

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT

FIRST SESSION

Thursday, 10 April 2008

(Extract from book 4)

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By authority of the Victorian Government Printer

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The Lieutenant-Governor

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

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House Committee — (*Assembly*): The Speaker (*ex officio*), Ms Beattie, Mr Delahunty, Mr Howard, Mr Kotsiras, Mr Scott and Mr K. Smith. (*Council*): The President (*ex officio*), Mr Atkinson, Ms Darveniza, Mr Drum, Mr Eideh and Ms Hartland.

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

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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

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Kotsiras, Mr Nicholas	Bulleen	LP	Weller, Mr Paul	Rodney	Nats
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Languiller, Mr Telmo Ramon	Derrimut	ALP	Woodridge, Ms Mary Louise Newling	Doncaster	LP
Lim, Mr Muy Hong	Clayton	ALP	Wynne, Mr Richard William	Richmond	ALP

¹ Resigned 6 August 2007

² Elected 15 September 2007

³ Resigned 6 August 2007

⁴ Elected 15 September 2007

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Thursday, 10 April 2008

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

BUSINESS OF THE HOUSE**Notices of motion: removal**

The SPEAKER — Order! I advise the house that under standing order 144 notices of motion 125 to 160 inclusive will be removed from the notice paper on the next sitting day. A member who requires the notice standing in his or her name to be continued must advise the Clerk in writing before 2.00 p.m. today.

LAW REFORM COMMITTEE**Property investment advisers and marketeers**

Mr CLARK (Box Hill) presented report, together with appendices and transcripts of evidence.

Tabled.

Ordered that report and appendices be printed.

DOCUMENTS

Tabled by Clerk:

Gambling Regulation Act 2003 — Report and Supplementary Report of the Gambling and Lotteries Licence Review Panel to the Minister for Gaming in relation to the Review of the Regulatory Structure and Associated Arrangements for the Operation of Gaming Machines, Wagering, Approved Betting Competitions and Club Keno and the Funding of the Racing Industry that are to apply after 2012 under s 10.2A.11 — Ordered to be printed.

MEMBERS STATEMENTS**Peter Hudson**

Mr PALLAS (Minister for Roads and Ports) — I recently had the great pleasure of attending the Wyndham community awards night, which celebrates and recognises the hard work of local people from our community. This year Peter Hudson was celebrated as the citizen of the year for his ongoing support and involvement in the Wyndham community over many years and in a variety of capacities. Mr Hudson was a teacher at the former Laverton High School before returning to the well-known local family business, Hudson's and Master Dry Cleaners. In this role he

participated in and led the International Dry-Cleaning Institute and was the international board president for two years. This year's citizen of the year award is not Mr Hudson's first community accolade. He was also awarded the Australian Drycleaner of the Year award in 1991 and the international equivalent in 1999. Mr Hudson has had strong relationships with both the Werribee Chamber of Commerce and the former Shire of Werribee, the latter electing him in 1982. He served as mayor in 1986.

On the sporting side of life Mr Hudson has had long associations with local football clubs as both a player for and sponsor of the Werribee Football Club and the Werribee Centrals Football Club. More recently he chaired the Forever Foundation, a charitable foundation established by the mighty Western Bulldogs, and he is a contributor to the redevelopment of the Whitten Oval. Mr Hudson was also a founding member of the Committee for Werribee, which celebrates its 10-year anniversary this year, with Mr Hudson as chairman. I congratulate Mr Hudson on his latest award and thank him for his tireless contribution to all facets of the Wyndham community.

Winchelsea Gun Club: relocation

Mr MULDER (Polwarth) — The Winchelsea Gun Club has been in operation for almost 50 years and has been located on the Winchelsea Common since 1979. During that time members of the club, who currently number over 200, have made a substantial contribution to the town of Winchelsea, being annual contributors of funds to the Hesse Rural Health Service and also the local Lions Club. There is also a very healthy influx of competitors and their families who travel to Winchelsea twice a month for club fixtures, and many of them patronise local businesses whilst they are in town.

A decision has been made by the Department of Sustainability and Environment (DSE) on environmental grounds that the gun club, together with the Winchelsea Fun Kart Club, must vacate the town common and relocate. It is vital that this family-oriented club be retained in Winchelsea. Adequate funding needs to be provided by the DSE to assist in relocation, and it is also essential that these clubs be allowed to remain on the common whilst an investigation into alternative sites is undertaken.

A number of young shooters competing today in world-class events have come through the Winchelsea Gun Club. In fact, two young shooters have recently been chosen to compete in trapshooting events overseas, which may lead to an opportunity to represent Australia in future Olympic events.

The loss of this club to the town of Winchelsea is inconceivable, and a combined effort by the DSE and the Surf Coast Shire Council to find a permanent home is urgently required.

Newcomb Power Football Club

Ms NEVILLE (Minister for Mental Health) — Recently I was delighted to accept the Newcomb Power Football Club's invitation to become its no. 1 ticket-holder. This is a position I am proud to hold, and I regard it as an honour to be able to support the club and the terrific contribution it makes to our local community.

The club's seniors were premiers in 2007, winning the Bellarine Football League's grand final. Unfortunately, the coach and some of the players moved on, and over the last few months the club has been faced with the challenge of rebuilding its senior squad to ensure the club's future. Thanks to the determination of members and supporters, particularly Derek Costello, last year's president, it has succeeded and has now re-established the senior team.

Premiership players from last year, Damien Mahoney and Duncan Miles, have stepped up to take on the coaching roles. There is also a seconds team and an under-16s team playing this season. The club will also participate in Auskick, organised by Kevin Thomas, a life member of the Bellarine Football League.

Newcomb Power aims to build on these achievements and develop additional junior teams in the future. This is great for our young people. It gives them a chance to be involved in healthy sporting activities and the positive benefits of the club's social life. The combination of the football and netball clubs under the banner of Newcomb Power has also been a great success within the local community.

My congratulations go to the president, Ian Webb, the secretary, Mike Walmsley, and members of the committee for their hard work and ongoing commitment to the club. The efforts of all those involved have ensured that Newcomb Power, as the premiership club, continues to be a viable part of the Bellarine Football League.

Katandra West Bowling Club: synthetic playing surface

Mrs POWELL (Shepparton) — I have received a letter from Mr Alan Bassett, secretary of the Katandra West Bowling Club, seeking funding to replace the current natural turf green with an innovative all-weather

synthetic green which requires no watering. The cost is \$160 000 plus GST. The club has obtained federal government funding of \$50 000, with \$30 000 up for consideration in the City of Greater Shepparton's next budget. The council has indicated its support for the project, saying that funding will be viewed favourably.

The Katandra West Bowling Club has worked hard in raising almost \$30 000, which is a fantastic effort during these difficult drought-affected times. This leaves a shortfall of \$50 000, excluding GST, which the club hopes the Victorian government will assist with. The club was unsuccessful in obtaining funds from the state government's Smart Water Fund and has applied through the Greater Shepparton City Council for \$40 000 from the state government's Drought Relief for community sport and recreation program. If successful, there would be a shortfall of only \$10 000 and the federal government funding, which must be spent by early 2009, would not be lost.

The Katandra West bowling green services two separate associations for daytime pennant competitions and a third association for a night-time pennant competition. Lawn bowls has one of the highest participation rates for organised sport in the 45-year-old-and-over, category. Four large state bowling organisations have sent letters of support stating that it should be a priority to replace Katandra West's natural turf green with a synthetic green, and I urge the government to fund this much-needed socially and environmentally beneficial project.

Eltham electorate: Top Arts Victorian certificate of education display

Mr HERBERT (Eltham) — I rise to congratulate some terrific young people from the Eltham electorate who have had their creative works chosen to be in the Top Arts: VCE 2007 display at the National Gallery of Victoria. To have a piece of art displayed at the gallery is a great achievement, and I am proud to say that four local students have accomplished this honour. Eltham has a strong and proud tradition of producing very talented artists, and it is heartening to see that this tradition shows no sign of wavering.

Whilst the area's reputation centres around the Heidelberg School artists, Montsalvat and alternate dwelling designs, it is terrific to see that a strong artistic flair continues with the current generation of creative young artists. Fiona Coath, Stephanie-Lee Moulin, Alexandra Sciubba and Verity Willmott were chosen to display works from more than 2000 submissions from government, Catholic and independent schools across Victoria. The high standard of work is a credit to the

students and also a tribute to the teachers and parents who have supported them in their creative pursuits.

I am confident that these four students will continue to excel in their chosen fields, and I again wish to congratulate them on their fantastic efforts.

Box Hill Hospital: redevelopment

Ms WOOLDRIDGE (Doncaster) — I call on the government to fund in the upcoming budget two major projects affecting many Doncaster residents. Firstly, time is running out for the ageing Box Hill Hospital. The full project will cost just over \$1 billion, or \$850 million for stage 1. However, the estimate just to bring existing facilities up to standard so that the hospital can stay open is over \$750 million. The bandaied solution is nearly as expensive as the full redevelopment cost.

These are compelling numbers which say that the full redevelopment must be funded now. If it is not funded, it will have an impact on thousands of people in Manningham, including many ageing residents with increasing needs, and young families.

Doncaster Secondary College: upgrade

Ms WOOLDRIDGE — I also call on the government to deliver on its 2006 election promise and fund the upgrade of Doncaster Secondary College. The government has said it is a ‘matter of priority’ but has so far failed to commit the promised funds. Doncaster Secondary College is an excellent school with strong leadership and committed teachers.

The government must include funds for the upgrade of the school in this year’s budget so the school can continue to deliver in appropriate and up-to-date facilities the high-quality education to Doncaster students for which it is recognised. The government’s ongoing failure to provide the funds it has promised is depriving Doncaster residents and students access to modern and up-to-date facilities in the vital areas of health and education.

Rail: service standards

Mr HUDSON (Bentleigh) — Yesterday the Brumby government announced a huge increase to our metropolitan rail services, but this is not good enough for the member for Polwarth, who opposes everything and stands for nothing. Yesterday public transport received a huge boost, but he said it was tinkering. If that is tinkering, there should be more of it. Since 1999 our government has added over 1000 train services

every week in Melbourne and 400 every week in regional Victoria.

From 27 April, 105 new services will be delivered every week, 55 of those in peak hour. But the member for Polwarth has not had a good word to say about it. He said it was tinkering — ‘tinkering’ that has delivered capacity to carry an extra 800 000 commuters every week in Melbourne compared to 1999.

The member for Polwarth says we need to invest in infrastructure but refuses to acknowledge the impact that new infrastructure, such as at Clifton Hill, will have. He says he wants infrastructure but spends his time attacking projects like regional fast rail, claiming it is a waste of money. With the next stage in November we will see at least another 95 new services introduced every week. The member for Polwarth can tell the 75 000 people who want to catch those trains that we are just tinkering. There will be yet more trains in mid-2009, this time concentrating on off-peak periods. Then the new trains start to come on stream.

We will keep doing the hard work. We will keep delivering for the people of Victoria. Meanwhile the member for Polwarth can keep doing his own tinkering, trying to get the numbers in the party room.

Wodonga: justices of the peace

Mr TILLEY (Benambra) — A recent search of the Royal Victorian Association of Honorary Justices website’s ‘Find a JP’ service was conducted for justices of the peace (JPs) within the 3690 postcode area. I have been notified of recent applications made by residents of Wodonga to the Department of Justice to become justices of the peace being rejected because priority is given to applications from locations where there are low numbers of JPs, and records indicate that there is a large number of JPs in that area.

Local JPs in Wodonga have established a service at the local court where a roster has been created, and for at least 2 hours per day JPs are available to the public for witnessing of signatures and other duties. This service often sees in excess of 60 people within a 2-hour period. I applaud the service and thank all on the roster for making themselves available to fulfil this community service role. However, the roster is difficult to fill, with only 10 Wodonga resident JPs able to give of their time in this manner.

Close scrutiny of the list provided on the website alerts one to what may be part of the problem. Of the 35 JPs listed for the postcode 3690, some live over 40 kilometres from Wodonga, one person is listed

twice — once in her maiden name and once in her married name — and 13 of those listed are aged over 70. Indeed, of the names on the list supplied to a local JP by the Department of Justice, one is deceased, so the question has to be asked: how many are actively able to provide the service? Being a JP is a highly considered, valuable community service. If only 10 people can provide time to participate in a roster — —

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

Anne Phelan

Ms DUNCAN (Macedon) — I rise to congratulate Anne Phelan, a resident of Romsey, who, on 7 March, was inducted into the Victorian Honour Roll of Women in celebration of International Women's Day. Most members will know Anne Phelan for her work for over 40 years in Australian film, television and theatre, most notably for her role in the television series *Prisoner*. Anne was nominated for the Victorian Honour Roll by Positive Women, a support and advocacy group for women living with HIV.

Anne is a real character who is passionate about many things. She is often uncomfortable with being singled out for recognition. Anne uses creative arts and her particular brand of humour as a way of promoting her message on safe sex and the impact HIV has on women, their families and the community.

Anne's induction to the Victorian Honour Roll follows an Order of Australia last year for her work in the arts and her many other roles in the community. I had the pleasure of being with Anne when she spoke to a local school on its award night and told of her own school experience. She was funny and enthralling. Using her skills as an entertainer, her speech provided an insight into this fascinating woman's life and an insight for students. Anne has said of her ambition as patron of Positive Women, 'I long for the day when you can speak of a loved one who is HIV-positive in the same manner you would talk about a cancer or any other chronic illness, free of stigma and prejudice'.

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

Environment: integrated waste system

Mr INGRAM (Gippsland East) — Next Thursday the nation's environment ministers will meet in Melbourne to discuss the future of the national packaging covenant and waste management in Australia. I call on the government and the environment minister to not waste this opportunity — pun

intended! — to have a fully integrated waste system, including CDL (container deposit legislation) and other extended producer responsibility schemes.

CDL, as members should know, has a number of potential benefits: reducing the volume of litter in our parks, beaches and roadsides by at least 25 per cent; increasing Australia's recycling by over 500 000 tonnes per annum; achieving a 5 to 10 per cent diversion of all mixed solid wastes away from landfill, reducing Australian greenhouse gas emissions by over 1.7 million tonnes of CO₂ per year — that is, the equivalent to the emissions from 350 000 cars; reducing the amount of rubbish dumped in landfill by 5 per cent; saving water; and reducing the cost of landfill waste charges to local government.

I would also like to note that according to the National Environment Protection Council annual report, over 12 per cent of glass that goes into recycling bins in this state ends up in landfill. The figure is even higher for most plastic products. It is time to have a fully integrated waste system, including CDL.

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

Mental health: eastern suburbs

Mr STENSHOLT (Burwood) — I rise to commend action on a number of fronts in support of mental health programs and the better understanding of mental health. Several weeks ago, along with the Minister for Mental Health, I attended the opening of the newly redeveloped premises of the Eastern Health Mental Health Service in Canterbury Road, Camberwell. The whole facility has been renovated and extended. The setting is actually a heritage home, which has been redeveloped with really well-designed extensions. It is quite a tribute to the state's mental health service. Not only is the Brumby government extending these services but it is extending them as first-class services for people with mental health issues.

We were all quite touched at the opening when one of the residents read out a poem she had written for the occasion. She got a great cheer from the rest of the residents, so it really was quite a positive experience. That reminds me that mental health needs to be better understood in our community, not just ignored or hidden away. In my area — Ashburton, Ashwood and Chadstone — we are preparing for a Festival for Healthy Living, a community celebration to grow understanding of mental health. All the local schools are involved. The teachers and students are really very keen. The Royal Children's Hospital is providing help.

There will be three professional performers helping out in the schools over the next year in developing a local festival for the understanding of mental health.

I can only commend this, as well as the new mental health facilities in Canterbury, and of course the recently opened, at great expense, centre for youth and adolescent mental health services at Box Hill Hospital.

Planning: Mount Eliza land

Mr MORRIS (Mornington) — This morning I want to raise again in this house the matter of planning controls for the Mount Eliza woodlands area. After long consultation and neighbourhood character studies the council convinced the minister amendment C87 was warranted. The area is a sensitive subdivision dating from the early 1970s, all large lots which have been picked off one by one. The case for minimum lot sizes has been comprehensively established. Having been through an exhaustive process, last year the council sent the amendment off to the minister for approval. To date there has been no response, but in the meantime a number of applications to the Victorian Civil and Administrative Tribunal for two lot subdivisions have been approved. Meanwhile the amendment languishes on the minister's desk, and the woodlands area continues to be destroyed. If the minister is really serious about streamlining the planning process, he should have a good look at his own department and perhaps take on C87 as a demonstration project for quick approval.

Allen Pearson

Mr MORRIS — On another matter, earlier this week I spoke about the recent severe storms and their impact on Mornington harbour. Sadly we also suffered human tragedy as a result of that terrible event. Electrical linesman Allen Pearson lost his life while working to restore power to homes in Mornington. During the storm a tree fell on the power lines, causing a fire. Mr Pearson was trying to reconnect those houses. His death underlies the often dangerous nature of the task; despite our best efforts, too many workplaces remain dangerous. We must redouble our efforts to make them safe. I extend my condolences to Mr Pearson's family, friends and workmates.

Archbishop Paulos Rahho

Ms D'AMBROSIO (Mill Park) — I speak with sadness about the terrible death of the Archbishop of the Chaldean Catholic Church, Paulos Rahho, in Nineveh, Iraq. Archbishop Rahho was kidnapped on 29 February and died on 13 March. A memorial event

was organised by members of the Assyrian Chaldean Syriac Council of Australia in Coolaroo on 30 March as a mark of respect for the archbishop. I was honoured to have been able to attend to pay my condolences. This event also highlighted to the Australian community the impact that the political and social turmoil in Iraq is having on its minority Christian communities. Following the start of the war in Iraq, the persecution of Christians has increased dramatically.

The archbishop's death is one of three killings of Christian religious leaders in Nineveh in the last two years and is amongst the many more kidnappings and killings of ordinary members of the Christian minorities during this same period. The memorial event for Archbishop Rahho involved an array of religious leaders as a sign of unity against the social divisions and inhumanity that are being suffered by Iraqis and especially its minority communities. Members of the Lebanese Maronite church in Melbourne, the Syrian Orthodox Church of Melbourne, the Holy Apostolic Catholic Assyrian Church of the East, the Melkite Catholic Church of Melbourne, the Ancient Church of the East, the Pentecostal Church, the Iraqi Shiah Muslims in Melbourne, and a member of Paulos Rahho's family were among over 300 people who attended on the night.

I pay my respects to the organisers of this memorial event and members of the Chaldean community, some of whom live in my electorate and whom I have come to know very well in recent years. They are fine people who hold grave fears for the safety of their families and loved ones who remain in Iraq, and of course for the future of Iraq. They need our understanding and support in these most tragic of times.

Crime: statistics

Mr BURGESS (Hastings) — Numerous police officers from my electorate have told me that Victoria's crime statistics are manipulated to suit the state government's agenda. Again, during last Tuesday's police rally a very large number of officers told all people who were listening that the crime statistics are fudged. Given how serious that message is, the number of people delivering it and the high standing of the people delivering the message, if the government did not have something serious to hide, it would surely have wanted to investigate the message to get to the truth. It has failed to do so. That failure is evidence that is as damning of the government as the falsifying of the statistics themselves.

It is a primary responsibility of the government to keep our community safe, and if it has been given evidence

to suggest that Victorians are not as safe as they should be, the government has an absolute obligation to conduct a thorough investigation to ascertain the truth. It has refused to do so. These facts are yet another rock-solid reason why an independent broadbased anticorruption commission is so desperately needed in Victoria. Victoria needs and deserves a body that can investigate this government, because its actions progressed some time ago from merely incompetent and negligent to blatantly dishonest.

Rail: Stony Point line

Mr BURGESS — After years of campaigning for it, I welcome the long-overdue decision to implement sprinter trains on the Stony Point line. Sprinter trains will improve service reliability, shorten travel time and allow for more frequent services to and from Frankston and the city. However, what effect does the Minister for Public Transport anticipate the faster and more frequent trains on the Stony Point line will have on the unprotected level crossings on that line, particularly the Bungower Road crossing, which is considered by most people, including the train drivers themselves, to be one of the most dangerous level crossings in Victoria? At a time when my community has experienced three collisions and lost two precious lives at level crossings — —

The ACTING SPEAKER (Ms Munt) — Order! he honourable member's time has expired.

Darebin: child-care places

Ms RICHARDSON (Northcote) — Residents of Darebin have welcomed a \$38.56 million plan by the Brumby Labor government to increase child-care places across Victoria. A key feature of the plan is to introduce a new one-stop-shop children's centre at schools. We will build in partnership with schools, local councils and community organisations 40 of these centres across Victoria either on or near school sites. This will be handy for busy working families, avoiding the need for parents to spend time and fuel dropping their children at different centres — the dreaded double drop-off.

The Brumby Labor government has identified 38 local government areas as priority areas, and I am pleased to say it has included the city of Darebin in this list. This is particularly welcomed in Darebin, because according to the recently published figures we have the highest waiting list for child-care places in Victoria at 1103. The word on the streets in my electorate is that if you see a twinkle in your partner's eye, you should not organise the baby shower before you get your name

down on the waiting list for child care. The mini baby boom has put pressure on all early childhood services and schools in my electorate. Westgarth Primary school, for example, has seen an unprecedented surge in prep class enrolments. Five prep classes have been established to cater for 93 students, compared with only 53 grade 6 students, which represents a 75 per cent increase in student numbers.

The Rudd Labor government has also recognised the need for more child-care centres. It has announced a plan to build 65 new centres in Victoria. It is a stark contrast to the approach of the previous Liberal government, whose Treasurer famously called on families to have more children but did nothing to increase the services required to meet families' needs. I shall continue to promote the need for more child-care centres in Darebin and work with council and the Minister for Children and Early Childhood Development to achieve that end. Working families in my electorate deserve nothing less.

Police: Piangil station

Mr WALSH (Swan Hill) — I want to bring the house's attention to the concerns of the residents of Piangil and district about the threat to close their police station. Piangil is located 50 kilometres north of Swan Hill at the junction of the Mallee and the Murray Valley highways. Piangil and the area to the north are experiencing major redevelopment, with large-scale horticulture projects being implemented there and an increasing population. The Piangil-Tooleybuc neighbourhood watch group organised a public meeting on 31 March to air its concerns about the potential closure of the police station. It was attended by senior police including Acting Assistant Commissioner Tim Cartwright, Superintendent Eda Whiting and the local inspector, Garry Bennett.

Of interest to this house would be the answer Acting Assistant Commissioner Cartwright gave to a question about whether the closure of police stations was an operational issue or a government policy issue. He effectively said that the Bracks government had a policy of not closing police stations but that he was unsure of John Brumby's position on whether the police stations could be closed or not. The people of Piangil deserve better from the Brumby government on the issue of policing in their community, as do other communities in my electorate. The question the people of Piangil and another areas in my electorate are asking is: if the Brumby government has employed so many extra police, where are they?

Northern suburbs: Greenhouse Challenge support program

Mr BROOKS (Bundoora) — I wish to commend the participants in the 2007 NORTH Link/NIETL and RMIT University Greenhouse Challenge support program. NIETL stands for northern industry, education and training link. In drawing attention to this program I would like to acknowledge the work performed by NORTH Link/NIETL in promoting businesses in Melbourne's north, in regional development and in business networking.

The 2007 Greenhouse Challenge support program saw 13 companies based in Melbourne's north host students from RMIT. The project involved the students, most of whom were final year engineering students, identifying, investigating and implementing energy reduction measures for the respective companies they were assigned to. Not only did these students gain valuable experience in a range of business settings, they were able to help those companies significantly reduce their greenhouse gas emissions and create savings in energy costs.

As an example, one of the students was placed at Orica's ChlorAlkali plant, which produces chlorine and caustic soda. The project identified that hydrogen gas that was vented into the atmosphere at that plant could be used in fuel cells to generate power and heat to reduce emissions by 16 000 tonnes per year and reduce Orica's fuel bills by \$500 000. With a capital cost of \$3 million, this project has a payback period of just six years. I understand the Greenhouse Challenge project is being undertaken again this year. It is a valuable project for the many students who participate in it, and also provides excellent value for the many growing businesses based in Melbourne's booming northern suburbs.

Knox Community Health Service: tax ruling

Mr WAKELING (Ferntree Gully) — The Knox Community Health Service provides a range of important dental and chronic disease prevention programs in my community. This service, like many other health services in Victoria, is reeling from a recent ruling by the tax office that deems community health centres to be an arm of the government because of the control that this government has over all aspects of their operation. This means that the Knox Community Health Service will lose its status as a benevolent organisation and therefore no longer be exempt from paying fringe benefits tax. Staff in charitable organisations frequently benefit from fringe

benefits tax exemptions, allowing them to earn a higher income than if they were to be paid solely in cash.

With staff potentially facing the loss of benefits worth up to \$30 000, the Knox Community Health Service could see an exodus of employees to facilities with a capacity to pay them a higher salary. Whilst I understand the Minister for Health has met with representatives from the sector, I implore him to work swiftly to resolve the situation, so that my constituents, particularly those who need to use the Knox Community Health Service for dental or chronic illness treatment, are not adversely affected by a potential reduction in staff at this service.

Public transport: Knox

Mr WAKELING — Over the past year I have been anxiously awaiting the findings of Sir Rod Eddington's report on the east-west link needs assessment. People in my community have certainly missed out. Unfortunately the report offers nothing about the provision in the future of a feasibility study for a train line to Rowville or a tram line to Knox City. I call upon the government to deliver on the important announcements it made in 1999.

China: human rights

Ms MARSHALL (Forest Hill) — Over thousands of years, the history of human rights has been created with religious, cultural, philosophical and legal themes. Human rights are the basic freedoms and protections that people are entitled to. They belong to everyone, regardless of their race, sexuality, citizenship, gender, nationality, ethnicity or abilities.

In 1945, following both world wars and the gross abuse that occurred during that time, the allied powers created a new body, the United Nations, which has played a vital role internationally ever since. From here, the detail of international humanitarian law and international human rights law was created. Australia is the only Western democracy without a constitutional or legislative bill of rights, although the High Court found that the Constitution of Australia contains certain implied rights.

Although human rights are inalienable or absolute, they are not invulnerable. Violations can stop people from enjoying their rights, but they do not stop the rights from existing. No person, corporation, organisation or government can deprive another person of their rights.

The legacy of the upcoming Beijing Olympic Games is at serious risk if Chinese authorities do not move quickly to address the wave of repression that is

sweeping the country. Amnesty International recently launched its latest report on human rights abuse in China. It shows that the Olympics have so far failed to act as a catalyst for China to fulfil its human rights commitments. In fact, the crackdown on activists has deepened. In and around Beijing, the Chinese authorities have silenced and imprisoned peaceful human rights activists in the pre-Olympic clean-up. Recently in Tibet and surrounding areas the police and military have cracked down on demonstrators, leading to serious human rights violations.

The Olympic torch relay represents unification. I have had the privilege of running with the torch as well as the honour of representing Australia. With the protests surrounding the Olympic torch relay, we are now seeing the world unite on the issue of human rights abuses in every corner of the globe.

Lara electorate: achievements

Mr EREN (Lara) — The last couple of weeks have certainly been very busy in my electorate of Lara. I was very pleased to open the Lara Heritage Festival and to introduce the patron of the festival, Mr Don Robinson, a long-time resident of Lara and a tireless supporter of the festival.

The Lara Heritage Festival is held every three years and has been held nine times since 1982. It has drawn together many members of the community to work, on a voluntary basis, towards bringing to the Lara township a unique festival providing a range of fun-filled activities for all to enjoy. The hundreds of people who attended the festival certainly did that. I thank and congratulate the committee of management, chaired by Rob Eyton.

On another issue, the Brumby government announced a \$20 million select school to be built in Wyndham Vale, which is in my electorate. This new selective entry school will provide greater opportunities and choice for students in regional and outer suburban areas. It will take an initial enrolment of up to 200 year 9 students in 2010, including places for highly able students from disadvantaged backgrounds.

I also mention that I was present when the Deputy Premier and the Minister for Racing announced funding of \$600 000 towards a \$1.2 million redevelopment of the Geelong greyhound racing facility at Beckley Park. This brings the facility into line with the world's best occupational health and safety practices.

Again with the Deputy Premier, this time in his capacity as the Attorney-General, we announced legal

help for victims of violence in Geelong through the Barwon Community Legal Centre. The Brumby government has allocated funding through Victoria Legal Aid for dedicated family violence lawyers to assist victims with legal advice, court representation and other assistance.

I was also very pleased to be involved with the 2020 summits that were held in the seats of the federal member for Corio, Richard Marles, and Julia Gillard — —

The ACTING SPEAKER (Ms Munt) — Order! The member's time has expired.

Students: Bulleen electorate

Mr KOTSIRAS (Bulleen) — I stand to condemn this lazy and uncaring government for ignoring the needs of students in the Bulleen electorate once again.

The ACTING SPEAKER (Ms Munt) — Order! The time for members statements has expired.

THE UNITING CHURCH IN AUSTRALIA 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, I make this statement of compatibility with respect to The Uniting Church in Australia Amendment Bill 2008.

In my opinion, The Uniting Church in Australia Amendment Bill 2008, 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 seeks to assist the Uniting Church in Australia, Synod of Victoria and Tasmania, conduct its property trust transactions in a more efficient and less administratively burdensome manner. It does so by: broadening the current definition of 'synod' in section 5 of The Uniting Church in Australia Act 1977 (the act); amending section 12 of the act to effectively increase the limit on the maximum number of trustees constituting the trust from eight members to 10 members; amending section 17 to allow an instrument to which the common seal of the trust is affixed to be signed by either not less than two members of the trust or by one member of the trust and a person who is a designated officer appointed by the synod; and amending section 26 to allow for the receipt of moneys payable to the trust to be in writing by either two members of the trust or by one member of the trust

and a person who is a designated officer appointed by the synod.

Human rights issues

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

The provisions in this bill do 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 human rights issues.

ROB HULLS MP
Attorney-General

Second reading

Mr HULLS (Attorney-General) — I move:

That this bill be now read a second time.

The Uniting Church in Australia is a Christian religious organisation with a national congregation of around 300 000 members and is an active member of the National Council of Churches in Australia and the World Council of Churches. The Uniting Church in Australia was formed in 1977 as the union of the Congregational Union of Australia, the Methodist Church of Australasia and the Presbyterian Church of Australia.

The Uniting Church in Australia is formally supported by legislation enacted in each state and the territory. Each act made provision for a statutory corporate body (a property trust) in the state or territory to hold property in trust for the church.

The acts also authorised the assembly of the Uniting Church, the national council of the Uniting Church, to adopt a constitution for the church consistent with the basis of union under which the church was formed. The constitution of the church was adopted by the inaugural assembly on 22 June 1977. It makes provision for the formation of synods by the assembly and the assembly initially formed seven synods, one for each state and one for the Northern Territory. In 2002, for practical reasons, the assembly merged the synods of Victoria and Tasmania to form one synod, the synod of Victoria and Tasmania.

This bill is being introduced at the request of the synod of Victoria and Tasmania to facilitate the more efficient operation of the Victorian property trust following the merger of the two synods. The bill does so by increasing the maximum number of the members of the property trust from 8 to 10, widening the provisions for the execution of instruments and the receipt of moneys to allow such matters to be properly done with the signature of one member of the trust and a 'designated officer' appointed by the synod, and to update the definition of 'synod' to not only allow for the merger of the Victorian and Tasmanian synods but to allow for any future merging or de-merging of synods without the need for further amendments to that definition in the act.

It is understood that the Uniting Church is not seeking any amendment of the Tasmanian Uniting Church in Australia Act 1977 at this time as its operations in Tasmania do not currently require any immediate legislative change. Most of the synod of Victoria and Tasmania's operations are conducted in Victoria.

The Victorian Government is pleased to introduce this amending legislation on behalf of the Uniting Church in Australia to reflect the current structure of the property trust of the church and to enable the church to conduct its property trust transactions in a more efficient and less administratively burdensome manner for the benefit of the members of the church.

I commend the bill to the house.

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

Debate adjourned until Thursday, 24 April.

DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL

Second reading

Debate resumed from 27 February; motion of Mr ANDREWS (Minister for Health).

Mrs SHARDEY (Caulfield) — I rise to speak on the Drugs, Poisons and Controlled Substances Amendment Bill 2008. First of all I would like to thank the government for bringing this bill on at a time of my choosing in recognition of the fact that I had rather an unfortunate accident and have been somewhat laid up. I am most appreciative that the bill has been brought on this morning and I thank the government for its cooperation in doing that.

This piece of legislation is a small but important piece of legislation and the coalition supports it. We have consulted a number of key organisations within the sector in relation to the legislation, and they have all offered their support. The purpose of this bill is to make two very different amendments to the act. The first is in relation to the supply of drugs during a public health emergency and the second is in relation to the notification system by medical practitioners to patients regarding drugs of dependence. This is a very important element of the work of the medical profession in assisting patients in particular and sometimes in assisting those who are addicted to certain types of drugs. This legislation simplifies that process to get rid of some of the red tape, and we are always very interested in ways of getting rid of red tape. We believe, as does the government, that some of these changes will assist in the treatment of patients and provide a continuity of care which is very important. As someone who has recently been part of this system in terms of post-operative pain relief, I am very acutely aware of the need to ensure that the system provides for continuity of care. I would probably be able to give some personal examples — I will not do that — but certainly I have a deep understanding, as a result of what I have been through in the last few weeks, of the importance of all of this.

In relation to the first amendment we are looking at a public health emergency — I am assuming we are looking at pandemics with regard to perhaps influenza or a bioterrorism incident, and I would have thought an avian flu pandemic as well would come under the umbrella of all of this — so this is a very important situation. The first change to part II of the act through the bill relates to the effective and efficient supply of drugs or antivirals, or whatever medication during a public health emergency and is a mechanism for the administration of antiviral drugs and vaccines during an outbreak of, as I mentioned, influenza, a bioterrorism incident or perhaps even an avian flu pandemic. The proposed changes allow for the expedient administration and supply of very large quantities of drugs or medication to people within a short time frame. We have talked in the past in this place about the kind of scenario where we have to treat a very large number of members of the community and provide for the expeditious allocation of drugs to people to enable them to be treated in the quickest possible way.

The bill gives the secretary of the department some special powers to authorise a specified class or classes of people, such as nurses, pharmacists, employees of municipal councils — and I assume by that they mean people who are actually trained, such as maternal and child health care nurses — to obtain the medication or

the drugs, distribute, sell, or whatever, to treat people in a confined situation. The importance of this part of the bill is that it will give the secretary, as I have said, the power under this emergency situation to make a specific order to enable the distribution of a wide range of drugs.

Clause 5 of the bill inserts new division 5 of part II of the act. Proposed section 22D states:

When a public health emergency order may be made

The Secretary may make a public health emergency order if the Secretary believes it is necessary to do so to respond to, or prevent, a public health emergency or a serious risk to public health.

The question I have around that is: are there guidelines to prescribe how the response would occur? Perhaps when the minister sums up he could give us some indication of whether some guidelines have already been drafted to assist in this part of the legislation.

Proposed section 22E talks about the matters that should be specified as part of the public health emergency order. The order must specify the public health emergency or serious risk to the public to which the order relates. If the public health emergency or serious risk to the public has occurred, the location or a description of the location where the public is affected must be specified. It might not be spread right across a whole community; it might be in a particular area or country region, for instance. The order has to specify the person or class of persons who may distribute the drug under these controlled situations. It has to specify the actual medication, poisons or substances to be distributed; the date on which the order comes into force; and the period during which the order is to be in force, which is not to exceed six months. That is fairly briefly what the bill says in detail.

Last year in March in talking about disease control regarding a piece of legislation called the Livestock Disease Control Amendment Bill, I discussed some concerns that had been raised with me in relation to a response to a pandemic. At that time we were talking about avian flu and the preparedness of our system here in Victoria, and indeed across Australia, to respond to a pandemic. I would just like to go over some of that to raise the important need for governments throughout our public hospital and health system to ensure we have a high level of preparedness. God forbid that anything like this should happen, but this bill is indicating to us that emergency situations can occur and we have to be ready to respond. I certainly recognise that our public hospitals are very pushed and are working to over-capacity a large part of the time. Therefore those

pressures can affect the capacity to respond to this kind of emergency. As part of that debate I read from a paper the World Health Organisation had published on the issue called *Stop the Spread*. In that paper the following was said:

In 2004, the disease —

referring to avian flu —

spread to several Asian countries in a few months — mostly through the live poultry trade but possibly associated with migratory birds, which excrete the virus in faeces. More than 100 million chickens were destroyed. Infections also were reported in wild birds and possibly pigs.

Disturbingly, more than 100 people fell ill — and half of them died.

I went on to quote the paper further:

This raised considerable alarm ... Never before have so many outbreaks occurred at the same time in several countries. Never before have so many people been infected directly and become ill.

During that debate I said I raised these issues not to cause any panic or alarm but to make sure that government has a high level of awareness of the need for us to be prepared for any pandemic, whether it be avian flu or anything else. I also talked about the fact that the sector had raised some concerns with me. In going through some of these concerns now, I hope the minister will be able to address them as part of his response.

At the time I talked about the fact that a Department of Human Services task force had been created in Victoria to plan for the possible spread of the disease in this state and it was completing its plan during March 2007. I also talked about the fact that the health sector had expressed concern during the previous year — 2006 — that the government had not focused enough on the issue in the view of the sector. I raised this issue as one that needed to be looked. Apparently the government made an effort to put some resources into primary health care preparedness, and guidelines for GPs were made available. Concern was raised in relation to the preparedness of hospitals. Some project funding, as I understand it, was made available to hospitals to set up isolation arrangements and a small amount of money was made available for some capital works. I do not know the detail of that, but apart from that I was led to believe that hospitals have been told to develop response plans themselves and that no more specific funding was made available.

I am asking the minister to clarify what has been done in relation to these matters and to inform the house

where we go from here in terms of our hospitals being able to be prepared. Certainly this piece of legislation gives some assistance in relation to the distribution of drugs to people treat under those circumstances, so I welcome that part of the legislation. The bill aims to broaden the existing powers and provide greater security in relation to the spread of disease. I think I have probably covered that enough.

The second major amendment relates to new sections 33 to 35 that deal with the supply by medical practitioners of schedule 8 and 9 poisons and schedule 4 poisons which are also drugs of dependence. These amendments simplify the current system, as I talked about earlier, by rationalising the permit and notification requirements while minimising the risk of individuals becoming drug dependent. The aim is to separate the control of schedule 8 drugs and poisons such as morphine and dextroamphetamine, usually used to treat medical conditions like post-operative pain — which, as I said, I have become a little knowledgeable about — from schedule 9 poisons, which include heroin, LSD and cannabis.

Very broadly, great concern is often expressed in the community about people who have an addiction to schedule 9 drugs. I bring to the house's attention an article I noticed in the *Age* of 9 April, looking at the extent of the use of drugs of addiction and the cost to the community. According to the article the cost of illicit drugs to the community was \$6.1 billion in 2002, but now it is estimated at \$8.2 billion. That gives some indication of the huge impact of these drugs. The article, by Nick Miller, was looking at the whole of Australia, but I think Victoria faces a huge problem. According to the *Victorian Drug Statistics Handbook 2006*, there were at the time 100 000 people using amphetamines and some 400 000 people using marijuana. Those numbers are quite enormous, which points to the fact that this is a very important issue for us to address.

In relation to drug-dependent persons the bill's requirement that a permit be held by a practitioner before they proceed to treat a patient with schedule 9 poisons is consistent with the current requirement of the act. These requirements are detailed in proposed subdivision 2. Briefly, proposed section 33 in that subdivision requires a practitioner to notify the secretary as soon as practicable if a patient who the practitioner believes is drug dependent is seeking a prescription of a schedule 9 or 8 poison or a schedule 4 poison that is also a drug of addiction. A practitioner who intends to treat the patient with such a poison must apply for a permit.

Proposed section 33(2) makes it an offence for a practitioner not to give notification of a drug-dependent person seeking treatment with a schedule 9 poison, with a maximum penalty of 100 penalty units. Proposed section 33(4) makes it an offence for a practitioner not to give notification of a drug-dependent person seeking to be treated with a schedule 8 or a schedule 4 drug or poison that is also a drug of dependence. The penalty for that is also 100 penalty units.

As background, currently the permit system tries to identify and minimise doctor shopping through the coordination of patient treatment with schedule 8 poisons. As I talked about earlier, in some cases it is believed that this imposes an administrative burden on the medical profession and may be contrary to good treatment. This can occur when a patient is in hospital, in the prison system or is in a residential care facility — although I suppose they call them ‘clients’ now.

Mr Andrews interjected.

Mrs SHARDEY — This recognises that patients in these situations need assistance. They are certainly not doctor shopping, as the minister has very kindly informed me.

The simplification of the permit requirements in the bill relates to the coordination of a patient’s treatment. Currently in a clinic with multiple practitioners a number of permits by different practitioners may be required to treat the one patient. That can lead to duplication, and the bill seeks to simplify this. Not only can this lead to an unnecessary administrative burden but also to a break in the proper continuity of treatment for that patient. Where one practitioner in a clinic holds a permit to treat a patient with schedule 8 drugs, that will suffice. It is not necessary for every practitioner in the clinic to seek a permit.

The next amendment relates to the current circumstances whereby a practitioner is not required to seek a permit to treat a patient with schedule 8 drugs until a period of eight weeks has expired, regardless of whether that patient has received such treatment from a previous practitioner, unless the newly treating practitioner believes the patient to be drug dependent. In theory this means that a patient could be undergoing treatment with schedule 8 drugs by a number of practitioners, which is commonly known as doctor shopping for drugs.

The new amendment in proposed section 34 means that if a doctor believes it necessary to prescribe a schedule 8 poison to a patient he or she believes has

received such a drug from another practitioner and if the continuous period over which the patient receives the drug exceeds eight weeks, then a permit must be applied for, although the treatment can continue in the meantime, therefore maintaining continuity of treatment in the best interests of the patient. That is a very sensible amendment.

The final amendment that I alluded to before is on page 17 of the bill. I will go through it very quickly. It allows for an exception to the requirement for a schedule 8 permit where a patient is in prison, in an aged-care facility or in hospital. Proposed section 34F makes it very clear, where it says:

Despite —

the previous proposed sections in the bill —

a registered medical practitioner or a nurse practitioner is authorised to administer, supply or prescribe a Schedule 8 poison to or for a person without a Schedule 8 permit if that person is —

- (a) a prisoner being treated in prison for the period in prison and a period not exceeding 7 days after the prisoner’s release from custody; or
- (b) a resident being treated in an aged care service; or
- (c) an in-patient being treated in a hospital.

This means that a lot of red tape is done away with. I think it is a very sensible provision, while still ensuring that we fight the situation where people are shopping around for drugs. Certainly I can attest to the fact that if you are in hospital and you have just had a procedure, the capacity to be given the appropriate drugs to relieve your pain and ensure that you recover appropriately is very necessary; some people are in that situation for quite some time.

I congratulate the government on making these amendments. Certainly the Australian Medical Association, the Pharmacy Guild, the Australian Nursing Federation and the Medical Practitioners Board of Victoria all support the legislation. However, there are some questions that I ask the minister to address.

We know that there is a great deal yet to be done in the fight against drug abuse, and there is probably a great deal to be done in ensuring our preparedness for any type of pandemic or emergency. This bill moves us some way towards addressing those issues, and I commend the bill to the house.

Mr LANGUILLER (Derrimut) — It gives me pleasure to rise today in support of the Drugs, Poisons and Controlled Substances Amendment Bill 2008. It is

important to register the fact that the coalition supports the amendments, which support the government welcomes.

The first matter I wish to raise is the statement of compatibility; it always gives me pleasure to speak on these matters. As a member of the Scrutiny of Acts and Regulations Committee — which, incidentally, is well and ably chaired by the member for Brunswick — I am pleased that ministers of the government fully comply with the requirements of the Charter of Human Rights and Responsibilities.

I refer to only one issue which relates to the human rights that are protected by the charter and which is relevant to the bill and its amendments. That relates to section 13 of the charter, which deals with privacy and reputation. Members would be aware that that section provides that:

A person has the right—

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

That is why I am very happy to confirm that part 3 of the bill confirms the obligation of a medical or nurse practitioner to notify the Secretary of the Department of Human Services in circumstances where that practitioner has reason to believe that one of his or her patients is in fact a drug-dependent person and either that patient requests or seeks a prescription for a drug of dependence or the practitioner intends to treat the patient with a drug.

The right to privacy dealt with in section 13(a) of the charter is only limited if an interference with privacy, family, home or correspondence is unlawful or arbitrary, which is not the case. One welcomes the fact that this bill is compatible with the Charter of Human Rights and Responsibilities, because although the bill engages the right conferred by section 13 of the charter, it does not limit that right.

The second matter I wish to quickly raise relates to the bill's general framework and the drug policy achievements of the government. Our government has provided a record level of support for drug prevention. In the 2007–08 budget it proudly committed \$201 million over four years to address its decisions. I will very succinctly refer to a range of programs that the government has launched. I can confirm for members and for members of my constituency and community that we have promoted the health and wellbeing of young Victorians and that there are a

range of very good programs that this government and minister have been responsible for, to ensure access to effective, quality treatment services.

Again, there is a range of programs and services that are provided to the community and in particular to young people to reduce the harm caused by alcohol and other drugs. Consequently this bill is another step in the right direction towards addressing matters which are of concern to the community. The government is proud to be able to bring about further amendments to the Drugs, Poisons and Controlled Substances Act to further tighten and meet the challenges of today.

To summarise the amendments, they relate to preparedness for a public health emergency. As you would know, Acting Speaker, that issue relates to the ability to quickly mobilise an appropriate workforce as a key factor when responding to a public health emergency. It is possible that during a public health emergency such as an influenza pandemic or bioterrorism and other issues, an additional trained workforce may be needed to distribute vaccines and antiviral medications.

The amendments that the bill introduces provide that in the event that the community is faced with a public health emergency matter, the secretary of the department would have the power to make an order in writing to authorise a wider range of health practitioners — such as registered nurses and pharmacists, all of whom would be suitable, qualified and trained to meet these challenges — to distribute vaccines and antiviral medicines, which under normal circumstances would not be allowed.

This is a good amendment, and I am sure the community welcomes it. I will subsequently refer to other stakeholders such as the Australian Medical Association and the way in which they have welcomed the amendments being introduced by the government.

The other area of the bill relates to separate schedule 8 and 9 poisons, and that issue has been properly covered by the minister when he introduced the bill and by the lead speaker for the opposition. It relates to the requirement for medical practitioners and nurse practitioners to notify the secretary of the department when they have reason to believe that a patient is drug dependent and also to the requirement to hold a permit issued by the secretary. These are important amendments.

I will further refer very succinctly to amendments removing the requirement for practitioners to hold a permit in certain restricted circumstances, simplifying

the permit requirements in multipractitioner clinics, rationalising to higher-risk circumstances the requirements for practitioners to notify the secretary of patients they have reason to believe are drug dependent, and removing the gap in the current permit requirements for schedule 8 poisons that does not account for patients in chronic treatment transferring between practitioners.

These amendments are very good; they are modest, simple and few, but it is important that they be brought about. Again Victoria leads the way in bringing about changes and making provisions through legislation to address the challenges that the community may face — although we hope it does not come to that — particularly in relation to pandemic matters.

Again, the purpose of the bill is to introduce provisions to facilitate a response to a public health emergency and to streamline the administrative burden placed on the medical workforce whilst maintaining the protections of the current permit system. The bill introduces a mechanism for the effective and efficient supply of drugs, including vaccines, during a public health emergency such as an influenza pandemic.

Our government is very proud of the significant investments it has made to boost Victoria's preparedness to respond to a public health emergency. Those investments include \$700 000 for three new emergency response vehicles for the Metropolitan Ambulance Service, to allow incident controllers to be located at the scene of a disaster; funding of \$4.5 million to stockpile medical supplies against an outbreak of influenza; and a further \$5 million to expand negative-pressure rooms in major hospitals to help isolate and treat victims.

These are good amendments. This is a good bill. We are on track and are further fulfilling our commitment to providing for the improvement of the community's quality of life.

I conclude by quoting from an AMA (Australian Medical Association) Victoria issues paper. It says:

The Drugs, Poisons and Controlled Substances Amendment Bill 2008 should be passed without amendment.

The Victorian government has consulted AMA Victoria on this legislation, and taken up AMA Victoria's suggestions that have improved the bill.

Further, it is important to put on the record the AMA's policy position:

AMA Victoria supports strict controls on drugs of addiction. The permit system is a necessary step in preventing the misuse of drugs.

AMA Victoria supports investment in pandemic planning preparedness, and notes that the Victorian government has dedicated significant time and effort into planning. While acknowledging that more work is required, the Victorian community's pandemic preparedness is improved on the situation of a few years ago.

I am delighted to support these amendments. I commend the work of the minister and his department on a good bill and good amendments. I commend the bill to the house.

Mr CRISP (Mildura) — I rise to make a contribution on the Drugs, Poisons and Controlled Substances Amendment Bill 2008. I will focus on a country perspective but first I will discuss the purpose of the bill, which is to amend the Drugs, Poisons and Controlled Substances Act 1981 and make changes relating to the administration of medication and drugs of dependence in emergencies.

The first issue covered by the amendments is emergency situations. The purpose of the amending bill is to make the importation and administration of drugs easier in a declared emergency situation by allowing a wider range of people to obtain, possess, use, sell or supply specific poisons and controlled substances in an emergency. These people may include nurses, pharmacists and employees of municipal councils. An emergency situation is specified as 'an influenza pandemic or a bioterrorism incident', as stated in clause 5 of the explanatory memorandum. However, there is room to move for the secretary to declare another incident.

The second aim of the bill is to change how people are administered drugs classified as drugs of dependence under schedules 4, 8 and 9 of the act. Schedule 9 poisons include illicit substances such as heroin, cannabis and methadone. A medical practitioner is required to notify the secretary when prescribing schedule 9 poisons. Schedule 8 poisons can be prescribed by a nurse practitioner, medical practitioner or dentist and be administered by a nurse. Schedule 4 poisons can be prescribed by a nurse practitioner, medical practitioner, dentist, optometrist, veterinarian or a pharmacist, and they too can be administered by a nurse.

There are a number of issues that we need to be aware of with legislation which deals with scheduled substances. It is possible that someone could abuse these powers and perhaps even sell these drugs or overcharge for these substances on the black market during an emergency. The examples of an emergency situation given in clause 5 of the explanatory memorandum are qualified by the phrase 'it is

envisaged'. This suggests that there may be room for interpretation as to what constitutes an emergency. Certain events may be what are intended, but there is room for other situations which may be necessary for legitimate reasons, and there could be room for abuses to take place. The precise wording of proposed section 22D is:

The Secretary may make a public health emergency order if the Secretary believes it is necessary to do so to respond to, or prevent, a public health emergency or a serious risk to public health.

The bill gives the following example:

A public health emergency order may be made in response to, or for the purposes of preventing, an influenza pandemic or the effects of a bioterrorism incident.

This rests on the integrity of the secretary. Should we be very specific as to when these powers can be used and risk a surprise situation not being catered for, or should we run the risk that a secretary, for reasons other than the public interest, may make a decision that is not wholly in the public interest? The rules are reasonably specific but vague at the same time.

I now move on to the issue of qualified dispensers. When we have an emergency there will be problems in country areas because the people most able to be qualified dispensers — that is, nurses and pharmacists — will be busy. They will be at hospitals dealing with the victims. They will be in pharmacies dealing with people who are attempting to treat or take care of themselves. We will have a problem in country areas particularly and so we need to do a great deal of preparation for the possibility of pandemics. This is mostly covered in Displans, which is how local, state and federal bodies all manage disaster planning. However, I also note that in country Victoria, and particularly in my electorate, there will be cross-border issues, and I hope that harmonisation occurs where that arises.

We need to be on the front foot. We need to audit the resources that are available in our communities, particularly where there are retired health professionals who will need to be appropriately trained, requalified or accredited in some way and where there are people who are qualified but are not working in those communities. Many people with health qualifications have moved into other professions. Country areas need more health professionals. Currently the doctor to patient ratio in the Mildura region is 1 to 2000 but at Robinvale it is 1 to 4000. Those figures suggest that in an emergency our doctors and our hospitals are going to be overrun and there will be no surplus staff or qualified people to undertake a mass vaccination.

I note that a very promising announcement was made at the Council of Australian Governments meeting that 50 000 new health workers would be trained throughout Australia. That is something I greatly welcome, but I certainly want to encourage Victoria to be mindful that regional training facilities would further boost not only our overall health outcomes but also our ability to deal with emergencies. People who are training in health areas no doubt could be very quickly prepared to be qualified practitioners in an emergency, particularly if those units were done very early in health training courses. We can build up those numbers, but we need very good regional training facilities. You not only have trainees at regional training facilities, but you also have staff who can fill gaps and perhaps even provide a physical location for mass vaccination to occur away from hospitals, which will be overrun.

We also need people to be mindful that reactions to many of these vaccines occur in the order of 1 in 1 million or greater; however, in a mass vaccination event there will be reactions, and we will need to be able to justify in front of the coroner that we were adequately prepared, because that is where it will end up. Therefore it needs to be well planned, and those administering this need not only to be appropriately qualified but also appropriately indemnified in case their actions are brought before the coroner for explanation. We have had some experience in this area; severe acute respiratory syndrome, known as SARS, and other incidents have been the building blocks in our preparation for these events.

Regarding drugs of dependence, the legislation is clearing up some areas that are of great interest, particularly with respect to schedule 8 and schedule 9 drugs. I welcome the inclusion of nursing homes in this because we have to deal with end-of-life issues that occur in nursing homes. Under federal legislation doctors are not frequent visitors to nursing homes, so we need to structure how these drugs can be used, and I welcome that, because it has been quite a difficult area.

The Australian Medical Association has been highly supportive and has distributed an information sheet, which I think we were all very grateful for. However, schedule 8 and 9 drugs present some interesting issues, and the one I will focus on in the very short time I have left is drugs that have no therapeutic application, which are on schedule 9. If they have therapeutic application proved, they will move to schedule 8. However, for people who are dealing with end-of-life issues, by the time those drugs are approved, even if they have some benefit, there will be a significant stress point. In that area people do not have time for the drugs to move schedules.

We can all well remember the debate about cannabis use by people suffering from loss of appetite during extreme cancer treatment. Its benefit has still not been proved, but many desperate families in those situations want to try things. We are yet to resolve those important issues, and it will take time. The Nationals, in coalition, support this bill particularly because of the overall benefits it brings to public health.

Ms DUNCAN (Macedon) — It gives me great pleasure to rise in support of the Drugs, Poisons and Controlled Substances Amendment Bill. I am pleased that the opposition is supporting it, as it would appear, with no ifs, buts or maybes. I would like to point out that there are two key features of this bill. The first one is intended to enable quick mobilisation of an appropriate workforce in the case of a public health emergency, and an example of where this amendment may be put into effect is an influenza pandemic. Currently the act only allows medical practitioners to distribute vaccines. As we have read, if something like 30 per cent of the Victorian population were affected by an influenza pandemic, it is estimated that could lead to 25 000 hospitalisations, which would have a huge impact on the health system.

Part of the need for those hospitalisations would depend on how quickly vaccines could be distributed to the community. This bill will allow the secretary, under certain circumstances — in the case of a public health emergency in Victoria — to authorise a wider range of suitably qualified persons to administer vaccines and antiviral medicines. Those persons would include registered nurses and pharmacists to assist in the distribution of vaccines. Victoria is the first state to enact this provision, although I understand there are other states to follow.

Mr Delahunty — We are leading the way.

Ms DUNCAN — Always leading the way. The second feature of the bill seeks to remove unnecessary administrative burdens placed on the medical workforce when dealing with patients seeking schedule 8 or 9 poisons. The removal of these administrative burdens has been welcomed by peak bodies such as the Australian Medical Association (Victoria). Currently the act requires practitioners to seek permits when treating patients with schedule 8 or 9 poisons, which are drugs of dependence. The purpose of the current proposals is to minimise doctor shopping, which we know is an increasing problem, and that is a good thing. However, there are situations where, for example, it is not possible for a patient to doctor shop anyway, such as when patients are in prisons, have been admitted to hospital or are in an aged-care setting. In

those instances obviously individuals are confined and doctor shopping cannot occur, so it is proposed that the requirements for doctors to hold a permit when treating a patient in these particular settings is removed.

It is also proposed in these amendments that in a multipractitioner clinic — and there are increasing numbers of those — in the instance where each practitioner has access to a patient's records, rather than each individual practitioner requiring a permit for the same patient, one permit per patient would be required. That means that all practitioners operating in the clinic would be able to coordinate the patient's treatment and have access to their records, but only one permit would be required. That is just common sense. It reduces the burden of administration but does not undermine the safeguards in the original bill.

In addition practitioners would only be required to provide notification of drug dependence in a patient they see as being at high risk. Currently if a practitioner suspects that a patient is drug dependent, they are required to get a permit if they are treating that patient or prescribing those drugs for longer than eight weeks. Again, that is to minimise doctor shopping and reduce the opportunities for patients to get drugs not prescribed appropriately by a doctor. The amendments in the bill will remove the requirement to hold a permit to treat a person with schedule 8 poisons in certain circumstances, as I said, but also where the patient is not seeking consultation with the doctor regarding their drug dependency. That will reduce the administrative burden, and a practitioner will only be required to notify the secretary where a patient is seeking a drug of dependence, not if they are seeing the doctor for other medical conditions. Currently a practitioner is required to hold a permit, as I said, for treatment of a patient with a schedule 8 poison where it exceeds eight weeks, and that is irrespective of the duration of treatment by a previous practitioner.

While this amendment removes the burden in some areas, it actually tightens up treatment in another. In circumstances where, for example, a patient has been under long-term treatment by a particular practitioner and transfers to another practitioner, unless the second practitioner has reason to believe the patient is drug dependent they may continue treatment without a permit for the first eight weeks. During that period the patient is effectively outside the protection of the permit system and may actually be receiving treatment from multiple practitioners.

This amendment changes the legislation so that a practitioner who considers it necessary to prescribe a schedule 8 poison for a patient and has reason to

believe that the drug has been prescribed for the patient by another practitioner, and where the practitioner's prescription would represent a continuous period of treatment greater than eight weeks, must apply for and hold a permit from the secretary. The second practitioner is, however, authorised to continue treatment until the issue of the permit has been determined. This provides a balance between maintaining continuity of treatment and promoting better coordination of treatment.

These amendments make sense. They have been supported by the Australian Medical Association, which is recommending that this bill be passed without amendment. As the AMA says, the amendments support the strict control of drugs of addiction. The permit system is a necessary step in preventing the misuse of drugs. This amendment makes sensible changes to that system while continuing to prevent doctor shopping for patients who may be dependent on schedule 8 or schedule 9 drugs. I think these are common-sense amendments, and I commend the bill to the house.

Mrs FYFFE (Evelyn) — I am pleased to rise and speak on the Drugs, Poisons and Controlled Substances Amendment Bill 2008. This bill seeks to authorise a wider range of suitably qualified persons to distribute poisons or controlled substances, such as vaccines and antiviral medicines during a public health emergency. It also addresses some unnecessary administrative burdens placed on medical practitioners when treating patients. Past instances of severe acute respiratory syndrome and avian flu overseas confirm that the threat of a pandemic event is very real and can strike without warning, so it is important that health authorities in the community are prepared.

In the minister's second-reading speech earlier this year we were told the government recently provided \$4.5 million to enhance Victoria's preparedness for an influenza pandemic. The funding is said to have increased Victoria's stockpile of antiviral medication and protective equipment. I am pleased the government has come to realise the significance of this issue. It was way back in 2005 that the Howard government announced a \$185 million boost in funding to help Australia deal with major health emergencies. Under the plan the stockpile of antivirals was increased to cover 28 per cent of the population in the event of an avian flu pandemic. Victorians have had to wait three years for the Brumby government to catch up. I guess this government's view is, 'Better late than never'. We are just lucky we have not been in an emergency situation to date.

As my rural colleagues will appreciate, an outbreak of a dangerous virus such as avian flu is most likely to occur in country Victoria, where our poultry farms are located. This puts us at the epicentre of disease management and highlights a serious problem regional Victorians may experience in responding to an emergency situation. The imbalance between the number of hospitals in rural Victoria and the increased risk of exposure to disease means that country hospitals will be placed under pressure to treat a greater number of infected residents. Country hospitals are already grossly underresourced and understaffed.

On top of that, there is diminished accessibility to hospitals in rural Victoria. While this bill alleviates some of the administrative burdens if we were faced with a pandemic situation, this bill alone cannot address the chronic staff and medical facility shortages which would have a serious effect in the midst of a national health emergency. A case in point is the Lilydale super-clinic. Promised in 2002, the clinic is still being built. There has been delay after delay to the opening of this vital facility. Imagine this: if we were to have an outbreak of avian flu in the Yarra Ranges tomorrow, many of the residents in my electorate would struggle to find a facility close enough that is properly equipped to handle and contain an outbreak.

Although the government acknowledges that an additional trained workforce may be needed to distribute vaccines and antiviral medicines, this government's way of solving the problem is to set aside provisions that would allow pharmacists and nurses to administer vital supplies of medicine and vaccines. This is achieved through schedule 8 and schedule 9 poisons, which simplify the permit requirements and authorise a wider range of suitably qualified persons to distribute poisons or controlled substances such as vaccines or antiviral medicines during a public health emergency.

I note that this is being stretched so that nurses, pharmacists and employees of municipal councils will be able to administer the vaccine and medication. One has to hope that the local council actually has some health officers working there at the time this epidemic comes up, because I am sure the intention is that it is only going to be some people who have some health qualifications who are doing this. Heaven forbid if it is to be the clerk behind the desk who is going to be authorised to administer the vaccine!

Schedule 8 poisons are drugs of dependence commonly used to treat medical conditions such as severe pain and attention deficit disorder. They include dexamphetamine and morphine. Schedule 9 poisons

include heroin, LSD and cannabis. These drugs can be fatal, so this responsibility is not to be taken lightly.

While we are told that this provision can be invoked under tightly controlled conditions and for a limited time, as a community we have to be confident that we have the medical professionals in reserve available to support this plan of action. A view expressed to me by a health professional from my electorate is that there is a persistent labour shortage affecting not just doctors but nurses in the Yarra Ranges. Therefore I question whether rural Victoria would have the combined manpower to meet the demand during an epidemic. And I am not in a true rural Victorian area. I am in an 'interface' area — a silly word but one that has been used for the last few years — but we certainly have some areas of isolation.

Furthermore, it would be naive to think that Victoria's nursing staff would have enough time on their hands to assist in administering vaccines and medicines. Nurses will have their hands full caring for sick patients without taking on an extra workload. Unless there is an increase in staff, the expectations the Brumby government is putting on the medical profession are enormous and unrealistic, and could potentially lead to catastrophic mistakes with the administering of drugs.

I support the amendments on the basis of the intended benefits to public health during a crisis such as a pandemic. However, I caution that health services in rural Victoria face significant challenges in being able to respond to a health crisis. It would be timely to invest more in medical facilities and staff for rural Victoria to help prevent a triple effect of disease outbreaks to metropolitan Victoria where the bulk of medical services are.

I would like to spend a moment to highlight some of the shortages. The federal government's *State of Our Public Hospitals* report revealed that Victorians have access to the least number of public hospital beds per capita of any state, leaving us 1500 beds short of the per capita national average. The Victorian government spends the least per capita on public hospitals, leaving Victorian hospitals millions of dollars behind the national average. Victoria has one of the lowest numbers of admissions for rehabilitation and was the only state to reduce the rate of rehabilitation admissions. The number of elective surgery patients who are waiting is growing — 4.5 per cent of admissions, or 6000 patients, wait for over a year to have elective surgery.

If we have a pandemic and if we have people who do not receive the vaccines or preventive medicine in time,

and we have a lot more people who are sick, what will happen to the sick people who are already occupying the hospital beds? Will they be shunted out, sent back home or wherever, so we can make way for others? The unpreparedness of this government is scary. The government is proud of the fact that the population of this state is growing, yet the provision for services is not.

I support the bill, because the amendments are needed. It is sad that the bill has taken so long to get here. However, I warn that if we have a pandemic, we will have a real problem on our hands.

Ms THOMSON (Footscray) — I rise in support of the Drugs, Poisons and Controlled Substances Amendment Bill. We are making practical changes and under the public health emergency order they recognise the role and responsibility of the department through the secretary to ensure that we have the personnel ready and capable of dealing with a pandemic should it arise. We all know the fear, so if something like a bird flu were to hit our shores, we would need to have an instant response and be able to deal with it early rather than allowing it to get out of control. It is a reality that we would have to face; previously we probably would have never thought we would need to deal with such a situation.

The prediction is that if we had 30 per cent of the population affected by a pandemic, 25 000 people could need hospitalisation and there could be up to 10 000 deaths. This is horrific! I have trouble coming to terms with that fact even through just saying it now, but these are the sorts of things that we have to prepare for.

This legislation, and the fact that it is being supported by all parties, is an important indicator that we need to have this legislation in place. It will empower the secretary to bring to the additional resources of existing doctors and nurses the capacity to bring all professionals, who have been qualified to immunise, to quickly get into gear if need be to administer and take samples from people in relation to the potential for a pandemic. We should remember that.

It is not just about giving antiviral injections, or whatever may be required, or medication; it is about isolating and knowing what you are dealing with. We are going to need the samples from the people who have come down with various illnesses. In many cases you might have someone with symptoms similar to what might be the pandemic virus or whatever has caused the illness but who actually do not have it. We need to be able to have a testing regime in place as well as the ability to deal with the illness once it is properly

diagnosed, and we can meet the community needs more readily and more quickly. The legislation gives the power to the secretary of the department to act swiftly when we are dealing with such a situation. That is not the only thing that the government needs to do.

The government has been active. It has provided \$700 000 for three new emergency response vehicles for the Metropolitan Ambulance Service to enable incident controllers to be located at the scene of a disaster; \$4.5 million to stockpile medical supplies against an outbreak of influenza, which is important; \$5 million to expand negative pressure rooms in major hospitals to help isolate and treat victims of infectious diseases and high-risk biological contamination; and \$1.8 million to Victoria's two leading public health laboratories for emergency preparedness and response capabilities — and that goes to my point about being able to isolate and understand what we may be dealing with.

More has to be done about preparedness at hospitals and readiness to deal with patients, about community notification — all that work is being done — about how to ensure that a community is warned and prepared without creating an atmosphere of panic, about dealing with those who are likely to be the most vulnerable to any pandemic that may hit and about having some systemic approach to how you deal with that. All those actions are required to be put in place in the policies and initiatives that are to follow the legislation to ensure that we are able to deal in a comprehensive way with anything that should beset us.

Schedules 8 and 9 of the bill deal with poisonous substances. We have already heard that schedule 8 deals with morphine and dextroamphetamines and that schedule 9 deals with heroin, LSD and cannabis. We know how dangerous those drugs are and the effect that they have on members of our community. We know the importance of having a system in place — which we put in place — to be able to report on and deal with the notion of people shopping around for drugs. It is important that we continue to have that register and ability to work out who might be trying to shop around for drugs. However, we need to simplify the permit system.

We need to ensure that doctors can go on dealing with patients in a way that deals with medical issues that they have confronting them and deals with the issue of administering proper treatment to those patients and streamlining the way in which that is done. I think we all want to see doctors treating patients and not spending a whole lot of time doing paperwork in administering them. That is important, and it is why we

are looking at new technology and new systems for ensuring that documentation can be shared, with all the privacy provisions adhered to, so we can have patients properly monitored and dealt with as patients and also have the systems in place to deal with the information that doctors need in order to treat patients.

The purpose of the changes is to streamline the processes for doctors and recognise that when a patient attends a clinic where there are multiple doctors, all doctors need access to that patient's records. It is thereby saying that the clinic itself needs to have the ability to register a person using those substances. I think the changes will go towards making the job of the doctor much easier when taking on what I think must be some of the most difficult patients to treat. If a disease is treatable, a doctor can go about treating it. In the case of drug addiction patients often relapse, and dealing with such patients and the emotional difficulties that come with that must be one of the hardest things doctors have to do. To be able to sustain such treatment and not give up on a patient has got to be a very hard thing to do.

The fact that we have taken into account the concerns of the doctors and have the support of the Australian Medical Association signifies that we have probably got it right. We are putting in place a better regime to support doctors in the role they have of looking after patients who have a level of drug dependency or illness that requires the use of the sorts of drugs that may lead to a dependency. They are important issues that we have to attend to. We have all heard the stories of addiction to painkillers. People have different levels of tolerance to painkillers, and doctors need to take that into account in treating patients. I think the notion that doctors will now be able to deal with individual patients and worry about whether they need to register based on the treatment of those patients is crucially important.

This is legislation that prepares the state well for potential pandemics that may hit our shores. Let us hope we never have to put in place the provisions contained in this bill for dealing with pandemics. Let us hope that we are always one step ahead of them. Let us hope that we will always have a community that is prepared to be vaccinated, as many individuals now are with regular flu shots, and that we are already taking the precautions we need to take to try and limit the spread of viruses that might enter the country. We hope we never have to comprehensively use the provisions of this bill, but it is reassuring to know the provisions will be in place to deal with such pandemics.

Mr DELAHUNTY (Lowan) — First of all, Acting Speaker, I congratulate you on the first occasion on

which you have presided over this very important place. I have been following the contribution of the member for Footscray, and I am in furious agreement with her. It is not always that we agree. I hope Essendon beat Footscray this week. But in relation to — —

The ACTING SPEAKER (Dr Sykes) — Order!
On the bill!

Mr DELAHUNTY — I thank the Acting Speaker for his first ruling. I am in furious agreement in relation to being prepared for what we hope will never happen — that is, a pandemic. I agree with the member for Footscray that we need to make sure we are prepared from a government point of view, from an administrative point of view and from a personal point of view and have the appropriate injections available to protect people, particularly when they travel overseas. It is important that people can get the advice from their doctor to make sure they have the appropriate injections to not only protect them in the first instance but also to protect their family, friends and the community when they come back from an overseas trip. That is the only way we can really prepare ourselves and ensure that we do not experience the pandemics that happen in other areas of the world.

This legislation is important to all Victorians but is particularly important to country Victorians because of the instances in which diseases can be brought in by animals. The horse flu problems we had late last year had a big impact on the horse industry, and similar things could happen if Australians, particularly those returning from overseas, do not observe the Australian quarantine laws. That is the preamble to my contribution on this bill. As members will realise, I am a fairly strong advocate for appropriate controls and regulations to protect not only the community but also the industries we are involved with across country Victoria.

I am pleased to rise on behalf of the Lowan electorate to speak on the Drugs, Poisons and Controlled Substances Amendment Bill. In my previous life I was a national spokesman for health, and we debated this legislation on numerous occasions, particularly in relation to the administration of medication in aged care facilities, so I have some background on the issue. This bill makes two specific changes. It provides a mechanism to allow for the efficient supply of poisons and controlled substances, including drugs such as antivirals and vaccines during a public health emergency, when it may be necessary to supply large quantities of such medication to large numbers of people within a short period of time.

As you know, Acting Speaker, being a veterinary surgeon, we need to have appropriate regulations and standards in relation to the distribution and supply of medications, and there are statutory limitations on that, but there are times of crisis when we need to do that as a matter of urgency. We all know that local councils and communities have disaster management plans. Looking at the bill, my understanding is that it will enable the secretary to authorise specific classes of persons to obtain, possess, use, sell — and I will come back to the word ‘sell’ — or supply specified poisons or controlled substances for the duration of an emergency. The word ‘sell’ is used, but I hope it only applies in an emergency because a lot of people have the authority to provide these services, whether they be pharmacists or stock and station agents. We need to make sure that the authority applies only during the emergency.

It is interesting to see in the legislation that the class of persons who will be authorised to distribute these poisons for the duration of the emergency may include nurses, pharmacists and employees of municipal councils. There needs to be more clarification on that. What type of class are we looking at? Are we talking about district health nurses working with the councils, or child-care nurses? We need an explanation about which municipal council employees will be approved to perform this function. I know that under disaster management plans the appropriate, qualified people are listed. They also pull in people with other skills. If the people authorised under this legislation are going to be employees of municipal councils, we need to know who they are. It is my understanding that it will not be the chief executive officers, because they will probably not have the appropriate accreditation. We need to make sure that the people dealing with these poisons or controlled substances have the appropriate qualifications and skills and, importantly, have the appropriate authorisation to work in this very sensitive area.

The second major change in this legislation deals with the supply by medical practitioners and nurse practitioners of schedule 8 and 9 poisons, and schedule 4 poisons which are also drugs of dependence. The amendments in this bill are intended to simplify the current scheme by rationalising the permit and notification requirements, while continuing to minimise the risk of persons becoming dependent on a drug.

I note from the consultations carried out by my colleagues that the Australian Medical Association (Victoria) has indicated its support for the amendments put forward in this bill. I quote from the AMA issues

paper on the Drugs, Poisons and Controlled Substances Amendment Bill:

AMA Victoria supports strict controls on drugs of addiction. The permit system is a necessary step in preventing the misuse of drugs.

I could not agree more. The AMA goes on to say that the legislation:

simplifies the permit requirements for schedule 8 and schedule 9 poisons; and

authorises a wider range of suitably qualified persons to distribute poisons or controlled substances such as vaccines and antiviral medicines during a public health emergency.

The issues paper says that:

The permit simplifications include:

where patients are being treated in prisons, hospitals and aged-care services.

As the Acting Speaker knows, in country areas we have a lot of very small aged-care facilities, and the changes made to the distribution of medication by previous amendments to this legislation put enormous emphasis on improving the skills of staff in those facilities. Medication could not be distributed unless it was done under the supervision of a division 1 nurse or by a division 2 nurse with the appropriate accreditation. At the time we lobbied hard to make the minister aware of the fact that we did not have the number of nurses in Australia to meet that requirement; we did not have enough division 2 nurses who were appropriately qualified under the new accreditation standards to perform those duties. If that requirement had been implemented when the legislation was introduced about one and a half years ago, we would have not only had to close a lot of aged-care facilities in country Victoria but also even large facilities in Melbourne because they did not have the appropriately skilled staff.

I am pleased that the government has made provision to allow a period of time for the retraining or upskilling of staff to ensure that they comply with the legislation that was passed in this Parliament. The Nationals were pleased about that. There is a small facility in Dimboola in my electorate which only has 16 aged-care beds. It would not survive without the support of the community and efforts of volunteers. We do know that these facilities need to have appropriately qualified staff.

I am a member of the Drugs and Crime Prevention Committee. I know that the Acting Speaker was a member of that committee in the 55th Parliament and he did a lot of work on the misuse and abuse of benzodiazepines, particularly opioid analgesics. We

were very fortunate that that committee had done such a lot of work. I quote from the foreword to the committee's *Inquiry into Misuse/Abuse of Benzodiazepines and Other Pharmaceutical Drugs* by the chair of that committee, the member for Essendon:

The most telling part of our investigations was the realisation that many people within the community do not perceive prescription drug abuse to be a form of drug abuse. Consequently, they are unaware of the harms that are associated with the misuse and abuse of prescription medications.

The committee put forward what I believe are excellent recommendations. One relates to a prescription recording service. I heard the member for Footscray and other members speak about doctor shopping. We also have pharmaceutical shopping. We need a real-time prescription monitoring system in Australia, particularly in Victoria. We need the federal government to work with us. We need real-time prescription monitoring, not only to help doctors and pharmacists but also the accident and emergency facilities. We also need to ensure that the federal government works towards the controlling of unauthorised internet access to prescription drugs. When members of the committee visited America we heard evidence that internet access is often used to get drugs of this nature into that country, and this is causing enormous difficulty, not only for patients but for the community. There needs to be more work done in relation to the issues of real-time prescription monitoring and controlling internet access to these types of drugs if we are going to be fair dinkum about looking after the communities we represent.

Ms RICHARDSON (Northcote) — I am very pleased to rise in support of the Drugs, Poisons and Controlled Substances Amendment Bill. This bill has been welcomed by the Australian Medical Association (AMA), and I am pleased that members opposite have also decided to support the bill. The bill is yet another example of how the Brumby Labor government leads other jurisdictions and the nation in health care and reform. We all know the dangers that are posed by a public health emergency such as an influenza pandemic. It has been predicted that if a pandemic affected 30 per cent of Victorians, it is anticipated that this could lead to almost 25 000 hospitalisations and more than 10 000 deaths. Needless to say, this would put enormous strain on our emergency services and our emergency services personnel.

The good news is that we do have vaccines and antiviral vaccines that can prevent and in some cases treat the illnesses that these pandemics pose. What we must do, however, is ensure that these treatments are

available as soon as possible to as wide a number of people as possible. At present only practitioners can distribute these vaccines and treatments, and this bill enables a wider range of suitably qualified persons — such as nurses, pharmacists and employees of municipal councils — to distribute vaccines and antiviral medicines during such an emergency.

I am pleased to note that the Brumby Labor government has also made significant investments to boost our preparedness for just such an emergency. The government has provided funding of \$700 000 for three new emergency response vehicles for the Metropolitan Ambulance Service, \$4.5 million to stockpile medical supplies against an outbreak of influenza, \$5 million to expand negative pressure rooms in major hospitals to help isolate and treat victims of infectious diseases and high-risk biological contamination, and \$1.8 million to Victoria's two leading public health laboratories for emergency preparedness and response capabilities.

The second set of amendments has also been welcomed by the AMA, and it removes some of the unnecessary administrative burdens that are placed on treating doctors for patients who are dealing with drugs of dependence. The existing provisions under the act were put in place to minimise what many speakers have referred to as doctor shopping and to enable the coordination of treatment for patients living within the community. However, there are situations where compliance is onerous and does not contribute to better patient care. I refer to such places as prisons, hospitals and aged-care settings where individuals are confined and doctor shopping simply cannot occur.

It is proposed that these requirements for practitioners to hold a permit when treating a patient in these settings — and these settings alone — be removed. It is also proposed that in multipractitioner clinics, rather than requiring each practitioner to hold a permit there be a one permit per clinic so that patients' treatment could continue in the absence of their particular doctor. The advantage of these sorts of reforms is that we can improve patient care for people who are afflicted with drug dependency. Therefore I commend this particular part of the bill to the house, and I hope there is speedy passage for the bill in the following weeks.

Mr BURGESS (Hastings) — I rise with great pleasure to contribute to the debate on the Drugs, Poisons and Controlled Substances Amendment Bill 2008. The purpose of the bill is to make two unrelated amendments to the Drugs, Poisons and Controlled Substances Act: one in relation to the supply of drugs during a public health emergency and the other to the permit notification system regarding drugs of

dependence. This bill is a good start, and I am very pleased to speak on and support it.

The first major amendment is the change in part 2 of the bill which relates to the effective and efficient supply of drugs during a public health emergency and is a mechanism for the administration of antiviral drugs and vaccines during an influenza outbreak, for example, or a bioterrorism incident. The proposed changes allow for expedient administration and supply of large quantities of medication to large numbers of people within a short time frame. The bill enables the Secretary of the Department of Human Services to authorise a specified class or classes of persons — such as nurses, pharmacists or employees of municipal councils — to obtain, possess, use, sell and supply specified poisons and controlled substances for the duration of an emergency.

The second major amendment — and one that I would like to focus on a little more — is the change that relates to the amendment of the scheme found in sections 33 and 35 of the act that deals with the supply by medical practitioners to schedule 8 and 9 poisons and schedule 4 poisons which are also drugs of dependence. This amendment simplifies the current scheme by rationalising the permit and notification requirements while minimising the risk of individuals becoming dependent on a drug. The proposed new section 33 requires a practitioner to notify the secretary as soon as practicable if a patient who the practitioner believes is drug dependent is seeking prescription of a schedule 9 or schedule 8 poison or a schedule 4 poison which is also a drug of dependence, and the practitioner intends to treat the patient with such a poison.

Proposed section 33(2) makes it an offence for a practitioner not to give a notification of a drug-dependent person seeking treatment with a schedule 9 poison. Proposed section 33(4) makes it an offence for a practitioner not to give notification of a drug-dependent person seeking or being treated with a schedule 8 poison or a schedule 4 poison which is also a drug of dependence. Currently the permit tries to identify and minimise doctor shopping through the coordination of patients' treatment with schedule 8 poisons. In some cases this imposes an unnecessary administrative burden on medical professionals and may be contrary to good treatment practices.

Under the new proposal, in clinics with multiple medical practitioners where one practitioner holds a permit to treat a patient with a schedule 8 poison, other practitioners may treat that patient without obtaining additional permits. In addition changes will be made to the current permit conditions where one patient

transfers to another practitioner. In this case a permit is not required if the practitioner does not believe the patient is drug dependent. A permit is not required if the treatment period is less than eight weeks, and after this time frame a permit is required.

As I have said, this legislation is a step in the right direction, as it attempts to address a largely hidden problem. The media coverage given to illicit drug use and overdose in one way masks another area of great concern. In illustrating that point I refer to an article that appeared in the *Age* of Monday, 12 March, which in turn refers to ambulance figures for 2006. The article by Christian Catalano headed 'Abuse of legal drugs worse than heroin and ice' states:

Overdosing on prescription or over-the-counter drugs is twice as common as overdosing on illicit drugs, new Melbourne ambulance figures show.

In fact the ambulances have attended a far greater proportion of legal drug overdoses — 6150 — in the 12 months to February 2006. The article continues:

Over the same period, data from the Turning Point Alcohol and Drug Centre show there were 3011 ambulance calls for illicit overdoses, comprising 1369 for heroin and 1642 for all others, including ice and ecstasy.

There is a large group of people who are suffering and who, to some extent — certainly from the media's perspective — go unnoticed. To illustrate that point further the article goes on to indicate that research found that women accounted for nearly two-thirds of all overdoses with legal drugs and that the average age of these patients was 36. Conversely, two-thirds of those overdosing on illicit drugs were male, with an average age of 29. While heroin and narcotic overdoses occurred mostly in suburbs such as Fitzroy, Collingwood, Footscray, Springvale and Dandenong, prescription over-the-counter overdoses were found all across Melbourne.

The point that I am making is that this is a step in the right direction, because this particular piece of legislation is trying to address an area which, although it has a lower profile, is an area of high cost in terms of human suffering, and on that basis I am very happy to support this bill and commend it to the house.

Mr PERERA (Cranbourne) — I rise to join members from both sides of this house in supporting the Drugs, Poisons and Controlled Substances Amendment Bill. The greatest challenge involved in planning for a pandemic is that it is impossible to predict when it will occur and how widespread it will be. In the 1930s, when Sri Lanka was under British rule, about 1 million people were affected by the

malaria epidemic, and the recorded deaths were around 125 000. Malaria kills more than a million people a year, with around 90 per cent in Africa. The best thing we can do is to be prepared. The bill indicates the Brumby government's commitment to ensuring that Victoria is prepared to respond to public health emergencies.

The ability to quickly mobilise an appropriate workforce is a key factor when responding to a public health emergency. An additional trained workforce may be needed to distribute vaccines and antiviral medication during a public health emergency, such as an influenza pandemic. If, as mentioned by the previous speakers, a pandemic affected 30 per cent of the Victorian population, it is predicted that this could lead to almost 25 000 hospitalisations and more than 10 000 deaths. This is how serious it could be even in this day and age.

This bill will provide the powers to the secretary to make an order in writing to authorise a wide range of suitably qualified persons, such as registered nurses and pharmacists, to distribute vaccines and antiviral medicines, which under normal circumstances would not be allowed.

The Brumby government believes that legislation has to be supported by funding arrangements, which is why the government has made significant investments to boost Victoria's preparedness to respond to a public health emergency. That includes \$700 000 for new emergency response vehicles for the Metropolitan Ambulance Service; \$4.5 million stockpile of medical supplies against an outbreak of influenza; \$5 million to expand negative pressure rooms in major hospitals to help isolate and treat victims of infectious diseases and high-risk biological contamination; and \$1.8 million to Victoria for two leading public health laboratories for emergency preparedness and response capabilities. The bill also addresses some unnecessary administrative burdens placed on the medical workforce when treating patients.

The Brumby government has consulted AMA (Australian Medical Association) Victoria on the legislation, and taken up AMA Victoria's suggestions to improve it. The act places notification and permit requirements on practitioners with a view to minimising the problems associated with the use and abuse of schedule 8 and 9 poisons, which are drugs of dependence. The existing provisions were enacted to minimise doctor shopping and enable the coordination of treatment of people in the community. However, there are situations where compliance is onerous and does not contribute to patient care.

The bill proposes that the requirement for practitioners to hold a permit when treating a patient in settings such as in prisons, hospitals and aged care settings where individuals are confined and doctor shopping cannot occur be removed. Currently each practitioner within the clinic must hold a permit to treat a patient with a schedule 8 poison. There are scenarios in multipractitioner clinics where practitioners are required to obtain individual permits for the treatment of the same patient. It is also proposed in the bill that multipractitioner clinics will only be required to hold one permit per patient, given that all practitioners operating from the clinic are able to coordinate the patient's treatment as they have access to all the records.

Currently practitioners are required to notify the secretary of the department of patients they have reason to believe are drug dependent even if a consultation was not related to drug dependency. This is an unnecessary burden that does not contribute to patient care.

The bill amends the act so that practitioners will only be required to notify when the patient is seeking a drug of dependence or if the prescriber intends to treat with a drug of dependence. This will reduce the administrative burden placed on practitioners but will maintain the ability to contribute to coordination of treatment with drug dependence. Currently a practitioner is not required to hold a permit until his or her treatment of a patient with schedule 8 poison exceeds eight weeks, irrespective of the treatment by a previous practitioner. Unless the second practitioner has reason to believe the patient is drug dependent, the patient may actually be receiving treatment without a permit for the first eight weeks. During this period the patient is effectively outside the protection that the permit system affords and may actually be receiving treatment from multiple practitioners. This could result in him or her developing or exacerbating undiagnosed dependence, possibly leading to drug-seeking behaviour.

The bill prohibits the second practitioner treating a patient without applying for a permit from the secretary if the second practitioner believes that another practitioner's treatment, along with that practitioner's prescription, would represent a continuous period of treatment of more than eight weeks. This provides for a balance between maintaining continuity of treatment and promoting coordination of treatment.

This Labor government has a proud record of achievement in combating the harm from alcohol and drugs. The 2007–08 budget committed across government a further \$201 million over four years to address these issues. Victoria will again lead Australia

by being the first to introduce these provisions. Other Australian jurisdictions are considering their options. I commend the bill to the house.

Mrs VICTORIA (Bayswater) — I rise to support the Drugs, Poisons and Controlled Substances Amendment Bill 2008. What is before the house is a proposal to change two particular parts of the legislation: one is about the supply of drugs during a public health emergency, the other relates to the permit system regarding drugs of dependence.

The first, which is the supply of drugs during a health emergency, has come about because of the avian flu or bird flu coming into Australia from particularly Asia, and I think that was probably the biggest potential pandemic to have loomed over Australia in the past decade. It certainly made us all sit up and take notice; it made us realise we were quite vulnerable. As a continent Australia is quite isolated, and we have been very lucky to have been isolated from many diseases that are prevalent overseas.

However, as the world has become so much smaller with the prevalence of air travel and the like, we need to be very cautious, so this bill brings into play how we would respond if faced with the possibility of a pandemic. Basically it talks about the more efficient supply of drugs during a public health emergency such as a pandemic, or as things have certainly changed over the last 10 or so years, even a bioterrorism attack, which although not necessarily prevalent in our minds as much as it might have been four or five years ago, is still there and is a very real possibility in this day and age.

These amendments in the bill allow for the fast supply of large quantities of medication to large numbers of people in a very short time, and I will come back to that point shortly. It also enables the Secretary of the Department of Human Services to authorise people such as nurses, pharmacists and employees of local councils to obtain, possess, use, sell and supply specific poisons and controlled substances throughout the emergency — and it is important to note that that can be done only throughout that emergency period. There are many people on that list, because if you are talking about a very large outbreak and restricting action to people with very narrow qualifications, certainly we would not be able to get those substances out in a timely fashion.

I said I wanted to return to the issue of supplying large quantities of medication to large numbers of people. This issue becomes relevant when an emergency response is needed. In the last couple of days members

may have heard news reports about the need to examine our response times for major emergencies, particularly given the example of the Kerang rail disaster. No doubt the issue will be brought up again at the coronial inquiry into that disaster. This bill is certainly aimed more at broad-spread emergencies, whereas the Kerang accident was quite an isolated incident. Aside from the fact that it was quite isolated, if you believe the reports — and I certainly believe some of the witnesses I have spoken to who were there at the crash — this plan did not kick in adequately and lives that perhaps could have been saved were lost. It is all very well and good to have these medication provisions in place, but we have to make sure the coordination works. It is fine in theory to have these things, but when they are to be applied somebody ultimately has to be responsible to get them happening very quickly.

The second major amendment relates to the supply by medical practitioners of very specific schedules of drugs. They are schedules 8, 9 and 4, but schedule 4 only if it is a drug of dependence. When we talk about schedule 8 we are talking about drugs such as dextroamphetamine and morphine, which are used predominantly in pain management. Schedule 9 drugs are drugs such as heroin, LSD and cannabis. According to the Medical Practitioners Board of Victoria's website:

Schedule 4 poisons are 'poisons that should, in the public interest, be restricted to medical, dental or veterinary prescription or supply, together with substances or preparations intended for therapeutic use, the safety or efficacy of which requires further evaluation'. This schedule covers all prescription-only medicines not included in schedule 8.

These are drugs that people can become quite dependent on. The amendment before us simplifies what currently happens by rationalising the permit and notification requirements, which are quite stringent I have to say.

With the reporting of drug-dependent persons by a medical practitioner to the Secretary of the Department of Human Services (DHS), which is where the reporting has to be done, a practitioner is required to notify the secretary as soon as practicable if a patient, who the practitioner believes is drug dependent, is seeking a prescription for a schedule 9 or 8 substance or a schedule 4 substance which could be a drug of dependence. They can be drugs like benzodiazepine or pentobarbitone, which are quite serious drugs. We know that overdose by use of these drugs is not uncommon. In order to keep this under control we need to make sure that people are not doctor shopping to get multiple scripts and they are not hoarding these types of

drugs at home. Overdose could be either by suicide attempt, which unfortunately sometimes is successful, or due to an oversight especially by older people who may not remember whether they have taken a tablet for the day.

Proposed section 33(2) makes it an offence for a practitioner not to give notification of a drug-dependent person seeking treatment with a schedule 8 or 9 drug or a schedule 4 drug which is also a drug of dependence. I note a maximum of 100 penalty units applies for any of these particular categories. This will help doctors remember, if you like, to be compliant in notifying the secretary at DHS.

There are a couple of minor changes which will help in a very busy medical practice. With my many years of medical background as a clinical support specialist and also as a pharmaceutical representative, I know that some medical practices are so busy that they are now putting patients through at a rate of one every 4 or 5 minutes. We can debate on a different day the question of whether that is proper medicine or not. In a busy medical practice doctors certainly do not have time to stop and ring the secretary at DHS asking for permission or notifying them of the sort of patient we are talking about here. In a multipractitioner clinic they will be able to attach a note to a patient's file that will permit other GPs in that clinic to also write scripts provided that the GP who originally wrote the script is not there. It could be that they are on holiday or elsewhere. This will make it a little bit easier for GPs who are very burdened by the amount of paperwork and compliance they have to do, and make for a smoother transition.

I think this bill is a very good step forward, and we can all rest a little bit easier now knowing it is in place if there is a bioterrorism attack or some sort of pandemic hits our shores. I am very happy to support the bill.

Mr LIM (Clayton) — It is so pleasing to hear that the opposition supports this bill. I welcome the bill which better prepares Victoria for a health emergency and also makes some sensible improvements in the administration of drugs of dependency. Many medical experts would say it is not a matter of if but when we experience a pandemic. According to the World Health Organisation (WHO):

A pandemic occurs when a new influenza virus emerges and starts spreading as easily as normal influenza — by coughing and sneezing. Because the virus is new, the human immune system will have no pre-existing immunity. This makes it likely that people who contract pandemic influenza will experience more serious disease than that caused by normal influenza.

With a new virus and therefore no pre-existing immunity, the potential is there for widespread death. As WHO points out:

Three pandemics occurred in the previous century: 'Spanish influenza' in 1918, 'Asian influenza' in 1957, and 'Hong Kong influenza' in 1968. The 1918 pandemic killed an estimated 40 to 50 million people worldwide. That pandemic, which was exceptional, is considered one of the deadliest disease events in human history. Subsequent pandemics were much milder, with an estimated 2 million deaths in 1957 and 1 million deaths in 1968.

With large numbers of people undertaking international travel by air, it is now no longer possible for a country such as Australia, which was once isolated by geography, to isolate itself from a pandemic. Air travellers can travel from one side of the globe to the other in 24 hours, which is shorter than the incubation period of some viruses. For example, in the case of severe acute respiratory syndrome (SARS) the World Health Organisation estimates that the maximum incubation period is 10 days. WHO also estimates that the case-to-fatality ratio of SARS ranges from 0 per cent to 50 per cent depending on the age group affected, with an overall estimate of 14 per cent to 15 per cent. So we can consider ourselves fortunate that there was a rapid and professional response from our health authorities in 2002 and 2003. They should be commended for that.

Outbreaks of H5N1 flu strain — better known as avian influenza strain or bird flu — have affected our northern neighbours. At the moment an outbreak of H5N1 is not capable of amounting to a pandemic because it is contracted by humans from birds, and a condition necessary for a pandemic is that it is spread from human to human. However, some experts say it is only a matter of time before the virus mutates, possibly via pigs, so that it can then be transmitted from human to human. The prospect of a pandemic would then be very real, because as it is a new virus, humans would not have a pre-existing immunity. The Minister for Health is to be congratulated for bringing this bill into the house.

The bill amends the Drugs, Poisons and Controlled Substances Act 1981 to ensure that an additional trained workforce is available to distribute vaccines and antiviral medications. It does this by providing that in a public health emergency other qualified health professionals such as nurses would be authorised to distribute vaccines and antiviral medicines. I am confident that nurses have the clinical competence to undertake this responsibility. Their scope of practice has been steadily extended in recent years. The category of clinical nurse practitioner is now well

established. We have practice nurses working alongside GPs in their clinics, and the role of remote area nurses is very important. This measure is important in ensuring that Victorians are better protected by increasing the number of health professionals available to respond to a crisis. The bill also makes some sensible amendments to the regime governing schedule 8 and schedule 9 poisons by separating them out and easing some restrictions. I commend the bill to the house.

Mr NORTHE (Morwell) — It gives me great pleasure to make a contribution to the debate on the Drugs, Poisons and Controlled Substances Amendment Bill 2008. There are two major elements to the bill. The first relates to the effective and efficient supply of drugs during a health emergency. It provides a mechanism for the administration of antiviral drugs and vaccines during an outbreak — heaven forbid! — of influenza or a bioterrorism incident. The proposed changes allow for the expedient administration and supply of large quantities of medication to a large number of people within a short period of time. The bill also enables the Secretary of the Department of Human Services to authorise a specified class or classes of persons, such as nurses, pharmacists or employees of municipal councils, to obtain, possess, use, sell and supply specified poisons and controlled substances for the duration of a particular emergency. It should be ensured that the nurses, pharmacists or council officers are suitably qualified and accredited for involvement in such a process.

The second aspect of the bill is made up of the changes inserted by proposed section 33 to 35 and deals with the supply by medical practitioners of schedule 8 and 9 poisons, including dextroamphetamine, morphine, heroin, LSD and cannabis, and schedule 4 poisons that are also drugs of dependence. It would appear that the amendments simplify the current scheme by rationalising the permit and notification requirements while ensuring there is a minimal risk of individuals becoming addicted to these drugs.

One important aspect of the new provisions is the changes to the current permit conditions regarding the transfer of a patient to another practitioner. Many medical outlets have multiple GPs, and this amendment will ensure easier transfer to other practitioners. A permit is not required if the practitioner does not believe the patient is drug dependent or if the treatment is for less than eight weeks. This is an important point. It is a very practical measure to have the permit follow the patient rather than its falling under the responsibility of the practitioner or others. To digress for a moment, we see in the education system that funding does not follow students who have funding requirements or need

aides for special assistance. Maybe that is something the government will consider in the future.

One of the questions that the bill raises is how well equipped Victoria, and in particular regional Victoria, would be in dealing with an influenza epidemic or even a bioterrorism incident. I would say that Victoria at the moment is probably not that well equipped to deal with such a situation, given the shortage of medical practitioners and health-care professionals in Victoria, and as also demonstrated by the numbers on hospital waiting lists. I can certainly say that is true from the Morwell electorate perspective, where waiting lists are currently quite high.

We saw the Australian Medical Association (AMA) coming out quite publicly in January this year and saying that it is already lobbying the federal government for additional funding to address the shortage of GPs across the nation. More locally, in the *Herald Sun* in February health chiefs were warning Victoria that we are facing a massive shortage of GPs and were looking at ways of boosting doctor numbers in Victoria. That particular article referred to the fact that Victoria has really had just one new GP in the 10 years from 1996 to 2006, whilst the population has risen by in the vicinity of half a million people. Those figures demonstrate the shortage of GPs and health-care professionals in Victoria. The number of surgery cancellations and the waiting lists are a real concern in the Morwell electorate and, I am sure, throughout the remainder of Victoria.

In March the *Age* reported that an independent review — the Ministerial Review of Victorian Public Health Medical Staff — had commented on the low morale of health professionals and GPs throughout Victoria. This government's response to that was to look at ways of attracting doctors and health professionals to Australia, and Victoria, from overseas. Whilst I will not prolong my comments on that particular point, that response has met with much angst among the community and health professionals themselves in Victoria.

In the Morwell electorate, the Gippsland Medical School at the Monash University campus in Churchill is doing good work and has recently taken in 60 students. This is one way to help combat the shortage of health professionals in regional Victoria. I had the recent pleasure of having a tour of the facility with Professor Chris Browne, the head of the Gippsland Medical School. The school is an absolute credit to Monash University and all who have been involved in the establishment of that facility. It is a marvellous school, and I know that the students who have been studying

there this year have been blown away by the quality of the facilities out there.

One of the initiatives being considered by Monash University is to try to establish an after-hours medical facility using the students who are participating at the school. That would help ease the burden on our public health system enormously, particularly at the Latrobe Regional Hospital, which currently experiences huge waiting lists and lengthy waiting times in emergency departments. The Monash University's medical school at Churchill will also ensure that the students who are enrolled there will be heavily involved not only in private general practices but also at the Latrobe Community Health Service and the public health service generally, which will certainly make a difference to the Latrobe Valley and Gippsland as a whole.

I will quickly point out a couple of figures to exemplify the shortage of GPs and medical practitioners, and the waiting lists that currently exist in Gippsland. I have raised this issue in this place many times previously. I am concerned about some of the figures for the Latrobe Regional Hospital. In just 12 months the number of emergency department presentations there has risen by 621 presentations. The number of triage category 3 patients seen within 30 minutes has dropped from 88 per cent in the first half of 2006 to 82 per cent in the first half of 2007. The number admitted to a bed within 8 hours of presentation has fallen from 80 per cent in the first half of 2006 to 73 per cent in the first half of 2007. Unfortunately these figures are getting progressively worse over the years, due again to a shortage of not only medical professionals but also beds in that facility.

The member for Ferntree Gully mentioned in his members statement this morning community health services and the Australian Taxation Office ruling that could indeed have a great impact upon health centres throughout Victoria. I know that Latrobe Community Health Service, which provides a magnificent public service to Gippslanders and to those in the Latrobe Valley, is one of those centres that could be adversely affected. I had an opportunity to quickly discuss that matter with the Minister for Health this morning, and I gained confidence from what the minister said at that time — that we may see a positive resolution of that issue in the very near future.

In closing, the bill is supported by many groups, particularly the AMA, and it seems the bill is a sensible and practical piece of legislation. I support it and wish it a speedy passage.

Mr SCOTT (Preston) — I, too, rise to support the Drugs, Poisons and Controlled Substances Amendment Bill 2008, which is a very sensible piece of legislation. In my contribution here today I would like to focus on the first of its purposes, which is to provide for the supply of drugs during public health emergencies.

As previous speakers have indicated, this would be of particular relevance during a pandemic or a bioterrorism attack, which are very serious issues and touch on perhaps one of the most fundamental roles of government within any society, which is to provide protection to citizens from external threats against which those citizens cannot individually afford themselves protection.

That sort of justification for government action is traditionally used in the context of armed conflict and defence against external military threat, but it equally applies in terms of pandemics and bioterrorism, which, in the context of Victoria, are frankly much more likely than an armed invasion of Melbourne by an external power. Therefore it is a serious issue which the government needs to take account of when framing legislation.

I could not help but notice that the member for Bulleen is currently in the house, and it drew my attention to one of the earliest recorded pandemics which of course had a great geopolitical influence during the Peloponnesian War — that is, the typhoid pandemic in Athens, which led to its decline as a power within the Greek polity at the time.

Mr Kotsiras — It started in Kalamata.

Mr SCOTT — I will respond to the disorderly interjection. It started in Kalamata, where I understand the member for Bulleen's family hails from originally. I will let members draw their own inferences from that historical precedent and the influence of the member for Bulleen in this place. I, of course, have found him to be a polite individual who is always helpful, but I will allow other members to draw whichever conclusions they wish.

Pandemics are not just a matter of ancient history. I know the member for Clayton referred to the Hong Kong flu. When I was researching for my contribution on this bill I noted it was estimated that the Hong Kong flu killed 34 000 individuals in the United States of America during the period 1968–1969. I contrast that with the less than 29 000 citizens of the USA who were killed in action in the Vietnam War during the same period.

The American involvement in Vietnam and the deaths that occurred there are seen as having had a very significant effect on American politics and society from that time onwards, yet in two years the Hong Kong flu outbreak in the USA killed more people than did that war. That happened in a period when modern medicine, modern sanitation and modern public health systems existed, and when antibiotics existed to treat secondary infections, although antiviral drugs would not have been as advanced then as they are today. That was a period when most of the tools available to us today to treat pandemics existed, yet, as I said, in two years more people were killed in America by a flu pandemic than were killed during the two years of the Vietnam War. Pandemics are very serious matters, and governments have to take them very seriously.

Building on previous responses by this government, including the commitment to \$4.5 million to upgrade the preparedness for an influenza pandemic that has previously taken place, this bill extends to those who currently do not have it, the right to issue medicines in specific circumstances when there is a major public health emergency.

This is a sensible measure, and I am glad that members opposite have chosen to support it. As I was saying earlier, this legislation relates to the most fundamental role of the state, because it relates both to the monopoly of violence the state holds and the right to appropriate taxation to protect individual citizens from external threats from which they are unable to protect themselves. In a world where bioterrorism is a serious threat, this is a timely bill and one that I commend to the house.

Mr KOTSIRAS (Bulleen) — It is a pleasure to stand to speak on the Drugs, Poisons and Controlled Substances Amendment Bill 2008. The purpose of the bill is to make amendments to the Drugs, Poisons and Controlled Substances Act 1981 in relation to the supply of drugs during public health emergencies and the permit and notification system regarding drugs of dependence.

The first major amendment, contained in part 2 of the bill, relates to the efficient and effective supply of drugs during a public health emergency and provides a mechanism for the administration of antiviral drugs and vaccines during an outbreak of, for example, influenza or during a bioterrorism incident. In essence, it is there to protect citizens. The proposed changes allow for the expedient administration and supply of large quantities of medication to large numbers of people within a short time frame. The bill enables the secretary of the Department of Human Services to authorise a specified

class or classes of people, such as nurses, school teachers or employees of councils, to obtain, possess, use, sell and supply specified poisons.

The second major amendment relates to the scheme found in sections 33 to 35 of the act that deals with the supply by medical practitioners of schedule 8 and 9 poisons and schedule 4 poisons, which are also drugs of dependence.

The opposition will be supporting this legislation because we believe it is good legislation. However, when the government introduces this type of legislation, I think it is important for it to go out to the community and advise and inform people of these changes. Here in Victoria 25 per cent of people were born overseas, over 150 different languages are spoken and many people do not speak English, so when this type of legislation is passed, I think it is important to get out to the communities and advise them that these changes will occur. The previous Liberal government tried to ensure that 5 per cent of advertising occurred in the ethnic media. I am not talking about propaganda or the Premier's messages; I am talking about information that is useful to the community.

I am just wondering whether this government and its departments have also adhered to that 5 per cent target for advertising, promotion or information in the ethnic media. It would be interesting to see whether 5 per cent of departmental advertising budgets has been spent in the ethnic media, and if the Minister for Health or the Minister assisting the Premier on Multicultural Affairs can ascertain whether that is the case. I think it is vital that all members of the community understand the changes this bill is bringing forth and the problems that might be associated with them. The opposition is supporting the bill. All I hope is that the government will take this seriously and ensure that every member of the Victorian community understands the changes being introduced by the government.

Mr SEITZ (Keilor) — I support the Drugs, Poisons and Controlled Substances Amendment Bill 2008. This bill basically makes two unrelated amendments to the act. Clause 1 sets out the main purpose of the bill, which is to provide for the further supply of drugs during a health emergency and to make amendments relating to the supply of schedule 8, schedule 9 and schedule 4 poisons, which are drugs of dependence. It is highly commendable that we are streamlining some of those processes for when there is a public health emergency or pandemic involving the flu or any other disease that might come to this country.

In our fast-moving society viruses may be brought in by people on aeroplanes and subsequently spread in the community. Also, birds simply hitchhiking on container ships may bring in diseases like bird flu from other countries. Concerns about bird flu and whether it could spread in Australia was how the subject of dealing with pandemics came up and became a subject of debate and discussion. We need to be prepared and able to administer drugs as quickly as possible to as wide a population as is necessary to ensure the safety of our community.

It is a timely action by the minister in having this legislation ready and having the people in charge organised and knowledgeable about what they will have to do if it ever has to be used. One thing about natural disasters is that they sort of come about all of a sudden so that people are not aware of them and are not trained or prepared to deal with them. Here we are introducing legislation to get a mechanism in place for those things to happen. Training will ensure that medical practitioners, nurses and others who can be licensed under this legislation to administer appropriate drugs will have time to learn about and understand the processes provided for in the legislation, while control is maintained to ensure that other people do not administer drugs.

If we are aware of people who might be using drugs of dependence, we can stop them doctor shopping. If somebody who is being prescribed a drug of dependence by one doctor shifts to another doctor, a computer system will provide a connection between the medicine those people are taking and the controls on the prescribing of such drugs. Through the computer system the mechanism will create an awareness of doctor shopping. There is central control of the prescription of certain medicines. At times doctors have to ring up to check prescriptions, particularly in relation to schedule 8 and 9 medications. That is very important for the safety of our community in general.

Of particular importance is that this bill addresses itself to public health emergencies. Clause 4 inserts definitions of 'public health emergency order' and 'serious risk to public health' into the principal act. Clause 5 inserts new section 22E, 'Matters to be specified in a public health emergency order'; in other words, what the treatment has to be, what the medications are and who can manufacture, dispense and supply it right through the system. We read so often in the papers that criminal gangs get hold of certain drugs and manufacture amphetamines and other drugs to sell to people as social or entertainment drugs, as they are called today. But what we are saying here is that there is still control in the medical sense of the

supply of raw materials for those things, particularly tablets and capsules, and also of the manufacture of the machines used to make them. As in the previous legislation there is control over their registration, so you cannot just go and buy the machines from overseas and start manufacturing any sort of drugs in a backyard operation.

I am pleased that the minister has brought in this legislation at this time. I well recall that when some other major disasters have occurred it has not been clear who is in control, who can issue permits and licences and who can make decisions. So without having an epidemic facing us we have been able to proceed with the development of this legislation. I am also conscious that when legislation like this goes through we have a bit of media talk and a public education process, but then it is sort of forgotten because the legislation did not have to be used. So I urge practitioners in particular to keep up to date, and whether it is in two or four years time there should be revisions. People in that industry must keep up to speed with what the legislation is and what the requirements are. Their training needs to be constantly refreshed regarding the government's intentions in this legislation on behalf of our society and particularly when it concerns public health and safety emergencies.

Having said that, I am conscious that people might be concerned that the bill may lessen control over schedule 8 and schedule 9 poisonous substances, but the way the legislation is written ensures that there will be no lessening of control even if it comes to a pandemic and emergency disbursement of medication is required. That is spelt out in the legislation and the regulations to be developed for the implementation of this whole program. With those remarks, I wish the bill a speedy passage through the house.

Mr THOMPSON (Sandringham) — Each member of this chamber would be aware of elements of major difficulty in the supply of illicit drugs to communities and that we need strong harm prevention strategies in place through the wider community. The purpose of the bill before the house is to make two unrelated amendments to the Drugs, Poisons and Controlled Substances Act 1981 in relation to the supply of drugs during a public health emergency and to the permit notification system regarding drugs of dependence. The criteria being applied in the case of a public emergency are straightforward and well understood and will enable the Victorian community to deal with an emergency in the case of a pandemic.

The restrictions being implemented regarding drugs of dependence raise some wider issues. In the past week I

have been dealing with a constituent who over the course of the last 30 years has used drugs of dependence. He is a former heroin addict who is on a methadone program that enables him to deal with his addiction. The tragic circumstances he has confronted in his life and the impact of his addiction on other family members is not to be underestimated. Yesterday in this chamber we debated a bill dealing with the regime applied to sex offenders who commit crimes against children, and the case of a young lass who suicided in her middle 20s was mentioned. She had been drug dependent, and her family is of the view that her drug dependence was a result of her trying to suppress the pain of sexual offences against her in her primary school years.

Some people go doctor shopping in order to gain wider access to drugs of dependence. In the case of another family of constituents, a young child was born to parents who were drug dependent, and the grandmother, who was trying to look after the welfare of their young daughter, was of the clear view that the mother was not capable of looking after the young child owing to her excessive reliance upon a range of drugs of addiction. A federal member of Parliament, Bronwyn Bishop, recently completed a national inquiry looking into a number of issues, one of which related to what should be done with children who are the progeny of drug-dependent parents. Her findings put forward the proposition that drug-dependent parents are largely incapable of looking after young children and that children in that circumstance should immediately be taken away. Some of the factors that place them at risk are well known to the house, but, for example, people who need to sleep long hours could roll over a young child in a family bed and cause death by suffocation. Death could also be caused by neglect.

Doctors and pharmacists, by and large, are obliged to exercise a responsible approach to looking after people on methadone programs, but it is important that the community regulate these matters as well. The mother of the young child I mentioned earlier had attended a three-day St Vincent de Paul rehabilitation program and was of the view that she was capable of looking after her child, but when her St Vincent's Hospital records were subpoenaed to court it was established that she had been doctor shopping and had had access to a wide range of drugs of dependence.

Drug dependency is a serious matter for the community, and to the extent that this legislation seeks to address the supply chain for people seeking to utilise multiple practitioners, it may be a positive step forward. My constituent's parents are of the clear view that there needs to be a regulated documentary trail so that people

who are drug dependent cannot go doctor shopping to increase their supply of narcotics, which ultimately impair their own health and certainly place their children at very serious risk.

Mr ANDREWS (Minister for Health) — I am very pleased to make some concluding comments on this important bill. I thank the members for Caulfield, Derrimut, Mildura, Macedon, Evelyn, Footscray, Lowan, Narracan, Hastings, Cranbourne, Bayswater, Clayton, Morwell, Preston, Bulleen, Keilor and Sandringham for their contributions on this important bill, which really is about trying to improve the way in which we could, in the event that we had to, respond to a public health emergency. But it is also fundamentally about making changes to reduce red tape, to reduce the regulatory burden and to ensure, wherever we can, that our dedicated medical and other health workers can be engaged in clinical work rather than clerical work. That is important.

The government has been very pleased and proud to have been able to bring these amendments to the Drugs, Poisons and Controlled Substances Act to the house. I acknowledge the support of the Liberal and National parties for this important bill. There were a couple of issues raised in debate, and I will be pleased to provide some further advice on those.

These amendments in the bill basically change the arrangements whereby in a public health emergency additional classes of health professionals would be empowered, by order, to administer various antiviral medication and other drugs. That is a positive step forward, given the clear pressure that would be put on our health system and our current workforce, particularly the medical workforce, in the event of a public health emergency.

The member for Caulfield sought some clarification on what guidelines or framework will guide the operation of those orders and the expansion of the classes of health professionals who will be able to be involved in the administration of those important medications. The bill outlines a process and clearly indicates that only well-qualified individuals would be empowered to do that important work. The member for Caulfield can have every confidence that this is about expanding the number of suitably qualified and trained health professionals who can play an important role in the management of a pandemic, for instance.

The member for Caulfield should be aware that, by way of background, whilst the bill empowers the secretary to prescribe a class of persons to supply and possess particular drugs, poisons and other controlled

substances in a public health emergency, it is envisaged that that power be delegated to the chief health officer, who, when determining those specific classes of persons, would take advice from an expert pandemic advisory panel established to provide advice on public health decision-making.

Those classes of persons, as the bill and, I think, the second-reading speech make clear, might well include registered nurses, pharmacists and others who are suitably qualified. There will be consultation with relevant registration boards and other associated peak bodies when determining those classes of health professionals and others who may be able to play that important role. All necessary safeguards will be in place so that only qualified and suitable classes of persons can be involved in that important work.

It is also worth noting that any such order must be published in the *Government Gazette* — so it would be a transparent process. In what would be a very stressful time there would be clarity about the respective roles of each class of persons. It is also worth noting that Victoria is the first jurisdiction to make such a change, which is symptomatic of our leadership in this regard.

Mr Delahunty interjected.

Mr ANDREWS — There were some other questions — and I welcome the member for Lowan's vocal support for these and other measures.

The member for Caulfield also raised some questions in relation to our overall preparedness in terms of a pandemic, or a similar public health emergency, and sought some clarification as to what investments or decisions the government had made in recent times to support the Victorian community in the event of such a public health emergency.

I can advise the member for Caulfield that a management plan for pandemic influenza was released last year. That is an important framework document which guides our forward decision-making in a broader sense — not just for flu, but for other public health emergencies. We have made substantial investments, some of which have already been targeted and which would be, in the event that we had to deal with these circumstances, of profound benefit to very substantial numbers of Victorians. For instance, \$700 000 has been provided by the government for three new emergency response vehicles for the Metropolitan Ambulance Service; that would enable incident controllers to be on the scene and manage a public health emergency effectively and well at a local level.

We have also provided \$4.5 million to stockpile medical supplies against an outbreak of flu; and we have provided \$5 million to expand the number of negative pressure rooms in major hospitals. I have been pleased to visit various redevelopments and see that work firsthand, and to be well briefed on the planning and trying to embed that particular facility in as much of the redevelopment work that we do as possible. That is all about isolating and treating those who are affected by a given disease without cross-contamination occurring or having a situation where the hospital population or staff, who at that time are well, become infected by those patients. Also, \$1.8 million has been provided to our two leading public health laboratories for emergency preparedness and response capabilities.

I am happy to provide the member for Caulfield with any further information she seeks on the government's actions, its investment and the other strategic work we have done in order to be prepared and to facilitate the best responses in the event that we are struck by such a pandemic, or other public health emergency. I hope that that, at least in broad terms, would give her some comfort, but again, I am happy to provide further information if that is sought by the honourable member.

Having said that, I think I have dealt with the questions asked. This is a common-sense bill, it is a smart bill — one that moves forward — and I think it provides a sound set of arrangements which all honourable members have indicated they will support. I commend it to the house.

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

CHILDREN'S LEGISLATION AMENDMENT BILL

Statement of compatibility

Ms MORAND (Minister for Children and Early Childhood Development) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act:

In accordance with section 28 of the Charter of Human Rights and Responsibilities, I make this statement of compatibility with respect to the Children's Legislation Amendment Bill 2008.

In my opinion, the Children's Legislation Amendment Bill 2008, as introduced to the Legislative Assembly, is compatible with 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 Children's Services Act 1996 and the Child Wellbeing and Safety Act 2005. The amendments relate to the licensing and regulation of children's services and provision for a kindergarten principle for children.

Human rights issues

Collection of information — privacy

A number of provisions of the bill require the collection and/or provision of information, some of which may be of a personal nature.

In particular, in applying for a licence under proposed sections 15 or 16, an applicant is required to disclose certain information, including prescribed information (see proposed section 18). The information required to be provided may include information directed at satisfying the secretary that the applicant is a fit and proper person for the purposes of section 22, such as information in relation to the person's criminal history, financial history, character, honesty and integrity. Whilst this may well interfere with a person's privacy and/or freedom of expression the provisions are necessary to respect the rights of children by ensuring that only fit and proper persons are granted licences, and cannot be regarded as unlawful or arbitrary.

Proposed section 53B enables the secretary to publish certain information about a children's service. It is questionable whether there would be any real expectation as to the privacy of that information so as to engage the right to privacy. However, to the extent it may be engaged, any interference is lawful and is not arbitrary. It is appropriate to make such information public and the decision to publish information most likely to engage the right to privacy (that in subsection (1)(e) or (1)(f) is subject to a review procedure).

Medical, psychiatric and other testing — privacy

Clause 8 of the bill inserts a new section 24 which enables the secretary to require an applicant for a licence to submit to medical or psychiatric examination.

These provisions involve an interference with a person's privacy, as protected by section 13 of the charter. However, the interference is lawful and is not arbitrary as it is directed at determining the suitability of the person to operate, manage or control a children's service.

Discipline of children — cultural rights

Clause 12 of the bill prohibits the use of any form of corporal punishment by family day carers. There is no exception. The United Kingdom House of Lords has considered a challenge by a number of teachers and parents of children at Christian schools to the total prohibition of the use of corporal punishment in schools: *R. (Williamson) v. Secretary of State for Education and Employment and Others* [2005] 2 AC 246. The House of Lords considered that the total prohibition amounted to a limit on the claimants' rights to practise their religion, but that it was justified. Given the potential harm that can result from the infliction of physical violence against

young children, I consider that an absolute ban on corporal punishment best protects the interests of children. Accordingly, to the extent it could limit religious or cultural beliefs, and for the reasons set out in Williamson, I consider that any such limitation is reasonable and justified for the purposes of section 7(2) of the charter.

Notification of serious incidents

Clause 14 inserts a new provision, section 29C, which requires that proprietors of children's services notify the secretary of incidents involving death or injury to a child or if a child appears to be missing or otherwise cannot be accounted for, or of any prescribed serious incident. These provisions engage the right to freedom of expression in section 15 and the privilege against self-incrimination in section 25(2)(k) of the charter.

Freedom of expression

Section 15(2) of the charter provides that every person has the right to freedom of expression. This includes the right not to express. However, section 15(3) provides that the right may be subject to lawful restrictions reasonably necessary to respect the rights of others. In this case, the provisions are necessary to ensure the safety and wellbeing of children in children's services. Accordingly, I consider that the provisions are compatible with the right to freedom of expression.

Self-incrimination

It is possible that the provision of this information will also disclose a criminal offence. Section 25(2)(k) of the charter provides that a person charged with a criminal offence is entitled not to be compelled to testify against himself or to confess guilt. At the time the person is required to provide the information he/she will not have been charged with an offence. On this basis the right in section 25(2)(k) of the charter would have no application. Similar rights in other jurisdictions and the broader right to a fair trial have been interpreted to provide some limited protection at the investigation stage. However, those protections have not extended to the type of mandatory reporting required under these provisions.

Accordingly, I consider that the privilege against self-incrimination is not engaged. However, even if it were, any limit would be reasonable and justified as it is clearly important that the authorities be notified of such incidents, to ensure the best interests of children are protected.

Powers of entry and search — privacy

Section 36 of the principal act empowers authorised officers to enter and search premises for the purpose of ascertaining whether the act is being complied with. The powers extend to the seizure of items and documents, and the taking of video and photographs of the premises. Clause 22 enables those powers to be used for monitoring compliance with regulations and sets out the premises that can be entered. In the case of a family day care service at a residence, the power of entry extends to any part of the carer's residence that the authorised officer believes on reasonable grounds is being used to provide the care or education. However, the entry is limited to the hours when the care or education is being provided.

Clause 24 amends section 38 of the principal act and empowers authorised officers to enter premises where there

are reasonable grounds for suspecting that there is evidence on the premises of the commission of an offence against the act. This power also extends to parts of a family day carer's residence that are used to provide care or education to children on behalf of a family day care service.

Section 13 of the charter provides that a person has the right not to have his or her privacy, family, home or correspondence unlawfully or arbitrarily interfered with. In some cases, the exercise of the powers in clauses 22 and 24 will interfere with a person's privacy, home or correspondence. However, such interference is lawful and is not arbitrary. The powers in clause 22 are necessary to monitor compliance with the regulatory scheme and are limited to that purpose. In addition there are a number of protections contained in the act, including a limit on the hours when the powers may be exercised at services operating at the carer's residence; the return within 48 hours of documents and items seized; and a limit on the exercise of such powers at unlicensed premises without the consent of the occupier. The powers in clause 24 are necessary to ensure the detection and prosecution of offences against the act, which are necessary to ensure the protection of children in family day care services.

Accordingly, I consider the provisions are compatible with section 13 of the charter.

Provision of information for monitoring compliance

Clause 23 inserts a new provision enabling authorised officers to require provision of information for the purpose of monitoring compliance with the act or regulations.

Section 25(2)(k) of the charter provides that a person charged with a criminal offence is entitled not to be compelled to testify against himself or to confess guilt. At the time the person is required to provide information he/she will not have been charged with an offence. On this basis the right in section 25(2)(k) of the charter would have no application. However, similar rights in other jurisdictions and the broader right to a fair trial have been interpreted to provide some limited protection at the investigation stage.

Even so, the rights have not been extended so far as to protect persons from providing information necessary for the monitoring and enforcement of compliance in relation to a regulatory regime. In accepting a licence, a person is presumed to know, and to have accepted, the terms and conditions associated with the licence, including the provision of information to monitor compliance with those terms and conditions. Section 42 of the act ensures the privilege against self-incrimination is preserved in the event the powers are used for the purpose of determining whether a criminal offence has occurred.

Provision of information for the purpose of investigations

Clause 27 inserts a new provision, section 42A, which enables the secretary to require current and former licensees, nominees and staff members of children's services to provide information, documents and evidence relating to serious offences. Subclause (1)(c) enables the secretary to require the person to appear before him or her to give evidence or produce documents. Subclause (4) provides that a person cannot refuse to provide the information on the grounds that it may incriminate him or her. However, subclause (5) provides that, in the case of natural persons, answers cannot be used against the person in criminal proceedings. These provisions

engage the right to freedom of movement in section 12, the right to free expression in section 15, and the privilege against self-incrimination in section 25(2)(k) of the charter.

Freedom of movement

Every person lawfully within Victoria has the right to move freely within Victoria and to enter and leave it, and has the freedom to choose where to live.

The right to move freely within Victoria is not dependent on any particular purpose or reason for a person wanting to move or stay in a particular place. It encompasses a right not to be forced to move to, or from, a particular location. The right includes freedom from physical barriers and procedural impediments.

To the extent that a person is required to appear before the secretary under these provisions then the person's freedom of movement is limited.

However, the limit upon the right is clearly reasonable and justifiable in a free and democratic society for the purposes of section 7(2) of the charter having regard to the following factors:

(a) The nature of the right being limited

The right to move freely within Victoria encompasses a right not to be forced to move to, or from, a particular location and includes freedom from physical barriers and procedural impediments.

(b) The importance of the purpose of the limitation

The limitation is important because it provides the secretary with the power to obtain information necessary for it to efficiently regulate children's services. The ability to secure the presence of a person to provide information is essential to the effective administration of the secretary's functions in licensing and regulating children's services.

(c) The nature and extent of the limitation

The provisions limit a person's freedom of movement to the extent that a person may be compelled to be physically present before the secretary at another location for a specified time for the purpose of giving evidence or producing documents.

(d) The relationship between the limitation and its purpose

The limitation on the free movement of a person by requiring the presence of the person before the secretary is directly and rationally connected to the purpose of ensuring the effective administration of the secretary's functions.

(e) Less restrictive means reasonably available to achieve the purpose

There are no less restrictive means of achieving this purpose.

The limitation is reasonably justified under section 7(2) of the charter. Accordingly, I consider that clause 27 is compatible with section 12 of the charter.

Free expression

Section 15(2) of the charter provides that every person has the right to freedom of expression. This includes the right not to express. However, section 15(3) provides that the right may be subject to lawful restrictions reasonably necessary to respect the rights of others and for the protection of public order. Public order can be defined as the sum of rules that ensure the peaceful and effective functioning of society. The power to require a person to provide information is in order to assist in the detection and investigation of persons who commit serious offences in relation to children's services. This is necessary to ensure the protection of children. Accordingly, I consider that the provisions are compatible with the right to freedom of expression.

Self-incrimination

Section 25(2)(k) of the charter provides that a person charged with a criminal offence is entitled not to be compelled to testify against himself or to confess guilt. At the time the person is required to provide information to the secretary he/she will not have been charged with an offence. On this basis the right in section 25(2)(k) of the charter would have no application. However, similar rights in other jurisdictions and the broader right to a fair trial have been interpreted to provide some limited protection at the investigation stage.

However, given the protection against the use of the information in criminal proceedings, there is no limit upon the rights. Accordingly, the provisions are compatible with the charter.

Conclusion

I consider that the bill is compatible with the Charter of Human Rights and Responsibilities because to the extent that some provisions do raise human rights issues those limitations are reasonable and demonstrably justified in a free and democratic society.

Maxine Morand, MP
Minister for Children and Early Childhood Development

Second reading

Ms MORAND (Minister for Children and Early Childhood Development) — I move:

That this bill be now read a second time.

The bill will provide improved protection for children and families by providing for the enforcement of minimum standards across all early childhood services at a time when children are increasingly spending more time in early childhood education and care settings. This is vital to realising the benefits to individuals and the broader community to be gained from investment in quality early childhood education and care.

Recent research on brain development has highlighted the importance of the early years for the development of a child's intellectual potential. Studies have indicated that experiences in the first five years of life have a profound impact upon educational outcomes, emotional

wellbeing and health in later life. There is a need to ensure the future development of children through effective regulation, as good quality early childhood education and care can help the development of children, and provide social and economic benefits to the community in the future.

This bill is being introduced at a time of considerable national interest in early childhood. In particular, the Council of Australian Governments has proposed reforms to early childhood services under the national reform agenda. In 2007 the Victorian government released a report on its policy intentions, *Victoria's Plan to Improve Outcomes in Early Childhood*, as part of the Council of Australian Government's national reform agenda. The plan sets out a framework for reform that includes among its policy directions enhancements to the provision of early childhood education and care services and the amendments proposed in the bill complement the COAG reform proposals.

The Brumby government is committed to ensuring that all Victorian children are given every opportunity to achieve their full potential. The government recognises that it has an important part to play in supporting parents and service providers to help children to succeed in life and learning.

As the need to balance work, life and family commitments increases, families are requiring more flexible and accessible child care. There has been a significant increase in family day care and outside-school-hours care, services that are not regulated by the current act. In the absence of regulation, the national standards and the commonwealth quality improvement and accreditation system provide quality and operational standards aimed at providing for children's safety and developmental needs. However, these standards are not enforced. Parents are also not able to judge the quality of care their child is receiving in their absence. This has led to peak organisations calling for regulation of these two sectors to ensure that minimum standards for all children's services are monitored and enforced.

In August 2005 the government endorsed the development of regulations for family day care and outside-school-hours care to be included in the current review of the children's services regulations which, after having recently been extended for 12 months, will sunset in May 2009. These two sectors are regulated in most of the other states and, because these sectors are eligible for the commonwealth government's child-care benefit scheme, parents tend to believe these sectors are currently regulated by the Victorian government and

have expectations concurrent with that belief. The government's decision to regulate these services has received general support from stakeholders and the community generally.

The bill strikes a balance between applying appropriate safety standards for the care of young children and respecting the privacy of families and the right of parents to make informal arrangements for the care of their children.

The bill contains amendments to include family day care and outside-school-hours care within the scope of the act; streamline licensing processes to reduce the regulatory burden; clarify and improve enforcement powers within the act; extend children's programs to enhance children's development; and provide powers to release information. The government has also taken the opportunity to amend other elements of the act to improve the clarity and efficiency of the act generally.

The substantial amendments in the bill will amend sections 3, 5 and 6 of the act and will replace the provisions relating to licensing of children's services in part 3. It will also amend provisions that deal with operation of children's services in part 4, enforcement in part 5, and funding, administration and regulations in part 6.

Section 3 will be amended to insert new definitions made necessary by the expanded scope of the act and changes to other provisions. Section 5 will be amended to clarify the services to which the act now applies. Section 6 will be amended to remove a redundancy.

Part 3 will be replaced by new sections 9 to 25U, which amend the licensing process to separate the approval of premises for a children's service from the approval of a person to operate a children's service. The current licensing processes in part 3 (sections 9 to 25) are based on the assumption that the person who builds a children's centre will be the person who operates the service and that there will be one licensee for one children's service. Changes in the children's services sector during the last decade mean that this view no longer reflects reality.

The proposed streamlining of the licensing process in replacement part 3 will address the repetition of processes and other inefficiencies in the current licensing system, thereby reducing regulatory burden for licensees. Division 1 sets out in sections 9 to 14 the procedures associated with an approval of premises for operating a children's service. Division 2 sets out procedures for a licence application in sections 15 to 21. Division 3 outlines consideration of whether

persons are fit and proper persons to conduct a children's service in sections 22 to 24, and matters to be taken into account and how long the determination will remain in force in sections 25 and 25A. Division 4 sets out details and conditions of a licence in sections 25B to 25H. Division 5 deals with renewals and variations of licences and new approvals in sections 25I to 25M. Division 6 deals with approval of people who are nominated to be acceptable to act in charge of a service and with service venues in sections 25N to 25U.

Amendments aimed at reducing regulatory burden include the creation of new licence types in section 17 and extending the term of licences to five years in section 25H. These amendments will address the inefficiencies in the licensing processes highlighted by the recent trend towards integrated services and the growth of multi-licensed operators.

Section 26 in part 4 will be amended to extend the scope of protection that children must receive from a proprietor to include 'harm', not merely hazards, that might cause injury.

New section 26B will elevate programming from the regulations to the act and will stipulate that the program needs to 'enhance' a child's development. The current regulations require a proprietor to provide a program for children that meets their individual developmental needs. This fails to reflect current thinking of the importance of early years experiences on the development of a child's brain. It also does not recognise that staff interactions with children are a key element of the provision of quality programs for children. Section 26B aims to achieve some of these objectives.

New sections 29A to 29C and replacement section 30 will raise requirements that affect child safety from the regulations to the act and raise the levels of the penalties to more accurately reflect the seriousness of the offences. These provisions deal with child-staff ratios, authorisation to administer medication and requirements for notification following a serious incident and for the licensee or nominee to be present at a service at all times. New sections 32A and 32B and replacement section 33 will specify certain administrative requirements.

Amendments to part 5 (sections 36, 38, 41–43 and 46 and new sections 36A, 42A and 43A) will clarify departmental powers with regard to monitoring compliance and investigating suspected contraventions. Powers under the act have recently been challenged in the Supreme Court. These challenges have highlighted several ambiguities, anomalies and limitations in the

content of current inspection powers, which undermine the ability of authorised officers to investigate and monitor compliance with the act. The amendments to part 5 are directed at strengthening and clarifying these powers.

The bill will license family day care services rather than individual carers' premises. Section 36 will be amended to include an authority for authorised officers to enter and inspect premises, or part of premises where family day care is being provided to children. This provision will enable the rights of children to be safeguarded by confirming the ability of authorised officers to enter a family day carer's home, which is also the carer's place of business, to investigate compliance matters.

New section 42A includes a power to require any person involved in the operation of a children's service to answer questions or produce documents for the purpose of investigating a serious offence. Persons will be compelled to provide information, but any evidence obtained will not be able to be used against the person providing it in any civil or criminal proceedings. The amendment will mean that the ability to investigate incidents in some services will no longer be hindered by the privilege against self-incrimination. New section 43A clarifies the power of the secretary to take action, where necessary, during an emergency.

New section 53B in part 6 enables the release of individual service-related information in the act. The information will relate to compliance assessments and action taken by the department against the service for breaches. This will provide parents with information to enable them to make informed choices relating to their child's care. Feedback from parents and most of the peak organisations has indicated support for the release of compliance information.

There are currently many legislative and administrative barriers to sharing information with the public and other government agencies other than the basic licence register, which the secretary is required to make publicly available. Section 53B extends the release of information to other government agencies for the purpose of protecting the health, safety and wellbeing of children and reducing regulatory burden for multi-jurisdictional providers. It will also permit the provision of information that is reasonably believed to involve a contravention of another act. Before information is released, services will have access to the appeals mechanism in new section 54A to ensure assessments by authorised officers can be reviewed.

The bill will insert in section 5 of the Child Wellbeing and Safety Act 2005 the principle that every Victorian

child should be able to enrol in a kindergarten program at an early childhood education and care centre. It is a key priority of the Victorian government to make kindergarten a universal experience for all four-year-olds.

A new schedule to the Children's Services Act will set out savings and transitional provisions that will allow newly regulated services time to come into compliance with the act. These services will be permitted to apply for a provisional licence, to remain in force for a maximum of 12 months. The holder of a provisional licence will be able to apply for a full licence at any time during that period. The provisional licence is designed to allow the services time to adjust to regulation until they are in a position to apply for a full licence.

The bill increases all but three of the penalties imposed by the act, consistent with section 109 of the Sentencing Act 1991. This will also bring the penalties for breaches in line with the other jurisdictions. However, regardless of the increase in penalty units, the financial impost on licensees will ultimately be at the discretion of the courts. The current penalty levels do not reflect the negative impact on children of serious breaches of the legislation. Nor do they reflect the developments in the children's services sector evident by the growth of for-profit multilicensed operators.

Children's health, safety and developmental needs are of particular importance to the Brumby government, therefore the provisions in the bill that increase the penalties relating to significant issues, which pertaining to children's health, safety and developmental needs such as sections 26, 27, 28 and 29, will come into effect at royal assent. This will ensure those services that place children's welfare at risk will face the appropriate penalties as soon as possible.

The purpose of the amendments to the act to include family day care and outside school hours care is to bring under regulation all forms of formal children's education and care services, therefore to carry out an unlicensed service will attract a heavy penalty. The penalties relating to this offence in sections 7 and 8 will also come into force at royal assent.

To strengthen the effectiveness of the enforcement provisions immediately the penalties relating to sections 42A(3), 43(4), 43A will also be brought into force at royal assent. This will provide children's services advisers with increased authority to require services to comply with the legislation.

It is proposed that the remaining provisions will come into effect on 25 May 2009 concurrent with the regulations that will replace the extended Children's Services Regulations 1998. In the lead up to the commencement date, a comprehensive information and training program will inform the services that are entering the regulatory regime of their rights and responsibilities, and allow already regulated services to adapt to the amendments.

In conclusion, I would like to thank all the individuals and the stakeholder organisations who provided valuable input towards the development of this legislation.

I commend the bill to the house.

Debate adjourned on motion of Mrs POWELL (Shepparton).

Debate adjourned until Thursday, 24 April.

Sitting suspended 1.01 p.m. until 2.04 p.m.

Business interrupted pursuant to standing orders.

QUESTIONS WITHOUT NOTICE

Gaming: industry restructure

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. Under the financial model adopted by the government in the proposed restructuring of the gaming industry, does the government expect total player losses from gaming machines to increase, stay the same or fall?

Mr BRUMBY (Premier) — I announced today, with the Minister for Gaming, the new arrangements for the industry, and they have been very well received by the community at large. This was a once-in-a-generation opportunity to get the structure of this industry right for the future. The plans we have put in place make sure that the structure for this industry will be right for the people of Victoria post-2012.

As the Minister for Gaming and I announced earlier today, there will be a further period of discussion with the industry now that the broad plan has been outlined. Legislation will be put in place over the course of this year, and the final details of that legislation will be introduced after discussion with the industry.

Mr Baillieu — On a point of order, Speaker, the Premier is debating the question, not answering it. The

question was about player losses, and he has declined to answer the question.

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

Dr Napthine interjected.

The SPEAKER — Order! The question clearly referred to the restructuring of the gaming industry. The Premier has completed his answer.

Dr Napthine interjected.

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

Gaming: industry restructure

Ms THOMSON (Footscray) — My question is to the Premier. Can the Premier update the house on today's announcement of a new direction for the gaming industry in Victoria?

Mr BRUMBY (Premier) — Today, with the Minister for Gaming, I announced the new arrangements for the future of the gaming industry in this state post-2012. The new arrangements follow what has been an extensive period of consultation, starting with the Kirby report some years ago. There has been widespread consultation in the community about the opportunities for this industry going forward, particularly in terms of new structural arrangements.

The arrangements set out today provide for fundamental change in this industry. They mark a turning point in our approach to the gaming industry in the decade ahead. Under the announcements today there will be separate licences issued in the future for Keno, a separate licence for wagering and new venue-based arrangements for the gaming industry.

In terms of gaming, we are moving from an operator-based system to a venue-based system. This will mean that the local community will have more of a say in relation to this industry. It will mean there will be more choice, more diversity and a more competitive industry. The future of the racing industry is secured under these arrangements. It will, however, not be able to bid for the wagering licence as it will need to provide confidential information to the government about the nature of bids proposed for wagering.

As I have said, there will be more competition and more choice in the industry post-2012. There will be an ownership cap put in place in relation to venues. So in relation to the club sector, there is no ownership limit,

and there will be literally hundreds of owners of clubs and club facilities. In relation to the hotel side of the industry, there will be an ownership cap of 35 per cent. In other words, if you think of the industry at the moment, there are 27 500 machines, of which 50 per cent are owned by Tabcorp and 50 per cent owned by Tatts, whereas in the future there will be literally hundreds of venues and hundreds of owners, more competition and more choice across this industry.

I also announced today that in aggregate terms the total amount of tax taken by the government will be around the same in real terms and that in terms of the tax arrangements for the venues and the machines themselves, we will be moving towards a more progressive-based system. That system will strike obviously a lower rate of tax for the smaller, less-lucrative venues. That will benefit clubs, particularly in some of our regional and rural areas, where there are hotels particularly that are more lucrative. Where the revenue going through the machine is higher the tax rate will be higher.

I also announced today that in the government's view there will be no compensation payable to the existing operators. The provisions in the act on this matter are clear, and it is the government's view that no compensation is payable to the operators in the future. We also announced today that Crown — which already of course has poker machines under the licence agreement formed under the former government, which runs through till 2033 — will not be able to bid for pokies. There will be transitional arrangements in relation to Tatts and TAB where those companies, if they wished to purchase venues in the hotel sector, would be able to do that but would not be able to operate them post-2012.

I think the new arrangements strike the right balance for our state. They put in place the best public policy for our state going forward. They give the industry — —

Mr McIntosh interjected.

The SPEAKER — Order! I warn the member for Kew. I will not have interjections in that manner.

Mr BRUMBY — They put in place the right arrangements for the industry. They will give local communities more of a say. They will give local communities more ownership of this. They build on the measures that we have announced over the last month in terms of responsible gaming — the automatic teller machine ban in venues, the maximum bet limit moving from \$10 to \$5 and the precommitment machines. In all of those things I note that other states are now

following the lead taken by our state. I think if you put all of this package together, you see it is the right package for Victoria and it is the right package for our local communities. It is a better package, it is a fairer package and it will create more competition and give consumers more choice in the years ahead.

Water: desalination plant

Mr RYAN (Leader of The Nationals) — My question is to the Minister for Water. I refer to page 32 of the Auditor-General's report entitled *Planning for Water Infrastructure in Victoria*, which says there is a 'higher probability figure' known to the government for the proposed desalination plant, and I ask: what is the figure?

Mr HOLDING (Minister for Water) — I thank the Leader of The Nationals for his question. I understand this question was asked of the Auditor-General yesterday, and he indicated that for quite appropriate reasons he is unwilling to disclose what that figure is. So if it is good enough for the Auditor-General to respect the fact that in this particular case the government does not believe that this figure should be disclosed, then we take the view that that ought to be good enough for the opposition.

Honourable members interjecting.

The SPEAKER — Order! I warn the member for Bulleen. I ask the member for Warrandyte, the member for Bayswater and the member for Scoresby not to interject in that manner.

Mr HOLDING — If it is good enough for the Auditor-General to respect the fact that right now — —

Mr Wells interjected.

The SPEAKER — Order! I have just spoken to the member for Scoresby. I ask him not to interject in that manner.

An honourable member interjected.

The SPEAKER — Order! I do not need advice from the government benches. The minister, to continue.

Mr HOLDING — Thank you.

Mr Baillieu interjected.

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

Mr HOLDING — If it is good enough for the Auditor-General to respect that — —

Mr Ryan — On a point of order, Speaker, the minister is debating the question. He can write it down and give it to me. I will not tell a soul, Minister; just give it to me!

The SPEAKER — Order! The taking of that point of order is an abuse of the house. The minister has been interrupted on at least three occasions.

Mr HOLDING — The government has now announced that this project will be delivered under the Partnerships Victoria framework as a public-private partnership. For that reason it is appropriate that we manage carefully and effectively the information that is provided in relation to this project. But I would say this in relation to the — —

Honourable members interjecting.

The SPEAKER — Order!

Mr Haermeyer interjected.

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

Dr Napthine — On a point of order, Speaker, this is a very important point of order. The question is an important question regarding the efficient and careful expenditure of taxpayers funds. The minister has been asked a question, he is debating a question and he is refusing to answer a question. We have had two questions now and the government has not answered either simple question. If the government will not answer simple questions in question time, what is question time about in this Parliament?

The SPEAKER — Order! The member for South-West Coast has been in this Parliament for a number of years — in fact he has held a senior position in this Parliament — and he knows the standing orders. Under the standing orders the minister's answer must be relevant to the question. The minister is being relevant to the question and has not been given an opportunity to answer the question. The constant interruptions are an abuse of the practice of the house.

Mr HOLDING — The Leader of The Nationals has asked: what is the high probability figure? This government is making it clear that we are not releasing what the high probability figure is. The Auditor-General's report makes it very clear in relation to the desalination plant that the plant costs were based on a significant body of technical work on the project

costs and risks. That is exactly what the Auditor-General has found. The Auditor-General would not release the information when it was sought from him yesterday, and we stand by our decision to release the information that we have released to date and to go through the public-private partnership process in an appropriate, responsible and effective way to guarantee best value to the state of Victoria.

Gaming: industry restructure

Mr TREZISE (Geelong) — My question is to the Minister for Gaming. I refer to today’s announcement outlining the future structure of Victoria’s gaming industry, and I ask: can the minister advise the house how the structure will impact on venue operators, especially in regional and rural Victoria?

Mr ROBINSON (Minister for Gaming) — I thank the member for Geelong for his question and acknowledge his outstanding interest in the gaming industry. I was down in his electorate just a few months ago visiting the Geelong — —

Honourable members interjecting.

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

Mr ROBINSON — I was visiting the Geelong RSL — and don’t they do an outstanding job in that region in supporting their local community!

Today’s decision is very much a landmark one in our gaming industry. It brings to an end the role of licensed operators in our system, which we have had since the early 1990s. The government believes there is sufficient capacity and maturity within our pubs and our clubs and through the gaming industry for them to take a leadership role. I want to assure all members that the government did not take this decision to end the operator role for Tatts and Tabcorp lightly — it was very difficult decision — but we note that they will be able to continue their involvement in the gaming industry in a number of different ways. They will be able from 2012 to become — —

Honourable members interjecting.

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

Mr ROBINSON — They will be able to fill the role of venue operators in the hotel sector. They will be able to become providers of monitoring services to approved venues. They will be able to bid for the wagering and Keno licences, if they wish.

The outcome of today’s decision is that pubs and clubs will now have the opportunity of acquiring directly gaming machine entitlements, and they will get certainty over those entitlements. They will not be at the whim of gaming operators, who have the discretion under the current system to move them when the gaming operators see fit. These entitlements will be for 10 years, and they will be tradable.

A competitive allocation process will enable the pubs and clubs to determine how many gaming machines they wish to acquire within the continuing limit of 105. This is an exciting opportunity, but we are not in the business of guaranteeing that every pub and every club — because it is a competitive system — will be guaranteed of getting all the machines they wish. We are very confident that the vast majority of pubs and clubs across Victoria will be able to continue their involvement in this industry, if they wish.

The Premier has indicated we will be introducing a progressive tax regime, and we will be maintaining the split between the metro and country of 80 to 20. I know the Leader of The Nationals will be interested in that. We will have the fifty-fifty split as well between hotels and clubs.

The clubs, in particular those in regional Victoria, play a very important role. Over recent months I have had the opportunity of visiting some clubs, and I want to relay the perspectives of a couple. I received some advice recently after a meeting with the Numurkah Golf and Bowls Club — an excellent club, which I believe is located in the electorate of the honourable member for Murray Valley. It has some 38 machines. The club manager wrote to me and said with reference to the information on the plight of clubs:

Minister ... we spoke on the models in other states whereby sliding scales of tax are in place to support smaller clubs, whereby clubs operate their own machines and the clubs’ futures are not dictated to by corporate Australia ...

I believe that the people up at the Numurkah Golf and Bowls Club and in clubs like it right across Victoria will welcome the government’s decision whereby they can effect control and get certainty over future gaming operations.

I also had the opportunity last year of visiting the Horsham Sports and Community Club. My good friend, the member for Lowan, was very keen that I visit because he was extolling the virtues of what is — and I agree with him — an excellent club. This club has some 54 machines. It is an award-winning club with some 11 300 members from right across western

Victoria. It is a regular award winner, and I think it got the crown for being the best club in country Victoria.

The outstanding thing about the Horsham Sports and Community Club is its extensive donations to the community. Since it was established in the early 1990s, it has donated some \$780 000 — it is probably higher now — to all manner of community organisations right across western Victoria. It is a living example of what club activity is all about. We commend it on its work, and we know it is delighted with the government's announcement today.

The government's announcement today does not change the machine numbers in Victoria. We are sticking with 27 500. This compares with 100 000 in New South Wales and some 40 000 in Queensland. We believe it is an appropriate number. It is a number that has been tested twice in this Parliament and received support. We appreciate the support The Nationals have previously given to the government on this important number and urge them to stick with us in supporting clubs and pubs, particularly those in regional Victoria, because despite the government's announcement today, the biggest threat to the viability of clubs like the one at Numurkah, like the one at Horsham — —

Honourable members interjecting.

The SPEAKER — Order! I have previously warned the member for Malvern. I believe the minister is now straying into debating the question. I bring him back to answering it.

Mr ROBINSON — I will conclude my answer by saying that today's announcement represents a very exciting and bright opportunity for clubs and pubs in regional Victoria. We urge The Nationals and the Liberal Party to get behind the government's plan and to work with clubs so they can avail themselves of these great opportunities.

Rail: tender process

Mr MULDER (Polwarth) — My question is to the Minister for Public Transport. I refer the minister to her November 2007 meetings in France with train manufacturer Alstom, and I ask: given that these meetings took place just weeks before the government announced Alstom as the winner of a \$600 million contract for new trains, will the minister advise the house of the name of the probity auditor who attended these meetings, and did the minister also meet with losing bidder, Siemens, during her trip?

Ms KOSKY (Minister for Public Transport) — I thank the member for his question and for his interest in

public transport in this state. When I travelled overseas in November last year I met with a range of different organisations while looking at a whole range of public transport systems, and the public transport systems were first class in France. We looked at them because they are facing the same sorts of issues that we are facing here.

Honourable members interjecting.

The SPEAKER — Order! I ask the Deputy Leader of the Opposition not to interject across the table in that manner, and I ask the member for Polwarth not to make a mockery of this Parliament.

Ms KOSKY — I used the public transport system to an enormous extent whilst I was in France, and it has patronage growth just as we have patronage growth in Victoria.

Before meeting with a whole range of organisations, I received advice in relation to the tenders, and we got probity advice in relation to meeting with potential bidders for the tender system. Also in relation to Alstom, I actually met not only the marketing team but also the design team that was looking at the different designs they use to deal with increased patronage in relation to train systems.

The system that was put in place in relation to the bid for the 18 trains here in Victoria was completely at arm's length from me as minister. I was advised when the recommendation was made, and not until then, so the discussions that I had with Alstom representatives in France had nothing to do with that process. They were very clear they were not allowed to raise it, and I was very clear that I would not respond if they did. I have met with people from Siemens here in Victoria when they have been here.

Speaker, can I refer to a paper that was tabled here in the Parliament yesterday about overseas travel? The Public Accounts and Estimates Committee, an all-party committee, indicated that it agreed with the proposal that overseas travel can be beneficial to the Victorian Parliament and to the governance of the state by providing members with experience to better critique and suggest improvements to Victorian legislation, institutions and governance.

I recommend to the member that he learn more about public transport in other jurisdictions, because he would then understand what a good system we have here.

Questions interrupted.

DISTINGUISHED VISITOR

The SPEAKER — Order! Before calling the member for Yuroke, I would like to welcome the former Minister for Education and Minister for the Arts, Mary Delahunty, who is in the gallery today.

Questions resumed.

Racing: future

Ms BEATTIE (Yuroke) — My question is to the Minister for Racing. I refer to today's announcement outlining the future structure of Victoria's gaming industry, and I ask: could the Minister for Racing please advise the house how the government will ensure the future of Victoria's world-famous racing industry?

Mr HULLS (Minister for Racing) — I thank the honourable member for her question and indeed for her ongoing commitment to the racing industry in this state. As we heard, the government today made an historic announcement that will alter the landscape of the gaming industry here in Victoria. The announcement also provides Victoria's world-famous racing industry the opportunity to be the master of its own destiny.

The racing industry received approximately \$300 million in revenue in 2006–07. Of this \$300 million, about \$70 million was received not from wagering but from gaming machines. The government has decided to break the nexus between gaming and wagering from 2012. The decision to fund the racing industry to the greatest possible extent from wagering will provide new opportunities for an even greater racing and wagering product. The government has announced that it will legislate for a single stand-alone wagering licence which will be awarded at the conclusion of a competitive bidding process. A single parimutuel licence is a consistent feature wherever racing is held. It has served Victoria well in the past, and we believe it will serve this state very well into the future.

As the Premier has said, the Victorian racing industry will not be permitted to bid for this licence as it will be advising the government to ensure that we achieve an outcome that best meets the needs of the racing industry. The government takes the view that it would not be possible to be both an adviser to the government on the process and at the same time a bidder involved in the process.

The changes which have been announced will not disadvantage the racing industry. The government has committed to developing funding arrangements which are 'no less favourable' to the racing industry in this

state. This commitment will provide the Victorian racing industry with a very solid foundation on which to build and develop an even better product.

To give effect to this commitment the government will tomorrow commence an eight-week consultation process with the racing industry. At the conclusion of that process we believe the industry and the government will be in a position to use the 2012 changes as a springboard for a even better racing industry in this state. We believe these decisions will give the racing industry control of its own destiny and the opportunity to work with a wagering partner which will have the racing industry as its main focus. We believe that is very important for the future of this industry. The government has no doubt that these arrangements will secure the future of the racing industry in this state and will ensure that Victoria's racing industry will continue to lead the nation when it comes to this great product.

Timber industry: government strategy

Mr INGRAM (Gippsland East) — My question is to the Minister for Agriculture. Businesses and many individual residents in my electorate are continuing to be decimated by the ongoing uncertainty and lack of resource security within the timber industry. The issues range from legal disputes and tendering issues between industry, the Department of Sustainability and Environment and VicForests; the interstate sale of sawlogs; the reduction of access to resource; and the inability of residents to secure firewood. I ask: why has the government failed to provide any security, certainty or confidence to the timber industry in Gippsland, or are these regional timber communities and businesses outside the government's mantra of being a great place to live, work and invest?

Mr HELPER (Minister for Agriculture) — I thank the member for Gippsland East for his question and for his ongoing commitment to a sustainable, vibrant and prosperous timber industry in this state. I share a commitment to those ideals for a timber industry in this state. At the outset can I say in direct response to his question that I am, as is the government, committed to continuing to make Victoria a great place to sustainably and viably harvest timber in a sustainable and viable timber industry.

There are a range of uncertainties that affect the industry. Some of those are well known to many members in this chamber. The recent bushfires have had a significant impact on resource availability and levels and, as a consequence, sustainable harvest levels. We are working as a government to deal with this. I

recently announced the development of a timber industry strategy which will take into account the need for as much certainty as we can provide to the timber industry to enable it to remain prosperous and to develop to be an even more prosperous industry than it already is. The government clearly recognises the importance of sustainable harvest practices and levels, but it also clearly recognises and is committed to the social consequences of the timber industry, particularly in many of the smaller communities throughout Gippsland and East Gippsland.

The strategy we will develop will be aimed at establishing an industry which has a long-term future with the greatest possible level of security that can be afforded to it and through that driving the economic vibrancy of that industry. The industry supports the employment and economic activity in communities, many of which are in the member for Gippsland East's electorate.

I come back to praising the member for Gippsland East for his commitment to the industry. I was particularly pleased to be able to work with him, and I continue to work with him, over issues which are in a way micro-issues but which are nevertheless very important issues, such as the availability of firewood to his communities.

Whilst progress is being made to resolve all those issues, the government always has an open mind as to how those processes can be improved into the future. I look forward to working with the timber industry in this state, and with members of Parliament who are genuinely interested in the future of the timber industry, to create a timber industry strategy that, as I said, gives a level of certainty to the industry that is achievable and also extends the opportunities of that industry into the future.

Australian Football League: ground and training facilities

Ms MARSHALL (Forest Hill) — My question is for the Minister for Sport, Recreation and Youth Affairs. I refer the minister to the fact that Australian Rules football is celebrating its 150th year, and I ask: what support is the Brumby government providing to strengthen the ties between Victoria's Australian Football League clubs and the community?

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — I thank the member for Forest Hill for her question and for her passionate support of the Richmond Football Club. In light of this year's celebration of 150 years of Australian Rules football

that the member mentioned, last month I was able to join the Premier at the Punt Road Oval when he announced that the Brumby government will provide a \$10.5 million funding boost to Victoria's Australian Football League clubs to help them upgrade their suburban grounds and training facilities.

Mr R. Smith interjected.

The SPEAKER — Order! I ask the member for Warrandyte for some cooperation. Question time is not the opportunity for him to sit and interject at will.

Mr MERLINO — Most importantly, this \$10.5 million will significantly boost the local community in those areas. It will provide open space. Open space will be improved, community facilities will be delivered and community access to the programs of those football clubs and the services that they provide will be enhanced. To take the example of Whitten Oval, our funding will help deliver a multicourt indoor community sports facility. At Waverley Park \$1 million will be spent on new water recycling technology, providing water for both Waverley Park and surrounding local sports grounds. At Moorabbin \$500 000 will be spent pulling down the dilapidated grandstand and opening up the facility to local residents.

This funding has thrilled the entire football community. North Melbourne Football Club's chief executive officer, Eugene Arocca, said:

... this announcement today is just the best thing to happen at North Melbourne in a long time.

Honourable members interjecting.

The SPEAKER — Order! The member for Warrandyte has been warned. I ask him, for a final time today for some cooperation while question time proceeds.

Mr MERLINO — Richmond Football Club coach Terry Wallace said:

... Punt Road Oval will return to being a centre of community life for the residents of inner Melbourne.

Peter Jackson, chief executive officer of Essendon Football Club, said of the Brumby government that it:

... clearly recognises the importance of sport and sporting clubs to the welfare of a community and you are to be congratulated for this ...

One point regarding the announcement needs clarification. I quote from a press release of 19 March:

The Brumby government has taken to recycling previous commitments rather than genuinely supporting sport and recreation in Victoria ...

It goes on to say of me and the Premier:

... they failed to mention that the Victorian AFL facilities funding program was launched in June 2006, and at that time the commitment was actually \$14 million rather than \$10.5 million.

To rectify the member for Lowan's confusion, in June 2006 the Labor government pledged \$14 million to our AFL clubs, which was well received. Last month's \$10.5 million announcement is on top of that original commitment. It is completely new funding.

Honourable members interjecting.

The SPEAKER — Order! The member for Bayswater will not be permitted to interject in that manner. I warn the member for Bayswater.

An honourable member — Take the media release off the website.

Mr MERLINO — It is off the website.

Perhaps the shadow minister for sport and recreation should have read the *Age* the day before he issued the press release, in which North Melbourne Football Club chief executive officer Eugene Arocca is quoted as saying:

This is new money, additional money. It is an extra \$2 million in funding we were not expecting and ... are thrilled about ...

The Brumby government understands that it has a responsibility to help grow our indigenous game at all levels. We do it at the grassroots level through our \$76 million community facilities funding program, our \$10 million country football and netball program and almost \$20 million in drought assistance. We do it at the elite level by supporting every single AFL club in the state. The Brumby government understands the mutual dependency between grassroots and elite sport. We will continue to invest in both, making Victoria the best place to live, work and raise a family.

**Accident Compensation Conciliation Service:
conciliation officer**

Dr NAPHTHINE (South-West Coast) — My question without notice is to the Premier, and I ask: will the Premier confirm that his former adviser and the former Labor member for Narracan, Ian Maxfield, is set to be appointed to a \$120 000 a year position as a conciliation officer at the Accident Compensation Conciliation Service, and say whether this is the same

Ian Maxfield whose conduct as a member of this Parliament caused the Speaker to direct him to seek anger management counselling?

Mr BRUMBY (Premier) — I am not aware of the matter to which the member refers. I am aware, though, that there are many former members of Parliament from both sides of the house who on the basis of their ability and competence and merit are appointed — —

Mr Mulder interjected.

The SPEAKER — Order! I have asked the member for Polwarth already today not to make a mockery of this chamber.

Mr BRUMBY — If my memory serves me correctly, a former Deputy Premier of this place, Mr McNamara, is a member of the Melbourne Cricket Club Trust. The former member for Benambra and former shadow Minister for Water is an appointee to a government water board. The former member for Doncaster, Mr Perton, is a member of a government board.

Dr Napthine — On a point of order, Speaker — —

The SPEAKER — Order! I will anticipate the point of order. The Premier is clearly debating the question. I bring him back to answering the question.

Mr BRUMBY — My recollection of the question is that I was asked about a government appointment.

Dr Napthine interjected.

Mr BRUMBY — The member asked me about a government appointment. The former member for Malvern is the chair of Melbourne Health, and the former member for Warrandyte is a member of a government board. We have always taken decisions in relation to these matters on the basis of a person's interest in a job and their appropriateness for that appointment. As I said, this is a matter which would come to cabinet; it is not a matter which has come to cabinet at this stage.

Water: fluoridation

Mr EREN (Lara) — My question is to the Minister for Health. Can the minister advise the house of recent action taken by the government to improve dental health outcomes for rural and regional Victorians?

Mr ANDREWS (Minister for Health) — I thank the honourable member for Lara for his question and for interest in better outcomes for rural and regional communities. I have been asked about our

government's efforts to support better oral health outcomes in rural and regional Victoria, and I am very pleased to inform honourable members that on 26 March the chief health officer, Dr John Carnie, made an announcement in relation to the fluoridation of water supplies in Greater Geelong and the Ballarat area.

This is an important announcement, because what we know is that at 1 part per million, fluoridated water is all about delivering better oral health outcomes for communities right across Victoria and indeed right across the world. The evidence is absolutely overwhelming about the positive impacts of fluoridation. There has been a lot said about the recent announcement made by the chief health officer, and I am very pleased to make reference to some of that. The Ballarat *Courier* made the following point in its editorial under the headline 'Raise a glass — fluoride is finally official':

Together with Geelong, and at a combined cost of \$1 million, Ballarat residents will now have access to a simple and effective preventative health measure which will greatly improve our children's dental health.

I could not agree more. It went on to say:

Yesterday's announcement redresses an imbalance that had existed for some years, whereby only metropolitan and a small number of rural Victorians had access to fluoridated water.

That is the key here: it is about making sure that kids in country communities, and those in country communities more broadly, get the oral health benefits that kids and families in Melbourne have had for 30 years. This is as much about equity as anything else, and on that basis the government is committed to supporting the decisions made here by providing funding for the infrastructure that is necessary for these important upgrades.

Also, the *Geelong Advertiser* ran the headlines "It's about time" say community leaders' and 'Little argument against fluoride'. There has been overwhelming support for these important measures. They are important measures, and that is borne out by a few very simple facts. If we look at the Barwon south-west region, we see there were more preventable admissions to hospitals for treatment of dental decay for children and young people aged 0 to 18 than for any other illness.

In Geelong each month around 15 preschool children have a general anaesthetic at Barwon Health as part of receiving treatment for dental decay. The Ballarat and Grampians region has the highest rate of admission for dental decay in Victoria. What is more, approximately

10 preschool children have a general anaesthetic each month at Ballarat Health Services as part of receiving treatment for dental decay, with others being referred to Melbourne. Why would local communities not praise the decision to fluoridate the water supplies in Greater Geelong and in the Ballarat region? Why would local newspapers in their editorials and other community leaders not commend this decision? It is about equity; it is about giving country communities access to a proven public health measure.

As I said at the outset, we will provide the funding to make this possible, because it is about better outcomes for those in rural and regional communities. What is absolutely clear is that at 1 part per million there is only one outcome — that is, better oral health for rural and regional communities. What is of course less clear is the position of those opposite, who have been all over the shop on this important issue.

ANNUAL STATEMENT OF GOVERNMENT INTENTIONS

Debate resumed from 9 April.

Ms MUNT (Mordialloc) — I am very pleased to be able to rise today and speak in this place in support of the annual statement of government intentions that was released in February by the Premier. Debate on this statement has gone on in the house for almost two months. I have listened to contributions from both sides of the house during that time, and there have been some very interesting contributions.

I was interested in the original debate when this statement was first tabled in the Parliament by the Premier in February. The opposition parties at that time spoke at length on how this was a waste of the Parliament's time, it was a media stunt, there was no substance to it and it was a bad development that the government was bringing in. I thought at that time, 'How can this be a waste of the Parliament's time? How can it be a stunt when we are laying out for the people of Victoria the agenda for our legislation for the whole year?'

This statement of government intentions puts before the people of Victoria the legislation that will come before their Parliament for the year. It gives them an opportunity to look at the proposed legislation, to be involved with it and to make comments. How can that possibly be a bad thing? It is another part of being an open and accountable government. It is another part of this government reaching out to the people of Victoria and saying, 'This is what we propose, we value your

input, we want to hear what you say about it; please look at this as a blueprint for the legislative agenda for the year'.

Once again opposition members really do not get it. They do not get that this is being open and accountable and reaching out to the people of Victoria. To say that that is a waste of the Parliament's time and a stunt is quite frankly ridiculous. I sat and listened to the debate for quite some time, and I really could not get my head around how laying things before people is a waste of the Parliament's time. We are in a democracy. We are here to represent the people of Victoria and to represent their thoughts and wishes, and the government is here to govern. It has been very interesting for me to look at the statement of government intentions and see the range and the breadth of legislation that passes through Parliament in a year. I will concentrate on particular parts of the statement. We have a very big legislative agenda, which shows that we actually work and think and come before this Parliament to make laws on behalf of the people of Victoria.

I am particularly interested in our agenda on education. Education remains the government's no. 1 priority, and that is why we are building a cohesive system that will give every child the best opportunity to learn. I am a supporter of public education and putting in place every possible facility for children to learn and become a part of society. It is the way that every child can be allowed to do the very best they possibly can. I sat here a little earlier as the Minister for Children and Early Childhood Development read her second-reading speech on the Children's Legislation Amendment Bill 2008. Also, the blueprint on education for Victoria which was recently released sets out a discussion for both the education community and the wider Victorian community.

In this context I would just like to say that I have spoken on a range of previous government bills on education. We truly want to do our very best for education and put the money where our mouth is in that regard. There are many projects in my own electorate, including the rebuilding of schools, which has been absolutely spectacular. I will not mention all of the individual schools that have had work done on them. I am off to another school tomorrow morning to make another announcement about rebuilding works at that school. It takes a lot of money, but it is really worth it.

In the short time I have available to me I would like to talk about two pieces of legislation that are probably not at the top of the legislative agenda for Victoria for this year but in which I have had a personal interest and on which I would like to pass comment. The first is an

exposure draft that has already been released for legislation to govern the tattooing and body piercing of people under 18 years of age. I have been working towards the introduction of this legislation since 2003, and I have corresponded with the Attorney-General and the Minister for Health in this regard for a number of years.

Mr Hulls — Hear, hear!

Ms MUNT — The Attorney-General has just passed through the chamber and I thank him for his positive response in this regard.

I believe legislation will be brought in to regulate the body piercing of children. Parental consent will be required for children to have body piercings, and intimate genital piercing for children will be prohibited entirely. I started campaigning on this issue in 2003, because it came to my attention that certain rogue piercers in my electorate were piercing genital areas of girls as young as 13, some of whom were in their school uniforms, and providing them with nipple rings and such like. I believe that that is absolutely appalling. I wrote to the Attorney-General and said I believe that that is not appropriate.

In some cultures piercing, and particularly ear piercing, is acceptable, and that will be fine as long as parental consent is given. I absolutely support the legislation that will come before the chamber this year, and I thank the Attorney-General for putting the process in place. I hope it gives some protection to the children in my electorate and peace of mind to their parents through knowing that parental consent will be required. Many operators already pierce responsibly, but there are some who do not.

The other legislation I would like to talk about particularly and which has been of interest to me is the lemon laws that are to be brought before the house later this year. The Minister for Consumer Affairs has asked me to consult on the form that the lemon laws will take, and I have been involved now for some six months or so in general consultation with the peak groups: the industry groups, the manufacturers, the consumer associations and consumers themselves who have come to our forums that have been held right around Victoria in rural and regional areas and in Melbourne. We even consulted overseas in investigating for this piece of legislation. This will also be a very good piece of legislation for providing protection to consumers, for whom a the purchase of a car usually involves their second biggest expenditure after the purchase of a house. Cars sometimes cost in the many thousands of

dollars, and if anything goes wrong, consumers are severely disadvantaged.

Overall the annual statement government of intentions gives a broadbrush view of what this government believes in. We believe in education, we believe in community safety and we believe in health. We are preparing very good legislation in those areas and many others for the people of Victoria.

Mr MORRIS (Mornington) — I am pleased to respond to the first of the proposed annual statements of government intentions presented to the house in February by the Premier. I thought the speech itself was a mixture of fact and fiction, a triumph of spin over substance. That is entirely appropriate for the style of government that we have come to expect since 1999. It is not about actually doing anything; it is about saying the right thing and hoping no-one notices what you are really doing — that is, if anything is actually happening at all.

One point that the Premier makes I fully endorse, and that is his recognition that this year marks the centenary of the passage of the Adult Suffrage Bill, when women finally won the right to vote. That was a very important battle — perhaps the pre-eminent advance on the road to real democracy in this state. It was a great privilege for me last year to see firsthand the monster petition that proved once and for all that women really wanted the right to vote. It was a battle fought over a protracted period, and the activists endured many setbacks along the way. It must have taken a huge effort and required enormous persistence on the part of some very strong women, and I salute them. But it is drawing a long bow to attempt to link that great advance with the so-called democratic reforms of this government, including this statement.

In particular I find the claim that the Parliament has been made more relevant, quite frankly, entirely ridiculous. The sitting schedule we now endure is designed purely and simply to assist the government to minimise scrutiny. The result is a schedule spread across the year, with insufficient blocks of time for members to tackle serious issues either in this place or in their electorates and very little opportunity for parliamentary committees to devote the time necessary to their tasks and give them their undivided attention. There may have been more time allotted to questions, but there is no obligation and certainly no desire on the part of the government to answer them. I am not criticising the Speaker in saying that, and I understand the convention and the history of questions without notice, but like all conventions it requires goodwill to

make it work, and goodwill has been palpably absent from this Treasury bench.

Certainly the operations of the committee system have been changed — I reject the Premier's term 'reformed'. Committees no longer appoint their own staff. The dynamic has changed, clearly, but I hardly think that qualifies as a huge reform. What is perhaps of more concern is that the committees are being effectively starved of funds. No doubt we will hear the claim, as we do in so many other fields, that record amounts are being spent in this area. Perhaps that is right, but the greater quantum is more thinly spread, and it is insufficient for the task. That is a familiar problem in many service areas around the state.

There is also a claim of reform of sessional orders. What do sessional orders cover? They cover the days and time of meetings, machinery matters such as the alteration of act titles by the Clerk and so on, the incorporation of statements of compatibility and the provisions relating to this statement. Again, they are hardly great democratic advances.

The other 'great contribution' — and I use the term advisedly — to parliamentary process made by the government has been to severely limit the opportunity for debate on legislation. The 10-minute rule has serious implications. Firstly, it encourages far too many members, and I will put my hand up as certainly having been guilty of this on many occasions, to speak for 10 minutes simply because the time is available, whether they have 10 minutes worth of value to contribute to the debate or not.

Mr Howard — Sit down now, then.

Mr MORRIS — In this case I am more than happy to take the full 10 minutes. Far more insidious is the limitation it places on the discussion of bills of substance, not that we have had many bills of substance. But when we do debate such bills the opportunity to address issues of complexity is simply not there. As a concrete example of the sort of thing I am talking about I note that in the coming year the government intends to introduce a new planning and environment bill. Planning has been a subject of considerable interest to me since a long before it became fashionable and long before the current act, the 1987 act, passed through this Parliament — and I well remember its passing.

In order to achieve workable legislation the then shadow minister for planning and later President of the Legislative Council, the Honourable Alan Hunt, moved over 300 amendments to the original proposition put

forward by the government, and if memory serves me correctly, the whole lot were taken on board by the Cain government. It produced good, workable legislation that served the community well for many years. Yet under this government, when the new bill comes before the house I will have, at most, 10 minutes to discuss it. God forbid that we should debate any non-government business, any private members bills or any of the urgent and significant items of which members of both sides give notice each morning, much less respond to any of the issues on which the people of Victoria petition this place.

One cannot discuss the role and the workings of Parliament without talking about sitting hours. With the assistance of the library staff — and I am sure they have been asked to do this many times before — I had a look at the sitting hours of the Legislative Assembly going back to 1944. The statistics are not complete, but it is possible to extract the averages and make some accurate comparisons. I think the figures most relevant to this discussion — and these are firm figures — are those for the six full years of the Kennett government, 1993–98, and the first six full years of the Bracks government, 2000–05. The average hours of sitting per year under Jeff Kennett were 512.5. For the first six years of the Bracks government the comparable figure was 487.5 — that is, 25 hours, or virtually one sitting week, a year less under Bracks than Kennett. What has happened more recently? In 2007 we sat for 466.75 hours — 46 hours less than the Kennett average, which is five full sitting days, or nearly two weeks, less for the year. If the government were serious about the role of Parliament, it would not be cutting back on sitting hours.

There have been other significant changes to the way we operate. We have the regular use of the guillotine to close off debate on Thursday afternoons, to stifle legitimate democratic process. And we are all aware of the government's actions during the adjournment in the other place. Why answer a question or respond to an issue when you can simply give your opponent a verbal belting? This system depends, as I said, on goodwill, but it also depends on respect for the institution. Both seem strikingly absent. That is the reality these claims of strengthening the Parliament — the government is dumbing it down and turning it into a rubber stamp.

Some in the community have been surprised at the opposition's response to this innovation of an annual statement of government intentions. Paul Austin, writing in the *Age* last month, expressed the view that the Liberal Party and The Nationals were wrong to ridicule the process and that all concerned can be better informed about issues due for debate. The concept of

the government making a statement has never been ridiculed, but a ministerial statement would have done the trick. The hours of debate that this statement has consumed would have been far better devoted to scrutiny of real legislation, not scrutiny of the government's intentions. It is all very well to have intentions, but you have to deliver on them. And that is the problem — it is all promise and no action. This is a bells-and-whistles public relations document, a glossy, full-colour publication setting up an annual soapbox for the Premier — our very own antipodean state of the union.

If we wanted to have a clean slate, a fresh start to each year, why not prorogue the Parliament, then bring the Governor in, have him make another speech and start again? Instead we have the Premier seeking to take over the role of the Governor, dragging the Legislative Council members into this chamber to hear his words of wisdom and turning parliamentary convention on its head. Some have rather unkindly mentioned King John, and I am sure we all remember the story: first, he usurped the position of his king; then, when he finally ascended the throne, he tried to dominate and suppress his principal advisers. But he was dealt with, and the *Magna Carta* was the result. Perhaps some good might come out of this after all!

Mr PALLAS (Minister for Roads and Ports) — I rise to speak in support of the annual statement of government intentions. I do so, recognising that this is a document that for the first time provides this Parliament with the opportunity to have a clear appreciation of the government's agenda for the coming year. Whilst this is not, as has already been clearly indicated, an attempt to exhaustively identify the business that this Parliament will concern itself with during the entire 12 months, what it does provide is the opportunity for this Parliament to be forewarned, and therefore forearmed, about the issues that the government sees as being key parts of its agenda for the year. That can only assist this chamber and it can only assist the democratic process.

To those opposite, who see it as simply an attempt for the government to promote itself, I say it may be that, but it is so much more than that: it is an opportunity to promote Victoria and Victoria's agenda. In that circumstance it is critical that this Parliament should see it as a matter of substance and an issue that needs necessarily to be addressed in the deliberations of the Parliament.

I also want to direct my attention to a number of issues identified within the statement of government intentions that are of particular interest and concern to me. At chapter 4.3 in the statement of government

intentions there is a reference to road safety legislation. I think road safety is one of those areas where it is increasingly important that as a state, we recognise there must be high levels of bipartisan engagement, appreciation and support for the agenda.

Victoria has a very proud record when it comes to road safety. We have been able to reduce our road toll during the life of the current Arrive Alive strategy from 444 in 2001 to 332 today. That is a 25 per cent reduction in the road toll. Importantly, what that tells us is that the strategies we have in place are making a difference. They are making a difference to Victorian communities, families and ultimately of course to the effective functioning of our economy.

We cannot simply sit back, though, and feel self-satisfied or in any way smug about the practical consequences of the success of our strategy to date. We need to do so much more. As I have said before in this place, and in public, the fact that we have reduced our road toll from 444 to 332 provides 112 reasons for Victorians to have confidence that the strategy is working, but also 332 reasons why we need to do much more.

That is why the government announced its Arrive Alive 2 strategy, and that is why we anticipate that between now and 2017 — subject to us being able to implement the sort of things that are identified in the government's statement of intent and highlighted under the road safety legislation — there could hopefully be a further 30 per cent reduction in our road toll. That would translate to saving 100 extra lives every year on Victorian streets, in Victorian homes and in our communities rather than their being in graveyards and listed in obituaries. It is critical that we remember the human implications of the things we do in this chamber. That is why my invocation today is that we find new levels of bipartisanship when it comes to road safety.

One of the things that we sometimes forget when we consider road safety is exactly how far we have come as a state. In the 1970s, which period was not so long ago, over 1000 people died on Victorian roads in just a year. We have seen our road toll drop from about 9.2 deaths per 100 000 people at the start of the Arrive Alive 2 strategy to the current 6.4 deaths per 100 000. That is the best figure in terms of the loss of life per 100 000 head of population of any state in the country; we have come far.

In practical terms it means there are about 579 extra Victorians alive today as a consequence of the Arrive Alive strategy conducted over the last five years, which

translates into 69 Victorians driving on country roads whose lives have been saved. Practically, I think we have to acknowledge that when it comes to country roads, increasingly there are challenges that the government must address. That is why the government has indicated that \$650 million will be allocated through the Safer Roads Program over the next 10 years to address infrastructure and make our roads safer for travel, and \$230 million will be allocated to achieve that same objective over the first three years of the Arrive Alive 2 strategy.

That means the government recognises that much more needs to be done. The focus of the government is and will continue to be, as identified in our road safety strategy, a threefold approach, or a safer system approach, if you like, to the issue of managing road safety: firstly, we need safer cars; secondly, safer drivers; and thirdly, safer roads. There will not just be one magical emphasis on any part of that process, but a commitment and recognition on each and all of those parts that will get us to where we need to go.

In relation to safer drivers, the government has done a lot in terms of the graduated licensing system and the necessary structures that we put around new drivers getting road ready with a 120-hours requirement before their licensing test. The first year of driving is the period when people are at their highest risk, so as a community we must take responsibility and recognise that there is a lot that we can do in that first year. The graduated licensing system will put in place those sorts of disciplines and will provide a period through which people can develop the skills to ensure that they and other road users are safe.

I turn to chapter 4.2 of the statement headed 'Major transport projects'. The government has highlighted its intention to promote the delivery of major projects and events and underpin the continued growth of the economy and provide important community facilities. One of the things we in the government are particularly proud of is recognising exactly how much we have done in the development of and expenditure on the improvement of our road and public transport systems. I am pleased to see that I am accompanied at the table by the Minister for Public Transport, who is doing an excellent job.

An amount of \$5.8 billion has been invested since we came into government — \$5.8 billion! — into building better, more efficient roads right across the state; and \$2.5 billion of that has been provided to regional Victoria. Since we have been in government we have increased the level of capital funding fourfold since the previous government. Let me put that into some sort of

context. When the previous government was in power it saw an appropriate capital commitment to country roads in the 1998–99 budget as being \$10.7 million. In the 2006–07 budget this government put \$273.8 million into capital road funding in country roads. That is what we have done, and essentially we have made a very substantial contribution. Previously in this place the Premier indicated our commitment to continue that massive infrastructure spend and to facilitate it. Our capital investment is fourfold — it is running four times larger, both in terms of roads and overall infrastructure. That is a proud record. I commend the statement to the house.

Mr LIM (Clayton) — I am very pleased to be taking part in the debate on the annual statement of government intentions. I will probably take a different angle by starting to quote extensively from the *Age* of 13 March. At page 13 Paul Austin's opinion column states:

Good things have indeed been done: all Victorians should be grateful that the powers of the Auditor-General, dangerously undermined by Kennett, have been restored —

of course he is referring to the powers being restored by the Bracks Labor government —

fixed four-year parliamentary terms are something federal Parliament would do well to emulate; more questions for the opposition during question time than sometimes happened under Kennett is an obvious advance; and Kevin Rudd has picked up on the Victorian Labor idea of staging 'community cabinet' meetings away from the ministers' comfort zone of head office.

This praise by Paul Austin is very significant because it happened at a time when the *Age* was mounting a vigorous attack on the government's channel deepening issue. To have something completely different from the front page, where the paper keeps attacking the channel deepening issue and mounting a campaign against it, and in the same paper at page 13 singing praise about the Labor government bringing in initiatives to improve democracy in this state is significant and should not be taken for granted. I continue with the quote:

Now Brumby has added to Bracks' list of achievements by introducing an annual statement by the Premier to outline the government's broad legislative agenda for the year ahead. The opposition is wrong to ridicule this move; Brumby is right to say it means the Parliament, media and voters can now be better informed about what major issues are due for debate.

It goes without saying that Paul Austin is not outlining everything about the annual statement of government intentions. Of course we as government members on this side of the house are singing the statement's praises; and the opposition is trying to rubbish it.

However, it is also significant that almost for the first time in western democracy, except for the Labour government in the UK, this process has been put in place and it is by the Brumby government. It goes back to the core of who the Premier is. I had the privilege of being in opposition when the Premier was Labor leader. The first slogan we had during our campaign to get back into government was 'Labor listens, Labor leads'. When the former Premier, Steve Bracks, took office he pushed this line with the slogan, 'Labor listens, Labor acts'. The present Premier, now back in full control, manifests his full belief and intention as a leader with the slogan, 'Labor listens, Labor leads and Labor acts'.

We should not take this for granted or think that it is just a simple process. This is about engaging the community. It is about openness and telling the whole community that we want its participation. It is about saying what we are laying out in the year ahead and that we want to engage the community. It is significant in that it has never happened before in any other Parliament in Australia.

I particularly want to pick up on the way the shadow minister for multicultural affairs and citizenship, the member for Bulleen, attacked the funding of the cultural precinct which I was involved in, particularly the Chinese cultural precinct. To be rubbished by the opposition for our funding of the community is just outrageous. This is coming from the person who was a senior adviser to the Kennett government. The first thing the Kennett government did when it came to power was to gut the VMC (Victorian Multicultural Commission). It scrapped the whole commission that was providing a full service to the Victorian multicultural community. The VMC used to provide a translation and interpreting service, which included advice on legal, education and housing matters. It had a full library with a whole range of literature that helped the community and provided it with information. It had a vibrant research division in the department. That has gone. Worse than that, the Kennett government, with the member for Bulleen as adviser at the time — —

Dr Napthine — It is 2008 now.

Mr LIM — I take up that interjection and say that I will come to that. The Kennett government completely scrapped funding of the Victorian Multicultural Commission, which was providing services to the Victorian community, and in doing so deprived the needy migrant community of millions of dollars. It took the multicultural community seven years to go from \$0 to \$700 000. When Labor came in, we picked up on that \$700 000.

Dr Napthine — It is a slush fund.

Mr LIM — The opposition is denigrating the provision of funding to the community. This government responded to the needs of the Victorian multicultural community by increasing funding by 670 per cent. Have members ever heard of an increase like that in any department under any government? Funding provided to the needy Victorian multicultural community has gone from \$700 000 to \$4.6 million a year. That is not your only sin.

Dr Napthine interjected.

The ACTING SPEAKER (Mr Languiller) — Order! The member for Clayton will speak through the Chair, and the member for South-West Coast will stop interjecting.

Mr LIM — The opposition does not just hate the multicultural community; it hates it so much it does not even want it. The former Leader of the Opposition, Robert Doyle, dropped the position of shadow minister for multicultural affairs. Our Premier continues to be the Minister for Multicultural Affairs, and that says it all. The opposition is now languishing in the area of multicultural affairs because it hates the multicultural community so much it does not want any funding to go to it, and it rubbishes the — —

Dr Napthine interjected.

The ACTING SPEAKER (Mr Languiller) — Order! The member for South-West Coast!

Mr LIM — It is not good enough for the Leader of the Opposition to go to Asian or Chinese community functions and then pat on the back those present from those communities and make patronising and condescending speeches. This is an opportunity for the opposition to lay its views plainly on the table and tell the Parliament what it is going to do for the Victorian multicultural community. It is just not good enough for it to drag its feet on funding to support the multicultural community; it is not good enough for it to say it likes the multicultural community but do nothing; it is not good enough for it to display its patronising and condescending attitude; and it is not good enough for it to continue to be hateful and not embrace the community by the Leader of the Opposition not taking that portfolio back under his wing. The community is watching. The community knows that the Labor government is leading in this area.

Dr Napthine interjected.

Mr LIM — The negativity on the opposition's part is nauseating. It knows that it is culpable. It knows it has no room to manoeuvre because it knows it is so negative that it has no plans or policy. It has nothing but hatred. It makes only negative comments that are patronising to the multicultural community. It is unbelievable. I think the opposition needs to wake up to itself. The annual statement of government intentions is an opportunity for it to come clean, explain its policy to the community and take up the challenge of being an opposition that comes up with new, practical and useful ideas.

Mr HOWARD (Ballarat East) — I am very pleased to have my opportunity at last to speak on the government's 2008 annual statement of intentions. I am very proud to speak about our plans for this year and reflect upon the eight and a half years of the Bracks and Brumby Labor governments. Labor has delivered much for my electorate in Ballarat East, and I have been very pleased to be part of that.

The statement of government intentions starts by reflecting on the difference between this government and the former government. This is a very accessible government. It has held regional Parliaments and country community cabinets. There have been 800 community cabinets around the state during Labor's time in government, including several held in the municipalities within my electorate. The government and all government MPs want to keep in regular touch with the community to ensure they reflect the community's views and also share their views with the community on as many occasions as possible. I am very pleased with that aspect of this government, which is so different from that of the former government.

As to the issues which are to be brought forward this year, we acknowledge that there is much to be done to continue to recognise that this state is growing very quickly. There has been growth in Melbourne, and there has also been significant growth in regional Victoria in recent years as people see that this state is very healthy in terms of economics and all of the issues that make it a great place to live, work and raise a family. That is quite an apt statement that we regularly make about our government.

This year we continue to reflect on the fact, as we have done over the last eight and a half years, that schools are vitally important to the community, and we continue to have schools as our no. 1 priority. We recognise that health and hospital support are also very important, as is community safety. We know that the issue of water is also very important. I will be very

pleased to speak in a little more detail about that as I comment on the plans for this year.

In terms of some of the other issues that are in the statement and the new directions this government is looking at taking or adding to what we have already done, the important issue that we are going to tackle this year is the negative social and health impacts of alcohol abuse. This is something that is of considerable concern to me and many members in the community. It is an issue that has been in the background and had a very negative effect on our community. I look forward to working with the government and the community to establish further ways to address alcohol abuse in our community. We want to ensure that we adopt a more healthy and supportive approach to those people who might be tempted to be involved in alcohol abuse and to ensure that we provide ongoing support.

As a government we are also very concerned about providing a fairer opportunity to all in Victoria and ensuring that those in our community who have special needs will have them addressed better than ever before. There are a range of ways listed in the government's statement of intentions which direct attention to that issue.

In terms of livability, I am very pleased that the number of people moving into Ballarat and communities across my electorate has increased at a remarkable rate in recent years, because there is a very good feeling about those communities and a vibrancy that was not there during the term of the previous government, when we saw people moving away from Victoria. People are clearly now moving back into the region. There is a great sense that the economy is doing well and that all of the issues related to lifestyle, education and health are being well addressed.

In terms of some of the other issues that have been mentioned in the statement, transport is clearly going to attract a lot of attention this year. The Eddington report, which has now been released, is going to cause a great deal of discussion. Its recommendations clearly will benefit not just Melbourne. I notice that the opposition has decried the Eddington report as in some way zapping attention away from regional Victoria, but I am quite convinced that the people of Ballarat will be very impressed to hear of the plans to ensure that if they are travelling by train to or from Melbourne, which is a vital centre to travel to for economic value and a range of other reasons — and we are certainly looking at ways of ensuring that it is easier to get into and through Melbourne — the rail and road proposals in the Eddington report are going to be of significant interest to the people in my electorate.

The people of Ballarat have also seen, in the term of this government, huge improvements in the opportunity to travel to and from Melbourne by train; the fast train project has been hugely successful. My electorate takes in not just the Ballarat rail corridor but through Kyneton and Malmsbury it takes in the Bendigo rail corridor. Both have seen great benefits in the increasing number of rail services and increasing quality in the new V/LOCITY trains that travel on those lines. People are clearly enjoying the great opportunities provided by those upgraded rail lines. People in Ballarat are certainly looking forward to the opening of the Deer Park bypass, a project on which we had to press the former federal government very strongly before it came into play.

In terms of road initiatives, the Arrive Alive 2 strategy, which was in the government's statement of intentions, has now been announced. We are serious about looking at all the issues that will see the road toll brought down. This government has been working very seriously towards that with its Arrive Alive 1 strategy, and now through its Arrive Alive 2 strategy. I am very pleased that the government continues to show it is serious about dealing with situations which cause great family trauma as a result of road deaths or serious road accidents.

I am also pleased that in the statement of intentions is reference to plans to address family violence through further community consultations and a range of actions which will flow from that, to show we see this as being a serious issue within our community and that we are prepared to look at taking serious action.

Jobs are also important, and I am pleased that the government continues to recognise that in its strategy. It has been terrific to see what has happened under this government. The State Revenue Office (SRO) has moved to Ballarat. There has been support for other activities: for example, the university technology park which now has over 1000 people working in that area on projects that this government has been very keen to partner with the university and other bodies.

The government has also been pleased to support tourism developments. I am very pleased that the Hepburn Springs Bathhouse is nearing completion. That is another fantastic project, and people would not have believed this government would have invested or committed to invest more than \$8 million in it. However, when this project is completed in the very near future, Hepburn Springs will become the spa capital of Australia, and a further reason for the Hepburn region to become a tourist mecca. I am pleased that this government continues to support

tourism and all of those other issues, including manufacturing and industry, in a range of ways.

In the last minute I have available for my contribution I turn to the issue of water. I am very pleased that tomorrow I will be touring the super-pipe works, which are very near to completion. When we went to the last election the Liberals kept saying, 'No, we have an alternative plan to provide water in the Lal Lal Reservoir to the people of Ballarat'. That would have provided a teaspoonful or two of water, as has been seen as the drought has progressed. It was only the visionary approach of this government — of the super-pipe connection from Bendigo, which is now almost a reality — that will see us get through the serious situation we have had with the water supply to Ballarat, and we will see water flowing through it within the next few months. Ballarat will then have a secure water future.

Again I commend the vision of this government, which has committed significant funds to the project and has pressured the federal government into contributing to the project's funding. I am pleased that we will now have a cooperative federal government to work with, to have so many other situations work to our advantage. I am pleased to support this statement.

Mr LANGUILLER (Derrimut) — It gives me great pleasure to rise to speak on the annual statement of government intentions. I commend the Premier and the government for the commitment they have made, and we have made, to modernise government in Victoria and to further increase its acceptability and accountability.

This is an outstanding achievement that goes a significant way to strengthening democracy and providing a framework for all Victorians to be able to understand and anticipate what the government will do. Victorians will be able to become cognisant of what decisions will be made, if any, and what legislative program the government intends to have into the future which may affect their lives in one way or another. They will be able to make provisions for scrutiny and accountability.

The 2008 annual statement of government intentions will help achieve this by outlining the government's priorities for the coming year and outlining the legislation which will be developed to implement its policies. In 2008 the government priorities will be, and are, families, communities, jobs, water and climate change. I commend the government's intentions announced by the Premier and the work being done by the executive.

There is limited time, so I wish to choose particular sections of the annual statement of government intentions which are very dear to my heart and which I think are very significant amongst many people in Victoria. Firstly, I refer to multiculturalism in Victoria. Speaker, you would be aware the Multicultural Victoria Act was passed to formally recognise and support the principles of cultural, racial, religious and linguistic diversity in Victoria.

As you would also be aware, Speaker, I, along with many other members, represent a very diverse community — in the order of about 120 languages and about 100 nationalities in my electorate — but that is not unique. That happens right through Victoria, but particularly in the western suburbs. That act and the proposed changes will be important and will significantly advance precisely the area of multiculturalism which is intrinsic in democracy in Victoria and part and parcel of social justice, access and equity. This is one of those areas that makes Victoria a unique state in the world, of which we are all very proud.

The main elements of the proposals will be to consolidate the administration of the multicultural affairs portfolio into a single statutory authority to significantly improve the delivery of Victoria's multicultural strategies, policies and services. At this point I commend the work done by the director of the Victorian Multicultural Commission, Mr George Lekakis, for a job well done on behalf of all of us in government and in opposition, and for the good work he does right throughout Victoria.

An important element of the Multicultural Victoria Amendment Bill will be to enhance the government's approach to multicultural affairs and to provide greater community focus through enhanced community input and participation, and to increase support to core communities.

Next I want to make a very important point about accountability of government. The new legislation will improve accountability of government in the area of multicultural affairs and will ensure compatibility with the charter of human rights. That is an important element of the proposed changes that will be brought about in due course.

Another matter which I think is fundamental for all of us relates to protecting agriculture. As we are all aware, Victoria is the largest food and fibre-exporting state, with more than \$7 billion worth of agricultural products exported in 2006. Australia is one of the big producers of dairy products. I understand that Victoria produces in

the order of 10 million tonnes annually, outranked only by the New Zealanders, who produce in the order of 14 million tonnes. Other countries, including Argentina and Brazil, produce and export dairy products.

Last, but not least, I put on record that my native country, Uruguay, produces in the order of a million tonnes annually, which is a not-insignificant effort on the part of a very small nation.

I commend this government for the work it does in protecting agriculture, and I commend the efforts being made by the Minister for Agriculture and previous ministers, because food production — not just in Australia but right throughout the world — is a very significant challenge and one that we all ought to be on top of. As we know, food is becoming much more expensive; consequently we need to increase our production; we need to produce better and cheaper.

Incidentally, I understand scientists predict that in the 21st century, each person in so-called First World countries will consume in the order of 20 tonnes of food throughout their lifetime. Consequently there is a significant challenge, particularly when about 20 million Chinese, for example — amongst many other sections of the world's population — have moved from rural and regional areas into cities, requiring immediate protein-based and meat-type food consumption. Australia, and consequently Victoria, is a very significant player in this market because Victoria produces about 70 per cent of Australia's total production. We are very proud of that, and it is an area not to be overlooked or underestimated.

That leads me to an important subject about the commitment this government has made to the Biosciences Research Centre. This will be complemented by funding of \$230 million and the provision of about 400 scientists who will assist Professor German Spangenberg, the director of the AgriBiosciences Centre. He does terrific work and I commend him for that.

I also commend the work he does on GM (genetically modified) technology. Having read some of the literature, I understand that in the order of 16 per cent net greenhouse gas emissions arise from agricultural production, particularly from the beef sector. I also understand that the GM work will allow scientists to help governments, agricultural producers, farmers and others to be able to reduce that 16 per cent of net greenhouse gas emissions over the next decade to half of that. A reduction of 8 per cent of greenhouse gas emissions produced by the agricultural sector will be

achieved through the good work of our scientists at the AgriBiosciences Centre.

I raise an issue which is of concern to all of us. In going through some of the literature I discovered that Victoria loses in the order of \$880 million annually from salinity, acidity and frost, as well as some issues relating to the health of agricultural produce and other animal health issues. Not surprisingly, this government understands the requirements and the need to invest in research and scientists, and to make sure that we have a sustainable sector into the future. A \$240 million commitment has been made by the government, and the provision of 440 scientists is well warranted. It is a good investment and it should be seen in that light. I commend the government and those who support that initiative.

There is another benefit of research that has significantly helped the growth of our agricultural sector. I recall that when the Bracks government came into office in 1999, agricultural and dairy production contributed \$7.8 billion, or in the order of 3 per cent, of Victoria's economy. It has now grown to about \$9.8 billion, much of which is significantly related to the efforts made by the sector. However, in addition to that, I think it is fair to recognise that this result has also been achieved because of the work of the government and the research done by the AgriBiosciences Centre at La Trobe University, in association with the private sector.

Finally, I commend the work of Professor Spangenberg. His work found that a plant found in Antarctica could survive at a temperature of minus 30 Celsius. His work was recognised with the award of Science Minister's Prize for Life Scientist of the Year in 2006. His work makes a significant contribution to dealing with the issue of frost, which in agricultural terms is very costly to the Victorian economy and to consumers.

I commend the work done by the Premier, the cabinet and the executive on the annual statement. This is a good step in the right direction. It strengthens a democracy of which we are very proud.

Ms BARKER (Oakleigh) — I am delighted to be able to speak on the annual statement of government intentions which was presented to the Parliament on 5 February 2008 by the Premier. This statement, as has been indicated in other members' speeches, provides for the first time ever in an Australian Parliament, for all members of this Parliament, an overview of the legislative program which we will undertake as a government this year. Importantly this statement of

intentions provides the communities that we represent in this place with early and very real opportunities to participate in consultation, discussion, debate and input into proposed legislation and the work of this government.

I note that page 1 of the statement of intentions says:

This statement reflects just one part of the government's overall agenda. There are many other plans to improve the delivery of services — some of which will result in legislation that is not included in this statement. Similarly, there are some things contained in this statement that might be amended or deferred as a result of the consultation process outlined for each bill.

It is important to state very clearly that this is not the definitive list of the work of this government, but it does provide our priorities for 2008 built around our agenda which is to invest in the services families need; build stronger and more livable communities with a focus on public transport, planning and community safety; keep the economy strong and create new jobs; and implement a huge infrastructure program particularly in the essential area of water security for our state.

This statement not only helps me in the work that I undertake in the electorate, but it adds to it. It helps me in the way in which I represent my constituents, it helps me in the way I can improve or add to services in all of those vital areas that we need: children's services, health and community services, continuing to upgrade schools, and continuing to improve transport, which is essential to us in what I call the middle area of Melbourne — all of the many things that constitute the work of a local state member of Parliament. As I said, this statement will add to the work that I do by providing me with further opportunities to engage with the community in the areas that we see as legislative priorities for this year.

I want to touch on just one section of the statement. This week the Minister for Education and the Minister for Children and Early Childhood Development delivered two blueprints, but section 1.1 of the statement headed 'Early childhood development' states:

Improving integration between maternal and child health services, child care, kindergartens and school education is critical to education attainment and exemplifies our commitment to providing the foundation for learning later in life.

We all know and recognise that integration, that streamlining of the processes from birth, particularly into school in the first stages is essential and can have a real effect on that child's future. I have had extremely positive feedback from teachers and parents in my

community about the integration and they believe it is an essential and very sensible approach. It is not just about kindergarten services; it is about children's services and how you support parents and families from birth and into school.

We welcome the initiative, but it does present some challenges for us in the Oakleigh electorate. We are an established area. We have established stand-alone services such as maternal and child health and child care, some kindergartens which are still located as part of the church, playgroups that are in separate facilities and, as I say, well-established, stand-alone facilities. The ability to put those together does present us with a number of challenges. We are turning our minds to how we can achieve this integration of children's services and provide that easy and smooth transition into school, but we still have very long-established stand-alone facilities. So how we will engage local government and other facilities in protocols and work together to ensure that absolute integration of children's services is something that we are turning our minds to and we are determined to come up with protocols or policies to develop the ways in which we can go forward.

I note the blueprints that were put out this week, and again that presents me with another really good opportunity to be able to work on this with the constituents that I represent. As I said, children's centres are fantastic. The new children's centres that are being developed are just brilliant. I think it would be very nice to be able to say, 'Yes, I will have a children's centre at every primary school in my electorate', but understanding how long it takes, firstly, to plan these things, but also the needs that are in other areas, I am aware of the time it would take to establish all of these and, as I said, I think in the first instance we would need to be working on protocols and policies to get that integration of services.

We have started it. We have the Oakleigh Primary School kindergarten. I will not go into detail about our long and sustained campaign to get that kindergarten built on the Oakleigh Primary School site, which was opened in 2005, but it was two years of very hard planning and very hard work. I certainly could not have done it without the very strong support of the Oakleigh Primary School principal, staff and school community. When it was built in the grounds of Oakleigh Primary School it was the first purpose-built, stand-alone kindergarten on a primary school site. What we did include in that kindergarten was a community room, so we anticipated, I think, some of the work that we would be doing in the future as well.

We are hoping that as we have now settled the kindergarten — with long waiting lists, I might add — we are able to expand the services that are provided in that kindergarten and therefore start that integration of children's services for Oakleigh. It is a unique type of kinder. The licensee of this service is the Oakleigh Primary School and therefore our principal, Cheryl Saunders, is the representative of the licensee, and she is working very hard to achieve some integration. This year I know that she has initiated a buddy system for the kinder children. Well done to Cheryl and the other staff at Oakleigh Primary School and the staff at the kinder who are working towards getting that integration.

We face a great challenge in the Carnegie area. For a long time we have had a community-based kindergarten — the Carnegie Uniting Church preschool kindergarten — sited on land owned by the Uniting Church that includes a range of other buildings, including an old church, a hall, a manse, all of those sorts of things. The preschool sits in amongst all those buildings. They were on several titles, with the preschool spread over a number of those titles. The Uniting Church has been rationalising its buildings in the Carnegie, Murrumbena and Glen Huntly areas, and a number of its churches have been sold off. Although we thought it may not happen at the Carnegie site, the Uniting Church has sold all those buildings in a private sale. We recognise that the church negotiated with the purchaser of this large site an up to five-year lease for the kindergarten, which will allow us to still have access to a community-based kindergarten, but we are very concerned about where we go to from here.

I congratulate the Carnegie Primary School. It has put in an expression of interest for a children's centre, so hopefully we will be able to progress that. However, to date Glen Eira council has said, 'It is not our responsibility, but a state government matter'. I am really hopeful, and the community in Carnegie is hopeful, that Glen Eira council will come to the table and will talk with us about how we can achieve in the long term achieve a children's centre at the Carnegie Primary School which would include things like maternal and child health, which we do not have in Carnegie, and that we can have real involvement from local government — in this instance, Glen Eira — which will not just say, 'Kindergartens are not our responsibility, that is a state government matter', but 'We have a role to play in providing children's services in the Carnegie area'.

As I said, I have touched on only one section of this agenda — the early childhood development, which is very important to all of us of course — but we face a

number of challenges in my electorate. There are so many other areas of this agenda, the statement of intentions and the legislative program, that my community is welcoming. It is welcoming the opportunity to participate and be involved. Along with my ongoing work in progressing services and facilities in my community this statement of intentions is a wonderful thing. It gives my community an early and real opportunity to participate in discussion and debate and to give me real input so I can effectively represent them even better in this place. It provides even more opportunities for me to develop the policies, programs and facilities that my community needs. The annual statement of government intentions is a great opportunity for all members of Parliament. It is a first-ever such opportunity in an Australian Parliament and I am sure other parliaments will take it up with great vigour.

Debate adjourned on motion of Mr LANGDON (Ivanhoe).

Debate adjourned until later this day.

Remaining business postponed on motion of Mr CAMERON (Minister for Police and Emergency Services).

ADJOURNMENT

The SPEAKER — Order! The question is:

That the house do now adjourn.

Lake Purrumbete: boat ramp

Mr MULDER (Polwarth) — The matter I wish to raise is for the Minister for Roads and Ports. As he is the minister responsible for funding boating access projects, I ask him to provide some funding to upgrade the boating access at Lake Purrumbete in south-western Victoria. Lake Purrumbete is one of Victoria's premier trout fishing lakes and a very pretty spot. It is a vitally important community venue utilised by local residents, tourists, holidaymakers and Melburnians who go there on day fishing trips.

In the past Lake Purrumbete brought \$6 million per annum into the region. However, due to the dry conditions and low lake levels, boats have not been able to access the deep water in the lake. Other nearby lakes, such as Lake Colac, are all but dry, with fish kills and low-water levels making them unusable until heavy winter rains return.

There is overall support from the Corangamite Shire Council, the angling club, caravan park residents, Parks Victoria and Department of Sustainability and Environment officers for something to be done to ensure that Lake Purrumbete is usable for recreational boating and fishing. There have been several options put forward, including establishing a new boat ramp and car park in a nearby location but on private land; establishing a new boat ramp in a nearby location on public land and car parking on private land, or dredging or excavating the existing boating infrastructure lake bed 380 metres to the drop-off area to deep water.

An upgrade of the existing boat ramp area via dredging to the deep water would appear to be the most logical approach. It would ensure that if levels continue to drop, lake users will still be able to access the deep water of Lake Purrumbete. It is unique in that the lake still has water to an approximate depth of 25 metres, ensuring that the lake will have the capacity to provide recreational boating and fishing opportunities into the future.

As I have pointed out, this lake is there for the use of all Victorians and is one of the few remaining lakes that provides a great opportunity for Victorian families to visit and enjoy.

Mr Wynne interjected.

Mr MULDER — The minister would like to know how to spell 'Purrumbete'. It is P-u-r-r-u-m-b-e-t-e. Is the minister right with that? It is a lovely spot. He has had a bit of the ale, has he? It is a great drop at Lake Purrumbete.

Mr Wynne — I don't drink beer.

Mr MULDER — I do, and they brew a beautiful drop at Purrumbete Homestead.

Ms Beattie interjected.

Mr MULDER — We all like to catch a fish or two, and some of us do from time to time.

Lake Purrumbete presents the best opportunity. I see the boats from Melbourne coming through my home town of Colac, and no doubt a lot of those boats come from the electorate of the Minister for Roads and Ports, with families on board to spend a day boating and fishing. I really believe it would be in the best interests of the minister to provide this vital funding to make sure this lake stays in use, because it is now one of the few available.

St Georges Road, Northcote: roundabout

Ms RICHARDSON (Northcote) — The matter I wish to raise is also for the attention of the Minister for Roads and Ports. It concerns the St Georges Road roundabout in Northcote, which would be well known to many members of the house. I ask that the minister take action to improve safety at this roundabout.

Last year I asked the minister to investigate the roundabout and to call upon VicRoads to commission a study of it. We all know the dangers the roundabout poses. It is deemed a black spot in Melbourne and has one of the highest collision rates in Melbourne. Trams, cars, trucks, bikes and pedestrians all descend upon the roundabout. In particular, when the bells ring at Northcote High School, the students flood out of the school grounds and this puts added pressure on the roundabout — on the vehicles and the like trying to negotiate it.

The minister, to his credit, recognised the problem and the concerns of residents. He commissioned VicRoads to investigate the roundabout. Independent consultants came in and did a satellite study of the roundabout, looking at traffic flows and the like. They came up with some options for us to consider. The first option was traffic lights — reconfiguring the roundabout so that traffic lights would be the way vehicle traffic was controlled. The second option was reconfiguring the roundabout into two T-intersections. The third option, which is obviously my least preferred, was to do nothing.

I then organised a couple of community forums in the electorate. The residents came along and looked at the options. Changes were suggested to VicRoads, in particular to option 1, the traffic lights option. VicRoads, to its credit incorporated those changes in the final set of options that were put forward. At that meeting 74 per cent of residents supported option 1, the installation of lights at the roundabout. Given the changes VicRoads made following the meeting, I think a higher percentage of residents would probably support option 1. It is also worth noting that a range of groups — Bicycle Victoria, Darebin City Council, Yarra Trams and obviously the residents — support reconfiguring the roundabout and installing traffic lights to make it safer. I therefore call on the minister to take this action for the benefit of residents of Northcote.

Rail: Murrayville line

Mr CRISP (Mildura) — The action I seek is from the Minister for Public Transport. I would like the minister to guarantee that there will be a meeting

between the minister and the Murrayville Silo Committee, with which I have a great deal of communication. The government and V/Line have had six months in which to check on and do any maintenance necessary to keep the Murrayville line open. Farmers at Murrayville and Underbool are dismayed that two grain trains scheduled mid-month have been cancelled because of the deteriorating condition of the railway line to Ouyen. The secretary of the Murrayville Silo Committee, David Allan, has informed me that he has been advised the track is now deemed not to be in a fit state to take the grain trains. The line was closed last September for the summer months and it is now said that the track has deteriorated to such an extent that it cannot be used until some repair work is done.

The DEPUTY SPEAKER — Order! I am sorry to interrupt the member, but I ask him to clarify his action.

Mr CRISP — A meeting.

The DEPUTY SPEAKER — Order! A meeting between the minister and Murrayville action group; is that it?

Mr CRISP — Yes. The outcome everyone is seeking is for the repairs to be done this winter, along with the Mildura rail upgrade. Growers on the Murrayville line will lose financially if their grain has to go by road, because of the additional cost. Already road transport is being used to cart grain across to Ouyen from the Murrayville and Underbool silos to be put on rail. There are 60 000 to 70 000 tonnes of grain — or 1500 to 1700 B-double truckloads — out there that could have gone by rail. The silo committee will tell you that more ships being loaded means more trucks and more delays in peak hour traffic in Melbourne, more noise pollution, more accidents, more damage to roads and more greenhouse gas emissions. A train carrying 2200 tonnes of grain 400 kilometres replaces 50 B-double trucks, uses 8000 litres less fuel and saves 23 tonnes of greenhouse gas emissions. Further, metropolitan residents will not welcome the loading of ships at a rate of 100 000 tonnes of grain a week if it means 357 B-double transport loads will be going through the suburbs en route to the port of Melbourne.

Mildura Rural City Council councillor Vernon Knight has said that the works on the Murrayville line will occur between 2010 and 2011, when an upgrade is expected to cost about \$10 million. Bringing those works forward by using some of the \$25 million already set aside for rail line maintenance while there is a major contractor in the area working on the Mildura

line would be the most cost-effective way of getting trains running on that line. This has become a very important issue for a small group of communities situated along the rail line. They are using this issue to judge whether Victoria still cares for a remote part of the state.

Sport: Yuroke electorate grounds

Ms BEATTIE (Yuroke) — The matter I raise is for the urgent attention of the Minister for Sport, Recreation and Youth Affairs. The action I seek is that the minister fund Hume City Council for projects involving sports fields that require water as a result of the drought. Members will recall that the electorate of Yuroke is in the city of Hume. It is a huge growth area, with lots of young families and young children — and a lot of them play sport. A sum of \$100 000 would be used for projects, one of which involves ovals at Lakeside Drive reserve.

The ovals are used extensively by the Roxburgh Park Cricket Club, which recently played in the district grand finals; the Roxburgh Park Football Club, the Roxburgh Park Magpies; and the Roxburgh Park Little Athletics Club. The ovals are also shared with schools. There is a big ornamental lake nearby that captures stormwater from local streets and roads — and the Minister for Local Government knows that. Following consultations, representatives of Melbourne Water have advised that there is an opportunity to divert water from that lake and pump it to the ovals. A small amount of treatment would be required before the water could be used to irrigate the reserve, but Melbourne Water advises that it can do that so that those sporting grounds can be used.

This situation is the result of the water restrictions. Melbourne Water has given in-principle support to the project. The council is also seeking to replace three en-tous-cas courts at Gladstone Park Tennis Club with a synthetic clay surface. It is also seeking to introduce warm season grasses at another four reserves. With those four reserves, the two ovals at Lakeside Drive and the tennis courts coming on line there will be ample opportunity for young people in the electorate of Yuroke to play sport. All members of the house agree that playing sport is not only good for young people's health and wellbeing but also diverts them from getting into trouble. For \$100 000 of funding from the minister, the granting of which is the action I seek, I think it would be terrific.

Melbourne Youth Music: funding

Mr DIXON (Nepean) — I raise a matter with the Minister for Education regarding Melbourne Youth Music, known as MYM. I ask the minister to restore this organisation's funding levels, which she has cut. Members might ask, 'What is MYM?'. I quote from its brochure:

MYM is a non-profit organisation dedicated to the development of Victoria's young musicians, and is part of the Department of Education and Training, strategic partnerships program ...

MYM works with young children ranging from beginners right through to an advanced level. It has 10 instrumental ensembles, 4 vocal groups and 3 musical leadership programs. It conducts activities like weekly rehearsals and tutorials. It has a performance program, and I understand it is the only organisation in Australia that trains conductors of any age group. It also has a number of after-school programs.

The minister has said in relation to the cuts that perhaps the organisation could go to the arts ministry and another department, but I do not think that is good enough. She should not be suggesting that without an allocation of money from the arts ministry to go with that suggestion. The transition funding that was being reluctantly given is literally transitional; it is not ongoing. I think that is a slight on the hundreds of volunteers who have worked at this place over the years with our young people, a slight on the professionals and a slight on the students and their families, because they have had to put in so much of their time to drive their children to the various performances and rehearsals. It has been a big burden on families, and I think they deserve the government support that they used to have. It is not a lot of money when you look at the total education budget, so I am asking the minister to take responsibility for these cuts and to restore the funding to Melbourne Youth Music.

I have a good number of testimonials here — in fact a great number were sent to me, because this has caused a huge furor within the music circles throughout Melbourne and Victoria. One email received from Peter Bandy states:

The profile of MYO —

Melbourne Youth Orchestra, which is part of MYM —

in Melbourne is large, and the orchestra now has a reputation as being one of the finest youth orchestras not only in Australia but throughout the world.

Andrew Harper, who is a clarinetist and bass clarinetist with the Royal Academy of Music in London, said in an email:

The Melbourne Youth Music Saturday music program provides a unique and prosperous environment for young musicians from all backgrounds to develop their talent amongst leading professionals ...

... if it wasn't for Melbourne Youth Music, I am sure I would not be a musician today.

Simon Corkeran said in his email:

I attribute my success as a teacher and musician directly to the excellent grounding in music I obtained through participation in MYM music camps and the Saturday morning music school as a secondary student.

Rail: Yarraville level crossing

Mr NOONAN (Williamstown) — I wish to raise a matter for the attention of the Minister for Public Transport. The action I seek from the minister is that she accept an invitation to meet with representatives from the Cross Safe at Yarraville group together with officers from the Maribyrnong City Council to discuss the railway crossing on Anderson Street in Yarraville. Whilst the crossing meets the optimal level of electronic protection, with appropriate warning signals, electronic gates and warning signs all pursuant to Australian standards, it is clear that some road users and pedestrians are still taking risks at the crossing.

There were two very unfortunate incidents at the crossing last year, one involving the death of a cyclist, which is the subject of an inquiry by the coroner, and the other involving a collision between a truck and a train late one Friday afternoon. Fortunately no-one was seriously injured in that second incident. These two incidents have prompted calls from the community to reopen the underpass at the crossing and investigate other ways to improve safety for all road, rail and pedestrian users of the crossing. The filling in of the original pedestrian underpass at Yarraville station in 1997 was apparently part of the Building Better Cities program, which was established in 1994 and administered by Heritage Victoria. An at-grade pedestrian crossing built above the original underpass necessitated its closure, as it was not possible for the two to coexist due to insufficient space. Many in the community still argue that the closure of the original underpass was a bad decision and involved no consultation.

We cannot change history, so my focus has been on finding a way forward. Together with my colleague Martin Pakula, a member for Western Metropolitan Region in another place, I have met with the Cross Safe

at Yarraville group on a number of occasions to discuss safety at the crossing. We have also spoken with the Maribyrnong City Council about road and traffic management issues on Anderson Street. We were also most fortunate to have the minister visit the crossing late last year and meet with a representative of the Cross Safe group. I have also written to the minister about the underpass and posed the question that many in the community were asking: 'Why is it that the original underpass could not simply be reopened?'

The minister responded to my letter by advising that to reinstate the underpass in its original form with steps would be in contravention of the commonwealth Disability Discrimination Act 1992. The minister also stated in that letter that she was willing to consider any reasonable proposal from the local community that would result in improved safety for pedestrians, rail commuters and road users. Certainly the minister is to be commended for this approach. It is on that basis that I now seek the minister's direct involvement in discussions to consider the views of the Cross Safe group and the council so that a satisfactory outcome can be achieved at the crossing.

Gaming: poker machines

Mr O'BRIEN (Malvern) — I raise a matter for the attention of the Minister for Gaming. The action I seek is for the minister to revise the electronic gaming machine licensing system announced by the government to ensure that it does not spell the end of many local community clubs and pubs throughout Victoria. The fact sheet that was provided with the announcement today stated that entitlements for poker machine licences post-2012 will be allocated through a competitive bidding process. Essentially this means an auction. As anybody who has bought a house recently can attest, at an auction those with the biggest pockets will inevitably prevail.

This auction process will place many small community clubs and small pubs at a tremendous disadvantage. Small community clubs such as my local RSL club, which has a few poker machines, will find it very difficult to compete with the might of massive organisations like Australian Football League clubs, which are also very interested in obtaining lucrative pokies licences. I would not like to see the East Malvern RSL club trying to come up against Collingwood, Carlton, Richmond or any of the other large AFL clubs that have got substantial interests in poker machines when it comes to bidding for these licences. Likewise, small local pubs will find it very difficult to compete with very well-resourced

organisations such as Mr Bruce Matheson's Australian Leisure and Hospitality Group.

This model could well lead to a consolidation of the industry, so that far from the diversity and competition that the Premier and the Minister for Gaming were today suggesting would arise from it, we will in fact see a consolidation. More to the point — and this is the direct concern that I am raising with the minister — this could have a devastating impact on small clubs and pubs. A lot of them rely on the revenue that comes from having a few poker machines to keep them afloat. If these clubs and pubs lose these machines as a result of being outbid in a competitive auction process, it would certainly have a devastating effect on many local communities.

While the government is engaging in this consultation process, it is not too late to try to make sure there are adequate safeguards implemented in this auction process so that local community organisations, which put so much back into the community, get a fair share. The government, I know, is obsessed with revenue from gaming, and I have criticised it for that in the past. If the government's decision were to lead to small clubs and pubs being wiped off the face of Victoria because the government is putting revenue ahead of the contribution that these organisations make to the local community, I think the community would condemn the government for it. While there is still an opportunity before this licensing system is bedded down, I urge the minister to take the action I seek and ensure that his auction system for pokie licences does not see the end of local community clubs and small pubs throughout Victoria.

Nillumbik: sporting facilities

Ms GREEN (Yan Yean) — I wish to raise a matter for the attention of the Minister for Sport, Recreation and Youth Affairs. The action I seek is for him to fund an application by Nillumbik shire under the drought relief for community sport and recreation program. I firmly support this application, as it proposes irrigation improvements such as water harvesting and recycling, and the planting of warm season grasses and conversions at six ovals in the shire, including the A. E. Cracknell Reserve, home of the Panton Hill Football Club, my beloved Redbacks. I am still enjoying the great victory by the under-10s in the premierships last year — the first premierships in nearly half a century for the club. I know that if the grounds improve they will continue to go from strength to strength.

Improvements are also proposed for the Yarrambat War Memorial Park oval, which is the home of the mighty Bats — one of the best junior footy clubs you will see around — and cricket and netball are also played at that park. Two other reserves in my electorate where cricket is played and passive recreation is undertaken are the Plenty War Memorial Park oval and the Diamond Hills Reserve. I know that the member for Eltham is also very supportive of this application, because it includes improvements to Marngrook Oval and Susan Street oval, which is the home of the Eltham Rugby Union Football Club, where my son runs around in the under-18s. I wish the Wattle well this year.

The member for Eltham and I have really valued the support we have had from the council in partnership in improving sporting ovals during a difficult time, with the decade of drought that we have had, and also the volunteers and the club representatives who have served with the member for Eltham and me on our WaterSmart grounds committee, which has delivered a lot of improvements to other playing surfaces in the shire of Nillumbik. This next application by the Shire of Nillumbik that is now before the minister will build on that work.

I commend the council on its work again. I thank the minister for having the foresight to have a program such as this, which recognises the impact of drought on our sport. In Nillumbik kids and adults love to play their sport. I would like to thank the minister for the time he has taken in meeting with sporting clubs in my electorate and the many times that he has visited clubs and playing facilities in the Yan Yean electorate in the short time that he has been the minister. I commend this application wholeheartedly, and I urge him to fund the application from Nillumbik Shire Council.

Latrobe Valley: clean coal authority

Mr NORTHE (Morwell) — I wish to raise a matter for the Minister for Energy and Resources. The action I seek is for the minister to advise Victorians on when the clean coal authority (CCA) is to be established in the Latrobe Valley and what responsibilities the authority will have once it is created. As many in this house will be aware, the Latrobe Valley brown coal power stations account for approximately 85 per cent of Victoria's current energy requirements and continue to be at the forefront of an ever evolving industry that seeks to reduce greenhouse gas emissions.

The 2007–08 state budget made reference to the government's \$3.8 million commitment over three years to establish a clean coal authority in the Latrobe Valley. Whilst the establishment of such an authority in

the Latrobe Valley is welcome, there appears to have been very little development of the objectives, operations and powers the authority would have, and indeed any time lines of its inception.

Following the budget announcements in May 2007, I wrote to the Minister for Energy and Resources seeking further information on the establishment of the CCA, and raised the prospect of ensuring that local companies and organisations were involved in the development process. Subsequently, in August 2007, the Department of Primary Industries (DPI) released an issues paper called *Strategic Policy Framework for Near Zero Emissions from Latrobe Valley Brown Coal*. Section 7 of this document specifically referred to the CCA and posed many questions similar to those that I initially asked the minister.

Numerous local businesses, organisations and community groups tabled submissions to the issues paper, with many expressing an interest in what the actual role of the CCA would be, and if it would include local expertise, amongst other matters. In fact, the minister himself, via a media release on 22 November 2007, recognised the fact that 42 submissions had been received in response to the document but disappointingly no progression appears to have taken place on the CCA aspect of the issues paper. Page 26 of the document states that a strategic policy framework would be released in early 2008; however, the issue pertaining to the CCA does not appear to have been addressed.

In January of this year the DPI released a discussion paper called *A Regulatory Framework for the Long-Term Underground Geological Storage of Carbon Dioxide in Victoria*, which discusses what is essentially carbon capture and storage (CCS) technology. It did not refer to what role the CCA may have in the development of this technology. This is relevant due to the fact that this government sees Latrobe Valley and Gippsland as prospectively utilising this technology in future years.

The Garnaut report is also imminent and could have significant implications for current and future power generators in the Latrobe Valley. With the continuing development of CCS technologies in the final Garnaut report due in September this year, one wonders what role a clean coal authority might have in these important developments. That is why I ask the Minister for Energy and Resources to advise Victorians on when the CCA is to be established in the Latrobe Valley.

Casey: multicultural youth liaison officer

Mr DONNELLAN (Narre Warren North) — I rise tonight seeking action from the Minister for Sport, Recreation and Youth Affairs to provide a grant for a multicultural youth liaison officer for my local electorate and the city of Casey generally.

I am having great difficulty at the moment ensuring that local youths from culturally and linguistically diverse (CALD) communities are involved in sport. The City of Casey appears to be far too focused on building monuments such as Casey Fields and the Cranbourne Aquatic and Leisure Centre, which are costing tens of millions of dollars, and is not taking care of basic grassroots sport. There are many clubs whose facilities are very basic.

What we need in Casey is an assessment of where the demand exists among young people from CALD communities for sport. There are many young Afghans in my electorate looking to play soccer but they cannot find a facility to start a club. It is important that these youths are assisted locally to get involved in existing clubs that have spare capacity.

It is vital that we have a liaison officer to assist in building this engagement. Integrating young people and making them feel welcome in the local community is essential for the long-term well-being of all. Many young people in my community have been seriously scarred by their experiences before they arrived in Australia. It is only through opening our arms and involving them in local sport and the like that they can over time feel safe, comfortable and welcome here. The area of Casey is becoming more and more culturally diverse every day. Only through recognising this and providing support services can we ensure harmony for all. We know sport is a great leveller and can help with the successful integration of CALD communities.

I know in the past that the state government has been very generous in funding needs assessments. I think we have actually done one into general sports, in basketball, and I think we have looked at funding one in soccer, and I think on both occasions Stratcorp Consulting undertook these assessments and identified the great shortage of facilities for local clubs to play basketball, soccer and the like, and that is generally.

In terms of the CALD communities, there is a great need to get them engaged in local clubs. At the end of the day, this needs to be done in partnership with the City of Casey and I am sure that a liaison officer would do this well. There is a great need to continue to push to get people from CALD communities involved so that

they feel welcome. Again I urge the minister to consider the provision of funding for a multicultural youth liaison officer for the city of Casey so we can get to work and have these young people involved in local sporting organisations at a grassroots level.

Responses

Mr WYNNE (Minister for Housing) — The member for Polwarth raised a matter for the Minister for Roads and Ports in relation to boating improvements at Lake Purrumbete, and I will refer that matter for his attention.

The member for Northcote also raised a matter for the Minister for Roads and Ports in relation to a very dangerous roundabout at St Georges Road, Northcote, and suggested some much-needed improvements in that area.

Mr Kotsiras interjected.

Mr WYNNE — Indeed, it is dangerous. One of our members had a very serious accident there while going home one night.

The member for Mildura raised a matter for the attention of the Minister for Public Transport seeking a meeting with the Murrayville Silo Committee in relation to access issues for producers in that area.

The member for Yuroke raised a matter for the Minister for Sport, Recreation and Youth Affairs in relation to funding of the Hume City Council for the much-needed watering of ovals, particularly in the Roxburgh Park area of her electorate.

The member for Nepean raised a matter for the Minister for Education in relation to funding for the Melbourne Youth Music organisation, and I will refer that matter to the minister.

The member for Williamstown raised a matter for the attention of the Minister for Public Transport in relation to meeting with an organisation called Cross Safe at Yarraville and the Maribyrnong council in relation to a dangerous crossing at Anderson Street, Yarraville. I will direct that to the minister's attention.

The member for Malvern raised a matter for the Minister for Gaming, suggesting that there be a revision of the gaming licence process for small community clubs apropos of today's announcement.

The member for Yan Yean raised a matter for the Minister for Sport, Recreation and Youth Affairs in relation to an application that the Nillumbik shire has

before the minister for drought relief for sporting facilities.

The member for Morwell raised a matter for the Minister for Energy and Resources in relation to when a clean coal authority will be established in the Latrobe Valley and the future role of the authority. That matter will be addressed by the minister.

Finally, the member for Narre Warren North raised a matter for the Minister for Sport, Recreation and Youth Affairs in relation to funding for a cultural youth liaison officer — —

The DEPUTY SPEAKER — Order! Can I clarify whether the member meant the Minister Assisting the Premier on Multicultural Affairs or the Minister for Sport, Recreation and Youth Affairs, because he mentioned both ministers.

Mr Donnellan — Both, Deputy Speaker. Sorry.

Mr WYNNE — We will make sure the minister, in either of his portfolio areas, addresses the issue of funding for the youth liaison officer needed at the City of Casey.

The DEPUTY SPEAKER — Order! The house is now adjourned.

House adjourned 4.34 p.m.

