — and indeed the Echuca–Moama bridge. Members could not stand here in good faith and congratulate this government if they took the time to inspect such roads. If country Victorians could join me in this house today, they would not be congratulating the Victorian government on improving Victoria's roads. They would be demanding a fairer share of state government funding for vital road safety improvements. Country Victorians are a very fair and reasonable group of people. They understand, and I understand, that you simply cannot fix every road overnight. But you should have a plan — and that is another great failing of this government.

The parliamentary committee inquiry into the country road toll recommended that the government acknowledge the high level of risk on country roads and that this issue be specifically addressed in a strategy, with measures and targets identified to reduce risks. It is a good recommendation which has the support of The Nationals and also has the support of the government — in writing, anyway. The government responded to this recommendation with the following commentary:

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

And further that the plan:

... will be completed by the end of 2006.

So where is the strategy and action plan for country roads? Do not ask the Minister for Roads and Ports — we have already done that. Just two weeks ago in this place the minister dodged the question and refused to provide any details on when the plan would be prepared.

So we have the RACV and a parliamentary inquiry both highlighting serious concerns about the safety and quality of the road network in country Victoria, and the

government does not have a plan. We have a road toll in country Victoria that is increasing, and the government does not have a plan. As I said at the outset, I would be the first to congratulate the government if it were warranted. The blame for this crisis on country roads sits squarely with the Bracks Government. If you fix country roads, you will save country lives.

I have some advice for the government: stop blaming the commonwealth and get on with the job of building better roads for all Victorians and helping to make country Victoria a great place to live, a great place to work and a great place to drive.

Mr STENSHOLT (Burwood) — And a great place to raise a family — and let me tell you, that is exactly what we are doing. We are getting on with the job here in Victoria. I thank the member for Rodney for his advice, but he obviously does not know a lot about what has been happening here in Victoria. Since 1999 we have invested \$4 billion in roads. And how much of that has been invested in regional and rural areas? Is it 10 per cent? Is it 20 per cent? No, it is 50 per cent. That means \$2 billion has been invested in regional and rural Victoria — and of course we are going to spend more money.

I want to thank the Minister for Roads and Ports, because he has done an excellent job as a new minister. The Middleborough Road grade separation was finished in record time. It was started, finished and opened in 29 days. I think that is just a fantastic job. The new minister has really stamped his mark on his portfolio, and he has achieved what is pretty much a world record in terms of grade separation at Middleborough Road in Box Hill. We are not just looking after the rural and regional areas, we are also looking after Melbourne and meeting its transport challenges.

An amount of \$1.3 billion is going into outer metropolitan arterial roads, and as part of the package \$687 million is going to rural arterial roads. An amount of \$1 billion is going to the Monash–West Gate corridor, which I am very much appreciative of, because it runs down through the bottom of my electorate, past Glen Iris and Ashburton and down through Chadstone. This upgrade is a very important project, because the corridor carries well in excess of 160 000 vehicles each day, including 20 000 trucks. The upgrade is going to be an excellent project, and it is much needed.

What other things are we proposing to do? We are providing another \$597 million for road safety

initiatives. The record we have here in Victoria since 1999 is a proud one. Spending on road safety increased by 280 per cent from 1999 to 2006. Over 2000 road safety projects have been implemented or commenced in the past four years, and we maintain 52 684 kilometres of roads. In terms of road tolls, which were mentioned by a previous speaker, we have had the lowest recorded road toll over the last three years. We have had the very strict Arrive Alive plan, and we have made sure that we have lowered the speed limit on our suburban roads. We have also made sure that we have borne down very heavily on speeding in Victoria. The Auditor-General has supported us in this regard, finding that:

... speed-enforcement initiatives are underpinned by strong evidence and are primarily directed at reducing road trauma, rather than raising revenue.

What has been the result? Four hundred and sixty seven deaths have been prevented and over 1100 accident black spots have been treated; that is \$500 million worth of investment in accident black spots.

I was a bit surprised that the member for Rodney barely mentioned the federal government. He mentioned once, just as a throwaway line at the end of his speech, 'Let's not attack the federal government'. But where is his impassioned plea for Mark Vaile to get in touch with people in the road sector and say, 'Let's do something for Victoria. Let's do something in that regard.'?

I condemn the federal government for failing to provide Victoria with a fair share of funding for our roads. All members should support this matter of public importance because Victoria is being duded. We are being cheated and diddled by the likes of Mark Vaile and the federal Minister for Local Government, Territories and Roads, Jim Lloyd, in Canberra, and of course by the local federal members, whether it be Peter Costello, the member for Higgins, or the federal member in my area, Petro Georgiou, who is the member for Kooyong, or Phil Barresi, the member for Deakin, and I am sure he will get knocked off at the next election.

The members opposite are just the same as those federal members. They are Liberals first and Victorians last, as the member for Melton pointed out. Indeed I would like to single out the federal member for Kooyong, Petro Georgiou. Petro used to be the state director of the Liberal Party and adviser to Jeff Kennett when he sacked 800 police and got rid of thousands of teachers and nurses here in Victoria. Of course they did not do too much to roads in their time. He was a special adviser to the Leader of the Opposition during the recent election campaign. I know the member for

Polwarth was the policy wonk in the previous Parliament, but then Petro came along to try to help out in the last state election.

But locally he has been the absent member on so many issues, including on our local roads. Where was he? Did I hear the member for Kooyong, or members opposite, talk about what happened when the grants were slashed from local government here in Melbourne? The grants were slashed by the feds in the city of Boroondara. Did we hear anything from Petro Georgiou? No, the absent member was silent. There was not a peep out of him — not even a shadow flitting across the local landscape. No, he was just absent.

This lack of support in Boroondara is replicated throughout Victoria. The commonwealth government does not provide appropriate road infrastructure services. It has already been noted by the minister that we have been duded in terms of funding in that regard. As has been pointed out, \$14.2 billion will be collected in fuel excise this financial year, and \$2.6 billion goes back to state governments, local governments and territories in road funding. Less than \$1 in every \$5 goes back into the roads from our fuel excise. What does Victoria get?

We get back 14 per cent of our fuel excise, and of the overall road funding that is provided, we only get 16.5 per cent. What do we contribute to the national economy in terms of our population? Our population is growing, as members know, for the first time in many years. It is the first time since the days when Henry Bolte was Premier that we have seen this sort of growth in Victoria. We get 16.5 per cent as opposed to 25 per cent. In the last AusLink agreement we received \$2.48 billion. We should have received \$3.75 billion. We have been duded by \$255 million a year — that is, \$362 each year for every Victorian motorist. That is almost as much as you pay for motor registration.

It is typical of the bias we see from the federal government against Victorians. The member for Polwarth talked about us swimming in GST money. Let me tell members how far we are behind in GST money. We are behind \$9.7 billion since the GST started and was signed off by the Liberal Party and the then National Party, the Kennett-McNamara government. Over the last 10 years I am sure that would have built many roads in Rodney. We have been duded. We get 88 cents in the dollar back at the moment. We have GST worth \$9.7 billion. I have not quite got the figures in front of me, but we only get around \$8.5 million back, so we have been duded there as we have in many other areas where we have punched above our weight, like we do with roads.

We now provide 60 per cent of funding for hospitals. The feds are complaining. Johnnie Howard complained not so long ago that the states do not pull their weight when it comes to the funding of hospitals. We fund them not 50 per cent — he was complaining that the states were not providing 50 per cent — but we provide 60 per cent of hospital funding in Victoria. The federal government once again is dudding us as it is with regard to roads.

What if some of the more than \$9 billion of GST money had been directed to Victoria? There should be \$200 million-odd more a year. By now we could have built stage 4 of the Geelong bypass, the Calder Highway interchange at Taylors Lakes, the duplication of the Princes Highway East between Traralgon and Sale, the Goulburn Valley Highway bypasses at Nagambie and Shepparton and the Yarra Glen bypass. They are just some examples that could have been done, dusted and finished if we had not been duded and absolutely done over by the federal government.

I urge members opposite to talk to their federal colleagues. I urge the member for Rodney to talk to his mates in The Nationals; I am sure he has some in Canberra. I know there are a few federal Liberal members from his local area, but there must be some Nationals around that he can talk to as well to see if he can get some more support for Victoria. We are doing what we can. We need to do more to get more support from the federal government for roads throughout Victoria. We want our fair share of commonwealth road funding to further improve Victoria's road infrastructure because we are serious about road safety, we are serious about saving lives and we are serious about having the best road infrastructure here in Victoria. We want the federal government to be serious too. I urge members to support this matter of public importance.

Mr WELLS (Scoresby) — I rise to join the debate on the matter of public importance (MPI). I have to say it is one of the most embarrassing MPIs I have seen over the last couple of years. I am not sure whether the cabinet ministers are trying to stitch up the new Minister for Roads and Ports, because the MPI clearly calls on the federal government to end the entrenched discrimination against Victoria by providing a fair share of commonwealth road funding to further improve Victoria's road infrastructure.

Of course it is a hypocritical matter in the first case. It is typical of the Bracks government. It can never make a decision itself; it has to blame someone else. It never makes a tough decision; it just blames somebody else. Only yesterday the Treasurer and the member for

Burwood were talking about the GST and 88 cents in the dollar coming back to the state. But the Treasurer and the Premier can fix it with their Labor mates. They can have the formula changed if they get agreement from the other Labor premiers, but the other Labor premiers do not trust the Victorians. The Treasurer will do it, there is no question about that, but he needs to get his mates to come on board. They are out on a limb, and their mates will not come in and support them.

I refer to two cases. One is a little embarrassing: it is the Geelong bypass. The ring-road was thrown together to save the seat of South Barwon. There was no planning and no consultation with the commonwealth government. The problem is that the Bracks government did not read the AusLink guidelines.

Mr Crutchfield interjected.

Mr WELLS — They did not read them. I will take up the interjection. The member for South Barwon said I am not sure what I am talking about. Let me refer him to a letter from the Prime Minister to the Premier dated 25 February, which states very clearly —

Mr Hulls — Is this the same letter?

Mr WELLS — This is the same letter, and there are going to be a lot more of these letters handed around. The fact is that the government has not done its work. It has not looked at or read the guidelines. Now the Premier has a letter from the Prime Minister saying that he has not read the guidelines. I refer to part of the letter:

In particular, I have been advised that if Victoria proceeds with the proposed route, stage 4 of the bypass is not part of the AusLink network and as such has no call on commonwealth government funding.

My point is, how can government members complain about a lack of funding from the commonwealth when they do not even read the AusLink guidelines? The government has not got its act together. This is another blatant stuff-up by the Bracks government, and all it can do is blame the federal government for its own mistake.

Already there are problems with stage 3 — the one that comes into the T intersection — because commonwealth funding is specifically targeted at projects that provide the greatest national benefit. On this basis the commonwealth committed \$186 million to the Geelong bypass, but a fat lot of good that will be if it goes into a T intersection. If you are looking at stage 4 and it has no national significance, then you will not be able to get the funding. You cannot expect to get federal government funding if you have not done the

homework. You have to base your case on logic, and it has to have some sort of accountability in it.

The Bracks government says that Victoria receives only 16 or 17 per cent of federal funds coming into Victoria. Why then would you knock back \$565 million — over half a billion dollars! — for the funding of the Scoresby freeway? I note an article in the *Age* of 9 September 2004 under the heading ‘Scoresby lure now \$565 million’:

John Howard’s coalition yesterday offered Victoria an extra \$120 million for the Mitcham–Frankston road — but only if it is built without tolls.

...

The federal government has already paid out nearly \$25 million —

it was conned into paying out the first \$25 million to buy land for the project —

but another \$421 million has been sitting in federal coffers since the state government broke its pledge to build the road without tolls. After yesterday’s boost, the total federal commitment is \$565 million.

This is another example of how the Bracks government can use spin, rhetoric and hypocrisy, bringing a matter of public importance before the house today and whingeing, whining and carping about not getting enough federal funds. But I have given two examples of money being offered — for the Geelong bypass and the Scoresby freeway — and the Bracks government not taking it up.

I guess the disappointing part about all this business with the Scoresby freeway is that there was a signed agreement between the former Victorian Minister for Transport and the federal Minister for Transport and Regional Services, John Anderson, that said that federal funds would be forthcoming. The basis of it, as stated in the agreement, was that:

... the federal government will contribute 50 per cent —

50 per cent! —

of government contributions to the construction cost of the freeway. The Victorian Premier, the Hon. Steve Bracks, MP, has committed Victoria to fund 50 per cent of government contributions for the construction cost of the freeway.

Initially there was not even a set amount. The federal government was committed to funding 50 per cent of the Mitcham–Frankston — the Scoresby — freeway, and we were all clear about that. Then the Bracks government got itself into real trouble. It told one lie, then another lie and then another, and got itself into a real mess. It wanted to change the situation and

incorporate a Mullum Mullum tunnel. Maybe this was based on advice from the then chief of staff to the Premier, although I am not sure; however, including the tunnel just added a bit more slime and a few more lies to the situation. All of a sudden the government started calling the project a motorway that would incorporate the tunnel.

The facts are very clear. If you look at the budget papers for 1999, you find that the Kennett government had already fully budgeted and costed \$220 million for that tunnel. I ask the Treasurer or the Premier or the Minister for Roads and Ports to tell us where the \$220 million that had already been put aside by the previous Kennett government for the Mullum Mullum tunnel ended up. The money was there, with the federal government wanting to put in 50 per cent, but the Bracks government still could not get it right.

The irony about the contract is that it was the Minister for Transport at the time who insisted that this clause go in. It says:

Victoria undertakes to ensure that users of the Scoresby freeway will not be required to pay a direct toll.

It was at his insistence that this was included in the contract. That is disappointing, given that when the Premier and the minister wrote to us as residents in their letter of 11 September 2001 they said:

On 22 August the state government signed a declaration of commitment —

and the government was committed —

to its 50 per cent funding share for the Scoresby freeway.

The letter continues:

While the Howard government has agreed to the Scoresby freeway's RONI status, it has so far only committed \$220 million (about 20 per cent) ...

The letter is signed by the Premier and the then Minister for Transport. They just kept on breaking promises, over and over again. There they were trying to accuse the federal government of committing only 20 per cent. The costings available at that stage only allowed for \$440 million, so the federal government committed \$220 million and said, 'When you have the total costings for the freeway let us know, because we are committed to 50 per cent'. It went out and made sure that was the case.

As I mentioned, on 8 September 2004 the federal government wanted to make sure that the freeway was going to be built without delay. It was still committed to the 50 per cent, and it made sure that an extra

\$120 million was added to get to the sum of \$565 million. It had already paid out money for the land acquisition, and I do not think the money has been returned. Maybe the Minister for Public Transport would be able to find out if that \$25 million — the initial money that was paid over — has been returned. I bet you it has not. I bet you that there is no way known that that money has been returned.

This matter of public importance is embarrassing for the Minister for Roads and Ports. I think that, as the new boy, he has been set up by his cabinet colleagues. It is embarrassing, and it just shows the hypocrisy of the Bracks government.

Mr CRUTCHFIELD (South Barwon) — It is a pleasure to speak on this matter of public importance (MPI) and to welcome the Minister for Roads and Ports.

The last couple of speakers from the Liberal Party have mentioned a letter, which emphasises the seriousness with which the Liberal Party takes the MPI. My understanding is that the Premier's office has only received it today. In terms of stunts the Liberals may think they are clever, but in terms of the forum outside this environment in the real world, media outlets will judge whether this is a political stunt that has been taken to extraordinary lengths.

It is quite surprising, given that the Premier and the Minister for Roads and Ports have not formally received this letter, which is my understanding, that it has been tabled in the house today by two shadow ministers. That is extraordinary. It is a slight on the people of Geelong and the Surf Coast and the municipalities through to the border. I do not think we have heard the last about this. I think the member for Polwarth will be reminded that his council — the Colac Otway shire — is a signatory to the G21 Princes Highway West local government alliance. The alliance goes from Geelong through to the South Australian border and includes some 17 municipalities.

I was at the launch at Winchelsea on Friday. The federal member for Corangamite was not there. The member for Polwarth was not there, even though it was in his electorate. My electorate abuts his, so it was not that far down the road. Neither of those gentlemen were at those proceedings. If they had bothered to be there, they would have understood that this is not an amalgam of left-leaning local governments. The councils involved include the Warrnambool City Council, the Colac Otway Shire Council, the Corangamite Shire Council, the Moyne Shire Council, the Glenelg Shire Council and the Southern Grampians Shire Council —

hardly hotbeds of lefty influence. They all agree with what the state government is doing in respect of federal funding or AusLink money.

I am happy to table the G21 position statement for the Princes Highway West. My understanding is that the shadow minister for roads has received a copy of this statement. I hope he has. He did not mention it in his speech. If he has not received a copy, I will ask the 17 municipalities to forward it to him. The position statement is very strong on where both the federal and state governments should be — that is, taking a partnership approach to the funding of this road, if I can be parochial, from Geelong through to the South Australian border. It encompasses areas which are not traditionally Labor areas.

The position statement says these 17 municipalities along the Princes Highway between Geelong and Mount Gambier:

... share a common vision for improvements to the highway and seek state government and federal government funding support and declaration of the road within the Australian government's AusLink transport program.

Princes Highway West is the major inter-regional transport corridor that connects industry and the communities of the south-west of Victoria to ports, airports, road, rail and capital cities in the south-east of Australia.

I will not go on, but I am certainly happy to table the position statement. In short it goes on to talk about priority improvements like the duplication of the highway between Geelong and Colac and shared funding of stage 4 of the Geelong ring-road, which has been mentioned a number of times in the house. The statement also mentions the number of overtaking lanes between Warrnambool and Portland and in the Terang area, as well as the need for shoulder sealing and additional passing lanes between Portland and Mount Gambier.

In support of those 17 municipalities I want to refer to a chart of AusLink funding which I will circulate more broadly. If you use Melbourne as the centre point and go some 213 kilometres to the east, you reach Sale. What is informative about that is that all the way from Melbourne to Sale is an AusLink-declared route. The last part of the road between Traralgon and Sale is in the federal seat of Gippsland, which is held by The Nationals Peter McGauran. Coincidentally when the road became an AusLink-declared route in 2004 that was a marginal seat held by just over 2 per cent. The federal seat of McMillan is a bit further to the west, and it is held by Russell Broadbent for the Liberal Party. Coincidentally it is also a marginal seat and is held by 2.8 per cent.

Honourable members interjecting.

Mr CRUTCHFIELD — I think I heard some murmurings about these gentlemen being good local members who have advocated strongly to the federal government for that particular section of road to be declared eligible for AusLink funding. I do not know those gentlemen, and I am not familiar with that area of Victoria. Maybe they are good local members, maybe they are not. I take heed of the interjections from my right that they may be.

However, I can say that if they are good local members, they are in stark contrast to the federal member for Corangamite, Stewart McArthur. He does not advocate for Geelong, the Surf Coast or Colac in any way, shape or form. You cannot refute the facts in respect of that. If you look at the Princes Highway East, you see there are 213 kilometres of federal and state-funded road. These 17 municipalities are articulating that if you go 75 kilometres to the west, to Geelong, that road is grossly underfunded, and it is grossly unfair. If we use the criteria we apply to the Princes Highway East to the Princes Highway West, as we should, we should nearly reach Terang. The member for South-West Coast is not here, but he should hang his head in shame, as should the member for Polwarth.

The traffic volumes are equivalent — 10 864 vehicles use the Princes Highway West while less than 10 000 vehicles use the Princes Highway East to Sale. In terms of trucks, on average 1154 use the Princes Highway West and 1100 use the Princes Highway East. The figures are comparable. What is different is that the two federal members in the west — the member for Corangamite, Stewart McArthur, and the member for Wannon and Speaker of the House of Representatives, David Hawker — are not interested in advocating for their communities because they think they have safe seats.

An honourable member interjected.

Mr CRUTCHFIELD — The member interjects about it perhaps being about The Nationals. It may be because Gippsland was a marginal seat held by 2 per cent and this was blatantly about using resources politically. That is why our funding goes to New South Wales and Queensland: there are marginal seats in those states. It is no coincidence that Broadbent and McGauran's seats were marginal in 2004 and that is where the funding went. We in the west are missing out because we have two federal members who do not advocate strongly.

Mr Weller interjected.

Mr CRUTCHFIELD — We may need a Nationals member. I do not disagree. If such a member could advocate for my patch, I would be extraordinarily happy to have a federal Nationals member. We cannot get any worse than the two federal Liberal members we have down our way. The federal member for Corangamite, Stewart McArthur, opposed the upgrading of the Princes Highway and said federal money should not go to that project. He opposed the Geelong ring-road. The only road he has advocated for is one which went to the front door of his estate near Camperdown.

This bizarre letter from the federal minister advocates a road he calls the McArthur option, which almost connects the bypass to Mr McArthur's road near Camperdown. This option is not even remotely supported by anyone in that community. These 17 municipalities are opposed to that view. They want to get on with life. The decision has been made, and I am here as a result of that decision. The residents of South Barwon have spoken. The residents of these 17 municipalities are not doyens of left politics at all — in fact, many may be members of The Nationals. I urge the federal Nationals to support me and the Bracks government in getting AusLink funding for that road.

Mr BLACKWOOD (Narracan) — In my opinion this matter of public importance raised by the member for Tarneit is an absolute farce. It is typical of the spin and misrepresentation of the facts we constantly hear from members of the Bracks Labor government. We get a constant barrage of blame shifting, of blaming the federal government and other people for their lack of will and their inability to make a decision.

I draw the attention of the house to a road in my electorate, the Thorpdale–Morwell road. What has this government done in recent times for that road? The answer is absolutely nothing, despite the fact that in the past four years there have been two fatalities on the narrowest section of that road. Tragically last Christmas the Johnson family of Thorpdale lost their beautiful 18-year-old daughter on that road. The condition of that section of road was a directly implicit cause of that tragic road accident. Despite there having been a fatality in the same vicinity three years earlier, nothing was done to improve the condition of that road.

So another young life was lost, another family suffered the trauma of the loss of a loved one forever, and in Thorpdale another rural community was shattered by a tragedy that could have been avoided. And the Bracks government has the audacity to try to mislead this house and insult Victoria's rural communities by making completely false claims about its improvements

to Victoria's roads. I challenge the Minister for Roads and Ports — indeed any member of the Bracks government who has the guts — to look the members of the Johnson family of Thorpdale in the eye and claim that the government has improved Victoria's roads.

I challenge the Bracks government to try to sell this spin to the Shire of Baw Baw and the other shires in Gippsland that continue to struggle to cope with the constant cost shifting by this government onto local government. As a former Baw Baw shire councillor I have witnessed the difficulties that shires face in trying to improve their rural road networks. The Baw Baw shire had the highest rate rise in the state last year. It was a direct reflection of the difficulties that it faces because of the constant and increasing pressure on the road network. Indeed the single biggest complaint from rural ratepayers is about the terrible condition of rural roads. Because of that the Baw Baw shire was forced to raise an extra \$1 million in rate revenue in 2006–07, which will all be spent on rural roads in the shire.

Funding local government is the most effective way of having those issues addressed. In recent years the Gippsland shires, in particular the Latrobe and Baw Baw shires, have conducted extensive consultation. That has enabled them to prioritise the exact needs of small communities and major towns — and roads are a no. 1 priority. That process has put local government in Gippsland on the front foot in planning. All that the shires need is a genuine financial commitment from the Bracks government.

The Bracks government has an unprecedented income of almost \$700 million per week, which is twice as much as the government received in 1999. This year GST revenue in the state is predicted to increase by \$1 billion. There is no excuse for the Bracks government to continue to ignore its responsibilities to rural Victoria and no excuse for it to cover up its neglect of rural Victoria with spin and deceit. Victoria has a state tax on fuel of around 6 cents per litre, as distinct from states such as Queensland, which do not have that tax. The Bracks government also collects the GST component applied to every litre of fuel. In total that amounts to 23 cents for every litre of fuel purchased in Victoria. The federal government continues to prop up this state government with its funding of the Roads to Recovery program.

I draw the attention of members to the Pakenham bypass. Constituents in my electorate are sick and tired of the bottleneck that they face every day in Pakenham. The project should have been completed two years ago. Had it not been for the federal government committing

\$240 million, the project would never have got off the ground.

I draw the attention of members to the Moe roundabout. Moe is a major regional town in my electorate that has issues with safety and extremely dangerous traffic flows. The major roundabout in the middle of the town has no pedestrian or disabled access. There has been no commitment from the government to look at the short, medium and long-term requirements for pedestrian safety and traffic management or to address the impact on local traders. In November the election message from Moe residents was clear. They were sick and tired of being ignored, so they elected a new member.

In another life I spent many years as a truck driver. In the 1970s and 1980s I travelled the roads of Gippsland every day. In those days the condition of Gippsland's roads was deplorable. Over time there has been very little change, and with the increase in truck numbers, larger configurations and increased mass limits, those roads are still under stress.

This brings me to another issue that is directly linked to the condition of our roads, and that is road-friendly and load-sharing suspensions for heavy vehicles. A lot of work has been done by Bill Haire of Wodonga to develop an airbag system of suspension that is road friendly and load sharing. That very important, innovative and effective breakthrough could minimise or reduce the impact of heavy vehicles on road pavements. Bill Haire, from Haire Truck & Bus Repairs, a family business that has been around for more than 30 years, cannot get support from the Bracks government to have that potentially groundbreaking invention tested. That system of suspension has a worldwide patent, and it has the potential to become an Australia-first invention that is sought after by the transport industry right around the world. It is an engineering breakthrough with enormous export potential.

I call on the Bracks government to stop insulting members on this side of the house and Victoria's rural communities with its misleading information. Members of the government should get on with the job of governing for all Victorians, as they promised. They should lift their sights beyond the tram tracks and give all Victorians a fair go. Rural Victorians deserve much more than hollow rhetoric. They demand and deserve action on projects that deliver real improvements to our road network, on time and on budget.

Mr HARDMAN (Seymour) — It is a great pleasure to speak on this matter of public importance, particularly on behalf of an area like Seymour, where

there are great demands on roads. I support the MPI wholeheartedly. I was going through some files and found a press release from July 2003, three and a half years ago, again asking the federal government to stop neglecting Victoria's roads and the safety of the people on our roads by coming to the party and paying the amount of money that we in Victoria deserved. In the year that the press release was issued Victorians contributed 26 per cent of the nation's fuel taxes but the federal government returned only 14 per cent to Victorians while giving 36 per cent funding to roads in New South Wales. The member for South Barwon clearly outlined why that happened.

Victoria's local and state roads suffer as a result of the lack of funds from the federal government. A number of projects across the Seymour electorate could be brought forward if we received the \$255 million that is going to interstate roads per annum. I can mention a number of them, including those on the Maroondah Highway. The government has put funds in there and has upgraded the section of the road between Healesville and Marysville at the Black Spur, but there is a lot of other work to be done. There is a need for alternative routes through there and for improvements to the Maroondah Highway on the way to Healesville. That has become a bit of an issue in recent times, following a tragic accident along that road.

In the lead-up to the last federal election the federal member for McEwen decided to give the local member a hard time about getting a bypass around Yarra Glen. She got the local council and local community involved, saying, 'Apply for some AusLink funds so that you can get this Yarra Glen bypass built'. It has been on the cards for a very long time. I imagine that saying that it has been there for 25 years would not be an exaggeration. The people of Yarra Glen felt they were never going to get the bypass, so a campaign was started. This was great, as it was and is a really important project.

I was very pleased that the federal government seemed to be very serious about it, encouraging the shire and members of the local community to come to Canberra to talk to the Minister for Local Government, Territories and Roads, Mr Lloyd, about the importance and the significance of this project at Yarra Glen. Then the federal government said that in order to obtain the AusLink funds it would be necessary to obtain 50 per cent of funds from elsewhere. At that time it was thought to be a \$12 million project, but it has come to light that it is probably more like a \$15 million project. The state government needs to match the federal government's contribution, because the shire can only

put in \$500 000 — and I was glad to have that explained to me.

At the time of the state election I was pushing the then minister responsible for roads to come to the party on this project because of the significant boost it would have for tourism in the area and for the amenity of the people who live in and around Yarra Glen and who have to drive through Yarra Glen. The minister came to Yarra Glen during the election campaign and promised a \$9 million contribution towards the Yarra Glen bypass.

I was very disappointed to be informed a month or so ago by the Minister for Roads and Ports, who is at the table, that the federal government had decided to reject the AusLink application, which is a real shame. It is really appalling that the federal government can give people a false sense of this being a great project and encourage it to happen but then not come to the party. That is disappointing for the people of Yarra Glen, and of course they are now concerned about the state's contribution, which I am assured by the minister is there on the table to be matched. It will be spent as soon as the federal government decides that McEwen is a marginal seat again and that it therefore needs to fund this project.

Another project that the federal member decided to get involved in is one which is a long way off but which is very dear to the hearts of the people of Kilmore and Wallan, and that is to have a bypass for Kilmore and Wallan. According to VicRoads it is not high on the priority list at this stage in comparison with other projects. There is only one way to get that project up the list, and that is for the federal government to start paying back to Victoria the \$255 million it is giving to other states for their roads. The federal government should be giving it back to us, because it is our money and we are paying that tax.

I would like to see that money start to flow through so that the Kilmore and Wallan areas get a road network that suits their needs. It will help to provide for a better amenity in the township of Kilmore itself and for future growth in the area, which is creating extra traffic all the time. It is typical of the federal government's priorities that the federal member for McEwen decided to send a couple of letters to people in Kilmore and Wallan — using taxpayers funds, of course. I noticed in a table showing the federal MPs who manage to spend more than \$120 000 annually on printing and postage that the federal member for McEwen, Fran Bailey, is above the average, spending \$123 663. I imagine that with this being an election year she has probably saved up a bit

of money to boost that a little more to make up for her lack of presence around the electorate.

Those kinds of games, plus the political stunts, are what the federal government does best. After the rejection of the Yarra Glen bypass I found it amazing to read an article in the *North Central Review* of 30 January in which the federal member was having a go at the Mitchell Shire Council for not applying for any funds through the AusLink project. I did not see any press release going out to the Yarra Glen community saying that it had not received funding for its AusLink project, nor did I see any berating of the federal government for not actually funding the existing AusLink project. That really needs to be brought out and made known across the electorate. Those kinds of games and stunts do not actually work, because people read the newspapers — even though they may be in different communities.

I would like to see a little bit more done for the roads in the Seymour electorate. The federal government should pay back to us the excise we deserve. At the present time we only get back 16.5 per cent of what we pay, and it is not fair. It has been going on for years — certainly the whole time I have been a member of Parliament and probably for a long time beforehand. I would like to see some of that money coming back, and I would like to see it going into projects in my area such as the Kilmore and Wallan road network and a possible future bypass for that area — the Yarra Glen bypass, which is ready and waiting to go — and taking the Maroondah Highway right through. There should be an alternative route for motorists to use to get up to Alexandra when that road, which is very winding and treacherous, has to close every now and then.

I would like to thank the Bracks government for continuing to spend a lot of money on our roads. The implementation of the project we funded following the investigation into run-off-the-road crashes, where we put barriers on the sides of roads, is very evident right across my electorate, including on the Melba Highway, the Maroondah Highway, the Northern Highway, the Hume Highway, the Yea-Whittlesea Road and right throughout the area. It is saving lives. That and the programs that have addressed some of the black-spot areas have been a great help, but a lot more needs to be spent to make sure the electorate of Seymour is a safe place for people to drive around.

Mr TILLEY (Benambra) — I rise to speak on this matter of public importance and —

An honourable member interjected.

Mr TILLEY — I will speak briefly on the Omeo Highway at a later point, but thanks for the reminder.

I have been sitting here for quite some time this morning listening to the other side of the house laying the blame for the lack of funding on the federal government. I would really appreciate it if at some stage all members of the state and territory governments would get together. I would put a big-screen TV there for them and turn on the ABC so they could watch *Sesame Street* and learn how to share. It is just a matter of being able to sit down, negotiate and work this out. As we have heard, the federal Treasurer will provide adequate funding from GST revenue — there is no doubt about that for one moment. This is an opportunity to address the inadequacies of the Bracks Labor government over the last seven years and provide the best road infrastructure for Victorians.

I represent a country electorate. In a previous life I spent many hours, days and years driving country roads and pulling the victims of car crashes from their vehicles. If anyone in this house has ever knocked on the door of a parent at 2.00 a.m. to tell them that their child has been killed in a car crash, they will appreciate that this government's efforts fail us miserably.

Mr Wakeling interjected.

The ACTING SPEAKER (Ms Green) — Order! The member for Ferntree Gully is interjecting from out of his place. He has done it a couple of times, and I have let him off as he is a new member. I ask him to sit in his place if he wishes to make a contribution to the debate.

Mr TILLEY — Going back to the issue of the federal government's contributions, this Sunday we will see the opening of the Albury-Wodonga Hume Freeway bypass. It is a terrific job that has been completed ahead of schedule. This will provide opportunities not only to motorists driving between the states of Victoria and New South Wales but also to the electorate of Benambra, which is effectively the gateway to Victoria. We will see increases in tourism. Heavy commercial vehicles will be able to get through the city of Albury to enter Victoria. We will see the excellence of goods leaving the state, and truck drivers coming into the state will probably be able to save about 35 minutes in travel time. However, I urge the Bracks government to ensure that these goods are delivered adequately and that level crossings going into the port of Melbourne facilitate the best access for road freight.

We need to look at the responsibilities for roads. I call upon the Bracks government to stand up and take responsibility. All the people in the electorate of Benambra are simply asking for is that this government take responsibility and make decisions. It is not rocket science. People want to see some simple outcomes. They want to be able to drive safely, knowing that they will not fall off the road at the next corner and that if it is a run-off they will not drive off a cliff. Take Dederang Gap on the Kiewa Valley Highway, for example — —

Mr Weller — I've been there.

Mr TILLEY — You probably appreciate that you are lucky not to have driven off the side of the road and fallen down the cliff into the blackberries and other hazards — but we will not speak about land management during this debate. The condition of many kilometres of roads needs to be addressed to ensure that people can be safely pulled from any vehicles that have run off the road.

I heard extensive use of statistics, figures and all those bits and pieces in this morning's debate. I heard that there had been approximately 1500 fewer incidents of road trauma over the last 12 months. You can cook the books and move the goalposts any way you like, but people are still being injured on our roads. You can put pressure on Victoria Police regarding how incidents of trauma, injury or non-injury crashes are recorded. Someone might only have a bandaid or a sore arm or leg after a crash and not be taken to hospital, but it is still an injury crash regardless. Recording these statistics in terms of whether people have to be carted off to hospital, be treated at an accident and emergency unit or get subsequent treatment after admission is not the way to go. The government needs to recognise that no-one has to be taken to hospital for it to count as an injury crash. Those statistics should be reported accurately so there is proper funding. The best road safety programs should be provided to all Victorians.

I move on to the topic of the Omeo Highway. In the lead-up to the election I was involved in a strong plan for the development of policy for the sealing of the highway. A 26-kilometre section of that highway remains unsealed. I frequently hear that the Bracks government governs for all Victorians. Believe it or not, the people of Mitta Mitta, Omeo and East Gippsland are also Victorians, yet during the campaign all I heard from the government about our policy was that a Liberal government would create a death trap. We have to be realistic about the policy.

It would open up possibilities for tourism and trade. It would provide the quickest route between the largest rural city in my electorate, Wodonga, and the east coast of Victoria. The other side of it is that each day local residents get their tyres slashed by the road because of the extensive amount of logging going on. This government receives royalties from the logging, but it does not put any of it back into the highway. I urge the minister to have a look at sealing the Omeo Highway so that all Victorians — the government claims to govern for all Victorians — can drive on sealed roads the way any person in metropolitan Melbourne does.

My electorate has many thousands of kilometres of unsealed roads. Residents of Towong shire do not have sealed roads, but they have lots of traffic. Each night they bring their clothes in from the line they find them covered in dirt, because the inadequate state funding of local government — cost shifting once again — means it cannot seal local roads. We want to encourage people to move to country Victoria, and country Victorians deserve the same conditions that apply to each and every person living in metropolitan Melbourne.

I thank the member for Narracan for making a brief mention of Mr Bill Haire. I have been working with him. I saw a news item during the campaign period which reported that he had an innovatively designed concept vehicle that would save money for the Victorian government in road maintenance. His concept plan cannot get over the line because of the corporation, VicRoads, the bureaucracy and the unwillingness of this government to seed innovation in this state of Victoria. Potentially this design is dynamically road sharing and road friendly and would save hundreds of thousands of dollars in road maintenance. We need to encourage innovation to see that the future of Victoria continues to grow. I invite the minister at the table, the Minister for Roads and Ports, to visit Wodonga and I would love to introduce him to Mr Haire.

Something I have not mentioned, which I would like to do very quickly, is the state's contribution to the opening of the Hume Freeway between Albury and Wodonga. Originally the road was to be sealed to four lanes and was to connect the Murray Valley Highway to the Hume Freeway. At the opening this Sunday we will see a road that is constructed to four lanes but is only sealed to two lanes — half the job — and the Wodonga rail line still runs through the middle of the interchange for the Bandiana link. The people of Wodonga will not be able to use the road to satisfactorily get back into Wodonga; they will have to go north into New South Wales. You simply cannot use the road; it is a damn white elephant.

Mr DONNELLAN (Narre Warren North) — We have heard today from a long line of apologists for the federal government for literally neglecting Victoria in not handing over the money. Federal Treasurer Peter Costello has been doing it for years. At the end of the day all we have from the Liberal Party here is apologies for and on behalf of the federal Treasurer. It is quite ridiculous. It is about time it stood up for Victoria and was genuine about it. The simple fact is we are providing facts and figures which are pretty basic. For some godforsaken reason money keeps flowing northward out of this state, and the local Liberals are not prepared to do anything about it.

I want to talk about local examples in my electorate which are pretty extreme and shameful. Over the last five years this state government has put about \$250 million into road funding in my electorate. We have duplicated the Narre Warren-Cranbourne Road; we have upgraded intersections; we have done the Hallam bypass, Hallam North Road, Belgrave-Hallam and Heatherton roads intersection; we have duplicated Sladen Street in Cranbourne; and we announced in September 2006 another \$11.4 million to duplicate Cranbourne-Frankston Road.

That is substantial funding in an area which is growing very quickly. The state government recognises that fact. It is a real commitment and real funding. But let us look at what we get out of the federal government's Roads to Recovery program. Let us bring it down to a very small level. My electorate is an area which is growing faster than most other parts of Victoria, but somehow or other we have funding allocated on the basis of which seat is more important.

Let us look at what the councils got between January 2001 and June 2005 in the money allocated under the Roads to Recovery program. Mornington Peninsula got \$9 million. It is in a marginal federal seat and the member, Greg Hunt, was in a bit of trouble so it got \$9 million. Cardinia, which is also in a marginal seat taking in McMillan, got \$3.7 million. What did Casey get? La Trobe is not such a marginal seat and we only got \$3.5 million. The state government is putting in \$250 million over five years. The four-year figure under Roads to Recovery — and obviously we are not recovering very much because we are not going anywhere — is \$3.5 million for the fastest growing council in the whole of Victoria. This federal government thinks that is all right. It is not all right. At the end the day to see people get up here and apologise for the federal government's neglect of Victoria is insulting to everyone in this house.

I refer to the black spot funding program. The last time the federal government handed out money was in 2005 and it gave the city of Casey \$20 000. It was an amazingly large and generous contribution from the federal government to one of the fastest growing places in Australia. It could only find \$20 000 for black spots there. The figure from the Bracks Labor government was \$29 million. It is obvious that we know where the growth is and where the funding needs to be spent.

This federal government is using marginal seats to assess where it puts its money. That is fine, but the worst insult of all was when an upper house member of the Liberal Party insulted the state government because of the paucity of funding from the federal government. He blamed the state government for the black spot funding program under which the federal government had only given \$20 000. The upper house member needs to work out who to blame when funding is not provided for the city of Casey.

AusLink is not a good policy for Victoria. All it does is deliver money to Queensland where the federal government wins more seats than the Labor Party. Victoria is a dog of a place for this federal government, obviously because we keep winning a majority. There are too many damn commos in this state for this federal government. It has to look elsewhere. It gives more money to Queensland, Western Australia and everywhere else bar Victoria because Victoria is too much of a commo in its eyes.

What do we get? Realistically at the end the day we should have 25 per cent of road funding. We get 16.5 per cent. In other words, we are being duded. Where does it go? It goes northward and westward but it does not come into this state. You do not ever see the federal Treasurer explain why we keep getting duded. It is a joke. We are 25 per cent of the economy; we provide 25 per cent of the fuel taxes; we carry 23.4 per cent freight tonne per kilometre; and we have 24.7 per cent of the population. We are mentioning figures because at the end of the day somehow or other the message is not getting through federally that we are being duded.

As Access Economics said the other week, this is the best run economy in the country. The federal government wants to keep handing out money everywhere else. What about actually looking at where you get a bang for your buck and realising if you put \$1 in here, you will get \$2, whereas if you put it into other states, you might not get that? It is just ridiculous. This federal government needs to wake up. It has got to be committed to doing things properly, not on a

pork-barrel basis according to when the next election is coming up.

At the last federal election, what did we have? We had bribes to subscribe — the bribe-because-you-are-alive bribes. You get a bit of money because you are alive. I do not know if I will get one, but giving family tax benefits to someone like me is ridiculous. I earn far too much money. Why would you hand out family tax benefits willy-nilly at 100 miles an hour? It is ridiculous. These things should be means tested. You get \$500 if you are 55 years of age and you are still working and \$1000 if you are an apprentice. Just for being alive in this country you got a bribe from the federal government at the last election.

What did Saul Eslake say? That over the last four years this federal government has had a windfall of \$256 billion and has done nothing with it. That is what Saul Eslake, the former federal Treasurer of the Liberal Party, said.

Honourable members interjecting.

Mr DONNELLAN — He should have been, if he wasn't.

At the end of the day what he is saying is that this government has pissed money into the wind, has not dealt with it seriously — —

The ACTING SPEAKER (Mr Ingram) — Order! That is unparliamentary language.

Mr DONNELLAN — I withdraw that.

The federal government has seriously wasted money. Let us look at some of the things that have recently been on TV, like ads for the Country Fire Authority. I am trying to work out what the federal government has actually done for the CFA apart from run an ad for it. In regard to surf lifesaving, the federal government says, 'We will run an ad for you. We will not actually fund you to do anything, we will just run an ad'. The federal government pretends to care about these things, but it does not actually do anything of substance; it just runs an advertisement.

That is really where it is at. This federal government is not serious. No-one is going to write the federal government members up in 10 to 15 years time as great economic reformers. They will be known as reasonable shopkeepers — a lot of money came in. The growth in taxes is monstrous, it is faster than tax growth in any of the states. What is it? There has been 104 per cent growth in company taxes over the last four to five years. This federal government is swimming in money

but does not know what to do with it. I am just waiting for the bribes in this federal budget. I can just see it: each little target group will get a bribe for being alive. That is what it is all about — bribes to be alive.

That is great economics for this country in the long run! Australia is not going to have a growth dividend. We are not looking at reform aimed at productivity growth. We are fiddling at the edges. That is what the federal Treasurer and the Prime Minister are doing. It is great for them. They can just keep thinking that winning elections is wonderful, but what about in 15 years time when Australia has not gone anywhere because these bunnies have spent money hand over fist on bribes. No-one is going to thank them.

This week, what did I see? The federal government is suddenly keen on training. At the last federal election my electorate was promised a school for 300 apprentices. You know what? It was smoke and mirrors. It is not there. It was a big promise, but nothing happened. So how serious is the federal government? It is not serious. It is just a joke. That is what this federal government is, a joke. But Victoria keeps missing out under this joke, unfortunately, because this federal government is not serious about spending money properly, wisely and when it should be spent.

STATEMENTS ON REPORTS

Public Accounts and Estimates Committee: report 2005–06

Ms ASHER (Brighton) — I wish to make a few comments on the Public Accounts and Estimates Committee's annual report. I initially want to draw attention to page 37, where there is a reference to the PAEC's inquiry into private investment in public infrastructure. The committee noted the terms of reference at page 38. The committee's task, as you would be aware, Acting Speaker, was to review the way in which the Victorian government evaluates its private sector investment in public infrastructure projects to determine whether they represent value for money for the government and whether or not they benefit the community.

Of course in a report tabled very late in the last Parliament that committee was unable to say whether these contracts represented good value for money. In fact the report, again presented by a Labor-dominated Public Accounts and Estimates Committee (PAEC), brought down some findings adverse to the government. I am well aware that I am not to canvass the details of that report, because it was tabled in the

previous Parliament, but I make the observation that when committees table reports very late in a parliamentary term it means that Parliament is denied an opportunity to speak on them. In this case it was a very significant report on the provision of private investment in public infrastructure.

It was a very negative report by the PAEC, and from recollection I think there was only one Wednesday morning in the previous parliamentary sitting when members of this house had an opportunity to comment on that very important report. Of course the Parliament was dissolved and there was an election, so never again can we comment on that report because standing orders only allow members to comment on reports tabled in the current Parliament. I raise that as a side issue if the government is looking at the standing orders, because if the government or the chairman of these government-dominated committees, who invariably is a member of the government, wants to hide the contents of a controversial report, all they have to do is table it late in the term and those sections of the report where there is some parliamentary scrutiny necessary become irrelevant when there is a new Parliament.

I refer to page 28 of this report, where there are some findings in relation to major projects. I want to have one last say on major projects before I completely immerse myself in my new portfolio. The committee made reference to the fact that Major Projects Victoria was as at 31 May 2006 managing 14 projects, including two public-private partnerships. The committee accepted at face value information provided by the then Minister for Major Projects — the third of four ministers for major projects in this government. In fact the data the minister's department provided was inaccurate. It was data supposedly relating to the original capital costs of major projects and to the commencement and finalisation dates of projects.

Everyone in Victoria knows that this government cannot deliver major projects on time and on budget. What we see here — I flag this as a key issue for the Parliament, and it is picked up in this annual report — is that false information was provided by the minister. He actually provided information on revised budgets and revised completion dates, disguising them as original completion dates and original budgets. That is something I hope we do not see in this Parliament.

Page 28 of the annual report also flags the fact that the so-called industrial waste long-term containment facility — otherwise known as a toxic waste dump — was to have opened in June 2007. I comment in passing that the government, which had previously ridiculed the Liberal Party's position, abandoned that project. It

simply put out a press release on 9 January 2007 indicating that it was going to raise the levy for such disposals and that the Lyndhurst landfill facility would be kept open until 2020. It is interesting to note that both the member for Tullamarine and the member for Lyndhurst campaigned on false premises.

Ms Beattie — Yuroke!

Ms ASHER — I just make the observation that, whilst the government ridiculed the Liberal Party for its policy, it has now adopted it.

Law Reform Committee: de novo appeals to the County Court

Ms BEATTIE (Yuroke) — I point out to the member for Brighton that I am the member for Yuroke, not Tullamarine, Acting Speaker.

I wish to speak on the report by the Law Reform Committee on its inquiry into de novo appeals to the County Court. I was on that committee, as was the member for Bentleigh, who was its chair, and the member for Prahran, among others. Mr Dalla-Riva, a member for the Eastern Metropolitan Region in the other place, and a member for Eastern Province in the previous Parliament, Geoff Hilton, were also members. I was pleased to serve on that committee, and I have to say that it was most interesting.

The de novo appeals system comes from the statute books. It provides that a matter can be heard all over again as a new hearing. In fact the term ‘de novo’ comes from the French word and means ‘new’ or ‘as new’. It is a really important process, because often people go to court and plead guilty without realising that the offence to which they are pleading guilty may incur a custodial sentence. The reason they do not know is that often they have not had access to legal aid — and we all know the extent to which legal services are pressed for time. Often the person pleading does not understand or has not listened properly because of the circumstances surrounding their appearance before the court, so they are not fully aware of what might occur. Having access to a de novo appeal gives them a chance to have their case reheard.

I thank all the 22 witnesses who appeared before the committee. They came from many organisations, and many were from the judiciary. They were exceedingly generous with their time and exceedingly frank in their advice to the committee. Their evidence was well thought out and well presented.

It is good to see that the outcome of the report has been supported by members on the other side of the house. In

fact the member for Kew commented that although there were only four recommendations, he supported all of them. We often hear from the member for Kew about his vast experience with the judiciary, so for him to speak in flattering terms about our report is a good thing.

Of course there were some changes encapsulated in the recommendations. One was that the appellant should be given a warning as early as possible that if they continue with their appeal they could face a more severe sentence than that originally imposed by the Magistrates Court. Many people do not realise that, and it is only fair that before they take up their appeal they should be forewarned that they could face a longer sentence.

Another recommendation was that audiotapes of the proceedings in the Magistrates Court be retained for six months. There was also a recommendation that clause 6 of schedule 6 of the County Court Act be repealed so that an appellant is not required to seek the County Court’s leave to demonstrate exceptional circumstances in order to abandon an appeal. With those recommendations it was decided that de novo appeals from the Magistrates Court to the County Court be retained in their current form. The reference for this came from the Attorney-General’s justice statement — —

The ACTING SPEAKER (Mr Ingram) — Order! The member’s time has expired!

Public Accounts and Estimates Committee: report 2005–06

Mr WELLS (Scoresby) — I rise to join the debate on the consideration of parliamentary reports, and refer to the Public Accounts and Estimates Committee’s annual report for 2005–06. I refer in particular to page 26 of the report. Of particular concern are the number of recommendations that have been made by the Public Accounts and Estimates Committee (PAEC) to departments which are not being accepted by those departments. I refer to paragraph 3.3.3 which is headed ‘Government response to the report’ and states:

The report made 27 recommendations; 6 were accepted, 8 were accepted in part, 2 are under review, and 11 were rejected.

What is even more concerning is where the report states:

The committee did not agree with the reasons given for rejecting the recommendations, and revisited some of the issues in its *Report on the 2004–05 Budget Outcomes*, report no. 69, which was tabled in Parliament in April 2006. The committee understands that of the recommendations rejected,

a number have subsequently been reconsidered by the government and accepted. The committee's report is also used as part of training and development for budget officers within a large government department.

It is important that the PAEC and government departments are able to work closely together. When a recommendation is put forward there need to be mechanisms in place so that if they are rejected, or only accepted in part, they are not lost to the system and can be put forward again by the PAEC regardless of whether they compromise part of the recommendation — which seems odd. Recommendations need to be kept in the system so they can be reviewed by a department. If when a department rejects the recommendations, because they are outside accounting standards or outside some other worldwide standards, and the explanation goes back to the PAEC, it can at least make an adjustment to the recommendation and resubmit it.

One of the recommendations that I was particularly concerned about refers to the issue of the reporting of asset investment projects. The PAEC's *Report on the 2004–05 Budget Outcomes* states:

The committee raised the issue of reporting of asset investment projects in budget information paper no. 1, *2003–04 Public Sector Asset Investment Program*, in relation to two departments.

The departments' responses indicated that they followed the Department of Treasury and Finance (DTF) guidelines on reporting asset projects in budget information paper no. 1 ... The guidelines state that projects with a total estimated investment (TEI) equal to or greater than \$100 000 are to be reported, but projects in the final year of implementation where the planned capital expenditure is less than \$30 000, are excluded from being reported.

Quite rightly the PAEC made a recommendation in budget information paper no. 1 that it had to review the guidelines for reporting asset investment projects to include asset projects currently excluded by the guidelines. I know that there is an issue of materiality and that you cannot possibly put all accounting transactions into accounting reports — there has to be a certain amount of clumping together of the figures — but at least if there is a document which can be referred to which contains a list of the projects, then it makes it far more open and transparent. If you are going to clump together the figures without identifying the projects, then the system is not open and transparent.

With those few comments in relation to the PAEC's recommendations I call on the government to ensure that mechanisms are in place so that when a recommendation is put forward it is not lost in the system once it is rejected, but is sent back to the PAEC

so that committee can look at the reasons it has been rejected, make amendments to the recommendations — especially if it is on technical grounds — and then send it back. Hopefully, with the PAEC and the department which is the subject of the recommendation working together, we will have a very workable and open and transparent accounting system between departments and the PAEC.

Law Reform Committee: de novo appeals to the County Court

Mr HUDSON (Bentleigh) — I rise to speak on the report of the parliamentary Law Reform Committee on de novo appeals in the County Court. The term de novo refers to a new hearing of a criminal case, in this case in the County Court, following conviction and sentence in the Magistrates Court. Most members would be aware that the vast majority of criminal matters — around 98 per cent — are heard in the Magistrates Court. In any given year the Magistrates Court deals with about 95 000 defendants who are sentenced and convicted compared with around 1500 defendants in the County Court and the Supreme Court. It has a pretty central role to play in our criminal justice system.

Of the defendants who are convicted in the Magistrates Court, less than 3 per cent appeal to the County Court. If we look at the figures in 2005–06 we see that 2666 appeals were commenced in the County Court of which 1966 appeals were lodged following conviction or sentence in the Magistrates Court. It is interesting to note that the vast majority of those appeals were against the sentence, and in fact that is the bulk of the de novo appeal work done by the County Court. In addition to that, 19 per cent of the appeals were to do with the conviction itself, and another 7 per cent were against the order made by the court.

De novo appeals have come under criticism from some sections of the community as being an historical anachronism. Essentially the de novo appeal gives defendants a second bite of the cherry, and in fact that goes to the core of the argument against them. A decision has been made by the Magistrates Court and their case has been considered. Why should they be able to go off to the County Court and have that case heard all over again? They do not have to demonstrate that there has been an error of fact or law, they do not have to demonstrate that there has been a miscarriage of justice or that the judgement of the court involved a wrong decision. It is basically a completely fresh rehearing of the case. Critics would say that this is a waste of resources, that it gives people another go and that with the increased professionalism and training of the magistracy it is no longer required.

There have been a number of historical justifications for retaining de novo appeals, including the fact that originally cases were heard by justices of the peace and lay magistrates, who provided a quick and accessible form of justice that was available to people in the community. The committee gave considerable consideration to that fact and came to the conclusion that historical justification does not exist to the same extent, given we now have a well-trained and well-qualified magistracy. However, there are a number of other factors that the committee had to consider.

One of those was the need to balance competing interests in ensuring that we delivered justice. The Law Institute of Victoria indicated in its evidence that de novo appeals originated to:

... ensure that public confidence in a just and equitable dealing with criminal matters dealt with summarily [is] balanced with the need to produce efficient and timely results for victims, the accused and the community.

The Parliamentary Law Reform Committee essentially supported that view, because whilst the magistracy has an enhanced status and legally qualified magistrates, it is nevertheless the workhorse of the criminal justice system. A typical Magistrates Court case is often heard in less than 15 minutes. Large numbers of those who are accused are unrepresented and may only get access to a duty solicitor at the very last moment. There is not necessarily an opportunity for them to put their case in the most effective and fulsome manner. Of course this can involve the deprivation of liberty, and that is a further reason why we believed it was important to have the de novo appeal process to the County Court.

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

Mr DELAHUNTY (Lowan) — I rise today to speak on the Environment and Natural Resources Committee report on its inquiry into the production and use of biofuels in Victoria. My colleague Damian Drum, a member for Northern Victoria Region in the other place, was a member of that committee, and he raised the concern on behalf of The Nationals that the time lines for the report were very short. The terms of reference were given to the committee on 25 July 2006, with an expectation that the committee would have its report delivered by 27 October 2006. This is a very important issue throughout country Victoria, and it was not done justice, even though the report gathered a lot of vital information in relation to biofuels in Victoria.

As I said, there is great interest on this topic in the Lowan electorate, which I represent. Western Victoria has long been recognised as Australia's premier

producer of wheat — or the golden grain, as it is known. However, in the western region today production extends far beyond wheat. Primary producers are now innovative and adaptable. They produce about 70 per cent of Victoria's pulses and about 60 per cent of the state's oil seeds. This topic is thus a vital one for those farmers. With the drought having a big impact on the viability of our farms, biofuels give farmers two opportunities: firstly, the production of biofuels — and I will talk a little more about that later — and secondly, the use of biofuels. Both of these should increase the profitability of our growers.

I turn first to the production of biofuels. Up in Kaniva in my electorate there is a fellow by the name of Steven Hobbs. We also have a group from Dunmunkle, which was in my electorate in the 54th Parliament from 1999 to 2002, and that group, which is based in Minyip, is also doing a lot of work on biofuels. It has been given great support by the Bendigo Bank. But I want to talk a little bit about Steven Hobbs. An article headed 'Refinery to start' in the *Wimmera Mail-Times* of 16 February this year says:

A million-dollar biodiesel refinery, the Wimmera's first, is just weeks away from starting operation.

The article talks about Steven Hobbs and says that his seed-crushing plant was the 'realisation of a seven-year dream'. Mr Hobbs is quoted as saying that the plant is modular, allowing more presses to be added as demand increases. The article says further:

Each press can crush 800 tonnes of seeds to make 350 000 litres of oil a year. Mr Hobbs plans to have four presses in action at full capacity, producing 1.2 million litres of oil each year.

This came about, as Mr Hobbs said, with the great support of the Wimmera community and industry people. It is interesting to note a little of the background to that project. Mr Hobbs's wife was watching TV and brought to his attention the possibility of using fuels in that way. Mr Hobbs states on his website that he uses about 20 000 to 30 000 litres of diesel fuel a year, so biodiesel is a very important product to him. His website goes on to say:

Biodiesel is the term used to refer to various ester-based oxygenated fuels composed from vegetable oils such as soybean, canola, or peanut oil, or animal fats.

Mr Hobbs's website also says:

Biodiesel is simple to make from fresh oil, and besides, I can use all the by-products in my farm operations. Press cake, or meal, is a high-protein feed supplement and can be fed to cows, pigs, chooks or sheep.

There are many things in the report of the Environment and Natural Resources Committee, but one that I want to highlight is the use of ethanol in Victoria. New South Wales uses about 7.7 million litres of ethanol while Victoria uses about 1.3 million litres. In Victoria there are very few stations that sell ethanol.

I use a lot of fuel — I drive about 80 000 kilometres per year — and in every fuel station I go into I look to see if ethanol fuel is there. As The Nationals did in April last year, in this report we called for action to encourage the use of these blended fuels in the 8000-vehicle government fleet. However, it is just about impossible to source ethanol fuels in Victoria. More work needs to be done by the Minister for Consumer Affairs and others. Recommendation 4 of the report is that the government should encourage the use of ethanol in its fleet, not only in cars but also in other transport vehicles.

I turn to the other factor of concern in the report. The report highlights that in Australia the production of biodiesel has gone up to 4 million litres. It is improving, but more work needs to be done. It will help country Victorians and in particular the grain growers in my electorate.

Law Reform Committee: de novo appeals to the County Court

Mr LUPTON (Pahran) — I want to make a contribution to the debate on committee reports today by speaking on the Law Reform Committee report on its reference on de novo appeals to the County Court. As a member of the Law Reform Committee in the 55th Parliament I was very pleased to work on this reference. The system that we have had in Victoria for dealing with appeals arising from criminal matters in the Magistrates Court — appeals against both sentences and conviction — has been based on what are called de novo appeals to judges of the County Court.

The de novo appeal involves a complete rehearing of the matter from scratch. It does not require the defendant to have to satisfy any grounds of appeal in order to make that application. It is an application that exists as of right. Reference was made to the committee in order that we would examine whether that system, which has operated under our criminal justice system here in Victoria ever since European settlement, was one that should be continued and was still justified in the 21st century.

The committee approached this matter very much with an open mind. There were some legal practitioners such as myself who were members of the committee, but

there were also a number of committee members who had not had any particular experience with these processes. In my former profession as a barrister I appeared in numerous Magistrates Court and County Court de novo appeals in relation to these matters, and because of that practical experience I was particularly interested in being a member of this committee.

We heard from a very impressive array of witnesses — from judges of the Supreme and County courts, magistrates, prosecutors, defence counsel and solicitors, and also from a number of judicial officers and practitioners in New South Wales. The New South Wales Parliament changed that state's system of appeals in the late 1990s, and we were able to learn a significant amount about the effect of those changes by taking evidence from New South Wales witnesses. The upshot of the committee's taking of evidence and deliberations was that we were satisfied that the current system of de novo appeals operating in Victoria was one that delivered a fair and just outcome in criminal proceedings and was also one that produced an efficient and appropriate use of the court facilities and procedures.

The vast bulk of criminal cases heard in Victoria are heard in the Magistrates Court. The vast bulk of appeals from the Magistrates Court are in relation to sentencing. The evidence overwhelmingly suggested that any significant change to the de novo appeal system would lead to a greatly increased and slower and more costly process in the Magistrates Court without any commensurate benefit in reducing the number of appeals and the amount of time and expense involved in hearing matters in the County Court.

The committee was very pleased to provide to government its recommendation that the de novo appeal system continue in Victoria with some minor changes which relate to changes in seeking leave to abandon appeals that were introduced by the former government back in 1999. We have recommended that those matters be eliminated from the system so that people who do not wish to continue to appeal in the County Court would no longer be required to demonstrate exceptional circumstances in order to abandon the appeal, but otherwise, apart from some minor technical matters, we recommended that the system of de novo appeals continue in Victoria.

PARLIAMENTARY LEGISLATION AMENDMENT BILL

Second reading

Debate resumed from 15 February; motion of Mr BRACKS (Premier).

Independent amendments circulated by Mr INGRAM (Gippsland East) pursuant to standing orders.

Mr McINTOSH (Kew) — The Parliamentary Legislation Amendment Bill, whilst it has a reasonably innocuous title, certainly deals with something that most of us in this place have had some experience with. I have been a member of two parliamentary committees, and I am sure many of my colleagues in this place have also been members of parliamentary committees in various forms.

It is a very important part of the activities of the Parliament to inquire into various activities through the joint parliamentary committees as well as participating in a broad community consultation with a range of different people. I have been able to serve on both the Law Reform Committee and the Scrutiny of Acts and Regulations Committee (SARC). While the Law Reform Committee carried out a number of inquiries, the most worthwhile and most memorable for me was the inquiry in relation to legal services in regional and rural Victoria. I cannot really say with the same degree of alacrity that being a member of SARC was the same joyful experience. It was perhaps not so much more work, but it was a very concentrated amount of work in a short period of time, particularly on a Monday afternoon, and in some cases it involved substantial debate as to the rights and liberties of Victorians.

Importantly, though, while it may have been hard and strenuous work, it was certainly a committee where there was quite often a lot of debate and discussion and disagreement about rights and liberties. It was a very interesting committee from that point of view. I say that because hopefully I will be appointed to another committee that may be more commensurate with my new portfolio responsibilities, and I look forward with interest to serving on a committee if that occurs. Indeed the motions that were circulated by the Leader of the House earlier this morning would suggest that I am likely to be appointed to a committee, but that is something for another day.

However, one of the things that has been of enormous interest to me is that our committee system could be made far better than it is. Another of my experiences

because of my being a member of Parliament was that I had the opportunity to travel to the United Kingdom with some 40 other members of parliaments from other commonwealth countries. Courtesy of the taxpayers of the United Kingdom we met with members of the United Kingdom Parliament and spent two weeks there looking at all aspects of parliamentary democracy as it operates in Westminster. While I have always blithely said that we have taken many of the democratic traditions of the United Kingdom and changed them and made them better, one thing that struck me — and we spent almost an entire day dealing with parliamentary committees and had an opportunity of talking to people from both the foreign relations committee, the public accounts and estimates committee and a number of other committees — is that they do it so much better than we do here in Victoria.

At one stage I had the opportunity of talking to the chairman of the UK public accounts and estimates committee. We talked about it from the point of view that in Victoria the government chairs the Public Accounts and Estimates Committee and indeed has the majority of members on that committee. They looked at me as if I had two heads and as if to say, 'How can you possibly function as a public accounts and estimates committee with the government controlling both the numbers and the chairmanship of that committee?'

It was interesting to note that when they talked about their committee, they said that while it operates collaboratively between the major parties, it drives an agenda to hold government ministers accountable for the expenditure of taxpayers money. They went on to say that they would probably, on average, have a government minister — there are 70 in the United Kingdom — before the committee at least once a month to deal with various aspects of the budget, let alone the bureaucrats and others who give evidence.

Although not quite as independent, if you like, as the UK, what I have observed about public accounts and estimates committees elsewhere in Australia, particularly at the commonwealth level, is that they have a lot more bite.

When I become a shadow minister shortly before the 2002 election and I looked at the prospect of examining my counterpart, the Attorney-General and Minister for Industrial Relations, I was struck by the lack of opportunity to ask pertinent questions. My experience with that committee was less than satisfactory. I recall the Attorney-General, who was then also the Minister for Industrial Relations, on one occasion having about 2½ hours in the box to deal with his portfolio matters. By the time the minister had dealt with the planning

portfolio, the time for industrial relations and the Attorney-General portfolios had been reduced to a little over 1½ hours — a pathetically short time to examine the expenditure of the third-largest government department which crosses over into infrastructure and industrial relations.

My experience was that a question would be asked and the answer would run for some 20 minutes, and in that time you would be lucky if each member of the committee got to ask one, single question, with very little interchange. It was not until people started behaving in an impertinent way — at one stage one of the members was ruled out of order by the chair for answering back —

Ms Pike interjected.

Mr McINTOSH — You have got it — someone who had been a former chair. It was a less than satisfactory way of holding the executive accountable to this place. All of us understand that the way the executive answers questions during question time is also less than satisfactory.

I thought this might be an opportunity to get some degree of independence and reform of the parliamentary system, particularly in relation to two critical committees that have reference to what we do here as members of Parliament. The Public Accounts and Estimates Committee deals with the expenditure of public moneys and touches on and concerns every aspect of government. The Scrutiny of Acts and Regulations Committee, which goes to the rights and liberties of the citizens of Victoria and the rights and liberties of this place, now has the added responsibility of dealing with the charter of human rights. Irrespective of what the party divide may say about that charter, it is an additional function and an important function given to SARC by legislation that has passed through this place. I thought there was an opportunity to at least reform that aspect.

As a result of the election, and perhaps the numbers in the other place, I thought there would be an opportunity to put the point that at least those two committees should be completely independent and operate independently as an arm of the legislature as opposed to an arm of the executive wing of government. The committee chairs should be independent as should the representatives, the nature and the constitutional makeup of the committees. It would have been good not to have appointed a member of the government party as chair, but an Independent member of Parliament or a member from a minor party which may not even constitute itself as a party in this place — for

example, the Greens — or likewise a member of a party such as The Nationals or the Liberal Party. That could be the subject of negotiation, but the bottom line is those two committees should be chaired by somebody who is not a member of the government party.

It is that very tradition that I saw in the United Kingdom that gave real power and drive to its public accounts and estimates committee. Over there everybody understands there are certain issues, particularly in relation to foreign affairs and elements relating to security, where things have to be dealt with in camera. Private briefings were offered to members of that committee on the clear understanding they would not be debated out in the public arena.

What I saw in that place was a degree of maturity. Given its size, many members go through that Parliament. Their mark on democracy in the United Kingdom ultimately does not come from becoming a minister or parliamentary secretary or otherwise; it comes from being a chair or a deputy chair or being involved in one of these committees. People take real pride in the work they do on those committees and the way they hold the executive accountable to the legislature and therefore enhance the notion of parliamentary democracy.

Without that power bestowed upon the legislature to hold the executive accountable, the government can grow to be all powerful and perhaps to a point where it can exceed its authority and refuse to be accountable on rather trivial bases. That is my observation and experience of both parliamentary committees and the way the executive treats the legislature in relation to answering questions in this place. I thought there could have been an opportunity to do that, but I was bitterly disappointed when the government proposed this legislation.

This legislation does a number of things. To some extent, apart from the financial aspects, it is a bit of shuffling of the deckchairs on the *Titanic*. The Economic Development Committee will be renamed the Economic Development and Infrastructure Committee and the Rural and Regional Services and Development Committee will now be known as the Rural and Regional Committee. As Shakespeare once said, I am pretty sure it was in *Romeo and Juliet*:

What's in a name? That which we call a rose
By any other name would smell as sweet.

Perhaps the problem is this is not a rose we are dealing with but a thorn in the side of democracy in this state, and merely changing the names of these committees may not be an appropriate outcome.

I have seen the notice of motion the Leader of the House gave this morning in relation to the various terms of references for these committees. I would have liked to have seen committees have the opportunity to undertake own-motion inquiries, to have a lot more clout in what they can say and to drive the agenda on what inquiries they conduct. Nothing will bore everybody in the modern world more than dull, less-than-satisfactory, turgid and trite inquiries. This is probably not the time to debate that issue, as we will be discussing it tomorrow, but on my cursory reading of them the references to be provided by the government seem to fall into that category.

A number of my colleagues have approached me with concerns about various committee references. This is another demonstration of the fact that the government does not really want to be held accountable for its activities through the Parliament's most powerful tools: question time and the committee system. It would prefer to occupy its backbenchers and other members of the Parliament with these sometimes very important inquiries which have positive outcomes but do not really go to the issue of holding the executive accountable for what it does in the state of Victoria — how it spends its moneys, what legislation it brings in and how it is impacting on people's rights and liberties.

The bill also increases parliamentary representation on committees by increasing from 9 to 10 the number of members of Parliament who can serve on these committees. That is important for a big committee such as the Public Accounts and Estimates Committee, and as I understand it there is no proposal to increase the membership of any of the committees apart from the Public Accounts and Estimates Committee. It is important to include as many people as possible from this place in the committee process, but this is not what you would call a devastatingly important amendment that will enhance the ability of the Parliament to hold the executive accountable.

Something which concerns me is the provision that deals with increasing the salaries and entitlements of various parties. Press reports seem to indicate that a number of luminaries in this place have been rewarded, but not because they may be good. I perhaps disagree with the Leader of the Opposition's comments about the ALP being a party of merit when identifying some of those members. At first blush we can smirk and be amused by the identity of some of the potential committee chairs, but given that the government controls the numbers, certainly in this place, it is likely that this will occur. I should not go into the details of the identities of those who have been the subject of the press reports. However, I do not think they are

indicative of the real up-and-comers in this place. It seems to be a reward for loyal service on the backbench, loyal service elsewhere, doing the right thing when you have been shafted by another faction and keeping people quiet. It smacks of snouts in the trough.

The bill increases the additional income of the Public Accounts and Estimates Committee chair from the current 10 per cent of base salary to 20 per cent of base salary. There does not appear to be any increase in responsibility of the Public Accounts and Estimates Committee, save and except that an additional person will be nominated and that will increase the membership of the committee to 10. The chair of that committee will get another 10 per cent just for looking after the 10th member of the committee. There does not appear to be any further dramatic improvement in the way the committee will operate, its longevity or its ability to hold ministers accountable once a month, as I saw in the United Kingdom. I am sure we will go through the same turgid process where I will get my direct opponent in the witness box, so to speak, for a very limited time.

It seems to me that the public does not understand these snouts in the trough. We saw another example of that today in relation to the operation of the superannuation fund. It does not matter if it is right; the fact is there is real concern among the public about the way we behave as members of Parliament. They see us as having our snouts in the trough, and this increase does not even seem to have a demonstrable justification.

The chair of the Scrutiny of Acts and Regulations Committee will receive an additional 5 per cent on their salary. I understand the importance of those two committees to the operation of this place, but I would like to see independent chairs of those committees rather than a glorious pay rise for the members serving as chairs of those committees, who are being rewarded for being nice factional hacks and doing the right thing, notwithstanding the fact that they may have been shafted by their factions.

Members may have seen a poll in the *Herald Sun* yesterday. It asked whether members of Parliament deserve extra perks. Something like 98 per cent of people came out and unequivocally said no. Now we are giving ourselves an extra perk. Simply saying it is an important committee that does good work around here and that justifies a 10 per cent pay rise for the chair is less than satisfactory. The fact is that I cannot see the extra work to be undertaken by the chairs of those two committees that warrants the pay rise. I cannot see the people of Victoria seeing any justification for more

public money being paid to these committee chairs as a result of this legislation.

Opposition amendments circulated by Mr McINTOSH (Kew) pursuant to standing orders.

Sitting suspended 1.00 p.m. until 2.02 p.m.

Business interrupted pursuant to standing orders.

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 ban on contact with personal friend and Labor powerbroker David White, and I ask: does this ban extend to ministers and staff?

Mr BRACKS (Premier) — I thank the Leader of the Opposition for his question. I have said in the past, and I will say it again, that there is no requirement or need for me to contact David White. I have said that before. In relation to the tender arrangements, could I say that one of the things that this government will do is do the tender arrangements with probity and good value for money. That is the commitment we have given to the people of Victoria.

Mr Baillieu — On a point of order, Speaker, this question was about whether the ban extended to ministers and staff, not about a tender.

The SPEAKER — Order! The Premier has only just commenced his answer. The Premier has 4 minutes in which to respond to the question.

Mr BRACKS — In relation to tender processes for gaming and lottery licences, the tender process for gaming of course has not even started. The process for expressions of interest in lottery licences started in May 2005, with the tender arrangements not in place. As I have made clear in the past, and I will make it clear again, in the future the probity arrangements will be ones which will be secure and solid for Victoria — and also we will be seeking value for money for our state.

Mr McIntosh — On a point of order, Speaker, the Premier was asked a simple question, and he should be providing a yes or no answer.

The SPEAKER — Order! The Premier has concluded his answer.

Council of Australian Governments: antiterrorism laws

Ms BEATTIE (Yuroke) — My question is to the Premier. I ask the Premier to detail for the house the government's approach to the antiterrorism laws agreed to as part of the Council of Australian Governments process.

Mr BRACKS (Premier) — I thank the member for Yuroke for her question. Victoria was at the forefront of the Council of Australian Governments (COAG) process in ceding laws to the commonwealth in relation to tough counter-terrorism laws in this country. We gave permission and support for ongoing detention arrangements which could secure Australians more broadly and could be a part of what Victoria wanted to achieve in making sure we had a safer Victoria through adherence to antiterror laws.

As members of this house would know, Major Michael Mori was in Parliament House today, briefing members of Parliament — those who were interested — on the progress of one of Australia's citizens, David Hicks. Why is this relevant to the COAG process? It is relevant because the very laws that we sought to strike at COAG were a balanced set of laws which had checks and balances within them and which struck the right balance of having an urgency about them as well. What has happened in the case of David Hicks has effectively undermined the very process that was adhered to by COAG — that is, it has undermined public confidence, the confidence of Australians and the confidence of Victorians, in the very antiterror laws that this Parliament passed some time ago.

Why have they been undermined? They have been undermined when you think that an Australian citizen has been detained for some five years without any charges being laid, and two of those years have been in solitary confinement. There is a strong case, if you look at the spirit of the COAG agreement on antiterrorism laws, to have those matters heard and that case heard in Australia. The correct course of action in the spirit of the agreement that the premiers and territory leaders struck with the Prime Minister is to effectively ensure not only that the trial of David Hicks occurs in Australia but that if there are charges to be laid those matters go to the Director of Public Prosecutions for consideration. That is the proper and appropriate course of action.

Members were honoured and pleased to have a briefing today by Major Michael Mori. He is standing up for due process and the administration of justice. It has been an abiding principle of this Parliament and this

state for a long time that due process and third-party rights are important. In this case I am very concerned that the undermining of the COAG agreement on the transfer of antiterrorism laws will be significant unless David Hicks is brought back for consideration and for any charges to be laid in Australia.

Questions interrupted.

DISTINGUISHED VISITOR

The SPEAKER — Order! Before calling the Leader of The Nationals I acknowledge and welcome a former Attorney-General, Jan Wade, who is in the gallery today.

Questions resumed.

Emergency services: Warrnambool helicopter

Mr RYAN (Leader of The Nationals) — My question is to the Minister for Police and Emergency Services. I refer to the Labor Party's pre-election commitment to consider establishing a rescue helicopter service in south-west Victoria, an initiative that would certainly save lives, and I ask: is it not the fact that without any further consideration or consultation the minister has written to the honorary chairman of Westvic Rescue Helicopter Service, Steven Lucas, telling him that the government has abandoned this initiative?

Mr CAMERON (Minister for Police and Emergency Services) — I thank the Leader of The Nationals for his question. When we came to examine the matter of an emergency services helicopter in the south-west, I advised Mr Lucas that the position of the Country Fire Authority and the police is that they do not necessarily need air transport for their purposes. However, Mr Lucas was going to provide a business case to the government. I have advised Mr Lucas that he will have to take those matters into consideration in providing a business case to the government.

David Hicks

Mr EREN (Lara) — My question is to the Attorney-General. I ask the Attorney-General to detail for the house the position of the Victorian government on the ongoing detention of David Hicks.

The SPEAKER — Order! The Attorney-General needs to confine his answer to Victorian government business.

Mr HULLS (Attorney-General) — Certainly, Speaker. I am sure most members of this place would agree that Mr Hicks has been denied the most basic rights that people in almost every developed nation take for granted, so basic in fact that the United States has insisted upon them for its own citizens detained at Guantanamo Bay: a fair trial, a prohibition on the indefinite detention without trial and the principle of habeas corpus. Can I say that this is really Legal Studies 1A stuff and that the principles that attorneys-general from right around the country — —

Mr McIntosh — On a point of order, Speaker, I do not see how this relates to Victorian government business. The Attorney-General is just saying this as a private citizen and nothing else.

The SPEAKER — Order! At the stage of the member's taking that point of order the Attorney-General had been speaking for less than 45 seconds. He has 4 minutes to answer the question. I have asked him to relate his answer to Victorian government business, and I expect him to do so.

Mr HULLS — All attorneys-general — and I would have thought shadow attorneys and former shadows — would agree that these are absolutely crucial and important principles of a democratic justice system.

The fact is that as the Victorian Attorney-General I have contacted the federal Attorney-General in relation to these principles and indeed asked that they be put on the agenda for the Standing Committee of Attorneys-General (SCAG) meeting in Canberra in April for discussion. That is indeed a matter of Victorian government business and something that ought be discussed by attorneys right around the country.

I have also asked that the United States Attorney-General, Alberto Gonzales, address the SCAG meeting by way of video link and be questioned by me and other attorneys in relation to the matter of David Hicks and address issues such as the denial of habeas corpus, the retrospectivity of particular charges and the type of evidence that will be taken into account in relation to this matter — that is, whether evidence obtained by coercion and hearsay evidence will be used against Mr Hicks — and whether an independent assessment will be made of Mr Hicks in relation to his fitness to stand trial. These matters and due process are absolutely important to all attorneys, and we hope that Mr Gonzales will address the meeting.

The fact is that, tragically, people seem to have prejudged this matter and have made statements publicly, which is unfair to an Australian citizen. From a Victorian point of view — —

Mr Ryan — On a point of order, Speaker, I agree unequivocally that these are important issues, but they are not matters for the Victorian Parliament, and I ask you to have the Attorney-General address the question put to him in a Victorian context.

The SPEAKER — Order! I uphold the point of order, but the Attorney-General was in mid-sentence and I believe that when the Leader of The Nationals took his point of order, as he is acknowledging, the Attorney-General was just about to tie that into Victorian government business.

Mr HULLS — Due process, habeas corpus and evidence obtained by coercion are all matters that have been put on the SCAG agenda to be discussed by all attorneys at the next SCAG meeting. They have been put on the agenda by the Victorian Attorney-General and will be discussed at the SCAG meeting, so these are very important matters of business for the Victorian government. The fact is that the government believes it is absolutely incumbent upon the US Attorney-General to address these matters in an Australian context, because they are about an Australian citizen whose rights have been sold down the Potomac by the federal government. As a result, we want to hear from the puppet master, not the puppet, in relation to these matters.

Honourable members interjecting.

The SPEAKER — Order! I apologise to the member for Sandringham; I did not see him out of the corner of my eye. The member for Sandringham on a point of order, and he will be heard in silence.

Mr Thompson — On a point of order, Speaker, this might have been a matter for the Attorney-General when he was the member for the federal seat of Kennedy, but Mr Katter put an end to that. He had better save the speech for when he returns to Canberra.

The SPEAKER — Order! There is no point of order. As he has been speaking now for 6 minutes, although there have been interruptions, I ask the Attorney-General to conclude his answer, relating it to Victorian government business.

Mr HULLS — I conclude on this note: if the person with the ultimate responsibility for defending the rights of this nation's citizens will not make out the case for justice for David Hicks, state attorneys-general will.

Police Association: pre-election agreement

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. I refer to the letter received by his government around September or October 2006 from the police union that culminated in the secret pre-election deal with the union, and I ask: when was the Chief Commissioner of Police first made aware of this correspondence, and will the Premier now make this letter available to the public?

Mr BRACKS (Premier) — I thank the Leader of the Opposition for his question. One thing we will not do is review the contract of the Chief Commissioner of Police, which is the policy of the opposition. One other thing we will not do is abolish the Office of Police Integrity (OPI), which is the policy of the opposition.

The hypocrisy of the opposition knows no bounds. I refer to the October 2006 edition of the journal of the Police Association of Victoria. It says the opposition leader:

... promised to expedite the signing of the police EB agreement if elected.

Honourable members interjecting.

The SPEAKER — Order! I warn the member for Kororoit — —

An honourable member interjected.

The SPEAKER — Yes, he is warned.

Mr McIntosh — On a point of order, Speaker, on relevance, the Premier's answer has nothing to do with the question. It is just a stupid, superfluous homily.

The SPEAKER — Order! I ask the Premier to continue and to address his answer to the question.

Mr Hulls interjected.

The SPEAKER — Order! The Attorney-General is warned.

Mr BRACKS — As I have indicated in the past, and I will reiterate it to the house, it is inappropriate, during a caretaker period during a campaign, to involve a chief commissioner or the head of any public sector agency in the policy process of a party. It is very inappropriate. As I have mentioned, the hypocrisy of the opposition is unbelievable, when you know that it had arrangements it had made with the Police Association, set out — —

Dr Napthine — On a point of order, Speaker, I raise the issue of relevance. The question was quite clear: when did the Premier receive the letter, will he table it and when was the chief commissioner advised? The Premier should answer the question.

The SPEAKER — Order! I was listening quite carefully to the Premier, and I believe he was addressing his answer to the question. I do not uphold the point of order.

Mr BRACKS — The letter we wrote to the Police Association was in response to a letter which was received by the Labor Party, which was also similar, as I understand it, to the letter that was received by every political party that was standing for office. Obviously the association was seeking their views on it. The response of the Liberal Party to the letter was pretty clear. It went on to say that it would undertake an immediate resource requirement audit.

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

The SPEAKER — Order! I was continuing to listen carefully to the Premier, and I believe he was answering the question.

Mr BRACKS — It is not surprising that a group representing its members — in this case, the Police Association — would seek to have the views of all political parties. It would have written to all political parties, and it is my understanding that it did. We replied to it, and I understand other parties replied to it. Of course, as we can see from the Police Association journal, the Liberal Party replied in full force.

Dr Napthine interjected.

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

Mr Baillieu — On a point of order, Speaker, it was a simple question. The Premier has now conceded that there is a letter. Will he make the letter public?

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

Mr BRACKS — I have indicated that we wrote to the Police Association about our commitments, and that has been reiterated. Not only that, I can understand why the opposition does not want its commitments to the Police Association revealed, because the Liberal Party's commitments are about abolishing the OPI, about undertaking an audit and about advancing an enterprise

agreement in this state. The hypocrisy of the opposition has no bounds.

Population: growth

Mr NARDELLA (Melton) — I refer the Premier to the government's commitment to making Melbourne a great place to live, work and raise a family, and I ask him to detail for the house how the success of government policies is reflected in the recent growth figures.

Mr BRACKS (Premier) — I thank the member for Melton for his question. It is indeed true that many, many people see Victoria as a great place to live, work and raise a family — so much so that the number of people coming to Melbourne is outstripping the number coming to Sydney, to Brisbane, to Perth or to any other city in Australia. More than that, country Victoria grew at one of the fastest rates of any country or regional area in the country.

If you look at the policies our government announced some seven years ago, you will see that we said we would grow the whole state, we said we would grow Victoria's population and we said we would put in infrastructure which ensured that regional Victoria grew at the same rate as the rest of Victoria and metropolitan Melbourne. If you look at some of the fastest growing areas — Ballarat, Bendigo and Geelong — you see that that is a direct result of the investment this government has put into those regional centres.

The regional fast rail project means that Melbourne and Geelong, Melbourne and Bendigo and Melbourne and Ballarat are closer together. It has been — —

Mr Mulder interjected.

The SPEAKER — Order! I warn the member for Polwarth. I will not have interjections at that level.

Mr BRACKS — Not only has it been a success, but it has increased patronage based on any model that this government had for what we expected the regional fast rail lines to hold. The models have been exceeded by a significant amount, which is shown up in the population figures released yesterday by the Australian Bureau of Statistics.

What we saw was another 49 000 people for Melbourne, according to the ABS statistics released yesterday. That is equivalent to the whole population of Mildura being added on to Melbourne. It is a significant increase in Melbourne's population. We saw 68 000 people come to Victoria, according to the

figures released by the ABS. That is the highest regional population growth that we have seen for some 17 years. The policy of our government, which is to make sure that the livability of Melbourne is improved and the livability of Victoria is improved, is working.

The policy of our government has been to make sure we increase our migration intake — and we now have one in three of all the migrants who come to Australia coming to Victoria. That has been a deliberate policy of our state. The policy of our state over the last seven years of ensuring that we have growth spread out not only in Melbourne but right around the state through the infrastructure provided to regional centres is also working.

We have a record number of people who want to stay in Victoria and a record number of people who want to come to Victoria both from interstate and overseas. What we set out to achieve some seven years ago is there writ large. You see it on the front page of the *Age* and in the Australian Bureau of Statistics figures. I think Victoria is one of the best places in which to live, work and raise a family.

Murray–Darling Basin: federal plan

Mr INGRAM (Gippsland East) — My question without notice is to the Premier and it is in relation to the federal takeover of the Murray–Darling Basin. Will the government use all its powers, including those under section 100 of the constitution, if it does not get adequate guarantees from the federal government to protect irrigation entitlements and environmental flows including those to the Snowy River?

Mr BRACKS (Premier) — I thank the member for Gippsland East for his question. As the Deputy Premier, the Minister for Water, Environment and Climate Change, said yesterday in this house, the government, in the discussions it has had with the federal government over the proposed Murray–Darling Basin transfer of powers, has not received an assurance on the security of our agreements on the Snowy River.

One of the 44 questions we asked was about how the Murray–Darling Basin would be integrated with the separate Victorian–New South Wales management of the Snowy River and its tributaries. We asked that question directly, and I can inform the member that we received a reply from the Prime Minister two days before the last summit. The reply was that the Victoria–New South Wales management of the Snowy River ‘should not be affected’. I would think that was not an absolute guarantee. There could be different circumstances. For example, in our contribution to the

Living Murray project, where we are decommissioning Lake Mokoan and part of that water will be going to be Snowy River, it would not take much to think that the federal government could divert that to the Murray River. That would be within its capacity and ability under these arrangements.

That is one of the reasons why in the Murray–Darling Basin proposals we have not ceded powers, and we are seeking to look at bilateral arrangements with the commonwealth which protect our farmers, our irrigators and the towns that rely on the Murray–Darling Basin system for their town water supplies and also make sure that there are further environmental flows down the Murray River as well — and of course to meet our commitment to the Snowy River to increase the flow significantly to 21 per cent and ultimately to 28 per cent. There are no guarantees in a response of ‘should not be affected’ from the Prime Minister.

The member also asked me what will happen if the commonwealth does not agree to any bilateral arrangement to protect the environmental flows in the Snowy River which was struck between the governments of Victoria and New South Wales. We reserve the right to stand outside the agreement and to keep our constitutional powers in place and not transfer our powers. That is a right under the Australian constitution which on our advice is a right we can defend significantly.

Tertiary education and training: university funding

Mr CARLI (Brunswick) — My question is to the Minister for Skills, Education Services and Employment. I ask the minister to detail for the house how Victorian university students are suffering from the federal government’s underfunding of Victorian universities.

Ms ALLAN (Minister for Skills, Education Services and Employment) — I would like to thank the member for Brunswick for his question. Over the last seven years the Bracks government has pumped an additional \$990 million into the vocational education and training sector. That has seen real results in helping Victoria meet our local industry and skill needs. For example, we have seen a 60 per cent increase in the number of apprentices and trainees, and Victoria has the highest number of apprenticeship and traineeship completions in Australia. We will continue to make sure that Victorian industry and business have the skilled people they need to keep our economy growing.

But this task is being made all the more difficult because Victorian students and universities are being short-changed by the federal government. This week we have seen further evidence of this. As part of an ideological attack on Victorian students the federal government has ripped \$59 million a year out of Victoria universities. This money was used to fund vital support services for students, whether it was financial or housing support or student counselling. In addition Victorian universities are also reporting significant job losses as a result of this funding cut.

The federal government said it would provide transitional funding to universities to cover this funding cut, but with the release this week of the first round of transitional funding we have seen not only that it is grossly inadequate but that it does not even cover the revenue Victorian universities will lose over the coming two years. Of the \$55.6 million that was allocated for the first round of projects, Victorian universities have received a paltry \$2.1 million. That equates to 4 per cent of the funding for a state that has one-quarter of this country's university students.

Unfortunately this is not the only example of the Howard government failing Victorian students, universities and the Victorian economy. In 2007 an eligible Victorian student was more likely than any other Australian student to miss out on an offer of a university place. This is despite Victoria having the best year 12 completion rate of any Australian state, which has been achieved as a result of the Bracks government's efforts to increase the number of young people completing year 12 or its equivalent. We have worked hard to increase the numbers who are eligible for university entrance, but they are having the door slammed in their faces by the federal government. Since 2001 over 110 000 eligible young Victorian students have missed out on a university place because Victoria has the largest level of unmet demand of any state in the country.

This is not only denying young Victorians a university education but also denying Victorian industry the skilled graduates it needs to continue Victoria's very strong economic growth. It is denying those skilled graduates those job opportunities; it is denying those workers to Victorian industry and business.

The Bracks government will continue to work very hard to tackle the skill needs in this area, and we will continue to expose the federal government's gross neglect of the needs of Victorian students and industry. The federal government must work with us to ensure that the Victorian economy continues to grow strongly

and that Victoria remains the best place to live, work, study and raise a family.

Police Association: pre-election agreement

Mr WELLS (Scoresby) — My question without notice is to the Treasurer. I refer to the Premier's secret pre-election deal with the police union, and I ask: when was the minister first aware of this deal, and was he consulted on the enterprise bargaining agreement provisions?

Mr BRUMBY (Treasurer) — There was a question earlier today to the Premier about this matter. I think the Premier indicated that the Police Association wrote to all of the political parties, and the Labor Party was amongst those. The Premier made a response, and that response has now been released publicly.

Economy: national reform agenda

Mr STENSHOLT (Burwood) — My question is to the Treasurer, and this is a fair dinkum question about the economy. I refer the Treasurer to the government's national reform agenda. I ask the Treasurer to detail to the house the findings of the Productivity Commission's report into the economic benefits of the national reform agenda.

Mr BRUMBY (Treasurer) — I thank the honourable member for his question. Today the Productivity Commission released this lengthy report, which is entitled *Potential Benefits of the National Reform Agenda*. I am delighted to say that the report released by the Productivity Commission today, which was commissioned by the Council of Australian Governments, outlines a \$100 billion opportunity for Australia. It confirms what the Victorian government has always said about the national reform agenda.

As members know, the national reform agenda was essentially initiated by the Bracks government through the national reform — —

Mr Baillieu — Get real!

Mr BRUMBY — That is a matter of history.

The SPEAKER — Order! The Treasurer!

Mr BRUMBY — It is a matter of fact.

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

Mr BRUMBY — Let me repeat what is commonly accepted — —

Mr Donnellan interjected.

The SPEAKER — Order! The member for Narre Warren North is warned.

Mr BRUMBY — What is commonly accepted by everybody in the Australian population, except the Leader of the Opposition and the Deputy Leader of the Opposition, is that the national reform agenda was built on the national reform initiative released by the Victorian government and then agreed to by the commonwealth government and all of the state governments. It is an agenda which is built around the reform of human capital, regulation reform and competition reform.

What this report released today does is confirm everything the Bracks government said about the national reform agenda. More importantly, it confirms the modelling undertaken by the Victorian Department of Treasury and Finance. What this shows is that the gains to Australia's economy after 25 years are 11 per cent of gross domestic product, which is equivalent in today's terms to \$100 billion per annum. The modelling that the Victorian Department of Treasury and Finance did put the gains at between 9.5 per cent and 13.5 per cent. The Productivity Commission today has put the gains right in the middle of those estimates and endorsed that 100 per cent.

Australia has not had any serious economic reform since the Hawke and Keating governments.

Honourable members interjecting.

The SPEAKER — Order! I warn the Leader of the Opposition.

Mr BRUMBY — It is no wonder you lost the election. You live in another world.

The SPEAKER — Order! The Treasurer! I will not allow question time to dissolve into that fracas. I warn almost the entire frontbench of both sides of the chamber. The Treasurer, to answer his question through the Chair.

Mr Ryan interjected.

The SPEAKER — Order! I warn the Leader of The Nationals for the last time.

Mr BRUMBY — Speaker, through you of course, here is Saul Eslake, the head of economics at the ANZ. He was talking about the current federal government and he said:

The 'productivity revolution' is officially over. And so too, inevitably, is the recovery in Australia's standard of living relative to that of other industrialised economies ... Sadly, the government —

he is referring to the federal government —

appears to have given up on the objective of regaining the productivity growth rate achieved during the 1990s.

That is what Saul Eslake said. I can also quote the governor of the Reserve Bank as well, for the benefit of the state opposition. He said last week:

The real consequence of persistently lower rates of productivity growth into the long-run future is simply that living standards do not rise as quickly as they might have. One per cent or even half a per cent a year productivity difference accumulated up over a generation is a lot. We will notice the difference as time goes by ...

The national reform agenda report released today says in its introduction that further reform is needed if Australians are to achieve the potential for even higher living standards in the future. The fact is that the big reforms were achieved in the 1980s and 1990s. The floating of the dollar, the deregulation of financial markets, bringing down tariff protection, enterprise bargaining and competition policy were all undertaken by Labor governments that did the hard yards in driving the prosperity that we enjoy today.

Back in the 1950s Liberal governments thought we could survive for all time by riding on the sheep's back. Today it seems that the Prime Minister, the federal Treasurer and the leader of the state opposition think that Australia can continue riding on the back of the resources boom for all time. We need economic reform. The national reform agenda provides the basis of that reform. The national reform agenda will add 11 per cent to the gross domestic product over the next 25 years.

We have put the agenda up. The Premier has over the last three months released papers on diabetes and on numeracy and literacy, committing expenditure by this state of \$422 million. What we need is for the federal government to match those reforms. Australians cannot afford to wait any longer. We need the Council of Australian Governments Reform Council established, we need a genuine commitment to sharing the costs and the benefits, and we need the commonwealth government to stop dragging the chain. The plan is there, and the plan will drive productivity growth.

An honourable member interjected.

Mr BRUMBY — Who's hopeless?

The SPEAKER — Order! The Treasurer should ignore the interjection.

Mr BRUMBY — This is a plan to drive prosperity for Australia, improve workforce participation, drive productivity growth and improve our economy. Victoria and the other states are doing their bit. It is now time for the commonwealth government to stop dragging the chain and embrace some economic reform.

PARLIAMENTARY LEGISLATION AMENDMENT BILL

Second reading

Debate resumed.

Mr McINTOSH (Kew) — Just before lunch I circulated a set of amendments that as members will see are designed to address the issue of the independence of parliamentary committees. Also interesting are the salary increases outlined in the bill. Picking up on the Treasurer's comments on economic reform and driving an economic agenda, when you actually see the snouts that will be in the trough as a result of this bill, it is just unbelievable.

When you add up the people on the Labor side of politics who have got or will be getting a salary increase by virtue of being a minister or a parliamentary secretary or the chair of the Scrutiny of Acts and Regulations Committee (SARC) or the Public Accounts and Estimates Committee (PAEC), you get a figure of 53 Labor members of Parliament getting paid above the normal base salary. Some 72 per cent of Labor Party members are paid above the normal rate that backbenchers receive. That is unbelievable. Almost three-quarters of Labor Party members get more than other members in this place — and the government wants to increase the benefits they get even more by increasing the rates currently payable to the chairs of the PAEC and SARC. Given the number of snouts in the trough, the way the government has been able to do this seems to me to be quite extraordinary.

Compared to previous parliaments, nothing has been as bad as this! I gave an incorrect figure when I mentioned this before lunch, but I have checked and the correct figure is that 94 per cent of people in this state say that parliamentarians should not be entitled to any further benefits. It is things like superannuation and pay increases like this that people do not understand. When you get to the bottom line it is just about satisfying the factional deals that the Labor Party does in this place.

What is even worse is that it begs the question of who the 22-odd people are who have not had an increase in salary and what they are here for. They seem to be just sitting up there, not entitled to any of the benefits that other Labor Party members receive.

Fifty-three, or 72 per cent, of the members of the Labor Party in this place are paid above the normal rate of a backbencher, yet the government wants us to accept this legislation as being of some benefit in reforming democracy. As I said, if the government is really and truly interested in having a proper parliamentary democracy and making the executive truly accountable to the Parliament, then it should answer my questions. Secondly, with powerful committees like the PAEC and SARC, the government should not just give the chairs an increase in salary and say it is because they are powerful. It should answer the questions, have independent chairs, have majorities of non-government members and make the committees work for the people of Victoria rather than just giving some members a salary increase simply to satisfy factional deals. Putting more money into the pockets of Labor Party members does not demonstrate that we have a true democracy.

We want the Public Accounts and Estimates Committee and the Scrutiny of Acts and Regulations Committee to be truly powerful in order to hold the executive wing of government to account in this place, and in that way parliamentary democracy will be better. In that way people in Victoria will have their Parliament working for them. It is not about going out and giving yourself a salary rise. Some 72 per cent of Labor Party members will get this increase in salary as a direct consequence of the operations of this government. We ought be drawing a line in the sand and saying, 'No more'.

My amendments go to that very issue in relation to the independence of the Scrutiny of Acts and Regulations Committee and the Public Accounts and Estimates Committee. They indicate that those committees should be chaired by a person who is not a member of the government party. Likewise the majority of members on those committees ought also to be from a non-government party, which means they will be truly independent and will do their job. Members should not be given a pay rise just to satisfy a factional deal. Members should do the right thing by the people in this state and support my amendments to the bill.

Mr RYAN (Leader of The Nationals) — It is my pleasure to join the debate on this important legislation. In various respects it touches upon the work of the committees, and I want to reflect on the function of the committees and the way in which the parliamentary

process operates in Victoria. Those functions are vitally important to the way legislation is formed, to the way in which communities develop and to the way in which Victorians live their lives. Indeed there are many instances where over the decades the work of the parliamentary committees has been fundamental to ensuring that Victoria leads the way in how it functions. For example, what comes to mind is the work undertaken by the Road Safety Committee, by whatever name it might have been known over the years. Many brilliant initiatives have been developed through the all-party system which are now enshrined in the laws of Victoria and which in different respects lead the globe in the beneficial effects they provide to the people of Victoria. You can range across all the committees, and without exception there are instances which can be brought to mind where recommendations arising out of the committee process have ultimately led to the development of legislation which in turn has been for the betterment of the manner in which Victorians live their lives.

I had the honour of chairing one of the parliamentary committees — the Scrutiny of Acts and Regulations Committee (SARC). I well remember that the member for Melton was on that committee and made an invaluable contribution, as did the member for Sandringham, who is not in the chamber at the moment, together with the other members who were part of that committee process. We did a lot of important work on behalf of Victorians. Among the various references that came to us in the time when I was chair of the committee I well remember the reference regarding the treatment of evidence at trial of those persons who had determined that they would maintain the right to silence when they were under police examination.

We made a pretty rushed trip of about 10 or 11 days to England to talk to English police officers and to Ireland to talk to Irish police officers, some of whom had been at the absolute front line of the investigation process in relation to what was then termed 'the Troubles', and the difficulties faced by Northern Ireland. We made recommendations in relation to the preservation of the status of the law in Victoria; a recommendation which was adopted by the government of the day and which remains on the books to this day. That reflects just one of the references that SARC was engaged in during the time when I had the honour of chairing it.

The committee structure has been broadened over the years. In 2002 SARC reported on the general form that the committee structure should take. One of the recommendations arising from the consequent report was that the committee process should generally follow the service delivery structure through the different

departments of the government of the day. On my reading of what we have before us, with what is represented in this legislation but more particularly in the motions that were foreshadowed today by the Leader of the House, we will now have a structure which is not absolutely aligned but which is closely aligned to the general nature of service delivery by government. That in turn will mean that the all-party parliamentary committees will have the capacity to receive references through each of the ministers responsible for those respective departments.

I look forward to having a continuum that enables the committees to fulfil their important functions and deal with the terms of reference which come to them from any one of the sources through which they can come under the terms of the relevant legislation or via the ministers. That would enable them to achieve the outcome we have seen previously in the state of Victoria where these committees, through the agency of the collective effort of all persuasions of politics, have been able to deliver to this Parliament important outcomes of which they should be justifiably proud.

Further, one of the challenges in relation to these all-party committees is that they require a parliamentarian to take their hat off at the door and to conduct themselves as a parliamentarian. The period when I had the honour of chairing SARC was pretty challenging, and it led to some pretty animated conversations with the ministers of the day — and dare I say with the Premier. But for all that we were able to work our way through the recommendations SARC was making to achieve what I think was a better outcome by way of the legislation that ultimately was debated in this place. The committees should quite properly be regarded as being of paramount importance to the way in which we as parliamentarians collectively discharge our responsibilities in this place.

The legislation now being debated affects various elements of the way in which those committees are to function. It affects their constitution, it affects their name to a limited degree and in some limited respects it affects the remuneration of those involved in the operation of the committees. By way of specifics, in terms of the Scrutiny of Acts and Regulations Committee the income which is now to be paid to the chair of that committee is to increase from the current 10 per cent of base salary to a figure of 15 per cent.

I might say, Speaker, that you cannot help bad luck. Here I am, just a few years after having been the chairman of that illustrious committee, and we have this amendment before the house. It seems to me that, having been in the position of leading that committee

and recognising the load on whoever it is that chairs it from time to time, the increase is justified, because the flow of legislation that comes through the house demands an almost immediate response from the committee.

It has to undertake its work as soon as the legislation has been second-read in the house and is therefore available to the public at large. Almost inevitably that legislation is adjourned for a period of two weeks until further debate occurs at the second-reading stage, and in the course of that period the committee has to meet and consider each and every piece of legislation that comes before the house. It has to develop a report around the terms of reference which are set out in the bill, and it has to refine the terms of that report to the satisfaction of the committee at large. Ultimately of course the Parliament is able to enjoy the benefit of having the committee's report tabled in this place as a matter of course prior to the debate on that legislation being undertaken. That inevitably adds to the quality of the debate in this chamber.

To achieve that in the time frames involved, and to accommodate the workload that applies, takes an enormous amount of effort on the part of the person who is the chair as well as the deputy chair, who has delegated responsibilities for that committee. Whoever that might be also has direct responsibility to see that process undertaken. For my part I think this is a reasonable amendment to the legislation as we have seen it operating in the Parliament until today.

In a similar vein, and for much the same reasons, the chair of the Public Accounts and Estimates Committee is entitled to an increased amount of remuneration, because the workload of that committee is enormous and, once the committees are established, is very consistent throughout the course of any parliamentary term. It places demands upon the parliamentarians involved which go beyond those which are placed on many others. That in particular applies to the person who is the chair.

Again, just accepting for a moment that the chair is a member of the government of the day — if that comes to be — then I can say from my own experience, as I have outlined in a very general and brief way here, that the pressures upon that committee chair will be significant, and quite rightly so. I do not think any apology should be made for that, because the work of that committee is pivotal to the way this Parliament functions.

During the course of the last Parliament the many reports of that committee were the basis of much

commentary, which was founded on the way in which the government of the day was conducting itself. The members of that committee can justifiably be proud of the contribution they made and the way in which they brought those matters forward into the Victorian public arena.

We are going to see some other changes in relation to issues of remuneration. As I said, the two deputy chairs of both the Scrutiny of Acts and Regulations Committee and the Public Accounts and Estimates Committee will now have additional remuneration of 4 per cent of their base salary.

Another element of the increases outlined in this legislation relates to the leader of the third party in the upper house. I want to make some brief comments on that issue. The Leader of The Nationals in the upper house in the current Parliament is of course Peter Hall, a member for Eastern Victoria Region. I make the point that this amendment will achieve a status quo regarding what the Leader of The Nationals in the upper house has received over the past years. No funding is being provided over and above what the structure provided prior to the last election. This legislation removes the notion that the third party, constituting at least 11 members, had to have 4 members in the upper house for this payment to be made. That will no longer be the case.

Critical issues arise with regard to the appointment of the leader of the third party in the upper house. Principal among them is the fact that whether that party has 1, 2, 10 or 20 members, there is always a responsibility for its leader in the upper house to liaise with his or her colleagues in the Assembly. There is a necessity to have a relationship between the way in which the two houses of Parliament function in this respect. That applies very much, of course, to whoever might be the leader of the day in the other chamber.

The same thing applies to The Nationals at the present time. Mr Hall has the obligation to liaise with the rest of the party — those others of us who are in the third party — to make sure that the position being promoted on behalf of The Nationals in the respective chambers is appropriate to the interests of our party and to the many people we represent.

I recognise of course that the Greens have three members in the upper house. This is not about detracting from the capacity of the Greens to make their contribution in the upper house. It is not about the capacity of the Greens to go along and conduct negotiations with the government of the day if they so choose — and whatever might arise from that, so be it.

This is not about the Greens, full stop. Rather, this is about recognising the fact that when the third party has representation in both the Legislative Assembly and the Legislative Council, of necessity a workload is imposed on the leader of the third-party — irrespective of the numbers. This amendment will effectively maintain the status quo in terms of that person's remuneration.

I instance, for example, the obligations which rest upon the Leader of The Nationals in the Council to be involved in the negotiations which have led to the formation of the select committee. During the course of such negotiations, the leader in the upper house is of course not acting on his own or without the advice and considered views of the members of the third party at large. He is presenting a position which is the result of the discussions and considerations of the parliamentary party. His task in the upper house is to put that position on behalf of the third party.

Similarly, there are many areas where he has a direct responsibility through his position as leader of the third party in the Parliament to be involved with the government concerning issues which are critically important to the Victorians beyond the walls of these chambers whom he represents. I instance that by reference to the proposals we have advanced for a parliamentary inquiry to be undertaken with regard to preventive burns as being an issue pertinent to the recent bushfires. It was the work of the leader of the third party in the upper house which saw much of that motion drafted and constituted. The negotiations which are occurring as we speak with regard to how that might make its way before the Parliament are directly the responsibility of the leader of the third party in the upper house. Again, he is doing that on the basis of his liaison with the whole of the party.

Just to make this point again, putting it the other way round, if the third party of the Parliament — whatever its persuasion — had 11 members but they were all members of the Legislative Assembly, there would be absolutely no case for this amendment. This is not an issue of the third most senior member of the third party receiving some sort of remuneration because he or she happens to be the third most senior member. That is not what this issue is about, and I think that needs to be made clear.

What we are talking about here is an amendment which recognises that the leader of the third party in the upper house has responsibilities which flow across the two chambers and which are very important in the way in which the third party functions. He has a very distinct role in doing what he does on behalf of The Nationals in the upper house. This amendment before the house

simply reflects what has happened for a long, long time, and it is that which The Nationals are in support of. In effect what it does is maintain the status quo.

There are also amendments of different proportion in relation to the naming of some committees. We are going to see the Economic Development Committee change its title to the Economic Development and Infrastructure Committee, with an apparent broadening of the role of that committee. We are going to see the Rural and Regional Services and Development Committee change its title to the Rural and Regional Committee. I believe that committee has important work to do on behalf of country Victorians. We certainly look forward to being directly involved in the different terms of reference the committee will now be able to deal with so that in the interests of country Victorians we get the best outcomes from its considerations.

The Leader of the House has already foreshadowed motions which will be the subject of some debate tomorrow, so we do not need to talk about their contents today. Suffice it to say that issues regarding managed investment schemes are important to country Victorians, and if it happens that we proceed to a point where the committee has a responsibility in that regard, then it will be reflective of the important work which the committee will have to do.

We are to see the maximum number of members on a joint investigatory committee go from 9 to 10, which will allow for a greater representation of members of Parliament on both the Scrutiny of Acts and Regulations Committee and the Public Accounts and Estimates Committee. Again, having regard to the workload which is undertaken by those committees, one can see the logic in all that. All in all it seems to me that the package of amendments in this legislation is in keeping with what the Parliament needs to do to ensure it can continue the important work of those committees and ultimately the translation of the outcome of that work into the legislation, which is in turn debated in this chamber.

The Nationals support the legislation. We will not be supporting the amendments that have been circulated by the member for Gippsland East or the amendments that have been circulated by the Liberal Party.

Ms THOMSON (Footscray) — It gives me great pleasure to rise in support of the Parliamentary Legislation Amendment Bill. This place has undergone some very drastic changes from the last Parliament to this Parliament. The changes in the upper house will alter the way this Parliament operates and the way it

represents the people of Victoria. It is only fitting that we have a look at some of the structures that we have had in place in this Parliament, including how they work, how we can do things better and whether they take into account the changes that have occurred in the Legislative Council and how it reports back to this place.

Committees play a very important role in the Parliament. They enable work to be done on longer term issues and give members an opportunity to participate, hopefully in a collaborative way, in looking at the way we address some of the big issues that confront Victorians into the future. The references that are given to those committees take into account some of the big issues that cannot be addressed in day-to-day decision making but have to be addressed for the long-term benefit of all Victorians. They also have to give Victorians an opportunity to participate in the process of informing government and informing the Parliament of what they see as the future determinations that governments must make.

Governments take very seriously the recommendations that come back from committees, as can be seen in the way they formulate their responses to those committee reports. It is very important that we continue to consider those reports well.

What we have before us is a bill that takes into account the changes that have occurred in the Legislative Council and the fact that government is far more involved in developing legislation in greater numbers. There are more bills coming into the Parliament, and they are more detailed and more complex. The issues that we have to deal with now are far more detailed and far more complex, and we need greater scrutiny and better policy backup for the decisions we have to make.

I think that has been taken into account when we look at the legislation before us. What we see are amendments to the Parliamentary Committees Act 2003 that include changing the name of the Economic Development Committee to the Economic Development and Infrastructure Committee. This is an important change. It is not just a name change — it is not superficial — but a recognition of the fact that infrastructure is vital to economic development and economic growth. You cannot have economic growth without having a look at the infrastructure that you have to support that growth or potential growth.

There are amendments to the Rural and Regional Services and Development Committee. As is properly reflected in the new name, the Rural and Regional Committee, which is all-embracing, there are many

issues that confront rural and regional Victoria, and that committee should be able to deal with those issues right across the board. We have included provisions that allow committee memberships to increase from 9 to 10, understanding the importance of the work of committees and that everyone should have an opportunity to participate and influence committee outcomes.

We have also over the life of the Bracks government increased the number of committees of this Parliament from 10 to 13. We are asking members of Parliament to do more work, to be involved in the committees and to participate in the longer term development of this state. I believe the majority of members who participate in the committee process do so with that in mind and want to make a difference to the way Victorians are able to go about doing their business into the future.

I also want to talk about the changes we have made to the Parliamentary Salaries and Superannuation Act. In doing so I want to reflect a little on what the member for Kew had to say in relation to the Public Accounts and Estimates Committee, and the increase in salary of the chair and those sorts of issues. The PAEC is a very important committee for the Parliament, and it is a very important committee for Victorians. It is not so long ago that not all ministers attended the Public Accounts and Estimates Committee hearings every year. It is not so long ago that not all ministers were prepared to front the committee and be put under the kind of scrutiny that comes with Public Accounts and Estimates Committee hearings. Every minister takes very seriously their presence at the PAEC and wants to be able to respond to the questions that are asked by the members of that committee.

The members of the PAEC have to work pretty hard to ensure they are well prepared and ready to front those committee meetings. If they are serious about their role and responsibility in scrutinising government, they will put the effort and energy into ensuring they are well prepared for those meetings.

The chair of the Public Accounts and Estimates Committee has a very onerous job. Having all 20 ministers front the Public Accounts and Estimates Committee every year means that the chair has a lot of preparatory work to do, not only in the lead-up to the PAEC meetings but in following up after every committee meeting. The chair has to ensure not just that each meeting goes well but that they are properly recorded and properly accounted for and that the report ultimately reflects what came from the committee meetings and the recommendations that follow from them.

All of that justifies the salary increase, and the remuneration reflects the kind of work we expect that committee to undertake. The member for Kew suggests that the Public Accounts and Estimates Committee is not doing its job and is not properly scrutinising the government, but I differ on that. I am confident that the members who serve on that committee will undertake their roles seriously and keep the government ministers accountable. I have stood on the other side of the PAEC and can confidently say that members do, very carefully, consider the things they want to hold ministers accountable for and quiz them in that regard.

We have also talked about the Scrutiny of Acts and Regulations Committee. The member for Kew, who admitted that he had served on that committee, said that whilst there might not be a whole lot of detailed work that goes on all the time it has moments of intense work which is quite complex that has to occur. It can be varied, and a lot of different things can be considered in a very short space of time. The work needs to be well organised, well structured, well considered and reported back on in a timely way. Therefore it justifies an increase in the chair's remuneration. The chair should also be able to rely on the deputy for support, and for that reason there has been an increase of 4 per cent in the deputy's remuneration.

The Leader of The Nationals talked at some length about the position of leader of the third party in the upper house. As someone who has moved chambers — from the upper house to the lower house — I know the level of work that is done in the upper house. I understand the level of coordination that has to occur between the two houses to ensure that parties are properly represented in both chambers. The decision to retain the remuneration on behalf of The Nationals is justified, and the government believes that is so. There have been no changes to the numbers of The Nationals. Their numbers have not diminished overall between the two houses, and for that reason it is justified that the remuneration be maintained in this situation.

This is legislation that reflects the Parliament at this time. There is no doubt that over time we will make further changes to the way in which we remunerate those who participate in the functions of Parliament. There is no doubt that we will consider the way in which committees do their work into the future. But this does reflect the changing circumstances that we face here and now, and they are committees that are structured to ensure that we can do the work of the Parliament well and represent the people of Victoria well. I commend the bill to the house.

Ms ASHER (Brighton) — I wish to contribute to the debate on the Parliamentary Legislation Amendment Bill. As has been indicated by the member for Kew, the Liberal Party will oppose the bill. I support the member for Kew's amendments, which have been distributed to the chamber.

In essence the bill changes the titles of two committees, allows the expansion of committee membership from 9 to 10 — although I understand that will apply to only one committee at this juncture — and effects a number of changes to salaries which have been well outlined by previous speakers. The key issue for me is the practice of this government of taking all committee chairs once it had the numbers in this place. In this case it is going to take all committee chairs bar one. In the Liberal Party we are of the view that the Public Accounts and Estimates Committee (PAEC) and the Scrutiny of Acts and Regulations Committee (SARC) are of such significance in terms of scrutiny of the executive that they should be chaired by a non-government party member.

Honourable members interjecting.

Ms ASHER — I am going to enjoy the history of this, because unlike a lot of other members I was around in 1992. I get 9 minutes to talk about Labor Party history on this.

Let me go backward slowly to May 1997 and the document produced by Labor entitled *Making Parliament Work — Labor's plan for a Harder Working and More Democratic Parliament*. The view the Labor Party is expressing now was not always the Labor Party's view. At page 12 under 'Reforms to parliamentary committees' it states:

Labor believes that the current committee system of the Victorian Parliament does not provide for proper scrutiny of the executive government. The structure of committees — with an uneven number of members, a government majority and a chair from the government party — leaves them open to manipulation.

That is what the Labor Party thought in 1997. It is what two key members of this government — now the Treasurer and the Leader of the Government in the other place — thought as recently as 1997. That policy went on to say:

All-party committees will be established separately in each house —

there is a change already —

to monitor the operation of government departments, review subordinate legislation and public accounts, report on relevant legislation and conduct public inquiries in relevant fields.

Each committee will be comprised of six members, three government and three non-government.

How different is the Labor Party now! Once it had that big win in 2002 it changed its tune completely, and it has almost continued that practice today.

I want to also make reference to a number of speeches that I had to endure in 1992. I will take great delight in quoting a former member for Dousta Galla Province in the other place, the Honourable David White — a character of enormous influence. He moved a motion condemning the previous Kennett government for:

... the method of appointment of all of the chief executives of departments, parliamentary secretaries and chairpersons of parliamentary committees and the basis on which their remuneration has been calculated.

That was opposition business on 28 October 1992. I remember the Honourable David White railing against precisely what this government is doing in this chamber today. He is reported as saying:

The chairmen are those government members who failed either to make the frontbench or to be appointed as parliamentary secretaries. They are members of the thirds!

The Honourable David White said that. I will not comment on the chairs of the committees but that is what David White said in 1992. He went on to accuse these parliamentary committee chairs of putting their snouts into the trough. In fact he said:

He'll do anything for an extra quid, just like a perks merchant or a shellback.

I understand 'shellback' is old terminology for old Labor Party members.

Mr Batchelor — Were you a committee chair?

Ms ASHER — Never! Mr White went on to say:

The government has also appointed seven parliamentary secretaries — all bought off — and nine chairmen of committees — again all bought off.

This was Mr White's view of the practices of parliamentary secretaries and chairs of committees — all bought off.

I again refer to the Honourable David White — his name is going to be mentioned a lot this year. On 5 November 1992, in debate on the Parliamentary Salaries and Superannuation (Further Amendment) Bill, which bears an amazing similarity to the bill before the house today, he is reported as saying:

This is one of the most disgraceful pieces of legislation ever introduced into the Parliament of Victoria.

How times change. He went on to say in that speech:

We now have a new division of the class system in the form of parliamentary secretaries, all of whom will be given a new spell at the trough to get the feel of it.

He further said that most of the chairs of parliamentary committees would rot in that position and not move one inch further. He then went on to talk about the perks faction, the shellbacks and the troglodytes. I remember this speech vividly.

David White went on to say, in terms of committee chairs:

They will never be heard of again because they have been paid off to shut up, keep out of the way and vote with the government. That is the only interest the Premier has had in handing out this money.

He has handed out the money to shore up his vote in the party room and as a measure for the future.

He went on to indicate that he thought the price paid was very cheap. That is what the Labor Party thought of committee chairs when it was in opposition. If Mr White is considered a controversial character, let me refer to a more measured contribution from a former member of the Legislative Assembly, Tom Roper, for whom I have some respect. In debate on the Parliamentary Committees (Amendment) Bill on 30 October 1992 he is reported as saying:

It will mean that the government not the Parliament will be in control of the future development of parliamentary committees. The opposition opposes that view.

Mr Roper went on to say:

It was the initiative of the former Liberal government in setting up the Public Bodies Review Committee that produced a perceived change in Parliament's attitude to committees.

Mr Roper then went on to make a number of positive comments about the way parliamentary committees operated in that era. He further said:

Two of the five committees had chairpersons from parties other than the government party. That was something that had happened under the previous Liberal government: from time to time members of other parties chaired committees. I maintain that such a system works well. It provides ownership of the structure to the whole of Parliament, not just to part of it.

I thought that was a particularly measured contribution.

Parliamentary committees play a significant role in this Parliament, and can play an even greater role. I have been a member of both the Scrutiny of Acts and Regulations Committee and the Public Accounts and

Estimates Committee, although I have never been the chair of a committee. As a former minister I have also appeared before the Public Accounts and Estimates Committee. I have come to the conclusion that it would be a better committee system —

Mr Robinson interjected.

Ms ASHER — I understand who won the election. I understand who will get the majority of the chairs — I can scarcely be accused of naivety. However, in terms of proper scrutiny of government I would expect a government that claimed it was open, honest and transparent to allow non-government chairs of what are acknowledged as the two most important committees in the Parliament. That is the great failing of the bill before the house. The government had an opportunity to make sure that the PAEC and SARC were chaired by non-government party members, and there are a range of options available for that. These are the two committees that can effect the greatest scrutiny of all.

I completely understand that the government would wish to chair the majority of committees. I clearly understand that point. However, there has been a missed opportunity in this bill. Because I am one of the members in this place who has been around a fair amount of time, notwithstanding my young age, I refer members to what members of the Labor Party said in 1992 to a proposal that is basically the same as this bill before the house.

Mr STENSHOLT (Burwood) — I rise to support the Parliamentary Legislation Amendment Bill. The purpose of the bill, as has already been mentioned by other speakers, is to amend the Parliamentary Committees Act to rename and alter the functions of the Economic Development Committee, to rename the Rural and Regional Services and Development Committee and to increase the maximum number of members of joint investigatory committees. The bill also amends the Parliamentary Salaries and Superannuation Act in regard to certain members of Parliament.

I am a strong supporter of the committee system, having seen it from all sorts of angles. One of my first jobs as a graduate clerk in the House of Representatives department was in the committee secretariat for the federal Road Safety Committee. Committees are a very strong feature of the Westminster system. The Road Safety Committee was an investigatory committee serviced by the House of Representatives department. Later as a senior public servant I spent many nervous hours answering questions before the Senate estimates committee. I must admit I was sometimes there about

half the night. I was questioned regularly on government programs for which I was responsible. We have a committee in our Parliament — the Public Accounts and Estimates Committee (PAEC) — which performs a similar role. In fact it performs a far wider role than that.

More recently, as a member of this house in the 54th Parliament I was a member of the Law Reform Committee, along with the member for Kew — and he has already mentioned his experience. There I experienced taking evidence from witnesses and writing reports and making sure we presented to the Parliament and to the executive — the government of the day — good recommendations.

Dr Napthine interjected.

Mr STENSHOLT — We did a good report on rural and regional legal services, which I commend to the member for South-West Coast.

The government welcomes these changes. They underline the importance of accountability to Parliament. As the Leader of The Nationals said, the bill provides for additional salary and the consequent elevation of the chairs of the two most important committees. This underlines the importance of these two committees and proves these changes are merited.

As I have mentioned, the PAEC has a long history. It has a special role in relation to the Auditor-General — it is a parliamentary committee and the Auditor-General reports to Parliament. The PAEC plays a unique role in regard to that position. However, it also looks at the budget and has the ministers appear in front of it. As the member for Footscray mentioned, ministers appear now. Under a previous government that was not terribly accountable some ministers did not appear. I wonder if the member for South-West Coast appeared when he was a minister; I am not sure.

Dr Napthine — He did.

Mr STENSHOLT — Good on you, it is good to hear. That is what accountability is all about, and this is reinforcing accountability. I am sure some of the new ministers will willingly appear before the PAEC and answer questions. The PAEC also looks at the financial performance and outcomes of government bodies and departments. It prepares reports on those matters and on special issues.

Similarly the Scrutiny of Acts and Regulations Committee plays a crucial role in assessing all legislation in a timely way. Previously I lectured at university on good governance. One of the reasons why

I actually stood for Parliament came about one day when I was giving lectures to senior Thai officials on good governance and anticorruption. I had just talked about what was happening in the Victorian Parliament — how the government had nobbled the Auditor-General and a few other things — and what they were doing in the new Thai constitution. Someone rang me and asked if I would stand against Jeff Kennett in the seat of Burwood. I said it was time I put my money where my mouth was. I am quite strongly in favour of good governance. This is what these two important committees are all about — good governance in terms of the Westminster system, the governance of our Parliament and managing this state.

Through this bill the membership of committees is also being extended to take into account broader representation in Parliament, particularly in the upper house. This has come about through the changes to the upper house, as the member for Footscray has said. We have made an absolute change to the upper house, we have reformed the upper house and we are going further than that in allowing that broader representation to be reflected in the very important committee work of Parliament.

The bill also recognises in the upper house the status of the third party, which the Leader of The Nationals has commented on, and also changes the names of several committees, which the member for Footscray has commented on. I mention the change of name of the Economic Development Committee to Economic Development and Infrastructure Committee. I agree with the member for Footscray that this is an important change. It is something that was brought out in Labor Party policy and Labor Party discussions in the Council of Australian Governments about the national reform agenda.

It became clear that there was a need to pay more attention to infrastructure as a vehicle for increased productivity because of the loss of productivity we have in Australia under the coalition of the Liberal Party and The Nationals at the federal level. It is very important that we include the reference to infrastructure in the name of the Economic Development Committee, which will become the Economic and Infrastructure Development Committee. We need to focus on our infrastructure. We need to have more money going into infrastructure because there is enormous underfunding, as I am sure the Minister for Roads and Ports will agree. The underfunding in infrastructure is partly because of the lack of funding of infrastructure by the federal government. There would be, I am sure, a lack of federal government funding for the infrastructure of our hospitals, which I hope this committee will look at.

Ensuring good infrastructure obviously promotes the economy, promotes jobs and promotes linkages throughout the whole of the state and therefore adds to productivity. Increasing productivity means being able to have an increase in our state income and our national income and the benefits that flow through to the whole of our society, particularly when you are seeing intergenerational change and the effects of the population of Victoria growing older. It is therefore essential to take all measures possible to improve productivity. Having one of our parliamentary committees look at this in a cogent way is important.

I agree with the member for Footscray that this is an important change, and I also commend the other change to the name of a committee, because we need to focus on rural and regional Victoria — a vital part of our state. It is important that we actually focus on this as a Parliament and through the committee system. These are necessary changes. It is good to see that we are continuing to focus on our strong committee system here in Victoria, with the Parliament being the vehicle for accountability to the people and we, the elected representatives of the people, being responsible for this. This bill underlines that, and I commend it to the house.

Mr INGRAM (Gippsland East) — I rise to speak on the Parliamentary Legislation Amendment Bill. As has been said by a lot of other members, there are a couple of parts to this bill that look particularly at the structure of parliamentary committees and also make changes to the Parliamentary Salaries and Superannuation Act.

First of all I will deal with the issue of parliamentary committees. As many members know, it is an important part of the democratic process to have committees that function and have the ability to make recommendations to the Parliament, to really scrutinise government and to develop policy. Basically I would split the committee structure that we have into two. We have investigative committees designed to establish policy, and we also have what I would term 'real scrutiny committees', and in our Parliament those are the Scrutiny of Acts and Regulations Committee and the Public Accounts and Estimates Committee.

In most other Westminster parliaments there is also a public works committee. One of the amendments that I put forward is to look at the establishment of a public works function within our committees. One thing is very clear: governments do not like scrutiny and they will do everything in their power to avoid scrutiny. That is the nature of governments. Oppositions in parliaments and the committee structure are designed to scrutinise government.

I listened earlier as the member for Brighton highlighted previous speeches. That is one of the things about this place: debates are on the record for a very long time. It is a bit like *Animal Farm*, where you see one side of politics when in opposition saying we should be doing this, but when it gets into government it does exactly the opposite. We need to establish a committee system that actually works. With the restructured upper house we had a real opportunity to actually put in place longstanding principles, if you like, of scrutiny.

Dr Napthine interjected.

Mr INGRAM — We should not take up interjections! I thought we had that opportunity, but unfortunately around the back, grubby little deals were being done. The bill we are debating today is the child of a deal between the government and The Nationals, and the Leader of The Nationals admitted as much on ABC regional radio last week, I think it was, saying that a deal had been done.

Speaking of this bill I indicate that I, like the Liberal Party, am opposing it. We have missed a real opportunity to restructure the committee system so that it actually works, and I agree that we need to be keeping a balance of government and non-government members on some of those scrutiny committees. I do not believe that having the chair is the important thing; I think it is actually having the numbers on committees so that the parties can determine some of their own references.

If the amendments I have foreshadowed are accepted, the new Economic Development and Infrastructure Committee will also have responsibility for public works. If it had the capacity to determine its own references, that committee could investigate public works such as the fast rail project and determine whether the state is getting good value for money. In the last Parliament it could have investigated the proposal to establish a toxic waste dump at Nowingi. It could have investigated the process that was gone through on some of those things. It could have investigated whether we are getting good value for money with public-private partnerships such as the one at Southern Cross station.

In this Parliament it could investigate the Gippsland water factory, or the big pipe. They are projects that could be investigated by a properly functioning committee with responsibility for public works, not a committee that has to take the scraps fed to it by the government or the Parliament but one that has the capacity to investigate matters on its own agenda.

Members should consider including public works in the responsibilities of the new committee. I wrote to the government a while ago to recommend it and my amendments include that.

On the proposed salaries, a number of amendments foreshadowed by the member for Kew and me will achieve similar, but not quite the same, results. The member for Kew raised a number of issues about Parliament and parliamentarians justifying to the public, the people who vote to put us in here, an increase to our pay or packages. The problem is that too often we do not justify those decisions. I acknowledge that it is very hard to justify the salaries and other benefits that members of Parliament get, but it is incumbent on us to not push through amendments such as those in this bill without real public discussion or debate.

I remind members that, as I heard the Leader of The Nationals say, debate on most bills is held over for two weeks. Debate on this bill has not been held over for two weeks but for a shorter time. That is another thing to consider in looking at the whole principle of bringing to this Parliament legislation which will increase salaries for a number of people. I do not believe we have justified the increase in the salaries, particularly those of deputy chairpersons of committees.

It is part of our role as members of Parliament to serve on committees. That is why I do so. I know that some current and former members of this place do not agree with the system of committees. I have served on committees with a number of members. If everyone takes that role seriously, there are good outcomes.

An honourable member interjected.

Mr INGRAM — The comment was made that I resigned from a committee, but I think the member for Lowan would acknowledge that following investigation of the first reference considered by members of that committee — that is, *Ovine Johne's disease* — we made recommendations to Parliament that really addressed a festering sore right across the sheep industry in Victoria. The report included a minority report and the recommendations were finally implemented.

A deal has been struck for salaries. No-one should think that we would not be here debating this if The Nationals had only 10 members and that people would not be trying to justify this deal. The deal was done behind closed doors and no-one really knows when. This deal was done to maintain, so they say, a parliamentary car and driver for The Nationals.

Everyone knows they must never stand between a Nationals MP and a parliamentary perk — because they will be flattened. It would be like being in the way of someone dishing out lollies at a tuckshop, where the kids would run over you. Members of The Nationals will run over you to get to their car and driver.

An honourable member interjected.

Mr INGRAM — It is about the justification. The deal was done to guarantee the numbers on all bar one of the parliamentary committees — that is, the current Rural and Regional Services and Development Committee — to the government, so shafting democracy in this state and basically removing the capacity of the committee structure of this Parliament to really scrutinise the economic expenditure and other actions of government. That is a real blight on democracy. For a few pieces of silver — and a car and a chauffeur — The Nationals have sold out this Parliament. That is a real indication, if you like, of where members of The Nationals stand. They are not out there saying, ‘We want better outcomes for our constituents’. No, they are saying, ‘We want a car and driver and a bit of extra salary for a couple of our members’.

That is where this deal is wrong and why it should not have been done. That is why I am opposing this legislation. I do not believe it is in the best interests of this Parliament to increase the salaries listed in the bill. I do not believe that we have justified that. I make the point that members will have to go through the consideration-in-detail stage for consideration of the fairly complex array of amendments. Because some Liberal Party amendments are similar to mine, it may be easier if I withdraw those amendments that have similar functions. It will make it easier on the staff because I think it will be a difficult process.

In reality the proposed committee name changes are not great. I would like to think that the Parliament would consider the inclusion of public works in the responsibilities of the new Economic Development and Infrastructure Committee. It is an important function of this Parliament that we can scrutinise expenditure on public infrastructure, considering whether the state is getting good value for money and so on.

With those words, I will be opposing the bill and working on the amendments. I would like to think that everyone will support those amendments. I will seek clarification from the house at some stage on whether the direct pecuniary interest provisions will apply to some members on the passage of this bill.

Mrs MADDIGAN (Essendon) — It is a pleasure to speak on the Parliamentary Legislation Amendment Bill. I have had an opportunity to listen to a number of speeches in the house and they really have been quite fascinating. The member for Kew astonished us all by revealing that often government members are paid more than opposition members. That was really a revelation, I am sure, to us all, and very useful in terms of the debate. He was followed by the member for Brighton, who I thought showed a rather alarming habit — that is, a tendency to read David White’s speeches. I would have thought that a very strange thing for any member of Parliament to do. I noticed that in her attempt to rewrite the history of the parliamentary committees she forgot to mention that at one stage the chair of the Public Accounts and Estimates Committee was the Honourable Bill Forwood, a former member for Templestowe Province in the other place who at the time was also secretary to the then Premier.

Mr Robinson interjected.

Mrs MADDIGAN — As the member for Mitcham says, it must have been an oversight, because she was a member of the upper house when that event occurred. I am sure she would have shown the same sort of righteous indignation on that occasion as she did today, especially when members think of the rather shameful position of the Honourable Bill Forwood on the removal of the powers of the Auditor-General. Parliamentary committees are really important — —

An honourable member — What about what they did to Ken Jasper?

Mrs MADDIGAN — I will leave the matter of what happened to the member for Murray Valley in the hands of the Leader of the House, who I am sure will tell us all about it later.

In saying that he does not consider the increased salaries for the chairs and deputy chairs of the Scrutiny of Acts and Regulations Committee (SARC) and the Public Accounts and Estimates Committee are justified, perhaps the member for Gippsland East does not realise that those committees are slightly different from the other committees. They have a special role of scrutiny which is really important in order to support responsible government and provide the proper processes for protecting the public interest.

Now SARC has the role of ensuring that all bills that come into the house meet the provisions of the human rights legislation. The Public Accounts and Estimates Committee is the only committee that has the right to establish its own terms of reference and to undertake

investigations into areas which it considers appropriate. It has more powers than any other committee in terms of having members of Parliament, particularly ministers, appear before it. Those two committees play a particularly important role and a slightly different role from those of the other committees.

That is not, of course, to say that the other committees are unimportant. As was mentioned, I think by the Leader of The Nationals, the committees have been very fruitful in providing to the Parliament evidence which has resulted in changes to legislation and regulations. Some of those that I can think of offhand that have occurred while I have been here have been changes to legislation in relation to ballast water being emptied into the bay, drug testing for motor car drivers, the compulsory wearing of seatbelts and regulations governing how Anzac Day is treated. Members can see that a very broad range of work is covered in those committees.

The committees are a good training ground, especially for new members, because they are given an opportunity to understand more about parliamentary practices and to meet and engage with members of other parties in a process which is quite often non-political. I noticed that the member for Brighton suggested in her speech that members who went on committees never went anywhere in Parliament. This surprised me a little, because we all know that the Premier is a former member of the Public Accounts and Estimates Committee, and I think the Attorney-General was on the same committee from 1996 to 1999. That is sure evidence that you can go a long way once you take the first step of being on a committee. The member for Benalla is looking very hopeful. Who knows what glories he might achieve in a future government in 50 or 60 years time!

The Victorian Parliament operates quite differently from other parliaments, and I think that is a fault. I particularly refer to the way we employ staff. Committee staff provide a huge amount of support to members of committees. We have some excellent research workers, and some staff have been working on committees for 20 years. They still only get appointed for the term of a Parliament. I am sure that breaches industrial relations law, because if you tried to sack someone who had been working here for 20 years you would have a case anyway —

Dr Napthine — You were their employer; it is your fault.

Mrs MADDIGAN — I always welcome comments from the member for South-West Coast, because they are always irrelevant and usually premature.

As I was about to say before I was so rudely interrupted, I have had discussions with other parliaments about how they employ staff. Some parliaments employ staff and place them on committees when they need extra support, and this gives staff permanency. The member for South-West Coast is a strong supporter of parliamentary staff, and I am sure he would agree with the Community and Public Sector Union's claim that those staff should be made permanent. I am sure the union looks forward to his support as the discussion continues in future.

One benefit of the committees is that even members like the member for South-West Coast can go on them. This, for example, gives him an opportunity to speak very often, as he likes to do, and gives him another avenue for contributing to Parliament in the long run. So we can see that parliamentary committees perform many functions. The references that were proposed for committees in the notice of motion — I will not go into detail, of course — show the broad range of areas which committees can look at and which are very relevant to people today.

One of the other changes the bill makes to the Parliamentary Committees Act relates to deputy chairs, and this is worthwhile. The Scrutiny of Acts and Regulations Committee and the Public Accounts and Estimates Committee are very hardworking and its members make a number of public appearances. It is good that the deputy chairs are getting recognition, as they also have to provide strong support in that area.

I also noticed the member for Brighton suggest that all the chairs were government appointments. I know we often refer to The Nationals as 'country socialists', but I do not think they have quite joined us yet.

Dr Napthine — They have.

Mrs MADDIGAN — The member for South-West Coast once again interrupts, saying they have. The Nationals will be pleased to run the Rural and Regional Committee and consider some of the subjects that are very close to their constituents in country seats.

In conclusion I indicate that I support the amendments. Parliamentary committees are very important to democracy and to allowing for the proper scrutiny of government, and I think the amendments in this bill will only strengthen that process.

Dr NAPTHINE (South-West Coast) — I rise to speak on this important legislation, the Parliamentary Legislation Amendment Bill, which largely deals with the Parliamentary Committees Act but also makes some changes to the Parliamentary Salaries and Superannuation Act. I start my contribution by reaffirming my commitment, which I have mentioned a number of times in this house, to the parliamentary committee process. Parliamentary committees are important. Over the years they have performed a very valuable function in the Victorian Parliament — and indeed in parliaments in the Westminster tradition across the world.

I well recall some of the distinguished work of parliamentary committees in this Parliament — for example, the work done by the Social Development Committee in the late 1980s on dying with dignity and in the late 1980s and early 1990s on the very difficult issue of Garry Webb/Garry David and people with personality disorders; and the significant work done by that committee in a very thorough and bipartisan way on companion animals, which formed the framework for much of the rewriting of the legislation to do with companion animals in the state of Victoria. One of the outstanding Victorian parliamentary committees over the years has been the Road Safety Committee. It has led the world in making recommendations on a whole range of issues that have increased safety on our roads.

However, when I think of work done by parliamentary committees I am concerned that in more recent parliaments there has been a downgrading of their work and that the results of committee inquiries have not been nearly as significant as they were. When one looks at the recommendations and the issues — —

Mr Robinson — That is your view.

Dr NAPTHINE — Yes, it is my view — that is why I am presenting it. They do not compare with some of the groundbreaking work done in the 1980s and 1990s. It behoves us as members of Parliament to consider why that is the case. I think it has coincided with the situation where governments of the day have treated committees as their playthings by making sure that on most occasions they have the chairs and the numbers on committees.

In the interests of democracy, in the interests of open, honest and accountable government, and certainly in the interests of the public scrutiny, accountability and the credibility of the Parliament, I urge the government and the Parliament to at the very least accept the amendment put forward by the member for Kew and the Liberal Party and allow the chair of the Public

Accounts and Estimates Committee (PAEC) and the chair of Scrutiny of Acts and Regulations Committee — two very important committees that scrutinise the governments of the day — to be occupied by somebody from the opposition parties or by an Independent. The numbers on those committees should also be dominated by or have a majority of non-government representation. That would provide the people of Victoria with a greater sense of accountability.

I understand that the proposal being put forward by the government is that the chair of the Public Accounts and Estimates Committee will be the honourable member for Burwood. I find it somewhat ironic that the honourable member for Burwood, who was the parliamentary secretary to the Treasurer in the last Parliament, is now going to become the head of the accountability committee for the Treasury.

Honourable members interjecting.

Dr NAPTHINE — I hear the baying from members of the government as they mention a former member of the other place, the Honourable Bill Forwood. I ask them to go back and read what they and their colleagues said about the appointment of Bill Forwood to that position. They should have a look at what they said then. Now the hypocrites on the other side are doing exactly the same! It just smacks of hypocrisy and lack of accountability.

Committees should have the resources and opportunity to put forward their own references. I note a number of references given to those committees have been put forward by the government in a motion that will be debated by the house later. I think these committees can work much better if they are given the opportunity to have some of their own references. I would urge that in the interests of the Parliament.

I have real concerns about some aspects of clause 9 of the bill. Fundamentally the government is allowing more of its own members, more Labor members of Parliament, to put their snouts deeper into taxpayers pockets. The additional salary of the chair of the PAEC will increase from 10 per cent to 20 per cent; the additional salary of the chair of the Scrutiny of Acts and Regulations Committee will increase from 10 per cent to 15 per cent; and an extra committee will give a government member the chair and a 10 per cent increase in salary. Indeed if you examine Labor in government after the 2006 election, you will see there are 74 members of the Labor caucus: 55 in the Legislative Assembly and 19 in the Legislative Council.

Of those 74 members, 53 will receive additional pay through the jobs and perks of office that the government has given itself. There are ministers and 15 parliamentary secretaries. It is interesting that when I came to Parliament in 1988, there were no parliamentary secretaries — now there are 15. Even when they were introduced in 1992, there were 7. But when it comes to snouts in the trough, there is none better than the Labor Party, as 72 per cent of its members, which is over two-thirds of the members of the Labor caucus, have their snouts in the taxpayers trough above and beyond their basic parliamentary salary. You would have to say to yourself, if you were one of the one in three members — that is, part of the 28 per cent — who have missed out, that you were pretty hopeless. That is the way the Labor Party works.

After the 2002 election, 62 per cent of members received extra pay, but now the total has gone from 62 per cent to 72 per cent, yet the Labor Party lost seats in the election. It used to have a majority in both houses; now it only has a majority in this house, yet a higher percentage of members have their snouts firmly in the Victorian taxpayers trough. It is an absolute disgrace!

I find it absolutely disgraceful that the house is debating a bill today that will allow Labor members to have more taxpayers dollars in their own pockets at the same time that the Minister for Police and Emergency Services says the people of south-west Victoria cannot have a life-saving emergency helicopter. There is not enough money, according to the Labor Party, for a life-saving helicopter and for 130 life-saving flights per year. The government says it cannot afford it; it will not fund the operation of a helicopter, yet it is putting more of its members on the payroll and giving them perks; 72 per cent of members have their snouts in the trough. It is a disgrace and a shame, and they ought to hang their heads in shame.

I challenge the Labor members who are getting extra pay to come to south-west Victoria and sit at the tables of families who have lost family members in car accidents because they could not get a helicopter to go to an emergency services centre. I ask those members to look those people in the face and say it is all right for them to be getting more pay. It is a disgrace. It is an absolute embarrassment to me as a member of Parliament, and it ought to be an embarrassment to the Bracks Labor government.

This bill is not about greater accountability. It is not about better use of Parliament. It is not about better use of parliamentary committees. This bill has been put forward by the Labor Party to look after its Labor

mates. It is an absolute disgrace, and that is why I will be opposing the bill.

Mr ROBINSON (Mitcham) — I appreciated the member for South-West Coast's exposition on embarrassment and in his case it certainly is a very convenient embarrassment. I will come back to that in a few moments when we recount that tawdry episode when the Liberal member in the other place fulfilled both roles as parliamentary secretary to the then Premier and a committee chair — something that seems totally at odds with the somewhat principled stance that the member for Kew, in opening this debate for the Liberals, put forward a few minutes ago.

I support this legislation because given my time in this place, and having served on three parliamentary committees, I am of the view that it strengthens the existing committee system, which has evolved over many years. My own experience — and I differ from the member for South-West Coast in offering a personal perspective on committee service — is that members of the committees I have served on have been hardworking and productive and have worked very cooperatively.

My service covers the Law Reform Committee, the Scrutiny of Acts and Regulations Committee (SARC) and the Economic Development Committee, the latter of which I was the chair. Those committees between them have probably conducted the best part of a dozen inquiries, and on all occasions they delivered bipartisan reports, unanimously supported and very constructively assembled, on matters such as self-induced intoxication, Anzac Day laws, rural exports and cultural diversity.

The member for South-West Coast suggested there was not much that was coming out in the way of value from committee reports. I challenge that. The 2002 SARC *Parliamentary Review of Anzac Day Laws* is considered across Australia to be a landmark report that has given impetus to a number of very valuable reforms and a number of very valuable initiatives by this government that commemorate and honour the service of veterans. I would dispute that that committee and that report was anything other than very worthwhile.

The important thing to note about committee service from my point of view is that the Scrutiny of Acts and Regulations Committee had a workload far heavier than the other committees I served on, notwithstanding the fact that I chaired the Economic Development Committee, and the role of chairing does in itself —

Mr Delahunty — A good committee.

Mr ROBINSON — It was a very good committee, as the member for Lowan says.

The workload of the Scrutiny of Acts and Regulations Committee was many times heavier. My recollection of the Scrutiny of Acts and Regulations Committee was that its members could anticipate meeting about 50 times a year. I was looking at the parliamentary committees web page recently, and, based on my reading, in 2005 SARC produced 13 digests which reviewed 126 bills in total. It examined 186 sets of regulations. It involved itself in two references, including a report on electronic democracy. It made a submission to the Human Rights Consultation Committee and it had an ongoing role with redundant legislation.

The Parliament, and indeed the government, could not function without the Scrutiny of Acts and Regulations Committee. The regulation review subcommittee in particular has had the very vital role of overseeing those regulations which expire and new regulations coming into effect. Without that role — not that it is a role which is well or broadly understood — governments in this state would struggle. So SARC has a very substantial role, and I think it is a very good idea that the remuneration paid to the chairs and the deputy chairs of those committees should be at a level higher than that which it has been previously. I think it is a common-sense initiative, which reflects the experience and the practice of those committees. I very much support the initiatives to that end.

Mr Ingram interjected.

Mr ROBINSON — The member for Gippsland East says it is a deal. I do not know that offering the deputy chairs 4 per cent extra is a deal with The Nationals, given that those positions are more likely to be filled, I would have thought, by the Liberal Party.

Mr Ingram interjected.

Mr ROBINSON — He says it is a deal. It is interesting that the member for Gippsland East does not want to talk about the remuneration which is being offered to deputy chairs for the first time, as indeed the Liberal Party does not wish to talk about it, even though they have stood on their high horses over there and denounced this provision, without referring once to the way in which the provision intends to deal with deputy chairs.

I would have thought that if the member for South-West Coast, and prior to him the member for Kew, were sincere, then their amendment would have

extended to deleting the reference that pertains to deputy chairs.

An honourable member interjected.

Mr ROBINSON — That is funny. I did not hear him talk about that at all in his rant. He did not talk about it at all. I find it very surprising.

I think the provisions, as I have said, are very reasonable, and I think they will help the committees, particularly those two committees with a much more substantial workload, do their jobs more efficiently and effectively. Similarly I have no difficulty with the provision of the bill which seeks to extend the membership of committees from 9 to 10. I think that is a very sensible initiative by the government, which reflects the fact that the people of Victoria at the last election returned a more diverse group of members to this place than had previously been the case. The fact that we will have 10 members will provide for a greater representation of minor parties.

I want to go back to the point raised by the member for Kew when he talked about independence. He talked about having independent chairs and the need for committees to be fully independent. In my practical experience of committees — and as I said, I have served on three of them — they operate on the basis of forming a consensus opinion. Where advice is provided to a committee, particularly the Scrutiny of Acts and Regulations Committee, that there is something problematic about a regulation being put forward — and I know the Leader of The Nationals talked about this in his contribution — the arrangement is that the government members will talk to the minister in an informal sense as well as there being formal communication with that minister. Committees do act in an independent manner in that sense.

The so-called principle that the member for Kew was going on about did not seem to take into account at all the practices of his party — albeit a year before he was elected. I refer to a time when the former member for Templestowe Province in another place filled two roles. He filled the role of Parliamentary Secretary to the Premier and the role of chair of the Public Accounts and Estimates Committee, the most senior of the committees. The Liberal Party has not provided any defence for that tawdry episode in the Parliament's recent history.

An honourable member interjected.

Mr ROBINSON — It was tawdry, because it totally compromised any sense that that committee would act independently when you had the hand-picked

Parliamentary Secretary to the Premier filling the role of chair. But that did not stop the Labor Party raising the issue in Parliament — I think it was in 1998 that the now Premier raised it. He moved by leave that the house request the chair of the Public Accounts and Estimates Committee, Mr Forwood, to resign, given his appointment as Parliamentary Secretary to the Premier, which put him in a situation of having a potential conflict of interest. It is no surprise I suppose that on that occasion leave was simply refused. The Liberal Party had absolutely no interest in debating that point.

As much as it was a conflict of interest then and is still today a tawdry chapter in the Parliament's recent history, because it is the absolute pinnacle in terms of a compromise of positions, it is something that the Liberal Party still does not wish to refer to. That is very disappointing, and it gives the lie very clearly to the position being advanced by the Liberal Party in this debate. I am pleased to support this bill. It is good legislation which will allow the committees to work more efficiently and effectively.

Ms WOOLDRIDGE (Doncaster) — I am pleased to speak to the Parliamentary Legislation Amendment Bill, and I support the Liberal Party's proposed amendments to the bill, as outlined by the member for Kew. One of the purposes of this legislation is to amend the titles of two committees. The newly named committees are the Economic Development and Infrastructure Committee and the Rural and Regional Committee. The bill will increase the memberships of some committees and provide for salary increases for various people in various roles.

I would like to particularly focus on the operation of the committee structure. I support a vibrant and active committee structure, one that fundamentally works on issues of concern to Victorians for the benefit of the state. I support committees which are able and prepared to expose the inadequacies of the government as required. I support reform of the committee structure, not random, ad hoc changes at the margins.

Real reform would see the Public Accounts and Estimates Committee and the Scrutiny of Acts and Regulations Committee chaired by a member of a non-government party. Real reform would see the majority of members of those important scrutiny committees drawn from non-government parties. Real reform would also ensure that critical issues for Victorians would be considered by the committee. In terms of the new Economic Development and Infrastructure Committee, the recognition of the link between infrastructure and economic development is vital.

There are many key infrastructure issues for Victoria and for our electorates which critically impact on the economic development of our areas. I predict that the new committee, loaded with Labor members, will play a highly political role and be entirely self-serving. Instead of grappling with real infrastructure issues, such as those faced in my electorate of Doncaster concerning roads and public transport, the committee is likely to gloss over the real problems where a lack of infrastructure is impeding economic development. I therefore challenge the new committee to genuinely take up as one of its first investigations the infrastructure needs of Victoria, particularly Doncaster, and the relationship of future economic growth for that municipality.

Doncaster is one of the government's designated principal activity centres in Melbourne 2030. Population forecasts have estimated that by 2021 approximately 8000 new residents will live on Doncaster Hill. Doncaster has no train or tram services, and its residents are largely forced to rely on private transport to get to work, to school and to the shops. Not surprisingly, about one in five Manningham households owns three or more vehicles.

Doncaster residents rely on public transport and have only a limited bus service available to them. I receive complaints about the lack of services, particularly on weekends and late at night. Park-and-ride facilities are generally full on weekdays, and commuters using their private vehicles argue that they are forced to spend many fruitless hours in congested traffic on the Eastern Freeway. There are many deeply felt concerns in the Doncaster community that the government is not funding the appropriate infrastructure to meet the community's current needs and future demands.

During the election campaign the Liberal Party showed that it was interested. It listened and accepted the arguments of residents that further infrastructure was needed for Doncaster's public transport. Its promise of extending the no. 48 tram from Balwyn to Doncaster Shoppingtown was celebrated by residents.

Trams reportedly win hands down on economic development and environmental grounds. John Legge from Swinburne University has analysed the impact of trams and says they cannot be beaten when it comes to value for public money. On economic grounds it is trams first, trains second, and buses nowhere. However, the tram proposal was summarily dismissed by the minister responsible for transport. Instead the Bracks government has been content to say that as far as it is concerned public transport options will be restricted to bus services.

Ms Campbell — On a point of order, Acting Speaker, I draw your attention to the content of the bill and the content of the speech of the member for Doncaster. They bear no similarities whatsoever, and I ask that you indicate to the member the importance of speaking about the bill.

Dr Napthine — On the point of order, Acting Speaker, the member for Doncaster is being very relevant to the bill. She is explaining how parliamentary committees could be used in a positive way with regard to economic development and infrastructure — and particularly with regard to the economic development and infrastructure needs in the outer suburban areas of Victoria — if the parliamentary committees were to be properly structured and resourced. That is the very point she is making in talking about the way the structure of the bill gives the government control of these parliamentary committees and effectively neuters them in terms of operating effectively. She is highlighting the sorts of issues that should be discussed by these parliamentary committees if they were to be structured properly.

Mr Robinson — On the point of order, Acting Speaker, if you were to accept the argument advanced by the member for South-West Coast, then this debate could go for several hours without members talking about any of the clauses in the bill or indeed anything about the actual operation of the committees as proposed by the amendments. It would simply be an opportunity to talk about anything and everything, because by their nature parliamentary committees deal with references that cover the whole gamut of government operation. For the last 5 minutes what we have heard from the member for Doncaster is an exposition on the way tram routes work and bus services operate, which is an independent commentary on public transport but which has nothing to do with the operation of the committees. I think the member for Pascoe Vale's point is right, and the member for Doncaster should be encouraged to come back to the bill.

The ACTING SPEAKER (Ms Munt) — Order! I do not uphold the point of order, but I remind the member for Doncaster that she should keep her remarks relevant to the bill.

Ms WOOLDRIDGE — The new Economic Development and Infrastructure Committee is absolutely crucial to the outer suburbs of Melbourne, because the infrastructure needs that are not supported by the Bracks government are limiting economic development in those regions. I urge the new

committee to look at these issues to enable the future economic development of those areas.

I would also like to mention the arterial roads in Doncaster, which are once again critical to the economic development of the area. They have open drains and no footpaths, and in fact their condition resembles conditions in the Third World. The government is ignoring important evaluations. For example, King Street has higher safety, social and environmental ratings than Thompsons Road, Springvale Road and Templestowe Road, yet all of them receive funding from the Bracks government. This is in sharp contrast to the Liberal Party's policy of funding the full development of King Street up to the standard which the community expects. I have little confidence that the Economic Development and Infrastructure Committee will take these issues seriously on behalf of Victorians and the people of Doncaster, despite a desperate need for it. I request that the committee take up the infrastructure needs of the Doncaster community and genuinely understand their critical relationship with the future economic growth of the municipality as one of its key investigations.

I support robust investigations by committees that are genuinely keen to scrutinise the operations of government and genuinely interested in listening to and governing for all Victorians and being accountable to all Victorians. For that reason I support the amendments proposed by the member for Kew.

Ms BEATTIE (Yuroke) — I rise to speak on the Parliamentary Legislation Amendment Bill. I do not think I will refer to Doncaster at all in my contribution, but I will refer to the bill, which refines the structure and operation of investigative parliamentary committees. It also recognises the increased contributions made by the Scrutiny of Acts and Regulations Committee and the Public Accounts and Estimates Committee, which are both absolutely vital. The bill increases the additional salary of the chairs of those committees from 10 per to 15 per cent of their base salary, and I support that.

In my first term in Parliament I was on the Scrutiny of Acts and Regulations Committee, and members who were here then will know of some of the important work we did. We had an obligation to meet every Monday before Parliament sat to go through the *Alert Digest*. Members will well recall the very important Anzac Day bill, which we looked at, and how the reforms proposed by that bill came into the house. Almost all of the recommendations of the committee were taken up by the Parliament. They were certainly taken up by the Premier, who now has responsibility for

veterans affairs. That gives members an indication of the important work of the Scrutiny of Acts and Regulations Committee.

It was a pleasure to be on that committee, and I suggest that the member for Doncaster becomes a member of a committee like the Scrutiny of Acts and Regulations Committee or the Public Accounts and Estimates Committee. It is a great learning curve, and as a member of the Scrutiny of Acts and Regulations Committee you see all the bills before they come into the house rather than just focusing on one geographical area of the state.

I know about the contribution made to the Public Accounts and Estimates Committee by the member for Pascoe Vale. Many times I came into the previous Parliament in the early hours of the morning — I am an early riser, as many members will attest — and the member for Pascoe Vale would already be here, going through the Public Accounts and Estimates Committee papers. She put in many hours of work, and I am sure she will recall that experience when she gets up to speak on the bill.

This is a good bill, and I do not support the amendments. The bill proposes renaming the Economic Development Committee as the Economic Development and Infrastructure Committee, and that is a good thing. The Minister for Roads and Ports is at the table, and many people have talked about roads today. They could be one of the things that the Economic Development and Infrastructure Committee looks at. Who knows what references the committees will get in the future? Trying to anticipate the references that committees will get is like crystal ball gazing.

The bill amends the title of the Rural and Regional Services and Development Committee so it becomes the Rural and Regional Committee, and I think that is also a good thing. I am sure that members of The Nationals will be very active in their support of it.

The bill also entitles members serving as chairs and deputy chairs of the Scrutiny of Acts and Regulations Committee and the Public Accounts and Estimates Committee to a retrospective amount of 4 per cent extra on their base salary. As I said before, those committees really are the workhorses of the Parliament, and that is the truth of it. They sit for an incredibly long time, and in my view their chairs and deputy chairs are entitled to an extra consideration. It is a small consideration, but it is a recognition of the very important work they do.

We need to make sure that the parliamentary committees are robust, as has been suggested, and that

there is input from all members. I look forward to working with all members. I am on the Family and Community Development Committee, and the member for Doncaster — I said I would not mention Doncaster — and the member for Shepparton are also on the committee. I look forward to hearing their valued contributions. I know some members are very new to committee work, but the value of the work cannot be overestimated. It is a way of getting to know members on the other side of the house. You do not always agree with each other, but in 90 per cent of cases by the time a committee report is tabled there is broad agreement on it. The member for Kew spoke fulsomely about the de novo appeals report. So 90 per cent of the work is done in a cooperative fashion, and it is something I can see continuing in this Parliament.

All in all I think this is a good bill which recognises the very legitimate role of the third party in this house. We have always operated on a multiparty system. Indeed the third party has been an integral part of our system here, and this bill recognises the third party's role as an integral part of the parliamentary system. With those few remarks I will draw to a close, but I will add that the chairs of the Public Accounts and Estimates Committee and the Scrutiny of Acts and Regulations Committee are going to work very hard indeed, as is the chair of the Rural and Regional Committee. Victoria is the only state where the regions are growing — the only state — and these provisions are a recognition of that and of the important part the regions play. That is why we have enhanced this committee as well. With those few remarks, I support the bill, and I do not support the amendments.

Mr WALSH (Swan Hill) — I would like to make a contribution to debate on the bill before the house, the Parliamentary Legislation Amendment Bill. A lot of members have spoken about their times on parliamentary committees and said that they felt those times were among the more worthwhile parts of their parliamentary careers. I served the last term of Parliament on the Rural and Regional Services and Development Committee (RRSDC) and found that an interesting time.

One of the things I found to be a challenge about it, however, was having an electorate office and living 4 hours from Melbourne. Coming to Melbourne for a 2-hour meeting means you have 4 hours of travel each way, a total of 8 hours. One of the things we discussed in the RRSDC — it particularly came up when we were talking about telecommunications access in regional and rural Victoria — was the fact that we were not using the technologies available to us in the way that we were asking other people to use technology and

experiment with it. So the committee wrote to the Speaker of the last Parliament and asked if we could change the rules for committees so that we could officially meet by teleconference and, going forward, by videoconference. Quite often a committee does not necessarily need to meet for a long time, particularly when the report is being written and members want to tick off on a couple of chapters so that committee staff can go on and do further work. It is a good opportunity if you can do that by teleconference or videoconference to save country members from travelling so far.

In the time of the RRSDC in the last Parliament the committee had four terms of reference. One was into the issues surrounding country football, one was into farm deaths and accidents, one was into telecommunications access in country Victoria and one was into the retention of youth in country Victoria. Many members have spoken about the fact that you can achieve bipartisan positions on those committees; unfortunately I seemed to be in the invidious situation where for three out of the four references I had to write minority reports. It can be quite challenging amidst the debate within the committee structure to get your points of view across. You do not always win, but you do have the opportunity to put in a minority report on those investigations.

That committee is now going to be renamed the Rural and Regional Committee. I note that Damian Drum, a member for the Northern Victoria Region in the other place, is going to be the chair of that committee. I wish Damian well; it is a very important committee for the constituency The Nationals represent across Victoria. I also note that the new member for Morwell, Russell Northe, is going to be on that committee. Those two members have a very important role to play on behalf of the people The Nationals represent across the vast majority of country Victoria.

One of the key issues that will confront them over the next four years, as it confronts all of the members of Parliament who represent country Victoria, is the issue of decentralisation and of our making sure that we get economic development right across Victoria. We have had a lot of talk in this place and several answers from government ministers during question time about how regional Victoria is growing, but their definition of regional Victoria is actually Bendigo, Ballarat and Geelong. We need to make sure that we get economic activity throughout the rest of country Victoria as well. One of the issues that will confront that committee is the issue of water and the transfer of water away from those communities.

There is another issue I would like to touch on. My memory was refreshed when the member for Brighton, I think it was, talked in her contribution about the former Public Bodies Review Committee. It is interesting what triggers people to enter politics. I can remember in the early and mid-1980s as a tomato grower at that time — —

Dr Naphthine interjected.

Mr WALSH — For the benefit of the member for South-West Coast, I had only just left school! The tomato processing industry had Victorian legislation, the Tomato Processing Industry Act 1976, which set up a framework in which the growers sat down with the processors in a legislated structure and negotiated a price for tomatoes. If the growers and the processors could not agree on a price, the act gave the agriculture minister of the day the power to appoint an arbitrator before whom we had to appear and give evidence. On the several occasions I appeared before an arbitrator, it happened to be Professor Alan Fels, who then went on to some quite significant roles — I think probably as a result of the training we gave him as he determined the price of tomatoes!

But the thing that first got me interested in politics was the fact that the Public Bodies Review Committee was tasked with looking at taking away our industry's right to negotiate a price in a framework with the tomato processors. At that time we got support from the members of what was then called the National Party in Parliament. I can remember that the subsequent draft report expressed some aspects of our discontent with the legislation. The Honourable Bernie Dunn, a former member for North Western Province in the other place and the then shadow agriculture minister, made sure he got inserted into that Public Bodies Review Committee report some things that were not quite so drastic for our tomato industry.

It is interesting as the committees go forward to look back at their roles over time and see what they have done previously. I believe what is being proposed here is sensible and is about equity among the members of Parliament, and I wish the bill a speedy passage.

Mrs SHARDEY (Caulfield) — I rise to speak on the Parliamentary Legislation Amendment Bill. I am supporting the Liberal Party amendments and am opposed to the bill.

I want to talk firstly about the purpose of the legislation. It amends the Parliamentary Committees Act; it will rename the Economic Development Committee and alter its functions somewhat; it will rename the Rural

and Regional Services and Development Committee; it will increase the maximum number of members on joint investigatory committees from 9 to 10, and it will amend the Parliamentary Salaries and Superannuation Act to provide additional salaries for certain members, as is set out in clause 9.

I will briefly look at some history in relation to the system of parliamentary committees. I strongly support the committee system, and perhaps there is even scope for the committee system to be strengthened, particularly in the upper house. The committee system goes back to 1895 when the concept of ongoing committees was introduced with the appointment of a Public Accounts Committee.

Moving fairly quickly through the decades to 1982, the committee system was revised and a new joint investigatory committee system was established. In 1992, nine new joint investigatory committees were established in place of the previous five, and in 1996 the Public Bodies Review Committee was abolished and the Federal-State Relations Committee was created as a joint investigatory committee. The Federal-State Relations Committee was discontinued in the 54th Parliament.

The 55th Parliament saw the creation of three new committees — the Education and Training Committee, the Outer Suburban/Interface Services and Development Committee, and the Rural and Regional Services and Development Committee. The Parliamentary Committees Act 2003 was enacted, repealing the previous 1968 act, which of course had much of the basis of the system in it.

My experience on committees over my nearly 11 years in Parliament has not been enormous, but it is strong enough. I have sat on two committees. In my first term I sat on the Environment and Natural Resources Committee. I have to say that that experience is a very strong one for a member of Parliament as it takes you into areas that you perhaps know very little about. It certainly offers you the opportunity to learn a lot of detail about things that perhaps you knew nothing about in the past. The Environment and Natural Resources Committee was a committee where I learnt a great deal, and references to that committee were not in the least bit partisan, as I found on my next committee, but they were about issues to do with noxious weeds, ballast and things like that.

My colleague across the table, the Minister for Mental Health, is I think concurring with me. We had the experience of travelling to countries like Israel, Zimbabwe and Holland, which was an extraordinary

experience, as the committee looked at issues around the use of our flora and fauna in a commercial way. I think that taught us all a great deal.

The Family and Community Development Committee which I sat on in the last Parliament was a little bit different, but was probably equally beneficial in terms of the experience; however some of the references were clearly partisan and introduced to our committee to get an outcome which the government hoped would give it a lot of good publicity. At the end of the day, however, my colleagues on the non-Labor side of this committee determined to put in minority reports. We put in two minority reports in relation to two of our references. However, the final reference in relation to body image was one which was very helpful and gave a lot of useful information to the community and to the Parliament.

There are some issues in relation to this legislation, however, that I believe need to be spoken about. There are some areas that we do not support, and that is why we are moving particularly for the deletion of clause 9 of this bill. We strongly support the committee system but we have some grave concerns. We do not support additional payments of 20 per cent of an MP's salary to the chair of the Public Accounts and Estimates Committee (PAEC) and 15 per cent to the chair of the Scrutiny of Acts and Regulations Committee (SARC). We also oppose the additional 4 per cent of basic salary to the deputy chairs of those committees. We believe the additional 10 per cent is enough for each member of a committee to receive. After all, one does not join a committee and one does not put up one's hand to be a chair of a committee for the financial reward.

I think the community is being focused on the concept of snouts in the trough and people only wanting to grab the purse and all that sort of thing. I think it is beholden upon us as members of Parliament to be responsible about these issues. I do not think chairs and deputy chairs should be looking for additional money on top of these allowances. I think it gives the Parliament a very bad look, and it certainly goes against everything the Labor Party said in opposition. As the member for Brighton demonstrated very clearly to this Parliament, back in 1997 when in opposition the Labor Party spoke out strongly against the notion of the government taking up all the chair positions and in particular against additional payments.

Our other major objection is that, apart from the chair of the Rural and Regional Committee, there are to be no other independent chairs of committees. Instead these jobs are being given to people who some might think do not have a huge amount of talent. In fact I suppose we will be looking amongst the people in the back row

for those chairs, rather than those in the second or front rows. One certainly has the impression that these jobs have been given to people purely to placate them because they have somehow missed out.

Ms Thomson interjected.

Mrs SHARDEY — I appreciate that. In fact some people have talked about the thirds — we have the firsts, the seconds and the thirds — and I think that really goes to the point of what we are talking about. We need people running these committees who are independent of government. The member for Kew talked about the situation in Britain where the chairs of committees are truly independent, and I think that is fair enough. That would ensure that important committees like the PAEC and SARC were truly transparent and were truly taking the argument up to the government by inspecting and going through government expenditure and making the Parliament accountable to the people and, in particular, making the government accountable to the Parliament. We should be looking to achieve all of that.

I believe that our investigative committees should have the right to put forward their own references. I think in the upper house we should be looking at a system which is perhaps a little more like the New South Wales upper house system or the Senate system, in which they can have continuous investigations rolling on and looking at a number of issues. Certainly when I first came to Victoria as someone who had participated in the Senate estimates committee process in Canberra and written a large number of questions on portfolios, I was totally surprised at the way the Public Accounts and Estimates Committee conducted itself here in Victoria. I thought ministers were not really held accountable.

There is very little direct questioning of public servants, and I think there should be direct questioning of public servants. It is all very well for ministers to talk about policy, but I think public servants should be required to talk about issues of expenditure. I think these are very important issues, and they are issues that this government is failing to take up. This piece of legislation is a lost opportunity. It could have been innovative, and it could have said to the Victorian people, ‘We are not about putting snouts in the trough and we are not about putting in mediocre people to chair our committees. We are about demonstrating that we are capable of truly being open to scrutiny’. Therefore I support the amendment by the member for Kew, and I will subsequently support our position of opposing the bill.

Ms CAMPBELL (Pascoe Vale) — It is with pleasure that I rise to support the Parliamentary Legislation Amendment Bill. I am particularly pleased to support this legislation because I think it contains a number of excellent recommendations, in particular in relation to the two most significant committees amongst the joint parliamentary committees — that is, the Public Accounts and Estimates Committee (PAEC) and the Scrutiny of Acts and Regulations Committee.

In the last Parliament I was pleased to have the wonderful opportunity of chairing the Public Accounts and Estimates Committee. So many members have spoken fondly today about their experiences on joint parliamentary committees, and I am no exception. But an exception to the work of other committees is the enormous volume of work that needs to be invested in the PAEC by its chair. I will go into that detail shortly, because that goes to the heart of why the recommendations in relation to remuneration are absolutely appropriate.

I had the pleasure of presenting many reports to the Parliament as chair of the PAEC. The reason I was able to do that was because its role was threefold: we had to look at the public accounts themselves; we had to go through the estimates process; and we looked at auditing. We also had the great honour of being in the first parliamentary committee that made recommendations to the Parliament in relation to the appointment of a new Auditor-General. Mr Wayne Cameron was the choice of the PAEC and his appointment was the choice of the Parliament.

Through the committee’s reports we were able to provide informative analysis and pragmatic recommendations so that the work we investigated was considered seriously by the executive. The executive had the obligation, as it had with other committee reports, to respond to our recommendations within six months.

We had a number of subcommittee and full committee meetings. The reason I want to highlight the committee meetings and subcommittee meetings is because it is important that we understand why there is an additional component of salary going to the chair and the deputy chair of the PAEC. This is a recommendation that I lobbied for. I did not want to nominate again to be chair of the PAEC, but I thought the next chair needed to have some adequate recognition of the volume of work that was required in those threefold functions of public accounts, estimates and auditing.

I will leave the Scrutiny of Acts and Regulations Committee to another member who is more eminently qualified to speak on it.

The PAEC had 59 full committee meetings and 6 subcommittee meetings. In comparison the Drugs and Crime Prevention, Family and Community Development, Rural and Regional Services and Development, and the Scrutiny of Acts and Regulations committees conducted 12, 20, 16 and 23 hearings respectively. Also, during the 15 hearings of the estimates process, every minister and both presiding officers appeared before the PAEC. The workload was considerable, and it was something I absolutely enjoyed. Knowing that I was not going to be seeking appointment to the PAEC again, I spoke significantly about the importance of adequate recompense. I also think it is important from the opposition's point of view that there is some acknowledgement of the volume of work done by the deputy chair.

Before I move to other points I wish to cover, I want to pay tribute to each and every member of the previous Parliament's Public Accounts and Estimates Committee. I will briefly touch on the functions fulfilled by the committee. There are two components to the public accounts function. The first is to follow up matters of concern raised in the important Auditor-General's reports. The second is to undertake general inquiries into some aspects of financial administration and public sector management.

One of the very significant reports we were privileged to present in the last Parliament was the report on parliamentary control and management of appropriations, which was published in September 2005. That was a great opportunity to take a truly united approach in the previous Parliament and present to executive government strong recommendations on improving parliamentary control and management of appropriations. Many would think a report such as that would have had a minority report. It did not. In the time we delivered our reports to the Parliament there was just one occasion when, in a contentious period during the last federal election, a small section was added to a report as a minority report.

Like so many others, I pay tribute to the fact that these committees give members the opportunity to carefully consider what recommendations they want to put to executive government and this Parliament. They give all of us the opportunity to actively contribute. In government you have bills committees where you know you can make an active and sometimes significant contribution to the legislation brought in here. However, when you are in opposition, quite

frankly, you can move as many amendments as you like in the house but 99.99 per cent of the time, unless you have the numbers, the best arguments do not win. Parliamentary committees give people the opportunity to spell out what in their view are significant recommendations that will bring the people of Victoria forward. The experience of the previous Parliament with the Public Accounts and Estimates Committee highlighted that important work.

I wish whoever is the next chair of the Public Accounts and Estimates Committee well. I trust they will enjoy their time immensely. They will certainly learn a lot.

In the 1½ minutes remaining to me I would like to pay tribute to the parliamentary committee staff. One person has quietly slipped out of parliamentary service between the prorogation of the last Parliament and today — that is, the previous executive officer of the PAEC, Michele Cornwell. Michele devoted 10 years of her life to this Parliament and that committee. People who are familiar with her work would know that there was no such thing as a standard 40-hour week for Michele. In fact one of the most difficult roles I had to fulfil as chair was trying to ensure Michele had appropriate rest and recreation. The volume of the work and the investment of time she gave to this Parliament and that committee were absolutely phenomenal. She was also a great mentor to many who went through that committee secretariat.

Given that we are increasing the recompense paid to the committee's chair, I suggest this is an excellent time for the presiding officers and the Parliament staff to look at the salaries of those working in the PAEC. In the departments they would receive 150 per cent or greater than the salaries they receive here.

Mr THOMPSON (Sandringham) — Parliamentary committees represent one of the great features of Victorian democracy. Committees across Australia are sources of innovation and legislative reform.

In the tradition of the Westminster system parliamentary committees in Canada and the United Kingdom have looked at emerging sciences and reviewed issues such as gene technology and the ethical issues regarding the application of DNA and its role in the detection of crime. Those committees have come up with a range of recommendations that adapt the law to changing circumstances in society. They have the great benefit of being resourced by able staff who have acute expertise in particular fields of science, industry, education and road safety. Those committees deliver reports to Parliament, and Parliament is obliged to

respond within a specified period of time. New laws can then be enacted.

I have had the privilege of serving alongside some great parliamentary committee chairs. The Leader of The Nationals is a robust and independently minded thinker who brought his mind to bear on a range of reports that were delivered to the Victorian Parliament. Legal reforms were instituted because of the reports of the Scrutiny of Acts and Regulations Committee.

The member for Doncaster in the previous Parliament, Victor Perton, was renowned for making detached and independent judgements on the law reform process as a member of the Scrutiny of Acts and Regulations Committee, whether by way of making recommendations on the Evidence Act or by contributing to a range of other reports that were submitted to the Victorian Parliament.

However, it is unfortunate that at this particular time, when Victoria is facing its worst drought on record, when stage 4 water restrictions are coming into play and when there are a number of businesses involving turf growers, nursery workers, window washers and commercial car washers who are about to confront financial devastation, the Parliament of Victoria is proposing in this bill to increase the level of remuneration for members of Parliament when they are already reimbursed for doing a fair day's work. That is why I will be strongly supporting the opposition's position and opposing this bill. I do not believe it is right or just, particularly at this time when there is hardship across the state. Members should speak to the farmers in the west of Victoria and those people throughout the state who are servicing large mortgages which have been secured by businesses which will become non-operational and non-functional from the time that stage 4 water restrictions are introduced.

I previously alluded to the role of independent chairs and to robust reports being delivered to the Parliament. That is another key element of the opposition's position, because we are arguing that the chairs of two of the major committees, the Public Accounts and Estimates Committee and the Scrutiny of Acts and Regulations Committee, should be independent rather than just being agents of the government.

There is a long tradition in this state regarding the separation of powers between the executive, the judiciary and the legislature. The tradition and the separation have important points of principle. At one stage in the past 14 years I was on a committee where the separation of powers was not discerned, and it involved the appointment of temporary judges. The

Scrutiny of Acts and Regulations Committee had a responsibility to the Parliament to report on potential trespasses on rights and freedoms.

It was the view of a number of members of that committee that it was an important point that the committee should comment on and report to the Parliament on. Unfortunately a political position was adopted by the majority of members on the committee. That report will not stand the test of time or the test of scrutiny. It is important that the chairs of those committees have some independence so that they do not run the government line, which is the convenient line, but instead fulfil their obligations to the people of Victoria and the Parliament of Victoria.

As members of Parliament we have a duty to our electorates, we have a duty to our parties, we have a duty to the Parliament, and we have a duty to our consciences. So that the people of Victoria get the best value from the work of the Public Accounts and Estimates Committee and the Scrutiny of Acts and Regulations Committee, I believe it is an important point of principle that the chairs of those committees be independent.

I conclude by acknowledging some of the excellent work, on which I commented earlier, undertaken by people associated with the committees. During my time in Parliament I have served on the Scrutiny of Acts and Regulations Committee, including a period as deputy chair. I was a member of the Redundant Legislation Subcommittee when we reviewed statutes in this state that had become redundant, and those statutes recalled different stages of the state's history. I remember one statute law report which in the words of the preamble to the bill noted that the laws being repealed evocatively and succinctly recalled important parts of Victoria's history, and the laws that were being repealed at that stage included the Boer War Veterans Act, the South African Contingent's Pensions Act, the Miners' Phthisis (Treasury Allowances) Act, the 1943 Partially Blinded Soldiers Fund Act and the 1955 Olympic Games Act, as well as a number of other acts that were no longer relevant.

There has been a process of automatic repeal of some acts that are amending acts that will obviate the work of future statute law revisions in decades ahead. Another report looking at the use of DNA testing in crime detection and prevention was carried over for two parliaments. Victoria was poised to lead the world in the application of DNA technology. Evidence was taken in one committee report from the Federal Bureau of Investigation, from Interpol and from other police agencies around the world. It was interesting that the

United Kingdom made a quantum leap in its use of DNA evidence and its retention of DNA evidence as a tool in crime prevention.

On another occasion there was a report that looked at access to law and legal services in rural and regional Victoria. Visits were made to probably 15 country centres including Geelong, Ballarat, Bendigo, Warrnambool, Portland, Mildura, Robinvale, Echuca, Swan Hill, Wodonga and Gippsland. The process of taking evidence from local communities firsthand and having the benefit of the Hansard reporting staff provided a good framework of evidence, and recommendations were then made to the Victorian Parliament. I am pleased to note that a number of those recommendations have since been enacted in law.

In summary, the bill before the house deals with an important matter: the role of parliamentary committees. The opposition strongly opposes the operation of a committee system that does not provide for an independent chair for the Scrutiny of Acts and Regulations Committee and the Public Accounts and Estimates Committee, and it most strongly opposes increases to parliamentary remuneration at a time when many Victorians, following the advent of stage 4 water restrictions, will be losing their livelihood and will see their businesses devastated.

Mr BATCHELOR (Minister for Victorian Communities) — I thank those members who have contributed to the debate today, including the member for Kew, the Leader of The Nationals, the members for Footscray, Brighton, Burwood — —

An honourable member — The minister cannot read his own writing.

Mr BATCHELOR — It is not my writing — Gippsland East, yes — —

Dr Napthine — The minister has dumped the member now, he is not needed!

Mr BATCHELOR — We never dumped him. We will deal with the member for South-West Coast in a minute, though. I also thank the members for Essendon, South-West Coast, Mitcham, Doncaster, Yuroke, Swan Hill, Caulfield, Pascoe Vale and Sandringham for their contributions today.

This is quite a simple bill. It has four primary objectives, some of which have been spoken about by different members during their contributions and different weight has been given to those. It is important to quickly reflect upon what those objectives are. The first is to change the names of two committees to more

accurately reflect the tasks that we expect those two named committees to carry out. Accordingly, we are renaming the Economic Development Committee to add the word 'Infrastructure' to its title. This gives it a broader range of requirements because of the important economic part that infrastructure plays in this state. We have also renamed the Rural and Regional Services and Development Committee through a simple change of name to more accurately describe the broad-ranging nature of the task we expect that committee to carry out.

The second functional change being implemented in the bill is that where it is necessary to increase the number of members of the joint committees, we are actually increasing the maximum number from 9, which has been the number for quite some time, to 10, which is designed to accommodate some of the newer members of the other place and allow them to join the committees. That is an important aspect.

Mr Ingram — So you have the numbers.

Mr BATCHELOR — We will welcome those members of the other place to join those committees, just as we have had the pleasure of having the member for Gippsland East on committees for quite some time.

We are also making changes to continue the recognition of the third party in this Parliament. As was so eloquently explained by the Leader of The Nationals, this simply maintains the status quo and accurately reflects in the new Parliament the fact that The Nationals have actually improved their representation in this chamber. There are a number of members of The Nationals that we did not want here — let us make no bones about it — like the new member for Mildura. We would much rather have had the former member for Mildura, Russell Savage, but the electorate of Mildura has spoken, and we accept that.

Honourable members interjecting.

Mr BATCHELOR — In fact, we have accepted the umpire's decision, as The Nationals have. The only ones whingeing about it are members of the Liberal Party. I think the real electoral success of the last election were The Nationals, and I cannot understand the resentment of the Liberal Party towards The Nationals for their electoral success. We are simply recognising the third party and maintaining the status quo in terms of the parliamentary context. The Nationals lost members in the upper house because of proportional representation, but surprisingly, against the odds, they won new members in the Assembly. The member for Mildura was not alone in his success. There

were successes elsewhere, either for new members or with a change of members. They have done well.

The fourth area where we have made changes in this bill is in acknowledging the work of two important committees — the Public Accounts and Estimates Committee and the Scrutiny of Acts and Regulations Committee. Everybody who has spoken today has acknowledged that from a workload and importance point of view, they are the two stand-out parliamentary committees. In fact, early on in my parliamentary life I had the opportunity to be part of the Economic and Budget Review Committee and then the Public Accounts Committee, as they were then known, as well as the Economic Development Committee. It is interesting to note that members who have spoken in this debate have had experience on parliamentary committees and have said that was a worthwhile thing for them to do as parliamentarians, and that the parliamentary process has been enhanced by the role of parliamentary committees.

But notwithstanding that, some amendments have been circulated by the member for Kew and the member for Gippsland East, and we will deal with those shortly. I foreshadow that we will not be accepting any of those circulated amendments, but we will hear the arguments that will be put forward during the consideration-in-detail stage. Particularly in relation to the member for Kew, the amendments he has circulated are really amendments of envy — plain, crude, old political envy. The member has failed to acknowledge that the electorate has spoken on a number of occasions, and at the last election the people rejected the politics of the member for Kew and the party he stands for.

The house can understand why members of the Liberal Party have come in here and said what they have. The member for Kew might not remember a very interesting occurrence in 1992, when there was a change of government. An edict went out from new Premier Kennett saying, ‘All the parliamentary chairs are to be kept for members of the Liberal Party’. That was notwithstanding that there was a coalition. The Liberals ratted on the then National Party. They used the members of the National Party and then pushed them to one side. There was no better manifestation of that than when the Law Reform Committee first met and its members democratically elected not the Liberal Party nominee of Mr Kennett — the then member for Doncaster, Victor Perton — but the member for Murray Valley, Ken Jasper.

An honourable member — The much-loved member!

Mr BATCHELOR — The much-loved member! It was a period of great delight in the chamber, because the member for Murray Valley had been democratically elected by a majority of members of that parliamentary committee, in spite of the explicit instructions from Jeff Kennett, the Premier of the day. All members who were here remember what happened as soon as that meeting where that democratic election took place concluded: the then member for Doncaster ran like a cry-baby from the room and complained to the leadership of the National Party and the Liberal Party and demanded to be reinstated. The member for South-West Coast is nodding in agreement because he can remember that happening, as can a number of other members.

The amendments foreshadowed by the member for Kew are really grubby; they are the amendments of envy. He said it himself when he said that the thrust of his amendments is that the members of the Liberal Party want the Public Accounts and Estimates Committee and the Scrutiny of Acts and Regulations Committee, which everybody has acknowledged are the most important, highest profile and most strategic of the parliamentary committees, to be controlled by people who are not from the government. He wants to deny the choice that the people of Victoria have just made at the recent election. He wants to use the parliamentary processes now to institute and institutionalise the oppressive rule of the minority. The government rejects that style of antidemocratic approach.

I assume, based on the logic of the member for Kew, who said that he was speaking on behalf of the Liberal Party, that the member for Scoresby will not stand for election as deputy chair of the Public Accounts and Estimates Committee and that Mrs Peulich, a member for South Eastern Metropolitan Region in the other place, will not stand for election as deputy chair of the Scrutiny of Acts and Regulations Committee when that committee convenes. If either of those two or any other members of the Liberal Party seek to be elected deputy chair of either of those committees, it will just demonstrate that they are hypocrites of the first order, because today members have been regaled by the member for Kew throughout his contribution and by his interjections with the statement that to accept the proposed pay rises would be inappropriate and reflective of snouts in the trough.

Members of the government will be watching to see whether the mates of the member for Kew are in line to get their snouts in the trough. Of course, they may or may not be successful in that process because of what the member for Kew has said during the course of today — because he has accused those people who are

called upon by this Parliament to assume positions on committees and take on those responsibilities of putting their snouts in the trough.

I could not imagine that the member for Scoresby or a member for South Eastern Metropolitan in another place, Mrs Peulich, would accept these positions, and if they did, they would be only regarded as hypocrites of the first order. We would not want to assist either of them to become hypocrites.

Mr McIntosh interjected.

Mr BATCHELOR — The member for Kew might, but we would not. We will take that on board. I thank those members who have made their contributions. We acknowledge that the work of parliamentary committees is an important aspect of life in this house and the other chamber and that they produce good work, but we are really disappointed that the work that they do has been sullied by the contribution of the Liberal Party in this chamber today.

House divided on motion:

Ayes, 62

- | | |
|-----------------|-------------------|
| Allan, Ms | Langdon, Mr |
| Andrews, Mr | Languiller, Mr |
| Barker, Ms | Lim, Mr |
| Batchelor, Mr | Lobato, Ms |
| Beattie, Ms | Maddigan, Mrs |
| Bracks, Mr | Marshall, Ms |
| Brooks, Mr | Merlino, Mr |
| Brumby, Mr | Morand, Ms |
| Cameron, Mr | Munt, Ms |
| Campbell, Ms | Nardella, Mr |
| Carli, Mr | Neville, Ms |
| Crisp, Mr | Northe, Mr |
| Crutchfield, Mr | Overington, Ms |
| D'Ambrosio, M | Pallas, Mr |
| Delahunty, Mrs | Pandazopoulos, Mr |
| Donnellan, Mr | Perera, Mr |
| Duncan, Ms | Pike, Ms |
| Eren, Mr | Powell, Mrs |
| Graley, Ms | Richardson, Ms |
| Green, Ms | Robinson, Mr |
| Haermeyer, Mr | Ryan, Mr |
| Hardman, Mr | Scott, Mr |
| Harkness, Dr | Seitz, Mr |
| Helper, Mr | Stensholt, Mr |
| Herbert, Mr | Sykes, Dr |
| Holding, Mr | Thomson, Ms |
| Howard, Mr | Thwaites, Mr |
| Hudson, Mr | Trezise, Mr |
| Hulls, Mr | Walsh, Mr |
| Jasper, Mr | Weller, Mr |
| Kosky, Ms | Wynne, Mr |

Noes, 24

- | | |
|---------------|-------------|
| Asher, Ms | Mulder, Mr |
| Baillieu, Mr | Naphine, Dr |
| Blackwood, Mr | O'Brien, Mr |

- | | |
|--------------|----------------|
| Burgess, Mr | Shardey, Mrs |
| Clark, Mr | Smith, Mr K. |
| Dixon, Mr | Smith, Mr R. |
| Fyffe, Mrs | Thompson, Mr |
| Hodgett, Mr | Tilley, Mr |
| Ingram, Mr | Victoria, Mrs |
| Kotsiras, Mr | Wakeling, Mr |
| McIntosh, Mr | Wells, Mr |
| Morris, Mr | Wooldridge, Ms |

Motion agreed to.

Read second time.

Consideration in detail

The DEPUTY SPEAKER — Order! Before I start requesting the moving of amendments, I note that the amendments are somewhat complicated, and they overlap in some areas. Prior to calling the member for Kew and the member for Gippsland East, I will give a brief statement as to what the clause is about. Clause 1 relates to the additional salary for the leader of the third party.

I call on the member for Kew to move the amendment in his name and note that if his amendment 1 fails, he cannot move amendments 2 to 5 inclusive, as they are consequential, and the member for Gippsland East cannot move amendments 3, 4, 5 and 16.

I therefore advise both members to speak to the principles of the amendments that deal with the additional salary of the leader of the third party in the Council. I will allow amendments that deal with the additional salary for the two chairpersons and deputy chairpersons to be moved later.

Clause 1

Mr McINTOSH (Kew) — I move:

1. Clause 1, line 3, omit "is —" and insert "is".

Our intention was to entirely omit clause 9 of the bill, which deals not only with the increase in salary for the leader of the third party but also with the increase in salaries for committee chairs and deputy chairs. The amendment was designed to be part of a package, but because of the way the amendments have fallen, I have moved this separately.

Mr INGRAM (Gippsland East) — The amendments proposed by the member for Kew and me deal with similar issues, so I will be supporting the member for Kew's amendment.

The Labor Party is riddled with factions. Labor has just got a new faction — the parliamentary perks faction —

and it is The Nationals! That is why I support the amendment of the member for Kew. When we grant pay rises to members of Parliament for the positions they take — and that includes the chair positions and a range of other extra benefits members get — we have to justify that. Members of the Labor Party and members of The Nationals have attempted to justify the additional salaries. They might be able to justify it to themselves. The problem is that we also have a responsibility to justify it to the people out there who are voting for us. I do not think we have done that, and that is why I support the member for Kew.

Mr RYAN (Leader of The Nationals) — I wish to speak to this clause. There are a number of features pertinent to it that bear consideration. The first thing is that I have heard the comments of the member for Gippsland East. One of the difficulties in considering the proposals he has advanced in this regard and in other respects is that his fixation on The Nationals and doing them what he regards as damage has just got the better of him and has clouded his judgement, to the point where the commentary he makes about matters generally, not only on this issue but also on affairs pertaining to The Nationals, really needs to be treated with a grain of salt.

The reality insofar as the amendments from both members are concerned is that it is 95 days since the last election. As at the eve of the last election the leader of the third party was being paid an amount of money which was reflective of a backbencher's salary plus an increment of 18 per cent. That was the package. What is happening today is that by the terms of this legislation, if it passes this house and is then passed in the other place, that situation will return to being the case. The status quo will be returned.

It is important to recognise that the position of the other parties in this place differs somewhat, subject to who they are and their structure, and the same applies to their members. From the perspective of The Nationals the critical thing with regard to this amendment is that we have representation in both chambers of the Parliament. We still have 11 members of course, which is why The Nationals are the recognised third party in the Parliament, and there is an interrelation between the membership across both the chambers. That is because obviously there needs to be a position put on behalf of the third party which is reflective of its views in relation to the different aspects of debate.

That means in turn that the person who is designated as the leader of our party in the Legislative Council must accordingly be across the totality of the position with regard to the party's interests, and that in turn involves

having to liaise and engage with all the spokespersons with regard to this other raft of areas where it has responsibilities. It plays out over areas such as the responsibility of the leader in the upper house for representing our interests in the new structure of that chamber. Things have changed there forever, of course. This is what the Labor Party wanted and now this is what it has got. I suppose it is reflective of the old Chinese proverb: you ought to be careful what you wish for. The Nationals, the third party, are represented in that chamber by their leader, who is a member of a party comprising 11 members in this Parliament. The Nationals are the recognised third party. There is nothing complex about this at all.

The other issue — and I reiterate the point I made before — is that this would be very different if the representation of the third party in the Parliament was simply by 11 members in the Legislative Assembly. We would not be having this conversation. In that instance there would be no justification — very obviously — for the provision of this clause, because as the Parliament is presently structured there would be no recognised third party. It would be unnecessary.

Further to that point, this is not a case of where the third-most-senior ranked member of our party, the third party, is in some way being the beneficiary of an arrangement. That is not the case either. The reality is that the third party of the Parliament is represented in both chambers of this Parliament. It is imperative that for the purposes of the interrelation between the two chambers the third party has its specified leader in the other place, and that all the workload and all the responsibilities that come with doing that job are appropriately reflected in the form of words constituting this amendment.

I say again that this is a return to the status quo and to a position which has applied for literally years. That is the beginning and end of the issue.

Mr BATCHELOR (Minister for Victorian Communities) — The issues here are quite simple. Before the last election The Nationals had 11 members in this Parliament. After the last election The Nationals still have 11 members. Before the last election the Leader of The Nationals in the other place was in the other place. After the election the Leader of The Nationals in the other place is still in the other place. The electors have spoken, and they have returned members of The Nationals to both chambers. That was the case before the election, and it is the case after the election.

We will not be supporting this amendment, because to do otherwise would not see a continuation of the status quo and would actually reflect a pay cut. That is what the Liberal Party is trying to perpetrate on The Nationals, based on nothing else but envy.

House divided on omission (members in favour vote no):

Ayes, 61

Allan, Ms	Languiller, Mr
Andrews, Mr	Lim, Mr
Batchelor, Mr	Lobato, Ms
Beattie, Ms	Maddigan, Mrs
Bracks, Mr	Marshall, Ms
Brooks, Mr	Merlino, Mr
Brumby, Mr	Morand, Ms
Cameron, Mr	Munt, Ms
Campbell, Ms	Nardella, Mr
Carli, Mr	Neville, Ms
Crisp, Mr	Northe, Mr
Crutchfield, Mr	Overington, Ms
D'Ambrosio, Mr	Pallas, Mr
Delahunty, Mr	Pandazopoulos, Mr
Donnellan, Mr	Perera, Mr
Duncan, Ms	Pike, Ms
Eren, Mr	Powell, Mrs
Graley, Ms	Richardson, Ms
Green, Ms	Robinson, Mr
Haermeyer, Mr	Ryan, Mr
Hardman, Mr	Scott, Mr
Harkness, Dr	Seitz, Mr
Helper, Mr	Stensholt, Mr
Herbert, Mr	Sykes, Dr
Holding, Mr	Thomson, Ms
Howard, Mr	Thwaites, Mr
Hudson, Mr	Trezise, Mr
Hulls, Mr	Walsh, Mr
Jasper, Mr	Weller, Mr
Kosky, Ms	Wynne, Mr
Langdon, Mr	

Noes, 24

Asher, Ms	Mulder, Mr
Baillieu, Mr	Naphine, Dr
Blackwood, Mr	O'Brien, Mr
Burgess, Mr	Shardey, Mrs
Clark, Mr	Smith, Mr K.
Dixon, Mr	Smith, Mr R.
Fyffe, Mrs	Thompson, Mr
Hodgett, Mr	Tilley, Mr
Ingram, Mr	Victoria, Mrs
Kotsiras, Mr	Wakeling, Mr
McIntosh, Mr	Wells, Mr
Morris, Mr	Wooldridge, Ms

Amendment defeated.

The DEPUTY SPEAKER — Order! Before calling the member for Gippsland East I will indicate that the next amendment we will be discussing is in relation to adding a public works function to the Economic Development and Infrastructure Committee. Also

before calling the member for Gippsland East to move amendment 1, I advise that if this amendment is not agreed to, the member cannot move amendments 7, 8, 9, 10, 11, 12, 15 and 19 because they are all consequential. Accordingly the Chair's view is that the member should address the principles of all those amendments rather than limiting himself to amendment 1.

Mr INGRAM (Gippsland East) — I move:

1. Clause 1, line 8, omit "and Infrastructure" and insert " , Infrastructure and Public Works".

Basically what this does is put a public works function into the Economic Development and Infrastructure Committee. Our Parliament has previously had a public works committee. From 1958 through to the early years of the Cain government we had a Public Works Committee. Obviously governments do not like scrutiny of public infrastructure spending so we can see whether we have got value for money out of the expenditure of that money. Every other mainland state in Australia has a public works committee except Western Australia. It is an important committee which our Parliament should have. That is the reason I have attempted to do it here. I see the public works and infrastructure committee traditionally as a scrutiny committee along the lines of the Public Accounts and Estimates Committee or the Scrutiny of Acts and Regulation Committee.

If we go through the amendments listed under my name — and I know we will potentially lose some of the others — we see there are a number of additional powers that a public works committee needs to have. In my view it needs the ability to make its own references and to determine within the committee structure what projects it will investigate. If you look at some of the projects we have had in the last few years, you will see a committee like this could have the potential to investigate the need for toxic waste containment and its siting arrangements, and things like trying to get a bipartisan position on the need for a project like that before the government decides to go it alone.

I understand governments do not like the idea of giving committees like this power. Traditionally I know that governments are removed. If we had had this sort of committee, maybe some of the failures of this and other governments in public works and infrastructure might have been avoided, because you have that scrutiny provision within the committee.

The additional powers include the committee setting out what it has to look at, because it will not necessarily be a reference from the Parliament or from the

executive. It also has additional functions. Basically it sets out exactly what elements of a project it decides should be referred for investigation — things like the stated purpose of the work, the necessary advisory component of constructing the work, if the work purports to be of a revenue-producing character, what sort of revenue might come out of it, the environmental impacts of the work and the value of the work.

I spoke to some committee staff from other Australian parliaments on this issue, and in some other states the committees have specific powers. Some other parliaments are able to stop the procurement of goods while its committee is investigating the project. The provisions, if the amendment is agreed to, will be very similar to the South Australian provisions — and I have looked at the provisions in other states.

I would like to think that this Parliament will establish a public works function or a public infrastructure committee function. Personally I would prefer to have a stand-alone committee with a straight public infrastructure/public works function, but that would require an appropriation and as a non-government member, I could not move that amendment. This amendment deserves consideration, which is the reason the amendment proposes to incorporate this function within the former Economic Development Committee.

I think this is a first step. It would be good to include that public works function within the new Economic Development and Infrastructure Committee, which is why I have moved the amendments.

Mr McINTOSH (Kew) — Very briefly, the Liberal Party will be supporting the amendment. One aspect of this raises a matter of significance for this house, which as I understand it from the amendments which the member for Gippsland East is moving, is essentially the power for a parliamentary committee to direct references to itself. I think that is a very important power, and I have seen it in operation elsewhere. Most importantly, that power to self-reference is a significant advance in relation to democracy in this state and in holding the executive accountable to Parliament. The Liberal Party will be supporting that in principle.

Mr BATCHELOR (Minister for Victorian Communities) — The government will not be supporting this amendment that has been moved by the member for Gippsland East. In fact, the amendment is superfluous, because the changes contained in the amending bill expand the functions of the Economic Development Committee to include infrastructure. In that context there is no need to include public works, because public works, in its traditional narrow sense,

would be restricting what the committee would be able to examine under the government's proposals.

We are happy to have a parliamentary committee that deals with economic development, including examination of infrastructure. Any examination of infrastructure should not be constricted or constrained to the narrow definition that would flow from it being an economic development and a public works committee. In that context the government believes that the new committee will be more aptly titled the Economic Development and Infrastructure Committee. Our proposal is more accurate; it is a wider reference. That is why we will be continuing to support it.

House divided on omission (members in favour vote no):

Ayes, 61

- | | |
|-----------------|-------------------|
| Allan, Ms | Languiller, Mr |
| Andrews, Mr | Lim, Mr |
| Batchelor, Mr | Lobato, Ms |
| Beattie, Ms | Maddigan, Mrs |
| Bracks, Mr | Marshall, Ms |
| Brooks, Mr | Merlino, Mr |
| Brumby, Mr | Morand, Ms |
| Cameron, Mr | Munt, Ms |
| Campbell, Ms | Nardella, Mr |
| Carli, Mr | Neville, Ms |
| Crisp, Mr | Northe, Mr |
| Crutchfield, Mr | Overington, Ms |
| D'Ambrosio, Ms | Pallas, Mr |
| Delahunty, Mr | Pandazopoulos, Mr |
| Donnellan, Mr | Perera, Mr |
| Duncan, Ms | Pike, Ms |
| Eren, Mr | Powell, Mrs |
| Graley, Ms | Richardson, Ms |
| Green, Ms | Robinson, Mr |
| Haermeyer, Mr | Ryan, Mr |
| Hardman, Mr | Scott, Mr |
| Harkness, Dr | Seitz, Mr |
| Helper, Mr | Stensholt, Mr |
| Herbert, Mr | Sykes, Dr |
| Holding, Mr | Thomson, Ms |
| Howard, Mr | Thwaites, Mr |
| Hudson, Mr | Trezise, Mr |
| Hulls, Mr | Walsh, Mr |
| Jasper, Mr | Weller, Mr |
| Kosky, Ms | Wynne, Mr |
| Langdon, Mr | |

Noes, 24

- | | |
|---------------|---------------|
| Asher, Ms | Mulder, Mr |
| Baillieu, Mr | Naphine, Dr |
| Blackwood, Mr | O'Brien, Mr |
| Burgess, Mr | Shardey, Mrs |
| Clark, Mr | Smith, Mr K. |
| Dixon, Mr | Smith, Mr R. |
| Fyffe, Mrs | Thompson, Mr |
| Hodgett, Mr | Tilley, Mr |
| Ingram, Mr | Victoria, Mrs |
| Kotsiras, Mr | Wakeling, Mr |

McIntosh, Mr
Morris, Mr

Wells, Mr
Wooldridge, Ms

Amendment defeated.

The DEPUTY SPEAKER — Order! We will now deal with the amendment requiring committees to have a majority of non-government members. I call on the member for Gippsland East to move amendment 2 standing in his name and advise that, if he loses this amendment, he cannot move amendments 13 and 14, as they are consequential. He should therefore address the principles of all those amendments when moving amendment 2.

Mr INGRAM (Gippsland East) — I move:

2. Clause 1, page 2, line 7, after “Committee” insert “and restrict the representation on certain of those Committees of members of the party or parties forming the Government”.

As indicated, a number of the amendments proposed by the member for Kew and by me do similar things. The amendments to be moved by the member for Kew go further, and we will deal with those at a later date. This amendment would insert a new provision in clause 1 to restrict the representation of government members on certain of the committees. It would mean that more than half the members on a number of the scrutiny committees would be non-government members. With this amendment I was looking at the Public Accounts and Estimates Committee and the Scrutiny of Acts and Regulations Committee. A later amendment deals with the public works element I wanted to bring into the Economic Development and Infrastructure Committee.

Basically those important scrutiny of government committees should have at least an equal number of government and non-government members, or in my view a majority of non-government members, so that the committees have the ability to determine which references they give greater priority to within the committee structure.

The committee system, as other speakers have indicated, is a very important part of this Parliament, in that it makes sure the government is held to account. The amendments proposed by the member for Kew and me would improve the democratic process within those committees. Following the reforms to the upper house, this is something the community would expect. They would expect to see a committee system that has greater powers and greater capacities rather than seeing those powers being limited to the committees that are formed in the other place.

This is an important amendment. I thank the member for Kew for proposing similar amendments and supporting the position I have taken.

Mr McINTOSH (Kew) — The Liberal Party supports the amendment moved by the member for Gippsland East. His amendments go slightly further than the amendments we originally proposed, which only relate to the Public Accounts and Estimates Committee (PAEC) and the Scrutiny of Acts and Regulations Committee (SARC), but any advancement of the notions of independence, democracy and, most importantly, accountability would be supported by the Liberal Party.

Whatever the other committees may do, the Public Accounts and Estimates Committee and the Scrutiny of Acts and Regulations Committee really relate to what we do here as members of Parliament. The Public Accounts and Estimates Committee is about the expenditure of public moneys and about holding the executive accountable to the Parliament. Likewise the Scrutiny of Acts and Regulations Committee scrutinises every piece of legislation with respect to a number of important functions.

Firstly, under the Parliamentary Committees Act there are various references relating to the rights and privileges of individual citizens as well as this Parliament. The committee will also have a new power which relates to scrutinising legislation in relation to the charter of human rights. While we may differ about the necessity for a charter of human rights, it will certainly be an important function for SARC. Every minister is required to table a statement of compatibility before giving the second-reading speech, and that should be independently scrutinised by the Scrutiny of Acts and Regulations Committee. Also, to provide true accountability, true credibility and true independence, it should be clearly separate from the executive. In respect of SARC, the majority of its members should be from a non-government party to give it that degree of independence.

The situation is similar for the Public Accounts and Estimates Committee. Anybody who closely examined my contribution on the subject of the PAEC would recall that I said the relationship between that committee and this place bears little resemblance to the relationships between other public accounts and estimates committees and their parliaments, including the committee’s counterpart in Canberra. More importantly it bears no resemblance to the relationship between the United Kingdom estimates committee and the UK Parliament. That committee is truly

independent and holds the government accountable, almost on a daily basis.

The chair of that estimates committee is a member of the official opposition, in line with the constitutional convention in that country. That committee reports that all 70 government ministers appear before it at length at least once a month during the course of a sitting period. I would like to see that degree of accountability come into this place, and with that in mind we support the amendment moved by the member for Gippsland East.

Mr BATCHELOR (Minister for Victorian Communities) — The government will not be accepting either the amendment proposed by the member for Gippsland East or the more extreme amendment proposed by the member for Kew.

I was listening very carefully to the contribution by the member for Kew, and perhaps the government's reluctance to support these amendments relates not to what is intended by their respective wording, particularly the amendment proposed by the member for Kew, but rather to what he said. The member for Kew said he wanted to see a system where parliamentary committees — and he identified two in particular, the Scrutiny of Acts and Regulations Committee and the Public Accounts and Estimates Committee, which we all agree are the two most important parliamentary committees — have a majority of members from non-government parties.

The member for Gippsland East has a slight variation on that. He wants to have a majority of non-government members on the lead committees. It is a very subtle but very important distinction. That underlines why we will not support the amendment. The member for Kew is really saying that parliamentary committees ought to reject the term 'parliamentary' — that is, they should not reflect the recent election and they should not reflect the composition of the Parliament as a whole but be beholden to a minority party. He is saying that the parliamentary committees, or at least those two he has identified — SARC and the PAEC — should be controlled by Liberal Party majorities. That is what he said in his contribution today.

We would reject that for the obvious reason that parliamentary committees should reflect the composition of the Parliament. It is why we changed the voting system in the upper house. We believe the upper house should be represented in proportion to the votes members gained at the election. The Liberal Party has opposed it there in a whole range of areas, but here they are today speaking of the control of the committees notwithstanding the fact that they lost the

election, and they are trying to get representation on parliamentary committees above and beyond the support that they got at the last election — that is, they want to overturn the democratic result of the election.

I can understand that they were not happy with it, but it was the will of the people. The people have spoken, but the Liberal Party now wants to overturn that and have some antidemocratic processes where the losers of the election get control of the committees. That is untenable, and we will not be supporting the amendment.

Mr McINTOSH (Kew) — Very briefly, we have heard the weasel words from the Leader of the House. Regrettably he has chosen to ignore that this is not the Liberal Party's amendment; indeed, it is the amendment proposed by the member for Gippsland East. If he actually chose to read the amendment that has been moved, which is the nature of this debate; and if he chose to read the amendment proposed by me and by the Liberal Party, he would see they talk about members of those committees who are not members of the government parties.

I was at pains to point out at the time that it may indeed mean that the member for Gippsland East, being an Independent member, could also take his place. It is not about control by the Liberal Party; it is about accountability and about parliamentary democracy. Perhaps the Leader of the House should not just misrepresent it for some cheap political trick.

House divided on amendment:

Ayes, 24

Asher, Ms
Baillieu, Mr
Blackwood, Mr
Burgess, Mr
Clark, Mr
Dixon, Mr
Fyffe, Mrs
Hodgett, Mr
Ingram, Mr
Kotsiras, Mr
McIntosh, Mr
Morris, Mr

Mulder, Mr
Naphine, Dr
O'Brien, Mr
Shardey, Mrs
Smith, Mr K.
Smith, Mr R.
Thompson, Mr
Tilley, Mr
Victoria, Mrs
Wakeling, Mr
Wells, Mr
Wooldridge, Ms

Noes, 61

Allan, Ms
Andrews, Mr
Batchelor, Mr
Beattie, Ms
Bracks, Mr
Brooks, Mr
Brumby, Mr
Cameron, Mr
Carli, Mr
Crisp, Mr

Lim, Mr
Lobato, Ms
Lupton, Mr
Maddigan, Mrs
Marshall, Ms
Merlino, Mr
Morand, Ms
Munt, Ms
Nardella, Mr
Neville, Ms

Crutchfield, Mr	Northe, Mr
D'Ambrosio, Ms	Overington, Ms
Delahunty, Mr	Pallas, Mr
Donnellan, Mr	Pandazopoulos, Mr
Duncan, Ms	Perera, Mr
Eren, Mr	Pike, Ms
Graley, Ms	Powell, Mrs
Green, Ms	Richardson, Ms
Haermeyer, Mr	Robinson, Mr
Hardman, Mr	Ryan, Mr
Harkness, Dr	Scott, Mr
Helper, Mr	Seitz, Mr
Herbert, Mr	Stensholt, Mr
Holding, Mr	Sykes, Dr
Howard, Mr	Thomson, Ms
Hudson, Mr	Thwaites, Mr
Hulls, Mr	Trezise, Mr
Jasper, Mr	Walsh, Mr
Kosky, Ms	Weller, Mr
Langdon, Mr	Wynne, Mr
Languiller, Mr	

Amendment defeated.

The DEPUTY SPEAKER — Order! We will now deal with the amendment requiring committees to have a non-government chair. As a consequence of the member for Gippsland East's amendment failing, I advise that the member for Kew may only move his amendment 6 in an amended form, as part of the amendment as circulated was consequential on the amendment now lost.

Mr McINTOSH (Kew) — I move amendment 6 in an amended form, namely:

6. Clause 1, page 2, after line 7 insert —

“(d) require that the Chairperson of the Public Accounts and Estimates Committee and the Scrutiny of Acts and Regulations Committee must not be members of the party or parties forming the Government.”.

In relation to this matter, this is not just about the number of members on the committee — and for the benefit of the Leader of the House, it is not about the Liberal Party securing its own power — it is about giving everybody an opportunity so long as they are not members of a government party.

If the Leader of the House had looked at parliaments around the world, particularly the Parliament of the United Kingdom, he would have seen that important committees such as public accounts committees and perhaps scrutiny committees are by constitutional convention always chaired by a person who represents one of the opposition parties or by an Independent. Most importantly it seems to me that again we are talking about accountability, about parliamentary democracy, and we are also talking about democracy based upon a parliamentary system where the executive

government is responsible to this place and therefore to the people of Victoria through this place.

Mr INGRAM (Gippsland East) — I will be supporting the member for Kew's amendment. When you have been in this Parliament for a while it is interesting to hear members stand up and try to justify doing something because someone else or another government might have done it previously. They say, ‘That is what we are going to do’, but that does not mean it is right.

The member for Brighton read extracts from some speeches that she had had to sit and listen to. I think they were by a previous Labor member who was criticising the then Kennett government for doing exactly what the current government is doing. There is a bit of *deja vu* about those criticisms. There are legitimate criticisms when government members say, ‘Because we have the numbers it is okay to go through and do this’. I think the committee structure is important, and that is why the Liberal Party and I are taking these amendments very seriously.

If a government does not control both houses of Parliament, I suggest that is the time when you should get the outcomes that are important, particularly when chairs of parliamentary committees are not necessarily all members of the government, or when the government does not always have the numbers on most or nearly all of the committees. That is why I am supporting these amendments, and I wish that the government would also support them.

Mr BATCHELOR (Minister for Victorian Communities) — The government will not be supporting the amendment that has been put forward by the member for Kew. We do not support it because we believe individual committees should determine who should be the chair. We will not act like the previous Liberal government did when the Law Reform Committee elected the member for Murray Valley as chair. If that happened, we would allow that to continue. What happened then was that the individual members of the Law Reform Committee elected the member for Murray Valley as chair of the committee, as I recall —

Ms Asher interjected.

Mr BATCHELOR — What was it?

Ms Asher interjected.

Mr BATCHELOR — I think it was, because it was Victor Perton who was subsequently used to dethrone the member for Murray Valley. Irrespective of which

committee it was, the circumstances are correct as I described them earlier on. Government members believe in the principle that committee members should have the right to choose the chair of their committees. But what really lies behind this amendment from the Liberal Party — and I thought the member for Gippsland East would have seen this and been alerted to it — is that it is a sneaky and cunning manoeuvre for members of the Liberal Party to get the higher paid jobs. They know that later on members of those two committees will get salary increases because of movements that are coming, so they say, ‘Those salary increases ought to be reserved for the Liberal Party’ — and government members reject that.

Mr INGRAM (Gippsland East) — I do not think some of those comments should go unchallenged. Whilst the tradition in this place is that the members of committees do elect their chairs, I think a fair few of the factional warlords around this place would question why they have spilt all the blood within the factions over the last few months to select who should get some of these plum jobs. It is all very well for the Leader of the House to say we have to allow the committees to decide who should be elected as chairs, but everyone in this place — and most of the people outside it — know that that is not how it has been done or how it will be done. The chairs are pretty well decided, and if anyone votes differently, like the honourable member indicated earlier, they would be dealt with very seriously, like when the member for Murray Valley, who was probably — —

Honourable members interjecting.

Mr INGRAM — A number of people would have said they would have supported the member for Murray Valley as a very good chair, because they would have known that he would have done his duty very well. That is the issue. I do not think those comments by the Leader of the House can go unchallenged.

House divided on amendment:

Ayes, 24

Asher, Ms	Mulder, Mr
Baillieu, Mr	Napthine, Dr
Blackwood, Mr	O’Brien, Mr
Burgess, Mr	Shardey, Mrs
Clark, Mr	Smith, Mr K.
Dixon, Mr	Smith, Mr R.
Fyffe, Mrs	Thompson, Mr
Hodgett, Mr	Tilley, Mr
Ingram, Mr	Victoria, Mrs
Kotsiras, Mr	Wakeling, Mr
McIntosh, Mr	Wells, Mr
Morris, Mr	Wooldridge, Ms

Noes, 60

Allan, Ms	Languiller, Mr
Andrews, Mr	Lim, Mr
Batchelor, Mr	Lobato, Ms
Beattie, Ms	Lupton, Mr
Bracks, Mr	Maddigan, Mrs
Brooks, Mr	Marshall, Ms
Brumby, Mr	Merlino, Mr
Cameron, Mr	Morand, Ms
Carli, Mr	Munt, Ms
Crisp, Mr	Nardella, Mr
Crutchfield, Mr	Neville, Ms
D’Ambrosio, Ms	Northe, Mr
Delahunty, Mr	Overington, Ms
Donnellan, Mr	Pallas, Mr
Duncan, Ms	Pandazopoulos, Mr
Eren, Mr	Perera, Mr
Graley, Ms	Pike, Ms
Green, Ms	Powell, Mrs
Haermeyer, Mr	Robinson, Mr
Hardman, Mr	Ryan, Mr
Harkness, Dr	Scott, Mr
Helper, Mr	Seitz, Mr
Herbert, Mr	Stensholt, Mr
Holding, Mr	Sykes, Dr
Howard, Mr	Thomson, Ms
Hudson, Mr	Thwaites, Mr
Hulls, Mr	Treize, Mr
Jasper, Mr	Walsh, Mr
Kosky, Ms	Weller, Mr
Langdon, Mr	Wynne, Mr

Amendment defeated.

The DEPUTY SPEAKER — Order! As the house has not agreed to the amendment, the member for Kew will not be able to move amendments 8, 9 and 13, as they are consequential. We will now deal with the amendments removing the additional salary for the two chairpersons. I advise the member for Kew that he can now move amendment 7 only in an amended form, as part of the amendment as circulated fails, being consequential on an amendment already defeated. I call the member for Kew to move amendment 7 in an amended form.

Mr McINTOSH (Kew) — I move amendment 7 in an amended form, namely:

7. Clause 1, page 2, lines 15 to 20, omit “for an increased amount of additional salary for the Chairperson of the Public Accounts and Estimates Committee and the Chairperson of the Scrutiny of Acts and Regulations Committee and”.

This is really what I can perhaps flippantly call the money shot. It is the very essence of what we find offensive about this.

In reality this is just part of a factional deal inside the Labor Party. As I pointed out, of the 74 members of the Australian Labor Party who are sitting in this chamber

or elsewhere, some 53 have got a salary increase as a result of jobs for the boys. Some 72 per cent of Labor Party members have got some form of additional salary, be it from ministers right down to chairs of these two committees. Certainly, one would have expected with the salary — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I am sorry to interrupt the member for Kew, but I say to those on the government benches that from my position here the conversation is extremely loud, and I cannot hear the member for Kew, so I ask members to please be quiet.

Mr McINTOSH — In relation to this amount of money, somebody would have expected a better case than just to say, ‘They are busy, important committees’. What should have happened is that a business case, as we heard from one minister today, ought to have been made out as to the justification for a salary increase. That has not been made out. It just appears to be jobs for the boys; it appears to be part of a factional deal to keep people from the last Parliament quiet while they get duded.

Mr BATCHELOR (Minister for Victorian Communities) — The government will not be supporting this amendment which has been moved on crude, unbridled envy — nothing more, nothing less. It is a disgraceful attempt, and it now follows on from the previous amendment moved by the member for Kew, in which his party said it wanted the positions; now they are saying, given that they have lost that amendment, that if they cannot have it, they do not want the well-deserved pay increases that will be going to these two members going forward. As I said, it is crude, unbridled envy and we will not be part of it.

The DEPUTY SPEAKER — Order! Because this amendment deletes words from the clause, the question is that the words proposed to be omitted stand part of the clause. All those supporting the amendment should vote no.

House divided on omission (members in favour vote no):

Ayes, 59

Allan, Ms	Lim, Mr
Andrews, Mr	Lobato, Ms
Batchelor, Mr	Lupton, Mr
Bracks, Mr	Maddigan, Mrs
Brooks, Mr	Marshall, Ms
Brumby, Mr	Merlino, Mr
Cameron, Mr	Morand, Ms
Carli, Mr	Munt, Ms
Crisp, Mr	Nardella, Mr

Crutchfield, Mr	Neville, Ms
D’Ambrosio, Ms	Northe, Mr
Delahunty, Mr	Overington, Ms
Donnellan, Mr	Pallas, Mr
Duncan, Ms	Pandazopoulos, Mr
Eren, Mr	Perera, Mr
Graley, Ms	Pike, Ms
Green, Ms	Powell, Mrs
Haermeyer, Mr	Robinson, Mr
Hardman, Mr	Ryan, Mr
Harkness, Dr	Scott, Mr
Helper, Mr	Seitz, Mr
Herbert, Mr	Stensholt, Mr
Holding, Mr	Sykes, Dr
Howard, Mr	Thomson, Ms
Hudson, Mr	Thwaites, Mr
Hulls, Mr	Trezise, Mr
Jasper, Mr	Walsh, Mr
Kosky, Ms	Weller, Mr
Langdon, Mr	Wynne, Mr
Languiller, Mr	

Noes, 24

Asher, Ms	Mulder, Mr
Baillieu, Mr	Naphine, Dr
Blackwood, Mr	O’Brien, Mr
Burgess, Mr	Shardey, Mrs
Clark, Mr	Smith, Mr K.
Dixon, Mr	Smith, Mr R.
Fyffe, Mrs	Thompson, Mr
Hodgett, Mr	Tilley, Mr
Ingram, Mr	Victoria, Mrs
Kotsiras, Mr	Wakeling, Mr
McIntosh, Mr	Wells, Mr
Morris, Mr	Wooldridge, Ms

Amendment defeated.

The DEPUTY SPEAKER — Order! As the house has not agreed to the amendment, the member for Kew will not be able to move amendments 10, 12 and 14 in his name as they are consequential.

We will now deal with the amendment for the removal of an additional salary for the two deputy chairpersons referred to in clause 1. I call on the member for Gippsland East to move amendment 6 in his name and advise that if he loses on this amendment he cannot move amendments 17 and 18 as they are consequential. He should therefore address the principles of all those amendments when moving amendment 6.

Mr INGRAM (Gippsland East) — I move:

- Clause 1, page 2, lines 20 to 23, omit “and an entitlement to additional salary for the Deputy Chairperson of each of those Committees”.

I will speak briefly on the amendment, which I touched on during debate on the previous amendment. When we are dishing out additional salary to deputy chairpersons of committees I think we have to justify that to the public, and I do not think we have necessarily done so.

I have no problem with the chairpersons of committees receiving adequate pay, because they play a significant role, but I have been a deputy chairperson on a committee and I believe that is part of the role of a member of Parliament serving on a committee. The remuneration from a normal backbench salary covers that role, and that is why I have moved this amendment.

Mr BATCHELOR (Minister for Victorian Communities) — The government will not be supporting this amendment. It will be watching which way the Liberal Party votes on this because it goes right to the question of what the member for Scoresby will be doing and what Mrs Peulich, a member for South Eastern Metropolitan Region in another place, will be doing in terms of whether they will be going for the deputy chair positions on the two committees referred to. The Liberal Party has not foreshadowed or flagged its intention in relation to this amendment, but if it supports the member for Gippsland East, that would rule out those two members and others from the Liberal Party from standing for those two deputy positions because it would place them in a hypocritical position.

Mr K. Smith interjected.

Mr BATCHELOR — The member for Bass cannot see the obvious hypocrisy there, but I can assure him that everybody else can.

Amendment defeated; clause agreed to; clauses 2 to 8 agreed to.

Clause 9

The DEPUTY SPEAKER — Order! The question is:

That clause 9 stand part of the bill.

House divided on clause:

Ayes, 57

Allan, Ms	Lobato, Ms
Andrews, Mr	Lupton, Mr
Batchelor, Mr	Maddigan, Mrs
Bracks, Mr	Marshall, Ms
Brumby, Mr	Merlino, Mr
Cameron, Mr	Morand, Ms
Carli, Mr	Munt, Ms
Crisp, Mr	Nardella, Mr
Crutchfield, Mr	Neville, Ms
D'Ambrosio, Ms	Northe, Mr
Delahunty, Mr	Overington, Ms
Duncan, Ms	Pallas, Mr
Eren, Mr	Pandazopoulos, Mr
Graley, Ms	Perera, Mr
Green, Ms	Pike, Ms
Haermeyer, Mr	Powell, Mrs
Hardman, Mr	Robinson, Mr

Harkness, Dr
 Helper, Mr
 Herbert, Mr
 Holding, Mr
 Howard, Mr
 Hudson, Mr
 Hulls, Mr
 Jasper, Mr
 Kosky, Ms
 Langdon, Mr
 Languiller, Mr
 Lim, Mr

Ryan, Mr
 Scott, Mr
 Seitz, Mr
 Stensholt, Mr
 Sykes, Dr
 Thomson, Ms
 Thwaites, Mr
 Trezise, Mr
 Walsh, Mr
 Weller, Mr
 Wynne, Mr

Noes, 24

Asher, Ms
 Baillieu, Mr
 Blackwood, Mr
 Burgess, Mr
 Clark, Mr
 Dixon, Mr
 Fyffe, Mrs
 Hodgett, Mr
 Ingram, Mr
 Kotsiras, Mr
 McIntosh, Mr
 Morris, Mr

Mulder, Mr
 Naphine, Dr
 O'Brien, Mr
 Shardey, Mrs
 Smith, Mr K.
 Smith, Mr R.
 Thompson, Mr
 Tilley, Mr
 Victoria, Mrs
 Wakeling, Mr
 Wells, Mr
 Wooldridge, Ms

Clause agreed to.

Clause 10 agreed to.

Bill agreed to without amendment.

Remaining stages

Passed remaining stages.

Sitting suspended 6.28 p.m. until 8.03 p.m.

NUCLEAR ACTIVITIES (PROHIBITIONS) AMENDMENT (PLEBISCITE) BILL

Statement of compatibility

Mr BATCHELOR (Minister for Energy and Resources) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act, I make this statement of compatibility with respect to the Nuclear Activities (Prohibitions) Amendment (Plebiscite) Bill 2007.

In my opinion, the Nuclear Activities (Prohibitions) Amendment (Plebiscite) Bill 2007, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter. I base my opinion on the reasons outlined in this statement.

Overview of bill

The bill amends the Nuclear Activities (Prohibitions) Act 1983 to facilitate the holding of a plebiscite in Victoria in the event that the commonwealth government takes action to support or allow the constructions of a prohibited nuclear facility in Victoria. A plebiscite may be conducted as an attendance ballot or by postal voting only. In the case of an attendance ballot, the bill applies the provisions of the Electoral Act 2002 relating to referendums. In the case of a ballot by postal voting only, the bill applies the postal voting provisions of the Local Government Act 1989 and the Local Government (Electoral) Regulations 2005.

Human rights issues

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

Section 18 (1) of the Charter of Human Rights and Responsibilities provides that every person in Victoria has the right, and is to have the opportunity, without discrimination, to participate in the conduct of public affairs, directly or through freely chosen representatives. The United Nations Human Rights Committee considers voting in an election or referendum to be an example of this right.

The bill is compatible with this right because it will enable Victorians to vote, without discrimination, on an issue of public importance.

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

The bill does not restrict or limit the above right but rather enhances it.

Conclusion

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

PETER BATCHELOR, MLA
Minister for Energy and Resources

Second reading

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

That this bill be now read a second time.

This bill provides for the holding of a plebiscite of Victorian voters if the commonwealth government takes action to support or allow construction of a nuclear facility in this state.

Such facilities are banned in Victoria under the Nuclear Activities (Prohibitions) Act 1983 which became law under a Labor state government. The bill will amend that act to ensure the voice of all Victorians will be heard if the commonwealth tries to ignore this state's nuclear free laws.

The government is opposed to the introduction of nuclear power in Victoria. Electricity produced from

nuclear generation may be effectively carbon free, but high capital costs, long-term waste storage problems, security concerns and high water usage remain significant hurdles.

The government believes that if the Victorian people vote against nuclear power in this state, it will be morally reprehensible for the commonwealth to proceed along that path.

There are alternative sources of energy that offer better opportunities for the future and that will not leave a legacy of health and safety problems for our children and grandchildren. Rather than relying on a single technology to meet the needs of a carbon constrained future, the government is adopting a portfolio of technologies.

The government is supporting, for example, the demonstration of clean coal technology at Hazelwood power station, the demonstration of a large solar plant in north-west Victoria, a trial of carbon storage in the Otway Basin, and the deployment of renewable energy through the Victorian renewable energy target scheme.

I now turn to the features of the bill.

The bill will insert a new part III into the Nuclear Activities (Prohibitions) Act 1983. That part will apply if the minister administering the act is satisfied that the commonwealth government has taken, or is likely to take, any step to support or allow construction of a prohibited nuclear facility in Victoria.

Under the new section 12 amending a commonwealth law, exercising a statutory power or adopting a policy position in favour of construction of a prohibited nuclear facility in Victoria will be a step that will attract the operation of the new part III.

The new section 14 requires the minister to arrange for the conduct of a plebiscite to obtain the views of Victorians about the construction or operation of a prohibited nuclear facility in this state. The minister will determine the timing of the plebiscite and the question to be asked.

The minister will also decide whether a plebiscite is to be held as an attendance ballot or by postal voting only. A plebiscite may be held in conjunction with a future state election.

Under the new section 14A the provisions of the Electoral Act 2002 relating to referendums are adapted and applied for the purposes of a plebiscite, including preparation of arguments to assist voters.

The new section 14B adapts and applies the postal voting provisions of the Local Government Act 1989 and the Local Government (Electoral) Regulations 2005.

The government believes plebiscites should be used sparingly. They may be appropriate for issues that raise concerns about sovereignty or are of constitutional significance. We consider that the introduction of nuclear power in Victoria is such a matter. It comes at a time when the commonwealth is failing to respect the boundaries of our federal system of government. It is an exceptional situation that warrants the amendments contained in this bill.

I commend the bill to the house.

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

Debate adjourned until Wednesday, 14 March.

MAJOR EVENTS (AERIAL ADVERTISING) BILL

Statement of compatibility

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act, I make this statement of compatibility with respect to the Major Events (Aerial Advertising) Bill 2007.

In my opinion, the Major Events (Aerial Advertising) Bill 2007, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter. I base my opinion on the reasons outlined in this statement.

Overview of the bill

The purpose of the Major Events (Aerial Advertising) Bill 2007 is to prohibit aerial ambush marketing at major events in Victoria.

The bill requires commercial aerial advertising at specified events to be authorised, and makes it an offence to undertake unauthorised commercial aerial advertising in airspace within sight of the venues for those events.

The events which have been specified in the legislation are: the Boxing Day Test, the Australian Open Tennis Championships, the Australian Formula One Grand Prix, the Australian Motorcycle Grand Prix, the AFL Grand Final and specified race days during the Spring Racing Carnival. The bill provides that additional major events may be made subject to the legislation by Governor in Council order.

Further, the bill provides civil remedies in relation to aerial ambush marketing, namely the ability for the state or event organisers to seek injunctions and for a person to take action for damages.

The objective of these criminal and civil measures is to ensure that Victoria can provide an attractive commercial environment for the sponsors and promoters of its major events, and can retain its competitive advantage in the major events industry.

The major events sector is a vital segment of the Victorian economy. Major events are estimated to generate an economic benefit to the state of over \$1 billion per year. They are also an important component of the government's strategy to promote Victoria as a place to live, work and do business.

The investment of sponsors is crucial to the viability of events. Sponsors invest significant sums of money in exchange for valuable marketing opportunities and high levels of exposure at events, in some cases including television coverage to millions of viewers around the world.

Aerial ambush marketing is an unfair practice that enables rival companies, which have not paid for sponsorship rights, effectively to take a 'free ride' and exploit these opportunities.

This undermines the value of the advertising rights bought by official event sponsors. As a result, there is a risk that sponsors could withdraw their support for future events, which would impact on event revenue streams, or that international rights holders could withdraw events from Victoria altogether.

Ultimately this would damage Victoria's reputation as Australia's leading host of major events.

The controls being imposed by the bill are designed to provide a strong deterrent to aerial ambush marketing at specified major events in Victoria. The controls only relate to aerial advertising of a commercial nature. Aerial advertising of a non-commercial nature — for example, an individual making a personal statement that is not designed to sell or publicise goods or services — is not subject to the bill.

Human rights issues

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

The Major Events (Aerial Advertising) Bill 2007 makes it an offence to display commercial aerial advertising without authorisation.

The principal relevant right under the Charter of Human Rights and Responsibilities upon which the bill would have an impact is identified as:

s. 15: Freedom of expression.

- (1) Every person has the right to hold an opinion without interference.
- (2) Every person has the right to freedom of expression which includes the freedom to seek, receive and impart information and ideas of all kinds, whether within or outside Victoria and whether —

- (a) orally; or
 - (b) in writing; or
 - (c) in print; or
 - (d) by way of art; or
 - (e) in another medium chosen by him or her.
- (3) Special duties and responsibilities are attached to the right of freedom of expression and the right may be subject to lawful restrictions reasonably necessary —
- (a) to respect the rights and reputation of other persons; or
 - (b) for the protection of national security, public order, public health or public morality.

An additional relevant right under the charter which was raised by the bill was identified as:

s. 20: Property rights

A person must not be deprived of his or her property other than in accordance with law.

The bill is relevant to this human right to the extent that it enables authorised officers to apply to a magistrate for a search warrant to enter specified premises and to search for and seize items that are reasonably believed to be connected with an offence under the bill.

These powers are part of a comprehensive enforcement scheme set out in the bill. Their inclusion in the bill is necessary to ensure that authorised officers have the powers required to investigate and gather evidence relevant to suspected offences under the bill.

In any application for a warrant, an authorised officer must demonstrate the need to exercise these powers in specific circumstances and must exercise the powers in accordance with the directions of the Magistrates Court.

The requirement for powers of entry, search and seizure to be exercised with a warrant is intended to ensure that these powers are exercised with due process and restraint, and that deprivation of property in these circumstances is not arbitrary and is undertaken in accordance with law.

It is therefore considered that the human right relating to property as expressed in section 20 of the charter, while relevant to the bill and requiring consideration, is not limited, restricted or interfered with by the bill.

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

(a) The nature of the right being limited

The right to freedom of expression is often described as essential to the operation of a democracy. In particular, the right to freedom of expression enables people to participate in political debate, to share information and ideas which inform that debate and to expose errors in governance and the administration of justice. It is an important right in international law.

It is considered that the right to freedom of expression includes commercial advertising in the nature sought to be

restricted by the bill. It is significant for the discussion in this statement, however, that the courts have historically afforded less protection to freedom of commercial expression than either political or artistic expression.

(b) The importance of the purpose of the limitation

The purpose of the limitation in the bill is to protect the commercial interests of legitimate sponsors from the unauthorised ambush advertising of their competitors. This is to ensure that Victoria's major events provide an attractive commercial environment for sponsors and promoters. This is considered to be an appropriately important purpose and objective to be protected by legislation in a modern, commercially competitive environment.

(c) The nature and extent of the limitation

The bill limits the ability of individuals to impart, seek and receive advertising information in airspace within sight of the venues of specified major events.

However, the bill only prohibits deliberate aerial ambush advertising of a commercial nature and does not seek to limit the rights of individuals making statements of a non-commercial nature.

The restrictions apply only to advertising within sight of specified major events on each day of the event. Further, they only apply within prescribed times, which are intended to minimise the duration of the restraint and yet provide reasonable and appropriate advertising opportunities for authorised advertisers and sponsors.

Under the bill it would be open to an individual wishing to engage in aerial advertising to purchase legitimate advertising opportunities within sight of the venue of the major event. That is, the bill only limits unauthorised aerial advertising and does not prevent an individual from pursuing other advertising opportunities.

(d) The relationship between the limitation and its purpose

It is considered that there is a rational and proportionate relationship between the limitations imposed by the bill and the purpose of the limitation.

This is because ambush advertising is generally undertaken by corporations and not individuals. In practical terms, this means that the limit on an individual's rights in the bill is largely a limit on their right to seek and receive alternative advertising information. Balanced against the important purpose of securing sponsorship at major events, these limits are rational and proportionate, particularly as individuals attending major events can readily access these alternative advertising messages in other forums.

(e) Any less restrictive means reasonably available to achieve its purpose

As previously stated, the nature and scope of the limits in this bill are designed to ensure that only commercial aerial advertising is restricted, and that the restriction only applies to advertising within sight of the venues of major events. Further, the limits only apply for a defined period of time which is designed to minimise the restrictions while still meeting the purpose of the legislation.

The bill makes unauthorised aerial advertising an indictable offence subject to significant penalties. The penalties are 400 penalty units for an individual and 2400 penalty units for a body corporate (\$42 972 and \$257 832 respectively for the financial year commencing 1 July 2006).

It is considered that the penalties need to be substantial in order to provide a sufficient deterrent, and that they are proportionate when set against the potential damage to an event's commercial agreements, image and reputation.

Further, the penalty for an individual (as for a body corporate) is a maximum penalty and it would be open to the court to impose a lesser penalty depending on the circumstances of the case.

In order to encourage and protect commercial sponsorship at major events in Victoria, a legislative response is considered to be a practical and reasonable response to ambush aerial advertising.

(f) Any other relevant factors

Ambush aerial advertising has the potential to undermine legitimate commercial sponsorship of major events and there are currently no other legal avenues available to prevent it in Victoria.

A similar legislative response has been adopted twice previously in Victoria: for the Melbourne 2006 Commonwealth Games and the 12th FINA World Championships in 2007.

Conclusion

I consider that the Major Events (Aerial Advertising) Bill 2007 is compatible with the Charter of Human Rights and Responsibilities because it does limit, restrict or interfere with a human right, being the right to freedom of expression under section 15 of the Charter, but that limitation is reasonable and proportionate. This is in view of the important objective of the legislation, which is to encourage and protect commercial sponsorship at major events in Victoria, and the measures in the bill to minimise the nature and scope of the restrictions, as detailed in this statement.

JAMES MERLINO, MP
Minister for Sport, Recreation and Youth Affairs

Second reading

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — I move:

That this bill be now read a second time.

Victoria is Australia's leading host of major events. The government recognises the importance of major events to the Victorian economy and is proud of this state's reputation as a host of major events that are the benchmark for the rest of the world.

The purpose of this bill is to prohibit aerial ambush marketing at major events in Victoria. This is in order to preserve an attractive commercial environment for

our events and protect Victoria's competitive advantage in the major events market.

Victoria has previously legislated to prohibit aerial ambush marketing at the Melbourne 2006 Commonwealth Games and the 12th FINA World Championships.

This bill will place a similar prohibition for other major events in Victoria and will also allow the state and event organisers to pursue civil remedies. The aim is to provide the strongest possible deterrent to aerial ambush marketing at our major events.

Ambush marketing involves the exploitation of events by rival non-sponsor companies, either by suggesting an association with an event where none exists or by intruding at an event through the display of unauthorised advertising. There are currently no legal avenues available in Victoria to prevent ambush marketing in airspace in the vicinity of major events.

The issue of aerial ambush marketing gained prominence around Australia last year with the arrival of the Holden airship, which appeared at the 2006 AFL Grand Final and is visiting events around the country.

Event organisers are heavily dependent on sponsorship. Ambush marketing threatens not only the financial viability of their events, but potentially their ability to schedule events in Victoria, particularly in the face of fierce competition from other states and nations.

Peak sporting organisations including Cricket Australia, Tennis Australia and Racing Victoria have written to the government seeking protection for their events, and the issue has been raised with state governments around Australia. Other jurisdictions including New Zealand and Queensland have recently proposed or introduced legislation to ban aerial ambush marketing at their events.

This issue is of particular concern in Victoria. We have a prestigious calendar of major events including the Boxing Day Test, the Australian Open, the AFL Grand Final and the Australian Formula One Grand Prix, to name just a few.

These events — as well as our program of one-off events — bring enormous economic and social benefits to this state, contributing over \$1 billion each year to the Victorian economy.

The investment made by sponsors is absolutely vital to the financial viability of these events. Sponsors pour millions of dollars into major events to enhance

awareness of their brands, in some cases via television coverage to millions of viewers around the world.

In return, event organisers provide exclusive advertising opportunities for their sponsors and are expected to make reasonable efforts to prevent ambush marketing. Where they have entered into agreements with international rights holders, those agreements require them to provide advertising opportunities to certain stakeholders.

Ambush marketers choose to exploit these valuable marketing opportunities without paying for them, in essence taking a 'free ride'. This not only undermines the value of the advertising rights purchased by official sponsors, but puts event organisers at risk of being unable to retain or renew their agreements with sponsors and rights holders.

If no action is taken, the risk for Victoria is that sponsors could withdraw their support for future events, which would have a serious impact on event revenue streams. Further, international rights holders could decide not to bring their events back. These outcomes would clearly damage Victoria's reputation as a leader in the major events industry.

If Victoria is to continue to build on its highly successful investment in major events, we need to take decisive legislative action.

I turn now to key areas of the bill.

Declaration of events

Some of Victoria's most high-profile major events have been specified in the bill to give them immediate protection. These events, set out in clause 3 of the bill, are the Boxing Day test, the Australian Open Tennis Championships, the Australian Formula One Grand Prix, the Australian Motorcycle Grand Prix, the AFL Grand Final, the Caulfield Cup, the Cox Plate and the four days of the Melbourne Cup Carnival at Flemington racecourse.

The bill specifies the venues and the event organisers for each of these events. To minimise impacts on the aerial advertising industry, the bill also specifies the precise times of the day during which the bill will apply.

To enable other major events, including one-off national or international events, to be brought under the jurisdiction of the legislation if necessary, clause 4 enables additional major events to be declared by means of an event order made by the Governor in

Council on the recommendation of the minister, and published in the *Government Gazette*.

In making a recommendation, the minister must be satisfied that the event is a major event at the international or national level, and that its commercial arrangements and operations would be adversely affected by aerial ambush marketing.

Should a venue, time or event organiser specified in the bill or in an event order need to change for any reason, clause 5 enables the relevant details to be altered by means of a variation order made by the Governor in Council on the recommendation of the minister, and published in the *Government Gazette*.

Control of aerial advertising

Part 3 of the bill establishes an authorisation process for aerial advertising within sight of the venues of specified events, and makes it an indictable offence to display unauthorised aerial advertising within sight of those venues.

It is important to note that these controls only relate to aerial advertising of a commercial nature. Non-commercial aerial advertising — for example, an individual displaying a personal statement not intended to sell or publicise goods or services — will not be subject to the bill.

Authorisations to display commercial aerial advertising may be issued by the Secretary of the Department for Victorian Communities if the advertising in question would not adversely affect the commercial arrangements or conduct of an event. The secretary may delegate this authorisation power to a public service executive or a statutory body established for a public purpose, such as the Australian Grand Prix Corporation. The relevant event organiser must be consulted before any authorisation is issued.

Clause 10 of the bill sets significant penalties for the offence of displaying unauthorised aerial advertising. These penalties are 400 penalty units for an individual and 2400 penalty units for a corporation. The penalties are intended to provide a strong level of deterrence, particularly to large corporations, and are considered reasonable when set against the potential damage to an event's commercial agreements, image and reputation.

The offence provision will not apply to emergency services aircraft or aircraft gathering footage for news and current affairs purposes, which are specifically exempted under clause 10. It should also be noted that under the definition of 'aerial advertising' in the bill, commercial airlines or charter flight operators

displaying their normal livery and undertaking their regular flights will not be subject to the controls established by the bill. Hot-air balloon operators undertaking early-morning scenic flights will also effectively be excluded by virtue of the fact that their flights conclude by 9.00 a.m., before the restrictions of the bill commence on the day of an event.

Civil remedies

In addition to the offence regime, part 4 of the bill enables the state and event organisers to seek injunctions, and enables any person suffering loss, injury or damage as a result of unauthorised aerial advertising to take action for damages. The inclusion of these civil remedies will provide event organisers in particular with a greater range of options in responding to the problem of aerial ambush marketing, and will boost the deterrent effect of the legislation.

Enforcement

It is intended that authorised officers will enforce the offence provisions of this bill. Part 5 of the bill enables the secretary to appoint authorised officers who have appropriate skills and experience. Part 5 also outlines their inspection powers, including powers under warrant to enter specified premises and to search for and seize items reasonably believed to be connected with an offence under the bill. Part 6 of the bill enables the secretary or a person authorised by the secretary to bring proceedings.

Finally part 7 makes relevant amendments to other acts, including an amendment to the Magistrates' Court Act 1989 to enable the indictable offence under clause 10 to be tried summarily in the Magistrates Court.

Aerial ambush marketing has the potential to undermine legitimate commercial sponsorship of major events and to damage Victoria's ability to retain existing events and win new events. The measures presented in this bill provide an effective regime to deter aerial ambush marketers and to put a stop to this unfair and unwelcome practice.

I commend the bill to the house.

Debate adjourned on motion of Mr KOTSIRAS (Bulleen).

Debate adjourned until Wednesday, 14 March.

LEGAL PROFESSION AMENDMENT BILL

Statement of compatibility

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

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

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

Overview of bill

The bill amends the Legal Profession Act 2004 to enact national model provisions agreed by the Standing Committee of Attorneys-General for the regulation of the legal profession. The provisions improve the rights of consumers of legal services as well as ensuring that the regulation of the legal profession is consistent with other Australian jurisdictions.

Human rights issues

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

Section 13: Privacy and Reputation

A person has the right:

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

Clause 70 of the bill substitutes a new section 5.6.6 into the principal act. This new provision raises the right not to have privacy unlawfully or arbitrarily interfered with.

The provision will require 'authorised deposit-taking institutions' (ADIs) to disclose to an external intervener the bank account details of associates of law practices and third parties. An external intervener may be appointed by either the Supreme Court or the Legal Services Board to intervene in a law practice where there are serious issues of financial mismanagement. The external intervener may require access to bank account details held by an ADI in the course of conducting their investigation. This may have implications for the privacy of the associates of a law practice and in limited circumstances, third parties who are not associates of the law practice.

Whilst it is relevant to consider the human right relating to privacy, the provision is not considered to unlawfully or arbitrarily interfere with the right because of the criteria set out in the new section, namely:

the ADI does not have to disclose the information to the external intervener unless the intervener produces evidence of their appointment

there are additional criteria for requiring disclosure of a third party's bank account details. This is that the external intervener has reasonable grounds to believe that trust money has, without the authorisation of the person who entrusted the money to the law practice, been deposited into the account of the third party.

Consequently, the bill is compatible with the right to privacy.

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

The bill does not limit any human right and therefore it is not necessary to consider section 7(2) of the charter.

Conclusion

I consider that the bill is compatible with the Charter of Human Rights and Responsibilities because it raises human rights issues but does not limit human rights.

Second reading

Mr HULLS (Attorney-General) — I move:

That this bill be now read a second time.

The legal profession plays a crucial role in the way that justice and the rule of law are delivered and perceived in Victoria. The Bracks government is committed to ensuring that the regulatory framework governing the legal profession continues to hold practitioners to high professional and ethical standards and provides consumers with protection and redress against those members of the legal profession who do not meet those standards.

Through the Standing Committee of Attorneys-General, Victoria has played a key role in the national legal profession project. This major initiative has been driven by the need to respond to changes in the legal services market in Australia to ensure that we have a modern, consumer-friendly regulatory framework for the legal profession.

To that end, the government enacted the Legal Profession Act in December 2004. This act was a major milestone in Victoria's contribution to the creation of a national regulatory framework for legal practitioners across Australia.

National model amendments

It is fair to say that the national reform of the legal profession has been a work in progress over a number of years. It has been necessary to introduce the myriad of changes in stages. A first national model bill was agreed by all the partners to this project in 2004. Further amendments to that bill were necessary and a second model bill was agreed in mid-2006. This bill amends the Legal Profession Act 2004 to maintain uniformity with the updated national model. Like

Victoria, all other jurisdictions have been working steadily towards implementing the updated model bill and the national framework is expected to be fully operational by the end of 2007.

Other amendments

Since the current act commenced in December 2005, ways of improving and finetuning the Victorian legislation have been identified in consultation with the Victorian legal profession and the statutory bodies charged with regulating the profession. This bill implements a number of those improvements and I thank the profession and our local regulators for their ongoing commitment to the improvement of regulatory standards in Victoria.

I shall now turn to the most significant amendments in the bill.

National practice

The facilitation of a national legal profession was the main aim of the states and territories in developing a national model bill. Many clients' legal problems cross borders and thus many law firms and legal practitioners work across borders. Legal practice by Australian legal practitioners is dealt with in part 4 of chapter 2 of the act. An amendment will be made to remove the requirement that an interstate practitioner must give notice to the Legal Services Board about their practice within 28 days of establishing an office in Victoria. Notice will only be required to be given if a practitioner becomes authorised to withdraw trust money in any jurisdiction in which they practise. This will reduce the regulatory burden on law firms that work across jurisdictions for short periods of time.

Government lawyers are also an important part of the legal system and increasingly they also work on matters that cross jurisdictions. An amendment to the act will increase the ability of government lawyers to work in this way.

Amendments will be made to the interjurisdictional provisions to clarify that a legal practitioner is required to advise a local regulatory authority of any orders made interstate affecting their practising certificate and any disciplinary action taken against them overseas. The amendments will also clarify the information-sharing arrangements between Victorian legal profession regulators and other types of regulatory bodies in other jurisdictions, such as the Australian Securities and Investments Commission. This will allow the Legal Services Board to make better informed decisions about whether a legal practitioner is fit to practise in Victoria.

Foreign lawyers

Part 8 of chapter 2 of the act governs legal practice by foreign lawyers. Amendments will be made to relax the registration requirements for foreign lawyers who do not practise regularly in Victoria. Foreign lawyers will be able to practise foreign law in Victoria without the administrative burden of having to register, unless they practise for more than 90 days in any 12-month period, or they become a partner or director of a local law practice. This will reduce the regulatory burden on foreign lawyers who for example work on international trade and business matters on a short-term basis.

For those foreign lawyers who are required to register, the act will be amended to clarify the trigger events that can lead to a foreign lawyer's registration being amended, suspended or cancelled. Foreign lawyers will be required to notify the Legal Services Board of any regulatory action taken against them in their home jurisdiction. This measure will allow the board to use a wider range of information on which to make decisions as to whether or not a foreign lawyer should be allowed to practise foreign law in Victoria.

Trust money

Having rigorous standards for how the legal profession deals with money entrusted to them is of the utmost importance and is still an area where some members of the legal profession fail to fulfil the standards required of them. Trust money and trust accounts are dealt with in part 3 of chapter 3 of the act. This is an area where the model bill requires all jurisdictions to adopt uniform provisions and several significant changes have been made since the first version of the model bill was settled.

Amendments include an explicit prohibition on law firms dealing with clients' money by way of cash withdrawals, ATMs or telephone banking. Stiff penalties will apply for any law firms that do not comply. The trust money amendments also clarify how the provisions apply to incorporated legal practices and multidisciplinary practices, which are relatively new forms of business structures for law firms and require specific provisions dealing with these entities.

Costs

Costs review

Disputes about the bill for legal costs are a common area of contention between consumers and legal practitioners. It is an issue that can be fraught with miscommunication and misunderstandings. For this reason it is important to ensure that consumers are

properly informed about the costs of using a lawyer, and that there are appropriate independent avenues for resolving disputes between clients and legal practitioners about costs. The bill includes a significant amendment to the procedure for having a bill of costs reviewed by the taxing master in the Supreme Court. This includes extending the time for a client to apply for a costs review from 60 days to 12 months, with a provision allowing out-of-time applications to be considered by the Supreme Court in special circumstances.

Third-party payers — costs disclosure and costs review

These rights will also be extended to a person who is liable to pay the legal costs but is not themselves the client of the law practice. These people will be defined as 'third-party payers' through a new definition in the act. For example, in some cases borrowers are required to pay the legal costs of the lender in the preparation of mortgage documents. The amendment will give such borrowers the option to have the lender's legal costs reviewed if they believe they are too expensive.

The bill also includes amendments to extend costs disclosure to these 'third-party payers'. One circumstance where this might arise is where parents pay for the legal fees in a matter in which their child is the client of the law practice.

Interest on unpaid costs

The act will be amended to introduce a national benchmark rate of interest that law firms can charge clients who do not pay their bill on time. The rate of interest will be prescribed in regulations by reference to the Reserve Bank of Australia cash rate target.

Other clauses

The remainder of the bill makes a range of other minor definitional or machinery amendments to enhance the operation of the current legislation and achieve greater uniformity with other jurisdictions.

I commend this bill to the house.

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

Debate adjourned until Wednesday, 14 March.

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

Statement of compatibility

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

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act, I make this statement of compatibility with respect to the Drugs, Poisons and Controlled Substances (Repeal of Part X) (Amendment) Bill 2007.

In my opinion, the Drugs, Poisons and Controlled Substances (Repeal of Part X) (Amendment) Bill 2007, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter. I base my opinion on the reasons outlined in this statement.

Overview of the bill

The bill amends the Drugs, Poisons and Controlled Substances Act 1981 by repealing part X. This will result in the closure of the Drug Rehabilitation and Research Fund.

Upon the closure of the fund, revenue from fines collected in relation to drug-related crimes will be redirected to consolidated revenue. A future appropriation adjustment will ensure that the various programs and projects funded by the Drug Rehabilitation and Research Fund will continue.

There will be no change to the powers that enable fines in relation to drug-related crime to be imposed and collected, and there will be no change to the types of drug education and prevention projects and programs funded by the collection of these fines.

Human rights issues

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

The bill has no human rights impacts.

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

As the bill has no impact on human rights it is not necessary to consider section 7(2) of the charter.

Conclusion

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

HON. BRONWYN PIKE MP
Minister for Health

Second reading

Ms PIKE (Minister for Health) — I move:

That this bill be now read a second time.

This substantive provision in the bill contains an amendment to the Drugs, Poisons and Controlled Substances Act 1981.

The bill repeals part X of the Drugs, Poisons and Controlled Substances Act 1981. The proposed amendments will result in the closure of the Drug Rehabilitation and Research Fund and provide for the transfer of all money standing to the credit of that fund to the Consolidated Fund.

The bill also repeals spent transitional provisions in the Confiscations Act 1997 related to the Drug Rehabilitation and Research Fund, as well as making a statute law revision amendment to the Drugs, Poisons and Controlled Substances (Amendment) Act 2006.

The amendments are to be effective from 1 July 2007 and will result in revenue from all fines collected in relation to drug-related crimes flowing to the Consolidated Fund instead of the Drug Rehabilitation and Research Fund.

Funds from the Drug Rehabilitation and Research Fund have been allocated each year to a range of drug education and prevention initiatives, such as the School Rock Eisteddfod, and the Mirabel child/parent services. The proposed amendment will result in an administrative change and will not affect the revenue from fines collected or the level of funding allocated to drug education and prevention programs.

An appropriation adjustment will take effect from 1 July 2007 in respect of the closure of the Drug Rehabilitation and Research Fund to provide ongoing funding for commitments currently funded from the Drug Rehabilitation and Research Fund.

I commend the bill to the house.

**Debate adjourned on motion of
Ms WOOLDRIDGE (Doncaster).**

Debate adjourned until Wednesday, 14 March.

GAMBLING REGULATION AMENDMENT (REVIEW PANEL) BILL

Statement of compatibility

Mr ANDREWS (Minister for Gaming) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act, I make this statement of

compatibility with respect to the Gambling Regulation Amendment (Review Panel) Bill 2007.

In my opinion, the Gambling Regulation Amendment (Review Panel) Bill 2007, as introduced to the Legislative Assembly, is compatible with the human rights protected by the Charter. I base my opinion on the reasons outlined in this statement.

Overview of bill

The purpose and effect of the bill is to establish an independent review panel to report to the Minister for Gaming on the processes conducted by the Steering Committee for the Gambling Licences Review, the Steering Committee for the Lotteries Licence Review and the Victorian Commission for Gambling Regulation in their preparation of reports and recommendations to the Minister for Gaming on the Lotteries Licence Review and the Gambling Licences Review.

Human rights issues

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

The bill does not raise any human rights issues.

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

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

Conclusion

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

HON. DANIEL ANDREWS, MP
Minister for Gaming

Second reading

Mr ANDREWS (Minister for Gaming) — I move:

That this bill be now read a second time.

During this term, the Bracks government will be conducting the most significant review in Victoria's history of the regulatory structure and associated arrangements for the major forms of gaming and wagering.

The government has always been, and continues to be, committed to adhering to the highest probity standards for the review process.

This bill upholds the commitment of the Labor government to establish a panel to independently and publicly report on the Public Lotteries Review and the Gambling Licences Review.

The independent panel members will be drawn from outside government and the chair will be a retired

judge. They will report to the Minister for Gaming on whether the review is meeting the high standards of governance and probity that the public is entitled to expect of a project of this significance.

The review panel will independently look at the processes for reviewing the regulatory structure and associated arrangements for gaming machines, wagering, approved betting competitions, and Club Keno and the racing industry funding arrangements that are to apply after the current licences expire.

It will also be reporting on the processes for awarding the next licences or authorisations for public lotteries, gaming machines, wagering, approved betting competitions and Club Keno.

For the review of the future regulatory structures and associated arrangements, the review panel will report to the Minister for Gaming on a range of issues that include —

- (i) Have all parties, interested in one of the licensed or authorised activities, been treated impartially and have they been given the same opportunity to access information and advice in relation to the review process?
- (ii) Has information received from interested parties been managed in a way that ensures the security and confidentiality of intellectual property and proprietary information?
- (iii) Has every relevant entity involved in the review process been required to declare any actual or perceived conflict of interest prior to participating in the review process? Have any actual or perceived conflicts of interest that have been declared been appropriately addressed?
- (iv) Has there been any improper interference in the process of the making of recommendations or reports?
- (v) Does the preparation of a recommendation or report disclose bias or anything that could lead to a reasonable apprehension of bias?

Similar questions will apply to each licence awarding process for the next licences, as well as —

- (i) Have all applicants been evaluated in a systematic manner against explicit predetermined evaluation criteria?

If the review panel reports to the minister that it finds there may be a matter of concern in relation to these questions, the minister will have the power to direct the relevant entity to take all reasonable steps to address the matter of concern. The review panel will then be asked to report to the minister on whether the matter of concern has been remedied. These reports and the processes they report on will be made public by the minister.

The Minister for Gaming will publish a report by the review panel when the minister publicly announces a decision on the regulatory structures and associated arrangements for gaming machines, wagering, approved betting competitions, Club Keno and racing industry funding.

The minister will also publish a report by the review panel when the minister publicly announces a decision on the awarding of any of the future licences after the current licences expire.

The review panel's findings will be made public, excluding any information that is protected from public disclosure under the Gambling Regulation Act 2003 or is the subject of legal professional privilege.

The establishment of the review panel will guarantee that the public lotteries licensing process and the gaming machine and wagering licences review and licensing processes will continue to be conducted with the highest level of probity, transparency and accountability.

The Public Lotteries and Gambling Licences Review processes have been characterised to date by openness and transparency with —

The release of issues papers,

Inviting public submissions,

The conduct by Mr Peter Kirby of public consultations on the review of gaming machine licence arrangements after 2012; and

The release of Mr Kirby's report on the public consultations in October 2006.

The review panel will provide the public with an additional layer of scrutiny and assurance as to the integrity of the Public Lotteries and Gambling Licences Review processes.

I commend this bill to the house.

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

Debate adjourned until Wednesday, 14 March.

LIVESTOCK DISEASE CONTROL AMENDMENT BILL

Statement of compatibility

Mr HELPER (Minister for Agriculture) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act, I make this statement of compatibility with respect to the Livestock Disease Control Amendment Bill 2007.

Overview of bill

The purpose of bill is to ensure that the state of Victoria has adequate powers to respond in the event of a disease outbreak affecting livestock.

The bill amends the Livestock Disease Control Act 1994 ('the act') to:

ensure that Victoria has the powers required to adequately respond to a disease outbreak. The changes will address a small number of shortcomings of the act, identified during the simulated outbreak of avian influenza conducted in 2005 (Exercise Eleusis);

allow Victoria to implement a nationally agreed approach for compensation for tuberculosis in cattle. Currently, the act provides for part of the funding to be paid by the minister. The new approach will allow the removal of the requirement for the minister to pay compensation for tuberculosis in cattle, and provide for all compensation to be paid by industry via the Cattle Compensation Fund; and

clarify which milk and milk products can be fed to pigs by amending the exemption to the prohibition on swill feeding of pigs under the act.

Human rights issues

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

The Livestock Disease Control Amendment Bill 2007 ('the bill') has been assessed against the Charter of Human Rights and Responsibilities ('the charter'). The two rights that have been identified as being impacted on by the bill are:

Section 11: freedom from forced work

The bill will expand the situations in which an inspector may issue a disinfection notice. A disinfection notice can require a person to disinfect a vehicle, premises, place, fodder or fittings within a specified time period. This requirement to take action falls within the exemptions contained in sections 11(b) and (c) of the charter as the work would be required because of an emergency threatening the Victorian

community and forms part of normal civil obligations. The bill therefore does not limit the right of freedom from forced work. Accordingly, this right is not discussed further in this statement.

Section 20: property rights

Section 20 establishes a right for an individual not to be deprived of his or her property other than in accordance with law. This right ensures that the institution of property is recognised and acknowledges that the state of Victoria is a market economy that depends on the institution of private property.

The bill will allow an inspector to dispose of fittings and fodder which have been in contact with diseased livestock. This is an expansion of the current power of an inspector under section 15 of the act to dispose of livestock or livestock products which have been in contact with diseased livestock.

The bill also provides a broader definition of 'fittings' which can broaden the application of the disposal powers under the act. However, 'fittings' are limited to certain equipment or products.

The disposal of diseased fittings and fodder is critical to prevent the further spread of the disease to livestock and property. If disease to livestock is not prevented there would be wide social and economic implications to farmers and society as a whole.

The potential cost of a livestock disease outbreak is significant. For example, the Productivity Commission¹ has estimated that a 12-month outbreak of foot and mouth disease in Victoria, New South Wales and South Australia would reduce GDP by \$2 billion in the first year, and have a total impact on GDP of between \$8 billion and \$13 billion.

The deprivation of property proposed by the bill is in accordance with law.

There are many safeguards built into the bill. Under section 15(3) of the act, as amended by the bill, the power to dispose of fittings or fodder can only be exercised in the event of a disease outbreak if certain articulated criteria under the act are met. These are:

the inspector knows or reasonably suspects that the fittings or fodder have been in contact with the diseased livestock;

the owner cannot be located after reasonable inquiry, or there is no person apparently in charge of the livestock; and

the inspector has the approval of the secretary.

Only if these criteria are satisfied can the inspector dispose of the fittings and fodder. Additionally, if it is possible to effectively disinfect the fittings and fodder instead of disposing of the fittings or fodder, a disinfection notice under section 113 of the act will be issued instead of disposing of fittings and fodder under section 15 of the act.

The right not to be deprived of property other than in accordance with the law is therefore not interfered with or limited. Accordingly, this right is not discussed further in this statement.

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

As the bill does not limit human rights, it is not necessary to consider section 7(2) of the charter.

Conclusion

I consider that the bill is compatible with the Charter of Human Rights and Responsibilities.

JOE HELPER MP
Minister for Agriculture

¹ Productivity Commission — *Impact of a Foot and Mouth Disease Outbreak in Australia*, 2002.

Second reading

Mr HELPER (Minister for Agriculture) — I move:

That this bill be now read a second time.

The Livestock Disease Control Act 1994, as its name suggests, is the principal legislation for ensuring that livestock disease is minimised and controlled, and for the monitoring and eradication of exotic livestock disease. It also secures public health against diseases which can be transmitted from livestock to humans.

The proposed Livestock Disease Control Amendment Bill will make some minor amendments to improve the administration of the act. The bill will ensure that Victoria has the legislative powers necessary to respond to an animal disease outbreak and provide for nationally agreed industry funding of compensation for tuberculosis.

Exercise Eleusis was conducted in 2005 based on a hypothetical outbreak of avian influenza in Victoria. The exercise identified some shortcomings in the act where the powers in the act restrict the ability to adequately respond to a disease outbreak. In particular, the proposed bill will expand the definition of 'fittings' to include equipment and other items which have been in contact with livestock products, rather than only when the items have been in contact with livestock.

The bill will enable an inspector who knows or reasonably suspects that fittings and fodder have been in contact with diseased livestock to dispose or destroy or order the disposal or destruction of the fittings and fodder.

The power of an inspector to issue a disinfection notice is currently limited to vehicles, premises or places where livestock or livestock products are commonly exposed for sale, exhibited or processed, but does not allow such action in respect of a vehicle, premises or place where such livestock or livestock products are kept. The proposed amendment will close that possible

loophole by providing the power for an inspector to issue a disinfection notice if he or she believes on reasonable grounds that a vehicle, premises or place where livestock is or livestock products are kept is infected with a disease.

In addition to the shortcomings in the act identified during Exercise Eleusis, it has become apparent that the wording of the exemption from swill feeding of pigs has caused confusion about which milk and milk products can be fed to pigs. The proposed change will make it clear that milk from any source, not just a licensed milk manufacturer, can be fed to pigs and will allow milk products and by-products from a licensed milk manufacturer to be fed to pigs.

A new national approach has been reached with industry which provides that compensation for tuberculosis in cattle will in future be paid by the cattle industry. In Victoria the compensation will be provided through the Cattle Compensation Fund established by the Livestock Disease Control Act 1994. The act currently requires that up to 40 per cent of compensation for tuberculosis in cattle is to be paid by the minister, with the balance to be paid from the Cattle Compensation Fund. The act does not currently allow for contributions from national livestock industry bodies to be paid into the fund or any reimbursement of industry bodies to be paid out of the fund.

The act is, therefore, being amended to facilitate implementation of the new national approach by allowing contributions to the Cattle Compensation Fund by industry bodies, the ability to reimburse industry bodies out of the fund and to remove the requirement for the minister to contribute to these compensation payments. No compensation for tuberculosis in cattle has been paid in recent years, but the change to funding will quarantine the state from a requirement to fund up to 40 per cent of any future compensation for tuberculosis in cattle.

The livestock industry has been consulted and supports the proposed amendments to the act.

I commend the bill to the house.

**Debate adjourned on motion of
Ms WOOLDRIDGE (Doncaster).**

Debate adjourned until Wednesday, 14 March.

GOVERNOR'S SPEECH

Address-in-reply

**Debate resumed from 27 February; motion of
Mr PALLAS (Minister for Roads and Ports) for
adoption of address-in-reply.**

Mr THOMPSON (Sandringham) — I am pleased to join the address-in-reply debate. I congratulate the Governor upon his appointment and I am confident that he will continue the very fine tradition of former governors, including Sir James Gobbo, John Landy and a former constituent, Richard McGarvie. I wish Dr de Kretser and his wife all the best in the fulfilment of their responsibilities.

In looking at the key issues which we confront as a state and a nation, I will start with a line from a speech that was delivered by Sir Arvi Parbo where he noted that a worthwhile society must be underpinned by a prosperous economic base. The challenge that we confront as a state and as a nation is to maintain a level of innovation in every sphere of production and in every sphere of service delivery that enables us to improve not at a rate equal with that of our competitors, but at a rate greater than that of our competitors so that we can gain advantage.

In Australia today there are still 500 000 people who are unemployed and many who are underemployed and it is important that we have systems in place — skills training and the development of new industries and enterprises — that provide people with hope and with a future.

I note that the Australian Chamber of Commerce and Industry has developed a six-point plan for 2007. The six priority areas include implementation of workplace relations reform and resisting its rollback. The plan places importance on occupational health and safety reform. There are important objectives in the area of skills and labour shortage development strategies. Australia's trade with China and entering into appropriate agreements with our trading partners is a key area. The recent fiasco of the position of the Victorian government regarding the joint arrangements for the management of the Murray–Darling Basin water supply reflects some of the problems inherent in commonwealth-state relations.

Another area which we need to tackle is climate change and related environmental issues. The Bracks government is saying that it can save 40 000 tonnes of greenhouse emissions through a range of measures while at the same time ignoring the devastation that has

taken place in the high country of Victoria, where it is estimated more than 100 million tonnes of greenhouse gases have been emitted into the atmosphere under its watch over the last few years, through the fires in the north-east and also in the Grampians and at Wilsons Promontory. There also needs to be an emphasis on continuing taxation reform.

The SPEAKER — Order! I ask members to keep the level of conversation down.

Mr THOMPSON — For those members in the chamber who take a keen interest in taxation reform, I again draw the attention of the house to the tragic closure of the Tulip Street tennis centre as a consequence of the impost of land tax. The centre was designed and constructed in 1979. It had been run by the family for 18 years. Comprising 13 synthetic courts, it attracted about 1000 players a week. The owners commented when they closed the premises that it was due to the massive land tax increases.

They had occasion to write to the *Herald Sun*, which letter was published on Tuesday, 10 May 2005, under the heading 'Land tax disbelief':

Land tax relief? We have gone down from \$30 000 to \$24 000, which is still a 1543 per cent increase from the 1998 'reasonable' level of tax.

Mr Brumby says last week's state budget was 'family friendly'. No, businesspeople have families, too. Heartless? Yes. Thieving? Yes.

After the government has taken our \$24 000 this year, we are now a 'non-profit' business, so we assume we are exempt from land tax next year. Mr Bracks and Mr Brumby, please advise.

A great chance to fix the system and save businesses has been lost, but they really don't seem to care.

It would be fair to point out that there were some changes made to the land tax regime, but they were not enough to stop this important local facility and venue from closing. At a time when the government is promoting the importance of physical wellbeing and trying to counteract the effects of obesity, a facility that served the Sandringham community for a couple of decades has closed, and it will be a great loss.

Turning to other aspects, I have a number of key employer groups in my electorate. One is Ronstan International Pty Ltd, which employs about 160 staff and runs a sheltered workshop exporting product to 45 or 46 countries around the world. It is an example of what can be done with innovation and endeavour. Another fine business is Metaltec Precision International, formerly TED Engineering, started by

Tab Fried, a migrant from Hungary, who came to Australia with just his suitcase in his hand and later ended up owning the factory where he started the business that he later went on to sell.

He was one of the three developers of the Eureka Tower in Melbourne, and TED Engineering, which did the design tooling for the Boeing 777, has now changed names and is known as Metaltec. It achieved world-leader status on the Victorian synchrotron project where its specific role was to provide engineering development and manufacture of the critical and extremely precise magnet positioning structure of the system. This represented a complex arrangement of some 70 girders and beams used to support and align a series of giant magnets. With the expertise developed through the project the company is seeking to export that skill set to other sites around the world.

Leigh Mardon, which specialises in security documentation, has been subject to some pretty significant industrial action in the last couple of years. As I had occasion to point out to a number of people on a picket line once, there are examples of companies in Melbourne which have been seriously impaired through union industrial activity. Saizeriya is one such example. It was a multistage project, but owing to the company's failure to develop its production to the levels required, on my understanding it scaled back production, leading to a loss of jobs around Melton and Caroline Springs, an area that seriously needs ongoing employment opportunities and real jobs for Victorians.

In terms of local infrastructure funded by government there are a number of important facilities. One is the Sandringham hospital, developed through community funding. It took some 20 to 25 years before the first bricks were laid, and from inception to its establishment many lamingtons funded its construction, brick by brick. It is now in a position where its future needs to be evaluated and reviewed so it can continue to provide important health services. I am pleased that in the mid-1990s I staked my political future on its continuing as a viable community entity, and it has gone on to provide many valuable services. There would not be a family in the district that has not had occasion to take advantage of its excellent emergency facility. In 2005–06 the hospital treated some 17 500 inpatients and 6845 outpatients, and it is heavily funded at the present time.

Another important facility in the electorate is the Sandringham police station. In 1988 the Labor Party promised it would build a new police station in Sandringham, but it failed, as it failed to keep its commitment on the Scoresby freeway, now to be a tollway. Just as it failed to construct the Dingley

bypass, it failed to build a new police station in Sandringham. I am pleased to note, though, that a day or two after the Liberal Party announced that it was prepared and committed to build a new police station in Sandringham, Labor came to the party, and I look forward to holding the government to account and attending the opening of the new Sandringham police station during the course of the next couple of years.

In relation to crime in my local area, it is interesting to note that while a number of members, including the member for Mordialloc, had the opportunity to point to a reduction of crime in their electorates according to the last end-of-financial-year police crime statistics, unfortunately in the bayside area there was a significant increase in crime across a number of important areas that were statistically relevant. There was a 50 per cent increase in robberies, a 55 per cent increase in burglaries (other), a 26 per cent increase in property damage, a 24 per cent increase in thefts from motor vehicles, an 18 per cent increase in shop theft, a 14 per cent increase in assault, an 80 per cent increase in harassment and a 120 per cent increase in behaviour-in-public offences. These figures were obtained from the Victoria Police website. I note that at one point last year they were removed from that website. I have not had a reasonable explanation as to why that was the case, but I understand they were placed back on that site.

If you conducted a test in my electorate on what word comes to people's minds when you mention public transport on the Frankston or Sandringham train lines, the answer is 'anger' — and also 'delay'. There is also concern that the Bracks government's Arrive Alive strategy has not been introduced to the public transport system, where commuters are jammed into crowded trains with poor or no air conditioning, particularly on hot summer days. For the month of December the Sandringham line had the largest number of cancellations of any train line in metropolitan Melbourne — 85 trains were cancelled.

There is a solution, and it has been put forward by the shadow Minister for Public Transport. I understand in some overseas jurisdictions the down time for rolling stock might be at a level of 5 per cent. However, in Victoria it is nearer the level of 18 per cent, which is unacceptable. There is an opportunity to use idle V/Line locomotives and cars on the Sandringham and Sydenham lines. We are yet to get a constructive response from the government on that suggestion.

Last year there were reports that the Labor Party was spending some \$80 million on government advertising. If you asked people who send their children to state

schools in the Sandringham electorate whether they would rather have \$80 million worth of government spin or \$80 worth of paint for use on a local school door or classroom, they would go for the \$80 worth of paint — but no such funding has been available. At one local school five or six teachers spent a number of weeks of their holidays painting their classrooms for the 2007 school year. I congratulate those teachers for that level of initiative and enterprise. It is reflective of the Australian spirit, where hope has been one of the greatest soldiers Australia has ever had. However, I condemn the government for its misallocation of resources and its failure to look after local schools.

In relation to Sandringham College a report in the *Age* newspaper of Saturday, 30 September, says:

Sandringham College is well known for its performing arts program and broad range of VCE subjects. But to some students, it's simply the 'pov school'.

...

Problems include rotten window frames, a leaking heating system and worn-out electrical wiring that is a potential fire hazard. At the Beaumaris campus, where buildings are in their 50th year of service, a boys' change room has holes in the walls ...

It goes on to say that there is no hot water to service one of the toilets. The article then quotes the principal as having said:

We don't need a swimming pool. What we do want are good, modern, safe facilities ...

Other schools in my electorate like Beaumaris North Primary School, Black Rock Primary School and Sandringham East Primary School all have important maintenance needs.

A further area of expenditure concerns beach renourishment. The Bracks Labor government allocated no funds for beach renourishment in the period 1999 to 2002. The Sandringham beach near Royal Avenue and Southey Street has had some works undertaken that have been a cause of great concern to local residents. Part of the beach has been gouged out, and residents are concerned about the impact of those works.

I would like to now turn to a number of people I would like to thank, including my electorate office staff. Annette Burrows, Robyn McNaught, Ryan Bolger and Jenni Howell have been of invaluable assistance to me as we work to assist local constituents while also being engaged in the wider issues of research and policy development. Their duties have ranged from advocating on behalf of public housing tenants to dealing with people with complex psychiatric issues and the wide range of other issues that are dealt with in a busy

electorate office. They have represented me at community functions and worked well beyond regular office hours and through lunchtimes. They have willingly accepted the challenges and tribulations while relishing the triumphs of achieving positive outcomes for constituents. I would like to thank my campaign manager, Colin Gourley, who did an outstanding job at the recent state election. I also thank my family for their invaluable support through many tribulations and challenges over the last 14 years. To them I will always remain grateful.

Mr SEITZ (Keilor) — First of all I would like to congratulate Professor David de Kretser on his appointment to the office of Governor of Victoria. This is the first time I have had the opportunity to place that on public record. Professor David de Kretser emigrated to Australia in 1949. He was born in Colombo, Sri Lanka, in 1939. To achieve this high office in Victoria is certainly a mark of esteem and a mark of the man's ability and commitment to community and our society.

He came from what was known in those days as Ceylon from a community that even today still has strife with ethnic differences. He came from a Burgher background; in those days you were only able to come to Australia if you were descended from a Caucasian line, because it was still the White Australia policy. I well remember that. When I migrated here in 1956 there was still the White Australia policy, and you had to prove that you were of Caucasian descent. I am pleased we have changed those policies. I congratulate the Governor and his partner on achieving this high office. I am sure that many people in Victoria already have met him.

On the several occasions that I have been at functions at Government House many people have commented to me on his kindness, his approachability and his willingness to talk to people and make them feel comfortable when they meet and have photos taken with him.

The ACTING SPEAKER (Mr Jasper) — Order! If honourable members wish to have conversations, I would rather they have them outside the chamber or away from where they are interrupting the member on his feet. The honourable member, without interruption.

Mr SEITZ — The Governor in his speech opening the 56th Parliament also outlined the Bracks government's plans for the next four years. They are outlined in the document we are speaking to now. Every day I see the government working towards to meeting those plans as outlined by the Governor,

particularly in my electorate of Keilor, which I am very proud to represent.

I am very thankful to the people of Keilor who keep re-electing me with a greater margin every time. Keilor is not the same seat that I started off with. It has gone through a number of boundary changes — looking back to 1982 you would not recognise it — and it is a growth area. After the last redistribution there was an increase of 9000 voters at the last election. It is certainly a fast-growing area — the 'new Keilor', as I call it. It is a new geographical area with new families, new problems and new infrastructure required to meet the needs of the people.

Meeting the needs of the people is important to me, as it is to the Bracks government. To that extent we have been very well at the forefront in our planning processes and in delivering the infrastructure, particularly with regard to schools. I well recall in 1982 that I spent most of my time lobbying ministers to get primary schools established within the St Albans area because there was a shortage of schools and overcrowding problems.

Kings Park Secondary College was overcrowded, and we had to start planning to build other schools in the area. This has now taken place because the government has been through a proper planning process and allocated funds for the work. That is not to say that all the work has been completed in the education field in my electorate; there is a lot more still to be done as our society changes, as needs change and as the population in the area grows, particularly under the Melbourne 2030 planning scheme.

Caroline Springs is a big growth area and more houses are going to be built, so there will be a greater need for facilities. But we have put in place facilities to deal with the primary needs of the community, such as the Country Fire Authority (CFA) fire station, which used to be in a tin shed. Everybody had to fundraise and pay for their own uniforms. We now have a modern facility at the Sugargum station at Hillside. It is an excellent facility for the CFA and its volunteers. We also have a new station for the fire brigade at Taylors Lake, which again services the community. It greatly enhances the safety of the people in the area.

Employment has been created by the growth of the economy in the region. The Watergardens shopping centre is one of the biggest employers in my electorate. It is a commercial enterprise comprising supermarkets, small novelty shops, food courts, cinemas, hardware stores, furniture stores and everything else. The government decided to develop, encourage and support

the Sydenham transit city and the shopping centre, which provides for people living in the high-density developments around the transit area.

We have also electrified the railway line to Sydenham, so there is an electric rail line to the newly renamed Watergardens station. The planners underestimated the popularity of that — —

Mr R. Smith — Acting Speaker, I direct your attention to the state of the house.

Quorum formed.

Mr SEITZ — I would like to thank the member for Warrandyte for noting the state of the house and asking the Acting Speaker to form a quorum so I have an audience to speak to. It was very nice of him to do it, but it will not stop me from presenting my speech this evening. I will remember it in the future when he is speaking and there is no quorum present.

Honourable members interjecting.

The ACTING SPEAKER (Mr Jasper) — Order! I would like to hear the honourable member without interruption, particularly from members on my right.

Mr SEITZ — As I was saying, the Watergardens shopping centre is the biggest employer in my area. As well the government has provided for the electrification of the railway line to the station there so that people can commute not only to the shopping centre but also to work. It is a popular place. The car park at the station has been expanded because it was not able to cope with the parking needs of the commuters who use that line. That is how popular it is.

The building of road infrastructure has also been carried out by the Bracks government, and further funding has been committed. We were duplicating Kings Road to that section, and we are still waiting for the federal government to come good with its share to be able to make a safe overpass and interchange at the Calder Freeway, which is desperately needed. I am sure nobody in this house would disagree with me that that project needs high priority.

With the federal election coming up I hope the federal government will see fit to provide the funds. The state government has put up funding for half the cost, and I am waiting for the other half to come from the federal government. After all, the Calder is a major arterial road and is of national importance, therefore the federal government should be coming good with its funds on that part of it. I will be campaigning right through to the federal election on that issue to make sure that the

federal government wakes up to the fact that it must provide the funds for the desperately needed overpass at the Calder.

It is not only the people of my electorate who are affected, people from Bendigo and further afield want to be able to travel safely through that section of the Calder so that they do not have to slow down. At the moment it has a speed limit of 80 kilometres per hour for safety reasons. I would like to see that limit removed and an overpass built as well as safety access ramps on that part of the Calder.

The government has provided the Tullamarine and Bulla interchange, which again has provided good service and safety for the people in my electorate. That was always an accident-prone area, and people can now safely commute to the city to work, which they certainly do from my electorate of Keilor. That is another important step the government has taken in that area.

My electorate has also experienced growth in the private school sector. Western suburbs members collectively lobbied to convince one developer to provide land for one of the private schools — a primary school in particular. But all of a sudden the land that had been set aside and committed to by the developer in the early stage of the development of the estate disappeared. The government's commitment to fund that project will meet the needs of people who choose to educate their children in private primary schools. After all, people who live in the western suburbs should be able to choose where they send their children to school, like people anywhere else. I have always been a strong proponent of freedom of choice and believe services should be available and encouraged.

As it happens the Overnewton Anglican Community College in Taylors Lakes has developed a new big campus, which it is expanding continuously. The school also has a campus in Keilor, which is constantly being improved. Education opportunities in the electorate of Keilor are first class.

That brings me to the people of Keilor. I thank them for supporting me, for showing their confidence and trust in me and for continuously working with me to improve the area and meet its needs. That is important. We need to work together as a community and with local councils — Melton and Brimbank councils — to develop and improve facilities and meet people's needs. There was a shortage of child-care centres in my electorate about two years ago, but now private enterprise has moved in and we have overcome that shortage. Child-care centres in Melton shire now show

vacancy signs, which did not happen two years ago. The state government also put in funding for kindergarten expansion and development in my area.

The Bracks government has delivered for the community in growth areas. We have also expanded services offered by ISIS Primary Care. That organisation has received a lot of funding from this government to develop its services in Taylors Lakes and across the region, and it is looking to expand further in Delahey. ISIS is cooperating with the government, and I will be supporting the project all the way to ensure that those services are provided.

All I have to say to those poor unfortunate people at the *Age* who portray themselves as journos is that they should be printing the truth and not perpetuating lies and untruths continuously in their newspaper. That a newspaper I once held in high regard has gone down to such a low ebb and is held in such low esteem is certainly disappointing to me and must be disappointing to the management and the company itself. Its stance has not washed or taken root with the voters in my electorate, because they have shown confidence by continuing to come into my office to help me. They worked for me during the election campaign.

Last week's article showed once again that *Age* journos cannot print the truth. It is unfortunate that they are unable to do that, and I am disappointed that some journos I respected have stooped to that level. It is very disappointing, because after all they have a responsibility to print the truth and to present the news in a balanced way. They should not be vexatious as they have been while trying to chase me out of office, saying, 'He has never got any promotion'.

I assume the *Age* will be proved wrong in the long run, and I will outlast those journos, because I will stay a member of this house for another two terms. They can still keep writing the same sort of stuff, from which I will get the publicity and the support of my community and party. That will allow me to represent the constituents of Keilor. If ever there is another electoral redistribution, for historic reasons the seat of Keilor should remain in place, with someone from Keilor representing the people here.

Mr WALSH (Swan Hill) — It is a pleasure to rise and speak in the address-in-reply debate. I must admit I am quite excited about the challenge of again representing the Swan Hill electorate for four years. Many members of Parliament speak about how their particular electorate is the best part of Victoria. I know for a fact that the Swan Hill electorate is the best part of

Victoria, so there is no debate in my mind about which is the best part of Victoria.

Swan Hill is a big electorate, and I will come back to that shortly, but the size and the diversity of the electorate means you never get bored in this job. There are never 2 hours the same, let alone two days the same, given the breadth of the issues that you deal with in the electorate office. One of my key challenges over the next four years will be making sure that my electorate gets its fair share of whatever government appropriations are made over that time.

The Swan Hill electorate is a bit over 28 000 square kilometres in area. If you sit down and do the arithmetic, you see that geographically you could fit 75 of the other Victorian seats inside the area covered by Swan Hill, so getting around the electorate presents some logistical challenges. There are six local government areas within the electorate: Swan Hill, Gannawarra, Loddon, Buloke, Yarriambiack and Northern Grampians.

If you look at the shires that are struggling to make ends meet, you will see that quite a few of them are represented in that list. One of the policies that we put forward as we approached the election — and one of the challenges we would give to the government on the other side of the house — is that we need to change the funding formula for local government. We need local government to have a share of a growth tax. What we suggested coming up to the election, and what we still believe should happen, is that the government should allocate a share of the GST to local government.

The large rural shires will not be able to survive just on rate revenue and the grants available at the moment. We believe that as part of the process of giving those shires a share of the GST there should also be a change in the grants commission formula so that there is a weighting for large geographic shires with low population density, because they have so many kilometres of road to maintain per head of population and so many services to deliver to the small towns within them.

Another issue facing several of the shires in my electorate, particularly Swan Hill, Gannawarra and Loddon, is the separation of land and water from a rating point of view. Two years ago legislation passed through this place that has taken the value of water out of the value of land for the purpose of levying rates, and that is going to have a major impact on the rate base of those shires. The shire councils have been lobbying for some form of staged assistance over the next four years

to ease that burden on their ratepayers, and I would support that position.

There are also three catchment management authorities that partially fall in my electorate: the North Central Catchment Management Authority, the Mallee Catchment Management Authority and the Wimmera Catchment Management Authority. Again a local member faces the challenge of so many different organisations to deal with. Four rural water authorities also fall within the electorate: Lower Murray Water, Goulburn-Murray Water, GWMWater and Coliban Water. In total there are 38 towns and 59 schools — 44 government and 15 non-government schools — in the Swan Hill electorate.

One of the challenges in the Swan Hill electorate is the number of children going on to tertiary education. If you take the parliamentary library research and look at the rankings of the 88 electorates here in Victoria and at those that have populations of people who have achieved less than year 10 in education, you find that Swan Hill is unfortunately ranked the second highest of those, with only the seat of Rodney ranked higher. If you look at the proportion of people who are attending tertiary education institutions, you find that Swan Hill has the lowest proportion — and in this case the electorate of Rodney just beats us. If you look at the proportion of people who have tertiary qualifications, you find that Swan Hill fares a little bit better, rated at 83 out of 88.

One of the challenges that I want to accept in this term of Parliament involves the work I am currently doing with a group of people in my electorate called the Central Murray University Working Group. One of the things we are trying to achieve is to get a university to start delivering to Swan Hill so we can get over the issue of people deferring or people having to travel outside the electorate to get a tertiary education. The work we have done has identified significant demand for nursing, teaching, business studies and social worker courses. Not only is it so for school leavers, but there is a significant demand among adults who want to go back to college and upskill, particularly those working in the teaching and health areas.

One of the challenges in having so many towns in an electorate as large as mine is that there are 13 hospitals, 9 community health care services and 6 aged-care services. I believe the health issue in my electorate is the biggest issue we face in the foreseeable future, as much around health infrastructure as around the actual medical practitioners needed to deliver that service.

Swan Hill District Hospital currently has funding for master planning, but at some stage in the future there will be a significant demand for capital to carry out that master plan. It is my understanding that this is going to be a staged development, probably over four different stages. The Minister for Health was up there two years ago and viewed the aged-care facility at that hospital. She realises that it is in desperate need of a major upgrade.

The Kerang hospital is also doing master planning. One of the challenges we have in Kerang is that there are two health services. There is Kerang District Health, which is the hospital, and there is the Northern District Community Health Service, which is the community health service. We have some real struggles getting those two health services to work together to achieve a good outcome for the community. They need to be able to work together to increase their chance of getting capital funding.

I recently went to my old home town of Boort and visited the hospital and the hostel there. The hostel, because of the drought and major soil movement, has significant cracks in it, and that will be a real issue going forward because it cannot be repaired and will need a major replacement. The Sea Lake hospital faces some challenges. It is an old bush nursing hospital that still has not come into the state system, and it is really struggling to survive going forward.

The East Wimmera Health Service has five campuses and has some major issues, including the need for capital at Birchip and St Arnaud. The Murtoa campus of Dunmunkle Health Service has effectively been eaten out by white ants and is in desperate need of repair. The ants have eaten through the floor, and staff are working out of a portable room at the back of the facility. The minister gave us money for master planning at short notice, but the health service will desperately need capital in the not-too-distant future.

We have had some successes. Rural North West Health got \$22 million in last year's budget for a major upgrade. The Dingee Bush Nursing Centre — a great little health service — got money for a building upgrade, and the Pyramid Hill aged-care facility got money for its kitchen. But there are some real infrastructure issues out there in the health services sector. It is a focus of mine, and no doubt the Minister for Health will get plenty of correspondence and lobbying from me on behalf of health services in that area.

One of the other things I should mention is that with so many towns in my electorate there are also a lot of

police stations. One of the pleasing things that we achieved in last May's budget was to get an allocation to buy the land for a new emergency services precinct in Swan Hill, and we have since had a commitment from the government for a new police station and a new State Emergency Service office there. Rural Ambulance Victoria has the funding and will be building on that site, and eventually I hope the Country Fire Authority will also build on the site. I hope that in four years time there will have been a major change in the buildings and in the delivery of emergency services in Swan Hill.

In the last four years new police stations have been opened in Boort, Culgoa, Koondrook, Lake Boga, Manangatang, Nyah, Pyramid Hill, Quambatook and Serpentine. They are all principally one-man stations, and we have a great commitment to making sure our small towns keep one-man police stations.

I turn to the issues relating to the portfolios I will have responsibility for over the next four years on behalf of The Nationals. One of those portfolios is agriculture, where I think we have a real challenge because the Bracks government has continued to underfund and underresource the Department of Primary Industries, particularly with regard to the extension services that are delivered into country communities.

Mr Delahunty — What extension services?

Mr WALSH — The member for Lowan asks, 'What extension services?', and that is a telling interjection. I am afraid the agriculture department is a shadow of what it used to be, and Victoria is missing out on the economic activity and the drive and change that used to happen in agriculture, because it no longer has those extension services getting new ideas and new research out there and stretching people's minds as to what can be achieved.

I have spoken a lot in this house about water, and no doubt I will speak a lot more about it in due course, so it is probably not the time to talk further about it in this particular debate. I remind the house that when we talk about water and about transferring water from one community to another community, we are talking about transferring wealth out of those communities.

One of the things I will never tire of saying is that we need to think about decentralisation in Victoria and about how we grow all of Victoria. Growth should not be just about taking resources out of northern Victoria in particular to let Melbourne grow bigger. We have to think about how we shift businesses and jobs out of Melbourne and into country communities.

Mr Delahunty — Where the water is.

Mr WALSH — Where the water is. If, for argument's sake, water from our dairy farms needs to be put into industry, if that is done within the community where those dairy farmers are located and if it creates 500 jobs over time, that will give real value to that community rather than transferring that water to Melbourne into the future.

The other portfolio I have responsibility for is climate change. Climate change is an interesting topic, and a lot of people ask the question, 'Do you or don't you believe there is climate change?'. I honestly do not know. There are indicators that things are changing, but we need to make sure we consider all the facts that are on the table. At the moment there are too many people having a knee-jerk reaction to the current drought. I think we have to separate the current drought from what may or may not be happening with climate change.

One of the things I have said previously is that whether or not the federal government signs the Kyoto protocol, it will not make it rain tomorrow. One of the challenges we face with climate change is that despite the impact it may be having here in Australia, the growth in China and the growth in India will potentially have a greater impact on Australia's climate than anything we do here in Australia, so we need to be very careful that we do not saddle our industries with huge costs and gain very little for us.

I want to touch on another issue that I have no doubt is an issue in a lot of areas around Victoria. I believe one of the measures of our society is how we treat those who are less fortunate than ourselves, and one of the things I constantly come across in my office — something which I had not had exposure to until I came into Parliament — is disability funding. In a lot of the towns in my electorate there are people with disabilities who are now adults and who are being cared for by their parents. Many of those parents are getting quite elderly now, and they are quite concerned and distressed about who will look after their children when they can no longer do it. It is a real challenge that I will spend more time on over the next four years, trying to get some help for those people.

The job that we carry out as local members, particularly in such a diverse electorate as mine with so many towns, would not be possible without the staff who work in our offices. I particularly thank Fay and Janet who work in my office. They do an absolutely fantastic job of helping the people who come through the door or who ring up every day. On the days I spend in my electorate office as the local member I am just blown

away by the amount of traffic we get through the office, the number of inquiries we get and the number of people out there who need our help.

I also thank my parliamentary colleagues in the local area over the last four years: Barry Bishop, who has now retired from the upper house; Damian Drum in the other place, who was the other half of North West Province before the changes to the upper house and is now a member for Northern Victoria Region; and the member for Lowan, whose electorate borders mine and who has been great to work with.

I particularly pay tribute to the federal member for Mallee, John Forrest. One of the great things about having a federal member of the same political party is that you can work together to achieve good outcomes for your joint constituency. It is a lot easier than if you are in conflict with the federal member.

In closing I congratulate the new member for Mildura and the new member for Rodney on entering this place. Again, both of those electorates share boundaries with my electorate. I look forward to the opportunity to work with both gentlemen to achieve good outcomes for not only northern Victoria but for all of Victoria and particularly all of country Victoria, because we want to make sure that we get our fair share of appropriations from the state government.

Mr HUDSON (Bentleigh) — It is a great pleasure to speak in the debate on the motion for the adoption of the address-in-reply to the Governor's speech outlining the third-term agenda of the Bracks Labor government. At the outset I thank the people of Bentleigh for returning me to this place with an increased majority. I also want to particularly thank my staff over those four years — Holly Cooper, Anna Daniels and Simon Keleher — who did a great job with me in servicing the needs of the electorate. I also want to place on the record my thanks to Noel Pullen, who was the only Labor member ever elected for Higinbotham Province in the other place but who did a fantastic job in ensuring that the needs of the non-Labor-held parts of the province were properly met. He was a tremendous representative for the area.

I was re-elected to Bentleigh because we are doing the things that people want us to do. One of the most important lessons out of the election from my point of view is that we are meeting the aspirations of voters in Bentleigh for good-quality schools. We are rebuilding the schools in my electorate, and in contrast to the Liberal government, which closed three schools that serviced my electorate, we have a major building program under way at Bentleigh Secondary College, at

McKinnon Secondary College, at Cheltenham Secondary College, which is in Mordialloc but which is attended by a lot of Bentleigh students, and at McKinnon Primary School. We have committed to rebuilding Bentleigh West Primary School.

If you look at a school like Bentleigh West Primary School, you see that it has every species of Bristol classroom used post the Second World War. It is a virtual museum piece of all the types of historic buildings in our public education system. It is interesting to reflect that even though the Liberal Party held Bentleigh for the 10 years from 1992 to 2002, barely a cracker was spent on any of the schools in the electorate. By contrast we have committed to rebuilding the schools that I have nominated, and there will be more.

Over the next five years we are committing \$2.3 billion to rebuilding our schools — 500 in the next term. I know that expectations are high and that many people are hoping that their schools will be upgraded within the next year or two. It is going to be difficult to meet those expectations because of the chronic neglect of schools over the last three decades. But we are the party that is committed to rebuilding them, and I am proud to be part of that party, because by contrast the Liberals spent only \$200 million on maintenance — there was not a single commitment to rebuilding education facilities in this state. The other commitment we have made is to build tech wings in our major government schools.

I want to reflect on one initiative that has already opened in my electorate at the Holmesglen Vocational College. We have provided a vocational college which has already taken in 150 students who want to learn a trade. They are not academically inclined; they want to do hairdressing, building and construction, electrical engineering and hospitality. Those students will have the opportunity to learn trades in areas of skill shortages and to become active and dynamic contributors to the growing Victorian economy.

I was recently appointed as the Parliamentary Secretary for Infrastructure. I listened very carefully to the speech made by the member for Hawthorn, the Leader of the Opposition. In his speech the Leader of the Opposition essentially said the Governor's speech was not the speech of a great nation builder. The government is building more infrastructure than the opposition ever dreamed of when it was in government, out of government, in opposition, in its promises or in its dreams. In its seven years the Kennett government spent on average \$1 billion a year on infrastructure. In the past seven years we have spent over \$13 billion on

infrastructure. In the last year alone we have spent \$4.9 billion on infrastructure. The Bracks Labor government has spent almost as much in one year as the Kennett government did in seven years.

Mr O'Brien — And what do you have to show for it?

Mr HUDSON — The member for Malvern, who has just turned up, asks what we have to show for it. What we have to show for it is, for example, the major upgrade we have just done to the Bendigo–Echuca line. The previous government neglected it. We have invested in it and we now have 18 weekly services running between Bendigo and Echuca. These are the things we are investing in.

In contrast, every piece of infrastructure the opposition promised at the last election was underfunded. Let us have a look at your promise to upgrade level crossings, which included a crossing in my electorate — the North Road crossing at Ormond. You committed \$200 million to upgrade four crossings at an average cost of \$50 million. Everyone who knows anything about crossings knows that work would have cost at least double that.

Let us look at the commitment to do the train extension to Doncaster for \$35 million. That has been costed by the department as costing at least another \$25 million. Then there is the commitment to extend the rail line from Epping to South Morang for the princely sum of \$12 million. The only way you could have upgraded that railway line — —

The ACTING SPEAKER (Mr Jasper) — Order! The honourable member for Bentleigh will address the Chair.

Mr HUDSON — Indeed I am, Acting Speaker.

The ACTING SPEAKER (Mr Jasper) — Order! I am not responsible for some of the things the member is saying, so I ask the member for Bentleigh to respond in the third person.

Mr HUDSON — I am, Acting Speaker. The only way it could have been done for \$12 million is if you created three more level crossings. It is the same with the Cranbourne line. You committed to spend — —

The ACTING SPEAKER (Mr Jasper) — Order! The honourable member should take notice of what I said.

Mr HUDSON — Yes, Acting Speaker. The only way the opposition could have extended the line to

Cranbourne East for \$6 million is by agreeing to create level crossings. Members opposite come in here and talk about getting rid of level crossings but they put out a policy at the election which would have created more level crossings. What we need to have in this place is a recognition that if you are going to make commitments like that, you have to make sure they are consistent with the rest of your policies. In this instance they were not.

This is what the Liberals continually do. The Liberals are continually acting as if they are committing to infrastructure when they are not. The Leader of the Opposition claimed that Victoria had inadequate plans to provide power, water and improved public transport. He said we had no plans to deliver water for Melbourne. The Liberals went to the last election making two promises: a desalination plant and a new dam, neither of which would have been built in the next four years. They therefore would have had no impact whatsoever on the water shortage currently confronting Melbourne.

In contrast this government has already delivered some major water conservation programs which have saved significant amounts of water for Melbourne. You only have to look at what this government has done. Since the late 1990s we have saved 22 per cent of water on a per capita basis in Melbourne; this represents a saving of more than 100 billion litres of water. The proposed Maribyrnong River dam would not have held anything like that; it would have held 8 billion litres of water. The Maribyrnong River dam was a puny response by the Liberal Party.

Since 1999–2000 we have also reduced leaks in the water reticulation system by 20 per cent. The leak rate in Melbourne now is one of the best in the world; we have the lowest rate of water leakage in the world. We have also introduced a water conservation program with industry. I note that the member for Brighton is continually in the media, claiming that all of the burden and weight of the water issue is being put onto the domestic user, not on industry. Industry has saved nearly as much water as residential customers over the same period; it has saved 24 per cent. We have also introduced legislation requiring energy and water saving for major industries — —

Mr O'Brien interjected.

The ACTING SPEAKER (Mr Jasper) — Order! The honourable member for Malvern should stop interjecting.

Mr HUDSON — The member for Malvern asks, 'Have you introduced water restrictions so that industry

can only use water for two days per week?'. I hope the member for Malvern does not have that as part of his economic blueprint for the state. I hope he is not proposing that we drive industry into the ground so it can only operate for five days a week, because if he is, the state would not grow in the way in which it is under this government.

We are also committed to upgrading the eastern treatment plant to produce class A water. If the business case is in place, we are going to send that water down to the Latrobe Valley power stations. This will cool them, and then the fresh water will be brought back to Melbourne. That will create 88 billion litres of water, which is 11 times the amount of water you proposed for the Maribyrnong River dam.

Honourable members interjecting.

Mr HUDSON — This assumes that you could fill the proposed Maribyrnong River dam —

The ACTING SPEAKER (Mr Jasper) — Order! The honourable member for Bentleigh should address his comments through the Chair. I am not responsible for any developments that take place in my role as Acting Speaker.

Mr HUDSON — I apologise, Acting Speaker. Members opposite are being provocative.

The Leader of the Opposition has talked about the shortage of power generation in this state. This is the same Leader of the Opposition who has come into this chamber and opposed every piece of legislation to facilitate the development of the wind and solar power industries in this state. Members do not have to take my word for it — they only have to think about what would happen if the Liberal Party were ever elected to government in this state. Its commitment was to get rid of the Victorian renewable energy target (VRET) scheme. The government has introduced this scheme to facilitate the development of renewable energy in this state.

In the *Age* of 26 October 2006 David Holland, managing director of Solar Systems, said the following in regard to Liberal Party policy:

The Victorian renewable energy target scheme was central to our decision to invest \$420 million in building the world's largest solar power station in Victoria. If the scheme is scrapped, solar systems may be forced to set up interstate.

If the Liberal Party had been elected to government, Solar Systems would not be investing in what will be the biggest solar power station in the world — in Victoria.

The Liberal Party also had a policy of abolishing the VRET scheme which threatened the wind industry. Stephen Garner, general manager of Keppel Prince, the Portland wind tower manufacturer, said in a notice to his employees:

The Liberal Party's policy to abolish the Victorian renewable energy target (VRET) scheme '... will effectively kill the wind industry in this town'.

It will kill the wind industry in this town, so I say to the Leader of the Opposition: do not come in here and lecture us about infrastructure when you closed schools, hospitals and railway lines. Not only that, when you awarded the tenders for public transport the successful bidders were bidding under the market by \$300 million or \$400 million — that is how well you handled the franchise arrangements in relation to public transport. That is what a mess you made of it. You made such a mess of it we had to inject over \$1 billion just to make the system sustainable.

Honourable members interjecting.

Mr HUDSON — Not only that, we are now investing in signals upgrades, using new electronic systems to control the train network because frankly the present system is archaic. You did nothing as a government, nor did you promise to do any of those things at the last election. Do not lecture us on infrastructure. I commend the speech of the Governor to the house.

Honourable members interjecting.

The ACTING SPEAKER (Mr Jasper) — Order! I remind all members that they should be careful how they address their comments. I note that many of the comments made by the member for Bentleigh seemed to be addressed by the member directly across the chamber and not through the Chair. I also remind the Deputy Leader of the Liberal Party that she might be setting a bad example for new members with her constant interjection across the chamber.

Mr HARDMAN (Seymour) — Thank you, Acting Speaker, and I certainly do not blame you for many of the ills that affected Victoria through those seven dark years of government by the Liberal Party and The Nationals up to 1999.

I rise to contribute to the debate on the address-in-reply to the Governor's speech, and it is important for me to thank the people of the Seymour electorate for again returning me to the position of member for Seymour. It is a position that I feel is a privilege, and I know that it is at the behest of the people that I remain in the job. I

thank them for voting for me and realising that I care about every town and every community across the Seymour electorate.

I would also like to thank my family for their great help in the campaign: my wife, Gail, who is a great stalwart and is always there helping us along and making sure that the administration of the campaign is done and that we run a very professional outfit; and the boys, Lachlan and James, who obviously miss us a lot over weekends and at night as I go about my member duties, as I know every member here in the chamber now and in the past has also done. Our families give up a great deal for us, especially during the lead-up to the election.

I had a great campaign team who were always there to help out with the many activities that must take place to win an election. Without them and other supporters and friends I would not have been able to get the message across the electorate. I really thank them for the help they gave in particular ways. It was a hard campaign in Seymour. We had a very keen Liberal candidate, Mike Dalmau, who worked very hard, and he made sure he knew what the issues were and did all within his power to win the seat for the Liberal Party. I thank him for taking part in the democratic process and I wish him well for the future.

There were a number of issues across the Seymour electorate. Over the last seven years we have addressed many of those, but it seems that as you address one, another one comes along. Often they are difficult to solve, particularly when they are new matters. It takes a lot of lobbying, a lot of work with ministers and bureaucrats, and a lot of work with communities to find a way to address those issues, whether they be in health, education, agriculture, water, community safety or any other area for which the state government takes responsibility. We have done a lot of that, and I will talk about some of those issues later.

We also have much more to do, and I think that is always a theme of the Bracks government. Labor has been returned to government with its second greatest majority ever, and I think the key to that — I know the Premier would probably agree, because we hear him talk about this a lot — is that we have not allowed ourselves to become arrogant. We are very concerned about what people in the electorate are thinking and saying. We have been listening to the people, and when we have needed to change direction a little or improve things, we have done that. I think that comes through, and that is respected and rewarded by the Victorian public.

I am particularly keen to see a number of schools in the Seymour electorate benefit from the \$1.9 billion that will be set aside to modernise or rebuild 500 schools across the state. In the election campaign we promised funding to just two in the Seymour electorate, Kinglake West Primary School and Upper Plenty Primary School. Both those schools are in need of upgrades. Kinglake West Primary School is a fantastic school, with great parents and kids, and the students do very well academically, particularly in mathematics. But the school is pretty run down. The school community campaigned quite hard and worked really well with me in the lead-up to the state election to make sure that the government saw its needs — and now the community is in the process of getting a new school. Hopefully we will deliver the funding for that in the budget this year.

I also look forward to seeing a lot of other schools across the electorate being done up. Like other places across Victoria, many of the schools in my electorate were built in the 1950s and 1960s and are probably not appropriate for education in 2007, when we use a lot of technology, which takes up a lot of room, and use a number of different teaching methods.

It has been great to see Yarra Glen Primary School get an upgrade, Broadford Secondary College almost go through a rebuild, Healesville Secondary College get a new science and technology centre and Alexandra Secondary College get a new technology centre. Seymour Technical High School will be completing its performing arts centre with the assistance of some grants provided over the last year, which is fantastic.

The project that has probably been most dear to my heart throughout my time as a member — it took a lot of convincing and a lot of hard work by the community and me to get it to this stage — is the development of Wallan Secondary College, which now includes years 7 and 8 and has had an increase in enrolments in year 8 compared with enrolments in year 7. A number of people, from bureaucrats to communities in surrounding schools, were sceptical about whether the school would ever be very big. Its enrolment is probably at the 260 mark, and it still has four more year levels to add — and the community is also growing significantly in the Wallan area.

The Bracks government has an impressive record in health in the area. Again there is always much more to be done, but whenever I survey my electorate and ask what is the most important issue, 50 to 60 per cent will tell me it is health. That is because people are very concerned that they get great health services. In this election campaign we promised \$15 million to rebuild the Alexandra District Hospital. Alexandra is not a

town that would be considered a Labor Party-voting area — it is a conservative town — but the hospital did need an upgrade. I am really pleased that at the last election the Minister for Health promised \$15 million to rebuild our hospital, which provides a great service for the area.

During the election campaign the Whittlesea ambulance station was also promised, and that got a bit of media coverage. Whittlesea is not in my electorate anymore — it has been redistributed out — but the people of Kinglake West especially were very keen to see a new ambulance station built at Whittlesea so that they could get a timely service in emergency cases.

The Yea ambulance station is being upgraded, which I am very pleased about. Examples of some of the fantastic work that has happened across the electorate can be seen in those ambulance services. We have also upgraded the service provided by the Kilmore and Seymour stations, basically to look after the Mitchell shire, from one-officer crewing with one ambulance on duty at all times to two-officer crewing and two ambulances operating during peak times. We have also built new ambulance stations at Kilmore and Seymour.

In aged care, which is also under health, we have rebuilt the Darlingford Upper Goulburn Nursing Home at Eildon, which looks after the Alexandra part of my electorate, and Barrabill House Nursing Home, which is in Seymour. The Yea nursing home and hospital have also been upgraded to the standards that are expected today. All other hospitals have had their funding increased significantly. In the seven years that we have been in government we have more than doubled the funding for the Kilmore and District Hospital. That is a great record.

Policing is a large issue. People would understand that at the 1999 election and the last election we focused on health and education, with the third issue being community safety. We have upgraded stations right across the electorate. I think at the moment we are up to six in the Seymour electorate. One of those is a brand-new station at Kinglake. They had never had a service in that area before and now they have their own police station. It has made a real difference to the quality of life and the amenity of people in the area.

We have also upgraded the Seymour and Broadford stations. We have built a 24-hour-capable station at Kilmore. It is not quite up to 24 hours yet, but the number of police there has grown significantly. At the moment we are also doing an upgrade at Wallan, which will have a 24-hour-capable station as well. That will meet the needs of that rapidly growing community.

At the last election we also promised to build a new fire station at Wallan, which again will be an important and pivotal piece of infrastructure for the general firefighting capacity of the area. We also promised to build new fire stations at Badger Creek and Christmas Hills North. Those volunteers really do deserve the best possible equipment, including vehicles, and stations to be able to carry out their work in the most safe and healthy way. Those promises are fantastic.

During the last election campaign I was asked by a reporter for one of the papers to nominate the three major issues. I considered that education and health were still major issues but that this time the third one was water. Obviously that was an issue right across the state. We still have issues in the Seymour electorate, and there is a lot more to be done to address those issues over the next few years. What we have done is connect Wallan to Yarra Valley Water with a pipeline, which has taken a lot of the pressure off the Sunday Creek Reservoir.

Business interrupted pursuant to standing orders.

ADJOURNMENT

The DEPUTY SPEAKER — Order! The question is:

That the house do now adjourn.

Bushfires: firebreaks

Mr BLACKWOOD (Narracan) — I raise a matter for the attention of the Minister for Water, Environment and Climate Change. I ask the minister to take action to protect not just water storages in metropolitan areas but also those that supply rural and regional Victoria by creating and maintaining permanent firebreaks around water catchments and storages. In early February officers from the Department of Sustainability and Environment stated that they intend to construct and maintain a permanent firebreak around the Thomson Dam catchment. As usual the environmentalists say that such a firebreak would introduce weeds that are sensitive to the regenerating bushland and that they may harm endangered species of frogs. Does this suggest that frogs are more important than we humans and our water supply? I have no need to answer that.

I suggest that the minister, the department and even the environmentalists get up from behind their desks and out of their comfy office chairs and actually visit the Thomson Dam area, talk to the locals and find out what logical solutions are on offer. Wilma Prentice, a local from my electorate of Narracan, more specifically

Moondarra, near the Thomson Dam, has made some good suggestions to me recently. If the department cleared a 20-metre width of vegetation on either side of major roads in the area, such as the Moe–Erica road and the Rawson–Tyers road, not only would the road and cleared area act as the best form of firebreak, it would also improve safety for locals in the area when the next fire unfortunately challenges the area again.

During a visit to the area not only would the minister and the department have sensible solutions put to them but they would also be bombarded with questions from the locals like, ‘Why is it that only the Melbourne water catchment matters?’, or, ‘Why is the Thomson Dam the only catchment that the department proposes to protect?’. Let me not be misunderstood. I support the idea of a permanently maintained firebreak, but why would the department be so arrogant as to suggest that it would maintain a firebreak only around Melbourne’s main water supply?

The Thomson Dam, although located in Gippsland, supplies water to the Upper Yarra Reservoir and the Silvan Reservoir for distribution to suburban households in Melbourne. I can tell members that this has totally ruffled the feathers of many country Victorians all around the state. What a totally city-centric view put forward by the Department of Sustainability and Environment: yet again rural people and their lifestyles do not even hit the radar. Let us not forget that regionally located water-dependent industries supply the rest of the state with fresh produce and make a major contribution to Victoria’s export activity. I call on the Minister for Water, Environment and Climate Change to take action to consider all Victorians when protecting Victoria’s water supplies from the threat of bushfire.

Consumer affairs: consumer education

Mr LANGUILLER (Derrimut) — I raise a matter for the attention of the Minister for Consumer Affairs. It is an important matter which affects a large number of Victorian consumers, including a very large number of migrant constituents in Derrimut and the western suburbs generally — that is, the issue of scams and frauds. I ask the minister to take action to educate consumers about preventing frauds and to work with other governments and enforcement agencies to crack down on fraudsters.

The Bracks government is committed to informing and educating Victorian consumers. On this side of the house we believe this is the best way to prevent consumer detriment. Additionally we are committed to making sure that consumers have somewhere to turn

when problems do arise. Consumer fraud can affect people in many ways. With the increasing use of technology in our society, scammers have taken the opportunity to prey on people by using new technologies, such as the internet, email and mobile phones, as well as by more traditional means, such as mail or even door-to-door sales.

The increase in the quantity and sophistication of global scams and frauds has resulted in many people falling victim to these criminal activities. Unfortunately consumers who fall victim to scams and frauds nearly always lose their money, and they have their identities stolen as well. However, if consumers are armed with information, that will go a long way towards protecting them from being scammed. I reiterate those aspects as I ask the minister to take action to assist in the provision of information and education to consumers.

You would know, Deputy Speaker, that this particularly affects the most vulnerable members of our community. It is not surprising that many people with disabilities, certainly people from non-English-speaking backgrounds in my electorate, senior citizens or older members of the community can fall into this trap. Consumers lose of the order of millions of dollars. In fact tens of thousands of Victorian consumers are affected by scams every year. It is important that we do something to protect consumers, but let us not forget that state taxpayers have to invest millions of dollars into protecting consumers. It is a good idea to continue to provide information to protect consumers.

Patient transport: rural and regional Victoria

Mr CRISP (Mildura) — My issue is with the Minister for Health. The matter I wish to raise for action concerns the late or outstanding reimbursements from the Victorian patient transport assistance scheme and also the inadequacy of the VPTAS kilometre reimbursement rate, the need for reimbursements to be provided for a broader range of specialist services and the lack of flexibility in accessing competitive commercial air travel. The action I seek is that the minister review this service to ensure timely payment of claims and flexibility in travel options. This review should include stakeholders and users of the scheme.

There is a drawback to living in a rural or regional town — that is, the lack of specialist medical services that country patients must deal with. To make it easier for country patients to visit specialists in major metropolitan centres, they use the Victorian patient transport assistance scheme. This system is good in theory, but lately I have been contacted by a number of constituents who are having trouble with it.

I have written to the general manager of the Loddon Mallee regional administration arm of the scheme to voice the concerns raised by my constituents. Some examples are as follows. A constituent in Ouyen has written to me stating that her refund, submitted to the VPTAS in October 2006, still has not been processed. This is an outrageous amount of time for someone in an isolated rural community — who is likely to be on assistance — to have to wait to be reimbursed.

A constituent's daughter under 12 months old has to visit a specialist audiologist in Adelaide. This audiologist, unlike our resident ear, nose and throat specialist, is able to provide the ear moulds needed for such a young child. She also receives audio testing to check her hearing — another service unable to be provided locally. A loophole in the VPTAS prevents the parents from receiving any assistance with travel to provide this service for the child.

Another user of the scheme is concerned that he is affected by the inability of the VPTAS to pay accommodation suppliers directly. Instead he pays for his Adelaide accommodation and then waits six to eight weeks to be reimbursed. He is also concerned that the VPTAS vehicle reimbursement rate is 14 cents per kilometre, which is far below the par of government rates.

Another constituent rightly points out that the VPTAS program does not acknowledge the electorate's isolation as enough reason to fly. Unless the patient is deemed too ill to travel by road, the Department of Human Services will not support air transport. However, at certain times it is far cheaper to fly than to drive, given the accommodation and other costs. It is not uncommon for regional airlines to offer \$90 fares versus a cost of several hundred dollars to travel by road.

I am mindful that over the years the VPTAS has allowed families and individuals to receive specialist attention to which they would otherwise not have access; however, I am also mindful that in light of the recent spate of complaints about the system —

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

Water: Frankston supply

Dr HARKNESS (Frankston) — Tonight I raise a matter for the attention of the Minister for Water, Environment and Climate Change concerning the accessibility of water from the eastern treatment plant for Frankston. The specific action I seek is for the

minister to urgently investigate the potential for local government to access alternative sources of water — including recycled, storm, grey and bore water — to provide further information to municipalities and work with local government to clearly define the access to and cost of recycled water.

I recently met with a councillor and senior council officers at Frankston City Council to discuss this crucially important issue for my local community. I will be arranging for a delegation to also meet with representatives of appropriate instrumentalities and authorities.

The drought conditions over the past decade, and especially over the past six months with the incredibly low winter and spring rainfall, have had a massive impact on Frankston as well as right across the state. Frankston has certainly not been immune from the effects of climate change and below-average rainfall.

Frankston City Council and local sporting clubs are very well aware that they are able to water some of their grounds during stage 3 water restrictions but that they are expected to help save water along with the rest of the community and industry. Municipal councils such as Frankston are struggling to ensure that the community can still access and use public open spaces such as local sporting facilities. Without the continued active intervention of both the state government and the Frankston council many of the municipality's sporting facilities will soon be unusable. The most obvious effect of this will be the disenfranchising of many sporting clubs, including those which cater for children, and the consequential health impacts.

Our alternative water supplies hold the key to a sustainable water future, and the project being proposed in Frankston is consistent with the Bracks government's plan to secure the state's water supplies. In mid-2005 the minister joined me in Frankston at Ballam Park when the Bracks government provided \$250 000 to the Frankston City Council to develop a plan to pipe recycled water to irrigate the park. The project will ultimately save 200 megalitres of drinking water each year and help Victoria achieve its aim of 20 per cent water recycling by the year 2010. The project will divert recycled water from the eastern treatment plant, which members will know is being upgraded with a \$300 million investment from the Bracks government. This massive upgrade will be completed by 2012 and will allow 135 000 megalitres of treated water to be available for various recycling projects.

Frankston City Council has a very innovative proposal which would see much public open space in Frankston drought proofed — from McClelland Drive in Langwarrin and west all the way to the Frankston foreshore. There are a number of issues which need to be addressed before this proposal can be further advanced, not least among them infrastructure —

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

Wantirna Road, Ringwood: pedestrian crossing

Mrs VICTORIA (Bayswater) — I raise a matter for the attention of the Minister for Roads and Ports. I call on the minister to take action and investigate the immediate need for a pedestrian crossing on Wantirna Road, Ringwood, between Canterbury Road and the Dandenong Creek.

Waldreas Lodge retirement village is an independently run, high-standard precinct for elderly residents, some of whom are in need of constant care but many of whom are still young and healthy enough to live unassisted. The village has provided excellent accommodation for many years and is currently undergoing major building expansion works. These works will mean additional residents, many of whom, like those who already live there, will need access to public transport to local shopping centres such as the Wantirna Mall to the south and Eastland to the north.

This part of Wantirna Road is in effect four lanes wide and vehicles travel at up to 70 kilometres an hour. There is no traffic island and crossing is just plain dangerous. In order to link the residents with the broader community, including potential visitors who rely on public transport to visit their loved ones, a pedestrian crossing is absolutely essential. Residents such as Margaret Confoy have been lobbying the state government for several years to make passage across Wantirna Road safe.

As recently as last week VicRoads claimed there are not enough pedestrian movements to warrant a crossing. May I suggest to the minister that this is perhaps a chicken-and-egg situation. We have all seen the ads on television advocating fitness for all ages. The government would like older Victorians to 'Go for Your Life' but have not taken into consideration that some of its target audience who would dearly like to exercise and be mobile cannot due entirely to a lack of access to safe transportation. Studies show us without doubt that the more active we are as we age the less likely we are to gain weight and develop diabetes and that with the help of mental stimulation we can slow the

progression of cruel conditions such as Alzheimer's. These ailments can make life miserable for sufferers and their families and also have huge financial ramifications for society as a whole.

I call on the minister to think to the future and take action by committing to a pedestrian crossing linking Waldreas village to the bus stop opposite so that these valued residents of my district can be given the opportunity to continue living full and active lives. Residents are scared of being hit and killed by cars and trucks. I only hope it does not take such an accident to initiate action.

Cycling: Upfield shared pathway

Ms CAMPBELL (Pascoe Vale) — I raise a matter for the attention of the Minister for Roads and Ports. The action I seek is that the minister, who also has responsibility for cycling, instruct his departmental staff to ensure that there is sign-off within the department and its agencies, particularly with VicTrack, for construction of the Upfield shared pathway between Boundary and Box Forest roads. The path would start near Fawkner police station and border the Fawkner Cemetery.

The Upfield shared pathway is a really fantastic project that has been constructively worked on by the member for Brunswick and me, the City of Moreland and Moreland bicycle users. That work has been progressing for a number of years. As a result of the work of the Bracks government improvements have been made including the installation of the Bell Street, Upfield, shared pathway pedestrian lights which are linked with the Bell Street and Sydney Road intersection and the rail crossing and Hudson Street. That set of lights was a major investment. Also we have extended the off-road area between Bell and O'Hea streets and installed lights at Dawson and Park streets.

I trust that the minister will see this as an important project. It is 1.6 kilometres of track which would finish the pathway through my electorate. It would really be a moment I would be particularly proud to share with the Minister for Roads and Ports. I have just checked with him about whether he is a member of Bicycle Victoria, which is a great organisation. Membership includes insurance, so if we can entice the minister out to my electorate and encourage him to get on his bike, we will make sure that he is well and truly covered for insurance. I am not suggesting he might need it, but if he chooses not to walk the pathway but hop on his bike, we will spend a very enjoyable hour or so travelling the pathway.

After four years of very hard work by the local community I trust that the minister will see fit to ensure, particularly within the department, that that great agency VicTrack listens acutely to the minister's staff when they say that they need its undivided attention to make sure this project is ready for sign-off and funding in the not-too-distant future.

Wild dogs: control

Mr TILLEY (Benambra) — I raise a matter for the attention of the Minister for Water, Environment and Climate Change and ask that he take appropriate action to eradicate the problem of wild dogs in Victoria.

I stand in this place tonight, as did the previous member for Benambra, continuing the call to eradicate the problem of wild dogs. The effects on farmers, particularly in my electorate of Benambra, are extreme because there are no boundaries for these dogs. The biggest problem is where private property adjoins public lands. These dogs see no fences, and the effect on native quolls and other native wildlife is that there are none. There is nothing left, and that is why the dogs are attacking the livestock.

Leading up to the election in November the Bracks Labor government was dragged kicking and screaming to conduct an aerial baiting program. In fact that was a Liberal Party policy that was adopted by the Bracks government. In December a minimal trial was kindly conducted over 10 000 hectares. However, we are experiencing a continuing drought and fires. Being wild animals, the dogs had hightailed it out of the place, and the aerial baiting trial was ineffective. I call on the minister to continue to take action through aerial baiting or some other alternative means, but more importantly the minister should come to the electorate and see firsthand the effects of these wild dogs.

A community meeting will be held some time in late March. I had an opportunity to speak with the minister today. I caught him in the lift and mentioned to him the community meeting in Tallangatta that will be held towards the end of March, hoping that the Artful Dodger himself would come to Tallangatta and face the farming community of Corryong, Tallangatta and the Tallangatta Valley. However, moving along, the biggest thing is to come up and see and hear firsthand from the farmers.

The Bracks Labor government has to get over the romantic idea that farming is a lifestyle where you drive your Mercedes-Benz, sit back and watch the grass grow and the cows graze. Farming is a business. Farmers are active, hardworking people who work their businesses.

Spending time fighting the effects of the wild dog slaughter is taking time and effort away from concentrating on their businesses and seeing their businesses flourish. In the last couple of seconds of my contribution to the debate, if we are not going to conduct aerial baiting, there are many other methods that should be considered. I reiterate that the minister should come up to the electorate of Benambra, face the people and discuss these alternatives.

An honourable member — Contraception?

Mr TILLEY — That's the thing — these wild dogs are not making love to the sheep!

Kings Road, Sydenham: duplication

Mr SEITZ (Keilor) — I wish to raise a matter for the Minister for Roads and Ports. Firstly, let me congratulate the minister on being appointed a minister, as this is the first opportunity I have had to address a matter to him.

I ask the Minister for Roads and Ports about work that is going on in my electorate, and in particular I ask that he take up with VicRoads the notion of giving residents sufficient notice prior to commencing rock blasting for the tunnel at Kings Road. The minister is aware that works going on in my electorate will lead to road duplications, as will other works in the western suburbs.

I am pleased that the minister is from the western suburbs, where we have the Deer Park bypass being built and only last week we had the opening of the Bulla–Tullamarine interchange, which will be an important asset to my community and electorate. For that reason I know that the minister will take this matter up so that the residents will be able to adjust their lifestyles. Consideration needs to be given to the school holidays and people working shiftwork in the area.

Previously when works were carried out — one single lane of the tunnel was constructed by the City of Brimbank — they caused a great deal of angst amongst people because of the rock blasting and removal of the rocks from under the tunnel to create access under the railway line. Therefore I ask the minister to liaise with VicRoads. I ask that it takes great care and consults with the community so my constituents and people affected are made aware early, before the actual works start. People in my area regard VicRoads with a lot of goodwill and it has a good reputation in Keilor because of the work it carries out so efficiently and readily for the community.

If the minister takes this matter up with VicRoads it will smooth things out, as it has been consulting with

the people planning this tunnel. It actually put a high buffer fence in one area at the request of the residents. It has had consultation meetings in several communities before starting construction so that everybody was aware that there would be some inconvenience while the construction work took place, particularly in the summer months, when the dry weather causes the dust that people have to put up with.

I am pleased to say my office has not received any complaints on those matters, so I congratulate VicRoads on the work it is carrying out before it actually starts blasting to work through that tunnel, which work I know can be hazardous. From past experience in that area I know the workers will be dealing with basalt rock, which has to be broken up with jackhammers and then blasted. I hope the job is completed with everybody being pleased and happy and that the minister comes out and officially opens the tunnel when it is completed.

Colac High School and Colac College: amalgamation

Mr MULDER (Polwarth) — I call on the Minister for Education in the other place to provide the Colac community with an up-to-date report on the Colac High School and Colac College amalgamation project, which is strongly supported by the minister's department, Colac Otway shire and the Colac community. I am also getting in early and calling on the minister to ensure that this project receives funding in this year's budget allocation so that works can proceed. I am sure that the minister is well aware of the new secondary school project, because when I raised the matter in my address-in-reply the Minister for Skills, Education Services and Employment, who was at the table at the time, commented, 'It is a very good project.

Members of the local community are hearing all the right noises. The *Colac Herald* of Monday, 19 February, reports:

An education department spokeswoman said the department had seen the preliminary plans for the proposed Colac secondary schools regeneration project, which forms part of the Colac education, recreation and community precinct, and more advanced planning was under way.

The spokeswoman went on to say:

The state government has made an election commitment to fund a number of regeneration projects during its term in government, including Colac ...

The Colac community has heard from the school councils, the Colac Otway shire and the Department of Education about the new school. However, it would be

reassuring for the community to hear from the minister about this vital project for the region. Plans presented to a community forum last week show new school buildings including a sports stadium, library and performing arts space. The new facilities will sit alongside and complement the Bluewater Fitness Centre and the Central Reserve.

It is estimated that, if the project were to receive funding in the 2007–08 budget, the earliest date that the buildings could be occupied would be 2009. The community, the local council, the school councils and the minister's department have worked diligently on the project, and they are to be commended for the work that has been undertaken to date. All that is needed is for the minister to provide the assurances and let us know where the project sits in relation to funding, and what further steps are required in order to commence work.

Planning days for both schools are being undertaken to ensure that the best outcome possible is achieved at the new facility. Given the importance of this education precinct, I am sure Colac would welcome a visit by the minister to the 21-hectare site of the proposed school. The existing schools comprise very old buildings, and the school councils are working around the clock, along with the principals, to ensure that they do not become run down while we wait for this important project to receive funding. We have dedicated teachers at both schools, we have strong school councils and we have a community that are really pushing and supporting their schools and school councils to get this project up. I implore the minister to look at this project, give us an up-to-date report and, as I said, provide funding in this year's budget.

Rail: Merri Creek bridge

Ms RICHARDSON (Northcote) — I raise a matter for the Minister for Public Transport. I refer to the duplication of the railway line between Clifton Hill and Westgarth stations, and I ask the minister: what action will be taken to ensure that the residents are consulted in order that their concerns over the design and construction of a new bridge over Merri Creek are addressed?

The Bracks government's *Meeting Our Transport Challenges* blueprint for Victoria's transport system was launched last year. An integral part of the action plan was to upgrade the junction of the Epping and Hurstbridge rail lines between the two stations. Currently during peak times up to 20 trains per hour must use the single-track section, causing a bottleneck on the network. The benefits of the upgrade will be significant. Fewer trains will be delayed, improving

reliability and reducing overcrowding. The capacity of the line will be increased, which is an important consideration with the planned extension of the Epping line to South Morang.

As part of the upgrade it will be necessary to build a new bridge over the Merri Creek. The current single-track bridge was constructed in the late 1890s and has significant heritage value. Demolishing it is not an option. It is proposed that the new bridge will run alongside the old one and, in addition to the Merri Creek, cross Urquhart Street and Creek Parade. The proposal will have an impact on the creek, the surrounding land and nearby houses and will affect pedestrian and cyclist access.

In short, while residents can see the benefit of the project for commuters, they want to ensure that the construction has as little impact as possible on their environment. Moreover, wherever possible we seek to improve the area concerned — for example, local residents and the Friends of Merri Creek are keen to see improvements undertaken to Merri Creek as part of the project. The removal of foreign plants and rubbish is one such measure. Landscaping of the area following construction is another. Residents would also like to see more open space and improved access to the nearby railway station. As I mentioned earlier, the old bridge has significant heritage value, so the design and aesthetics of the new bridge are crucial. Residents are also concerned about an increase in noise. All of these issues and more need to be addressed to ensure the success of this project.

This is an exciting development for the Northcote electorate and an integral part of the Bracks government's vision for public transport in Melbourne's north. I commend the minister and her team on the way they have engaged the local community to date, and I ask what action will be undertaken to ensure that local residents and interested groups are consulted in the future as we move forward towards the completion of this important project.

The DEPUTY SPEAKER — Order! Prior to calling the minister I point out that I think the member for Northcote meant to ask what action the minister will take to ensure that residents are consulted about their concerns, not 'what action will be undertaken'.

Responses

Mr PALLAS (Minister for Roads and Ports) — The member for Bayswater raised an issue concerning a pedestrian crossing at a location in Wantirna Road. The Bracks government obviously takes seriously its

concerns with regard to spending on road safety, and we are particularly conscious of the fact that that obligation brings with it a requirement to make a continuing investment. We have increased our investment in road safety by about 280 per cent, and that has meant that over the last seven years this government has put in place something in the vicinity of 2000 individual road safety initiatives.

I note that the member brought to my attention that the matter has already been the subject of a VicRoads analysis, and as a consequence of that analysis the activity obligation requirements for a pedestrian crossing have not been met. I also note that the member has drawn to my attention the desirability of increased mobility for people, and as a consequence I will ask VicRoads to review the situation and to have direct dialogue with the community in an effort to ascertain what options are available for improved access for the community.

The member for Keilor raised an issue concerning the Kings Road duplication, which is a \$19.7 million project that involves the duplication of 3.3 kilometres of existing main road to provide a total of four lanes between Taylors Road in the south and Melton Highway in the north. The Kings Road duplication is one of a number of initiatives that the Bracks government is putting in place in respect of outer metropolitan growth and development. This growth and development is quite outstanding and demonstrates that the growth and vitality of our outer western suburbs are continuing to place greater demands upon the government in respect of the need to make greater investments. In *Meeting Our Transport Challenges* the government has committed \$1.3 billion over the next 10 years to deal with the question of outer metropolitan arterial road growth. We remain committed to that process, which already has seen a substantial investment in outer metropolitan roads. Something in the vicinity of \$400 million worth of specific projects has already been undertaken in outer metropolitan Melbourne.

The Kings Road duplication is one of the many outer metropolitan projects being constructed to meet the traffic demands in this rapidly growing area. The traffic demands that confront Victoria and outer metropolitan Melbourne in particular will be consistently in the mind of this government as we move forward and deal with our challenges relating to congestion. Of course we know congestion has a varying degree of cost for this government, the community and ultimately the economic activity of the state, about \$2.5 billion being the most recent estimate of the negative impact that congestion growth can have. As a consequence we need

to be eternally vigilant in terms of the systems we put in place.

The works to be undertaken in respect of the Kings Road duplication, for the information of the member for Keilor, will include roadworks such as new pavement, the construction of kerbing and channelling; intersection improvements including the signalisation of several intersections; landscaping works; and the removal of rock at the Sydenham rail and road underpasses to allow for construction of the new carriageways. To my knowledge there is no rock blasting proposed. If in the future rock blasting becomes necessary, a communications plan will be developed around the issue to ensure that the community is informed and sufficient notice is given. I want to reassure the member for Keilor of the strong community support for this project, which will result in less congestion, improved safety and better access to adjacent residential and commercial precincts for people who reside in the surrounding communities.

Finally, the member for Pascoe Vale raised a matter concerning the Upfield shared bike and pedestrian pathway. I must say that I was somewhat surprised to imagine that the member for Pascoe Vale would be mistaken in any material respect about whether I possess anything other than a finely tuned cycling body! In fact only as recently as last October, when the government opened the 23-kilometre Federation Trail, I managed to successfully traverse the entire trail. Then, due to an unfortunate breakdown in communication, I traversed the trail back again. I must say that it was a lot more fun getting there than it was coming back.

Nonetheless, cycling is a wonderful undertaking, and it is increasingly becoming not only a social and environmentally responsible activity but an important way in which to deal with our congestion issues. I have made my contribution to the environment by vowing never to wear lycra, and under its Meeting Our Transport Challenges initiative the government will invest in the vicinity of \$73 million over the next 10 years in what is effectively the biggest injection of funds into cycling in Victoria's history.

This investment recognises the importance of cycling and walking as travel modes, especially for shorter trips, and it is increasingly becoming a legitimate form of activity and travel, both to and from work. That means there are increasing demands upon the government to provide adequate facilities, and not only provide for cycling routes but also provide for the appropriate housing for cycling routes so that an effective interface between cycling facilities and public transport facilities is available. The potential to grow

these cycling routes substantially as the community seeks more sustainable forms of transport is consistently apparent to the government.

The proposed 1.6-kilometre extension of the Upfield bicycle path from Boundary Road to Box Forest Road in Fawkner will cost \$1.1 million. I will ensure that my department works cooperatively with the City of Moreland to assist with any concerns it may have to see that this project progresses for the benefit of all cyclists in the electorate of the member for Pascoe Vale.

Mr ANDREWS (Minister for Consumer Affairs) — I am pleased to respond to the member for Derrimut, who has raised the important matter of scams and a whole range of fraudulent and predatory behaviour that sadly too many Victorians fall victim to each year. I want to also acknowledge the member's interest in consumer protection issues.

Consumer fraud is a significant issue facing Victorian families. Research commissioned and conducted by Consumer Affairs Victoria has found that over a 12-month period around 370 000 scams were committed at a cost of around \$130 million. That is a very substantial amount of money and a very substantial burden on the individuals involved. If you break that down, it is about \$346 per incident in terms of money lost directly, as well as the cost in time and a whole range of other burdens that are imposed because of this predatory behaviour. That is perhaps more than the average family spends on food in a fortnight — all lost to this unconscionable conduct.

As a government we are working hard through Consumer Affairs Victoria and through partnerships with a whole range of other agencies to try and better inform the Victorian community about these risks. We want to make sure that people are aware of them and perhaps put in place practices to protect themselves. We also want to try to ensure they have the confidence to come forward and get themselves the support, advice and assistance they need if they have fallen victim to this predatory behaviour.

It is timely that the member for Derrimut raises these matters, because March is National Scams Awareness Month. The government will work in a very concerted way, in partnership with a whole range of international and interstate agencies, including New Zealand, as part of that National Scams Awareness Month to promote and elevate awareness of these issues and to make sure that people have the confidence to come forward to get the support, assistance and advice they may need if they have fallen victim to this sort of predatory behaviour.

The four-week campaign mounted by the Australasian Consumer Fraud Task Force coincides with the global consumer fraud prevention month. This is a global program and these are issues that are important right across the world. As a government, we are committed to doing everything we can to advance these issues. We have worked with vigour to uncover and prevent scams that capture consumers. We have sought court actions and injunctions, issued formal warnings and monitored mail and email for repeat offenders. That is an important part of the enforcement side of things.

However, the member for Derrimut asked for and sought action about educating consumers. Perhaps the most important thing we can do is to educate consumers about scams that have been committed or may be committed so that they can be wary and have the confidence to come forward to get the support they need. Perhaps the golden rule in terms of consumer protection is to understand that, if something sounds too good to be true, then it almost certainly is. A few simple precautions, a few practical changes in terms of handing over personal information — just being that little bit more cautious than we perhaps might have been — can have powerful outcomes.

The other message that is very important to get out there amongst the community — and the education campaigns we run are largely targeted at this — is to ensure that people understand that they must get past the embarrassment in order to deal with some of those issues. They should come forward and get the help and support they need. In so doing they will not just help themselves but they will also add to the evidence base and the database, so that we understand more about this sort of conduct and can potentially prevent many thousands of other Victorians falling prey to the same unconscionable conduct.

Consumer protection issues are very serious. This government has invested in preventing them. We have a 1300 number that received more than 500 000 calls last year and a website that received more than 1.1 million visits. We have a regional network of seven offices. Consumers in Victoria have never before had such a well-funded, well-resourced and clear opportunity to come forward to get the support they need. I thank the member from Derrimut for raising the issue. He can rest assured, as can all honourable members, that the government will continue to invest in making sure that the community is educated, particularly about these predatory practices.

The DEPUTY SPEAKER — Order! The Minister for Sport, Recreation and Youth Affairs to respond on behalf of various ministers to matters raised by the

members for Narracan, Mildura, Frankston, Benambra, Polwarth and Northcote.

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — I will raise those matters with the relevant ministers for their action.

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

House adjourned 10.43 p.m.